

13102675D

**HOUSE BILL NO. 1835**

Offered January 9, 2013

Prefiled January 8, 2013

A *BILL to amend and reenact § 27-23.6 of the Code of Virginia, relating to firefighters; emergency medical technicians; cap on damages.*

---

Patron—Poindexter

---

Referred to Committee for Courts of Justice

---

**Be it enacted by the General Assembly of Virginia:****1. That § 27-23.6 of the Code of Virginia is amended and reenacted as follows:****§ 27-23.6. Provision of fire-fighting or emergency medical services.**

A. Any county, city or town may contract with or provide for any volunteer fire-fighting or emergency medical services companies or associations in the county, city or town for the fighting of fire or provision of emergency medical services in any county, city or town. If such provisions are made by the county, city or town, the fire-fighting or emergency medical services company shall be deemed to be an instrumentality of the county, city or town and as such exempt from suit for damages done incident to fighting fires or providing emergency medical services therein. The county, city or town may elect to provide for the matters authorized in §§ 27-4 and 27-39.

B. Any county, city or town may provide fire-fighting and emergency medical services to its citizens by using both government-employed and volunteer company or association firefighters and emergency medical services personnel. If such a system is utilized, the volunteer fire-fighting and emergency medical services companies and associations shall be deemed an instrumentality of the county, city or town, and as such exempt from suit for damages done incident to providing fire-fighting and emergency medical services to the county, city or town. The county, city or town may also elect to provide for matters authorized in §§ 27-4 and 27-39.

"Providing fire-fighting or emergency medical services" includes travel while performing fire, rescue or other emergency operations in fire-fighting apparatus or other emergency vehicles as described in §§ 46.2-1023 and 46.2-920, respectively.

C. *To the extent liable in a civil action for damages done incident to providing fire-fighting and emergency medical services, the total amount recoverable from any firefighter or emergency medical technician shall not exceed \$250,000.*

INTRODUCED

HB1835