

## Article - Commercial Law

[Previous][Next]

§11–203.

(a) This subtitle does not make illegal the activity of:

(1) A labor organization or its individual members directed solely to lawful labor objectives, or a collective bargaining agreement between a labor organization, as defined in 29 U.S.C. § 152(5), and an employer or group of employers, which contains those labor objectives;

(2) Any incorporated or unincorporated agricultural or horticultural cooperative organization or its individual members directed solely to their lawful objectives;

(3) A public service company, as defined in § 1–101 of the Public Utilities Article, or a rating organization or bureau representing the company, to the extent that the activity is subject to the jurisdiction of the Public Service Commission or authorized by federal law governing interstate commerce;

(4) An insurer, insurance producer, public adjuster, insurance advisor, or rating organization, to the extent that the activity is:

(i) Regulated by the Maryland Insurance Commissioner; or

(ii) Authorized by the Insurance Article or any other law of the State;

(5) A nonprofit corporation, trust, or organization established exclusively for religious or charitable purposes, or for both purposes, to the extent that the activity is a religious or charitable activity;

(6) A security dealer who is licensed by the State or who is a member of the National Association of Securities Dealers or a member of a National Securities Exchange registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934, in the course of his business of offering, selling, buying and selling, or otherwise trading in or underwriting securities as an agent, broker, or principal, or the activity of a registered National Securities Exchange, including the establishment of commission rates and schedules of charges;

(7) A board of trade designated as a “contract market” by the Secretary of Agriculture of the United States under 9 U.S.C. § 5;

(8) Any person to the extent that the activity is subject to the jurisdiction of the Maryland Transit Administration or the Washington Metropolitan Area Transit Authority;

(9) A state or national bank to the extent that the activity is regulated or

supervised under the banking laws of the State or the United States;

(10) A state or federal savings and loan association to the extent that the activity is regulated or supervised under the savings and loan laws of the State or the United States;

(11) A bona fide nonprofit association, society, or board of attorneys, practitioners of medicine, architects, engineers, land surveyors, or real estate brokers licensed and regulated by an agency of the State, in recommending schedules of suggested fees, rates, or commissions for use solely as guidelines in determining charges for professional or technical services;

(12) A political subdivision of the State in furnishing services or commodities; or

(13) A hospital, as defined in § 19-301 of the Health – General Article, in the course of a merger or consolidation or the joint ownership and operation of major medical equipment, to the extent that the activity is approved by the Maryland Health Care Commission under § 19-129 of the Health – General Article.

(b) Unless authorized under the Insurance Article, subsection (a)(4) of this section may not be construed to prevent the application of this subtitle to a person who:

(1) Agrees to:

- (i) Rig bids;
- (ii) Allocate customers or territories;
- (iii) Boycott;
- (iv) Coerce; or
- (v) Intimidate; or

(2) Engages in an act of:

- (i) Bid rigging;
- (ii) Customer or territorial allocation;
- (iii) Boycott;
- (iv) Coercion; or
- (v) Intimidation.

[Previous][Next]