

In the introductory language of this section, the reference to an electric line "that is above ground level" is added to clarify that this title applies only to electric lines that are above ground level.

Defined term: "Person" § 1-101

6-104. ADMINISTRATION AND ENFORCEMENT OF TITLE.

THE DIVISION OF LABOR AND INDUSTRY SHALL ADMINISTER AND ENFORCE THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of former Art. 89, § 62(a).

The reference to the "Division" of Labor and Industry is substituted for the former obsolete reference to the "Department" of Labor and Industry in accordance with former Art. 89, § 1. See the General Revisor's Note to Title 2 of this article.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that although former Art. 89, § 2A(c)(3) of the Code referred to "inspections sought pursuant to ... § 62 of the High-Voltage Line Act", this section, consistent with former Art. 89, § 62 of the Code, does not expressly grant the Commissioner a right of entry to inspect or even authorize inspection. In light of former Art. 89, § 2A(c)(3) of the Code, however, a right of entry to inspect or an authorization of inspection could be read to be implied in this section. The General Assembly may wish to clarify whether it intended to include a right of entry to inspect or an authorization of inspection in this section.

As to rulemaking power with respect to this title, see § 2-106 of this article.

6-105. ADMINISTRATIVE SEARCH WARRANT.

(A) APPLICATION.

WHENEVER AN INDIVIDUAL WHO IS AUTHORIZED TO INSPECT PROPERTY IN THE STATE IS DENIED ACCESS AFTER THE INDIVIDUAL MAKES A PROPER REQUEST FOR ACCESS TO INSPECT TO THE OWNER, LESSEE, OR OTHER PERSON IN CHARGE OF THE PROPERTY, THE INDIVIDUAL MAY APPLY TO THE DISTRICT COURT FOR AN ADMINISTRATIVE SEARCH WARRANT UNDER THIS TITLE.

(B) FORM AND CONTENTS.

EACH APPLICATION UNDER THIS SECTION SHALL:

(1) STATE THE NATURE, PURPOSE, AND SCOPE OF THE INSPECTION; AND

(2) SHOW THAT: