

1 A bill to be entitled
 2 An act relating to unattended persons and animals in
 3 motor vehicles; creating s. 768.139, F.S.; providing
 4 definitions; providing immunity from civil liability
 5 for entry or damage to a motor vehicle related to the
 6 rescue of a person or animal under certain
 7 circumstances; providing applicability; providing an
 8 effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Section 768.139, Florida Statutes, is created
 13 to read:

14 768.139 Rescue of vulnerable person or domestic animal
 15 from a motor vehicle; immunity from civil liability.-

16 (1) DEFINITIONS.-As used in this section, the term:

17 (a) "Domestic animal" means a dog, cat, or other animal
 18 that is domesticated and may be kept as a household pet. The
 19 term does not include livestock or other farm animals.

20 (b) "Motor vehicle" has the same meaning as provided in s.
 21 320.01.

22 (c) "Vulnerable person" has the same meaning as provided
 23 in s. 435.02.

24 (2) IMMUNITY FOR ENTRY AND DAMAGE RELATED TO MOTOR VEHICLE
 25 RESCUE.-A person who enters a motor vehicle, by force or
 26 otherwise, for the purpose of removing a vulnerable person or

27 domestic animal is immune from civil liability for such entry
 28 and any damage to the motor vehicle if the person:

29 (a) Determines the motor vehicle is locked or there is
 30 otherwise no reasonable method for the vulnerable person or
 31 domestic animal to exit the motor vehicle without assistance.

32 (b) Has a good faith and reasonable belief, based upon the
 33 known circumstances, that entry into the motor vehicle is
 34 necessary because the vulnerable person or domestic animal is in
 35 imminent danger of suffering harm.

36 (c) Ensures that law enforcement is notified or 911 called
 37 before entering the motor vehicle or immediately thereafter.

38 (d) Uses no more force to enter the motor vehicle and
 39 remove the vulnerable person or domestic animal than is
 40 necessary.

41 (e) Remains with the vulnerable person or domestic animal
 42 in a safe location, in reasonable proximity to the motor
 43 vehicle, until law enforcement or other first responder arrives.

44 (3) APPLICABILITY.—This section does not limit or expand
 45 any immunity provided under s. 768.13 for the care or treatment
 46 of the vulnerable person or domestic animal.

47 Section 2. This act shall take effect upon becoming a law.