

directs the person served to abate the violation within a time specified in the order.

(2) The Secretary shall give any person served with an order under this section an opportunity for a hearing before the Secretary. The person served may be represented at the hearing by counsel.

(3) After a hearing under this section, the Secretary may affirm, modify, or withdraw the order.

(4) After the time specified in the order for abating the violation, a person who is served with an order under this section may not violate that order.

(f) (1) A person who refuses access to the Secretary or a representative of the Secretary or who in any way interferes with the exercise of the duties of the Secretary under this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 for each offense.

(2) A person who violates subsection (e)(4) of this section is guilty of a misdemeanor and on conviction is subject to:

(i) For a first offense, a fine not exceeding \$250;

(ii) For a second offense, a fine not exceeding \$500; or

(iii) For a third offense or an offense subsequent to the third offense, a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both.

(g) A person who applies the maneuvers depicted in a diagram posted under this section to remove food lodged in the throat of another is liable only if the person's actions amount to gross negligence.

SECTION 2. AND BE IT FURTHER ENACTED, That on July 1, 1987, if a local jurisdiction has established a fee schedule for a local license, the fee schedule may constitute the fee schedule cited in § 4-308(a) of the Health - Environmental Article as enacted by this Act and shall remain in effect until altered or reenacted as provided by law, ordinance, rule, or regulation of the county or the Mayor and City Council of Baltimore City.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene shall establish by September 1, 1987, a 1-year program to: