

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 38A, § 33.

The former reference to "rules" is deleted as included in the reference to "regulations". See General Revisor's Note to article.

The former reference to regulations that the Commission "may deem necessary and proper" is deleted as implicit in the authority to adopt regulations to carry out this subtitle.

11-104. POWERS OF STATE FIRE MARSHAL.

(A) INVESTIGATIONS OF EXPLOSIONS AND FIRES — IN GENERAL.

(1) THE STATE FIRE MARSHAL MAY INVESTIGATE AN EXPLOSION OR FIRE THAT OCCURS IN ANY PLACE WHERE EXPLOSIVES OR INGREDIENTS FOR EXPLOSIVES ARE MANUFACTURED, TRANSPORTED, STORED, OR USED.

(2) THE STATE FIRE MARSHAL MAY INVESTIGATE AN EXPLOSION, ACCIDENT, OR FIRE IF THERE IS REASON TO BELIEVE EXPLOSIVES WERE INVOLVED.

(B) SAME — REPORT OF FINDINGS.

THE STATE FIRE MARSHAL MAY REPORT THE FINDINGS OF AN INVESTIGATION UNDER SUBSECTION (A) OF THIS SECTION TO FEDERAL OR STATE AUTHORITIES:

(1) IF THE EXPLOSION OR FIRE WAS A WILLFUL ACT, FOR CRIMINAL PROSECUTION OF THE PERSON CAUSING THE WILLFUL ACT; OR

(2) IF THE EXPLOSION OR FIRE WAS ACCIDENTAL, SO THAT PRECAUTIONS MAY BE TAKEN TO PREVENT SIMILAR ACCIDENTS FROM OCCURRING.

(C) SAME — AUTHORITY OF EMPLOYEES TO ENTER PREMISES.

(1) IN AN INVESTIGATION UNDER SUBSECTION (A) OF THIS SECTION, THE EMPLOYEES UNDER THE DIRECTION OF THE STATE FIRE MARSHAL MAY ENTER THE PREMISES WHERE THE EXPLOSION OR FIRE HAS OCCURRED TO:

(I) EXAMINE DOCUMENTS; OR

(II) ADMINISTER OATHS TO AND EXAMINE WITNESSES AND OTHER PERSONS CONCERNED.

(2) THE OWNER, LESSEE, OR OPERATOR OF THE PREMISES WHERE THE EXPLOSION OR FIRE HAS OCCURRED, OR AN AGENT OF THESE PERSONS, MAY NOT HINDER THE ACTIONS OF AN EMPLOYEE OF THE STATE FIRE MARSHAL DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(D) MISCELLANEOUS FEES.

THE STATE FIRE MARSHAL MAY COLLECT A FEE OF \$20 FOR:

(1) INSPECTION OF THE VEHICLE OF AN EXPLOSIVE HAULER; AND

(2) A BLASTER'S CERTIFICATE.