

(1) STATE THE NATURE, PURPOSE, AND SCOPE OF THE INSPECTION; AND

(2) SHOW THAT:

(I) THE APPLICANT:

1. IS AUTHORIZED BY LAW TO MAKE THE INSPECTION; AND

2. MADE A PROPER REQUEST FOR ACCESS AT A REASONABLE TIME;

(II) ACCESS WAS DENIED; AND

(III) THE INSPECTION IS FOR A PURPOSE RELATED TO SAFETY OR HEALTH.

(C) APPROVAL BY ATTORNEY GENERAL.

AN APPLICATION MAY NOT BE SUBMITTED TO THE DISTRICT COURT UNLESS APPROVED BY THE ATTORNEY GENERAL.

(D) ISSUANCE.

ON APPLICATION IN ACCORDANCE WITH THIS SECTION, THE DISTRICT COURT MAY ISSUE AN ADMINISTRATIVE SEARCH WARRANT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 2A(a), (b), and (c)(3).

In subsection (a) of this section, the former word "premises" is deleted as included in the word "property".

In subsections (a) and (b)(2)(i)1 of this section, the former references to being "required" by law to inspect are deleted as included as being "authorized" by law to do so.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that the Commissioner is required under certain circumstances to delegate the power of inspection to a political subdivision under § 3-203(b) of this subtitle. The provision on administrative search warrants, however, only extends to an inspector or investigator of the Division of Labor and Industry, not to an inspector or investigator of a political subdivision.

Defined term: "Person" § 1-101

3-206. JUDICIAL REVIEW.

(A) IN GENERAL.

A PERSON WHO IS ADVERSELY AFFECTED OR AGGRIEVED BY AN ORDER PASSED OR REGULATION ADOPTED BY THE COMMISSIONER