

(3) is mentally or physically unfit to carry out the duties of a docking master.

(b) (1) Before any disciplinary action may be taken concerning a complaint against a licensed docking master, the Board shall:

(i) review the facts of the incident giving rise to the complaint; and

(ii) if the Board finds sufficient cause to proceed with disciplinary action against the docking master, notify the docking master to appear before the Board [and show cause why the disciplinary action should not be taken] FOR A HEARING.

(2) The notice required under paragraph (1)(ii) of this subsection shall:

(i) be in writing;

(ii) specify the nature and substance of the complaint against the docking master; and

(iii) be served on the docking master at least 15 days prior to the hearing date:

1. in person; or

2. by certified mail addressed to the docking master's last known address.

(C) IF A COMPLAINT AGAINST A LICENSED DOCKING MASTER INVOLVES A MATTER THAT HAS BEEN INVESTIGATED BY THE U.S. COAST GUARD, THE BOARD SHALL DETERMINE WHETHER THE EVIDENCE FROM THAT INVESTIGATION PROVIDES SATISFACTORY PROOF THAT A VIOLATION UNDER SUBSECTION (A) OF THIS SECTION HAS OCCURRED PRIOR TO TAKING DISCIPLINARY ACTION AGAINST THE LICENSED DOCKING MASTER

(e) (D) (1) A docking master whose license has been revoked or suspended shall immediately surrender the docking master's license to the Board, which shall retain the docking master license until the period of suspension expires.

(2) If a docking master whose license has been revoked or suspended fails to immediately surrender the docking master's license to the Board on demand or continues to provide docking services while the license is suspended or revoked, the docking master shall be subject to the penalties established in [§ 5.5-503] § 5.5-603 of this title.

(d) (E) If a docking master whose license has been suspended is otherwise qualified for licensure at the time the docking master applies for reinstatement of the license, the Board shall reinstate the docking master's license when the suspension period expires.

(e) (F) (1) INSTEAD OF OR IN ADDITION TO SUSPENDING OR REVOKING A LICENSE UNDER SUBSECTION (A) OF THIS SECTION, THE BOARD MAY IMPOSE A PENALTY NOT TO EXCEED \$2,000 FOR EACH VIOLATION.