

however, does not have jurisdiction over any disciplinary action taken by the Board. Consequently, subsection (b) of this section expressly provides for direct judicial review for persons aggrieved under § 11-310 of this subtitle.

The new language substituted in this section better coordinates the combined requirements of the Administrative Procedure Act and the laws regarding the Board of Review. These provisions apply in any event. No substantive change is intended.

#### 11-313. REINSTATEMENT AFTER DISCIPLINARY ACTION.

##### (A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION, THE BOARD, ON THE AFFIRMATIVE VOTE OF AT LEAST THREE MEMBERS OF THE BOARD, MAY REINSTATE THE LICENSE OF ANY INDIVIDUAL WHOSE LICENSE HAS BEEN ~~SUSPENDED-OR~~ REVOKED.

##### (B) LICENSE SUSPENDED OR REVOKED FOR NARCOTIC ADDICTION OR HABITUAL INTOXICATION.

IF THE BOARD FINDS THAT THE HABITUAL INTOXICATION OR ADDICTION IS CURED OR OVERCOME, THE BOARD SHALL REINSTATE THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE IS SUSPENDED OR REVOKED UNDER § 11-310(A)(4) OF THIS SUBTITLE, WHICH RELATES TO HABITUAL INTOXICATION OR ADDICTION.

##### (C) TWO-YEAR LIMITATION ON REINSTATEMENT.

THE BOARD MAY NOT REINSTATE A LICENSE THAT HAS BEEN SUSPENDED OR REVOKED FOR MORE THAN 2 YEARS. HOWEVER, THE FORMER LICENSEE MAY APPLY FOR A NEW LICENSE UNDER THE CURRENT LICENSING REQUIREMENTS OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the last sentences of Art. 43, § 480(a) and (g).

In subsection (a) of this section the reference to suspension is new language added to state explicitly the lesser included power of shortening a suspension.

As to subsection (a) of this section, the Commission to Revise the Annotated Code notes that before passage of the "Consumer Representatives" Act, Ch. 702, Acts of 1980, the vote requirements of present Art. 43, § 480(g) represented a majority of the full authorized membership of the Board.