§ 460. Seizure, impounding, destruction or disposition of explosives. 1. The commissioner is hereby authorized and empowered, without application to any court, to seize and impound any explosives found within this state, except in cities having a population of more than one million inhabitants, which are in apparent violation of any of the provisions of this article, regulations promulgated hereunder or laws or regulations of the federal government, or which have been abandoned or lost, or where the commissioner has reason to believe that public safety is endangered by such explosives. Such explosives may be removed and transported by the commissioner and stored in magazines provided or obtained for that purpose by the state or by the commissioner.

2. The owner of such explosives may, within five days of such seizure, make written demand upon the commissioner for a hearing. Upon such demand, the commissioner shall give the owner written notice of the time and place of such hearing to be held not less than ten days thereafter.

3. Where no hearing is demanded within the time herein prescribed or where, after hearing, the commissioner finds that there has been a violation of the provisions of this article, regulations promulgated hereunder or laws or regulations of the federal government, or that public safety is endangered, the commissioner may destroy or order the destruction of such explosives without liability, or direct such other disposition of the explosives. If the commissioner finds there has been no such violation and that public safety has not been endangered, such explosives shall be returned to the owner thereof.

4. Where such explosives have been abandoned or lost, and no claimant has appeared within thirty days, demanded the return of the explosives and proved, to the satisfaction of the commissioner, the claimant's title to and right of possession of such explosives, the commissioner may destroy or direct the destruction thereof, or direct such other disposition thereof as is deemed proper.

5. Any provision herein to the contrary notwithstanding, where, in the opinion of the commissioner, the manufacture, condition, storage, packing or location of explosives is such that its continued existence

or transportation is a danger to public safety, the commissioner may, without hearing and without liability therefor to the owner thereof, seize and destroy or direct the seizure and destruction of such explosives.