

CHAPTER 48

(House Bill 102)

AN ACT concerning

Occupational Safety - Violations by State Agencies

FOR the purpose of requiring that, if the Commissioner of Labor and Industry has issued a citation to a State department or agency for any violation of duty imposed by the occupational safety laws subtitle of Article 89 of the Annotated Code, the Commissioner shall serve a copy of the citation on the Secretary of the appropriate department or the head of the agency, as the case may be.

BY repealing and reenacting, with amendments,

Article 89 - Division of Labor and Industry
Section 36
Annotated Code of Maryland
(1969 Replacement Volume and 1978 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 89 - Division of Labor and Industry

36.

(a) If, upon inspection or investigation, the Commissioner or his authorized representative, is of the opinion that an employer has violated any duty imposed upon him by this subtitle, or any rule, regulation, standard, or order, promulgated and issued under this subtitle, he shall with reasonable promptness issue a citation to the employer. IF A CITATION HAS BEEN ISSUED TO A STATE DEPARTMENT OR AGENCY, THE COMMISSIONER, OR HIS AUTHORIZED REPRESENTATIVE, SHALL SERVE A COPY OF THE CITATION ON THE SECRETARY OF THE APPROPRIATE DEPARTMENT OR THE HEAD OF THE AGENCY, AS THE CASE MAY BE. Each citation shall be in writing and shall describe with particularity the nature of the violation including a reference to the provision of this subtitle, rule, regulation, standard, or order alleged to have been violated. In addition, the citation shall fix a reasonable time for the abatement and correction of the violation.

(b) Each citation issued under this subtitle, or a copy or copies thereof shall be prominently posted as prescribed in regulations issued by the Commissioner, at or near each place a violation referred to in the citation occurred.