

Liability: State Volunteer

N.J. Stat. App.A:9-52

A state volunteer who, in good faith, complies or attempts to comply with any temporary emergency rule will not be held legally responsible.

An individual whose property is designated as a shelter in an emergency or during trainings will not be held legally responsible for injury or death suffered by others using the property. They can be held legally responsible if acting with intent to cause harm.

Liability for injury to persons or property

Neither the State nor any political subdivision of the State under any circumstances, nor the agents, officers, employees, servants or representatives of the State or any political subdivision thereof, including all volunteers, in good faith carrying out, complying with, or attempting to comply with, any order, rule or regulation promulgated pursuant to the provisions of this act, or performing any authorized service in connection therewith, shall be liable for any injury or death to persons or damage to property as the result of any such activity. No person owning, possessing or managing any real property which has been designated, pursuant to the provisions of this act or of any order, rule or regulation promulgated thereunder, as a shelter from destructive operations or attacks by enemies of the United States, shall be liable in any civil action for death or injury to any person who, because such real property has been designated a shelter as aforesaid, enters upon it solely for the purpose of seeking refuge therein during such destructive operations or attacks or during civil defense tests ordered by lawful authority, except where such death or injury is caused by the willful act of such owner, possessor or manager, or his agents or employees. The foregoing shall not affect the right of any person to receive benefits or compensation which may be specifically provided by the provisions of this or any other State or Federal Statute, nor shall it affect the right of any person to

recover under the terms of any policy of insurance.