

(D) ENFORCEMENT.

(1) AT ANY APPROPRIATE TIME, THE COMMISSIONER MAY FILE A COMPLAINT TO ENFORCE ANY ORDER THAT THE COMMISSIONER PASSES UNDER THIS TITLE OR REGULATION THAT THE COMMISSIONER ADOPTS TO CARRY OUT THIS TITLE.

(2) A COMPLAINT FILED UNDER THIS SUBSECTION SHALL BE FILED IN THE CIRCUIT COURT FOR THE COUNTY WHERE:

(I) THE ALLEGED VIOLATION OCCURRED; OR

(II) THE EMPLOYER HAS ITS PRINCIPAL OFFICE.

(3) TO THE EXTENT PRACTICABLE, SUBSECTIONS (A), (B), AND (C) OF THIS SECTION SHALL GOVERN PROCEEDINGS UNDER THIS SUBSECTION.

(E) EXPEDITIOUS HEARING.

A COURT SHALL HEAR A COMPLAINT UNDER THIS SECTION EXPEDITIOUSLY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 38.

Defined terms: "Commissioner" § 5-101

"County" § 1-101

"Person" §§ 1-101 and 5-101

5-216. INJUNCTIVE RELIEF AGAINST IMMINENT DANGER.

(A) NOTICE OF DANGER; RECOMMENDATION TO COMMISSIONER.

IF AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER CONCLUDES THAT A CONDITION OR PRACTICE AT A PLACE OF EMPLOYMENT CREATES AN IMMINENT DANGER THAT REASONABLY COULD BE EXPECTED TO CAUSE DEATH OR SERIOUS PHYSICAL HARM TO AN EMPLOYEE, THE AUTHORIZED REPRESENTATIVE:

(1) SHALL GIVE THE EMPLOYER AND EACH EMPLOYEE WHOM THE DANGER AFFECTS NOTICE OF THE DANGER; AND

(2) MAY RECOMMEND TO THE COMMISSIONER THAT THE COMMISSIONER SEEK TO ENJOIN THE CONDITION OR PRACTICE.

(B) AUTHORITY OF COURT.

(1) ON A COMPLAINT FILED BY THE COMMISSIONER, A CIRCUIT COURT: