

MOSH INSTRUCTION:

<b>INSTRUCTION NUMBER:</b> 25-3	<b>EFFECTIVE DATE:</b> October 1, 2025
<b>SUBJECT:</b> Cancellation of MOSH Instruction 76-1	<b>ISSUANCE DATE:</b> September 10, 2025
<b>CANCELLATION:</b> MOSH Instruction 76-1	<b>EXPIRATION:</b> Effective until superseded

**Purpose:** This Instruction cancels MOSH Instruction 76-1 (November 26, 1975).

**Scope:** MOSH-wide

**Reference:** MOSH Field Operations Manual

**Contact:** Chief of MOSH Compliance Services. See MOSH Website for Current Information

<https://www.labor.maryland.gov/labor/mosh/>

**Action:** The policies and procedures required under MOSH Instruction 76-1, issued on November 26, 1976, no longer apply as of the effective date listed on this instruction.

**Background:** Historically, public sector entities in Maryland were exempt from the issuance of civil penalties whenever citations were issued at the conclusion of MOSH Compliance Investigations. During the 2025 session of the Maryland General Assembly, [Ch.'s 608 & 609 Acts of 2025](#) (Davis Martinez Public Employee Safety and Health Act) were signed into law by Governor Wes Moore, effective on October 1, 2025. Among other provisions, public sector entities in Maryland will no longer be exempt from civil penalty issuance by MOSH. This action cancels MOSH Instruction 76-1 as it relates to the previous public sector civil penalty exemption.

**Procedures:**

1. MOSH Regional Supervisors shall apprise their staff of this new change to Maryland law, informing them that public sector entities are now eligible to be issued civil penalties at the conclusion of a MOSH Compliance investigation.
2. MOSH Compliance Safety and Health Officers, along with Consultation staff, should inform public sector entities of this change to Maryland law so that they will be prepared for the possible issuance of civil penalties against their agency or other public body.

By and Under the Authority of:



Michael A. Penn CSP, SMP

Chief of Compliance

cc: Devki K. Virk, Commissioner, Division of Labor and Industry  
All MOSH-related Staff  
OSHA Philadelphia Region