

## Article - Business Regulation

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§16–206.

- (a) A manufacturer license authorizes the licensee to:
- (1) sell unstamped cigarettes to:
    - (i) a licensed cigarette wholesaler located in Maryland; and
    - (ii) a licensed cigarette wholesaler located outside of Maryland if the unstamped cigarettes may lawfully be sold in Maryland;
  - (2) except as otherwise prohibited or restricted under local law, this article, or the Criminal Law Article, distribute sample cigarettes to consumers located in Maryland;
  - (3) store unstamped cigarettes in a licensed cigarette storage warehouse for subsequent shipment to licensed wholesalers, federal reservations, or persons out of state; and
  - (4) upon approval of the Comptroller, act as an agent of a Maryland licensed wholesaler for stamping and distribution of cigarettes.
- (b) A retailer license authorizes the licensee to:
- (1) act as a retailer; and
  - (2) buy stamped cigarettes from a subwholesaler or wholesaler.
- (c) (1) A storage warehouse license authorizes the licensee to operate a storage facility in Maryland for the purpose of storing unstamped cigarettes on behalf of a licensed cigarette manufacturer.
- (2) If a storage warehouse licensee is a licensed cigarette wholesaler or licensed cigarette subwholesaler, the storage warehouse license authorizes the holder to store stamped cigarettes and cigarettes with another state's tax stamp.
- (d) A subwholesaler license authorizes the licensee to:
- (1) act as a subwholesaler;
  - (2) buy stamped cigarettes from a wholesaler or another subwholesaler;
- and
- (3) store stamped cigarettes and cigarettes with another state's tax stamp at a licensed cigarette storage facility.

- (e) A vending machine operator license authorizes the licensee to:
  - (1) act as a vending machine operator; and
  - (2) buy stamped cigarettes from a subwholesaler or wholesaler.

- (f) A wholesaler license authorizes the licensee to:

- (1) act as a wholesaler;
- (2) buy unstamped cigarettes directly from a cigarette manufacturer;
- (3) hold unstamped cigarettes;
- (4) buy tobacco tax stamps as authorized by § 12-303 of the Tax - General Article;
- (5) transport unstamped cigarettes in the State;
- (6) sell unstamped cigarettes to another licensed wholesaler if the Comptroller specifically authorizes;
- (7) upon approval of the Comptroller, designate a licensed manufacturer to act as its agent for the stamping and distribution of cigarettes; and
- (8) store stamped cigarettes and cigarettes with another state's tax stamp at a licensed cigarette storage facility.

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