

IF A LICENSEE FAILS TO COMPLY WITH A NOTICE GIVEN UNDER THIS SECTION, THE SECRETARY MAY SUSPEND OR REVOKE THE LICENSE OF THE LICENSEE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 193(e).

4-814. HEARINGS.

(A) RIGHT TO HEARING.

EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE SECRETARY SUSPENDS OR REVOKES A LICENSE UNDER § 4-813 OF THIS SUBTITLE OR DENIES A LICENSE TO ANY APPLICANT, THE SECRETARY SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE SECRETARY.

(B) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.

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

REVISOR'S NOTE: This section is new language derived from the references to denials, revocations, and suspensions in the first sentence and the reference to a "record" being transmitted to a court in the third sentence of former Article 43, § 193(f).

Although the former law did not state directly that an opportunity for a hearing is a prerequisite to suspending, revoking, or denying a license, former Article 43, § 193(f) seemed to assume that a hearing would have been held in all such cases where an appeal is taken. Furthermore, in practice, the individual was given an opportunity for a hearing in all such cases under the former law. Thus, as revised, this section merely makes express that which formerly was implied in the law.

4-815. JUDICIAL REVIEW.

(A) IN GENERAL.

ANY APPLICANT WHO HAS BEEN DENIED A LICENSE AND ANY LICENSEE AGGRIEVED BY THE SUSPENSION OR REVOCATION OF A LICENSE UNDER § 4-813 OF THIS SUBTITLE MAY TAKE A JUDICIAL APPEAL.

(B) APPLICATION OF THE ADMINISTRATIVE PROCEDURE ACT.

THE APPEAL SHALL BE MADE IN ACCORDANCE WITH THE