

Subsection (c)(2) and (3) of this section clarifies the authority of the Secretary under § 17-403 of this subtitle to establish fees for renewal and under § 17-402 of this subtitle to adopt standards and qualifications for renewal.

Defined terms: "Department" § 1-101
"Permit" § 17-401 "Secretary" § 1-101

17-410. DISPLAY OF PERMIT.

EACH PERMIT HOLDER SHALL DISPLAY THE PERMIT CONSPICUOUSLY IN THE MEDICAL TEST UNIT.

REVISOR'S NOTE: This section formerly appeared as the third clause of the second sentence of Article 43, § 54K(c)(1).

The only changes are in style.

Defined terms: "Medical test unit" § 17-401
"Permit" § 17-401

17-411. DENIALS, SUSPENSIONS, AND REVOCATIONS -- GROUNDS; HEARINGS.

(A) GROUNDS.

THE SECRETARY MAY DENY A PERMIT TO ANY APPLICANT OR SUSPEND OR REVOKE A PERMIT OR THE AUTHORITY TO OFFER OR PERFORM ANY CLASS OF TEST THAT THE PERMIT SETS FORTH, IF THE MEDICAL TEST UNIT FAILS TO MEET THE REQUIREMENTS THAT THE SECRETARY ADOPTS UNDER THIS SUBTITLE.

(B) HEARINGS.

EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE SECRETARY TAKES ANY ACTION UNDER THIS SECTION, THE SECRETARY SHALL GIVE THE APPLICANT OR PERMIT HOLDER NOTICE AND AN OPPORTUNITY FOR A HEARING.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from former Article 43, § 54K(d).

Subsection (b) of this section is standard language added to meet fundamental requirements of fairness. It is based on the reference to "due notice" in former Article 43, § 54K(d).

The introductory language of subsection (b) of this section, "Except as otherwise provided in the Administrative Procedure Act," clarifies that the Secretary may take action summarily against a person under certain circumstances.