

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "LISTED FACILITY" MEANS A RADON TESTING FACILITY THAT IS DESIGNATED AS A PRIMARY COMPANY IN THE REPORT OF THE LATEST ROUND OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S RADON/RADON PROGENY MEASUREMENT PROFICIENCY PROGRAM.

(3) (I) "RADON TESTING DEVICE" MEANS A DEVICE THAT:

1. COLLECTS RADON OR RADON PROGENY; AND
2. REQUIRES ANALYSIS BY AN INDEPENDENT MEASURING FACILITY OR RADON TESTER.

(II) "RADON TESTING DEVICE" DOES NOT INCLUDE A SELF-ANALYZING DEVICE THAT COLLECTS RADON OR RADON PROGENY.

(B) A PERSON WHO ENGAGES IN THE BUSINESS OF TESTING FOR THE PRESENCE OF INDOOR RADON SHALL:

- (1) HAVE ALL TESTS ANALYZED BY A LISTED FACILITY;
- (2) INDICATE THE NAME OF THE LISTED FACILITY CONDUCTING THE ANALYSIS ON THE RADON TESTING DEVICE; AND
- (3) DISCLOSE IN WRITING TO THE ULTIMATE CONSUMER THE RESULTS OF THE RADON TEST AND THE NAME AND ADDRESS OF THE FACILITY THAT ANALYZED THE TEST.

(C) THE DEPARTMENT:

- (1) MAY ADOPT REGULATIONS TO REQUIRE RADON TESTING FACILITIES TO SEND TEST RESULTS TO THE DEPARTMENT; AND
- (2) MAY NOT DISCLOSE, IN RESPONSE TO A REQUEST FROM THE PUBLIC FOR THE NAME OF A RADON TESTING FACILITY, THE NAME OF A RADON TESTER THAT IS NOT A LISTED FACILITY.

8-501.

(a) (1) A person who fails, refuses, or neglects to comply with any provision of this title, or with any rule or regulation adopted under this title, is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$10,000 or imprisonment not exceeding 1 year or both.

(2) Before any prosecution is begun under this subsection, the Secretary shall serve written notice of each alleged violation on a person who is in charge of the place where the violation allegedly exists.