

2. The chief law enforcement officer may not be subpoenaed or compelled to appear and testify if another law enforcement officer with personal knowledge of the facts and circumstances surrounding the seizure and the recommendation of forfeiture appears and testifies at the proceeding.

(o) (1) Except as provided in subsection (m)(4) and (p) of this section, if an owner of seized property wants to obtain possession of the property, regardless of whether forfeiture proceedings have been commenced, or to convey an interest in real property, or remove a building or fixture on real property, where forfeiture proceedings have been commenced against the real property, the owner shall notify:

(i) If forfeiture proceedings have been commenced, the clerk of the court where the proceedings have been commenced;

(ii) If criminal proceedings have been commenced but forfeiture proceedings have not, the clerk of the court where the criminal proceedings have been commenced; or

(iii) If neither forfeiture nor criminal proceedings have been commenced, the clerk of the circuit court of the jurisdiction where the property was seized.

(2) If the property is not needed for evidentiary purposes in a judicial proceeding:

(i) For property other than motor vehicles, the clerk shall obtain an independent appraisal of the value of the property.

(ii) For motor vehicles, [the clerk shall have an appraisal made by the sheriff of the jurisdiction in which the court is located] UNLESS THE FORFEITING AUTHORITY AND THE OWNER AGREE TO A BOND IN ANOTHER AMOUNT:

1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS ITEM, THE COURT SHALL APPRAISE THE VALUE OF THE MOTOR VEHICLE ON THE BASIS OF THE AVERAGE VALUE OF THE MOTOR VEHICLE SET FORTH IN THE NATIONAL AUTOMOBILE DEALER'S ASSOCIATION OFFICIAL USED CAR GUIDE; OR

2. IF THE OWNER SHOWS THAT THERE IS A LIEN ON THE MOTOR VEHICLE AND THE OWNER AGREES TO MAKE THE REQUIRED PAYMENTS TO THE LIENHOLDER, THE COURT SHALL REQUIRE A BOND IN AN AMOUNT OF THE AVERAGE VALUE OF THE MOTOR VEHICLE SET FORTH IN THE NATIONAL AUTOMOBILE DEALER'S ASSOCIATION OFFICIAL USED CAR GUIDE, LESS THE AMOUNT OWED ON THE LIEN.

(3) (I) [The] FOR PROPERTY OTHER THAN A MOTOR VEHICLE, THE sheriff or other person responsible for an appraisal under paragraph (2) of this subsection shall promptly:

[(i)] 1. Inspect and render an appraisal of the value of the property; and