

§164-B. Immunity from civil liability for assistance given to law enforcement dogs, search and rescue dogs and service dogs

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Emergency medical services person" has the same meaning as "emergency medical services' person" in Title 32, section 83, subsection 12. [PL 2017, c. 338, §1 (NEW).]

B. "Law enforcement dog" means a dog trained for law enforcement use that is actively certified pursuant to federal, national, regional or state standards and that is owned or maintained by a law enforcement agency or other governmentally funded agency for law enforcement or security services. [PL 2017, c. 338, §1 (NEW).]

C. "Law enforcement officer" means a person who by virtue of public employment is vested by law with a duty to maintain public order, to prosecute offenders and to make arrests for crimes. [PL 2017, c. 338, §1 (NEW).]

D. "Search and rescue dog" means a dog that is certified as a search and rescue dog by the Department of Inland Fisheries and Wildlife, Bureau of Warden Service or that is in training to become a search and rescue dog with an organization recognized by the Bureau of Warden Service to provide such training. [PL 2017, c. 338, §1 (NEW).]

E. "Security services dog handler" means a security professional who is trained to partner with a law enforcement dog in the performance of the security professional's duties, who is actively certified pursuant to federal, national, regional or state standards and who is qualified to train, care for and work with a law enforcement dog. [PL 2017, c. 338, §1 (NEW).]

F. "Service dog" has the same meaning as "service animal" in Title 5, section 4553, subsection 9-E. [PL 2017, c. 338, §1 (NEW).]

[PL 2017, c. 338, §1 (NEW).]

2. Immunity. Notwithstanding any provision of any public or private and special law to the contrary, an emergency medical services person, a security services dog handler or a law enforcement officer who voluntarily, without the expectation of monetary or other compensation, renders first aid, emergency treatment or rescue assistance to a law enforcement dog, search and rescue dog or service dog that is unconscious, ill, injured or in need of rescue assistance is not liable for damages for an injury alleged to have been sustained by the dog nor for damages for the death of the dog alleged to have occurred by reason of an act or omission in the rendering of the first aid, emergency treatment or rescue assistance unless it is established that the injury or the death was caused willfully, wantonly or recklessly or by gross negligence on the part of the emergency medical services person, security services dog handler or law enforcement officer.

[PL 2017, c. 338, §1 (NEW).]

3. Application. This section applies to a member or employee of a nonprofit volunteer or governmental ambulance, rescue or emergency unit, whether or not a user or service fee may be charged by the nonprofit unit or the governmental entity and whether or not the member or employee receives a salary or other compensation from the nonprofit unit or the governmental entity.

This section applies to a law enforcement officer, security services dog handler or emergency medical services person who voluntarily renders first aid, emergency treatment or rescue assistance to a law enforcement dog, search and rescue dog or service dog, to the extent the officer, handler or person has received training in the medical stabilization of dogs.

This section does not apply if the first aid, emergency treatment or rescue assistance is rendered on the premises of a veterinary hospital or clinic.

[PL 2017, c. 338, §1 (NEW).]

SECTION HISTORY

PL 2017, c. 338, §1 (NEW).

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