

~~(E) (1) THE CHIEF LAW ENFORCEMENT OFFICER MAY RECOMMEND FORFEITURE OF A MOTOR VEHICLE TO THE FORFEITING AUTHORITY ONLY AFTER:~~

~~(i) THE CHIEF LAW ENFORCEMENT OFFICER:~~

~~1. DETERMINES FROM THE RECORDS OF THE ADMINISTRATION THE NAMES AND ADDRESSES OF ALL REGISTERED OWNERS AND SECURED PARTIES;~~

~~2. PERSONALLY REVIEWS THE FACTS AND CIRCUMSTANCES OF THE SEIZURE; AND~~

~~3. WRITES TO THE FORFEITING AUTHORITY THAT FORFEITURE IS WARRANTED; AND~~

~~(ii) THE INDIVIDUAL ARRESTED OR CITED FOR THE COMMISSION OF A VIOLATION UNDER § 21-904(D) OR (E) OF THIS ARTICLE DURING WHICH THE MOTOR VEHICLE WAS SEIZED IS CONVICTED OF THE VIOLATION.~~

~~(2) IN A PROCEEDING FOR FORFEITURE OF A MOTOR VEHICLE, A SWORN AFFIDAVIT BY THE CHIEF LAW ENFORCEMENT OFFICER THAT THE REQUIREMENTS OF THIS SUBSECTION HAVE BEEN FOLLOWED IS ADMISSIBLE INTO EVIDENCE.~~

~~(3) THE CHIEF LAW ENFORCEMENT OFFICER MAY NOT BE SUBPOENAED OR COMPELLED TO TESTIFY IF ANOTHER LAW ENFORCEMENT OFFICER WITH PERSONAL KNOWLEDGE OF THE FACTS AND CIRCUMSTANCES SURROUNDING THE SEIZURE AND THE RECOMMENDATION OF FORFEITURE TESTIFIES AT THE PROCEEDING.~~

~~(4) IF THE FORFEITING AUTHORITY DETERMINES INDEPENDENTLY OF THE DECISION OF THE SEIZING UNIT THAT THE MOTOR VEHICLE FALLS WITHIN THE SCOPE OF SUBSECTION (D) OF THIS SECTION, THE FORFEITING AUTHORITY SHALL SURRENDER THE MOTOR VEHICLE TO AN OWNER.~~

~~(F) (1) IF THE FORFEITING AUTHORITY DETERMINES THAT FORFEITURE IS APPROPRIATE, THE FORFEITING AUTHORITY SHALL FILE A COMPLAINT WITH THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE MOTOR VEHICLE WAS SEIZED.~~