

57 (2)(b).

58 (3) An individual is not guilty of violating Subsection (2) if the individual reasonably
 59 believes another individual has, or likely has, already provided or is providing reasonable
 60 assistance to the individual described in Subsection (2)(b).

61 (4) Notwithstanding any contrary provision of state law, a prosecutor may not use an
 62 individual's violation of Subsection (2) as the basis for charging the individual with another
 63 offense.

64 (5) This section does not create an independent basis for civil liability for failure to
 65 provide the assistance described in this section.

66 (6) The fact that an individual is charged ~~Ĥ~~→ or convicted ←~~Ĥ~~ with a crime under this
 66a section may not be
 67 used to establish that the individual violated a duty on which a claim for personal injuries may
 68 be based.

69 (7) Subsection (2) does not apply to the extent that an individual is prohibited from
 70 providing assistance by a legal privilege.

71 Section 2. Section **78B-4-501** is amended to read:

72 **78B-4-501. Good Samaritan Law.**

73 (1) As used in this section:

74 (a) "Child" means an individual of such an age that a reasonable person would perceive
 75 the individual as unable to open the door of a locked motor vehicle, but in any case younger
 76 than 18 years of age.

77 (b) "Emergency" means an unexpected occurrence involving injury, threat of injury, or
 78 illness to a person or the public, including motor vehicle accidents, disasters, actual or
 79 threatened discharges, removal or disposal of hazardous materials, and other accidents or
 80 events of a similar nature.

81 (c) "Emergency care" includes actual assistance or advice offered to avoid, mitigate, or
 82 attempt to mitigate the effects of an emergency.

83 (d) "First responder" means a state or local:

84 (i) law enforcement officer, as defined in Section 53-13-103;

85 (ii) firefighter, as defined in Section 34A-3-113; or

86 (iii) emergency medical service provider, as defined in Section 26-8a-102.

87 (e) "Motor vehicle" means the same as that term is defined in Section 41-1a-102.