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§3–405.

(a) The Commissioner may prohibit use of an amusement attraction if, after an inspection or investigation, the Commissioner finds that:

(1) the amusement attraction violates a regulation adopted under this title; and

(2) there is a substantial probability of death or serious physical injury from continued use of the amusement attraction.

(b) To prohibit use of an amusement attraction, the Commissioner shall give an amusement owner written notice that prohibits use of the amusement attraction.

(c) (1) The Commissioner shall post a copy of the notice on the amusement attraction.

(2) Only the Commissioner may remove the copy of the notice.

(d) The amusement attraction may not be operated until it is made safe for public use and each required safeguard is provided.

(e) (1) A person who is aggrieved by a decision of the Commissioner under this section may appeal to a court of competent jurisdiction in accordance with the Maryland Rules.

(2) (i) The filing of an appeal does not stay the decision of the Commissioner.

(ii) However, after giving the Commissioner notice and an opportunity for a hearing, the court in which the appeal is pending may stay the decision of the Commissioner on conditions that the court considers proper.

(iii) The conditions may include a requirement to post security.

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