

**39B.090 Liability for loss or damage to equipment used -- Reimbursement of compensation and expenses of employees.**

- (1) The city, county, urban-county government or charter county government, in which any equipment is used pursuant to this chapter shall be liable for any loss or damage thereto and shall pay any expense incurred in the operation and maintenance thereof. No claim for loss, damage, or expense shall be allowed unless, within sixty (60) days after it is sustained or incurred, an itemized written notice of the claim under oath is served by mail or otherwise upon the chief fiscal officer of the county, urban-county, charter county, or city where the equipment was used. The county, urban-county, charter county, or city which is aided pursuant to this chapter shall also reimburse the county, urban-county, charter county, or city furnishing the aid for the compensation paid to employees furnished under this chapter during the time of the rendition of the aid, and shall defray the actual traveling and maintenance expenses of the employees while they are rendering the aid. Reimbursement shall include any amounts paid or due to compensation due to personal injury or death while employees are engaged in rendering aid. The term "employee" as used in this section shall mean, and the provisions of the section shall apply with equal effect to, paid, volunteer, or auxiliary employees, and other local emergency management agency or disaster and emergency response workers.
- (2) The rights, privileges, and obligations set out in this section shall also apply if aid is rendered outside the Commonwealth. Payment or reimbursement in this case shall be made by the state or political subdivision receiving the aid pursuant to a reciprocal mutual aid agreement or compact with another state or by the federal government.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 226, sec. 37, effective July 15, 1998.