

"ENGAGE IN THE BUSINESS OF A CIGARETTE SUBWHOLESALE" MEANS TO:

(1) BUY CIGARETTES FROM ANOTHER SUBWHOLESALE OR A WHOLESALE; AND

(2) (I) POSSESS CIGARETTES FOR SALE TO ANOTHER SUBWHOLESALE, A RETAILER, OR A VENDING MACHINE OPERATOR FOR RESALE;

(II) SELL CIGARETTES TO ANOTHER SUBWHOLESALE, A RETAILER, OR VENDING MACHINE OPERATOR FOR RESALE; OR

(III) SERVICE ANOTHER SUBWHOLESALE, RETAILER, OR VENDING MACHINE OPERATOR BY MAINTAINING:

1. AN ESTABLISHED PLACE OF BUSINESS, INCLUDING WAREHOUSE FACILITIES, FOR THE SALE OF CIGARETTES;

2. ADEQUATE INVENTORY;

3. PROPER ACCOUNTING RECORDS; AND

4. NECESSARY EQUIPMENT AND VEHICLES FOR THE STORAGE AND DISTRIBUTION OF CIGARETTES.

REVISOR'S NOTE: This subsection is new language that in part is added to reflect the business activities of a person licensed as a wholesaler in present CL § 11-501(1) and (m)(2) and in part is new language derived without substantive change from former Art. 81, § 464(c).

This subsection is revised to define the term "engage in the business of a cigarette subwholesaler" to clarify the business activities of a person licensed as a subwholesaler and to distinguish the activities of a "subwholesaler" from those of a "wholesaler". As to "wholesaler", see the Revisor's Note to this section.

In paragraph (2)(ii) of this subsection, the former reference to a subwholesaler as being a person "who does not qualify as a distributor" is deleted as surplusage.

- Defined terms: "Cigarette" § 607
- "Licensed wholesaler" § 610
- "Retailer" § 610 "Sell" § 607
- "Subwholesaler" § 610
- "Unstamped cigarettes" § 610

(D) ENGAGE IN THE BUSINESS OF A CIGARETTE VENDING MACHINE OPERATOR.