

Art. 41, § 251 of the Code contains the same requirement, among others.

In subsection (e) of this section, the present reference to rules that are "reasonable and in the public interest" is deleted as an unnecessary statement of the obvious.

11-416. JUDICIAL REVIEW.

(A) RIGHT TO APPEAL.

ANY PERSON AGGRIEVED BY A DECISION OF THE COMMISSIONER TO DENY AN APPLICATION FOR A LICENSE OR TO SUSPEND OR REVOKE A LICENSE MAY APPEAL TO:

(1) THE CIRCUIT COURT OF THE COUNTY WHERE THE LICENSEE DID OR HAS APPLIED TO DO BUSINESS; OR

(2) THE BALTIMORE CITY COURT.

(B) STAY OF ORDER.

THE COMMISSIONER MAY STAY AN ORDER THAT IS APPEALED UNTIL THE DETERMINATION OF THE APPEAL.

(C) APPEAL TO BE TRIED DE NOVO.

AN APPEAL UNDER THIS SECTION SHALL BE TRIED DE NOVO.

(D) DISPOSITION OF CASE.

IF A DECISION OF THE COMMISSIONER IS APPEALED, THE COURT MAY REVERSE, AFFIRM, OR MODIFY THE DECISION.

(E) RIGHT TO APPEAL TO COURT OF SPECIAL APPEALS.

AN AGGRIEVED PERSON OR THE COMMISSIONER MAY APPEAL THE DECISION OF THE COURT TO THE COURT OF SPECIAL APPEALS.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 83, § 160.

In subsection (a)(2) of this section, the reference to "the Baltimore City Court" is substituted for the reference to "any common law court in Baltimore City", since the former is the specific law court in Baltimore City to which appeals are authorized under the Administrative Procedure Act, Art. 41, § 255(b) of the Code.

It is unclear how the provisions of this section operate in conjunction with the Administrative Procedure Act, Art. 41, § 244 et seq., which provides certain procedures for obtaining judicial review of any "final decision" of an agency in a "contested case". Whether or not a

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