

available by other means, the balance of former Art. 89, § 85(c) is retained in this revision. Nonetheless, the Public Utility Companies Article Review Committee suggests that the original purposes of former Art. 89, § 85(c) now may be met under the State Government Article. See also SG § 10-621 on the general provisions for fees for public records.

Throughout this section, the word "regulation" is substituted for the former references to "rules and regulations" to distinguish, to the extent possible, between regulations of executive units and rules of judicial or legislative units and to establish consistency in the use of these words. This substitution conforms to the practice of the Division of State Documents.

The first and second sentences of former Art. 89, § 85(a), on publication and opportunity for public comment, are deleted as duplicative of §§ 10-111(a) and 10-112(a) of the State Government Article.

Former Art. 89, § 85(b), which authorized any interested "person, political subdivision, or railroad company" to petition the Commissioner for adoption of a standard or regulation, is deleted as unnecessary in light of § 10-123 of the State Government Article, which allows interested persons to submit a petition for adoption of a regulation and requires a response within 60 days.

Defined terms: "Commissioner" § 5.5-101

"Employee" § 5.5-101

"Person" § 1-101

"Railroad" § 5.5-101

"Railroad company" § 5.5-101

5.5-109. REGULATIONS ON SANITARY CONDITIONS.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO A LOCOMOTIVE THAT IS USED ONLY FOR YARD-SWITCHING SERVICE.

(B) AUTHORITY OF COMMISSIONER.

(1) THE COMMISSIONER MAY ADOPT REGULATIONS THAT REGULATE THE SANITARY CONDITION OF LOCOMOTIVES.

(2) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL REQUIRE BASIC HEALTH AND SAFETY STANDARDS, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, FOR DRINKING WATER AND TOILET AND HAND TOWEL FACILITIES.

(C) PUBLIC HEARING REQUIRED.

BEFORE ADOPTION OF REGULATIONS UNDER SUBSECTION (B) OF THIS SECTION, THE COMMISSIONER SHALL ANNOUNCE AND HOLD A PUBLIC HEARING.