

the cities" of the State for clarity and to conform to Md. Constitution, Art. XI-E.

Defined term: "County" § 1-101

9-802. SCOPE OF SUBTITLE.

THIS SUBTITLE DOES NOT APPLY TO BALTIMORE COUNTY.

REVISOR'S NOTE: This section is new language added to provide an explicit scope provision for this subtitle. It is based on the exception for Baltimore County in the first sentence of former Art. 48, § 181(a).

9-803. FIRE INSPECTIONS AUTHORIZED.

(A) IN GENERAL.

(1) A FIRE OFFICIAL MAY INSPECT A BUILDING, STRUCTURE, OR OTHER PLACE UNDER THE JURISDICTION OF THE FIRE OFFICIAL, EXCEPT THE INTERIOR OF A PRIVATE DWELLING, WHERE COMBUSTIBLE MATERIAL HAS BEEN ALLOWED TO ACCUMULATE OR WHERE THE FIRE OFFICIAL HAS REASON TO BELIEVE THAT COMBUSTIBLE MATERIAL HAS ACCUMULATED OR MAY BE ACCUMULATED.

(2) AT ANY TIME AND WITHOUT LIABILITY FOR TRESPASS, A FIRE OFFICIAL:

(I) MAY ENTER, AT THE FIRE OFFICIAL'S OWN RISK, A BUILDING, INCLUDING A PRIVATE DWELLING, OR ON PREMISES WHERE A FIRE IS BURNING, OR WHERE THERE IS REASONABLE CAUSE TO BELIEVE A FIRE IS BURNING, TO EXTINGUISH THE FIRE;

(II) MAY ENTER, AT THE FIRE OFFICIAL'S OWN RISK, A BUILDING, INCLUDING A PRIVATE DWELLING, OR ON PREMISES NEAR THE SCENE OF A FIRE TO PROTECT THE BUILDING OR PREMISES OR TO EXTINGUISH THE FIRE;

(III) WHEN RESPONDING TO OR OPERATING AT A FIRE OR OTHER EMERGENCY:

1. MAY ORDER AN INDIVIDUAL TO LEAVE A BUILDING OR PLACE IN THE VICINITY OF THE FIRE OR OTHER EMERGENCY TO PROTECT THE INDIVIDUAL FROM INJURY;

2. MAY ORDER, AFTER CONSULTATION WITH THE SENIOR RAILROAD OR TRANSPORTATION OFFICIAL PRESENT, A CONVOY, CARAVAN, OR TRAIN OF VEHICLES, CRAFT, OR RAILWAY CARS TO BE DETACHED OR UNCOUPLED IF THE FIRE OFFICIAL DETERMINES THAT TO DO SO IS IN THE INTEREST OF SAFETY OF INDIVIDUALS OR PROPERTY; AND

3. MAY ENTER A BUILDING THAT IS IN DANGER OF THE SPREAD OF FIRE TO PREVENT A POTENTIAL EMERGENCY, INCLUDING AN EXPLOSION, IN THE BUILDING; AND

(IV) TO MAINTAIN ORDER IN THE VICINITY OF A FIRE OR OTHER EMERGENCY: