

Senate File 2179 - Introduced

SENATE FILE 2179

BY GARRETT

A BILL FOR

1 An Act relating to liability arising from the donation of
2 equipment by a municipality, fire department, emergency
3 medical services provider, or law enforcement agency.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 100B.41 Donation of fire fighting,
2 emergency medical response, and law enforcement equipment.

3 A fire department, emergency medical services provider, or
4 law enforcement agency may donate used vehicles or equipment
5 to an organization that provides fire response or emergency
6 medical services, or to a law enforcement agency. An entity
7 donating equipment pursuant to this subsection shall be
8 immune from civil liability from any claim arising from the
9 performance, failure to perform, nature, age, condition, or
10 packaging of any vehicle or equipment used in fire fighting,
11 emergency medical response, or law enforcement.

12 Sec. 2. Section 669.14, Code 2020, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 16. Any claim arising from the performance,
15 failure to perform, nature, age, condition, or packaging of
16 any vehicle or equipment used in fire fighting, emergency
17 medical response, or law enforcement which has been donated
18 without payment to any organization engaged in fire fighting or
19 emergency medical services, or to a law enforcement agency.

20 Sec. 3. Section 670.4, subsection 1, Code 2020, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. r. Any claim arising from the performance,
23 failure to perform, nature, age, condition, or packaging of
24 any vehicle or equipment used in fire fighting, emergency
25 medical response, or law enforcement which has been donated
26 without payment to any organization engaged in fire fighting or
27 emergency medical services, or to a law enforcement agency.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill allows a fire department, emergency medical
32 services provider, or law enforcement agency to donate used
33 equipment to another organization that provides fire fighting
34 or emergency medical services, or is a law enforcement agency.
35 The bill exempts the state, municipalities, fire departments,

1 emergency medical services providers, and law enforcement
2 agencies from tort liability arising from the performance,
3 failure to perform, nature, age, condition, or packaging of any
4 vehicle or equipment donated to an organization that provides
5 fire fighting or emergency medical services, or is a law
6 enforcement agency.