

Powers, Duties, Rights, Privileges, and Immunities: Employees of Political Subdivision Providing Aid in Another Jurisdiction

Burns Ind. Code Ann. 10-14-3-18

An employee of a political subdivision, who provides aid outside of their political subdivision, will have the same powers, duties, rights, privileges, and immunities as if they were in their home political subdivision. This includes aid outside of Indiana. The subdivision requesting aid per a mutual aid agreement will be responsible for any payments or reimbursements.

Rights, privileges and immunities of employees of political subdivision - Liability of political subdivision for expenses and damages

(a) If the employees of a political subdivision render aid outside the political subdivision under section 17 [IC 10-14-3-17] of this chapter, the employees have the same:

- (1) powers;
- (2) duties;
- (3) rights;
- (4) privileges; and
- (5) immunities;

as if they were performing their duties in the political subdivisions in which they are normally employed.

(b) The political subdivision in which any equipment is used under this section:

- (1) is liable for loss or damage; and
- (2) shall pay any expense incurred in the operation and maintenance of the equipment.

A claim for the loss, damage, or expense is not allowed unless an itemized notice of the claim made under oath is

served not more than sixty (60) days after the date the claim is sustained or incurred upon the chief fiscal officer of the political subdivision where the equipment was used.

(c) The:

(1) rights;

(2) privileges; and

(3) obligations;

described in this section also apply if aid is rendered outside Indiana and if payment or reimbursement in this case shall or may be made by the state or political subdivision receiving the aid under a reciprocal mutual aid agreement or compact with the other state or by the federal government.