

SC bill: Concerned about child in a hot car? Break the window

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CHILD DEATHS IN OVERHEATED CARS

Ten unattended S.C. children have died from overheating in cars since 1997, according to Kansas City-based advocacy group KidsandCars.org. A look at when and where those deaths occurred:

2014 – 3 (Hartsville, Florence and Lancaster)

2011 – 1 (Columbia)

2007 – 3 (Columbia and two in Hanahan)

2006 – 1 (Aiken)

2005 – 1 (Columbia)

1997 – 1 (Jasper County)



COLUMBIA — Bystanders could avoid punishment from car owners for breaking windows to rescue endangered children or disabled adults if a new S.C. House proposal becomes law.

Ten unattended S.C. children have died from overheating in cars since 1997, according to statistics from the Kansas City-based advocacy group KidsandCars.org. Nationwide, 31 children died from overheating in cars last year, including three in South Carolina.

“We’re trying to take that liability issue away so if there is any question, you knock the window out,” said state Rep. Bill Sandifer, R-Oconee, who sponsored the bill. “It’s about encouraging people to save the child and don’t worry about the consequence.”

South Carolina ranks 25th among all states in the number of children who have died due to overheating in cars since 1990, according to KidsandCars.org data. Six Southern states – including Georgia and Tennessee – ranked among the Top 10 for unattended-child deaths.

The number of disabled adults dying after overheating in cars is much smaller than children, said Amber Rollins, director of KidsandCars.org, which also tracks adult deaths. She is not aware of any adult dying from being left in an overheated vehicle in South Carolina.

Tennessee is the only state with a law that prevents lawsuits and other legal claims for damages caused when a concerned bystander breaks into a car to save a child. At least three other states are considering similar laws, Rollins said.

“People are afraid to get involved,” she said. “People sue for anything these days. But it’s a matter of minutes between life and death.”

South Carolina has so-called “Good Samaritan” law that already protects bystanders from lawsuits if they help accident or fire victims.

Sandifer, who chairs the House Labor, Commerce and Industry Committee, said the new proposal would halt lawsuits and other claims for damages to property stemming from rescuing a child or disabled adult.

Bystanders would have to call 911 before or after breaking into a vehicle to rescue a child or disabled adult. The bill also would not cover rescuing animals trapped in vehicles.

Sandifer said he is not aware of any lawsuits against bystanders who have broken into cars to rescue people.

The proposal, unanimously approved by a committee Tuesday, now heads to the House floor. The bill’s chances of passage are good since its co-sponsors include top House leaders – Speaker Jay Lucas, R-Darlington, and Speaker President Pro Tempore Tommy Pope, R-York.

One of the three children who died last year in South Carolina was a 13-month-old girl in Lucas’ hometown of Hartsville. “These instances occur far too frequently, and we should do our best to alleviate restrictions that could ultimately threaten the life of a child,” Lucas said in a statement.

However, a longtime top law enforcement official has questions about the House proposal.

Richland County Sheriff Leon Lott said he has never heard about a bystander who did not attempt a rescue out of fear of a lawsuit.

Lott said he has no problem with bystanders rescuing unattended children in obvious danger in a car. But he prefers they allow fire or police officials to assess the situation and do their job.

“Someone might see a kid with their eyes closed and drool coming out of their mouth, and the kid might just be asleep,” Lott said. “It’s hard to legislate common sense.”

http://www.thestate.com/2015/02/03/3966933_sc-bill-would-allow-saving-trapped.html?rh=1#storylink=cpy