

(III) THE INSPECTION IS FOR A PURPOSE RELATED TO SAFETY OR HEALTH.

(C) APPROVAL OF ATTORNEY GENERAL.

AN APPLICATION MAY NOT BE SUBMITTED TO THE DISTRICT COURT UNLESS APPROVED BY THE ATTORNEY GENERAL.

(D) ISSUANCE.

ON APPLICATION IN ACCORDANCE WITH THIS SECTION, THE DISTRICT COURT MAY ISSUE AN ADMINISTRATIVE SEARCH WARRANT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 2A(a), (b), and, as it related to former § 35, (c)(2).

In subsections (a) and (b)(2)(i)1 of this section, the word "premises" is deleted as included in the word "property".

Also in subsections (a) and (b)(2)(i)1 of this section, the former references to being "required" by law to inspect are deleted as included in being "authorized" by law to do so.

In subsection (a) of this section, the word "individual" is substituted for the former limited reference to an "investigator or inspector of the Division of Labor and Industry", since there seemed to be no intent to exclude application by an employee whose job title is not "investigator" or "inspector". The fourteenth sentence of former Art. 89, § 1 — now § 2-104(e) of this article — which authorizes the Commissioner to employ staff "[as] needed to perform the duties of the Commissioner", seems to give the Commissioner discretion to designate staff. In any event, former Art. 89, § 1 omitted a specific reference to employment of an "investigator". Former § 49, which related to safety inspection, also omitted a reference to an "investigator".

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

Defined term: "Person" §§ 1-101 and 5-101

5-212. CITATIONS.

(A) ISSUANCE.

(1) IF, AFTER AN INSPECTION OR INVESTIGATION, THE COMMISSIONER OR AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER IS OF THE OPINION THAT AN EMPLOYER HAS VIOLATED A DUTY UNDER THIS TITLE OR AN ORDER PASSED UNDER THIS TITLE OR AN OCCUPATIONAL SAFETY AND HEALTH STANDARD OR OTHER