

SECRETARY OR SECRETARY'S DESIGNEE WITHIN 4 HOURS AFTER THE UTILITY COMPANY RESPONDS TO A UTILITY EMERGENCY.

3. AN INCIDENTAL DRIVER SAFETY PLAN MUST INCLUDE THE PROCEDURES THAT THE UTILITY COMPANY WILL FOLLOW TO ENSURE THAT AN INCIDENTAL DRIVER WILL NOT DRIVE DURING A UTILITY EMERGENCY IF THE INCIDENTAL DRIVER HAS NOT HAD SUFFICIENT REST TO ENSURE THAT THE INCIDENTAL DRIVER MAINTAINS THE ABILITY TO DRIVE SAFELY.

(3) (i) All declarations issued under this [section] SUBSECTION shall indicate the nature of the utility or transportation emergency, the area or areas threatened, and the conditions which have brought it about.

(ii) A declaration shall be disseminated by a means calculated to bring its contents to the attention of the general public, in the areas affected by the declaration.

(4) Within 10 days of the issuance of any declaration issued under this [section] SUBSECTION, the Secretary or the Secretary's designee shall notify the Governor of the nature of the declaration.

(5) A ~~utility or~~ transportation emergency declared by the Secretary or the Secretary's designee may not extend for more than ~~3~~ 5 days, unless renewed by the Governor pursuant to § 14-107 of the Public Safety Article.

~~(k) (1) NOTWITHSTANDING THE PROVISIONS OF § 14-107 OF THE PUBLIC SAFETY ARTICLE, A UTILITY COMPANY MAY DECLARE A UTILITY EMERGENCY.~~

~~(2) (I) BEFORE A UTILITY COMPANY MAY EXERCISE THE AUTHORITY TO DECLARE A UTILITY EMERGENCY, THE UTILITY COMPANY SHALL FILE A PLAN WITH THE SECRETARY OR THE SECRETARY'S DESIGNEE.~~

~~(II) THE PLAN SHALL ESTABLISH THE PROCEDURES THAT THE UTILITY COMPANY WILL FOLLOW TO ENSURE THAT AN INCIDENTAL DRIVER WILL NOT DRIVE DURING A UTILITY EMERGENCY IF THE INCIDENTAL DRIVER HAS NOT HAD AN AMOUNT OF REST SUFFICIENT TO ENSURE THAT THE DRIVER MAINTAINS THE ABILITY TO DRIVE SAFELY.~~

~~(III) A UTILITY COMPANY IS NOT REQUIRED TO FILE A NEW PLAN EACH TIME THE UTILITY COMPANY INTENDS TO DECLARE A UTILITY EMERGENCY.~~

~~(3) IF A UTILITY COMPANY DECLARES A UTILITY EMERGENCY, THE UTILITY COMPANY SHALL NOTIFY THE SECRETARY OR THE SECRETARY'S DESIGNEE OF THE NATURE OF THE DECLARATION WITHIN 24 HOURS OF THE DECLARATION.~~

(4) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO AN INCIDENTAL DRIVER DURING A TIME WHEN A UTILITY EMERGENCY IS DECLARED UNDER THIS SUBSECTION ON NOTIFICATION BY A UTILITY COMPANY THAT IT IS RESPONDING TO A UTILITY EMERGENCY, THE SECRETARY OR SECRETARY'S DESIGNEE SHALL: