

EXAMINATION, HE MAY REQUEST ANOTHER EXAMINATION AFTER 60 DAYS FROM THE UNSUCCESSFUL EXAMINATION AND THE EXAMINING AUTHORITY SHALL CONDUCT ANOTHER EXAMINATION AS SOON AS PRACTICABLE; AND

(7) THE EXAMINING AUTHORITY SHALL ISSUE A "PERMIT OF COMPETENCE" IF THE APPLICANT IS FOUND QUALIFIED. NO APPLICANT MAY BE REQUIRED TO DISPLAY THE THEORETICAL KNOWLEDGE REQUIRED FOR THE HOLDER OF A FIRST-CLASS CERTIFICATE. HE SHALL BE QUALIFIED IN THE PRACTICABLE ASPECTS OF CONDITIONS RELATING TO THE SAFETY OF THE EMPLOYEES OF THIS TYPE MINE.

REVISOR'S NOTE: This subsection is new language derived from Article 66C, section 510(b) of the Code.

7-306. RECORDS OF APPLICATIONS AND EXAMINATIONS.

THE EXAMINING AUTHORITY SHALL KEEP THE APPLICATIONS FOR CERTIFICATES, ANY SUPPORTING EVIDENCE, AND THE RECORDS OF THE EXAMINATIONS AS A PERMANENT RECORD. IT SHALL ENDORSE ON EACH APPLICATION THE ACTION TAKEN.

REVISOR'S NOTE: This section presently appears as Article 66C, section 513 of the Code. The only changes made are in style.

7-307. APPEAL OF APPLICANT.

AN APPLICANT WHO IS AGGRIEVED BY THE EXAMINING AUTHORITY'S REFUSAL TO GRANT A FIRST-CLASS MINE FOREMAN CERTIFICATE OR PERMIT OF COMPETENCE MAY APPLY TO THE SECRETARY OF PERSONNEL WHO SHALL REVIEW THE EXAMINATION. IF THE SECRETARY OF PERSONNEL FINDS THE REFUSAL UNWARRANTED, HE SHALL DIRECT THAT THE APPLICANT BE AWARDED THE CERTIFICATE OR PERMIT. IF HE UPHOLDS THE DECISION OF THE EXAMINING AUTHORITY, THE APPLICANT MAY APPEAL TO THE CIRCUIT COURT FOR THE COUNTY IN WHICH HE RESIDES. THE COURT MAY HEAR AND DETERMINE THE MATTER, ISSUING ANY ORDER AS MAY BE JUST.

REVISOR'S NOTE: This section presently appears as Article 66C, section 514 of the Code. The only changes made are in style.

7-308. ISSUANCE AND CONTENTS OF CERTIFICATE; LOST OR