

(1) AS A SUMMONS IS SERVED UNDER THE MARYLAND RULES OF PROCEDURE; OR

(2) BY CERTIFIED MAIL.

(C) FINAL ORDER; REQUEST FOR HEARING.

UNLESS THE PERSON CHARGED WITH A CORRECTIVE ORDER REQUESTS A HEARING WITHIN 10 DAYS AFTER SERVICE, THE CORRECTIVE ORDER BECOMES A FINAL ORDER.

(D) HEARING.

IF THE PERSON CHARGED WITH A CORRECTIVE ORDER MAKES A TIMELY REQUEST FOR A HEARING UNDER SUBSECTION (C) OF THIS SECTION, THE SECRETARY SHALL:

(1) HOLD A HEARING WITHIN 20 DAYS AFTER THE REQUEST IS MADE; AND

(2) GIVE THE PERSON WRITTEN NOTICE OF THE DATE, TIME, AND PLACE OF THE HEARING, AT LEAST 10 DAYS BEFORE THE HEARING DATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 698(a)(2) and the first sentence -- as that sentence related to corrective orders -- and the second and third sentences of (b).

Subsection (a)(4) of this section is new language added for clarity. It provides an element of fundamental fairness by requiring the Department to give the person served with an order under this section notice of time within which to request a hearing.

In subsection (b)(1) of this section, the phrase "under the Maryland Rules of Procedure" is new language added for clarity.

2-605. SAME -- HEARINGS.

(A) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.

THE DEPARTMENT SHALL GIVE NOTICE OF AND HOLD ANY HEARING HELD UNDER § 2-603 OR § 2-604 OF THIS SUBTITLE IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT AND THE REQUIREMENTS OF THIS SECTION.

(B) EXAMINATION OF INFORMATION.

BEFORE THE HEARING, THE PERSON CHARGED, ON REQUEST, SHALL BE GIVEN AN OPPORTUNITY TO EXAMINE ALL INFORMATION AND REPORTS THAT RELATE TO THE ALLEGED OFFENSE.