

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3170

By: West (Kevin)

AS INTRODUCED

An Act relating to motor vehicles; providing civil immunity for removing animal from motor vehicle using forcible entry; listing compliance requirements to receive immunity; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-1121 of Title 47, unless there is created a duplication in numbering, reads as follows:

A person shall be immune from civil liability for any damage resulting from the forcible entry into a motor vehicle for the purpose of removing an animal from the motor vehicle if the person:

1. Determines the motor vehicle is locked or there is otherwise no reasonable method for the animal to exit the motor vehicle;

2. Has a good-faith belief that forcible entry into the motor vehicle is necessary because the animal is in imminent danger of suffering harm if not immediately removed from the motor vehicle

1 and, based upon the circumstances known to the person at the time,
2 the belief is a reasonable one;

3 3. Has contacted the local law enforcement agency, the fire
4 department or the 911 emergency telephone service prior to forcibly
5 entering the motor vehicle;

6 4. Places a notice on the motor vehicle windshield with the
7 person's contact information, the reason the entry was made, the
8 location of the animal, and that the authorities have been notified;

9 5. Remains with the animal in a safe location, out of the
10 elements but reasonably close to the motor vehicle, until law
11 enforcement, fire or other emergency responder arrives; and

12 6. Uses no more force to enter the motor vehicle and remove the
13 animal from the motor vehicle than is necessary under the
14 circumstances.

15 SECTION 2. This act shall become effective November 1, 2020.

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