

ON RECEIPT OF A NOTICE MADE IN ACCORDANCE WITH THIS SECTION, THE COMMISSIONER SHALL DETERMINE WHETHER THERE ARE REASONABLE GROUNDS TO BELIEVE THAT IMMINENT DANGER OR A THREAT EXISTS.

(D) ACTION ON REQUEST.

(1) IF THE COMMISSIONER DETERMINES THAT THERE ARE REASONABLE GROUNDS, THE COMMISSIONER SHALL CONDUCT AN INSPECTION AS SOON AS PRACTICAL TO DETERMINE WHETHER THE DANGER OR THREAT EXISTS.

(2) IF THE COMMISSIONER DETERMINES THAT THERE ARE NO REASONABLE GROUNDS, THE COMMISSIONER SHALL GIVE THE PERSON WHO SUBMITTED THE REQUEST WRITTEN NOTICE OF THAT DETERMINATION.

(E) DISCLOSURE.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSIONER SHALL GIVE THE EMPLOYER WHOSE PLACE OF EMPLOYMENT IS TO BE INSPECTED OR AN AGENT OF THE EMPLOYER A COPY OF THE NOTICE THAT REQUESTED THE INSPECTION, NO LATER THAN AT THE TIME OF THE INSPECTION.

(2) ON REQUEST OF THE PERSON WHO SUBMITS A NOTICE, THE NAME OF THE PERSON AND THE NAME OF EACH EMPLOYEE TO WHOM THE NOTICE REFERS SHALL BE OMITTED FROM THE COPY OF THE NOTICE TO BE GIVEN TO THE EMPLOYER AND FROM EACH OTHER RECORD TO BE DISCLOSED UNDER THIS TITLE.

REVISOR'S NOTE: Subsections (a), (b), (d), and (e) of this section are new language derived without substantive change from former Art. 89, § 35(c).

Subsection (c) of this section is new language added to state expressly that which only was implied in former Art. 89, § 36(c) — i.e., the Commissioner must consider each request made in accordance with this section.

In subsections (c) and (d)(1) of this section, the references to a "threat" are substituted for the former references to "such violation", since subsection (a) of this section limits the violations that provide a basis for an inspection.

In subsection (d)(1) of this section, the word "inspection" is substituted for the former words "special investigation", to conform to subsections (a) and (e)(1) of this section.

Subsection (e)(1) of this section is revised in the active voice to clarify that the Commissioner is responsible for giving a copy of the notice to the employer.

As to the substitution of "title" for "subtitle", see the General Revisor's Note to this title.