

AN ACT TO ADD NEW SECTIONS 297(F) THROUGH (U), INCLUSIVE, TO ARTICLE 27 OF THE ANNOTATED CODE OF MARYLAND (1971 REPLACEMENT VOLUME AND 1971 SUPPLEMENT), TITLE "CRIMES AND PUNISHMENTS," SUBTITLE "HEALTH—CONTROLLED DANGEROUS SUBSTANCES," TO FOLLOW IMMEDIATELY AFTER SECTION 297(E) THEREOF, TO PROVIDE CERTAIN GUIDELINES AND PROCEDURES FOR THE SEIZURE AND FORFEITURE OF MOTOR VEHICLES USED IN VIOLATION OF THAT SUBTITLE.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That new Section 581A be and it is hereby added to Article 27 of the Annotated Code of Maryland (1971 Replacement Volume and 1971 Supplement), title "Crimes and Punishments," to follow immediately after Section 581 thereof, and to be under the new subtitle "Vehicles Used for Crimes," and that subsection (a) of Section 297 of said Article and title of the Code, subtitle "Health—Controlled Dangerous Substances," be and it is hereby repealed and re-enacted, with amendments, all to read as follows: THAT NEW SECTIONS 297(F) THROUGH (U), INCLUSIVE, BE AND THEY ARE HEREBY ADDED TO ARTICLE 27 OF THE ANNOTATED CODE OF MARYLAND (1971 REPLACEMENT VOLUME AND 1971 SUPPLEMENT), TITLE AND SUBTITLE "CRIMES AND PUNISHMENTS," TO FOLLOW IMMEDIATELY AFTER SECTION 297(E) THEREOF, AND TO READ AS FOLLOWS:*

*581A 297.*

*Vehicles Used for Crime*

*(a) The Maryland State Police and the Police Departments of the several counties and of the City of Baltimore may seize any motor vehicle used in the perpetration of or in connection with a felony. The seizure shall be executed under process issued by any court having jurisdiction over the vehicle, except that seizure without process may be made if the seizure is incident to an arrest or a search under a search warrant.*

*(b) Except as otherwise provided in this section, any motor vehicle seized pursuant to this section is liable to forfeiture to the State of Maryland if:*

*(1) The owner or owners knew or should have known of its use in connection with a felony; and*

*(2) the person by whom the motor vehicle was used in violating the law has been convicted for the violation.*

*(F) IN EXERCISING THE AUTHORITY TO SEIZE MOTOR VEHICLES PURSUANT TO THIS SECTION THE FOLLOWING STANDARDS SHALL BE UTILIZED:*

*(1) A MOTOR VEHICLE USED IN VIOLATION OF THIS SECTION SHALL BE SEIZED AND FORFEITURE RECOMMENDED TO THE STATE'S ATTORNEY WHEN:*

*(I) CONTROLLED DANGEROUS SUBSTANCES IN ANY QUANTITY ARE SOLD OR ATTEMPTED TO BE SOLD IN VIOLATION OF THIS SUBTITLE;*