

(2) "Subwholesaler" does not include a person who sells unstamped cigarettes or holds unstamped cigarettes for sale.

(n) "Unstamped cigarettes" means a package of cigarettes to which tobacco tax stamps are not affixed in the amount and manner required by § 12-304 of the Tax - General Article.

(o) "Vending machine operator" means a person who:

(1) holds cigarettes for sale to consumers through vending machines on 40 or more premises; or

(2) sells cigarettes to consumers through vending machines on 40 or more premises.

(p) "Wholesaler" means a person who:

(1) holds cigarettes for sale to another person for resale; or

(2) sells cigarettes to another person for resale.

16-202.

(a) Except as provided in subsection (b) of this section, a person must have an appropriate license whenever the person acts as a [manufacturer] CIGARETTE NONRESIDENT DEALER, retailer, storage warehouse, subwholesaler, vending machine operator, or wholesaler in the State.

(b) (1) A person need not get a retailer license to act as a retailer at a vending stand operated under a trader's license issued to Blind Industries and Services of Maryland.

(2) A PERSON NEED NOT GET A CIGARETTE NONRESIDENT DEALER LICENSE TO MAKE DIRECT SALES AND SHIPMENTS OF CIGARETTES TO A LICENSED WHOLESALER WITHIN THIS STATE FROM A LOCATION OUTSIDE THE CONTINENTAL LIMITS AND POSSESSIONS OF THE UNITED STATES.

(c) A license to act as a retailer is required for each place of business where a person acts as a retailer.

(d) (1) A person licensed as a [manufacturer] CIGARETTE NONRESIDENT DEALER, or person connected with the business of a licensed [manufacturer] CIGARETTE NONRESIDENT DEALER or related by ownership, may not at the same time hold or have any financial interest in a wholesaler license or in any business of a wholesaler.

(2) A person licensed as a wholesaler, or person connected with the business of a licensed wholesaler or related by ownership, may not at the same time hold or have any financial interest in a [manufacturer] CIGARETTE NONRESIDENT DEALER license or in any business of a [manufacturer] CIGARETTE NONRESIDENT DEALER.

(3) A WHOLESALER LICENSE MAY NOT BE ISSUED TO ANY PERSON WHO: