

Liability: Architect and Engineer

Utah Code Ann. 78B-4-514

When an emergency declaration is in effect, a licensed architect or engineer who, in good faith, without compensation, and on official request, provides services within their scope of practice will not be held legally responsible for acting or failing to act.

This section is limited to up to 90 days after the emergency has been declared.

Definitions ? Immunity for architects and engineers during emergencies

(1) As used in this section:

(a) ?Architect? means a person licensed in accordance with Title 58, Chapter 3a, Architects Licensing Act.

(b) ?Declared state of emergency? means a state of emergency declared by the governor of this state or by the chief executive officer of a political subdivision, in accordance with Title 53, Chapter 2a, Emergency Management Act.

(c) ?Professional engineer? means a person licensed in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act.

(d) ?Public official? means an appointed or elected federal, state, or local official, including building inspectors and police and fire chiefs, acting within the scope and jurisdiction of the official?s authority during a declared emergency.

(2) An architect or professional engineer, acting in good faith and within the scope of his or her respective license, is not liable for:

(a) any acts, errors, or omissions; or

(b) personal injury, wrongful death, property damage, or any other loss arising from architectural or engineering services provided by the architect or engineer:

- (i) as a non-paid volunteer at the request of a public official; and
- (ii) during, or for 90 days following, a declared state of emergency.

(3) Nothing in Subsection (2) shall be construed to provide immunity to an architect or engineer for architectural or engineering services that are not within the scope of licensure.