

~~(B) -- NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS SECTION, EVERY RAILROAD COMPANY OPERATING A RAILROAD IN THIS STATE SHALL REPORT, IN WRITING OR ORALLY, TO THE COMMISSIONER, WITHIN 24 HOURS PROMPTLY AFTER THE OCCURRENCE OF ANY AN ACCIDENT RESULTING IN A SERIOUS INJURY OR FATALITY TO ANY PERSON, OR DAMAGE TO PROPERTY EXCEEDING \$2,900 OR SUCH OTHER SUM AS DETERMINED BY FEDERAL REGULATIONS INCURRED DURING THE OPERATION OF THE RAILROAD IN THE STATE. THE COMMISSIONER SHALL INVESTIGATE THE OCCURRENCE WITHIN 24 HOURS PROMPTLY AFTER RECEIVING NOTIFICATION OF AN ACCIDENT.~~

(B) EVERY RAILROAD COMPANY SHALL BE REQUIRED TO PROMPTLY SUBMIT TO THE COMMISSIONER COPIES OF ALL ACCIDENT AND INCIDENT REPORTS FILED WITH THE FEDERAL RAILROAD ADMINISTRATION OF ACCIDENTS AND INCIDENTS OCCURRING IN THE STATE.

88.

(A) IF, AFTER INSPECTION OR INVESTIGATION OF ANY RAILROAD IN THE STATE, THE COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE DETERMINES THAT ANY MACHINERY, APPARATUS, DEVICES, OR EQUIPMENT OR ANY PART OF THEM IS IN VIOLATION OF ANY RULE, REGULATION, OR STANDARD PROMULGATED UNDER THIS SUBTITLE, AND THERE IS A SUBSTANTIAL PROBABILITY OF DEATH OR SERIOUS PHYSICAL HARM TO ANY PERSON OR DAMAGE TO PROPERTY FROM CONTINUED USE, WRITTEN NOTICE SHALL BE GIVEN TO THE RAILROAD COMPANY OR ITS AGENT IN CHARGE OF THE OPERATION. A COPY OF THE NOTICE WILL BE ATTACHED TO THE MACHINERY, APPARATUS, DEVICE, OR EQUIPMENT. AFTER THE NOTICE OF VIOLATION IS ISSUED AND ATTACHED, THE USE OF THE MACHINERY, APPARATUS, DEVICE, OR EQUIPMENT IS PROHIBITED, EXCEPT FOR SUCH USE AS NECESSARY FOR THE REPAIR OF THE MACHINERY, APPARATUS, DEVICE, OR EQUIPMENT AND TO PROVIDE THE REQUIRED SAFEGUARDS. THE NOTICE MAY NOT BE REMOVED UNTIL THE MACHINERY, APPARATUS, DEVICE, OR EQUIPMENT IS MADE SAFE AND THE REQUIRED SAFEGUARDS ARE PROVIDED. THE NOTICE MAY NOT BE REMOVED EXCEPT BY THE COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE.

(B) ANY PERSON AGGRIEVED BY A DECISION OF THE COMMISSIONER MADE PURSUANT TO THE PROVISIONS OF THIS SUBSECTION MAY APPEAL TO A COURT OF COMPETENT JURISDICTION IN ACCORDANCE WITH THE MARYLAND RULES.

(C) THE FILING OF AN APPEAL DOES NOT STAY THE ORDER OF THE COMMISSIONER, EXCEPT THAT THE COURT, AFTER NOTICE TO THE COMMISSIONER AND A HEARING, MAY GRANT A STAY UPON THE POSTING OF SECURITY OR BOND AS IT DEEMS PROPER.

(D) APPEALS FILED UNDER THIS SECTION SHALL BE HEARD EXPEDITIOUSLY.

89.

(A) THE COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE MAY ENTER WITHOUT DELAY AND AT REASONABLE TIMES ANY RAILROAD