

Liability: Architect and Engineer

Tenn. Code Ann. 62-2-109

When an emergency declaration is in effect, an architect or engineer who, in good faith and without compensation, provides voluntary professional services at the request of a public official will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness, intent to cause harm, or perform the professional services after the 90 days following the emergency declaration.

Voluntary inspection services by architects or engineers at scene of a natural or man-made emergency -- Limitation of liability -- Applicability and scope of limitation

(a) An architect or engineer who voluntarily, without compensation or expectation of compensation, provides structural or building systems inspection services at the scene of a declared national, state or local natural or man-made emergency at the request of a public safety officer or city or county building inspector acting in an official capacity shall not be liable in negligence for any personal injury or property damage caused by the architect's or engineer's good faith, but negligent, inspection of a structure used for human habitation or a structure owned by a public entity, for structural integrity or nonstructural elements affecting life and safety. The immunity provided by this section shall apply only for an inspection that occurs within ninety (90) days of the declared national, state or local natural or man-made emergency.

(b) Nothing in this section shall be construed to provide immunity for gross negligence or willful misconduct.

(c) As used in this section, "public safety officer" means:

(1) The chief law enforcement officer in a county or city;

(2) A law enforcement officer acting at the specific direction of the chief law enforcement officer; or

(3) The director or the director's assistants of the emergency management agency designated in accordance with § 58-2-104.

(d) Nothing in this section shall be construed as extending immunity to a city or county for whom inspection services are provided as described in this section.