

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 330
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30107-LR-46 (02/13)

Short Title: CivPro/Qualified Immunity for Auto Accident. (Public)

Sponsors: Representatives Burr and Millis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING THAT A PERSON DRIVING AN AUTOMOBILE WHILE
3 EXERCISING DUE CARE IS IMMUNE FROM CIVIL LIABILITY FOR ANY INJURY TO
4 ANOTHER IF THE INJURED PERSON WAS PARTICIPATING IN A PROTEST OR
5 DEMONSTRATION AND BLOCKING TRAFFIC IN A PUBLIC RIGHT-OF-WAY AT
6 THE TIME OF THE INJURY.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** The title of Article 43B of Chapter 1 of the General Statutes reads as
9 rewritten:

10 "Article 43B.

11 "~~Defense of Charitable Immunity Abolished; and Qualified Immunity for Volunteers.~~
12 Immunities and Other Defenses."

13 **SECTION 2.** Article 43B of Chapter 1 of the General Statutes is amended by adding a
14 new section to read:

15 "**§ 1-539.13 Immunity from civil liability for certain automobile drivers.**

16 (a) A person driving an automobile who is exercising due care and injures another person
17 who is participating in a protest or demonstration and is blocking traffic in a public right-of-way is
18 immune from civil liability for the injury.

19 (b) A person shall not be immune from civil liability if the actions leading to the injury
20 were willful or wanton."

21 **SECTION 3.** This act is effective when it becomes law and applies to injuries
22 occurring on or after that date.

