

(II) EXPIRATION OF A PERIOD, NOT EXCEEDING 6 MONTHS, THAT THE COMMISSIONER SETS; OR

(III) REPLACEMENT OF THE EMERGENCY HEALTH AND SAFETY STANDARD BY ANOTHER REGULATION ADOPTED IN ACCORDANCE WITH THIS SECTION.

(3) ON REQUEST OF A RAILROAD COMPANY:

(I) THE COMMISSIONER SHALL HOLD A HEARING AND RECEIVE EVIDENCE PERTAINING TO ANY EMERGENCY TEMPORARY HEALTH AND SAFETY STANDARD; AND

(II) WITHIN 10 DAYS AFTER THE REQUEST FOR A HEARING, THE COMMISSIONER SHALL REVOKE, MODIFY, OR CONTINUE THE STANDARD.

(4) IF A RAILROAD COMPANY IS AGGRIEVED BY AN EMERGENCY TEMPORARY STANDARD:

(I) THE RAILROAD COMPANY SHALL HAVE THE RIGHT TO AN IMMEDIATE APPEAL TO A COURT OF COMPETENT JURISDICTION; AND

(II) THE COURT SHALL HEAR AND DECIDE THE APPEAL.

(E) COPIES OF REGULATIONS.

(1) THE COMMISSIONER SHALL KEEP IN THE OFFICE OF THE COMMISSIONER A SET OF THE CURRENT REGULATIONS ADOPTED TO CARRY OUT THIS TITLE.

(2) THE COMMISSIONER MAY SET A FEE FOR THE COST TO PREPARE AND MAIL A COPY OF THE CURRENT REGULATIONS.

(3) ON REQUEST AND PAYMENT OF THE FEE, IF ANY, THE COMMISSIONER SHALL SEND A PERSON A COPY OF THE CURRENT REGULATIONS.

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, § 84(a)(2) and § 85(c), (d), (e), and (f) and the third and fourth sentences of (a).

The former law specifically required compliance with SG § 10-117 but failed to account for other provisions in Title 10, Subtitle 1 of the State Government Article or for procedures not specifically outlined. Generally, the provisions of Title 10, Subtitle 1, the Regulatory Review and Evaluation Act, apply to all units of the Executive Branch that are not expressly exempted. See SG § 10-102. Therefore, in subsection (b) of this section, a specific reference to compliance with Title 10, Subtitle 1 is substituted for the former reference to publication of a new, modified, amended, or revoked regulation in the Maryland Register, and an opportunity for public comment. In this section, provisions of the former law that supplement the Regulatory Review and Evaluation Act are retained.