

HOUSE BILL No. 6210

November 12, 1992, Introduced by Rep. Griffin and referred to the Committee on Judiciary.

A bill to provide immunity from civil liability to professional engineers under certain circumstances.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Building inspection official" means an appointed or
3 elected federal, state, or local official with overall executive
4 responsibility to coordinate building inspection in the jurisdic-
5 tion in which the emergency occurs.

6 (b) "Emergency" means a declared national, state, or local
7 emergency caused by a major earthquake, hurricane, tornado, fire,
8 explosion, collapse, or other similar disaster or catastrophic
9 event.

10 (c) "Law enforcement official" means an appointed or elected
11 federal, state, or local official with overall executive

1 responsibility to coordinate law enforcement in the jurisdiction
2 in which the emergency occurs.

3 (d) "Professional engineer" means a person licensed as a
4 professional engineer under article 20 of the occupational code,
5 Act No. 299 of the Public Acts of 1980, being sections 339.2001
6 to 339.2014 of the Michigan Compiled Laws.

7 (e) "Public official" means an elected federal, state, or
8 local official with overall executive responsibility in the
9 jurisdiction in which the emergency occurs.

10 (f) "Public safety official" means an appointed or elected
11 federal, state, or local official with overall executive respon-
12 sibility to coordinate public safety in the jurisdiction in which
13 the emergency occurs.

14 Sec. 2. A professional engineer is not liable for civil
15 damages as a result of an act or omission in the performance of
16 structural, electrical, mechanical, or other engineering services
17 provided at the scene of an emergency if those services are pro-
18 vided voluntarily, without compensation, and at the request of a
19 building inspection, law enforcement, public, or public safety
20 official acting in an official capacity.

21 Sec. 3. (1) The immunity provided by this act applies only
22 to services provided within 90 days after the onset of the emer-
23 gency, unless that time period is extended by the governor under
24 the governor's emergency executive powers.

25 (2) This act does not provide immunity for wanton, willful,
26 or intentional misconduct.