

(2) BEFORE THE FILING OF A SEARCH WARRANT APPLICATION WITH A COURT, IT SHALL BE ~~SUBMITTED TO~~ APPROVED BY THE ATTORNEY GENERAL OF MARYLAND ~~FOR APPROVAL~~ AS TO ITS LEGALITY IN BOTH FORM AND SUBSTANCE UNDER THE STANDARDS AND CRITERIA OF THIS SECTION; AND A STATEMENT TO THIS EFFECT SHALL BE INCLUDED AS PART OF THE APPLICATION.

(C) A JUDGE OF A COURT REFERRED TO IN SUBSECTION (A) OF THIS SECTION MAY ISSUE THE WARRANT ON FINDING THAT:

(1) THE APPLICANT HAS SOUGHT ACCESS TO THE PROPERTY FOR THE PURPOSE OF MAKING AN INSPECTION; AND

(I) AFTER REQUESTING, AT A REASONABLE TIME, THE OWNER, TENANT, OR OTHER INDIVIDUAL IN CHARGE OF THE PROPERTY TO ALLOW ACCESS, HAS BEEN DENIED ACCESS TO THE PROPERTY, OR

(II) AFTER MAKING A REASONABLE EFFORT, HAS BEEN UNABLE TO LOCATE ANY OF THESE INDIVIDUALS;

(2) THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION ARE MET;

(3) THE OFFICIAL OR EMPLOYEE OF THE DEPARTMENT IS AUTHORIZED OR REQUIRED BY LAW TO MAKE AN INSPECTION OF THE PROPERTY FOR WHICH THE WARRANT IS SOUGHT; AND

(4) PROBABLE CAUSE FOR THE ISSUANCE OF THE WARRANT HAS BEEN DEMONSTRATED BY THE APPLICANT BY SPECIFIC EVIDENCE OF AN EXISTING VIOLATION OF ANY PROVISION OF THIS SUBTITLE OR ANY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE OR BY SHOWING:

(I) THAT A REASONABLE ADMINISTRATIVE INSPECTION PROGRAM EXISTS REGARDING CONTROLLED HAZARDOUS SUBSTANCES, AND

(II) THAT THE PROPOSED INSPECTION COMES WITHIN THAT PROGRAM.

~~(D) -- IF -- THE -- APPLICANT -- FOR -- THE -- WARRANT -- DEMONSTRATES -- BY -- SWORN AFFIDAVIT -- THAT -- THERE -- IS -- PROBABLE -- CAUSE -- TO -- BELIEVE -- A -- VIOLATION -- OF -- THE -- LAW -- REGARDING -- CONTROLLED -- HAZARDOUS -- SUBSTANCES -- ENDANGERING -- THE -- HEALTH, -- SAFETY, -- OR -- WELFARE -- OF -- ANY -- PERSON -- IS -- OCCURRING -- ON -- THE -- PROPERTY -- FOR -- WHICH -- THE -- WARRANT -- IS -- SOUGHT, -- THE -- JUDGE -- MAY -- ISSUE -- THE -- WARRANT -- WITHOUT -- REGARD -- TO -- THE -- REQUIREMENTS -- OF -- SUBSECTION -- (C) (1) -- OF -- THIS -- SECTION.~~

(D) AN ADMINISTRATIVE SEARCH WARRANT ISSUED UNDER THIS SECTION, SHALL SPECIFY THE PLACE, STRUCTURE, PREMISES, VEHICLE, OR RECORDS TO BE INSPECTED. THE INSPECTION CONDUCTED MAY NOT EXCEED THE LIMITS SPECIFIED IN THE WARRANT.

(E) AN ADMINISTRATIVE SEARCH WARRANT ISSUED UNDER THIS SECTION AUTHORIZES THE APPLICANT AND OTHER OFFICIALS OR EMPLOYEES OF THE DEPARTMENT TO ENTER THE SPECIFIED PROPERTY TO PERFORM THE INSPECTION, SAMPLING, AND OTHER FUNCTIONS AUTHORIZED BY LAW TO