

(4) TO AFFIX TOBACCO TAX STAMPS TO UNSTAMPED CIGARETTES IN THE MANNER REQUIRED UNDER § 12-304 OF THE TAX - GENERAL ARTICLE;

(5) TO TRANSPORT UNSTAMPED CIGARETTES IN THE STATE;
AND

(6) (I) TO POSSESS CIGARETTES FOR SALE TO ANOTHER WHOLESALER, A RETAILER, A SUBWHOLESALER, OR A VENDING MACHINE OPERATOR FOR RESALE;

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

(III) IF THE COMPTROLLER SPECIFICALLY AUTHORIZES, TO SELL UNSTAMPED CIGARETTES TO ANOTHER LICENSED WHOLESALER; OR

(IV) TO SERVICE ANOTHER WHOLESALER, RETAILER, SUBWHOLESALER, 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: Items (1) through (4) and (6) of this subsection are new language that in part repeats the provisions of present CL § 11-501(1) and (m)(1) and (2), which, by cross-reference in former Art. 56, § 66, applied to the business activities of a wholesaler in this title, and in part is derived without substantive change from the references to the business activities of a distributor in former Art. 81, § 464(b) and (c), the first sentence of § 446, the first sentence of § 451, and the references to the business activities of an out-of-state vendor in § 447.

Item (5) of this subsection is new language added to state expressly that which only was implied in the former law -- i.e., that a cigarette wholesaler may transport unstamped cigarettes.

This subsection is revised to define "engage in business of a cigarette wholesaler" to clarify the scope of business activities of a wholesaler. It is also revised to combine general wholesale activities with cigarette purchasing and stamping activities to clarify the scope of a cigarette wholesaler's business