

THE OWNER, LESSEE, OR USER OF ANY EQUIPMENT TO WHICH THIS SECTION APPLIES SHALL BECOME ACQUAINTED AND ACQUAINT ITS EMPLOYEES WITH THIS TITLE AND REGULATIONS ADOPTED TO CARRY OUT THIS TITLE.

(D) WARNING SIGNS.

(1) THE OWNER, LESSEE, OR USER OF ANY EQUIPMENT TO WHICH THIS SECTION APPLIES SHALL KEEP A WARNING SIGN POSTED:

(I) ON THE EQUIPMENT IN CLEAR VIEW OF ITS OPERATOR WHILE AT THE CONTROLS OF THE EQUIPMENT;

(II) ON THE OUTSIDE OF THE EQUIPMENT IN CLEAR VIEW OF EACH INDIVIDUAL HELPING THE OPERATOR FROM OUTSIDE OF THE EQUIPMENT; AND

(III) ON THE BOOM OF EACH CRANE OR DERRICK SO THAT, WHEN THE BOOM IS RAISED, THE SIGN IS AT THE EYE LEVEL OF THE OPERATOR.

(2) EACH SIGN SHALL STATE, IN LETTERING THAT IS LEGIBLE FROM A DISTANCE OF AT LEAST 12 FEET: "UNLAWFUL TO OPERATE THIS EQUIPMENT WITHIN 10 FEET OF ANY ELECTRIC WIRE".

(3) EACH SIGN SHALL BE PERMANENT AND WEATHER RESISTANT.

REVISOR'S NOTE: Subsection (a) of this section is new language added to avoid repetition of the list of items included in the term "equipment".

Subsections (b), (c), and (d) of this section are new language derived without substantive change from former Art. 89, § 61(d) and (c).

In subsection (d)(1)(i) of this section, the phrase "on the equipment" is added to conform to subsection (d)(1)(ii) and (iii) of this section.

In subsection (d)(1)(ii) of this section, the word "individual" is substituted for the former word "person", since only human beings are protected under this title. As to the definition of "person", see § 1-101 of this article.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that it is unclear whether this section applies to a governmental unit that is an owner, lessee, or user of equipment to which this section applies. Other sections of this title — such as § 6-105, which restricts activities within 10 feet of a high voltage line, § 6-107, which requires a person performing an activity within 10 feet of a high voltage line to take certain precautions, and § 6-110, which imposes penalties for a violation of this title — use the term "person", which case law indicates does not include governmental units, absent an express or implied intent to do so. Unnamed Physician v. Commission on Medical Discipline of Maryland, 285