

VETOES

(a) The following shall be subject to forfeiture and no property right shall exist in them:

(4) All conveyances including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of property described in paragraph (1) or (2) of this subsection, except that:

(i) No conveyance used by any person as a common carrier or vehicle for hire in the transaction of business as a common carrier or vehicle for hire shall be seized or forfeited under this subheading unless it appears that the owner or other person in charge of the conveyance was a consenting party or privy to a violation of this subheading;

(ii) No conveyance shall be forfeited under the provisions of this section by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such conveyance was unlawfully in the possession of a person other than the owner in violation of the criminal laws of the United States, or of any state; [and]

(iii) No conveyance shall be forfeited under the provisions of this section to the extent of the interest of any owner of the conveyance who neither knew nor should have known that the conveyance was used or was to be used in violation of this subtitle; AND

(IV) NO CONVEYANCE SHALL BE FORFEITED UNDER THE PROVISIONS OF THIS SECTION UNLESS THE STANDARDS FOR SEIZURE OF A MOTOR VEHICLE REQUIRED UNDER SUBSECTION (F)(1) OF THIS SECTION ARE ESTABLISHED BY A PREPONDERANCE OF THE EVIDENCE IN A FORFEITURE PROCEEDING UNDER SUBSECTION (H) OF THIS SECTION;

(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;

(ii) Although the violator has not sold or attempted to sell controlled dangerous substances in violation of this subtitle, an amount of such substances or paraphernalia is located which would reasonably indicate that sale is contemplated by the violator;