

SPECIFICALLY SET FORTH IN THE MARYLAND VEHICLE LAW.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §2-319(d).

The short title "Maryland Vehicle Law" is substituted for the present reference to "this article"; see §11-206 of this article.

The only other changes are in style.

12-206. RIGHTS OF PARTIES TO A HEARING.

A PARTY TO A HEARING HAS THE RIGHT TO:

- (1) BE REPRESENTED BY COUNSEL;
 - (2) CROSS-EXAMINE WITNESSES;
 - (3) INSPECT AND COPY ALL EVIDENCE TO BE INTRODUCED;
- AND
- (4) SUBMIT EVIDENCE.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §2-319(g).

The only changes are in style.

Although this section grants a party the right to "cross-examine witnesses" and "submit evidence," it does not expressly afford the party the right to have witnesses subpoenaed in his behalf. The Commission is unsure as to whether this was an oversight or a deliberate omission on the part of the General Assembly, and recommends that its inclusion be considered.

12-207. RULES OF EVIDENCE; TRANSCRIPT OF PROCEEDINGS.

(A) RULES OF EVIDENCE.

(1) EACH HEARING SHALL BE CONDUCTED IN ACCORDANCE WITH THE RULES OF EVIDENCE IN ARTICLE 41, §252 OF THE CODE.

(2) THE ADMINISTRATION MAY TAKE JUDICIAL NOTICE OF TECHNICAL AND SCIENTIFIC FACTS WITHIN ITS SPECIALIZED KNOWLEDGE AND OF GENERALLY KNOWN FACTS. EITHER BEFORE OR DURING THE HEARING, THE ADMINISTRATION SHALL NOTIFY THE PARTIES OF THE FACTS NOTICED AND SHALL GIVE THE PARTIES AN OPPORTUNITY TO CONTEST THESE FACTS. THE ADMINISTRATION MAY USE ITS EXPERIENCE, TECHNICAL COMPETENCY, AND SPECIALIZED KNOWLEDGE IN WEIGHING EVIDENCE PRESENTED AT A HEARING.

(B) TRANSCRIPT OF PROCEEDINGS.