

§8113. Refusal; suspension; revocation; grounds

In accordance with the Maine Administrative Procedure Act, the chief may refuse to issue or renew a license, suspend or revoke the license of any person licensed under this chapter, impose probationary conditions, fines or costs of hearing and investigation or issue a written warning on the following grounds: [PL 2011, c. 366, §44 (AMD).]

1. Fraud or deceit. The practice of fraud or deceit in obtaining a license under this chapter or in connection with service rendered within the scope of the license issued; [PL 1985, c. 207, §2 (RPR).]

2. Conviction of certain crimes. Conviction of a crime that involves dishonesty or false statement or that relates directly to the practice for which the licensee is licensed or that is enumerated in this chapter or conviction of any crime for which incarceration for one year or more may be imposed; [PL 2011, c. 366, §44 (AMD).]

3. Violation of chapter or rule. Any violation of this chapter or any rule adopted by the chief; [PL 2011, c. 366, §44 (AMD).]

4. Aiding or abetting unlicensed practice of private investigation. Aiding or abetting the practice of private investigation by a person not duly licensed under this chapter and who represents to others that the person is duly licensed; [PL 2011, c. 366, §44 (AMD).]

5. Failure to maintain bond and insurance. Failure to maintain a bond and insurance as required by section 8111; [PL 2011, c. 366, §44 (AMD).]

6. Incompetence. Incompetence in the practice for which the person is licensed. A licensee is considered incompetent in the practice if the licensee has:

A. Engaged in conduct that evidences a lack of ability or fitness to discharge the duty owed by the licensee to a client or the general public; or [PL 2011, c. 366, §44 (AMD).]

B. Engaged in conduct that evidences a lack of knowledge or an inability to apply principles or skills to carry out the practice for which the person is licensed; [PL 2011, c. 366, §44 (AMD).]
[PL 2011, c. 366, §44 (AMD).]

7. Employment of prohibited person. Employment, in connection with a private investigation business, in any capacity, of any person who has been convicted of a crime punishable by imprisonment for one year or more or any former licensee whose license has been revoked; [PL 2011, c. 161, §1 (AMD).]

8. Representations that licensee is sworn peace officer. Representation by the licensee that suggests, or that would reasonably cause another person to believe, that the licensee is a sworn peace officer of this State, any political subdivision of this State, any other state or the Federal Government; [PL 2011, c. 691, Pt. A, §36 (AMD).]

9. Unpermitted contact with a child. Contact or communication with a child who has not attained 14 years of age regarding a private investigation if that contact or communication includes conduct with the intent to harass, torment, intimidate or threaten a child; [PL 2011, c. 691, Pt. A, §37 (AMD).]

10. Misstatement. Intentionally or knowingly making a material misstatement in filing an application for a license or renewal of a license; [PL 2011, c. 366, §44 (NEW).]

11. Violation of standards of acceptable professional conduct. A violation of the standards of acceptable professional conduct adopted by rule by the chief; or

[PL 2011, c. 366, §44 (NEW).]

12. Cause for refusal. Committing an act that would have been cause for the refusal to issue a license had the act occurred and been known to the chief at the time of issuance of a license.

[PL 2011, c. 366, §44 (NEW).]

The chief may reconsider, modify or reverse probation, suspension or other disciplinary action.

[PL 2011, c. 366, §44 (NEW).]

SECTION HISTORY

PL 1981, c. 126, §2 (NEW). PL 1981, c. 698, §164 (AMD). PL 1985, c. 207, §2 (RPR). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 2001, c. 298, §§4,5 (AMD). PL 2011, c. 161, §§1-3 (AMD). PL 2011, c. 366, §44 (AMD). PL 2011, c. 691, Pt. A, §§36, 37 (AMD).

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