Defined term: "Cigarette" § 16–101

(M) VENDING MACHINE OPERATOR.

"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.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 56, § 610(d)(2) and (3)(i) and (ii) and (o).

In item (2) of this subsection, the former reference to "own, operate, and service" is deleted as unnecessary in light of the broad reference to "sells".

Defined terms: "Cigarette" § 16–101
"Person" § 1–101
"Sell" § 16–101

(N) WHOLESALER.

"WHOLESALER" MEANS A PERSON WHO:

(1) HOLDS CIGARETTES FOR SALE TO ANOTHER PERSON FOR RESALE; OR

(2) SELLS CIGARETTES TO ANOTHER PERSON FOR RESALE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 56, § 610(e)(6)(i) and (ii) and (p)(1).

In the introductory language of this subsection, the former phrase "unless the context requires otherwise" is deleted as surplusage.

In items (1) and (2) of this subsection, the defined term "person" is substituted for the former words "another wholesaler, a retailer, a subwholesaler, or a vending machine operator" for brevity.

Former Art. 56, § 610(e)(4), which described an activity that a wholesaler does, "[t]o affix tobacco tax stamps to unstamped cigarettes in the manner required under § 12–304 of the Tax – General Article", is deleted as surplusage. Section 12–304(b) of the Tax – General Article requires a licensed wholesaler to affix tax stamps to certain cigarettes within a prescribed period.

Former Art. 56, § 610(e)(6)(iv)2 and 3, which also described various activities that a wholesaler does as part of the wholesaler's business, is deleted as surplusage. The provisions merely were descriptive of the business activities of a wholesaler and did not add to the substance of the definition.