

inconsistent with the former limitation "pertaining only to wages and hours". The former limitation also is deleted since the Commissioner may combine an inspection under this section with inspections required by other laws.

Subsection (a)(1) of this section is revised to clarify that the onus for compliance with this subtitle and the regulations adopted to carry out this subtitle falls on the employer.

In subsection (a)(2) of this section, the former reference to employees "in any occupation in the State, covered by this subtitle" is deleted as unnecessary, since the use of the defined term "employer" effectively limits the scope of this section to "employers" who are "covered by this subtitle" and, hence, to their "employees".

Also in subsection (a)(2) of this section, the former word "examining" is deleted as unnecessary in light of the word "inspect".

In subsection (a)(3)(i) of this section, the word "attest" is substituted for the former word "certify", to avoid the connotation that an employer must undertake a formal certification procedure.

In subsection (a)(3)(ii) of this section, the former word "full" is deleted as unnecessary in light of the word "complete".

Subsection (b) of this section is revised to state affirmatively to whom a record or statement may be shown.

On constitutional issues involved in entry, see the General Revisor's Note to this article.

Defined terms: "Commissioner" § 3-101

"Committee" § 3-401 "Employer" § 3-401

"Wage" § 3-401

3-426. JUDICIAL REVIEW AND ENFORCEMENT.

(A) REVIEW ALLOWED.

(1) A PERSON AGGRIEVED BY A REGULATION OR ORDER TO PAY WAGES THAT THE COMMISSIONER ADOPTS UNDER THIS SUBTITLE MAY FILE A COMPLAINT IN CIRCUIT COURT FOR THE COUNTY WITHIN 60 DAYS AFTER THE DATE OF PUBLICATION OF THE REGULATION OR ORDER TO PAY WAGES TO HAVE IT MODIFIED OR SET ASIDE.

(2) A COPY OF THE COMPLAINT SHALL BE SERVED ON THE COMMISSIONER.

(B) EFFECT OF FILING.

UNLESS THE COURT SPECIFICALLY ORDERS OTHERWISE, THE COMMENCEMENT OF PROCEEDINGS UNDER THIS SECTION MAY NOT OPERATE AS A STAY OF THE REGULATION OR ORDER TO PAY WAGES.