

A BOARD MEMBER MAY NOT PARTICIPATE IN ANY DETERMINATION OR VOTE IN ANY PROCEEDING IN WHICH THE MEMBER HAS A DIRECT OR INDIRECT PRIVATE INTEREST.

REVISOR'S NOTE: This section presently appears as Art. 41, §208B(b) and (c).

The only changes are in style.

As to use of the term "unit", see revisor's note to §2-102 of this title.

The Commission notes that, in light of the advisory duties of the Maryland Transportation Commission, the provisions of subsection (a) of this section may be superfluous and unnecessary.

2-506. APPEALS TO BOARD; JUDICIAL REVIEW.

(A) RIGHT OF REVIEW.

IF ANY PERSON IS AGGRIEVED BY ANY DECISION, ACTION, OR INACTION ON THE PART OF THE SECRETARY OR OF ANY UNIT IN THE DEPARTMENT FOR WHICH AN APPEAL TO THE BOARD IS PROVIDED BY THIS SUBTITLE, THE PERSON IS ENTITLED TO APPEAL WITHIN THE PERIOD THAT THE BOARD ESTABLISHES BY REGULATION.

(B) NOTICE TO DEPARTMENT.

BEFORE COMMENCEMENT OF AN APPEAL, THE PERSON AGGRIEVED SHALL MAKE KNOWN THE BASIS OF THE COMPLAINT TO THE INDIVIDUAL RESPONSIBLE FOR THE DECISION, ACTION, OR INACTION COMPLAINED OF, TOGETHER WITH A REQUEST FOR REVIEW. IF, WITHIN 30 DAYS OF THE REQUEST, A RESOLUTION SATISFACTORY TO THE COMPLAINANT DOES NOT OCCUR, THE COMPLAINANT MAY FILE A STATEMENT OF COMPLAINT IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.

(C) STATEMENT OF COMPLAINT.

WITHIN THE PERIOD ESTABLISHED BY THE BOARD, THE COMPLAINANT SHALL FILE A DETAILED WRITTEN STATEMENT OF THE COMPLAINT AND ALL RELEVANT FACTS AND CIRCUMSTANCES WITH THE CHIEF EXECUTIVE OFFICER OF THE DEPARTMENT OR UNIT IN THE DEPARTMENT TO WHICH APPLICATION FOR REVIEW IS MADE. IF THERE IS NO CHIEF EXECUTIVE OFFICER, THE STATEMENT SHALL BE FILED WITH ANY MEMBER OF THE UNIT'S GOVERNING BODY. THE COMPLAINT SHALL BE ACKNOWLEDGED PROMPTLY IN WRITING, AND A COPY OF THE COMPLAINT AND ACKNOWLEDGMENT SHALL BE SENT TO THE SECRETARY.

(D) INVESTIGATION OF COMPLAINT; RECORD.

(1) THE DEPARTMENT OR UNIT THEN SHALL INVESTIGATE THE COMPLAINT. SUBJECT TO EXTENSIONS OF TIME TO WHICH THE PARTIES MAY AGREE, THE DEPARTMENT OR UNIT