

THE EXAMINING AUTHORITY ACTS PURSUANT TO THIS SECTION, WHICHEVER IS SOONER. THE DIRECTOR OF THE BUREAU SHALL GIVE NOTICE OF HIS ACTION TO THE CERTIFICATE OR PERMIT HOLDER, AND TO HIS EMPLOYER.

(E) NEW CERTIFICATE OR PERMIT.--A PERSON WHOSE CERTIFICATE OR PERMIT OF COMPETENCE HAS BEEN CANCELLED OR SUSPENDED IS ELIGIBLE TO TAKE AN EXAMINATION FOR A NEW CERTIFICATE OR PERMIT TWO YEARS AFTER THE DATE OF THE CANCELLATION OR SUSPENSION.

REVISOR'S NOTE: This section is new language derived from Article 66C. Present section 515(a) provides for cancellation of a certificate of competency, while 515(b) provides for cancellation of a permit of competence. The principal difference in procedure is that only an examining board may cancel a certificate, while either the director or an examining board may cancel a permit. This dichotomy is consistent with the statutory authority for issuing the two different types of licenses.

Subsection (a) provides that a charge shall be filed with the director of the bureau.

Subsection (b) affirmatively states the requirement for hearing which presently appears as section 515(a) and section 515(b). It also spells out notice and other procedural requirements.

Subsection (c) describes the disciplinary action which may be imposed following hearing.

Subsection (d) states separately authority for emergency action provided for in section 515.

Subsection (e) presently appears as the last sentence of section 515(a). The provision pertaining to obtaining a new permit is added, but the director of the Bureau of Mines advises that there is no reason not to treat the permit holder on the same basis as the certificate holder with respect to re-examination.

7-311. INSPECTION OF MINE BY DISTRICT MINE INSPECTOR;  
PROCEDURE FOR REPORTING VIOLATION AND DANGEROUS