

CHAPTER 52**(SB 16)**

AN ACT relating to the safety of minors and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 411 IS CREATED TO READ AS FOLLOWS:

(1) *A person who enters a vehicle, as defined in KRS 503.010, for the purpose of removing a minor shall be immune from civil liability for any resulting damage to the vehicle if the person:*

- (a) *Has a reasonable, good faith belief, based upon the circumstances known to the person at the time, that entry into the vehicle is necessary because the minor is in imminent danger of physical injury if not immediately removed from the vehicle;*
- (b) *Has contacted local law enforcement, the local fire department, or a 911 emergency telephone service prior to entering the vehicle;*
- (c) *Uses no more force to enter the vehicle and remove the minor than is reasonably necessary under the circumstances; and*
- (d)
 1. *Remains with the minor in a safe location, out of the elements but reasonably close to the vehicle, until law enforcement, firefighters, or other emergency responders arrive; or*
 2. *Reasonably determines that emergency conditions require leaving the scene with the minor, and places written notice on the vehicle containing:*
 - a. *The person's contact information;*
 - b. *The reason entry into the vehicle was made;*
 - c. *The minor's location; and*
 - d. *Notice that authorities have been contacted.*

(2) *This section does not limit a person's immunity from civil liability or defenses established in another section of the Kentucky Revised Statutes or available at common law.*

➔Section 2. Section 1 of this Act shall be known and may be cited as the "Look Before You Lock Act."

➔Section 3. The Office of Highway Safety within the Transportation Cabinet is strongly encouraged to create and implement an educational campaign regarding the safety threat heatstroke poses for children left in vehicles.

➔Section 4. Whereas children left in vehicles are at risk for injury, an emergency is declared to exist, and Section 1 of this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Signed by Governor April 8, 2016.