

"Habitual user" § 5-101
"Handgun" § 5-101
"Licensee" § 5-101
"Person" § 1-101
"Regulated firearm" § 5-101
"Secretary" § 5-101
"Straw purchase" § 5-101

5-115. SAME — HEARINGS.

(A) RIGHT TO HEARING.

(1) A PERSON WHOSE DEALER'S LICENSE IS SUSPENDED OR REVOKED AND WHO IS AGGRIEVED BY THE ACTION OF THE SECRETARY MAY REQUEST A HEARING BY WRITING TO THE SECRETARY WITHIN 30 DAYS AFTER THE SECRETARY FORWARDS NOTICE TO THE APPLICANT UNDER § 5-114(C) OF THIS SUBTITLE.

(2) THE SECRETARY SHALL GRANT THE HEARING WITHIN 15 DAYS AFTER RECEIVING THE REQUEST.

(B) APPLICATION OF CONTESTED CASE PROVISIONS.

THE HEARING SHALL BE HELD IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence and, except as it related to judicial review, the second sentence of former Art. 27, § 443(1).

In subsection (a)(1) of this section, the reference to a "person whose dealer's license is suspended or revoked" is substituted for the former reference to a "prospective" dealer to clarify the identity of the person who may request a hearing under this subsection.

In subsection (b) of this section, the reference to "Title 10, Subtitle 2 of the State Government Article" is substituted for the former reference to "the provisions of the Administrative Procedure Act" to state explicitly the law governing review of the Secretary's decisions.

Defined terms: "Dealer's license" § 5-101

"Person" § 1-101

"Secretary" § 5-101

5-116. JUDICIAL REVIEW.

(A) STAY OF REVOCATION.

A REVOCATION MAY NOT TAKE EFFECT WHILE AN APPEAL IS PENDING.

(B) APPLICATION OF CONTESTED CASE PROVISIONS.

ANY SUBSEQUENT JUDICIAL REVIEW SHALL BE HELD IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.