

41-3-304 Temporary permits -- Temporary sports event registration certificate -- Suspension or revocation of dealer's authority to issue -- Return of temporary permits to division -- Refunds -- Appeal.

- (1) The division may suspend or revoke a dealer's authority to issue a temporary permit or a temporary sports event registration certificate under this part if the division determines the dealer has failed to comply with this chapter or with any rules made by the commission under this part.
- (2)
 - (a) Suspension or revocation of authority to issue a temporary permit or a temporary sports event registration certificate takes effect immediately upon written notification to the dealer by the division.
 - (b) Upon notification, the dealer shall immediately return all temporary permits to the division.
 - (c) Subject to Subsection (2)(d), if the authority to issue a temporary permit under Section 41-3-302 is revoked or suspended for more than 30 days, the dealer may apply for a refund of the money paid to the division only for temporary permits described in Section 41-3-302 that are returned prior to issuance.
 - (d) Temporary permits being returned may not have ever been issued, written on, or separated from their stubs, and shall be in useable condition.
- (3) If the division suspends or revokes a dealer's authority to issue a temporary permit or a temporary sports event registration certificate as provided in this section, each of the following is a violation of this chapter and grounds for automatic suspension of the dealer's license:
 - (a) failure to return a temporary permit to the division as provided in this section; or
 - (b) issuing a:
 - (i) temporary permit; or
 - (ii) temporary sports event registration certificate.
- (4)
 - (a) A dealer may appeal the division's suspension or revocation by filing a written appeal with the administrator within 10 days of the suspension or revocation.
 - (b) Upon receiving the dealer's written appeal, the administrator shall set a hearing for not more than 20 days from the date the written appeal is received.
 - (c) A hearing or appeal under this section shall be conducted in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

Amended by Chapter 382, 2008 General Session