

(b) *The court shall declare the rule invalid if it finds that it violates Constitutional provisions or exceeds the statutory authority of the agency or was adopted without compliance with statutory rule-making procedures.*

*221. Petition for Declaratory Rulings by Agencies.*

*On petition of any interested person or corporation, any agency may issue a declaratory ruling with respect to the applicability to any person, corporation, property or state of facts of any rule or statute enforceable by it. A declaratory ruling, if issued after argument and stated to be binding, is binding between the agency and the petitioner on the state of facts alleged, unless it is altered or set aside by a court. Such a ruling is subject to review in the Circuit Court of the County or the Baltimore City Court, as the case may be, in the manner hereinafter provided for the review of decisions in contested cases. Each agency shall prescribe by rule the form for such petitions and the procedure for their submission, consideration, and disposition.*

*222. Contested Cases; Notice, Hearing, Records.*

*In any contested case, all parties shall be afforded an opportunity for hearing after reasonable notice. The notice shall state the time, place and issues involved, but if, by reason of the nature of the proceeding, the issues cannot be fully stated in advance of the hearing, or if subsequent amendment of the issues is necessary, they shall be fully stated as soon as practicable, and opportunity shall be afforded all parties to present evidence and argument with respect thereto. The agency shall prepare an official record, which shall include testimony and exhibits, in each contested case, but it shall not be necessary to transcribe shorthand notes unless requested for purposes of rehearing or court review. Informal disposition may also be made of any contested case by stipulation, agreed settlement, consent order, or default. Each agency shall adopt appropriate rules of procedure for notice and hearing in contested cases.*

*223. Rules of Evidence; Official Notice. In contested cases:*

(a) *Agencies may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonable and prudent men in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. They may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.*

(b) *All evidence, including records and documents in the possession of the agency, of which it desires to avail itself, shall be offered and made a part of the record in the case, and no other factual information or evidence shall be considered in the determination of the case. Documentary evidence may be received in the form of copies of OR excerpts, or by incorporation by reference.*

(c) *Every party shall have the right of cross-examination of the witnesses who testify, and shall have the right to submit rebuttal evidence.*

(d) *Agencies may take notice of judicially cognizable facts and in addition may take notice of general, technical, or scientific facts within their specialized knowledge. Parties shall be notified either*