

As to appointment of the Chief Inspector for Railroad Safety and Health, see § 2-104(d) of this article.

Defined terms: "Commissioner" § 5.5-101

"Person" § 1-101

"Railroad" § 5.5-101

"State" § 1-101

5.5-105. TRACK CLEARANCE CERTIFICATES FOR CONSTRUCTION NEAR RAILROAD TRACKS.

FOR ANY CONSTRUCTION WITHIN 8 FEET 6 INCHES Laterally FROM THE CENTER LINE OF A RAILROAD TRACK OR WITHIN 22 FEET ABOVE THE TOP OF THE RAIL, THE APPLICATION FOR A BUILDING PERMIT MUST BE ACCOMPANIED BY A CLEARANCE CERTIFICATE FROM THE COMMISSIONER TO SHOW THAT THE PROPOSED CONSTRUCTION COMPLIES WITH REQUIREMENTS RELATING TO DISTANCE FROM AND HEIGHT OVER A RAILROAD TRACK.

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, § 100.

Defined terms: "Commissioner" § 5.5-101

"Railroad" § 5.5-101

5.5-106. COST OF ADMINISTRATION.

(A) BUDGETARY EXPENSE OF DIVISION OF LABOR AND INDUSTRY.

(1) THE PROPOSED BUDGET OF THE DIVISION OF LABOR AND INDUSTRY SHALL INCLUDE AN APPROPRIATION FROM THE GENERAL FUND OF THE STATE TO COVER THE COST OF ADMINISTERING THIS TITLE.

(2) UNLESS THE BOARD OF PUBLIC WORKS EXERCISES THE OPTION UNDER SUBSECTION (B) OF THIS SECTION, THE PUBLIC SERVICE COMMISSION SHALL REIMBURSE THE GENERAL FUND FOR THE COST OF ADMINISTERING THIS TITLE FROM MONEY THE PUBLIC SERVICE COMMISSION RECEIVES UNDER § 2-110 OF THE PUBLIC UTILITY COMPANIES ARTICLE.

(B) ASSESSMENT AT OPTION OF BOARD OF PUBLIC WORKS.

(1) THE BOARD OF PUBLIC WORKS MAY ADOPT A REGULATION TO ASSESS, FAIRLY AND AS EQUALLY AS POSSIBLE, EACH RAILROAD COMPANY OPERATING IN THE STATE THE COST OF THE STATE'S SHARE OF ACTIVITIES UNDER THIS TITLE.

(2) THE AMOUNT TO BE REIMBURSED TO THE STATE GENERAL FUND MAY NOT EXCEED \$1 MILLION IN ANY FISCAL YEAR.

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, § 99.