

(2) IF A PERSON FAILS TO COMPLY WITH A LAWFULLY ISSUED SUBPOENA, ON APPLICATION OF THE COMMISSIONER OR AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER IN A CONTEMPT PROCEEDING, A COURT OF COMPETENT JURISDICTION MAY COMPEL THE PERSON TO COMPLY.

(C) USE OF OTHER RESOURCES.

TO ASSIST IN CARRYING OUT THIS TITLE, THE COMMISSIONER MAY ACCEPT AND USE ANY SERVICE, FACILITY, OR EMPLOYEE OF ANY UNIT OF THE STATE OR POLITICAL SUBDIVISION, WITH THE CONSENT OF THE UNIT OR SUBDIVISION AND WITH OR WITHOUT REIMBURSEMENT.

(D) DELEGATION.

THE COMMISSIONER MAY ASSIGN ANY FUNCTION OR DUTY UNDER THIS TITLE TO THE CHIEF INSPECTOR FOR RAILROAD SAFETY AND HEALTH.

(E) LIMITATION ON AUTHORITY.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE COMMISSIONER HAS NO JURISDICTION IN ANY AREA OF RAILROAD SAFETY AND HEALTH UNDER THIS TITLE RELATING TO ANY RAPID RAIL TRANSIT SYSTEM OR LIGHT RAIL SYSTEM OPERATING IN THE STATE.

REVISOR'S NOTE: Chapter 8, Acts of 1998, which enacted the Public Utility Companies Article, also enacted this section, which is derived without substantive change from former Art. 89, §§ 97 and 84(a)(1), (6), (8), (9), (10), and (11), (b), and (c).

In subsection (a)(2) of this section, the reference to "regulations" is added to clarify the application of Title 10, Subtitle 1 of the State Government Article. Section 10-130(g) of the State Government Article defines a "regulation" to include a statement adopted by a unit to govern its procedures. As to rules of procedures for hearings under this title, see COMAR 09.12.91.02.

In subsection (a)(5) of this section, the reference to areas of railroad safety and health "as provided under this title" is substituted for the former language stating an exception for those areas "not transferred in this subtitle" to state expressly that which formerly was derived by negative inference.

In subsection (b)(1) of this section, the phrase "[t]o carry out this title" is added to clarify the extent of the Commissioner's authority. Other provisions elsewhere in State law that are administered by the Commissioner of Labor and Industry do not necessarily authorize the same activities.

In subsection (e) of this section, the reference to a "light rail system" is added for clarity.