

Article - Public Safety

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§7–103.

(a) A fire, rescue, or emergency medical services entity may enter into and renew a mutual aid agreement in accordance with this section with:

- (1) Delaware;
- (2) the District of Columbia;
- (3) Pennsylvania;
- (4) Virginia;
- (5) West Virginia; or

(6) a fire, rescue, or emergency medical services entity of this State, Delaware, the District of Columbia, Pennsylvania, Virginia, or West Virginia.

(b) (1) Subject to paragraph (2) of this subsection, a mutual aid agreement may provide that a party that requests assistance under the mutual aid agreement indemnifies and holds harmless a party that provides assistance under the mutual aid agreement from any claim by a third party for property damage or personal injury that arises out of the mutual aid activities, including travel, of the party that provides assistance that occurs outside its own jurisdiction.

(2) The party that requests assistance need not indemnify the party that provides assistance if:

(i) the party that provides assistance does not cooperate in defending against a claim made by a third party; or

(ii) the claim by a third party arises out of a malicious act of the party that provides assistance.

(c) Each mutual aid agreement shall provide that each party to the mutual aid agreement shall waive any and all claims against all other parties to the mutual aid agreement if the claim arises out of the activities of a party outside its own jurisdiction under the mutual aid agreement.

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