

(B) In any case, except as provided in [subsection (b)] SUBSECTION (C) OF THIS SECTION, involving a child who has reached 14 years of age but has not reached 18 years of age at the time of any alleged offense excluded under the provisions of § 3-804(e)(1), (4), or (5) of the Courts and Judicial Proceedings Article, the court exercising jurisdiction may transfer the case to the juvenile court if a waiver is believed to be in the interests of the child or society.

[(b)](C) The court may not transfer a case to the juvenile court under subsection [(a)] (B) OF THIS SECTION if:

(1) The child has previously been waived to juvenile court and adjudicated delinquent;

(2) The child was convicted in another unrelated case excluded from the jurisdiction of the juvenile court under § 3-804(e)(1) or (4) of the Courts and Judicial Proceedings Article; or

(3) The alleged offense is murder in the first degree and the accused child is 16 or 17 at the time the alleged offense was committed.

[(c)](D) In making a determination as to waiver of jurisdiction the court shall consider the following:

(1) Age of child;

(2) Mental and physical condition of child;

(3) The child's amenability to treatment in any institution, facility, or program available to delinquents;

(4) The nature of the alleged offense; and

(5) The public safety.

[(d)](E) For the purpose of making its determination, the court may request that a study concerning the child, [his] THE CHILD'S family, [his] THE CHILD'S environment, and other matters relevant to the disposition of the case be made.

[(e)](F) If the jurisdiction is waived, the court may order the person held for trial under the regular procedures of the juvenile court.

[(f)](G) The court may order a minor to be held in a juvenile facility pending a determination under this section to waive jurisdiction over the case involving the minor to the juvenile court.

(H) (1) ~~(I) A VICTIM SHALL HAVE A RIGHT TO:~~

~~(I) BE PRESENT AT A WAIVER HEARING AS PROVIDED UNDER § 857 OF THIS ARTICLE; AND~~

~~(H) ADDRESS THE COURT BEFORE THE DETERMINATION AS TO WHETHER TO WAIVE JURISDICTION.~~