

# 1998 SESSION

INTRODUCED

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## SENATE BILL NO. 673

Offered January 26, 1998

A *BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 20.1, consisting of sections numbered 8.01-217.1, 8.01-217.2, and 8.01-217.3, relating to limited immunity for certain volunteers.*

Patron—Reynolds

Referred to the Committee for Courts of Justice

### Be it enacted by the General Assembly of Virginia:

**1. That the Code of Virginia is amended by adding in Chapter 3 of Title 8.01 an article numbered 20.1, consisting of sections numbered 8.01-217.1, 8.01-217.2, and 8.01-217.3, as follows:**

#### Article 20.1.

#### *Limited Immunity for Certain Volunteers.*

##### *§ 8.01-217.1. Definitions.*

*As used in this article:*

*"Organization" means an organization (i) that provides transportation for disabled persons, elderly persons, and persons on welfare-related programs, (ii) which is exempt from federal income taxation under § 501(c)(3) of the Internal Revenue Code, and (iii) whose civil liability is not otherwise provided by law.*

*"Volunteer" means a person who, without compensation, operates motor vehicles on behalf of an organization for the purpose of providing transportation for disabled persons.*

##### *§ 8.01-217.2. Civil immunity for volunteers.*

*Any volunteer acting in good faith, in the absence of gross negligence or willful misconduct, shall not be liable for civil damages resulting from injury to the person or damage to property and arising out of the operation or use of any motor vehicle in the course of his duties as a volunteer.*

##### *§ 8.01-217.3. Exceptions to immunity.*

*The immunity granted under this article shall not apply to any intentional act or omission or to any act or omission constituting willful misconduct or a knowing violation of the criminal law.*

**2. That the provisions of this act shall not apply to any cause of action accruing prior to July 1, 1998.**

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