

95A.100 Fire investigators -- Appointment, oath, and training -- Peace officer powers -- Prohibited acts.

- (1) As used in this section and KRS 95A.102, "fire investigator" means a professional firefighter, as defined in KRS 95A.210, who has been appointed to investigate offenses under KRS Chapter 513 and to exercise peace officer powers.
- (2) The chief of a fire department may appoint a professional firefighter, as defined in KRS 95A.210, to be a fire investigator and to exercise peace officer powers in order to investigate crimes set out in KRS Chapter 513 and other crimes discovered in the course of investigation.
- (3) An individual 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.
- (4) The employing agency or jurisdiction of the fire investigator shall pay for the training required for certification by the Kentucky Law Enforcement Council.
- (5) 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.
- (6) A fire investigator may exercise his or her powers in a location other than the city or county in which he or she was appointed upon the request of:
 - (a) The chief of police, the chief of a fire department, the sheriff, or the chief executive of the city or county in which the fire investigator's services are to be utilized; or
 - (b) A federal agency that has an ongoing investigation in the city or county in which the fire investigator's services are to be utilized.
- (7) 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.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 170, sec. 11, effective June 29, 2023. -- Created 2018 Ky. Acts ch. 128, sec. 6, effective January 1, 2019.

Legislative Research Commission Note (1/1/2019). Although 2018 Ky. Acts ch. 128, sec. 6, contained a citation to "Section 8 of this Act" (codified as KRS 95.500) in subsection (1) of this statute, it is clear from the context that Section 7 (codified as KRS 95A.102) was intended, and this manifest clerical or typographical error was corrected in codification under the authority of KRS 7.136.