

ON MOTION OF A PARTY THE COMMISSIONER MAY ALLOW A CONTINUANCE FOR NOT MORE THAN 30 DAYS.

90.

(A) IF, AFTER INSPECTION OR INVESTIGATION OF ANY RAILROAD, THE COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVE, DETERMINES THAT THIS SUBTITLE OR ANY RULE, REGULATION, STANDARD, OR ORDER PROMULGATED AND ISSUED UNDER THIS SUBTITLE HAS BEEN VIOLATED, HE SHALL ISSUE A CITATION WITH REASONABLE PROMPTNESS TO THE RAILROAD COMPANY. EACH CITATION SHALL DESCRIBE WITH PARTICULARITY THE NATURE OF THE VIOLATION INCLUDING A REFERENCE TO THE PROVISIONS OF THIS SUBTITLE, RULE, REGULATION, STANDARD, OR ORDER ALLEGED TO HAVE BEEN VIOLATED. THE CITATION SHALL SET A REASONABLE TIME FOR THE ABATEMENT AND CORRECTION OF THE VIOLATION.

(B) A CITATION ISSUED UNDER THIS SUBTITLE, OR ITS COPY, SHALL BE PROMINENTLY POSTED AS PRESCRIBED IN REGULATIONS ISSUED BY THE COMMISSIONER ~~7--AT--OR--NEAR--EACH PLACE--THE--VIOLATION--REFERRED--TO--IN--THE--CITATION--OCCURRED--OR AT--OTHER--LOCATIONS--DESIGNATED--BY--THE--COMMISSIONER.~~

(C) A CITATION MAY NOT BE ISSUED AFTER THE EXPIRATION OF 6 MONTHS FOLLOWING THE VIOLATION.

91.

(A) IF, AFTER AN INSPECTION AND INVESTIGATION, THE COMMISSIONER ISSUES A CITATION UNDER SECTION 90, HE, WITHIN A REASONABLE TIME AFTER THE DATE OF ISSUANCE, SHALL NOTIFY THE RAILROAD COMPANY AT ITS PRINCIPAL PLACE OF BUSINESS BY CERTIFIED MAIL:

(1) OF THE ISSUANCE OF THE CITATION AND OF ANY PROPOSED CIVIL PENALTY ASSESSED UNDER THIS SUBTITLE; AND

(2) THAT THE RAILROAD COMPANY HAS 15 WORKING DAYS TO NOTIFY THE COMMISSIONER IN WRITING THAT IT WISHES TO CONTEST THE CITATION OR PROPOSED ASSESSMENT OF PENALTY.

(B) IF, WITHIN 15 WORKING DAYS FROM THE RECEIPT OF THE CITATION AND PROPOSED PENALTY, IF ANY, ISSUED BY THE COMMISSIONER, THE RAILROAD COMPANY DOES NOT NOTIFY THE COMMISSIONER THAT IT INTENDS TO CONTEST THE CITATION OR ASSESSMENT OF PENALTY, THE CITATION AND ASSESSMENT ARE FINAL.

(C) IF THE COMMISSIONER HAS REASON TO BELIEVE THAT A RAILROAD COMPANY HAS NOT CORRECTED A VIOLATION FOR WHICH CITATION HAS BEEN ISSUED WITHIN THE PERIOD PERMITTED FOR ITS CORRECTION, THE COMMISSIONER SHALL NOTIFY THE RAILROAD COMPANY BY CERTIFIED MAIL:

(1) OF THE FAILURE TO CORRECT THE VIOLATION AND ANY PENALTY, ASSESSED UNDER SECTION 95 OF THIS SUBTITLE; AND