

“Good Samaritan” statutes superfluous. For example, Government Code section 50086 immunizes anyone with first aid training who is asked by authorities to assist in a search and rescue operation and who renders emergency services to a victim. The statute defines “emergency services” to include “first aid and medical services, rescue procedures, and transportation or other related activities.” It is difficult to see what conduct Government Code section 50086 immunizes that would not already be protected under section 1799.102 as it is interpreted by Torti.

In light of the foregoing reasons, we conclude that the Legislature intended for section 1799.102 to immunize from liability for civil damages only those persons who in good faith render emergency medical care at the

scene of a medical emergency. We accordingly affirm the judgment of the Court of Appeal.

## CASE QUESTIONS

1. What is the relationship between statutory immunity and common-law duty here?
2. Would it have been better for Ms. Torti to argue that she was providing medical treatment and have the court deal with the issue of what constitutes medical care, rather than the issue of immunity?
3. What are the implications of this decision for people who are trying to offer assistance at the scene of an accident?