

(1) A LIST OF WORK AREAS, IDENTIFIED BY NAME AND LOCATION, AND THE APPROPRIATE CHEMICAL INFORMATION LIST FOR EACH WORK AREA; AND

(2) A MATERIAL SAFETY DATA SHEET FOR EACH HAZARDOUS CHEMICAL INCLUDED ON THE CHEMICAL INFORMATION LIST.

(C) ACCESS TO RETAIL ESTABLISHMENTS.

ON NOTICE, THE EMPLOYER AT A RETAIL ESTABLISHMENT SHALL ALLOW A FIRE DEPARTMENT OFFICIAL TO HAVE ACCESS TO THE ESTABLISHMENT, DURING NORMAL BUSINESS HOURS, TO DEVELOP PREFIRE STRATEGY.

(D) CONFIDENTIALITY.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, INFORMATION SUBMITTED OR MADE AVAILABLE UNDER THIS SECTION IS PRIVILEGED AND MAY NOT BE DISCLOSED TO ANY PERSON OR IN ANY CIVIL PROCEEDING.

(2) A FIRE DEPARTMENT OFFICIAL WHO OBTAINS INFORMATION UNDER SUBSECTION (B) OF THIS SECTION SHALL MAKE THE INFORMATION AVAILABLE, ON REQUEST, TO AN AMBULANCE SQUAD, FIRE INSPECTION, FIRE SUPPRESSION, OR RESCUE SQUAD UNIT WITHIN THE SAME JURISDICTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 32F.

In subsection (a)(1) of this section, the word "individual" is substituted for the former broader word "person", since only a human being can administer a fire department.

Also in subsection (a)(1) of this section, the former word "direction" is deleted as unnecessary in light of the word "administration".

In subsection (c) of this section, the phrase "on request" is substituted for the former phrase "upon notice", to conform to subsection (b) of this section.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the term "jurisdiction", in subsection (d)(2) of this section, is vague.

Defined terms: "Employer" §§ 5-101 and 5-401  
"Person" § 1-101

5-410. NONAPPLICABILITY OF CRIMINAL PENALTY.

THE CRIMINAL PENALTY UNDER § 5-804 OF THIS TITLE DOES NOT APPLY TO A VIOLATION THAT ARISES UNDER §§ 5-404 THROUGH 5-409 OF THIS SUBTITLE.