

(A) "CIRCUIT COURT" DEFINED.

IN THIS SECTION, "CIRCUIT COURT" MEANS THE BALTIMORE CITY COURT OR THE CIRCUIT COURT FOR ANY OTHER COUNTY.

(B) RIGHT OF APPEAL; VENUE.

ANY AGGRIEVED PARTY TO A HEARING MAY APPEAL FROM A DECISION OR ORDER OF THE ADMINISTRATION AS FOLLOWS:

(1) IF THE MATTER CONCERNS THE LICENSE OF THE PARTY TO DRIVE AND THE PARTY IS A RESIDENT OF THIS STATE, TO THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE PARTY RESIDES;

(2) IF THE MATTER CONCERNS ANY OTHER LICENSE OR PRIVILEGE OF THE PARTY, TO THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE PRINCIPAL PLACE OF BUSINESS OF THE PARTY IN THIS STATE IS LOCATED;

(3) IF THE PARTY IS A NONRESIDENT MOTORIST, TO THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE PARTY WAS CONVICTED OF THE VIOLATION TO WHICH THE MATTER RELATES; AND

(4) IF NOT OTHERWISE PROVIDED IN THIS SECTION OR ELSEWHERE IN THE MARYLAND VEHICLE LAW, TO THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY.

(C) APPEAL SUBJECT TO ADMINISTRATIVE PROCEDURE ACT.

THE ADMINISTRATIVE PROCEDURE ACT SHALL GOVERN IN AN APPEAL.

(D) STAY OF ENFORCEMENT.

IF AN APPEAL IS FILED IN A CASE BY AN AGGRIEVED LICENSEE, THE ADMINISTRATION SHALL GRANT A STAY OF ITS DECISION OR ORDER FOR NOT MORE THAN 60 DAYS, UNLESS IT APPEARS TO THE ADMINISTRATION THAT SUBSTANTIAL AND IMMEDIATE HARM COULD RESULT TO THE LICENSEE OR OTHERS IF THE LICENSE OR PRIVILEGE IS CONTINUED PENDING APPEAL.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §2-319(k).

Subsection (a) of this section is new language added to clarify that, as provided in the Administrative Procedure Act, the proper court for an appeal in Baltimore City is the Baltimore City Court.

In subsection (b) of this section, the broad reference to "a ... party" is substituted for the present reference to "an applicant or licensee" to reflect provisions such as those in §13-210 of this article, which relate to parties other than applicants or licensees.