

affirmation without detracting substantively from the purpose and effect of requiring an oath or affirmation. Therefore, an individual who makes an affidavit under this article is subject to the penalties for perjury if the affidavit is false, even if the individual does not appear and make oath before an individual authorized to administer oaths.

This section is patterned after the essential elements of Md. Rule 1-202(b), which defines "affidavit", and Md. Rules 1-303 and 1-304, which prescribe the form of oaths and affidavits, and TP § 1-201, which provides a similar provision. This provision does away with any required notarization.

1-204. COMPLIANCE WITH WORKERS' COMPENSATION LAWS.

(A) "EMPLOYER" DEFINED.

IN THIS SECTION, "EMPLOYER" HAS THE SAME MEANING AS UNDER THE STATE WORKER'S COMPENSATION LAWS.

(B) REQUIRED BEFORE ISSUANCE OF LICENSE.

BEFORE ANY LICENSE IS ISSUED UNDER THIS ARTICLE TO AN EMPLOYER TO ENGAGE IN AN ACTIVITY IN WHICH THE EMPLOYER MAY EMPLOY ANY INDIVIDUAL, THE EMPLOYER SHALL FILE WITH THE ISSUING AUTHORITY:

(1) A CERTIFICATE OF COMPLIANCE WITH THE STATE WORKER'S COMPENSATION LAWS; OR

(2) THE NUMBER OF A WORKER'S COMPENSATION INSURANCE POLICY OR BINDER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 81, § 446A.

Although former Art. 81, § 446A applied only to cigarette licensing provisions, it is evident from Art. 101, § 31A of the Code, which sets forth the procedure for obtaining a certificate of compliance -- as well as similar provisions in Articles 2B and 56 of the Code -- that this certificate also is required of persons licensed under other provisions now in this article.

In the introductory language of subsection (b) of this section, the former word "permit" is deleted to avoid the implication that a "trip permit", which is issued as an alternative method of motor fuel tax payment, is a permit within the meaning of this section.