

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 239
Judiciary

(Delegate Love)

Judicial Proceedings

Anne Arundel County and City of Annapolis - Fire and Explosive Investigators -
Qualifications

This bill requires a fire and explosive investigator in Anne Arundel County or the City of Annapolis to be assigned full-time, as a paid employee, to the Fire and Explosives Investigations section of the fire department. A fire and explosive investigator must be employed by the county or city fire department as a firefighter for at least five years and maintain active certification by the Police Training Commission. The bill also repeals the requirement that the individual have the rank of fire rescue lieutenant or higher.

Fiscal Summary

State Effect: None.

Local Effect: None. Anne Arundel County or Annapolis fire and explosive investigators would not require any additional training or certifications.

Small Business Effect: None.

Analysis

Current Law: The fire and explosives investigator in the City of Annapolis and Anne Arundel and Montgomery counties 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.

Background: The City of Annapolis has 6 full-time employees that meet all training and certification requirements of a fire and explosives investigator. All are considered to be at the rank of fire rescue lieutenant or higher. Anne Arundel County has 10 full-time employees that either meet, or are in the process of meeting, all training and certification requirements of a fire and explosives investigator. Six of these employees are considered to have the rank fire rescue lieutenant or higher.

Additional Information

Prior Introductions: None.

Cross File: SB 120 (Senator Astle) – Judicial Proceedings.

Information Source(s): City of Annapolis, Anne Arundel County, Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2008
mcp/hlb Revised - House Third Reader - March 31, 2008

Analysis by: Erik P. Timme

Direct Inquiries to:
(410) 946-5510
(301) 970-5510