

(2) This section does not permit any fine or penalty against any supervisory employee or agent who has been caused, directed, or authorized by his employer to violate any provision of this section, in which case the employer shall be subject to the sanctions prescribed by this section.

(d)] (B) (1) Except as provided in paragraph (3) of this subsection, a new or used car dealer may not sell, dispose, barter, deal in, deliver, give away, show or offer for sale any motor vehicle or any certificate of title for any motor vehicle on Sunday.

(2) Any dealer who violates any provision of this subsection is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$10,000.

(3) This subsection does not apply:

(i) In Montgomery and Prince George's Counties; and

(ii) In Anne Arundel County, to dealers of new or used camping trailers, mobile homes, or travel trailers as those vehicles are defined under Title 11 of the Transportation Article of the Code.

[(e)] (C) The provisions of this section do not apply to the laws pertaining to alcoholic beverages sales on Sunday or to the service of process on Sunday.

[(f) The provisions of this section may not be applied to an employee, including a part-time employee, so as to abridge any rights granted to that employee under a collective bargaining agreement.

(g)] (D) The provisions of this section do not apply in Wicomico County.

REVISOR'S NOTE: Chapter ____, Acts of 1991, which enacted the Labor and Employment Article, also amended this section to renumber subsections that were not revised and recodified as § 3-704 of that article.

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[(a) (1) In this section, the following terms have the meanings indicated.

(2) "Managerial employee" means any employee who is not covered by a collective bargaining agreement and

(i) Whose primary duties consist of the management of the enterprise in which that person is employed or of a customarily recognized department or subdivision of that enterprise;

(ii) Who customarily and regularly directs the work of 2 or more other employees in the enterprise, department, or subdivision of that enterprise;

(iii) Who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring and firing and as to the advancement and promotion or any other change of status of other employees is given particular weight; and

(iv) Who customarily and regularly exercises discretionary powers.