

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 330

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

Sponsors: Representatives Burr and Millis (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary I

March 14, 2017

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"Article 43B.

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

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

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

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

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

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



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