

railroad safety and health[, subject to approval of the Secretary of Licensing and Regulation. The Commissioner] AND may assign to the [assistant commissioner] CHIEF INSPECTOR [such] functions and duties under this subtitle [that he determines appropriate].

(B) The [assistant commissioner] CHIEF INSPECTOR shall receive a salary as [may be] provided in the budget and [serve at the pleasure of the Commissioner] BE SUBJECT TO THE STATE MERIT SYSTEM LAW.

[98.

(a) The Commissioner shall exercise all rights, powers, duties, obligations, and functions transferred to him from the following provisions of the Annotated Code relating generally to all areas of railroad safety and health, safety appliances and equipment on railroad engines and cars, and the protection of railroad employees and the public:

(1) § 24-204 of the Health - General Article.

(2) Article 78, Sections 36A, 38, 38A, 39, 40, 41, 42, 43, and 44.

(3) Article 27, Section 460A.

(b) Included in the transfer of powers and functions in subsection (a) of this section are all published regulations of the Public Service Commission relating to railroad safety which are in effect on July 1, 1980 and not inconsistent with any provision of this subtitle. These regulations shall continue in effect until modified, superseded, or repealed by the Commissioner.

(c) Nothing in this section shall diminish the functions of any State agency under any other laws or regulations not specifically transferred by this section.

(d) All personnel of the Public Service Commission engaged in railroad safety activities and functions shall be transferred on July 1, 1980 to the Division of Labor and Industry, together with all unexpended balances of funds appropriated for the personnel.]

[Article 25 - County Commissioners]  
Article 89 - Division of Labor and Industry

[3B.] 100.

Any application for a building permit for construction within eight feet six inches laterally from the center line of a railroad track or twenty-two feet from the top of the rail must be accompanied by a clearance certificate from the [Public