

HOUSE BILL 99

Unofficial Copy  
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SB 62/98 - JPR

1999 Regular Session  
9r0033

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By: **Chairman, Judiciary Committee (Departmental - State Police, Dept. of)**  
Introduced and read first time: January 22, 1999  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Explosives - Forfeiture of Vehicle, Vessel, or Aircraft**

3 FOR the purpose of adding the State as a governmental body eligible to receive  
4 certain forfeited property; and generally relating to the forfeiture of vehicles,  
5 vessels, or aircraft.

6 BY repealing and reenacting, with amendments,  
7 Article 38A - Fires and Investigations  
8 Section 34F  
9 Annotated Code of Maryland  
10 (1997 Replacement Volume and 1998 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 38A - Fires and Investigations**

14 34F.

15 In addition to any other fines or penalties provided for a violation of the  
16 provisions of this subtitle, any motor vehicle or other vehicle, vessel, or aircraft used  
17 or employed in the concealment, conveying or transporting of any explosives during  
18 the course of any violation of this subtitle by any person or persons on whom a penalty  
19 and/or fine is imposed under the provisions of § 34A or § 34B OF THIS SUBTITLE, shall  
20 upon the conviction or convictions be declared by the court to be forfeited to the  
21 [county or to Baltimore City,] STATE, TO THE COUNTY, OR TO BALTIMORE CITY as the  
22 case may be; provided that no vehicle shall be forfeited hereunder unless the owner  
23 thereof authorized or permitted such use or employment, and provided further that  
24 the interest thereby transferred to the [county or Baltimore City] STATE, COUNTY,  
25 OR BALTIMORE CITY shall be subordinate to the interest of the holder of any perfected  
26 security interest in such vehicle, vessel, or aircraft. The SECRETARY OF THE  
27 DEPARTMENT OF STATE POLICE, county commissioners or the Mayor and City  
28 Council of Baltimore City at their discretion, and after discharging any perfected  
29 security interest in such vehicle, vessel, or aircraft, may use the same for public  
30 purposes or may exchange, sell or convey it to another person or persons; and any

1 cash or moneys received therefor shall be added to the general funds of the [county or  
2 Baltimore City] STATE, COUNTY, OR BALTIMORE CITY.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
4 effect October 1, 1999.