

227.235 Deputy fire marshals appointed as fire investigators -- Training required for certification by Kentucky Law Enforcement Council -- Peace officer powers -- Prohibited acts.

- (1) A deputy fire marshal appointed to be a fire investigator and to exercise peace officer powers shall take an oath to faithfully perform the duties of his or her office, shall affirm that he or she possesses the minimum qualifications under KRS 15.382, and shall undergo a basic training course approved by the Kentucky Law Enforcement Council.
- (2) The employing agency of the deputy fire marshal shall pay for the training required for certification by the Kentucky Law Enforcement Council.
- (3) Upon the Kentucky Law Enforcement Council's verification that the required standards have been met, a fire investigator shall have peace officer powers to investigate crimes set out in KRS Chapter 513 and other crimes discovered in the course of investigation.
- (4) A fire investigator shall not:
 - (a) Patrol the roads, streets, or highways;
 - (b) Issue traffic citations; or
 - (c) Perform general law enforcement duties outside of investigating crimes set out in KRS Chapter 513 and other crimes discovered in the course of investigation.
- (5) All fire investigators appointed to exercise peace officer powers under KRS 227.220 that are appointed on or after January 1, 2019, shall, within one (1) year of their appointment or employment, successfully complete a basic training course as established by KRS 15.440 at a school certified or recognized by the Kentucky Law Enforcement Council.
- (6) All fire investigators specified in subsection (5) of this section shall, upon completion of the basic training required, successfully complete forty (40) hours of annual in-service training as established by KRS 15.440(1)(e) that has been certified or recognized by the Kentucky Law Enforcement Council.
- (7) All fire investigators appointed or employed before January 1, 2019, shall successfully complete forty (40) hours of annual in-service training as established by KRS 15.440(1)(e) that has been certified or recognized by the Kentucky Law Enforcement Council.
- (8) In the event of extenuating circumstances beyond the control of the fire investigator such as injury, illness, or personal tragedy which prevents the fire investigator from completing the basic or in-service training within the time specified in this section, the officer shall complete the training within one (1) year after return to duty. Any fire investigator who fails to successfully complete the basic or in-service training within the specified time period shall not be authorized thereafter to carry deadly weapons or make arrests and may be removed from an appointment as a fire investigator.

Effective: January 1, 2019

History: Created 2018 Ky. Acts ch. 128, sec. 11, effective January 1, 2019.