

471.86 PROTECTION FOR FIREFIGHTER DRIVER SUED FOR DAMAGES.

Subdivision 1. **Legal counsel, employment.** Every city, township, or other governmental subdivision of the state shall furnish legal counsel for any firefighter employed by it upon the firefighter's written request in all actions brought against such firefighter to recover damages for injury to person or property, or for wrongful death, when such action arose out of the operation of a motor vehicle by such firefighter in the performance of official duties, and pay the expenses of defending such suit, including witness and reasonable counsel fees, notwithstanding any contrary provision in the law or in the charter of any such governmental subdivision.

Subd. 2. **Judgment, payment authorized.** If judgment is rendered in favor of the firefighter, costs and disbursements included therein shall be assigned to such governmental subdivision by the firefighter, and all money collected thereon shall be paid to it. If judgment is rendered against the firefighter, such governmental subdivision shall appropriate money from any funds available to pay such judgment, or shall levy funds for the payment thereof pursuant to law.

Subd. 3. **Application.** The obligation of this section shall not apply in any case where such firefighter is fully indemnified against claims for such damages and for such expenses by contract with another, and this section shall not be construed to waive any existing immunity accorded by law to municipalities or governmental subdivisions from claims for damages sustained as the result of the negligence of its officers, agents or servants in the exercise or performance of governmental or public functions.

History: 1951 c 183 s 1-3; 1957 c 199 s 1; 1973 c 123 art 5 s 7; 1977 c 429 s 63; 1986 c 444