7-403.   MINE FOREMAN AND ASSISTANTS.

(A)   FOREMAN — MINE IN WHICH EIGHT OR MORE
EMPLOYED.——IN ORDER TO SECURE EFFICIENT MANAGEMENT AND
PROPER VENTILATION OF THE MINE, PROMOTE THE HEALTH AND
SAFETY OF THE PERSONS EMPLOYED, AND PROTECT AND
PRESERVE THE PROPERTY CONNECTED WITH IT, THE OPERATOR
OF ANY COAL MINE IN THE STATE SHALL EMPLOY A COMPETENT
AND PRACTICAL MINE FOREMAN IN EVERY MINE WHERE EIGHT
OR MORE PERSONS ARE EMPLOYED.   EXCEPT IN A NONGASSY
MINE, THE MINE FOREMAN SHALL POSSESS A FIRST—CLASS
MINE FOREMAN'S CERTIFICATE OF COMPETENCE. HE SHALL
HAVE CHARGE OF THE MINE UNDER THE SUPERVISION AND
CONTROL OF THE OPERATOR.

(B)   MINE IN WHICH SEVEN OR LESS EMPLOYED.——IN A
MINE IN WHICH SEVEN OR LESS PERSONS ARE EMPLOYED, THE
MINE OPERATOR HIMSELF SHALL HOLD OR SHALL EMPLOY A
PERSON WHO HOLDS A PERMIT OF COMPETENCE ISSUED BY THE
MINING AUTHORITY AS PROVIDED FOR IN SUBTITLE 3. THE
MINE FOREMAN NEED NOT POSSESS A FIRST—CLASS MINE
FOREMAN'S CERTIFICATE OF COMPETENCE.

>   REVISOR'S   NOTE: These subsections presently
>   appear as Article 66C, section 531 of the
>   Code. Those parts of this subsection which
>   describe   qualifications   for   the   mine
>   foreman as of 1950 are proposed   for
>   deletion as obsolete.   For clarity this
>   section has been divided into two different
>   subsections. The only other changes made
>   are in style.

(C)   EMPLOYMENT OF ASSISTANTS.——IF THE MINE
WORKINGS BECOME SO EXTENSIVE THAT THE MINE FOREMAN IS
PERSONALLY   UNABLE   TO DISCHARGE HIS DUTIES, THE
OPERATOR SHALL EMPLOY A SUFFICIENT NUMBER OF COMPETENT
PERSONS OR ASSISTANTS WHO HAVE THE SAME QUALIFICATIONS
AS THE MINE FOREMAN. HOWEVER, IF ANY EMERGENCY ARISES
MAKING IT IMPOSSIBLE FOR ANY OPERATOR TO SECURE THE
IMMEDIATE SERVICES OF A CERTIFIED OR QUALIFIED PERSON,
HE MAY EMPLOY ANY QUALIFIED AND EXPERIENCED PERSON AS
MINE FOREMAN OR ASSISTANT MINE FOREMAN FOR A PERIOD
NOT   EXCEEDING 30 DAYS, SUBJECT TO THE BUREAU'S
APPROVAL.

>   REVISOR'S NOTE: This subsection presently appears
>   as Article 66C, section 532 of the Code, as
>   amended by Chapter 679, S.B. 390, Acts of
>   1973.   The only changes made are in style.