

"PRINCIPAL" MEANS A SALES CORPORATION, PARTNERSHIP, PROPRIETORSHIP, OR OTHER BUSINESS ENTITY THAT:

(1) DOES NOT HAVE A FIXED PLACE OF BUSINESS IN THE STATE;

(2) DISTRIBUTES, IMPORTS, MANUFACTURES, OR PRODUCES A PRODUCT FOR WHOLESALE;

(3) ENTERS INTO A CONTRACT WITH A SALES REPRESENTATIVE TO SOLICIT A WHOLESALE ORDER FOR THE PRODUCT; AND

(4) PAYS THE SALES REPRESENTATIVE WHOLLY OR PARTLY BY COMMISSION.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 100, § 127(d).

In item (3) of this subsection, the word "wholesale" is added to conform to item (2) of this subsection and subsection (d)(1)(i) of this section.

Defined terms: "Commission" § 3-601

"Sales representative" § 3-601

(D) SALES REPRESENTATIVE.

(1) "SALES REPRESENTATIVE" MEANS A PERSON WHO:

(I) ENTERS INTO A CONTRACT WITH A PRINCIPAL TO SOLICIT IN THE STATE A WHOLESALE ORDER; AND

(II) IS PAID WHOLLY OR PARTLY BY COMMISSION.

(2) "SALES REPRESENTATIVE" DOES NOT INCLUDE A PERSON WHO:

(I) BUYS A PRODUCT OR PLACES AN ORDER FOR A PRODUCT FOR RESALE BY THAT PERSON; OR

(II) SELLS OR TAKES AN ORDER FOR THE SALE OF A PRODUCT TO AN ULTIMATE BUYER.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 100, § 127(e)(1) and (2)(i) and (iii).

Defined terms: "Commission" § 3-601

"Person" § 1-101 "Principal" § 3-601

3-602. SCOPE OF SUBTITLE.

THIS SUBTITLE DOES NOT APPLY TO AN INDIVIDUAL WHO IS CONSIDERED UNDER THE MARYLAND WAGE PAYMENT AND COLLECTION LAW TO BE EMPLOYED BY A PRINCIPAL.