

ACT 44

H.B. NO. 645

A Bill for an Act Relating to Tort Actions and Liability.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 663-1.5, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 663-1.5 Exception to liability.** (a) Any person who in good faith renders emergency care, without remuneration or expectation of remuneration, at the scene of an accident or emergency to a victim of the accident or emergency shall not be liable for any civil damages resulting from his acts or omissions, except for such damages as may result from his gross negligence or wanton acts or omissions.

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(b) No act or omission of any rescue team operating in conjunction with a hospital or an authorized emergency vehicle of the hospital or the State or county, while attempting to resuscitate any person who is in immediate danger of loss of life, shall impose any liability upon the rescue team or the owners or operators of such hospital or authorized emergency vehicle, if good faith is exercised.

For the purposes of this section, 'rescue team' means a special group of physicians, surgeons, nurses, volunteers, or employees of the owners or operators of the hospital or authorized emergency vehicle who have been trained in cardio-pulmonary resuscitation and have been designated by the owners or operators of the hospital or authorized emergency vehicle to attempt to resuscitate persons who are in immediate danger of loss of life in cases of emergency.

This section shall not relieve the owners or operators of the hospital or authorized emergency vehicle of any other duty imposed upon them by law for the designation and training of members of a rescue team or for any provisions regarding maintenance of equipment to be used by the rescue team or any damages resulting from gross negligence or wanton acts or omissions."

SECTION 2. Section 663-1.5(b) of section 1 of this Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of the statutes need not include the brackets, the bracketed material, or the underscoring.\*

SECTION 4. This Act shall take effect upon its approval.

(Approved May 24, 1974.)

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\*Edited accordingly.