

(1) MAY INSPECT EXCAVATION WORK ONLY IN THE COUNTY, MUNICIPAL CORPORATION, OR OTHER JURISDICTION OF ANY OTHER AUTHORITY THAT EMPLOYS THE INDIVIDUAL;

(2) HAS THE AUTHORITY OF A SAFETY INSPECTOR OF THE DIVISION OF LABOR AND INDUSTRY; AND

(3) SHALL REPORT TO THE COMMISSIONER ON EACH ACTION RELATED TO AN INSPECTION UNDER THIS SECTION, ON A FORM THAT THE COMMISSIONER PROVIDES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 49A.

The Commissioner has adopted regulations that incorporate, by reference, federal occupational safety and health regulations on excavation work. See COMAR 09.12.31 Addendum. The federal regulations are found primarily at 29 C.F.R. § 1926.650 through .653 and .602(b).

5-204. COST OF ADMINISTRATION.

(A) BUDGET OF DIVISION; REIMBURSEMENT.

(1) THE PROPOSED BUDGET OF THE DIVISION OF LABOR AND INDUSTRY SHALL INCLUDE AN APPROPRIATION FROM THE GENERAL FUND OF THE STATE TO COVER THE COST OF ADMINISTERING THIS TITLE.

(2) THE WORKERS' COMPENSATION COMMISSION SHALL REIMBURSE THE GENERAL FUND OF THE STATE FOR THE COST OF ADMINISTERING THIS TITLE FROM MONEY THAT THE COMMISSION RECEIVES UNDER § 9-315(B)(1) OF THIS ARTICLE.

(B) MONEY FROM FEDERAL GOVERNMENT.

THE COMMISSIONER SHALL HAVE THE POWER AND AUTHORITY TO RECEIVE AND ACCEPT ANY GRANT OF MONEY FROM THE FEDERAL GOVERNMENT OR ANY OF ITS AGENTS OR UNITS THAT CONGRESS APPROPRIATES UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 46.

Defined term: "Commissioner" § 5-101

5-205. GENERAL POWERS AND DUTIES.

(A) CERTIFICATION TO OFFICIAL ACTS; DEPOSITIONS.