

(III) THE OWNER OR CONSIGNEE CANNOT BE FOUND AFTER DILIGENT INQUIRY, OR, FOR 24 HOURS AFTER BEING FOUND AND NOTIFIED OF THE ARRIVAL OF THE FREIGHT, DOES NOT RECEIVE THE FREIGHT AND PAY THE LEGAL CHARGES ON THE FREIGHT.

(2) OUT OF THE PROCEEDS OF THE SALE, THE COMMON CARRIER OR FORWARDER:

(I) MAY PAY THE EXPENSES INCIDENT TO THE SALE AND LEGAL CHARGES, INCLUDING THE COST OF THE KEEP OF THE LIVESTOCK OR THE COST OF STORAGE OF THE FREIGHT; AND

(II) SHALL PAY, ON DEMAND, ANY BALANCE TO THE OWNER OR CONSIGNEE OF THE FREIGHT.

(D) SALE OF UNCLAIMED BAGGAGE.

(1) IN THIS SUBSECTION, "BAGGAGE" INCLUDES PERSONAL BAGGAGE, SAMPLE PACKAGES, BUNDLES, OR LUGGAGE.

(2) A COMMON CARRIER OR FORWARDER MAY SELL AT PUBLIC AUCTION BAGGAGE THAT IS TRANSPORTED BY THE COMMON CARRIER OR FORWARDER TO ANY POINT IN THE STATE IF:

(I) THE BAGGAGE REMAINS AT ITS DESTINATION FOR 3 MONTHS OR, IF IT IS LOST OR STRAY BAGGAGE, REMAINS UNCLAIMED BY THE OWNER OR THE CONSIGNEE FOR 3 MONTHS AT THE PLACE TO WHICH IT HAS BEEN TRANSPORTED;

(II) THE OWNER OR CONSIGNEE CANNOT BE FOUND AFTER DILIGENT INQUIRY, OR, AFTER BEING FOUND AND NOTIFIED OF THE ARRIVAL OF THE BAGGAGE, DOES NOT RECEIVE THE BAGGAGE AND PAY THE REASONABLE CHARGES ON THE BAGGAGE; AND

(III) THE COMMON CARRIER OR FORWARDER AT LEAST 10 DAYS BEFORE THE SALE HAS POSTED NOTICES OF THE TIME AND PLACE OF THE SALE IN THREE PUBLIC PLACES IN THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE SALE IS TO BE MADE.

(3) OUT OF THE PROCEEDS OF THE SALE THE COMMON CARRIER OR FORWARDER:

(I) MAY PAY THE LEGAL CHARGES, INCLUDING THE COSTS OF STORAGE OF THE BAGGAGE; AND

(II) SHALL PAY, ON DEMAND, ANY BALANCE TO THE OWNER OR CONSIGNEE OF THE BAGGAGE.

REVISOR'S NOTE: Chapter 8, Acts of 1998, which enacted the Public Utility Companies Article, also enacted this section, which is derived without substantive change from former Art. 23, §§ 212 through 215.

In subsection (a) of this section, the reference to a "railroad" is added to the list of types of common carriers or forwarders that this section applies to