

(3) "COMMON CARRIER" MEANS:

(I) AN ENTITY THAT TRANSPORTS MOTOR VEHICLE FUEL OR AVIATION FUEL, FOR ANOTHER, FOR A FEE; AND

(II) IS LICENSED AND REGULATED BY EITHER THE MARYLAND PUBLIC SERVICE COMMISSION OR THE INTERSTATE COMMERCE COMMISSION.

(B) A POLICE OFFICER OF THE STATE MAY:

(1) SEIZE ANY CONTRABAND PETROLEUM PRODUCTS IN THE STATE WITHOUT A WARRANT;

(2) STOP ANY CONVEYANCE AND SEARCH IT FOR CONTRABAND PETROLEUM PRODUCTS IF THE POLICE OFFICER HAS PROBABLE CAUSE TO BELIEVE THAT THE CONVEYANCE IS BEING USED TO CARRY CONTRABAND PETROLEUM PRODUCTS IN THE STATE; AND

(3) SEIZE A CONVEYANCE IF THE CONVEYANCE IS BEING USED TO TRANSPORT CONTRABAND PETROLEUM PRODUCTS IN VIOLATION OF THIS ARTICLE.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A POLICE OFFICER OF THE STATE WHO SEIZES ANY CONTRABAND PETROLEUM PRODUCTS OR CONVEYANCE USED TO TRANSPORT CONTRABAND PETROLEUM PRODUCTS SHALL DELIVER CUSTODY OF THE SEIZED PETROLEUM PRODUCTS AND CONVEYANCE TO THE COMPTROLLER.

(2) IF THE SEIZED CONVEYANCE IS OPERATED BY A COMMON CARRIER, IN LIEU OF ACTUAL DELIVERY OF CUSTODY OF THE SEIZED CONVEYANCE TO THE COMPTROLLER, THE FOLLOWING PROVISIONS SHALL APPLY:

(I) THE POLICE OFFICER MAY DIRECT THE OPERATOR OF THE SEIZED CONVEYANCE TO TAKE THE CONVEYANCE TO A DESIGNATED LOCATION;

(II) AT THE DESIGNATED LOCATION, THE CONTRABAND PETROLEUM PRODUCTS CONTAINED IN THE CONVEYANCE SHALL BE REMOVED AND RETAINED BY THE COMPTROLLER, SUBJECT TO THE PROVISIONS OF THIS SECTION;

(III) AFTER REMOVAL OF THE CONTRABAND PETROLEUM PRODUCTS, THE CONVEYANCE SHALL BE RELEASED TO THE OPERATOR THEREOF; AND

(IV) THE COMPTROLLER SHALL REIMBURSE THE COMMON CARRIER FOR ALL TARIFF CHARGES APPLICABLE TO THE MOVEMENT OF THE CONVEYANCE FROM THE PLACE OF SEIZURE TO THE LOCATION WHERE THE CONTRABAND PETROLEUM PRODUCTS WERE REMOVED AND FROM THE PLACE WHERE THE CONTRABAND PETROLEUM PRODUCTS WERE REMOVED TO THE