

(b) (1) This subsection does not apply to the distribution of a tobacco product to a minor who is acting solely as the agent of the minor's employer if the employer distributes tobacco products for commercial purposes.

(2) A person who distributes tobacco products for commercial purposes, including a person licensed under Title 16 of the Business Regulation Article, may not distribute to a minor:

- (i) a tobacco product;
- (ii) a cigarette rolling paper; or
- (iii) a coupon redeemable for a tobacco product.

(c) A person not described in subsection (b)(2) of this section may not:

- (1) purchase for or sell a tobacco product to a minor; or
- (2) distribute a cigarette rolling paper to a minor.

(d) In a prosecution for a violation of this section, it is a defense that the defendant examined the purchaser's or recipient's driver's license or other valid identification issued by an employer, government unit, or institution of higher education that positively identified the purchaser or recipient as at least 18 years of age.

(e) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding:

- (1) \$300 for a first violation;
- (2) \$1,000 for a second violation occurring within 2 years after the first violation; and
- (3) \$3,000 for each subsequent violation occurring within 2 years after the preceding violation.

(f) For purposes of this section, each separate incident at a different time and occasion is a violation.

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(a) In this section, "violation" has the meaning stated in § 3-8A-01 of the Courts Article.

(b) This section does not apply to the possession of a tobacco product or cigarette rolling paper by a minor who is acting as the agent of the minor's employer within the scope of employment.

(c) A minor may not:

- (1) use or possess a tobacco product or cigarette rolling paper; or
- (2) obtain or attempt to obtain a tobacco product or cigarette rolling paper by using a form of identification that: