

- (3) violates any regulation adopted by the Board; or
- (4) violates any order passed by the Board.

(b) (1) Subject to the hearing provisions of § 11-410 of this subtitle, the Board shall revoke the license of any pilot who does not provide pilotage for 1 year.

(2) Notwithstanding paragraph (1) of this subsection, the Board may not revoke a license under this subsection if the failure of the pilot to provide pilotage was due to:

- (i) sickness of the pilot; or
- (ii) assignment to administrative duties.

(c) Subject to the hearing provisions of § 11-410 of this subtitle, the Board shall revoke the license of a pilot who, after receiving notice, refuses to aid a vessel in distress:

- (1) within 18 nautical miles south of Cape Henry;
- (2) within 18 nautical miles east of Cape Henry; or
- (3) in the Chesapeake Bay.

(D) (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.

(2) TO DETERMINE THE AMOUNT OF THE PENALTY IMPOSED UNDER THIS SUBSECTION, THE BOARD SHALL CONSIDER:

- (I) THE SERIOUSNESS OF THE VIOLATION;
- (II) THE HARM CAUSED BY THE VIOLATION;
- (III) THE GOOD FAITH OF THE LICENSEE; AND
- (IV) ANY HISTORY OF PREVIOUS VIOLATIONS BY THE LICENSEE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1992.

Approved May 12, 1992.
