

OR THE ASSESSED PENALTY.

[[(D)]] (C) IF WITHIN 15 WORKING DAYS FROM THE RECEIPT OF NOTIFICATION ISSUED BY THE COMMISSIONER, THE OWNER OR LESSEE DOES NOT NOTIFY THE COMMISSIONER OF HIS INTENTION TO CONTEST THE NOTIFICATION OR THE ASSESSED PENALTY, THE NOTIFICATION AND PENALTY ARE FINAL.

[[(E)]] (D) IF AN OWNER OR LESSEE OF AN AMUSEMENT RIDE OR AN ATTRACTION NOTIFIES THE COMMISSIONER IN WRITING, THAT HE INTENDS TO CONTEST A CITATION ISSUED UNDER §71 OF THIS SUBTITLE OR A NOTIFICATION ISSUED UNDER SUBSECTIONS (A), (B), AND (C) OF THIS SECTION, THE COMMISSIONER SHALL GRANT A HEARING WITHIN 30 DAYS AFTER THE RECEIPT OF THE NOTIFICATION BY THE COMMISSIONER.

[[(F)]] (E) (1) THE COMMISSIONER MAY APPOINT A HEARING EXAMINER TO HEAR AND MAKE A DETERMINATION UPON ANY PROCEEDING INSTITUTED BEFORE THE COMMISSIONER AND ANY MOTION IN CONNECTION THEREWITH ASSIGNED TO HIM BY THE COMMISSIONER.

(2) THE HEARING EXAMINER SHALL PREPARE AN OFFICIAL RECORD THAT INCLUDES TESTIMONY AND EXHIBITS AND MAKES A REPORT IN WRITING OF HIS DETERMINATION WHICH CONSTITUTES HIS FINAL DISPOSITION OF THE PROCEEDINGS.

(3) THE REPORT OF THE HEARING EXAMINER BECOMES FINAL UNLESS WITHIN TEN WORKING DAYS AFTER THE REPORT BY THE HEARING EXAMINER, ANY AFFECTED OWNER OR LESSEE REQUESTS IN WRITING A REVIEW BY THE COMMISSIONER OF THE PROCEEDINGS BEFORE THE HEARING EXAMINER.

[[(G)]] (F) (1) AFTER A REVIEW OF THE PROCEEDINGS THE COMMISSIONER SHALL, WITH OR WITHOUT A HEARING, ISSUE AN ORDER, BASED ON FINDINGS OF FACT, AFFIRMING, MODIFYING OR VACATING THE [[ORDER OF CESSATION OF OPERATION]] CITATION OR CIVIL PENALTY, OR DIRECTING OTHER APPROPRIATE RELIEF.

(2) THE COMMISSIONER'S ORDER BECOMES FINAL 15 DAYS AFTER ITS ISSUANCE.

[[(H)]] (G) AFTER AN OPPORTUNITY FOR HEARING AS PROVIDED IN THIS SECTION, THE COMMISSIONER, UPON A SHOWING BY AN AMUSEMENT RIDE OR ATTRACTION OWNER OR LESSEE OF A GOOD FAITH EFFORT TO COMPLY WITH THE ABATEMENT REQUIREMENTS OF A CITATION, THAT ABATEMENT HAS NOT BEEN COMPLETED BECAUSE OF FACTORS BEYOND HIS REASONABLE CONTROL, MAY ISSUE AN ORDER AFFIRMING OR MODIFYING THE ABATEMENT REQUIREMENTS IN THE CITATION.

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(A) (1) ANY PERSON ADVERSELY AFFECTED OR AGGRIEVED BY ANY RULE, REGULATION, STANDARD OR ORDER OF THE COMMISSIONER ISSUED UNDER THIS SUBTITLE MAY APPEAL TO A COURT OF COMPETENT JURISDICTION IN ACCORDANCE WITH THE