

(2) THE COMMISSIONER SHALL ADOPT REGULATIONS AS REASONABLY NECESSARY TO CARRY OUT THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48, § 178A(a).

The introductory clause to subsection (a) of this section is added to clarify that exceptions exist.

In subsection (a)(3) of this section, the former reference to a "valid" certificate is deleted as surplusage.

In the introductory language of subsection (b) of this section, the specific reference to "a civil penalty under this section" is substituted for the general reference to "penalties under this subtitle" for clarity because this provision only applies to this section, not to the entire subtitle.

In subsection (c)(2) of this section, the former requirement that regulations be "consistent with the requirements of Title 10, Subtitle 1 of the State Government Article" is deleted as unnecessary. The provisions in the State Government Article govern the adoption of regulations by the Board whether or not cross-referenced here.

Defined terms: "Boiler" § 12-901

"Commissioner" § 12-901

"Person" § 1-101

"Pressure vessel" § 12-901

12-917. PROHIBITED ACTS; PENALTY.

(A) PROHIBITED ACTS.

A PERSON MAY NOT:

(1) WILLFULLY AND PERSISTENTLY OPERATE IN THE STATE A BOILER OR PRESSURE VESSEL, EXCEPT A PRESSURE VESSEL COVERED BY AN OWNER-USER INSPECTION SERVICE AS PROVIDED BY THIS SUBTITLE, WITHOUT A CERTIFICATE;

(2) OPERATE IN THE STATE A BOILER OR PRESSURE VESSEL AT A PRESSURE EXCEEDING THAT SPECIFIED ON THE CERTIFICATE; OR

(3) INTERFERE WITH OR IMPEDE THE OFFICIAL DUTIES OF THE COMMISSIONER, AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER, OR A MEMBER OF THE BOARD.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT FOR EACH VIOLATION TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48, § 178A(b).