

2016

VT LEG #317863 v.1

* * * Immunity for Forcible Entry of Motor Vehicle for Rescue Purposes * * *

Sec. 24. 12 V.S.A. § 5784 is added to read:

§ 5784. FORCIBLE ENTRY OF MOTOR VEHICLE TO REMOVE

UNATTENDED CHILD OR ANIMAL

A person who forcibly enters a motor vehicle for the purpose of removing a child or animal from the motor vehicle shall not be subject to civil liability for damages arising from the forcible entry if the person:

- (1) determines the motor vehicle is locked or there is otherwise no reasonable method for the child or animal to exit the vehicle;
- (2) reasonably and in good faith believes that forcible entry into the motor vehicle is necessary because the child or animal is in imminent danger of harm;
- (3) notifies local law enforcement, fire department, or a 911 operator prior to forcibly entering the vehicle;
- (4) remains with the child or animal in a safe location reasonably close to the motor vehicle until a law enforcement, fire, or other emergency responder arrives;
- (5) places a notice on the vehicle that the authorities have been notified and specifying the location of the child or animal; and
- (6) uses no more force to enter the vehicle and remove the child or animal than necessary under the circumstances.

<https://legislature.vermont.gov/Documents/2016/Docs/ACTS/ACT147/ACT147%20As%20Enacted.pdf>