

ASSEMBLY, No. 1314

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

SYNOPSIS

Permits certain fire police units to appoint fire police officers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning fire police officers and amending R.S.15:8-4.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*
4 *of New Jersey:*

5

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

7 15:8-4. a. Any duly organized volunteer fire company may
8 provide for the appointment of **【certain of】** its members to perform
9 certain police duties at fires and fire drills, for a term of office not
10 exceeding five years from the date of the appointment.

11 b. A fire police unit, established by appointment of members
12 from volunteer fire companies pursuant to subsection a. of this
13 section, may appoint volunteers who are not members of a
14 volunteer fire company to perform certain police duties at fires and
15 fire drills for a term of office not exceeding five years from the date
16 of appointment, if the unit:

17 (1) is incorporated;

18 (2) has filed appropriate tax forms;

19 (3) insures all members of the unit; and

20 (4) has a designated station number.

21 No person shall be appointed as a fire police officer pursuant to
22 this subsection unless the person:

23 (1) is sound in body and of good health;

24 (2) is of good moral character; and

25 (3) has not been convicted of any criminal offense involving
26 moral turpitude.

27 c. The **【appointed】** members appointed pursuant to subsection
28 a. or b. of this section shall, before entering upon their duties,
29 qualify by:

30 (1) Successfully completing a basic fire police training course
31 formulated or approved by the Division of Fire Safety.

32 (2) Taking and subscribing an oath that they will justly,
33 impartially and faithfully discharge their duties according to the
34 best of their ability and understanding. The oath shall be
35 administered by the municipal clerk or a notary public and
36 subscribed to in duplicate. The original copy of the oath shall be
37 filed with the municipal clerk or notary public administering the
38 oath and the copy thereof filed with the secretary of the fire
39 company or fire police unit making the appointment.

40 After appointment, a qualified member shall be eligible as a fire
41 police officer and shall have full power and authority to act as a fire
42 police officer anywhere in the county in which he is appointed or in
43 any other county in which he is called upon to act.

44 It shall be the duty of a member of the fire police to perform his

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 duties under the supervision of the fire officer in charge of the fire
2 or fire drill, until the arrival of a duly authorized police officer, who
3 shall assume responsibility for the supervision of the performance
4 of traffic duties, preservation of evidence and all other law
5 enforcement duties. Nothing in this paragraph shall diminish the
6 powers of the chief or other superior officer of any volunteer fire
7 company in the exercise of his duties pursuant to section 1 of
8 P.L.1981, c.435 (C.40A:14-54.1).

9 The duties of ~~the~~ the fire police subject to the supervision
10 aforesaid shall be to:

11 (1) Protect property and contents.

12 (2) Establish and maintain fire lines.

13 (3) Perform such traffic duties as necessary, from the fire station
14 to and at the vicinity of the fire, fire drill or other emergency call,
15 until the arrival of a duly authorized police officer or at any public
16 event where fire police services may be requested to protect the
17 public, subject to the approval of and supervision by the chief law
18 enforcement officer of the municipality in which the public event
19 takes place, or the Superintendent of State Police if the municipality
20 does not have a police department.

21 (4) In the absence of investigating authorities, fire police shall
22 investigate all causes of fires and preserve all evidence pertaining to
23 questionable fires and turn evidence over to proper investigating
24 authorities.

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

27 Provided, however, nothing herein contained shall give the fire
28 police or any of them the right to supersede a duly authorized police
29 officer.

30 If any person shall unreasonably refuse to obey the orders of the
31 fire police, a fire police officer may arrest him and keep him under
32 arrest until the fire is extinguished or the drill completed. If the
33 offender is found guilty by a municipal court or Superior Court, he
34 shall be sentenced to pay a fine not exceeding \$200 and costs.

35 (cf: P.L.1998, c.61, s.1)

36
37 2. This act shall take effect immediately.
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40 STATEMENT

41
42 This bill authorizes certain fire police units to appoint fire police
43 officers, and permits a notary public to administer an oath to a fire
44 police officer.

45 Currently, a volunteer fire company may appoint a member of
46 the company as a fire police officer. Under the provisions of this
47 bill, a fire police unit that is incorporated, has filed appropriate tax
48 forms, insures all members, and has a designated station number

1 may appoint a person who is not a member of the company as a fire
2 police officer if the person is of good health and good moral
3 character, and has not been convicted of a crime involving moral
4 turpitude.

5 An officer appointed by a unit will comply with the same
6 requirements and will have the same duties as officers appointed by
7 a volunteer fire company.

8 Current law requires the municipal clerk to administer the oath to
9 volunteer firefighters who perform police duties. Under provisions
10 of this bill, a notary public also may administer an officer's oath.