



STATE OF MARYLAND

DEPARTMENT OF STATE POLICE

OFFICE OF THE STATE FIRE MARSHAL



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

1201 Reisterstown Road/C Building
Pikesville, MD 21208
410-653-8980
Fax 410-653-8988
Toll Free 800-525-3124

Colonel Woodrow W. Jones III
Secretary

Brian S. Geraci
State Fire Marshal

DATE: February 18, 2021

BILL NUMBER: Senate Bill 481

POSITION: Letter of Concern

BILL TITLE: STATE FIRE MARSHAL – INVESTIGATIONS – REPORTING REQUIREMENTS

WRITTEN TESTIMONY OF State Fire Marshal Brian S Geraci

Chairman Kelley, Vice Chairman Feldman and members of the Senate Finance Committee. I am Brian Geraci, the Maryland State Fire Marshal, providing written testimony today in opposition to Senate Bill 0481.

The Office of the State Fire Marshal is responsible for fire and explosive investigations in 16 out of the 24 counties within the state. The eight other jurisdictions have their own fire marshal's offices and have fire and explosive investigators to investigate fires and explosions within those jurisdictions. At times, on larger scale incidents, the Office of the State Fire Marshal is requested to assist those jurisdictions but only in a supporting role.

Within the Fire Laws of Maryland, the Office of the State Fire Marshal has no jurisdiction within the City of Baltimore except for state owned buildings and properties. The State Fire Marshal must be requested by the city Fire Chief or Fire Marshal to assist on incidents within the city. Further, the State Fire Marshal does not receive or have access to all fire and explosion investigations in order to brief the Public Service Commission. Based on the above information the Office of the State Fire Marshal would not be able to provide reports to the Public Service Commission as it would not be the lead agency conducting the investigation.

The Public Service Commission only looks at the public service utility provider to determine if any failures occurred with their equipment or materials. In most cases that I have been on involving explosions, the utility provider has not been at fault or a party to the cause of the incident. When an incident does occur the Public Service Commission has its own investigators on scene conducting their investigation into the service provider. They are essentially running a parallel investigation to the lead fire and explosion investigators and obtaining the same information as the investigator. I see no need for them to receive additional briefings every 90 days from the state or for them to be notified of the amount of time our investigations may take.

During the course of an investigation if the investigator determines that criminal intent is involved they are not able to provide the Commission with any information that is being stipulated in SB 0481. If the Public Service Commission would require any of our reports or information all they have to do is ask for it. There is no need for the requirements outlined in the bill.

In closing, the Office of the State Fire Marshal, in most cases would not be able to comply with SB 481 and there are duplicate efforts regarding the on-scene investigation by both agencies.

Should the committee have any questions please do not hesitate to contact me. Thank you