

ALL--ARTICLES-AND-SUBSTANCES-CLASSIFIED-BY-STATUTE-OR-COMMON-LAW-AS-CONTRABAND-SHALL, UPON SEIZURE, BE FORFEITED TO THE STATE WITHOUT NEED OF FURTHER PROCEEDINGS UNDER THIS SUBTITLE.

3-1314.

{A}--NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY MONEYS, PROCEEDS, OR PROPERTY PAID TO AN APPROPRIATE GOVERNING BODY AS PROVIDED UNDER THIS SUBTITLE SHALL BE SUBJECT TO THE FOLLOWING PRIORITY OF CLAIMS IN REGARD TO A CLAIM AGAINST AN OWNER OF SEIZED PROPERTY:

{1}--SUBROGATION CLAIMS OF THE STATE UNDER ARTICLE 26A OF THE CODE;

{2}--A COURT ORDER OF RESTITUTION; AND

{3}--A CIVIL JUDGMENT OF A VICTIM OBTAINED AGAINST THE OWNER OF SEIZED PROPERTY AS A RESULT OF AN ACT WHICH WOULD CONSTITUTE AN OFFENSE UNDER COMMON LAW OR BY STATUTE.

{B}--WHEN UNABLE TO DETERMINE THE PRIORITY OF CLAIMS OR THE PROPER DISPOSITION OF ANY MONEYS, PROCEEDS, OR PROPERTY, AN ACTION FOR INTERPLEADER OR AN ACTION FOR DECLARATORY JUDGMENT MAY BE FILED.

3-1314.-3-1315.

{A} {1}--IN THIS SECTION "MOTOR VEHICLE" HAS THE MEANING USED IN § 11-135 OF THE TRANSPORTATION ARTICLE.

{2}--A MOTOR VEHICLE MAY BE SEIZED AND FORFEITED IN THE MANNER PROVIDED IN THIS SECTION.

{3}--OTHER PROVISIONS OF THIS SUBTITLE APPLY TO THE SEIZURE AND FORFEITURE OF A MOTOR VEHICLE ONLY TO THE EXTENT THAT THEY DO NOT CONFLICT WITH THE PROVISIONS OF THIS SECTION.

{B}--IN EXERCISING THE AUTHORITY TO SEIZE MOTOR VEHICLES UNDER THIS SECTION, THE FOLLOWING STANDARDS SHALL BE USED:

{1}--A MOTOR VEHICLE USED IN VIOLATION OF AN ENUMERATED OFFENSE 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 AN ENUMERATED OFFENSE;

{II}--ALTHOUGH THE VIOLATOR HAS NOT SOLD OR ATTEMPTED TO SELL CONTROLLED DANGEROUS SUBSTANCES IN VIOLATION OF AN ENUMERATED OFFENSE, THE AMOUNT OF SUBSTANCES OR PARAPHERNALIA