

**242.360 Illegal transportation of liquor -- Seizure of property.**

- (1) When a peace officer discovers any person in dry territory in the act of illegally possessing or transporting alcoholic beverages in any vehicle, he shall at once seize the vehicle and any and all alcoholic beverages found in it and arrest any person or persons in charge thereof.
- (2) Upon conviction of a person arrested under subsection (1), the court shall order the vehicle seized sold at public auction unless the owner of the vehicle proves that it was being used without his knowledge, consent or approval.
- (3) The expenses of keeping and selling the vehicle and all valid recorded liens that are established by intervention at a hearing as being bona fide shall be paid out of the proceeds of the sale. The lienor must prove that the property was being used without his knowledge, consent or approval.
- (4) After the satisfaction of expenses and liens, the court shall direct that the balance of the proceeds be paid to the circuit clerk, who shall transmit the balance as in the case of other forfeitures. The court shall order all sales to be made by the sheriff, who shall receive and be allowed the same fees as allowed for sales under execution.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554c-26.