

(I) THE ADDITIONAL EVIDENCE; AND  
(II) ANY MODIFICATIONS OF THE FINDINGS OR  
DECISION.

(F) PROCEEDING.

(1) THE COURT SHALL CONDUCT A PROCEEDING UNDER THIS SECTION WITHOUT A JURY.

(2) A PARTY MAY OFFER TESTIMONY ON ALLEGED IRREGULARITIES IN PROCEDURE BEFORE THE AGENCY THAT DO NOT APPEAR ON THE RECORD.

(3) ON REQUEST, THE COURT SHALL:

(I) HEAR ORAL ARGUMENT; AND

(II) RECEIVE WRITTEN BRIEFS.

(G) DECISION.

IN A PROCEEDING UNDER THIS SECTION, THE COURT MAY:

(1) REMAND THE CASE FOR FURTHER PROCEEDINGS;

(2) AFFIRM THE DECISION OF THE AGENCY; OR

(3) REVERSE OR MODIFY THE DECISION IF ANY SUBSTANTIAL RIGHT OF THE PETITIONER MAY HAVE BEEN PREJUDICED BECAUSE A FINDING, CONCLUSION, OR DECISION OF THE AGENCY:

(I) IS UNCONSTITUTIONAL;

(II) EXCEEDS THE STATUTORY AUTHORITY OR JURISDICTION OF THE AGENCY;

(III) RESULTS FROM AN UNLAWFUL PROCEDURE;

(IV) IS AFFECTED BY ANY OTHER ERROR OF LAW;

(V) IS UNSUPPORTED BY COMPETENT, MATERIAL, AND SUBSTANTIAL EVIDENCE IN LIGHT OF THE ENTIRE RECORD AS SUBMITTED;  
OR

(VI) IS ARBITRARY OR CAPRICIOUS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 255.

In subsection (a) of this section, the phrase "as provided in this section" is substituted for the former phrase "under this subtitle", for clarity.