

the appraised value of the vehicle so seized and forfeited and costs, upon which judgment execution may issue. The bond authorized in this subsection shall be filed in the District Court or circuit court where the criminal action that gave rise to the seizure is pending and shall be part of that same criminal proceeding, unless a petition for forfeiture has been filed. However, if no criminal action is pending or if no forfeiture petition has been filed, the bond shall be filed in the circuit court or District Court where the vehicle was seized.

(j) (1) If, after a full hearing, the court determines that the motor vehicle should not be forfeited, the court shall order that the motor vehicle be released.

(2) (i) If the court determines that the motor vehicle should be forfeited, the court shall order that the motor vehicle be forfeited to the State.

(ii) If, however, the court determines that the forfeited motor vehicle is subject to a bona fide recorded security interest created without the knowledge that the motor vehicle was being, or was to be used in violation of this subtitle, the court shall order that the motor vehicle be released within 5 days to the secured party of record.

(iii) The secured party shall sell the motor vehicle in a commercially reasonable manner.

(iv) The proceeds of the sale shall be applied as follows:

1. To the court costs of the forfeiture proceeding;
2. To the balance due the secured party including all reasonable costs incident to the sale;
3. To payment of all other expenses of the proceedings for forfeiture, including expenses of seizure, or maintenance of custody; and
4. To the general funds of the State or the political subdivision that seized the motor vehicle.

(k) Any sums realized on any bond posted to regain possession of the vehicle shall be applied as provided for proceeds of sale under subsection (j)(2)(iv) of this section.

(1) Any sale ordered pursuant to this section shall be made for cash and vest in the purchaser a clear and absolute title to the motor vehicle that is sold.