

(3) A commissioned surgeon of any of the Armed Forces of the United States, the United States Public Health Service Hospitals or the Veterans Administration while engaged in the performance of duties incident to his commission.

(4) A physician who resides in a neighboring jurisdiction who is authorized under the laws of that jurisdiction to practice medicine therein and whose practice extends into this State, provided the physician does not open an office or have a regularly appointed place to meet patients within this State and further provided that the same privileges are extended to physicians from this State by the neighboring jurisdiction.

187D.

(b) Burden of proof—No person shall be convicted of a violation under subsections [(a), (b), or (c)] (1), (2), or (3) of Section 187B of this subheading or subject to the penalties of subsection (a) of this section if he establishes by a preponderance of the evidence with respect to the violation: (1) that he made an inspection or examination or test, or received a written report certifying to the results of an inspection or examination or test made, for the purpose of disclosing the existence of the violation; and (2) that the inspection or examination or test and the instrumentalities, personnel and methods used in connection therewith would reasonably be expected to disclose the existence of the violation; and (3) that the inspection or examination or test, or the written report thereof, provided no basis for a belief that the violation existed; and (4) that he did not commit the violation purposely, knowingly, recklessly or negligently. For purposes of this subsection (b), an inspection or examination or test by representative samples of a lot, delivery or other mercantile quantity shall be deemed to be a method which would reasonably be expected to disclose the existence of a violation with respect to all articles included in the lot, delivery or other mercantile quantity. No person shall be convicted of a violation under paragraphs (4) through (15) (iii) or (16) and (17) of Section 187B of this subheading or subject to the penalties of subsection (a) of this section if he establishes by a preponderance of the evidence that the violation was not committed purposely, knowingly, recklessly, or negligently.

329.

The Governor, with the advice of the Secretary of Licensing and Regulation shall appoint biennially seven persons, with the advice and consent of the Senate, who shall constitute a board of commissioners, which shall be known and designated as "The State Board of Commissioners of Practical Plumbing" and shall be a part of the Department of Licensing and Regulation. The Board of Commissioners shall be selected as follows: Seven persons who are practical and skilled plumbers, two of whom shall be from Baltimore City, one from Southern Maryland, one from the Eastern Shore, one from the area including Allegany, Washington, Garrett, Frederick, and Montgomery counties and two from the area including Carroll, Baltimore and Harford counties, whose duty it shall be to faithfully and impartially execute, or cause to be executed, all the provisions and requirements of this subdivision of this article; upon application and at such place or places in this State as they may determine, provided at