

(B) NO LIABILITY CREATED.

THIS SECTION MAY NOT BE CONSTRUED AS CREATING ANY CIVIL OR CRIMINAL LIABILITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 54-0.

The attention of the General Assembly is called to the fact that there is no penalty for violation of this section.

11-203. SANITARY CONDITION OF RAILROAD LOCOMOTIVES.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO A RAILROAD LOCOMOTIVE THAT IS USED ONLY FOR YARD-SWITCHING SERVICE.

(B) RULES AND REGULATIONS.

THE SECRETARY MAY ADOPT RULES AND REGULATIONS THAT REGULATE THE SANITARY CONDITION OF RAILROAD LOCOMOTIVES.

(C) PUBLIC HEARINGS.

BEFORE ADOPTING ANY RULE OR REGULATION UNDER THIS SECTION, THE DEPARTMENT SHALL ANNOUNCE AND HOLD A PUBLIC HEARING ON THE SUBJECT.

(D) PROHIBITION; PENALTY.

A PERSON WHO VIOLATES ANY RULE OR REGULATION THAT THE SECRETARY ADOPTS UNDER THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE FOR EACH OFFENSE NOT EXCEEDING THE LESSER OF THE PENALTY PROVIDED BY THE RULE OR REGULATION OR \$100.

REVISOR'S NOTE: This section is new language patterned after the second sentence of Article 43, § 2, as that sentence relates to railroad locomotives.

Subsection (c) of this section is new language substituted for the parenthetical reference to "after hearing". The new language is patterned after similar provisions elsewhere in this article. See, e.g., § 3-402 of this article.

In subsection (d) of this section, the reference to a violation being a misdemeanor is new language added for clarity.

11-204. SANITARY CONDITION OF RAILROAD PROPERTY.