

### §2396. Office of State Fire Marshal established; appointment

The Office of the State Fire Marshal is established as a bureau within the Department of Public Safety. The Commissioner of Public Safety, with the advice and consent of the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over public safety matters and to confirmation by the Legislature, shall appoint as State Fire Marshal a person experienced in fire prevention work to serve for a term of 4 years coterminous with the Governor. The State Fire Marshal may be removed by impeachment or by the Governor on the address of both branches of the Legislature. The Commissioner of Public Safety or the commissioner's designee shall appoint, subject to the Civil Service Law, such investigators, inspectors and other employees as are necessary to carry out the duties assigned to the office. The State Fire Marshal and the Commissioner of Public Safety or the commissioner's designee have all of the duties and responsibilities assigned to the office. [PL 2011, c. 655, Pt. WW, §1 (AMD).]

The State Fire Marshal, the State Fire Marshal's deputy and any public safety inspectors and investigators shall enforce all of the laws, ordinances and rules adopted by the Commissioner of Public Safety or enforceable by the Commissioner of Public Safety, directed toward and concerned with protection of the public in the following areas: [PL 1997, c. 728, §18 (AMD).]

**1. Fires.** The prevention and containment of fire and the protection of life and property from fire; [PL 1997, c. 728, §19 (AMD).]

**2. Arson.** The suppression of arson and investigation of cause, origin and circumstances of fires; [PL 1973, c. 632, §6 (RPR).]

**3. Explosives.** The storage, sale and use of combustibles, flammables, incendiary devices and explosives; [PL 2003, c. 535, §2 (AMD).]

**4. Fire alarm.** The installation, maintenance or sale of automatic or other fire alarm systems and fire extinguishing equipment; [PL 1973, c. 632, §6 (RPR).]

**5. Fire escapes.** The construction, maintenance and regulation of fire escapes; [PL 1973, c. 632, §6 (RPR).]

**6. Means of egress.** The adequacy of means of egress, in the case of fire, from factories, asylums, hospitals, churches, schools, halls, theaters, amphitheatres, dormitories, apartment or rooming houses, hotels, motels and all other places in which numbers of persons work, live or congregate from time to time for any purpose which comes within the scope of the current edition of the National Fire Protection Association No. 101, Life Safety Code; [PL 1979, c. 42 (AMD).]

**7. Other duties.** The performance of such other duties as are set forth in this and other sections of the statutes and as may be conferred or imposed from time to time by law. The State Fire Marshal, the State Fire Marshal's deputy and investigators appointed under this Title shall carry out those functions that the Commissioner of Public Safety may direct and in so doing have the same enforcement powers and duties throughout the State as sheriffs have in their respective counties. A public safety inspector for the purpose of enforcing section 2452, relating to statewide enforcement powers of the National Fire Protection Association No. 101, Life Safety Code, has the right to execute or serve criminal and civil violation process against offenders who violate the National Fire Protection Association No. 101, Life Safety Code. [PL 2017, c. 284, Pt. LLLLL, §1 (AMD).]

#### SECTION HISTORY

PL 1969, c. 377, §4 (AMD). PL 1973, c. 632, §6 (RPR). PL 1975, c. 579, §4 (AMD). PL 1979, c. 42 (AMD). PL 1979, c. 43 (AMD). PL 1985, c. 785, §B111 (AMD). PL 1991, c. 837, §§A57-59 (AMD). PL 1997, c. 728, §§17-20 (AMD). PL 2003, c. 42, §1 (AMD). PL 2003, c. 535, §2 (AMD). PL 2011, c. 655, Pt. WW, §1 (AMD). PL 2017, c. 284, Pt. LLLLL, §1 (AMD).

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