

88. (*Practice on Proceedings for Review.*)

*Except as expressly otherwise provided by law, the practice on proceedings for review under this subtitle, including but not limited to service of process, rules of evidence, and costs shall be the same as in equity cases. All court costs of review of any order of the commission upon any complaint by one or more motor carrier companies against one or more others shall be paid by the motor carrier company or companies to which the final decision on review is adverse.*

89. (*Evidence.*)

(a) *Any party may introduce new evidence on judicial review. If such evidence is materially different from the evidence at the hearing before the commission, the Court, unless all parties stipulate in writing to the contrary, shall refer a transcript thereof to the commission, and stay the proceedings for such time as it thinks proper. The commission may modify its findings by reason of the additional evidence, and shall file with the court, within such time as the court directs, its report of action by reason of the additional evidence. If the commission rescinds the action appealed from, the appeal shall be dismissed; and any modification made by the commission shall stand in place of the original action. In the absence of rescission or modification by the commission, judgment shall be rendered on the original order. No further evidence may be introduced in the reviewing court after referral to the commission under this section, unless the court finds that serious injustice would otherwise result.*

(b) *The provisions of Section 74 (c), relating to incriminating testimony, shall apply to proceedings for judicial review under this subtitle.*

90. (*Scope of Review.*)

*Every final decision, order, rule or regulation of the commission shall be prima facie correct and shall be affirmed unless clearly shown to be (1) in violation of constitutional provisions, or (2) not within the statutory authority or jurisdiction of the commission, or (3) made upon unlawful procedure, or (4) arbitrary or capricious, or (5) affected by other error of law, or (6) if the subject of review is an order entered in a contested case after hearing, such order is unsupported by substantial evidence on the record considered as a whole.*

91. (*Appeal to Court of Appeals.*)

*An aggrieved party may obtain further review of any final judgment in any proceeding brought pursuant to this subtitle, by appeal to the Court of Appeals. Such appeal shall be taken in the manner provided by law for appeals from equity courts in other civil cases.*

## SUBTITLE VII—ENFORCEMENT AND PENALTIES

### *Enforcement*

92. (*Mandamus or Injunction.*)

*When the commission is of the opinion that any public service company subject to its jurisdiction is violating or is about to violate*