



STEVE CLARK
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STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

(501) 371-2007

OPINION NO. 85-140

June 18, 1985

Hon. Bobby G. Newman
State Representative
P. O. Box 52
Smackover, Arkansas 71762

Dear Representative Newman:

This is in response to your letter wherein you requested an opinion concerning the following question:

To what extent would a local fire department or individual fire fighter be liable for personal injury or damages which might result from the negligent use of a Hurst tool?

Municipal fire departments are immune from civil liability. See Ark. Stat. Ann. §12-2901. However, an individual fireman may be subject to civil liability if he or she uses such a machine in a negligent manner.

The foregoing opinion, which I hereby approve, was prepared by Special Assistant Attorney General George A. Harper.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Clark".

STEVE CLARK
Attorney General

JSC:GAH:jk