

(II) DEVELOP, CONDUCT, AND MAINTAIN IN EACH UNIT OF THE PUBLIC BODY A PROGRAM OF SELF-INSPECTION THAT THE COMMISSIONER APPROVES;

(III) KEEP AND MAKE AVAILABLE TO THE COMMISSIONER EACH RECORD THAT THE COMMISSIONER REQUIRES UNDER THIS TITLE AND FOR DEVELOPMENT OF INFORMATION ABOUT OCCUPATIONAL ACCIDENTS, ILLNESSES, AND INJURIES, TO ALLOW PROPER EVALUATION AND NECESSARY CORRECTIVE ACTION; AND

(IV) SUBMIT EACH REPORT THAT THE COMMISSIONER REQUIRES.

(C) MONITORING INSPECTIONS.

THE COMMISSIONER SHALL MONITOR THE PROGRAM OF EACH PUBLIC BODY FOR SELF INSPECTION.

(D) EXEMPTION FROM PENALTIES.

THE PENALTIES UNDER SUBTITLE 8 OF THIS TITLE DO NOT APPLY TO A PUBLIC BODY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 45.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the purpose and effect of former Art. 89, § 45 are unclear. Former Art. 89, § 29(b) — now § 5-101(d) of this title — defined "[e]mployer" to include public bodies, thus, other than Subtitle 8, each provision of this title that applies to an employer seemingly would apply to public bodies. Yet former § 45 required merely that the program for public bodies be "consistent in all general respects" with this title. Also, the specific requirements for records and reports under former § 45 further confuse whether, in fact, this title generally applies to public bodies, since the record-keeping requirements of Subtitle 7 would seem to make subsection (b)(2)(iii) and (iv) of this section surplusage.

Defined terms: "Commissioner" § 5-101

"Place of employment" § 5-101 "Public body" § 1-101

5-207. POWER OF ATTORNEY GENERAL.

ON REQUEST OF THE COMMISSIONER, THE ATTORNEY GENERAL MAY PROCEED IN A STATE OR FEDERAL COURT OR BEFORE ANY OTHER FEDERAL UNIT:

(1) TO ENFORCE A DECISION OF THE COMMISSIONER UNDER THIS TITLE;