

Article - Public Safety

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§11–107.

(a) The State Fire Marshal shall issue a license or permit to each applicant who meets the requirements of this subtitle.

(b) Subject to subsection (c) of this section, the State Fire Marshal shall deny an application for a license or permit if the State Fire Marshal finds that:

(1) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, is not sufficiently experienced and will not work under satisfactory supervision in manufacturing, dealing in, or handling of explosives, as applicable;

(2) the applicant lacks suitable facilities for manufacturing, dealing in, or handling explosives;

(3) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, has been convicted of a felony or crime involving violence;

(4) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, is disloyal to the United States or has renounced United States citizenship;

(5) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, will use the explosives for an illegal purpose;

(6) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, is a fugitive as defined in § 9-401 of the Criminal Law Article;

(7) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, has been adjudicated mentally defective as defined in § 3-301 of the Criminal Law Article;

(8) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, has been committed to a mental institution;

(9) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, has been dishonorably discharged from the United States military;

(10) the applicant, or an officer, agent, or employee of the applicant who will be handling explosives, is an alien other than an alien authorized to receive explosives under the federal Safe Explosives Act;

(11) the applicant, or an officer, agent, or employee of the applicant who will

be handling explosives, is a user of, or addicted to, a controlled dangerous substance as defined in § 5-101 of the Criminal Law Article;

(12) the application contains false information; or

(13) the application fails to provide required information.

(c) (1) An applicant for a license to possess explosives for use in firearms need not have sufficient experience in handling explosives or work under satisfactory supervision in handling explosives.

(2) An applicant for a license to possess explosives to be used for agricultural purposes need not:

(i) have sufficient experience in handling explosives or work under satisfactory supervision in handling explosives; or

(ii) have suitable facilities for handling explosives.

(d) Before a license or permit may be issued under this subtitle to an employer to engage in an activity in which the employer may employ a covered employee, as defined in § 9-101 of the Labor and Employment Article, the employer shall file with the State Fire Marshal:

(1) a certificate of compliance with the Maryland Workers' Compensation Act; or

(2) the number of a workers' compensation insurance policy or binder.

(e) On issuance of a license or permit under this section, the State Fire Marshal shall notify:

(1) the fire chief or fire administrator in the county where the license or permit was issued; or

(2) if the county does not have a county fire chief or fire administrator, the local 9-1-1 center.

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