

FIRE PREVENTION CODE (EXCERPT)
Act 207 of 1941

29.6 Investigation and inquiry into cause or origin of fire; entering and inspecting building or premises; demonstration fire resulting in death or injury; "injury" defined.

Sec. 6.

(1) The state fire marshal may investigate and inquire into the cause or origin of a fire occurring in this state that results in the loss of life or damage to property and for those purposes may enter, without restraint or liability for trespass, a building or premises and inspect the building or premises and the contents and occupancies of the building or premises.

(2) The state fire marshal shall investigate, and prepare a report of the investigation, if a demonstration fire results in the injury or death of an individual who is not a firefighter. As used in this subsection, "demonstration fire" means a fire intentionally set by a fire department for training or other legitimate purposes.

(3) The chief of a fire department shall immediately report to the state fire marshal any injury to or death of a person who is not a firefighter resulting from a demonstration fire.

(4) If a firefighter dies or suffers a reportable injury as defined under the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094, resulting from a demonstration fire, the department shall provide a copy of any report of the death or reportable injury to the state fire marshal.

(5) As used in this section, "injury" means an injury that requires prompt medical attention by trained medical personnel.

History: 1941, Act 207, Imd. Eff. June 16, 1941 ;-- CL 1948, 29.6 ;-- Am. 1973, Act 199, Imd. Eff. Jan. 11, 1974 ;-- Am. 1978, Act 3, Imd. Eff. Feb. 7, 1978 ;-- Am. 2001, Act 32, Imd. Eff. June 29, 2001 ;-- Am. 2006, Act 189, Imd. Eff. June 19, 2006

Constitutionality: To preserve the constitutionality of this section, a warrant requirement must be read into it. *People v Tyler*, 399 Mich 564; 250 NW2d 467 (1977).

Compiler's Notes: For transfer of certain authority, powers, functions, and responsibilities of the state fire marshal and the fire marshal division of the department of state police to the director of the department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.