

*to said sale to the owner, lien holder if any, shown on the records of the Department of Motor Vehicles of the State of Maryland, and person, firm or corporation entitled to possession of said motor vehicle, or part thereof, if his or its address be known, or if it can be ascertained by the exercise of reasonable diligence. If said address cannot be ascertained by the exercise of reasonable diligence or if the motor vehicle or part thereof is not registered with the said Department of Motor Vehicles, then such notice by mail shall not be required to be given.*

*Any excess in the amount of the selling price of said motor vehicle, or part thereof, at said sale, over and above the expenses thereof, and the amount of the storage, towing and repair charges, incurred by the said Police Department during the period in which said motor vehicle, or part thereof, was in its custody, and after payment of all liens to which said motor vehicle, or part thereof, may be subjected, in order of their priority, shall be accounted for and remitted by said Police Department to the County Council of Montgomery County which shall create a special fund thereof.*

*If the owner, or person, firm or corporation entitled to possession of said motor vehicle, or part thereof, shall present to the County Council of Montgomery County a claim for such excess, at any time within one year from the date of the sale, the said Council shall authorize payment of such excess to the said owner or person, firm or corporation entitled to the possession of said motor vehicle, or part thereof.*

*If no claim for the excess is made within one year from the date of the sale, said excess shall be transferred from the special fund to the general funds of Montgomery County to be expended and used as are other funds received by the County.*

*The County Council of Montgomery County is hereby empowered to make, adopt and publish by ordinance such rules and regulations as may be necessary or desirable for rescuing, taking custody of and the disposition of lost, abandoned and stolen motor vehicles or parts thereof which may be found within the geographical jurisdiction of the said County not inconsistent with the provisions of this Act and it may provide for the imposition of penalties for the violation of such rules and regulations not to exceed a fine of \$500.00 or imprisonment for not more than ninety (90) days or both such fine and imprisonment.*

SEC. 2. *And be it further enacted, That this Act shall take effect June 1, 1965.*

Approved May 4, 1965.

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CHAPTER 838

(House Bill 946)

AN ACT to repeal and re-enact, with amendments, Section 140 of Article 27 of the Annotated Code of Maryland (1964 Supplement), title "Crimes and Punishments," subtitle "False Pretenses, Bad