

In subsection (a)(3) of this section, the general reference to "anyone" is substituted for the former reference to "interested person" since the term "interested person" has a legal connotation that is not appropriate in this context.

As to the substitution of the word "regulations" for the former reference to "rules, regulations and standards", see the General Revisor's Note to this subtitle.

Defined term: "Commissioner" § 3-101

3-314. VARIANCES.

(A) APPLICATION.

AN AMUSEMENT OWNER AFFECTED BY A REGULATION ADOPTED UNDER THIS SUBTITLE MAY APPLY IN WRITING TO THE COMMISSIONER FOR A VARIANCE FROM THE REGULATION.

(B) GROUNDS.

THE COMMISSIONER MAY GRANT A VARIANCE FROM A REGULATION ADOPTED UNDER THIS SUBTITLE IF:

(1) THE VARIANCE IS NECESSARY TO PREVENT UNDUE HARDSHIP; OR

(2) AN EXISTING CONDITION MAKES COMPLIANCE WITH THE REGULATION IMPRACTICABLE AND THE COMMISSIONER BELIEVES THAT THE REASONABLE SAFETY OF THE PUBLIC CAN BE ENSURED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, §§ 68(a)(5) and 71.

In the introductory language of subsection (b) of this section, the word "variance" is substituted for the former word "exceptions" to conform to subsection (a) of this section.

As to the substitution of the word "regulation" for the former reference to "rule, regulation, or standard", see the General Revisor's Note to this subtitle.

Defined terms: "Amusement owner" § 3-101

"Commissioner" § 3-101

GENERAL REVISOR'S NOTE TO SUBTITLE:

Throughout this subtitle, references to "regulation[s]" are substituted for the former references to "rule[s], regulation[s and] standard[s]". In the revision of Title 10, Subtitle 1 of the State Government Article, the former Commission to Revise the Annotated Code decided to distinguish, as far as possible, between regulations of executive units and rules of judicial or legislative units and to establish consistency in the use of these words. Thus, in each article revised since 1984, where appropriate the word