

(i) a felony that is a crime listed in paragraph (2) of this subsection has been committed or attempted; and

(ii) the person to be arrested has committed or attempted to commit the felony whether or not in the presence or within the view of the fire investigator.

(2) The powers of arrest set forth in paragraph (1) of this subsection apply only to:

(i) the crimes listed in this paragraph and to attempts, conspiracies, and solicitations to commit these crimes:

1. a crime that relates to a device that is constructed to represent a destructive device under § 9-505 of the Criminal Law Article;

2. setting fire to a dwelling or occupied structure under § 6-102 of the Criminal Law Article;

3. setting fire to a structure under § 6-103 of the Criminal Law Article;

4. making a false statement or rumor as to a destructive device under § 9-504 of the Criminal Law Article; and

5. a crime that relates to destructive devices under § 4-503 of the Criminal Law Article; and

(ii) a crime that relates to the unlawful possession or sale of explosives under §§ 11-105(a) and 11-114(b) and (c) of the Public Safety Article.

[(c)] (B) (1) A fire investigator of the Prince George's County Fire Department [or a Montgomery County fire and explosive investigator] may arrest a person without a warrant if the fire investigator [or Montgomery County fire and explosive investigator] has probable cause to believe:

(i) the person has committed a crime listed in paragraph (2) of this subsection; and

(ii) unless the person is arrested immediately, the person:

1. may not be apprehended;

2. may cause physical injury or property damage to another;

or

3. may tamper with, dispose of, or destroy evidence.

(2) The crimes referred to in paragraph (1) of this subsection are:

(i) reckless endangerment under § 3-204 of the Criminal Law Article;

(ii) malicious burning under § 6-104 or § 6-105 of the Criminal Law Article;