

12-209.

(a) (1) [In] EXCEPT AS OTHERWISE PROVIDED, IN this subsection, a dealer's or applicant's agents, employees, management personnel, or partners include only those individuals who are directly involved in pawn transactions or the acquisition or sale of secondhand precious metals on behalf of the dealer or applicant.

(2) Subject to the hearing provisions of § 12-210 of this subtitle, the Secretary may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license if the applicant or licensee or an agent, employee, manager, or partner of the applicant or licensee:

(i) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another person;

(ii) fraudulently or deceptively uses a license;

(iii) has a similar license denied, suspended, or revoked in another jurisdiction;

(iv) pleads guilty or nolo contendere to or is convicted of a felony, theft offense, or crime of moral turpitude;

(v) knowingly employs or knowingly continues to employ, after being notified by the Secretary, an individual who has pled guilty or nolo contendere to or has been convicted of a felony, theft offense, or crime of moral turpitude;

(VI) KNOWINGLY EMPLOYS OR KNOWINGLY CONTINUES TO EMPLOY IN ANY CAPACITY, AFTER BEING NOTIFIED BY THE SECRETARY, AN INDIVIDUAL WHOSE PRECIOUS METALS DEALER'S LICENSE HAS BEEN REVOKED;

[(vi)](VII) willfully fails to provide or willfully misrepresents any information required to be provided under this title;

[(vii)](VIII) violates this title; or

[(viii)](IX) violates a regulation adopted under this title.

(3) THE SECRETARY SHALL DISTRIBUTE PERIODICALLY TO ALL DEALERS A LIST OF INDIVIDUALS WHOSE LICENSES HAVE BEEN REVOKED IN THE STATE.

(b) (1) If a licensee is charged with a violation of this title that could result in suspension or revocation of the license, OR IF THE SECRETARY HAS PROBABLE CAUSE TO BELIEVE THAT THIS TITLE HAS BEEN, OR WILL BE, VIOLATED THROUGH TRANSACTIONS LIKELY TO OCCUR PURSUANT TO § 12-206 OF THIS SUBTITLE, the Secretary may seek from a circuit court an immediate restraining order to prohibit the licensee from:

(i) buying or selling a secondhand precious metal object;

(ii) disposing of a secondhand precious metal object; or

(iii) disposing of a record about a secondhand precious metal object.