

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 38A, § 12.

The reference to a violation of "this article" is retained in the revision although the Public Safety Article encompasses provisions derived from articles other than former Article 38A. No substantive change is intended.

The former reference to the "change" of any regulation is deleted as unnecessary in light of Art. 1, § 21, which provides that a reference to the Code or any other law applies to any subsequent amendment.

Defined term: "Commission" § 6-101

6-322. AUTHORITY OF SECRETARY.

THE EXERCISE OF ALL POWERS AND AUTHORITY AND THE PERFORMANCE OF ALL DUTIES AND FUNCTIONS VESTED IN THE STATE FIRE MARSHAL UNDER THIS ARTICLE ARE SUBJECT TO THE POWERS AND AUTHORITY OF THE SECRETARY SET FORTH IN TITLE 2 OF THIS ARTICLE OR ELSEWHERE IN STATE LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 38A, § 2(c), as it related to the State Fire Marshal.

The reference to the powers and duties of the State Fire Marshal under "this article" is retained in the revision although the Public Safety Article includes provisions derived from articles other than former Article 38A. No substantive change results because the powers and duties of the State Fire Marshal under the Public Safety Article are the same as the powers and duties of the State Fire Marshal under former Article 38A.

The reference to "Title 2 of this article" is substituted for the former reference to "Article 88B of this Code" for specificity because most of the provisions from former Article 88B that related to the power of the Secretary of State Police are revised in Title 2 of this title. In addition, the use of the phrase "or elsewhere in State law" picks up any other powers of the Secretary wherever codified.

Defined term: "Secretary" § 6-101

SUBTITLE 4. BALTIMORE CITY.

6-401. APPLICABILITY IN BALTIMORE CITY.

THE POWERS, DUTIES, AND JURISDICTION CONFERRED BY THIS ARTICLE ON THE COMMISSION AND THE STATE FIRE MARSHAL, AND ANY CODE, REGULATION, OR PRACTICE ADOPTED BY THEM UNDER THE AUTHORITY OF THIS ARTICLE, APPLY IN BALTIMORE CITY ONLY TO:

- (1) PROPERTIES OWNED OR OPERATED BY THE STATE;
- (2) HOSPITALS, NURSING HOMES, AND SIMILAR INSTITUTIONS THAT REQUIRE STATE LICENSURE; AND