

Liability: State and Political Subdivision

35 PaCS 7704(a)

Pennsylvania, a political subdivision, or an agent, employee, or representative of Pennsylvania or a political subdivision who provides emergency services 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. This section includes an individual under contract with Pennsylvania or a political subdivision while the individual is complying, or attempting to comply, with any rule or regulation regarding emergency management services.

Immunity from civil liability

(a) General rule. ? Neither the Commonwealth nor any political subdivision thereof nor other agencies nor, except in cases of willful misconduct, the agents, employees or representatives of any of them engaged in any emergency services activities, nor, except in cases of willful misconduct or gross negligence, any individual or other person under contract with them to provide equipment or work on a cost basis to be used in disaster relief, nor, except in cases of willful misconduct or gross negligence, any person, firm, corporation or an agent or employee of any of them engaged in disaster services activities, while complying with or attempting to comply with this part or any rule or regulation promulgated pursuant to the provisions of this part, shall be liable for the death of or any injury to persons or loss or damage to property as a result of that activity.