

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 824
Judiciary

(Montgomery County Delegation)

Judicial Proceedings

Montgomery County - Fire and Explosive Investigator - Qualifications
MC 805-08

This bill repeals the requirement that a fire and explosive investigator assigned to the Montgomery County Fire Marshal's Office have attained the rank of a fire rescue lieutenant or higher, and instead requires that such an investigator be a full-time, paid employee; have been employed as a fire fighter for at least five years; and at all times maintain active certification by the Police Training Commission.

Fiscal Summary

State Effect: None.

Local Effect: None. The change would not affect Montgomery County finances.

Small Business Effect: None.

Analysis

Current Law: A fire and explosives investigator in Montgomery County and the City of Annapolis and Anne Arundel County must have the rank of fire rescue lieutenant or higher. In Prince George's and Worcester counties, the fire and explosives investigator must have the rank of deputy fire marshal or higher.

Fire and explosive investigators in the City of Annapolis and Anne Arundel, Montgomery, Prince George's, and Worcester counties are classified as "law enforcement officials" and currently have the same authority as the State Fire Marshal and assistants, including the authority to make a warrantless arrest under certain

circumstances. A fire and explosive investigator must have successfully completed a training program from a police training school approved by the Police Training Commission. The authority of the fire and explosive investigator in each jurisdiction can be limited through written policy by the fire chief.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Department of Legislative Services

Fiscal Note History: First Reader - February 28, 2008
mcp/hlb Revised - House Third Reader - March 19, 2008

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