

2A(c)(3) of the Code, however, a right of entry to inspect or an authorization of inspection could have been read to have been implied in former Art. 89, § 62 of the Code. In subsection (a) of this section, the reference to making an application for an administrative search warrant "under this title" is substituted for the former requirement that the inspection be sought under former § 62. In light of Fred W. Allnutt, Inc. v. Commissioner of Labor and Industry, 289 Md. 35 (1980), a court may question whether an application could satisfy the requirement under subsection (a) of this section. In Allnutt, the Court considered former Art. 89, § 2A as it applied to former § 35 — now §§ 5-208 through 5-210 of this article, which does expressly grant a right of entry. For a discussion of that case and the right of entry in general, see the General Revisor's Note to this article. The General Assembly may wish to delineate the power of the Commissioner under § 6-104 to enforce this title.

Defined term: "Person" § 1-101

6-106. RESTRICTIONS ON ACTIVITY WITHIN 10 FEET OF HIGH VOLTAGE LINE.

IF ANY PART OF AN INDIVIDUAL OR OBJECT WILL COME WITHIN 10 FEET OF A HIGH VOLTAGE LINE WHILE PERFORMING THE ACTIVITY, A PERSON SHALL COMPLY WITH § 6-107 OF THIS TITLE BEFORE THE PERSON MAY PERFORM, OR REQUIRE OR ALLOW AN EMPLOYEE TO PERFORM, ANY OF THE FOLLOWING ACTIVITIES:

- (1) MOVING ALL OR ANY PART OF A BUILDING OR OTHER STRUCTURE;
- (2) TRIMMING A TREE OR DOING ANY SIMILAR ACTIVITY; OR
- (3) ERECTING, OPERATING, STORING, TRANSPORTING, OR OTHERWISE HANDLING ANY OBJECT, INCLUDING:
 - (I) AN ANTENNA;
 - (II) AN ANTENNA SUPPORT;
 - (III) EQUIPMENT;
 - (IV) A FLAGPOLE;
 - (V) MACHINERY;
 - (VI) MATERIAL;
 - (VII) TOOLS; OR
 - (VIII) OTHER APPARATUS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 59, as it related to activities that are prohibited within 10 feet of a high voltage line unless certain requirements are met, § 60.