§ 3552. Suspension or revocation. 1. The license of a tanning facility may be suspended for a fixed period, revoked or annulled, upon a finding that a licensee:

(a) is guilty of fraud or bribery in securing a license;

(b) has made any false statement as to a material matter in any application or any other statement required by this article;

(c) failed to display the license or warning signs as provided in this article; or

(d) violated any provision of this article or any rule or regulation adopted pursuant to this article.

2. In lieu of revoking, suspending or annulling a license, the department may assess a civil penalty, not exceeding two hundred fifty dollars, for a violation of any provision of this article or any rule or regulation adopted pursuant to this article.

3. Before revoking, suspending or annulling a license, or imposing any civil penalty upon a licensee, the department shall notify the licensee in writing of the proposed action and shall afford the licensee an opportunity to be heard in person or by counsel. Such notice may be served by personal delivery to the licensee or by mailing it by certified mail to the last known address on file with the department or by any method authorized by the civil practice law and rules. The hearing on such charges shall be at such time and place as the department shall prescribe.

4. The department shall have the power to suspend a license pending a hearing and to subpoena and bring before the officer or person conducting the hearing any person in the state, and administer an oath to take testimony of any person or cause his or her deposition to be taken. A subpoena issued under this section shall be subject to the provisions of the civil practice law and rules.