

THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION IS IN ADDITION TO ANY INFORMATION REQUIRED BY THE INSURANCE COMMISSIONER.

REVISOR'S NOTE: This section is new language derived without substantive change from the first and second sentences of former Art. 38A, § 8(j).

In subsection (a) of this section, the general reference to an "insurer" is substituted for the former specific reference to a "fire insurance company or association" to conform to terminology used in the Insurance Article.

Also in subsection (a) of this section, the former specific references to "the amount of insurance, the value of the property insured, and the amount of the claim as adjusted" are deleted as included in the general reference to "the information that the State Fire Marshal considers necessary".

6-315. ADMINISTRATIVE SEARCH WARRANTS — FOR FIRE INVESTIGATIONS.

(A) APPLICATION FOR WARRANT — IN GENERAL.

THE STATE FIRE MARSHAL, A DESIGNEE OF THE STATE FIRE MARSHAL, A FULL-TIME FIRE INVESTIGATOR WHO IS A MEMBER OF A FIRE DEPARTMENT, OR A POLICE OFFICER MAY APPLY TO A JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT FOR AN ADMINISTRATIVE SEARCH WARRANT TO ENTER A VEHICLE, BUILDING, OR PREMISES WHERE A FIRE HAS OCCURRED TO CONDUCT A SEARCH TO DETERMINE THE CAUSE AND ORIGIN OF THE FIRE.

(B) SAME — FORM AND CONTENTS.

AN APPLICATION UNDER SUBSECTION (A) OF THIS SECTION SHALL:

- (1) BE IN WRITING;
- (2) BE SIGNED AND SWORN TO BY THE APPLICANT; AND
- (3) PARTICULARLY DESCRIBE THE VEHICLE, BUILDING, OR PREMISES TO BE SEARCHED AND THE NATURE, SCOPE, AND PURPOSE OF THE SEARCH TO BE PERFORMED BY THE APPLICANT.

(C) ISSUANCE OF WARRANT.

A JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT MAY ISSUE THE WARRANT ON FINDING THAT:

- (1) A FIRE OF UNDETERMINED ORIGIN HAS OCCURRED;
- (2) THE SCOPE OF THE PROPOSED SEARCH IS REASONABLE AND WILL NOT INTRUDE UNNECESSARILY ON THE FIRE VICTIM'S PRIVACY;
- (3) THE SEARCH WILL BE EXECUTED AT A REASONABLE AND CONVENIENT TIME; AND