INTERSTATE MUTUAL EMERGENCY AID ACT
Act 459 of 2012

AN ACT to authorize interstate mutual aid for certain emergency responses; to provide for the recognition of certain credentials of emergency responders from other states; and to provide for certain civil immunity.

History: 2012, Act 459, Imd. Eff. Dec. 27, 2012.

The People of the State of Michigan enact:

3.971 Short title.

Sec. 1. This act shall be known and may be cited as the "interstate mutual emergency aid act".

History: 2012, Act 459, Imd. Eff. Dec. 27, 2012.

3.972 Definitions.

Sec. 2. As used is this act:

(a) "Emergency responder" means an individual who is required to possess a license, certificate, permit, or other official recognition for his or her expertise in a particular field or area of knowledge and whose assistance is utilized or is desirable during an emergency. Emergency responder includes, but is not limited to, emergency medical services personnel; physicians; nurses; mental health, veterinary, or other public health practitioners; emergency management personnel; public works personnel; and firefighters, including firefighters trained in the areas of hazardous materials, specialized rescue, extrication, water rescue, or other specialized area. Emergency responder does not include law enforcement officers or other law enforcement personnel.

(b) "Mutual aid emergency" or "emergency" means an occurrence or condition resulting in a situation that poses an immediate risk to health, life, property, or the environment, where the governing body having jurisdiction over the situation decides that the situation exceeds its ability to render appropriate aid and that it is in the public's best interest to request mutual aid from a governmental jurisdiction or private entity in another state with which the governing body has a written mutual aid agreement. Mutual aid emergency or emergency does not include a situation that initially raises to the level of disaster or emergency requiring a local or state of declaration of emergency or disaster, unless that declaration occurs after the initial request for mutual aid.

History: 2012, Act 459, Imd. Eff. Dec. 27, 2012.

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3.973 Mutual aid agreement.

Sec. 3. In order to more adequately address emergencies that extend or exceed a jurisdiction's emergency response capabilities, either without rising to the level of a state or local declaration of state of a disaster or emergency or in the initial stages of an event which may later become a declared disaster or emergency, the state or any of its departments and agencies, or a political subdivision of the state, including, but not limited to, a county, city, village, township, special district, or other unit of local government, or any combination thereof, may enter into a mutual aid agreement with 1 or more units of government from another state that provide for coordination of communications, training, and response to and stand-by for planned events and emergency responses between the units of government. When engaged in training, stand-by, and emergency response in accordance with the mutual aid agreements, emergency responders from outside this state are permitted to provide services within this state in accordance with this act and the terms of the mutual aid agreement. This act does not prohibit a private company or its employees under contract with a state agency or political subdivision in this state from participating in mutual aid agreements for the provision of emergency medical services personnel; physicians; nurses; mental health, veterinary, or other public health practitioners; emergency management personnel; or public works personnel, if the state agency or political subdivision approves the participation and the contract between the state agency or political subdivision and the participating private company permits the participation.

History: 2012, Act 459, Imd. Eff. Dec. 27, 2012.

3.974 Authority of out-of-state emergency responder to render mutual aid within this state; scope of license.

Sec. 4. An emergency responder from a unit of government from outside of this state who holds a license, certificate, or other permit recognized or issued by another state shall be considered to be licensed, certified, and permitted to render mutual aid within this state pursuant to a mutual aid agreement authorized by this act, if the emergency responder is acting within the scope of his or her license, certificate, or permit and within

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what an equivalent license, certificate, or permit from or recognized by this state would authorize.

History: 2012, Act 459, Imd. Eff. Dec. 27, 2012.

3.975 Immunity from liability.

Sec. 5. Any function performed under this act shall be considered to have been for public and governmental purposes, and all immunities from liability enjoyed by the state or the political subdivisions of this state and their officers, agents, and employees shall extend to the emergency responders from another state when providing mutual aid or while engaged in training and exercises pursuant to a written mutual aid agreement authorized by this act.

History: 2012, Act 459, Imd. Eff. Dec. 27, 2012.

3.976 Emergency responders as employees and agents of respective employers and jurisdictions.

Sec. 6. Emergency responders from outside this state, while rendering mutual aid within this state pursuant to a mutual aid agreement authorized by this act, remain employees and agents of their respective employers and jurisdictions. Nothing in this act, or any mutual aid agreement entered into pursuant to this act, creates an employment relationship between the jurisdiction requesting aid and the employees and agents of the jurisdiction rendering aid. All pension, relief, disability, death benefits, worker's compensation, and other benefits enjoyed by emergency responders rendering emergency mutual aid shall extend to the services they perform outside their respective jurisdictions as if those services had been rendered in their own jurisdiction.

History: 2012, Act 459, Imd. Eff. Dec. 27, 2012.

3.977 Effect of act on emergency management compact or other state laws.

Sec. 7. This act does not limit, modify, or abridge the emergency management compact entered into under 2001 PA 247, MCL 3.991 to 3.994, the emergency management act, 1976 PA 390, MCL 30.401 to 30.421, or 2000 PA 310, MCL 3.731 to 3.734.

History: 2012, Act 459, Imd. Eff. Dec. 27, 2012.

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