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Annotated Code of Maryland
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*** CURRENT THROUGH THE 2005 REGULAR SESSION AND CHAPTERS 1 THROUGH 17
OF THE 2006 REGULAR SESSION ***

*** ANNOTATIONS ARE CURRENT THROUGH JUNE 2, 2006 ***

CRIMINAL PROCEDURE
TITLE 2. LAW ENFORCEMENT PROCEDURES; ARREST PROCESS
SUBTITLE 2. WARRANTLESS ARRESTS

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Md. CRIMINAL PROCEDURE Code Ann. § 2-208.1 (2006)

§ 2-208.1. Authority of Montgomery County fire and explosive investigator

(a) Montgomery County fire and explosive investigator, defined. — In this section, "Montgomery County fire and explosive investigator" means an individual who:

(1) is assigned to the Fire and Explosive Investigations Section of the Montgomery County Fire Marshal's Office; and

(2) (i) has the rank of a fire rescue lieutenant or higher; and

(ii) has successfully completed a training program from a police training school approved by the Police Training Commission established under Title 3, Subtitle 2 of the Public Safety Article.

(b) Authority of investigator. — Except as provided in subsection (c) of this section, a Montgomery County fire and explosive investigator has the same authority granted to the State Fire Marshal or a full-time investigative and inspection assistant of the Office of the State Fire Marshal under § 2-208 of this subtitle:

(1) while operating in Montgomery County; and

(2) while operating outside Montgomery County when:

(i) the Montgomery County fire and explosive investigator is participating in a joint investigation with officials from another State, federal, or local law enforcement unit, at least one of which has local jurisdiction;

(ii) the Montgomery County fire and explosive investigator is rendering assistance to another law enforcement officer;

(iii) the Montgomery County fire and explosive investigator is acting at the request of a law enforcement officer or State law enforcement officer; or

(iv) an emergency exists.

(c) Limitation of authority. — The Montgomery County Fire Administrator:

(1) may limit the authority of a Montgomery County fire and explosive investigator under this section; and

(2) shall express the limitation in a written policy.

HISTORY: 2004, ch. 377.

NOTES:

Md. CRIMINAL PROCEDURE Code Ann. § 2-208.1

EDITOR'S NOTE.—Section 2, ch. 377, Acts 2004, provides that "the Maryland Police Training Commission shall certify as a police officer each Montgomery County fire and explosive investigator who meets the requirements of § 2-208.1 of the *Criminal Procedure Article* on October 1, 2004.

Section 3, ch. 377, Acts 2004, provides that the act shall take effect Oct. 1, 2004.

USER NOTE: For more generally applicable notes, see notes under the first section of this part, subtitle, title, division or article.