

15: 8-4

LEGISLATIVE HISTORY CHECKLIST

(Fire police -- increases penalty for failure to obey)

HJSA 15:8-4

LAWS OF 1979

CHAPTER 53

Bill No. S285

Sponsor(s) Ewing & Foran

Date Introduced Pre-filed

Committee: Assembly County Government

Senate County & Municipal Government

Amended during passage ~~XXX~~ No

Date of Passage: Assembly February 26, 1979

Senate February 23, 1979

Date of approval March 27, 1979

Following statements are attached if available:

Sponsor statement Yes ~~XX~~ (Below)

Committee Statement: Assembly ~~XXX~~ No

Senate Yes ~~XX~~

Fiscal Note ~~XXX~~ No

Veto message ~~XXX~~ No

Message on signing ~~XXX~~ No

Following were printed:

Reports ~~XXX~~ No

Hearings ~~XXX~~ No

Sponsor's statement:

This bill is intended to provide a more realistic penalty for those who refuse to obey fire police who issue orders pursuant to the performance of their duties at fires.

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9/1/78

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SENATE, No. 285

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1978 SESSION

By Senators EWING and FORAN

AN ACT concerning penalties for failure to obey the orders of fire police assigned to keep order at fires, and amending R. S. 15:8-4.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 15:8-4 is amended to read as follows:

2 15:8-4. Any duly organized volunteer fire company may provide
3 for the appointment of certain of its members to perform certain
4 police duties at fires and fire drills, for a term of office not exceed-
5 ing 5 years from the date of the appointment. Such members shall,
6 before entering upon their duties, qualify by taking and subscribing
7 an oath that they will justly, impartially and faithfully discharge
8 their duties according to the best of their ability and understanding.
9 Said oath shall be administered by the municipal clerk and sub-
10 scribed to in duplicate. The original copy of said oath shall be
11 filed with the municipal clerk and the copy thereof filed with the
12 secretary of the fire company making such appointment.

13 After appointment a member shall be eligible as a fire police and
14 shall have full power and authority to act as such anywhere in the
15 county in which he is appointed or in any other county in which
16 he is called upon to act.

17 It shall be the duty of a member of the fire police to perform his
18 duties under the supervision of the fire officer in charge of the
19 fire or fire drill.

20 The duties of said fire police subject to the supervision aforesaid
21 shall be to:

22 (1) Protect property and contents.

23 (2) Establish and maintain fire lines.

24 (3) Perform such traffic duties as necessary, from the fire sta-
25 tion to and at the vicinity of the fire, fire drill or other emergency
26 call, until the arrival of a duly authorized police officer.

EXPLANATION—Matter enclosed in hold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

27 (4) In the absence of investigating authorities, fire police shall
28 investigate all causes of fires and preserve all evidence pertaining
29 to questionable fire and turn evidence over to proper investigating
30 authorities:

31 (5) Wear the authorized fire police badge on the left breast of
32 the outermost garment while on duty.

33 Provided, however, nothing herein contained shall give the fire
34 police or any of them the right to supersede a duly authorized
35 police officer.

36 If any person shall unreasonably refuse to obey the orders of the
37 fire police such fire police may arrest him and keep him under
38 arrest until the fire is extinguished or the drill completed. If the
39 offender is found guilty by a municipal court or county district
40 court, he shall be sentenced to pay a fine not exceeding **[\$10.00]**
41: **\$200.00** and costs.

1 2. This act shall take effect immediately.

STATEMENT

This bill is intended to provide a more realistic penalty for those who refuse to obey fire police who issue orders pursuant to the performance of their duties at fires.

SENATE COMMITTEE
STATEMENT TO
SENATE, No. 285

—◆—
STATE OF NEW JERSEY
—◆—

DATED: FEBRUARY 14, 1978

Senate Bill No. 285 would increase the maximum amount that a person refusing to obey fire police at a fire or drill could be fined from \$10.00 to \$200.00. The current \$10.00 fine was fixed by P. L. 1884, c. 67.

Fire police are appointed by volunteer fire companies to perform certain police duties at fires, and fire drills under the supervision of the fire officer in charge. The statute limits their authority in that they may not supercede a duly authorized police officer. Fire police are required to wear a fire police badge while on duty.

MARCH 27, 1979

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

KATHRYN FORSYTH

Governor Brendan Byrne today signed into law the following bills:

S-285, sponsored by Senator John Ewing (R-Somerset) which increases the maximum fine which can be imposed on persons refusing to obey fire police at a fire or fire drill.

The bill increases the fine from \$10 to \$200.

Fire police are appointed by volunteer fire companies to perform certain police duties at fires and fire drills under the supervision of the fire officer in charge. Their authority may not supersede that of a duly authorized police officer.

A-483, sponsored by Assemblyman John H. Froude (D-Middlesex) which eliminates the requirement of hand-holds on motorcycle seats designed to carry more than one person, except in instances where hand-holds are necessary to comply with federal regulations.

When the law requiring hand-holds was enacted in 1967, it was believed that they were an added safety feature; but since then, the National Highway Traffic Safety Administration has declared that hand-holds on motorcycles are not necessary.

A-569, sponsored by Assemblyman James J. Barry, Jr. (R-Morris) which grants marine patrolmen in the Department of Environmental Protection the same authority and enforcement powers operating on frozen lakes, ponds, bays and other waters as they currently have over power vessels and other marine craft operating in non-frozen waters.

A-604, sponsored by Assemblywoman Jane Burgio (R-Essex) which authorizes counties and municipalities to establish the position of local historian.

The historian will serve without compensation at the pleasure of the governing body of the county or municipality, but can be reimbursed, through an approved county or municipal appropriation, for any expenses incurred while performing his duties.

(none)