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§5-312.

(a) (1) A person who is denied a permit or renewal of a permit or whose permit is revoked or limited may request the Board to review the decision of the Secretary by filing a written request with the Board within 10 days after receipt of written notice of the Secretary's final action.

(2) A person whose application for a permit or renewal of a permit is not acted on by the Secretary within 90 days after submitting the application to the Secretary may request a hearing before the Board by filing a written request with the Board.

(b) Within 90 days after receiving a request to review a decision of the Secretary, the Board shall:

- (1) review the record developed by the Secretary; or
- (2) conduct a hearing.

(c) The Board may receive and consider additional evidence submitted by a party in conducting a review of the decision of the Secretary.

(d) (1) Based on the Board's consideration of the record and any additional evidence, the Board shall sustain, reverse, or modify the decision of the Secretary.

(2) If the action by the Board results in the denial of a permit or renewal of a permit or the revocation or limitation of a permit, the Board shall submit in writing to the applicant or the holder of the permit the reasons for the action taken by the Board.

(e) (1) Any hearing and any subsequent proceedings of judicial review shall be conducted in accordance with Title 10, Subtitle 2 of the State Government Article.

(2) Notwithstanding paragraph (1) of this subsection, a court may not order the issuance or renewal of a permit or alter a limitation on a permit pending a final determination of the proceeding.

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