PRINCIPAL, AGENT, OR EMPLOYEE OF AN APPLICANT OR LICENSEE MAY BE CONSTRUED TO BE THE ACT OR OMISSION OF THE APPLICANT OR LICENSEE, AS WELL AS OF THE PRINCIPAL, AGENT, OR EMPLOYEE.

19–314.

(A) SUBJECT TO THIS SECTION, THE SECRETARY SHALL COMMENCE PROCEEDINGS UNDER § 19–313 OF THIS SUBTITLE ON THE SECRETARY'S OWN COMPLAINT OR ON A COMPLAINT MADE TO THE SECRETARY BY ANY PERSON.

(B) (1) A COMPLAINT SHALL:

(I) BE IN WRITING;

(II) BE SIGNED BY THE COMPLAINANT; AND

(III) STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS BASED.

(2) IF A COMPLAINT IS MADE BY ANY PERSON OTHER THAN THE SECRETARY, THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO SUBMITS THE COMPLAINT.

(C) (1) ON RECEIPT OF A COMPLAINT THAT ALLEGES FACTS THAT ARE GROUNDS FOR ACTION UNDER § 19–313 OF THIS SUBTITLE, THE SECRETARY SHALL APPOINT AN OFFICER OF THE DEPARTMENT OF STATE POLICE, WITH THE RANK OF LIEUTENANT OR ABOVE, AS THE INVESTIGATING OFFICER FOR THE COMPLAINT.

(2) THE INVESTIGATING OFFICER MAY ASSIGN RESPONSIBILITY FOR CONDUCTING THE INVESTIGATION TO OTHER MEMBERS OF THE DEPARTMENT OF STATE POLICE.

(D) (1) ON CONCLUSION OF THE INVESTIGATION, THE INVESTIGATING OFFICER SHALL DETERMINE WHETHER THERE IS A REASONABLE BASIS TO BELIEVE THAT THERE ARE GROUNDS FOR DISCIPLINARY ACTION UNDER § 19–313 OF THIS SUBTITLE.

(2) IF THE INVESTIGATING OFFICER FINDS A REASONABLE BASIS AS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY SHALL ACT ON THE COMPLAINT AS PROVIDED UNDER § 19–315 OF THIS SUBTITLE.

19–315.

(A) EXCEPT AS OTHERWISE PROVIDED IN § 10–226 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE SECRETARY TAKES ANY FINAL ACTION UNDER § 19–313 OF THIS SUBTITLE, THE SECRETARY SHALL GIVE THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE SECRETARY.

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

(C) THE SECRETARY MAY ADMINISTER OATHS IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.