

(3) SEIZE A CONVEYANCE BEING USED IN THE STATE TO TRANSPORT CONTRABAND ALCOHOLIC BEVERAGES OR CONTRABAND CIGARETTES.

(B) MOTOR FUEL.

A POLICE OFFICER OF THE STATE MAY:

(1) SEIZE ANY CONTRABAND MOTOR FUEL IN THE STATE WITHOUT A WARRANT;

(2) STOP AND SEARCH A CONVEYANCE IN THE STATE FOR CONTRABAND MOTOR FUEL IF THE OFFICER HAS PROBABLE CAUSE TO BELIEVE THAT THE CONVEYANCE IS BEING USED TO CARRY CONTRABAND MOTOR FUEL IN THE STATE; AND

(3) SEIZE A CONVEYANCE BEING USED TO TRANSPORT CONTRABAND MOTOR FUEL.

REVISOR'S NOTE: This section is new language that, in part, repeats the provisions of the first sentence of present Art. 2B, § 3(f) and, in part, is derived without substantive change from former Art. 56, § 138(b) and from the second clause of Art. 81, § 442 and the fifth sentence and first clause of the sixth sentence of § 455.

Subsection (a)(1) of this section is revised so that the phrase "without a warrant" applies to a seizure of alcoholic beverages, as well as to contraband cigarettes.

In subsection (b)(2) of this section, the phrase "in the State" is added for clarity.

In subsection (b)(3) of this section, the former phrase "in violation of this article" is deleted as unnecessary in light of the defined term "contraband motor fuel".

Defined terms: "Comptroller" § 1-101
"Contraband alcoholic beverage" § 13-834
"Contraband cigarettes" § 13-834
"Contraband motor fuel" § 13-834
"Conveyance" § 13-834

13-836. NOTICES AND DELIVERY OF SEIZED PROPERTY.

(A) NOTICE OF RIGHT TO FILE CLAIM FOR RETURN PROPERTY.

(1) IF CONTRABAND ALCOHOLIC BEVERAGES OR CONTRABAND CIGARETTES ARE SEIZED:

(I) THE COMPTROLLER OR POLICE OFFICER SHALL GIVE A NOTICE OF SEIZURE TO THE PERSON FROM WHOM THE PROPERTY IS SEIZED AT THE TIME OF THE SEIZURE; AND