

12-102.

(A) THIS SUBTITLE DOES NOT APPLY TO CHECK CASHING SERVICES:

(1) (I) FOR WHICH A FEE OF ~~\$2 \$4~~ UP TO ~~2% 1.5%~~ OF THE FACE AMOUNT OF THE PAYMENT INSTRUMENT, BUT NOT EXCEEDING ~~\$10~~, OR LESS IS CHARGED PER PAYMENT INSTRUMENT; AND

(II) THAT ARE INCIDENTAL TO THE RETAIL SALE OF GOODS OR SERVICES BY THE PERSON THAT IS PROVIDING THE CHECK CASHING SERVICES;

(2) IN WHICH A CUSTOMER PRESENTS A PAYMENT INSTRUMENT FOR THE EXACT AMOUNT OF A PURCHASE; OR

(3) INVOLVING FOREIGN CURRENCY EXCHANGE SERVICES OR THE CASHING OF A PAYMENT INSTRUMENT DRAWN ON A FINANCIAL INSTITUTION OTHER THAN A FEDERAL, STATE, OR OTHER STATE FINANCIAL INSTITUTION.

(B) (1) THIS SUBTITLE DOES NOT APPLY TO A TRANSACTION THAT IS SUBJECT TO THE MARYLAND CONSUMER LOAN LAW (TITLE 12, SUBTITLE 3 OF THE COMMERCIAL LAW ARTICLE AND TITLE 11, SUBTITLE 2 OF THE FINANCIAL INSTITUTIONS ARTICLE), INCLUDING A TRANSACTION IN WHICH AN ADDITIONAL FEE IS CHARGED TO DEFER THE PRESENTMENT OR DEPOSIT OF A PAYMENT INSTRUMENT UNTIL A SUBSEQUENT DATE.

(2) A CHECK CASHING SERVICE IS NOT SUBJECT TO THE MARYLAND CONSUMER LOAN LAW IF:

(I) THE FEE CHARGED FOR THE CHECK CASHING SERVICE DOES NOT EXCEED THE FEE PERMITTED UNDER THIS SUBTITLE;

(II) NO ADDITIONAL FEE IS CHARGED EXCEPT AS PERMITTED UNDER THIS SUBTITLE TO DEFER THE PRESENTMENT OR DEPOSIT OF THE PAYMENT INSTRUMENT; AND

(III) THE CHECK CASHING SERVICE IS NOT SUBJECT TO RENEWAL OR EXTENSION BY ANY MEANS.

12-103.

SECTIONS ~~12-106, 12-107, AND 12-108(C) AND (D)(2)~~ OF THIS SUBTITLE DO NOT APPLY TO:

- (1) A BANKING INSTITUTION;
- (2) A NATIONAL BANKING ASSOCIATION;
- (3) A FEDERAL OR STATE SAVINGS AND LOAN ASSOCIATION;
- (4) A FEDERAL OR STATE CREDIT UNION; OR
- (5) AN OTHER STATE BANK HAVING A BRANCH IN THIS STATE.

(A) THIS SUBTITLE DOES NOT APPLY TO: