

Defined terms: "Commission" § 6-101

"County" § 1-101

6-309. INVESTIGATIONS.

(A) POWER TO INVESTIGATE FIRES AND EXPLOSIONS.

AT ANY TIME, THE STATE FIRE MARSHAL MAY INVESTIGATE THE ORIGIN OR CIRCUMSTANCES OF A FIRE OR EXPLOSION OR AN ATTEMPT TO CAUSE A FIRE OR EXPLOSION THAT OCCURS IN THE STATE.

(B) ENTRY INTO BUILDINGS AND PREMISES.

AT ANY TIME, THE STATE FIRE MARSHAL:

(1) MAY ENTER INTO AND EXAMINE A BUILDING OR PREMISES WHERE A FIRE IS BURNING OR WHERE A FIRE OR ATTEMPT TO CAUSE A FIRE HAS OCCURRED;

(2) MAY ENTER INTO A BUILDING OR PREMISES ADJACENT TO A BUILDING OR PREMISES WHERE A FIRE OR ATTEMPT TO CAUSE A FIRE HAS OCCURRED; AND

(3) MAY TAKE FULL CONTROL AND CUSTODY OF THE BUILDING OR PREMISES AND PLACE AN INDIVIDUAL THAT THE STATE FIRE MARSHAL CONSIDERS PROPER IN CHARGE OF THE BUILDING OR PREMISES, UNTIL THE EXAMINATION AND INVESTIGATION OF THE STATE FIRE MARSHAL IS COMPLETED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 38A, § 8(f).

In the introductory language of subsection (b) of this section, the phrase "[a]t any time" is substituted for the former phrase "at all times of the day or night" for brevity.

In subsection (b)(1) of this section, the former phrase "in performance of the duties imposed by the provisions of this article" is deleted as implicit and unnecessary. Similarly, in subsection (b)(2) of this section, the former phrase "should he deem it necessary in the proper discharge of his duties" is deleted.

In subsection (b)(2) of this section, the reference to "premises" is added for consistency with subsection (b)(1) and (3) of this section.

6-310. TESTIMONY.

(A) IN GENERAL.

(1) THE STATE FIRE MARSHAL MAY:

(I) TAKE THE TESTIMONY UNDER OATH OF ANY PERSON SUSPECTED TO KNOW OR TO HAVE THE MEANS TO KNOW ANY FACTS THAT RELATE TO THE MATTER THAT IS THE SUBJECT OF THE INSPECTION OR INVESTIGATION; AND

(II) CAUSE THE TESTIMONY TO BE REDUCED TO WRITING.