

AMENDMENT #10

OFFERED IN THE HOUSE
TO: CSHB 76(FIN)

BY REPRESENTATIVE EASTMAN

1 Page 1, line 11, following "COVID-19;": *(title amendment)*

2 Insert "relating to the civil liability of common carriers and transportation
3 network companies;"

4
5 Page 11, following line 17:

6 Insert a new bill section to read:

7 **** Sec. 14.** AS 09.65 is amended by adding a new section to read:

8 **Sec. 09.65.360. Liability of common carriers and transportation network**
9 **companies.** (a) Notwithstanding AS 09.50.250 and AS 09.65.070, a common carrier
10 or transportation network company that requires its passengers, as a condition of
11 transport, to receive a medical intervention is civilly liable for any damages incurred
12 by the passenger that are the result of an adverse reaction to the medical intervention.

13 (b) A common carrier or transportation network company is not liable for civil
14 damages under (a) of this section that a passenger incurs from an adverse reaction to a
15 medical intervention required by the common carrier or transportation network
16 company as a condition of transport if the person knowingly received a medical
17 intervention to which the person is allergic.

18 (c) In this section,

19 (1) "common carrier" has the meaning given in AS 04.16.125(c);

20 (2) "knowingly" has the meaning given in AS 09.58.100;

21 (3) "medical intervention" includes a treatment, procedure,
22 vaccination, countermeasure, or other action taken to prevent or treat disease, or
23 improve health;

1 (4) "transportation network company" has the meaning given in
2 AS 28.23.180."

3

4 Renumber the following bill sections accordingly.

5

6 Page 12, line 13:

7 Delete "14"

8 Insert "15"

9

10 Page 12, line 23:

11 Delete "Except as provided in (b) of this section, this Act is"

12 Insert "Sections 1, 2(b) - (d), 3 - 13, and 15 - 19 of this Act are"