

(ii) make information available to the public on products found not to be in compliance with the standards.

(j) (1) With prior notice and at reasonable and convenient hours, the Administration may make periodic inspections of distributors or retailers of new products listed in subsection (b)(1) of this section in order to determine compliance with the provisions of this section.

(2) The Administration shall coordinate with the Department of Housing and Community Development regarding inspections, prior to occupancy, of newly constructed buildings containing new products that are also covered by the Maryland Building Performance Standards.

(k) (1) The Administration may investigate complaints received concerning violations of this section and shall report the results of an investigation to the Attorney General.

(2) The Attorney General may institute proceedings to enforce the provisions of this section.

(3) A manufacturer, distributor, or retailer of new products listed in subsection (b)(1) of this section that violates any provision of this section shall be issued a warning by the Administration for a first violation.

(4) Repeat violators shall be subject to a civil penalty of not more than \$250.

(5) Each violation of this section shall constitute a separate offense and each day that a violation continues shall constitute a separate offense.

(6) Penalties assessed under this subsection are in addition to costs assessed under subsection (i)(2)(i) of this section.

(7) Penalties assessed under this subsection shall be paid into the General Fund of the State.

SECTION 2. AND BE IT FURTHER ENACTED, That the effective date for the implementation of efficiency standards for unit heaters and commercial refrigeration cabinets set forth in COMAR 14.26.03.06A shall be 90 days after the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the labeling requirements set forth in COMAR 14.26.03.10 may not take effect until March 1, 2006.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2005.

May 26, 2005

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate