

**149.090 Arrests -- No trespass actions -- Summoning help and equipment.**

- (1) A forest warden, for violation of laws for the protection of the forest of the state, has the following arrest powers:
  - (a) With a warrant;
  - (b) Without a warrant any person he observes committing a misdemeanor or a felony; and
  - (c) Without a warrant when he has reasonable grounds to believe that the person being arrested has committed a felony. No action for trespass shall lie against any forest warden, or person summoned by him, for crossing or working upon lands of another in connection with his duties as forest warden.
- (2) A forest warden may summon any resident of the state over eighteen (18) years of age who is physically able to assist in extinguishing forest fires. Inability or failure to pay such persons does not bar the authority of the warden to summon them.
- (3) A forest warden may require the use of horses, automobiles, tools and other equipment needed in extinguishing fires. Owners of said required equipment and materials shall receive reasonable compensation therefor, as determined by the forest warden. In case of disagreement upon the terms of compensation, the dispute shall be referred to the secretary for energy and environment, who shall make the final decision.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 151, effective July 15, 2010. -- Amended 1982 Ky. Acts ch. 142, sec. 4, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(3). -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2007j-2, 2007j-4.