

10-303. POLITICAL SUBDIVISIONS AND INSTRUMENTALITIES.

A POLITICAL SUBDIVISION OF THE STATE OR AN INSTRUMENTALITY OF A POLITICAL SUBDIVISION IS ENTITLED, TO THE SAME EXTENT AS OTHER LEGAL ENTITIES, TO BE AN INTERESTED PERSON, PARTY, OR PETITIONER IN A MATTER UNDER THIS SUBTITLE, INCLUDING AN APPEAL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 256A.

The phrase "is entitled, to the same extent as other legal entities, to be" is substituted for the former language "have the status", to reflect that a political subdivision or instrumentality is not, e.g., a party by operation of law but must have standing and elect to be a party. This substitution is based on Montgomery County v. One Park North Associates, 275 Md. 193 (1975).

Defined terms: "Includes"; "including" § 1-101
"Person" § 1-101

10-304. PETITION FOR RULING.

(A) AUTHORIZED.

AN INTERESTED PERSON MAY SUBMIT TO A UNIT A PETITION FOR A DECLARATORY RULING WITH RESPECT TO THE MANNER IN WHICH THE UNIT WOULD APPLY A REGULATION OR ORDER OF THE UNIT OR A STATUTE THAT THE UNIT ENFORCES TO A PERSON OR PROPERTY ON THE FACTS SET FORTH IN THE PETITION.

(B) REGULATIONS.

EACH UNIT SHALL ADOPT REGULATIONS THAT SET:

- (1) THE FORM FOR A PETITION UNDER THIS SECTION; AND
- (2) PROCEDURES FOR THE SUBMISSION, CONSIDERATION, AND DISPOSITION OF THE PETITION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first and fourth sentences of former Art. 41, § 250.

Subsection (a) of this section is revised to state expressly that the filing of the petition is authorized.

In subsection (a) of this section, the reference to "the manner in which the unit would apply" is substituted for the former, general reference to "the applicability of" a regulation, to conform to §