

IF A COURT DETERMINES THAT A SALES REPRESENTATIVE IS ENTITLED TO JUDGMENT IN AN ACTION UNDER THIS SECTION, THE COURT SHALL ALLOW AGAINST THE PRINCIPAL REASONABLE COUNSEL FEES AND COURT COSTS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 100, § 129.

In subsection (a) of this section, the former word "civil" is deleted as unnecessary in light of the reference to "damages".

Subsection (b) of this section is revised, in the active voice, to clarify that a court allows costs.

In subsection (b) of this section, the words "counsel fees" are substituted for the former words "attorney's fees", to conform to language used in other revised articles.

As to "court costs", see the revisor's note to § 3-307 of this title.

Defined terms: "Commission" § 3-601

"Principal" § 3-601

"Sales representative" § 3-601

GENERAL REVISOR'S NOTE TO SUBTITLE :

Former Art. 100, § 131, which made a person subject to the Md. Rules for proceedings under § 131 brought in bad faith, is deleted as misleadingly incomplete, since it referred to only one provision in the Md. Rules that applies to a proceeding brought under this subtitle. Although a party who is not represented by a lawyer may not be familiar with the Md. Rules, the party nonetheless is subject to those Rules. See Md. Rule 1-311, which states that, when a party is not represented by a lawyer, the party shall sign every pleading and paper. As to the provision that relates to conduct that a court finds to be "in bad faith or without substantial justification", see Md. Rule 1-341.

SUBTITLE 7. MISCELLANEOUS.

3-701. MEDICAL QUESTIONS.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT PROHIBIT A PROPER MEDICAL EVALUATION BY A PHYSICIAN TO ASSESS THE ABILITY OF AN APPLICANT TO PERFORM A JOB.

(B) PROHIBITED ACTIVITY.

AN EMPLOYER MAY NOT REQUIRE AN APPLICANT FOR EMPLOYMENT TO ANSWER AN ORAL OR WRITTEN QUESTION THAT RELATES TO A PHYSICAL, PSYCHIATRIC, OR PSYCHOLOGICAL DISABILITY,