

LICENSEE OR REGISTRANT COMPLIES WITH THE CONDITIONS THAT THE DEPARTMENT REQUIRES.

REVISOR'S NOTE: This section is new language derived without substantive change from the first and third sentences of former Article 43, § 167.

Subsection (a)(1) and (2) of this section is new language added to conform to similar provisions governing other licenses in former Article 43. It states fundamental grounds for disciplining a licensee. For an example of such provisions in the former law, see former Article 43, § 810A(k)(1) -- now § 6-415(1) of this article.

Although former Article 43, § 167 was written in terms of "the power to revoke" only, the language of that former section clearly indicated a legislative intent that a license or registration could be either "revoked" or "suspended". As revised, this section makes that intent express.

The second sentence of former Article 43, § 167, which required a person whose license or registration is revoked to stop manufacturing or selling soft drinks, is deleted as unnecessary in light of § 4-334 of this subtitle.

4-324. SAME -- HEARINGS.

(A) RIGHT TO A HEARING.

EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE DEPARTMENT TAKES ANY ACTION UNDER § 4-323 OF THIS SUBTITLE, THE DEPARTMENT SHALL GIVE THE LICENSEE OR REGISTRANT AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE DEPARTMENT.

(B) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.

THE DEPARTMENT SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

(C) NOTICE OF HEARING.

THE DEPARTMENT SHALL SEND THE HEARING NOTICE TO THE LICENSEE OR REGISTRANT BY REGISTERED MAIL.

REVISOR'S NOTE: This section is new language derived without substantive change from the first and second sentences of former Article 43, § 168.

In subsection (a) of this section, the introductory exception referencing the