
By: Delegate Patterson

Requested: September 21, 1995

Introduced and read first time: January 10, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Travel Agencies - Regulation**

3 FOR the purpose of requiring certain travel agencies to register and pay a registration fee
4 to the Department of Labor, Licensing, and Regulation; requiring the Department
5 to maintain certain records, develop certain forms, and establish a consumer hot
6 line; providing for a consumer information pamphlet; providing a penalty for
7 noncompliance; defining certain terms; and generally relating to the regulation of
8 travel agencies.

9 BY adding to

10 Article - Business Regulation
11 Section 19-101 through 19-105, inclusive, to be under the new title "Title 19.
12 Travel Agencies"
13 Annotated Code of Maryland
14 (1992 Volume and 1995 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Business Regulation**

18 TITLE 19.

19 TRAVEL AGENCIES.

20 19-101.

21 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

22 (B) "TRAVEL" MEANS ANY MEDIUM OF TRANSPORTATION, HOTEL OR OTHER
23 LODGING ACCOMMODATIONS, OR VACATION PACKAGES AND TOURS.

24 (C) "TRAVEL AGENCY" MEANS A PERSON WHO ARRANGES, BOOKS, OR
25 ORGANIZES TRAVEL FOR A FEE, COMMISSION, OR OTHER VALUABLE
26 CONSIDERATION.

27 (D) "TRAVEL AGENT" MEANS AN INDIVIDUAL WHO IS EMPLOYED BY A
28 TRAVEL AGENCY TO ARRANGE, BOOK, OR ORGANIZE TRAVEL.

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1 19-102.

2 (A) A TRAVEL AGENCY DOING BUSINESS IN THE STATE SHALL REGISTER
3 WITH THE DEPARTMENT AS A TRAVEL AGENCY IF IT OR ITS TRAVEL AGENTS:

4 (1) CONDUCT BUSINESS WITH A STATE RESIDENT; OR

5 (2) SOLICIT THE BUSINESS OF STATE RESIDENTS.

6 (B) IN ORDER TO REGISTER, A TRAVEL AGENCY SHALL:

7 (1) COMPLETE THE REGISTRATION FORM SPECIFIED IN SUBSECTION (D)
8 OF THIS SECTION; AND

9 (2) PAY THE REGISTRATION FEE SPECIFIED IN SUBSECTION (C) OF THIS
10 SECTION.

11 (C) THE DEPARTMENT SHALL SET A REGISTRATION FEE THAT:

12 (1) IS BASED ON THE COST TO THE DEPARTMENT OF ADMINISTERING
13 THE PROVISIONS OF THIS TITLE; AND

14 (2) MAY NOT EXCEED \$100.

15 (D) THE DEPARTMENT SHALL DEVELOP A REGISTRATION FORM THAT
16 ELICITS THE FOLLOWING INFORMATION:

17 (1) THE NAME OF THE TRAVEL AGENCY AND THE ADDRESS OF EACH
18 OFFICE OR LOCATION WHERE THE TRAVEL AGENCY CONDUCTS ITS BUSINESS;

19 (2) IF THE TRAVEL AGENCY IS INCORPORATED, THE STATE OF ITS
20 INCORPORATION;

21 (3) THE NAMES AND ADDRESSES OF THE TRAVEL AGENCY'S PRINCIPAL
22 OFFICERS, PARTNERS, OR OWNERS;

23 (4) THE NAME OF EACH TRAVEL AGENT EMPLOYED BY THE TRAVEL
24 AGENCY;

25 (5) A STATEMENT OF THE TRAVEL AGENCY'S ASSETS AND LIABILITIES
26 FOR ITS LAST FISCAL YEAR;

27 (6) A LISTING OF:

28 (I) ANY PROFESSIONAL ASSOCIATIONS OF WHICH THE TRAVEL
29 AGENCY IS A MEMBER;

30 (II) ANY PROFESSIONAL TRAINING THAT THE TRAVEL AGENCY
31 AND ITS AGENTS HAVE RECEIVED; AND

32 (III) ANY ACCREDITATION THAT THE AGENCY HAS RECEIVED
33 FROM A PROFESSIONAL ORGANIZATION; AND

34 (7) ANY OTHER INFORMATION THE DEPARTMENT CONSIDERS
35 NECESSARY AND USEFUL.

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1 (E) REGISTRATIONS MUST BE COMPLETED AND RECEIVED BY THE
2 DEPARTMENT ON OR BEFORE NOVEMBER 1 OF EACH YEAR.

3 19-103.

4 (A) ON RECEIPT OF THE REGISTRATION FEE AND A COMPLETED
5 REGISTRATION FORM, THE DEPARTMENT SHALL PROVIDE THE TRAVEL AGENCY
6 WITH:

7 (1) A REGISTRATION NUMBER;

8 (2) A CERTIFICATE OF REGISTRATION STATING WHEN THE
9 REGISTRATION EXPIRES; AND

10 (3) INFORMATION ON HOW TO REMAIN IN COMPLIANCE WITH THIS
11 TITLE.

12 (B) THE DEPARTMENT SHALL MAINTAIN ALL REGISTRATION INFORMATION
13 AND ANY OTHER INFORMATION OBTAINED ABOUT A TRAVEL AGENCY AND SHALL
14 MAKE THAT INFORMATION AVAILABLE TO CONSUMERS.

15 (C) THE DEPARTMENT SHALL ESTABLISH A "CONSUMER HOT LINE" FOR THE
16 PURPOSES OF:

17 (1) PROVIDING INFORMATION TO CONSUMERS CONCERNING
18 REGISTERED TRAVEL AGENCIES; AND

19 (2) RECEIVING COMPLAINTS AND GRIEVANCES CONCERNING TRAVEL
20 AGENCIES.

21 (D) THE DEPARTMENT, IN CONJUNCTION WITH THE DIVISION OF CONSUMER
22 PROTECTION IN THE OFFICE OF THE ATTORNEY GENERAL, SHALL DEVELOP A
23 CONSUMER INFORMATION PAMPHLET THAT INFORMS CONSUMERS OF:

24 (1) THE CONSUMER HOT LINE;

25 (2) THE RIGHTS OF CLIENTS OF TRAVEL AGENCIES; AND

26 (3) ANY OTHER INFORMATION CONSIDERED NECESSARY AND USEFUL
27 TO CONSUMERS.

28 19-104.

29 (A) EACH TRAVEL AGENCY SHALL PROMINENTLY DISPLAY IN ITS PLACE OF
30 BUSINESS ITS CERTIFICATE OF REGISTRATION AND THE PHONE NUMBER OF THE
31 CONSUMER HOT LINE.

32 (B) EACH TRAVEL AGENCY SHALL PROVIDE TO EACH OF ITS CLIENTS THE
33 CONSUMER INFORMATION PAMPHLET.

34 19-105.

35 A TRAVEL AGENCY THAT VIOLATES THIS TITLE IS GUILTY OF A MISDEMEANOR
36 AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000.

HOUSE BILL 58

4

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1996.