

## CHAPTER 296

(House Bill 824)

AN ACT concerning

### Montgomery County – Fire and Explosive Investigator – ~~Rank~~ Qualifications

MC 805-08

FOR the purpose of repealing the requirement that an individual must have attained a certain rank to become a fire and explosive investigator in Montgomery County; altering the definition of “Montgomery County fire and explosive investigator” to include certain additional qualifications; correcting certain language; and generally relating to fire and explosive investigators in Montgomery County.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 2-208.1(a) and (c)  
Annotated Code of Maryland  
(2001 Volume and 2007 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### Article – Criminal Procedure

2-208.1.

(a) In this section, “Montgomery County fire and explosive investigator” means an individual who:

(1) is assigned **FULL TIME** to the Fire and Explosive Investigations Section of the Montgomery County Fire Marshal’s Office **AND IS A PAID EMPLOYEE;** ~~and~~

(2) ~~[(i)]~~ has ~~the rank of a fire rescue lieutenant or higher, and~~ **BEEN EMPLOYED BY THE MONTGOMERY COUNTY FIRE AND RESCUE SERVICE AS A FIREFIGHTER/RESCUER FOR AT LEAST 5 YEARS;**

~~[(ii)]~~ **(3)** 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; **AND**

**(4) AT ALL TIMES MAINTAINS ACTIVE CERTIFICATION BY THE POLICE TRAINING COMMISSION.**

(c) The Montgomery County Fire [Administrator] **CHIEF:**

(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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

**Approved by the Governor, April 24, 2008.**