

~~(2)~~ UNLESS SUPERSEDED BY A STANDARD OR REGULATION PROMULGATED IN ACCORDANCE WITH THE PROCEDURES PRESCRIBED IN THIS SECTION.

(F) UPON REQUEST OF A RAILROAD, THE COMMISSIONER SHALL CONVENE A HEARING AND RECEIVE EVIDENCE PERTAINING TO ANY EMERGENCY TEMPORARY STANDARD. WITHIN 10 DAYS AFTER THE REQUEST OF A RAILROAD, THE COMMISSIONER SHALL EITHER REVOKE, MODIFY, OR CONTINUE THE EMERGENCY TEMPORARY STANDARD. A RAILROAD AGGRIEVED BY AN EMERGENCY TEMPORARY STANDARD SHALL HAVE THE RIGHT OF AN IMMEDIATE APPEAL TO A COURT OF COMPETENT JURISDICTION AND THE COURT SHALL HEAR AND DECIDE THE APPEAL.

(G) THE PROVISIONS OF THIS SUBTITLE MAY NOT APPLY TO ANY ACCEPTABLE WORKING CONDITIONS DEFINED IN A COLLECTIVE BARGAINING AGREEMENT.

86.

(A) ANY AFFECTED ~~OWNER OF~~ A RAILROAD COMPANY MAY APPLY IN WRITING TO THE COMMISSIONER FOR AN ORDER FOR VARIANCE FROM ANY RULE, REGULATION, OR STANDARD PROMULGATED UNDER THIS SUBTITLE.

(B) AFTER A HEARING, THE COMMISSIONER MAY GRANT EXCEPTIONS FROM THE RULES, REGULATIONS, AND STANDARDS ADOPTED PURSUANT TO THIS SUBTITLE, IF:

(1) IT IS EVIDENT THAT ACTION IS NECESSARY TO PREVENT UNDUE OPERATIONAL OR ECONOMIC HARDSHIP; OR

(2) EXISTING CONDITIONS PREVENT PRACTICAL COMPLIANCE AND THE COMMISSIONER BELIEVES DETERMINES THE REASONABLE SAFETY OF THE PUBLIC AND EMPLOYEES OF THE RAILROAD COMPANY CAN BE ASSURED.

87.

(A) ~~EVERY RAILROAD COMPANY OPERATING A RAILROAD IN THE STATE SHALL~~

~~(1) MAKE, KEEP, AND MAKE AVAILABLE TO THE COMMISSIONER, REPORTS REGARDING ITS ACTIVITIES RELATING TO THIS SUBTITLE;~~

~~(2) MAINTAIN ACCURATE RECORDS OF AND PERIODIC REPORTS ON DEATHS AND INJURIES TO PERSONS AND DAMAGES TO PROPERTY INCURRED IN THE OPERATION OF ITS RAILROAD IN THE STATE; AND~~

~~(3) ON THE BASIS OF THE RECORDS MADE AND KEPT, FILE REPORTS WITH THE COMMISSIONER THAT MAY BE PRESCRIBED BY REGULATION.~~