

(f) When an inspection discloses that an elevator is in unsafe condition so that its continued operation will violate any rule, regulation, standard or Code promulgated and issued under this section, citation and penalties may be issued in accordance with [§ 36 and § 37 of Article 89] §§ 5-212 AND 5-213 OF THE LABOR AND EMPLOYMENT ARTICLE.

(g) The Commissioner, upon written request, may grant exceptions from the literal requirements or permit the use of other devices or methods than those specified under ANSI Code A17.1-1971 and all subsequent amendments and revisions to it, as adopted by the Commissioner, and rules and regulations adopted where it is evident that action is necessary to prevent undue hardship or where existing conditions prevent practical compliance and reasonable safety can in the opinion of the Commissioner be secured.

(h) If after inspection or testing of any elevator, dumbwaiter, escalator or moving walk the Commissioner or his authorized representative determines that any elevator, dumbwaiter, escalator or moving walk is in violation of any standard or safety code promulgated under this subtitle, and that there is a substantial probability that death or serious physical harm could result from its continued use, action shall be taken in accordance with § 35(e) of this subtitle.

(i) If an inspection discloses that an elevator, dumbwaiter, escalator, or moving walk complies with the applicable safety code, as adopted by the Commissioner, and the rules and regulations of the Commissioner [of Labor and Industry], the Commissioner shall issue to the owner or lessee thereof a certificate of registration and inspection. The certificate shall be valid for not more than one year from date of issuance. The certificate, when issued, shall be posted in or on the elevator, dumbwaiter, escalator, or moving walk.

(j) The cost of administering this section is provided for under [§ 46(a) and 46(b) of Article 89] § 5-204 OF THE LABOR AND EMPLOYMENT ARTICLE.

(k) In addition to [those sections of Article 89 specifically mentioned, §§ 36, 37, 38, 39, 40, 41 and 44 of Article 89 are made applicable to this section] PROVISIONS ENUMERATED IN SUBSECTIONS (F) AND (J) OF THIS SECTION, §§ 5-205(J), 5-207, 5-214, 5-215, AND 5-216 AND TITLE 5, SUBTITLE 8 OF THE LABOR AND EMPLOYMENT ARTICLE ARE APPLICABLE TO THIS SECTION.

(l) The Commissioner [of Labor and Industry shall appoint a chief elevator inspector and] may assign duties and functions imposed by this section to the chief elevator inspector. [The chief elevator inspector shall receive a salary as provided in the budget and shall be subject to the State Merit System Law.]

(M) (1) ON REQUEST OF AN AUTHORIZED INSURER FOR ELEVATORS IN THE STATE, THE COMMISSIONER MAY DESIGNATE, AS A SPECIAL ELEVATOR INSPECTOR, AN EMPLOYEE OF THE INSURER WHO IS QUALIFIED TO INSPECT ELEVATORS. A SPECIAL ELEVATOR INSPECTOR IS NOT ENTITLED TO COMPENSATION OR REIMBURSEMENT FOR EXPENSES FROM THE STATE.

(2) THE COMMISSIONER SHALL DEFINE, BY REGULATION: