

company that an apparatus violates a standard adopted under this title.

In subsection (b)(1) of this section, the reference to violation of "a health and safety standard adopted under this title" is substituted for the former reference to violation of "any rule, regulation, or standard promulgated under this subtitle" for clarity and consistency with § 5.5-108 of this title.

In subsection (c)(2) of this section, the words "the apparatus may not be used" are substituted for the former words "use of the ... apparatus ... is prohibited" in conformity with Article 1, § 26 of the Code.

In subsection (d)(3)(ii) of this section, the former reference to posting a "bond" is deleted as included in the reference to posting a "security".

Also in subsection (d)(3)(ii) of this section, the former reference to posting security "as [the court] deems proper" is deleted as implicit in the discretion of the court to review and stay an order of the Commissioner.

Defined terms: "Commissioner" § 5.5-101

"Person" § 1-101

"Railroad" § 5.5-101

"Railroad company" § 5.5-101

5.5-116. CITATIONS.

(A) ISSUANCE.

IF, AFTER AN INSPECTION OR INVESTIGATION, THE COMMISSIONER OR AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER IS OF THE OPINION THAT A RAILROAD COMPANY HAS VIOLATED THIS TITLE OR A REGULATION OR HEALTH AND SAFETY STANDARD ADOPTED OR ORDER ISSUED TO CARRY OUT THIS TITLE, THE COMMISSIONER OR AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER SHALL, WITH REASONABLE PROMPTNESS, ISSUE A CITATION TO THE RAILROAD COMPANY.

(B) CONTENTS OF CITATION.

EACH CITATION UNDER THIS SECTION SHALL:

- (1) DESCRIBE, WITH PARTICULARITY, THE NATURE OF THE ALLEGED VIOLATION;
- (2) REFER TO THE PROVISION OF THIS TITLE, ORDER, REGULATION, OR HEALTH AND SAFETY STANDARD THAT THE RAILROAD COMPANY IS ALLEGED TO HAVE VIOLATED; AND
- (3) SET A REASONABLE PERIOD FOR ABATEMENT AND CORRECTION OF THE ALLEGED VIOLATION.

(C) POSTING OF CITATION.

IN ACCORDANCE WITH ANY REGULATION THAT THE COMMISSIONER ADOPTS TO CARRY OUT THIS TITLE, A RAILROAD COMPANY THAT IS ISSUED A CITATION