

92.

(A) ANY PERSON ADVERSELY AFFECTED OR AGGRIEVED BY ANY RULE, REGULATION, STANDARD, OR ORDER OF THE COMMISSIONER ISSUED UNDER THIS SUBTITLE MAY APPEAL TO A COURT OF COMPETENT JURISDICTION IN ACCORDANCE WITH THE MARYLAND RULES.

(B) THE COMMENCEMENT OF APPELLATE PROCEEDINGS DOES NOT OPERATE AS A STAY OF ANY RULE, REGULATION, STANDARDS, OR ORDER ISSUED BY THE COMMISSIONER UNDER THE PROVISIONS OF THIS SUBTITLE EXCEPT THAT THE COURT, AFTER NOTICE TO THE COMMISSIONER AND A HEARING, MAY GRANT A STAY UPON SUCH CONDITION OR SUCH SECURITY OR BOND IT DEEMS PROPER.

(C) IN ANY PROCEEDING UNDER THIS SECTION, THE RULES, REGULATIONS, AND STANDARDS OF THE ~~COMMISSIONERS~~

~~{1}--ARE--PRIMA--FACIE--LAWFUL--AND--REASONABLE--AND~~

~~{2} COMMISSIONER~~ ARE NOT INVALID BECAUSE OF A TECHNICAL DEFECT IF THERE IS SUBSTANTIAL COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE.

(D) THE COMMISSIONER MAY ENFORCE ANY RULE, REGULATION, STANDARD, OR ORDER BY FILING A PETITION FOR RELIEF IN A COURT OF COMPETENT JURISDICTION IN ACCORDANCE WITH THE MARYLAND ADMINISTRATIVE PROCEDURE ACT AND THE MARYLAND RULES.

(E) PETITIONS FILED UNDER THIS SECTION SHALL BE HEARD EXPEDITIOUSLY.

93.

(A) THE CIRCUIT COURTS OF THE STATE, UPON PETITION OF THE COMMISSIONER, MAY RESTRAIN OR ENJOIN ANY CONDITIONS OR PRACTICES IN THE OPERATION OF ANY RAILROAD THAT CREATE AN IMMINENT DANGER WHICH COULD REASONABLY BE EXPECTED TO CAUSE DEATH OR SERIOUS PHYSICAL HARM TO PERSONS OR DAMAGE TO PROPERTY. ANY ORDER ISSUED UNDER THIS SECTION MAY REQUIRE ANY NECESSARY ACTION TO AVOID, CORRECT, OR REMOVE THE IMMINENT DANGER AND PROHIBIT THE PRESENCE OF ANY INDIVIDUALS IN LOCATIONS OR UNDER CONDITIONS WHERE THE IMMINENT DANGER EXISTS, EXCEPT INDIVIDUALS WHOSE PRESENCE IS NECESSARY TO AVOID, CORRECT, OR REMOVE THE IMMINENT DANGER, OR WHERE A CESSATION OF OPERATIONS IS NECESSARY TO PERMIT THE REMOVAL TO BE ACCOMPLISHED IN A SAFE AND ORDERLY MANNER.

(B) UPON THE FILING OF THE COMMISSIONER'S PETITION, THE CIRCUIT COURTS OF THIS STATE MAY GRANT INJUNCTIVE RELIEF OR A TEMPORARY RESTRAINING ORDER PENDING THE OUTCOME OF ENFORCEMENT PROCEDURES PURSUANT TO THIS SUBTITLE. A TEMPORARY RESTRAINING ORDER ISSUED WITHOUT NOTICE MAY NOT BE EFFECTIVE FOR MORE THAN 7 DAYS.