

## Liability: Volunteer

### N.C. Gen. Stat. 1-539.10

An individual who, in good faith and voluntarily, performs services for a charitable organization or in an emergency, will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness or intent to cause harm. They can be held legally responsible if they caused injury, death, or damage to property while operating a motor vehicle.

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### Immunity from civil liability for volunteers

(a) A volunteer who performs services for a charitable organization or a volunteer engaged in providing emergency services is not liable in civil damages for any acts or omissions resulting in any injury, death, or loss to person or property arising from the volunteer services rendered if:

- (1) The volunteer was acting in good faith and the services rendered were reasonable under the circumstances;
- and
- (2) The acts or omissions do not amount to gross negligence, wanton conduct, or intentional wrongdoing.
- (3) The acts or omissions did not occur while the volunteer was operating or responsible for the operation of a motor vehicle.

(b) To the extent that any charitable organization or volunteer has liability insurance, that charitable organization or volunteer shall be deemed to have waived the qualified immunity herein to the extent of indemnification by insurance for the negligence by any volunteer.

(c) Nothing herein shall be construed to alter the standard of care requirement or liability of persons rendering professional services.