

WILLIAM DONALD SCHAEFER, Governor

(3) Forfeiture of the motor vehicle used in violation of this subtitle shall be recommended to the State's Attorney only after the chief law-enforcement officer of the police department, bureau, or force that seized the motor vehicle has determined from the records of the motor vehicle administration the names and addresses of all registered owners and secured parties as defined in the Code, has personally reviewed the facts and circumstances of the seizure and has personally determined, according to the above guidelines, that forfeiture is warranted and so represents in writing to the appropriate State's Attorney.

(g) If the State's Attorney determines independent of the decision of the police department, bureau, or force that seized the motor vehicle that the motor vehicle falls within the purview of subsection (f)(2)(i), (ii) or (iii) or that the standards to be utilized pursuant to subsection (f)(1) were not met, the State's Attorney shall surrender the vehicle upon request to the owner.

(h) (1) If the State's Attorney determines after the recommendation of the chief law enforcement officer of the police department, bureau, or force that seized the motor vehicle that the motor vehicle should be forfeited to the State, the State's Attorney, within 45 days after the seizure of the motor vehicle, shall:

(i) Petition in the circuit court of the appropriate subdivision in the name of the State of Maryland against the motor vehicle as designated by make, model, year, and motor or serial number; and

(ii) At the same time send copies of the petition by registered or certified mail to each registered owner and any secured party noted among the records of the Motor Vehicle Administration.

(2) The petition for forfeiture shall contain:

(i) The names of the registered owners of the motor vehicle;

(ii) The name of any secured party whose interest appears among the records of the Motor Vehicle Administration;

(iii) A statement of the facts and circumstances surrounding the seizure of the motor vehicle;

(iv) A statement setting forth the specific causes or grounds for forfeiture or both;

(v) A statement setting forth any contention that any registered owner or secured party knew or should have