

1 HB479
2 183900-1
3 By Representative Johnson (K)
4 RFD: Judiciary
5 First Read: 06-APR-17

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8 SYNOPSIS: This bill provides exceptions from civil
9 liability for transportation providers who provide
10 transportation to healthcare.

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12 A BILL
13 TO BE ENTITLED
14 AN ACT

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16 To provide exceptions from civil liability for
17 transportation providers who provide transportation to
18 healthcare.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) A transportation professional or
21 volunteer who, in good faith, provides, without fee or
22 compensation, transportation to healthcare shall not be liable
23 for civil damages as a result of his or her acts or omissions
24 in providing such transportation services, unless the act or
25 omission was the result of the provider's willful or wanton
26 misconduct.

1 (b) Subsection (a) does not apply to a particular
2 case unless the transportation provider has posted in a
3 conspicuous place on its premises or vehicle an explanation of
4 the immunity from civil liability provided by this article.

5 (c) The immunity from civil liability provided under
6 subsection (a) also applies to transportation professionals or
7 providers who provide, without fee or compensation,
8 transportation to individuals from their residence to
9 healthcare providers.

10 (d) Acceptance by the transportation provider of a
11 contribution made by a person receiving transit services shall
12 not constitute a waiver of immunity as provided in this
13 article.

14 (e) In any suit against a transportation provider
15 for civil damages based upon the negligent act or omission of
16 a volunteer transportation entity, proof of such act or
17 omission shall not be sufficient to establish the
18 responsibility of the provider under the doctrine of
19 "respondeat superior," notwithstanding the immunity granted to
20 the volunteer transportation provider with respect to any act
21 or omission included under subsection (a), unless such act or
22 omission is found to be willful or wanton.

23 Section 2. The provisions of this act are severable.
24 If any part of this act is declared invalid or
25 unconstitutional, that declaration shall not affect the part
26 which remains.

1 Section 3. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.