

(1982 Replacement Volume and 1984 Supplement)

BY repealing

Article 38A - Fires and Investigations  
Section 8(i)  
Annotated Code of Maryland  
(1982 Replacement Volume and 1984 Supplement)

BY renumbering

Article 38A - Fires and Investigations  
Section 8(j), (k), and (l), respectively  
to be Section 8(i), (j), and (k), respectively  
Annotated Code of Maryland  
(1982 Replacement Volume and 1984 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 38A - Fires and Investigations

7.

(c) (1) A fire marshal OR APPROPRIATE FIRE OFFICIAL legally designated by a county or municipal corporation of the State shall serve as [deputy] ASSISTANT State fire marshal, without compensation, for the purpose of carrying out the provisions of this article, including issuance of orders, in that county or municipal corporation. Where there is no legally designated fire marshal in a county or municipal corporation, the State Fire Marshal shall carry out the provisions of this article therein.

(I) THE MINIMUM QUALIFICATIONS FOR AN ASSISTANT STATE FIRE MARSHAL SHALL BE THE COMPLETION OF NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD 1031 - FIRE INSPECTOR I OR THE EQUIVALENT, AS DETERMINED BY THE STATE FIRE MARSHAL. HOWEVER, ALL LEGALLY APPOINTED DEPUTY STATE FIRE MARSHALS OR SPECIAL DEPUTY STATE FIRE MARSHALS SERVING AS OF JULY 1, 1985, ARE EXEMPT FROM THE MINIMUM STANDARD PROVISIONS OF THIS SECTION. THE STATE FIRE MARSHAL MAY ADMINISTER AN EXAMINATION BASED UPON NFPA 1031 BEFORE A PERSON IS CERTIFIED AS AN ASSISTANT STATE FIRE MARSHAL.

(II) UPON RECOMMENDATION OF THE STATE FIRE MARSHAL, AN ASSISTANT OR SPECIAL ASSISTANT STATE FIRE MARSHAL MAY BE REMOVED AFTER AN ADMINISTRATIVE HEARING FOR JUST CAUSE BY A MAJORITY DECISION OF THE STATE FIRE PREVENTION COMMISSION.

(2) UPON THE ADVICE OF AN ASSISTANT STATE FIRE MARSHAL, THE STATE FIRE MARSHAL MAY DESIGNATE AS A SPECIAL ASSISTANT STATE FIRE MARSHAL, A MEMBER OF ANY FIRE DEPARTMENT,