(I) SUBMITS AN APPLICATION FOR RENEWAL TO THE COMMISSIONER AT LEAST 90 DAYS BEFORE THE DATE ON WHICH THE ORDER IS TO EXPIRE; AND

(II) MEETS THE REQUIREMENTS OF THIS SUBTITLE FOR GRANTING A TEMPORARY VARIANCE.

(3) A RENEWAL UNDER THIS SUBSECTION MAY NOT REMAIN IN EFFECT FOR MORE THAN 180 DAYS.

REVISOR'S NOTE: This section is new language derived without substantive change from the sixth and seventh sentences of former Art. 89, § 34(b).

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that it may wish to state expressly that the Commissioner determines "the period that the employer needs to comply with the regulation or part" and the duration of a renewal, if less than 180 days.

Defined terms: "Commissioner" § 5-101
"Employer" § 5-101

5-327. MODIFICATION OR REVOCATION OF PERMANENT VARIANCE.

(1) THE COMMISSIONER MAY MODIFY OR REVOKE A PERMANENT VARIANCE AT ANY TIME, ON THE COMMISSIONER'S OWN INITIATIVE AND AFTER A HEARING.

(2) IF AT LEAST 6 MONTHS HAVE ELAPSED SINCE THE COMMISSIONER GRANTED THE PERMANENT VARIANCE, ON AN APPLICATION OF AN EMPLOYEE OR EMPLOYER AND AFTER A HEARING, THE COMMISSIONER MAY MODIFY OR REVOKE THE PERMANENT VARIANCE.

REVISOR'S NOTE: This section is new language derived without substantive change from the fifth sentence of former Art. 89, § 34(a).

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that paragraph (2) of this section does not limit the employees or employers who may apply for modification or revocation.

The Committee also notes that the statute does not allow for modification or revocation of a temporary variance.

Defined terms: "Commissioner" § 5-101
"Employee" § 5-101 "Employer" § 5-101