

"Secretary" § 1-101

4-209. ENFORCEMENT POWERS OF COMMISSION.

(A) IN GENERAL.

(1) THE COMMISSION SHALL ADMINISTER AND ENFORCE THE PROVISIONS OF THIS TITLE.

(2) IN CONNECTION WITH ANY DISCIPLINARY ACTION UNDER SUBTITLE 3 OF THIS TITLE OR ANY INVESTIGATION OR PROCEEDING BROUGHT FOR AN ALLEGED VIOLATION OF THIS TITLE, THE COMMISSION, A HEARING BOARD, THE EXECUTIVE DIRECTOR OF THE COMMISSION, OR THE ASSISTANT DIRECTOR OF THE COMMISSION MAY:

(I) MAY HOLD HEARINGS;

(II) MAY ADMINISTER OATHS;

(III) MAY ISSUE A SUBPOENA FOR THE ATTENDANCE OF A WITNESS TO TESTIFY OR THE PRODUCTION OF EVIDENCE; AND

(IV) TAKE DEPOSITIONS, IN THE SAME MANNER AND WITH THE SAME FEES AND COMPENSATION FOR MILEAGE AS PROVIDED IN CIVIL CASES IN THE STATE.

(3) THE POLICE DEPARTMENT OF BALTIMORE CITY OR, THE SHERIFF OF A COUNTY, OR A PRIVATE PROCESS SERVER SHALL SERVE A SUBPOENA ISSUED UNDER THIS SUBSECTION.

(4) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER THIS SUBSECTION, ON PETITION OF THE COMMISSION OR ANOTHER PARTY, A COURT OF COMPETENT JURISDICTION MAY COMPEL COMPLIANCE WITH THE SUBPOENA.

(B) INJUNCTIVE POWER.

(1) IF THE COMMISSION CONCLUDES THAT CONDUCT ALLEGED TO BE A VIOLATION OF ANY PROVISION OF THIS TITLE MAY RESULT IN IRREPARABLE HARM TO ANY PERSON, THE COMMISSION MAY SUE TO ENFORCE ANY PROVISION OF THIS TITLE BY EX PARTE, INTERLOCUTORY, OR FINAL INJUNCTION.

(2) IN SEEKING AN INJUNCTION UNDER THIS SUBSECTION, THE COMMISSION IS NOT REQUIRED TO:

(I) POST BOND, IF THE INJUNCTION IS SOUGHT AGAINST A PERSON WHO DOES NOT HOLD A LICENSE ISSUED UNDER THIS TITLE; OR

(II) ALLEGE OR PROVE THAT AN ADEQUATE REMEDY AT LAW DOES NOT EXIST.