

(1) PRIVATE HOMES, RESIDENCES, INCLUDING RESIDENCES USED AS A BUSINESS OR PLACE OF EMPLOYMENT, AND AUTOMOBILES, UNLESS BEING USED ~~FOR CHILD CARE, DAY CARE, BY A PERSON WHO IS LICENSED OR REGISTERED UNDER SUBTITLE 5 OF THE FAMILY LAW ARTICLE TO PROVIDE DAY CARE OR CHILD CARE,~~ AND PRIVATE VEHICLES, UNLESS BEING USED FOR THE PUBLIC TRANSPORTATION OF CHILDREN, OR AS PART OF HEALTH CARE OR DAY CARE TRANSPORTATION;

(2) A HOTEL OR MOTEL ROOM RENTED TO ONE OR MORE GUESTS AS LONG AS THE TOTAL PERCENT OF HOTEL OR MOTEL ROOMS BEING SO USED DOES NOT EXCEED 25%; ~~OR~~

(3) A RETAIL TOBACCO SHOP THAT:

~~(I) DERIVES AT LEAST 75% OF ITS REVENUES, MEASURED BY AVERAGE DAILY RECEIPTS, FROM THE SALE OF NONCIGARETTE TOBACCO PRODUCTS;~~

~~(II) HAS A VENTILATION SYSTEM THAT PREVENTS SMOKE FROM INFILTRATING INTO ANY AREA WHERE SMOKING IS PROHIBITED UNDER THIS SUBTITLE; AND~~

~~(III) PROHIBITS THE ENTRY OF MINORS AT ALL TIMES DERIVES ITS PRIMARY REVENUE FROM THE SALE OF TOBACCO PRODUCTS AND TOBACCO RELATED PRODUCTS AND ACCESSORIES AND DERIVES ONLY INCIDENTAL REVENUE FROM THE SALE OF NONTOBACCO RELATED PRODUCTS BUSINESS THAT IS A SOLE PROPRIETORSHIP, LIMITED LIABILITY COMPANY, CORPORATION, PARTNERSHIP, OR OTHER ENTERPRISE, IN WHICH:~~

~~(I) THE PRIMARY ACTIVITY IS THE RETAIL SALE OF TOBACCO PRODUCTS AND ACCESSORIES; AND~~

~~(II) THE SALE OF OTHER PRODUCTS IS INCIDENTAL;~~

(4) ANY FACILITY OF A MANUFACTURER, IMPORTER, WHOLESALER, OR DISTRIBUTOR OF TOBACCO PRODUCTS OR OF ANY TOBACCO LEAF DEALER OR PROCESSOR IN WHICH EMPLOYEES OF THE MANUFACTURER, IMPORTER, WHOLESALER, DISTRIBUTOR, OR PROCESSOR WORK OR CONGREGATE; OR