

(A) IN GENERAL.

IN THIS PART II OF THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language used as the standard introductory language to a definition section.

(B) ENGAGE IN THE BUSINESS OF A CIGARETTE RETAILER.

"ENGAGE IN THE BUSINESS OF A CIGARETTE RETAILER" MEANS:

(1) TO BUY CIGARETTES FROM A SUBWHOLESALER OR WHOLESALER;

(2) IF CIGARETTES ARE SOLD THROUGH VENDING MACHINES, TO OWN, OPERATE, AND SERVICE VENDING MACHINES USED TO SELL CIGARETTES ON LESS THAN 40 PREMISES; AND

(3) (I) TO POSSESS CIGARETTES FOR SALE TO A CONSUMER;  
OR

(II) TO SELL CIGARETTES TO A CONSUMER.

REVISOR'S NOTE: Items (1) and (3)(i) of this subsection are new language added to state expressly that which only was implied in the former law -- i.e., that a retailer may buy cigarettes from a subwholesaler or a wholesaler and may possess cigarettes for sale to a consumer.

Item (2) of this subsection is new language that repeats the provisions of present CL § 11-501(i), which, by cross-reference in former Art. 56, § 65, applied to the business activities of a retailer in this title. It is revised to distinguish the number of premises allowable for a vending machine sale of cigarettes by a retailer from that allowable for a vending machine operator.

Item (3)(ii) of this subsection is new language derived without substantive change from former Art. 81, § 464(d).

This subsection is revised to define "engage in the business of a cigarette retailer" to clarify the scope of business activities of a retailer.

Defined terms: "Cigarette" § 607  
"Consumer" § 607 "Retailer" § 610  
"Sell" § 607 "Subwholesaler" § 610  
"Wholesaler" § 610

(C) ENGAGE IN THE BUSINESS OF A CIGARETTE SUBWHOLESALER.