

Subsection (c) of this section is new language derived without substantive change from former Art. 74, § 12, as that section related to revocation of the license of a licensee who refuses to aid a vessel in distress in certain locations.

In the introductory language of subsection (a) of this section, the power to "deny a license to any applicant" is a standard provision added to state expressly that which only was implied in the former law -- i.e., the Board may deny a license or limited license to an applicant who violates a disciplinary provision under this section.

Defined terms: "Board" § 11-101  
 "License" § 11-101 "Pilot" § 11-101  
 "Provide pilotage" § 11-101

11-410. SAME -- HEARINGS.

(A) RIGHT TO HEARING.

EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 4 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY FINAL ACTION UNDER § 11-409 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(B) APPLICATION OF CONTESTED CASE PROVISIONS.

THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) OATHS.

THE BOARD MAY ADMINISTER OATHS IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(D) FAILURE OR REFUSAL TO APPEAR.

IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE BOARD MAY HEAR AND DETERMINE THE MATTER.

REVISOR'S NOTE: Subsection (a) of this section is standard language added to state expressly that, except under certain circumstances when the Board may act summarily, an individual is entitled to a hearing before the Board takes disciplinary action against the individual. Former Art. 74 did not expressly require a hearing before the Board could deny a license, reprimand a licensee, or suspend or revoke a license.