

**661—5.6(17A,80,100) Fire investigations.**

**5.6(1)** The fire marshal has the authority to investigate any fire in the state of Iowa.

**5.6(2)** City and township officers have the primary responsibility to and shall investigate fires. The city or township officer shall file a report of each fire with the fire marshal's office within one week of the fire even if the fire marshal's division participated in, assisted with, directed or supervised the fire investigation. Upon written request, the fire marshal may grant an extension of the time for filing this report for a period not to exceed 14 days. The request shall set forth compelling reasons for such extension.

**5.6(3)** The city or township officer shall immediately report a fire that involves death or suspected arson and does so by contacting the member assigned to that area or, if not available, the fire marshal's office or the fire marshal or assistant or, if no such contact can be made, the officer asks the county sheriff to relay the information to the Iowa police radio or teletype system (patrol communications division). The officer's report will be recorded or logged.

**5.6(4)** The notice of a fire involving death or arson contains the following information, if known:

*a.* If death has occurred or is suspected, the name, age and address of person or persons deceased or missing; the date, time and address of the fire; and the suspected cause of fire.

*b.* If arson is suspected, the date, time, address of the fire; the reasons for suspecting arson; whether there is obvious evidence of arson and if there is an arson suspect.

*c.* Whether an explosion occurred.

**5.6(5)** If Iowa police radio has been so notified, it immediately notifies the fire marshal or the nearest available member of the fire marshal's division.

**5.6(6)** The fire marshal may, while investigating the cause of a fire, compel witnesses and others to testify under oath and to submit books, records and other documents.

*a.* This is in the discretion of the fire marshal and may be exercised anytime, including fires that involve an extensive loss, a death, arson or explosion, or suspected arson.

*b.* The fire marshal may allow a person to submit to a polygraph examination.

**5.6(7)** The fire marshal notifies the person compelled to give testimony or information.

**5.6(8)** The fire marshal may assist a local officer in the investigation of any fire. The fire marshal may superintend, direct or conduct the investigation of a fire and may request the participation of a consultant when:

*a.* Requested by state or local authority to do so.

*b.* A death has occurred, an extensive amount of property has been destroyed, arson is suspected or an explosion has occurred.

*c.* A person is identified as an arson suspect.

*d.* There is obvious physical evidence of arson.

*e.* The fire marshal deems it necessary.

**5.6(9)** The fire marshal, when participating in the investigation of a fire, may request the person in control of the premises to execute a consent to search.