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SENATE BILL 6403

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State of Washington                      54th Legislature                      1996 Regular Session

By Senators Winsley, Haugen, Hale, Sheldon, Goings and Hochstatter

Read first time 01/15/96.      Referred to Committee on Government Operations.

1            AN ACT Relating to fire investigation; and amending RCW 48.48.060.

2    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3            **Sec. 1.** RCW 48.48.060 and 1995 c 369 s 28 are each amended to read  
4 as follows:

5            ~~((1) The chief of each organized fire department, the sheriff or~~  
6 ~~other designated county official, and the designated city or town~~  
7 ~~official shall investigate the cause and origin, and document extent of~~  
8 ~~damage of all fires occurring within their respective jurisdictions, as~~  
9 ~~determined by this subsection, and shall forthwith notify the chief of~~  
10 ~~the Washington state patrol, through the director of fire protection,~~  
11 ~~of all fires of criminal, suspected, or undetermined cause occurring~~  
12 ~~within their respective jurisdictions. The county fire marshal shall~~  
13 ~~also be notified of and investigate all such fires occurring in~~  
14 ~~unincorporated areas of the county. Fire departments shall have the~~  
15 ~~responsibility imposed by this subsection for areas within their~~  
16 ~~jurisdictions. Sheriffs or other designated county officials shall~~  
17 ~~have responsibility imposed by this subsection for county areas not~~  
18 ~~within the jurisdiction of a fire department, unless such areas are~~  
19 ~~within the boundaries of a city or town, in which case the designated~~

1 ~~city or town official shall have the responsibility imposed by this~~  
2 ~~subsection. For the purposes of this subsection, county officials~~  
3 ~~shall be designated by the county legislative authority, and city or~~  
4 ~~town officials shall be designated by the appropriate city or town~~  
5 ~~legislative or executive authority. In addition to the responsibility~~  
6 ~~imposed by this subsection, any sheriff or chief of police may assist~~  
7 ~~in the investigation of the cause and origin, and document extent of~~  
8 ~~damage of all fires occurring within his or her respective~~  
9 ~~jurisdiction.)) (1) The responsibility for investigating the origin,~~  
10 ~~cause, circumstances, and extent of loss of all fires shall be assigned~~  
11 ~~as follows:~~

12 (a) Within any city or town, the chief of the fire department;

13 (b) Within unincorporated areas of a county, the county fire  
14 marshal, or other fire official so designated by the county legislative  
15 authority.

16 (2) Nothing shall prevent any city, town, county, or fire  
17 protection district, or any combination thereof, from entering into  
18 interlocal agreements to meet the responsibility required by this  
19 section.

20 (3) When any fire investigation indicates that the cause of the  
21 fire is determined to be suspicious or criminal in nature, the person  
22 responsible for the fire investigation shall immediately report the  
23 results of said investigation to the local law enforcement agency and  
24 the chief of the Washington state patrol, through the state fire  
25 marshal.

26 (4) In addition to the responsibility imposed by this section, any  
27 law enforcement agency, sheriff, or chief of police may assist in the  
28 investigation of the origin, cause, circumstances, and extent of loss  
29 of all fires within his or her respective jurisdiction.

30 ~~((+2))~~ (5) The chief of the Washington state patrol, through the  
31 director of fire protection or his or her deputy, may investigate any  
32 fire for the purpose of determining its cause, origin, and the extent  
33 of the loss. The chief of the Washington state patrol, through the  
34 director of fire protection or his or her deputy, shall assist in the  
35 investigation of those fires of criminal, suspected, or undetermined  
36 cause when requested by the reporting agency. In the investigation of  
37 any fire of criminal, suspected, or undetermined cause, the chief of  
38 the Washington state patrol and the director of fire protection or his  
39 or her deputy, are vested with police powers to enforce the laws of

1 this state. To exercise these powers, authorized deputies must receive  
2 prior written authorization from the chief of the Washington state  
3 patrol, through the director of fire protection, and shall have  
4 completed a course of training prescribed by the Washington state  
5 criminal justice training commission.

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