

2023 Kansas Statutes

60-5401. Immunity for damage to motor vehicle. (a) As used in this section:

(1) "Domestic animal" means a dog, cat or other animal that is domesticated and may be kept as a household pet. "Domestic animal" does not include livestock, as defined in K.S.A. 47-1001, and amendments thereto, or other farm animals.

(2) "Motor vehicle" means the same as specified in K.S.A. 8-126, and amendments thereto.

(3) "Vulnerable person" means an adult whose ability to perform the normal activities of daily living or to provide for such adult's own care or protection is impaired or a minor.

(b) A person who enters a motor vehicle, by force or otherwise, for the purpose of removing a vulnerable person or domestic animal is immune from civil liability for damage to the motor vehicle if such person:

(1) Determines the motor vehicle is locked or there is otherwise no reasonable method for the vulnerable person or domestic animal to exit the motor vehicle without assistance;

(2) has a good faith and reasonable belief, based upon known circumstances, that entry into the motor vehicle is necessary because the vulnerable person or domestic animal is in imminent danger of suffering harm;

(3) ensures that law enforcement is notified or calls 911 before entering the motor vehicle or immediately thereafter;

(4) uses no more force to enter the motor vehicle and remove the vulnerable person or domestic animal than is necessary; and

(5) remains with the vulnerable person or domestic animal in a safe location, in reasonable proximity to the motor vehicle, until law enforcement or a first responder arrives.

History: L. 2018, ch. 41, § 1 (Special Session); July 1.