

(I) THERE WILL BE NO HAZARD TO THE HEALTH OR WELFARE OF THE MINOR; AND

(II) GRANTING THE EXCEPTION WILL NOT IMPEDE THE MINOR IN FULFILLING SCHOOL GRADUATION REQUIREMENTS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 100, § 10(c) through (f).

In subsection (a)(1)(ii) of this section, the phrases "from the day after Labor Day through the day before Memorial Day" are added to state expressly that which only was implied in the former law — i.e., the 8 p.m. restriction is to be observed on all days not covered under subsection (a)(1)(iii) of this section.

Subsection (a)(1)(iii) of this section is revised to state expressly that which only was implied by the placement, in the former law, of the reference to "[a] minor" — i.e., the restriction on nighttime work from Memorial Day through Labor Day applies only to minors under the age of 16.

In subsection (b)(1) of this section, the words "a parent" are substituted for the former words "the parents", to conform to the practice of the Commissioner, who requires the signature of only 1 parent. See also Art. 1, § 8 of the Code, which provides that generally the singular and plural are interchangeable.

Also in subsection (b)(1) of this section, the reference to a "person standing in the place of the parent" is substituted for the former word "guardian", for consistency with other references in this subtitle. See, e.g., § 3-207(d)(1) of this subtitle. This substitution conforms to the practice of the Commissioner, who does not require the signer to have the legal status of guardian.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the requirement for parental consent, in subsection (b)(1) of this section, may be inappropriate in the case of an emancipated minor.

Defined terms: "Commissioner" § 3-101

"Employ" § 3-101 "Minor" § 3-201

"Person" § 1-101

3-212. RESTRICTED EMPLOYMENT DURING CERTAIN HOURS.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO A MINOR WHO:

(1) IS A CHILD OF THE MANAGER, OPERATOR, OR OWNER OF THE BUSINESS ESTABLISHMENT FROM OR TO WHICH A CHECK, MONEY, OR NEGOTIABLE INSTRUMENT IS BEING TRANSPORTED; OR