11–110.   EMPLOYEES OF BUSINESSES OR OPERATIONS THAT USE EXPLOSIVES.

(A)   SALE OR ISSUANCE OF EXPLOSIVES TO EMPLOYEES.

THE OWNER OR OPERATOR OF A MINE, QUARRY, OR OTHER OPERATION OR BUSINESS THAT USES EXPLOSIVES, OR A CONTRACTOR WHO PERFORMS WORK THAT USES EXPLOSIVES, REQUIRED TO OBTAIN A LICENSE TO ENGAGE IN BUSINESS AS A DEALER UNDER THIS SUBTITLE:

(1)   MAY ISSUE OR SELL TO EACH EMPLOYEE ONLY THE AMOUNT OF EXPLOSIVES AS IS REASONABLY REQUIRED BY THAT EMPLOYEE TO PERFORM THE EMPLOYEE'S DUTIES;

(2)   SHALL ENSURE THAT ANY EXPLOSIVES ISSUED OR SOLD TO AN EMPLOYEE ARE NOT TAKEN BY THE EMPLOYEE TO A PLACE NOT NECESSARY FOR THE EMPLOYEE TO PERFORM THE EMPLOYEE'S DUTIES; AND

(3)   SHALL ENSURE THAT ANY UNUSED EXPLOSIVES ARE RETURNED TO THE OWNER, OPERATOR, OR CONTRACTOR ON TERMINATION OF THE WORK FOR WHICH THE EXPLOSIVES WERE ISSUED OR SOLD TO THE EMPLOYEE.

(B)   LICENSE NOT REQUIRED.

REGARDLESS OF WHETHER THE OWNER, OPERATOR, OR CONTRACTOR HAS OBTAINED A LICENSE TO ENGAGE IN BUSINESS AS A DEALER, AN EMPLOYEE OF THE OWNER, OPERATOR, OR CONTRACTOR NEED NOT OBTAIN A LICENSE TO POSSESS EXPLOSIVES OTHER THAN EXPLOSIVES FOR USE IN FIREARMS IN ORDER TO POSSESS EXPLOSIVES ISSUED OR SOLD TO THE EMPLOYEE BY THE OWNER, OPERATOR, OR CONTRACTOR.

REVISOR'S NOTE: This section is new language derived without substantive change from the second and third clauses of the first sentence and second clause of the second sentence of former Art. 38A, § 29.

In subsection (a)(1) of this section, the word "may" is substituted for the former phrase "shall be the duty" to indicate that this provision is a grant of authority to an owner, operator, or contractor, not a duty.

In subsection (a)(2) and (3) of this section, the word "ensure" is substituted for the former word "see" for clarity.

Defined terms: "Dealer" § 11–101
       "Explosives" § 11–101

11–111.   REVOCATIONS OF LICENSES.

A LICENSE ISSUED UNDER THIS SUBTITLE MAY BE REVOKED BY THE STATE FIRE MARSHAL FOR:

(1)   A GROUND SPECIFIED UNDER § 11–107 OF THIS SUBTITLE FOR DENYING AN APPLICATION FOR A LICENSE; OR