

# SENATE BILL 496

C2, L6

2lr0986

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By: **Senator Beidle**

Introduced and read first time: January 27, 2022

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Miscellaneous State Business Licenses – Alterations**

3 FOR the purpose of altering certain administrative and enforcement provisions for business  
4 licenses issued in the State; altering certain licensing provisions for certain  
5 businesses in the State, including construction, garages, peddlers, junk dealers and  
6 scrap metal processors, laundries and dry cleaners, storage warehouses, restaurants,  
7 chain stores, traders, and vending machines; repealing the provisions of law for the  
8 licensure of amusement devices, wholesale farm machinery dealers, plumbers and  
9 gas fitters, and trading stamp issuers; and generally relating to the issuance of  
10 business licenses in the State.

11 BY repealing

12 Article – Business Regulation

13 Section 17–203 through 17–205; 17–401 through 17–454 and the subtitle “Subtitle  
14 4. Amusement Devices”; 17–701 through 17–703 and the subtitle “Subtitle 7.  
15 Wholesale Farm Machinery Dealers”; 17–904, 17–910, 17–913, and 17–915;  
16 the part designation “Part I. Definitions” immediately preceding Section  
17 17–1001; 17–1005 and the part “Part II. State Licensing”; 17–1009; 17–1501  
18 through 17–1504 and the subtitle “Subtitle 15. Plumbers and Gas Fitters”;  
19 17–1803, 17–1805, 17–1809, 17–1810, 17–1815; 17–1907; and 17–2001  
20 through 17–2003 and the subtitle “Subtitle 20. Trading Stamp Issuers”

21 Annotated Code of Maryland

22 (2015 Replacement Volume and 2021 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Business Regulation

25 Section 17–101, 17–102, 17–201, 17–202(e), 17–206, 17–301, 17–302, 17–303(c),  
26 17–305(a), 17–601, 17–602, 17–603, 17–801, 17–901, 17–907,  
27 17–908, 17–911, 17–912, 17–1001, 17–1006, 17–1007, 17–1008, 17–1010,  
28 17–1011, 17–1012, 17–1013, 17–1101, 17–1102, 17–1201 through 17–1204,  
29 17–1601, and 17–1603; 17–1801, 17–1804, 17–1806, 17–1807, 17–1807.1,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 17–1808, 17–1811, 17–1812, 17–1813, 17–1814, and 17–1816 to be under the  
 2 amended subtitle “Subtitle 18. Traders”; and 17–1902, 17–1904, 17–1905,  
 3 17–1906, 17–2101, and 17–2103

4 Annotated Code of Maryland  
 5 (2015 Replacement Volume and 2021 Supplement)

6 BY adding to

7 Article – Business Regulation

8 Section 17–202(e) and 17–303(d); and 17–17A–01 through 17–17A–04 to be under  
 9 the new subtitle “Subtitle 17A. Chain Stores”

10 Annotated Code of Maryland  
 11 (2015 Replacement Volume and 2021 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 13 That Section(s) 17–401 through 17–454 and the subtitle “Subtitle 4. Amusement Devices”;  
 14 17–701 through 17–703 and the subtitle “Subtitle 7. Wholesale Farm Machinery Dealers”;  
 15 17–1501 through 17–1504 and the subtitle “Subtitle 15. Plumbers and Gas Fitters”; and  
 16 17–2001 through 17–2003 and the subtitle “Subtitle 20. Trading Stamp Issuers” of Article  
 17 – Business Regulation of the Annotated Code of Maryland be repealed.

18 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 19 as follows:

20 **Article – Business Regulation**

21 Subtitle 1. Definitions; General Provisions.

22 17–101.

23 (a) In this title the following words have the meanings indicated.

24 (b) “Goods” means tangible personal property, **ITEMS OF TRADE,**  
 25 **MERCHANDISE, OR OTHER TYPES OF PRODUCTS SOLD AT WHOLESALE OR RETAIL.**

26 (c) **“LICENSE” MEANS A LICENSE ISSUED UNDER THIS TITLE.**

27 [(c)] (d) (1) **“Sale” [includes barter] MEANS THE EXCHANGE OR**  
 28 **TRANSFER, OR THE AGREEMENT TO CHANGE OR TRANSFER, TITLE OR POSSESSION**  
 29 **OF GOODS IN ANY MANNER FOR CONSIDERATION.**

30 (2) **“SALE” INCLUDES BARTER.**

31 [(d)] (E) “Sell” includes barter.

32 (F) **“STOCK-IN-TRADE” MEANS:**

1           **(1) GOODS HELD FOR SALE AND REPORTED AS INVENTORY ON THE**  
2 **BUSINESS PERSONAL PROPERTY TAX RETURN FILED WITH THE STATE**  
3 **DEPARTMENT OF ASSESSMENTS AND TAXATION; OR**

4           **(2) EXCEPT FOR ALCOHOLIC BEVERAGES, GOODS HELD FOR SALE**  
5 **AND REPORTED AS INVENTORY ON THE BUSINESS PERSONAL PROPERTY TAX**  
6 **RETURN FILED WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION**  
7 **FOR DETERMINING THE VALUATION OF A TRADER’S LICENSE UNDER SUBTITLE 18**  
8 **OF THIS TITLE.**

9           **[(e)] (G) “Trader” [includes] MEANS** a person who operates a room or other place  
10 of business for selling goods, **INCLUDING GOODS SOLD** at auction.

11           **[(f)] (H) “Trader’s license”** means a license issued by the clerk to do business as  
12 a trader.

13 17–102.

14           **(A) THIS TITLE APPLIES TO A PERSON WHO IS ENGAGED IN A FOR–PROFIT**  
15 **BUSINESS.**

16           **(B)** This title does not apply to [a person who does not buy or sell in a trade or  
17 business carried on for profit]:

18           **(1) A PERSON WHO IS ENGAGED IN A NOT–FOR–PROFIT BUSINESS OR**  
19 **A BUSINESS EXEMPT FROM TAXATION UNDER THE FEDERAL INTERNAL REVENUE**  
20 **CODE; OR**

21           **(2) A GOVERNMENTAL UNIT.**

22                           Subtitle 2. Administration and Enforcement.

23 17–201.

24           (a) In this subtitle, “license” means a license issued by a clerk under this title.

25           (b) In this subtitle, “license” includes:

26                   **[(1)]** a console machine license issued under Subtitle 4 of this title;

27                   **[(2)]** a pinball machine license issued under Subtitle 4 of this title;

28                   **[(3)]** a Wicomico County pinball machine license issued under Subtitle 4 of  
29 this title;

- 1                   (4)    a Garrett County amusement device license issued under Subtitle 4 of  
2 this title;
- 3                   (5)    a billiard table license issued under Subtitle 5 of this title;]
- 4                   [(6)] (1)    a construction license issued under Subtitle 6 of this title;
- 5                   [(7)] (2)    a nonresident construction license issued under Subtitle 6 of this  
6 title;
- 7                   [(8)    a wholesale farm machinery dealer’s license issued under Subtitle 7 of  
8 this title;]
- 9                   [(9)] (3)    a garage license issued under Subtitle 8 of this title;
- 10                  [(10)] (4)   a peddler license issued under Subtitle 9 of this title;
- 11                  [(11)] (5)   a **CALVERT COUNTY** magazine seller license issued under  
12 Subtitle 9 of this title;
- 13                  [(12)] (6)   a junk dealer or scrap metal processor license issued under  
14 Subtitle 10 of this title;
- 15                  [(13)] (7)   an agent license issued under Subtitle 10 of this title;
- 16                  [(14)] (8)   a Calvert County junk dealer or scrap metal processor license  
17 issued under Subtitle 10 of this title;
- 18                  [(15)] (9)   a license to do the business of cleaning, dyeing, pressing, or  
19 laundering **ON-SITE** issued under Subtitle 11 of this title;
- 20                  [(16)] (10)  a [license to keep a] storage warehouse **LICENSE** issued under  
21 Subtitle 12 of this title;
- 22                  [(17)  a State juke box license issued under Subtitle 13 of this title;
- 23                  (18)    a Harford County juke box license issued under Subtitle 13 of this title;]
- 24                  [(19)] (11)  a promoter license issued under Subtitle 14 of this title;
- 25                  [(20)  a plumber’s license issued under Subtitle 15 of this title;]
- 26                  [(21)] (12)  a restaurant license issued under Subtitle 16 of this title;
- 27                  [(22)] (13)  a trader’s license issued under Subtitle 18 of this title;

1            [(23)] (14) a chain store license issued under Subtitle [18] 17A of this title;  
2 AND

3            [(24)] (15) a vending machine license issued under Subtitle 19 of this title[;  
4 and

5            (25) a license to do business as a trading stamp issuer issued under Subtitle  
6 20 of this title].

7 17-202.

8            **(E) THE COMPTROLLER SHALL MAKE ALL LICENSE MATERIALS, INCLUDING**  
9 **STICKERS, AVAILABLE TO THE CLERKS ON OR BEFORE APRIL 1 EACH YEAR.**

10           [(e)] (F) The Comptroller may adopt regulations to:

11           (1) carry out this title; and

12           (2) define any term used in this title.

13 [17-203.

14           (a) The Comptroller shall:

15           (1) cause to be printed or otherwise prepared, in the form required by law  
16 or usage, blank licenses of each kind authorized by law; and

17           (2) deliver to the clerks the number and kind of blank licenses that they  
18 need.

19           (b) (1) Before May 1 of each year, each clerk shall apply to the Comptroller for  
20 the number of blank licenses that the clerk is likely to need for the year that begins on May  
21 1.

22           (2) Each clerk shall apply to the Comptroller for blank licenses at other  
23 times as necessary.

24           (c) If a clerk fails to comply with subsection (b) of this section, the clerk shall pay  
25 a penalty of \$1,000 for each violation.]

26 [17-204.

27           (a) On or before the first Monday of June and the first Monday of December of  
28 each year, each clerk shall submit to the Comptroller, under oath, a list and account of  
29 licenses issued by the clerk.

1 (b) The list shall contain:

2 (1) the number of licenses issued;

3 (2) the kind of each license issued;

4 (3) the date of issuance of each license;

5 (4) the license fee received for each license;

6 (5) the name of each licensee; and

7 (6) the number and kind of any blank licenses remaining unissued.

8 (c) If a clerk fails to comply with this section, the Comptroller shall:

9 (1) charge the clerk, at the rates set by law, with the whole amount of blank  
10 licenses delivered to the clerk; and

11 (2) immediately bring suit against the official bond of the clerk to recover  
12 that amount.]

13 [17-205.

14 On or before the tenth day of each month, each clerk shall send to the State  
15 Department of Assessments and Taxation a copy of each license and the application for  
16 each license that the clerk issued during the preceding month.]

17 [17-206.] **17-203.**

18 (a) This section does not apply to:

19 (1) [a console machine license, pinball machine license, Wicomico County  
20 pinball machine license, or Garrett County amusement device license issued under Subtitle  
21 4 of this title;

22 (2)] a Calvert County peddler license or magazine seller license issued  
23 under Subtitle 9 of this title;

24 [(3)] (2) a junk dealer or scrap metal processor license[, OR agent  
25 license[, or Calvert County junk dealer or scrap metal processor license] issued under  
26 Subtitle 10 of this title;

27 [(4)] (3) a [license to keep a] storage warehouse LICENSE issued under  
28 Subtitle 12 of this title;

1            ~~[(5)] (4)~~        a promoter license issued under Subtitle 14 of this title; **OR**

2            ~~[(6)] (5)~~        a vending machine license issued under Subtitle 19 of this title[;  
3 or

4            (7)        a license to do business as a trading stamp issuer issued under Subtitle  
5 20 of this title].

6            (b)        Except as provided in subsections (a) and (c) of this section or otherwise in this  
7 title, each clerk shall account for and distribute the **LICENSE** fees received for licenses  
8 issued under this title as follows:

9            (1)        the clerk shall pay into the General Fund of the State:

10            (i)        the percentage of license fees authorized [by law as a fee of the  
11 office;

12            (ii)       the additional issuance fee now allowed; and] **UNDER § 2-213**  
13 **OF THE COURTS ARTICLE; AND**

14            ~~[(iii)] (II)~~        3% of license fees to defray the expenses of the State  
15 License Bureau; and

16            (2)        [except as provided in subsection (d) of this section,] the clerk shall  
17 distribute the remaining license fees:

18            (i)        to the municipal corporation where the licensed business or  
19 activity is located, if the licensed business or activity is located in a municipal corporation;  
20 or

21            (ii)       to the county where the licensed business or activity is located, if  
22 the licensed business or activity is not located in a municipal corporation.

23            (c)        A clerk shall account for and pay into the General Fund of the State the entire  
24 fee received for a trader's license issued in a county or municipal corporation that selects a  
25 uniform license fee under [~~§ 17-1807.1~~] **§ 17-1806** of this title.

26            **(D) THE CLERK SHALL PAY ALL ISSUANCE FEES INTO THE GENERAL FUND**  
27 **OF THE STATE.**

28            ~~[(d)] (E)~~        (1)        For purposes of this subsection, per capita revenue shall be  
29 computed by using the population figures from the later of:

30            (i)        the most recent federal census; or

1 (ii) an official local census.

2 (2) The clerk may not distribute license fees to a county or municipal  
3 corporation unless the county or municipal corporation:

4 (i) levies, in its current fiscal year, taxes sufficient to collect at least  
5 \$1.00 per capita in revenue; and

6 (ii) certifies to the Comptroller a copy of the levy.

7 **(3) THE COMPTROLLER SHALL NOTIFY THE CLERK IF A COUNTY OR**  
8 **MUNICIPALITY HAS NOT CERTIFIED A COPY OF THE LEVY AS REQUIRED UNDER**  
9 **PARAGRAPH (2) OF THIS SUBSECTION.**

10 **[(3)] (4)** The clerk shall pay into the General Fund of the State any money  
11 that is not distributed at the end of the fiscal year of a county or municipal corporation  
12 because the county or municipal corporation failed to make the levy and certification  
13 required by paragraph (2) of this subsection.

14 Subtitle 3. General Business Licensing Provisions.

15 17-301.

16 In this subtitle, "license" has the meaning stated in [§ 17-201] **§§ 17-101 AND**  
17 **17-201** of this title.

18 17-302.

19 (a) **(1) [Except] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND**  
20 **EXCEPT** as otherwise provided in this title, an applicant for a **NEW** license under this title  
21 shall **SUBMIT TO THE CLERK**:

22 **[(1)] (I)** [submit to the clerk, in duplicate,] an application [on the form]  
23 that the clerk provides; **AND**

24 **[(2)]** submit to the clerk a receipt or certificate for taxes in accordance with  
25 subsection (c) of this section; and**]**

26 **[(3)] (II)** [pay to the clerk] **PAYMENT OF** the appropriate license fee  
27 required by this title.

28 **(2) IF AN APPLICANT IS APPLYING FOR A NEW TRADER'S LICENSE**  
29 **UNDER THIS TITLE, THE APPLICANT SHALL SUBMIT TO THE CLERK A CERTIFICATION**  
30 **BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION, OR OTHER**  
31 **CERTIFICATION ACCEPTABLE TO THE CLERK, OF THE VALUE OF THE**

1 STOCK-IN-TRADE REPORTED AS INVENTORY ON THE BUSINESS PERSONAL  
2 PROPERTY TAX RETURN IN EACH COUNTY WHERE THE BUSINESS IS LOCATED FOR  
3 THE APPROPRIATE VALUATION YEAR.

4 (b) (1) [Each application for a license shall be verified in the way and contain  
5 the information that the Comptroller requires by regulation.] SUBJECT TO PARAGRAPH  
6 (2) OF THIS SUBSECTION AND EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A  
7 LICENSEE APPLYING FOR RENEWAL OF A LICENSE SHALL SUBMIT TO THE CLERK,  
8 ELECTRONICALLY OR OTHERWISE:

9 (I) A CERTIFICATION BY THE COUNTY TREASURER UNDER  
10 SUBSECTION (C) OF THIS SECTION THAT THERE ARE NO UNPAID TAXES DUE TO THE  
11 STATE OR COUNTY ON THE FIXTURES OR STOCK-IN-TRADE; AND

12 (II) PAYMENT OF THE APPROPRIATE LICENSE FEE REQUIRED BY  
13 THIS TITLE.

14 (2) IF A LICENSEE IS APPLYING TO RENEW A TRADER'S LICENSE  
15 UNDER THIS TITLE, THE LICENSEE SHALL SUBMIT TO THE CLERK A CERTIFICATION  
16 BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION, OR OTHER  
17 CERTIFICATION ACCEPTABLE TO THE CLERK, OF THE VALUE OF THE FIXTURES AND  
18 STOCK-IN-TRADE REPORTED AS INVENTORY ON THE BUSINESS PERSONAL  
19 PROPERTY TAX RETURN IN EACH COUNTY WHERE THE BUSINESS IS LOCATED FOR  
20 THE APPLICANT'S BUSINESS FOR THE APPROPRIATE VALUATION YEAR.

21 (c) (1) In this subsection, "county treasurer" includes the Director of Finance  
22 or other chief fiscal officer of a county that does not have a county treasurer.

23 (2) This subsection does not apply to a domestic corporation that has  
24 shares subject to taxation under State law.

25 (3) Except as otherwise provided in this title, [an applicant] A LICENSEE  
26 APPLYING for RENEWAL OF a license shall submit to the clerk, ELECTRONICALLY OR  
27 OTHERWISE:

28 (i) [a certification by the State Department of Assessments and  
29 Taxation of the value of the goods, fixtures, and stock in trade in each county where the  
30 business is located for the applicant's business for the valuation year;

31 (ii) a certification by the county treasurer of that county, IF  
32 APPLICABLE, that there are no unpaid taxes due to the [State or] county on the [goods,]  
33 fixtures[, or stock in trade] OR STOCK-IN-TRADE; [and]

1                    [(iii)] (II) a certification by the municipal corporation, if any, where  
2 the business is located that there are no unpaid taxes due to the municipal corporation on  
3 the [goods,] fixtures[, or stock in trade] **OR STOCK-IN-TRADE; AND**

4                    (III) **A CERTIFICATION BY THE COMPTROLLER THAT THERE ARE**  
5 **NO UNPAID TAXES DUE TO THE STATE.**

6                    [(4)] (D) In this [subsection] **SECTION**, the valuation year:

7                    [(i)] (1) in Washington County, is the fiscal year that includes May  
8 1 of the calendar year when the license is issued; or

9                    [(ii)] (2) in each other county, is the [last] **SECOND PRECEDING**  
10 calendar year before the year for which the license is sought.

11                    [(d)] (E) (1) This subsection applies only in Calvert County.

12                    (2) The clerk may not issue a license under this title for the first time to a  
13 business that will be located in Calvert County unless the applicant submits to the clerk a  
14 certification that the location of the business for which the license is sought is zoned for the  
15 type of business for which the applicant is seeking a license.

16                    (3) The certification must be issued from:

17                    (i) the Calvert County Department of Planning and Zoning; or

18                    (ii) the appropriate municipal corporation, if the location of the  
19 proposed business is within the boundaries of a municipal corporation.

20                    (F) **EACH APPLICATION FOR A LICENSE SHALL CONTAIN ANY INFORMATION**  
21 **REQUIRED BY THE COMPTROLLER IN REGULATION.**

22 17-303.

23                    (c) (1) A person who must have a license under this title but does not get the  
24 license on time shall pay to the clerk, in addition to the required license fee, a late fee.

25                    (2) **[The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE** late  
26 fee shall be the sum of:

27                    (i) 10% of the required license fee for the calendar month following  
28 the calendar month when the required license fee is due; and

29                    (ii) 2% of the required license fee for each calendar month or part of  
30 a month after that.



- 1                    [(vi)] 6.    cement;
- 2                    [(vii)] 7.    structural iron;
- 3                    [(viii)] 8.    structural steel;
- 4                    [(ix)] 9.    sheet iron;
- 5                    [(x)] 10.    galvanized iron;
- 6                    [(xi)] 11.    metallic piping;
- 7                    [(xii)] 12.    tin;
- 8                    [(xiii)] 13.    lead;
- 9                    [(xiv)] 14.    electric wiring; or
- 10                   [(xv)] 15.    any other metal.

11                    **(2) “DO CONSTRUCTION BUSINESS” DOES NOT INCLUDE HOME**  
12 **IMPROVEMENT AS DEFINED IN § 8–101 OF THIS ARTICLE.**

13                    (d)    “Nonresident construction license” means a construction license issued by the  
14 clerk to a person who is incorporated or has its principal office in another state.

15 17–602.

16                    (a)    Except as provided in § 8–317 of this article, a person must have a construction  
17 license whenever the person does construction business in the State.

18                    (b)    [(1)] [Except as provided in paragraph (3) of this subsection, a] **A** person who  
19 is incorporated or has its principal office in another state must [also] have a nonresident  
20 construction license, **IN ADDITION TO ANY OTHER LICENSE REQUIRED BY LAW,**  
21 whenever the person does construction business in this State.

22                    [(2) Except as provided in paragraph (3) of this subsection, an additional  
23 nonresident construction license is required for each contract to do construction business  
24 in this State if the gross amount of the contract exceeds \$1,000.

25                    (3)    No nonresident construction license is required if the state where the  
26 person is incorporated or has its principal office does not require a similar license for a  
27 Maryland contractor doing construction business in that state.]

1           **(C) (1) A CONSTRUCTION LICENSE MUST BE ISSUED IN THE COUNTY**  
2 **WHERE THE CONSTRUCTION BUSINESS HAS ITS PRINCIPAL PLACE OF BUSINESS.**

3           **(2) A NONRESIDENT CONSTRUCTION LICENSE MUST BE ISSUED IN**  
4 **THE COUNTY WHERE THE CONSTRUCTION BUSINESS FIRST DOES CONSTRUCTION**  
5 **BUSINESS IN THE STATE.**

6           **(D) A CONSTRUCTION LICENSE OR NONRESIDENT CONSTRUCTION LICENSE**  
7 **UNDER THIS SUBTITLE AUTHORIZES THE LICENSEE TO DO CONSTRUCTION**  
8 **BUSINESS IN THE STATE.**

9 17-603.

10           **[(a)] An applicant for a construction license OR NONRESIDENT CONSTRUCTION**  
11 **LICENSE shall pay to the clerk a license fee of:**

12           (1) \$15 for a [construction] license in a county other than Baltimore City,  
13 Baltimore County, or Cecil County;

14           (2) \$40 for a [construction] license in Baltimore City or Baltimore County;  
15 or

16           (3) \$30 for a [construction] license in Cecil County.

17           **[(b) (1) Except as provided in paragraph (2) of this subsection, an applicant for**  
18 **a nonresident construction license shall pay to the clerk:**

19                   (i) a license fee of:

20                           1. \$50 for a nonresident construction license in a county  
21 other than Baltimore City or Baltimore County; or

22                           2. \$60 for a nonresident construction license in Baltimore  
23 City or Baltimore County; and

24                   (ii) for each contract for which the applicant is required to get an  
25 additional nonresident construction license, an additional license fee of:

26                           1. \$50, if the contract will be performed in a county other  
27 than Baltimore City or Baltimore County; or

28                           2. \$60, if the contract will be performed in Baltimore City or  
29 Baltimore County.

30           (2) An applicant for a nonresident construction license who is incorporated  
31 or has its principal office in another state shall pay to the clerk the total fees imposed in

1 that state on a similar nonresident business if the total fees are higher than the total license  
2 fees under this section.]

3 Subtitle 8. Garages.

4 17-801.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) "Garage" means a building or part of a building where motor vehicles are  
7 stored **OR PARKED** for a fee.

8 (c) "Garage license" means a license issued by the clerk to keep a garage.

9 Subtitle 9. Peddlers.

10 17-901.

11 (a) In this subtitle the following words have the meanings indicated.

12 **(B) "CALVERT COUNTY MAGAZINE SELLER LICENSE" MEANS A LICENSE**  
13 **ISSUED BY THE CLERK IN CALVERT COUNTY TO ACT AS A NONRESIDENT ITINERANT**  
14 **MAGAZINE SELLER IN CALVERT COUNTY.**

15 **(C) "FOOT PEDDLER" MEANS A PEDDLER WHO TRAVELS ON FOOT.**

16 **(D) "MOTOR VEHICLE PEDDLER" MEANS A PEDDLER WHO TRAVELS BY**  
17 **MOTOR VEHICLE.**

18 **(E) "NONRESIDENT ITINERANT MAGAZINE SELLER" MEANS A PERSON WHO**  
19 **IS NOT A RESIDENT OF CALVERT COUNTY AND WHO SELLS OR OFFERS TO SELL A**  
20 **SUBSCRIPTION TO A MAGAZINE OR OTHER PUBLICATION IN CALVERT COUNTY.**

21 **(F) "ONE-HORSE PEDDLER" MEANS A PEDDLER WHO TRAVELS WITH A**  
22 **WAGON OR OTHER VEHICLE DRAWN BY ONE HORSE OR OTHER BEAST OF BURDEN.**

23 **[(b)] (G) (1) "Peddler" [includes a hawker, a huckster, and a mobile vendor]**  
24 **MEANS A PERSON WHO:**

25 **(I) DOES NOT HAVE A FIXED PLACE OF BUSINESS LOCATED IN A**  
26 **PHYSICAL STRUCTURE; AND**

27 **(II) MOVES FROM HOUSE TO HOUSE OR PLACE TO PLACE**  
28 **CARRYING ARTICLES OF MERCHANDISE TO BE SOLD AND DELIVERED**  
29 **CONCURRENTLY.**



1                   (4) If the applicant is a [two horse] **TWO–HORSE** peddler, the license fee  
2 is:

3                   (i) in Baltimore City, \$300;

4                   (ii) in St. Mary's County, the amount set by the County  
5 Commissioners, by resolution; and

6                   (iii) in any other county, \$200.

7                   (5) If the applicant is a motor vehicle peddler, the license fee is:

8                   (i) in Baltimore City, \$500;

9                   (ii) in St. Mary's County, the amount set by the County  
10 Commissioners, by resolution; and

11                   (iii) in any other county, \$300; but

12                                 1. in Garrett County, the license fee is \$100 for a resident of  
13 Garrett County; and

14                                 2. in Worcester County, the license fee is \$100 for a resident  
15 of Worcester County who sells only ice cream.

16                   (b) (1) In Harford County, an applicant for a peddler license must have the  
17 written permission of the owner or lessee of the property where the applicant will do  
18 business.

19                   (2) The written permission shall include:

20                   (i) the name, address, and telephone number of the owner or lessee  
21 of the property;

22                   (ii) the name, permanent address, and telephone number of the  
23 applicant;

24                   (iii) a description of the goods to be sold by the applicant; and

25                   (iv) the times of day and the number of days per month that the  
26 applicant is allowed to do business on the property of the owner or lessee.

27 17–908.

28                   **(A) (1)** The clerk shall provide a metal tag [or stamp] **AND LICENSE STICKER**  
29 to each [one horse] peddler[, two horse peddler, or motor vehicle peddler] who holds a  
30 peddler license.

1           **(2) THE CLERK SHALL PROVIDE A LICENSE STICKER TO EACH**  
2 **PEDDLER WHO RENEWS A PEDDLER LICENSE.**

3           **(B) (1) A PEDDLER SHALL POSSESS THE METAL TAG AND LICENSE**  
4 **STICKER AT ALL TIMES THAT THE INDIVIDUAL IS ACTING AS A PEDDLER.**

5           **(2) A ONE-HORSE PEDDLER, TWO-HORSE PEDDLER, AND MOTOR**  
6 **VEHICLE PEDDLER SHALL KEEP THE METAL TAG AND LICENSE STICKER ATTACHED**  
7 **TO THE VEHICLE.**

8 [17-910.

9           (a) Each one horse peddler, two horse peddler, and motor vehicle peddler shall  
10 keep the metal tag or stamp issued under this subtitle attached to the vehicle so as to be  
11 clearly visible.

12           (b) A peddler in Harford County shall:

13                   (1) keep with the peddler at all times the peddler license and a copy of the  
14 original written permission of the property owner required under this subtitle; and

15                   (2) produce the peddler license and copy of the written permission on  
16 request.]

17 [17-911.] **17-910.**

18           (a) Except as otherwise provided in [Part II of] this subtitle, a person may not act  
19 as a peddler unless the person has a peddler license.

20           [(b) A peddler is considered to be acting as a peddler without a peddler license if  
21 the peddler:

22                   (1) acts or offers to act as a peddler without the peddler license with the  
23 peddler at the time; or

24                   (2) fails to show the peddler license to a law enforcement officer on request.

25           (c) A person who violates this section is guilty of a misdemeanor and, on  
26 conviction, is subject to a fine not exceeding \$100.]

27           **(B) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A PERSON WHO**  
28 **VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND,**  
29 **ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$100.**

1 [17-912.] **17-911.**

2 (a) This section does not apply in Allegany and Washington counties.

3 (b) A municipal corporation may not require a local license or impose a local fee  
4 or tax to sell fresh fruits, vegetables, or other country produce from a wagon at retail if the  
5 seller is the producer.

6 (c) However, a municipal corporation by ordinance may:

7 (1) provide for the issuance of identification cards or tags to producers of  
8 country produce who sell the produce from a wagon at retail;

9 (2) set a fee, not exceeding 50 cents for each producer, for the issuance of  
10 identification cards or tags; and

11 (3) require producers to get and display identification cards or tags.

12 (d) (1) A person who is not the producer may not sell or offer to sell any fresh  
13 fruits, vegetables, or other country produce from a wagon at retail in a municipal  
14 corporation that requires a local license or imposes a local fee or tax to do so without getting  
15 the license or paying the fee or tax.

16 (2) A person who violates this subsection is guilty of a misdemeanor and,  
17 on conviction, is subject to a fine not exceeding \$25.

18 [17-913.

19 If the County Commissioners of St. Mary's County set a license fee for a license  
20 issued under § 17-907 of this subtitle, the County Commissioners shall notify the  
21 Comptroller of the Treasury by December 31 of the year before the year the license fee takes  
22 effect.]

23 [17-915.

24 (a) In Part III of this subtitle the following words have the meanings indicated.

25 (b) "Magazine seller license" means a license issued by the clerk to act as a  
26 nonresident itinerant magazine seller.

27 (c) "Nonresident itinerant magazine seller" means a person who:

28 (1) is not a resident of Calvert County; and

29 (2) sells or offers to sell a subscription to a magazine or other publication.]

## 1 Subtitle 10. Junk Dealers and Scrap Metal Processors.

## 2 [Part I. Definitions.]

3 17-1001.

4 (a) In this subtitle the following words have the meanings indicated.

5 (b) "Agent" means a person who buys or sells junk or scrap metal for a junk dealer  
6 or scrap metal processor.7 **(C) "AGENT LICENSE" MEANS A LICENSE ISSUED BY THE CLERK TO ACT AS**  
8 **AN AGENT.**9 **[(c)] (D)** "Antique dealer" means a person who does business buying and selling  
10 antiques.11 **[(d)] (E)** "Antiques" means objects made in, or typical of, an earlier period of  
12 time, that either have special value because of their age or are examples of works of art or  
13 handicrafts.14 **[(e)] (F)** (1) "Junk" or "scrap metal" includes:

15 (i) nonferrous articles made wholly or substantially of:

- 16 1. aluminum;
- 
- 17 2. babbitt metal;
- 
- 18 3. brass;
- 
- 19 4. bronze;
- 
- 20 5. light copper;
- 
- 21 6. heavy copper;
- 
- 22 7. lead;
- 
- 23 8. low carbon chrome;
- 
- 24 9. low carbon manganese;
- 
- 25 10. molybdenum;
- 
- 26 11. monel metal;

- 1 12. pewter;
- 2 13. nickel;
- 3 14. stainless steel;
- 4 15. tin;
- 5 16. vanadium;
- 6 17. zinc;
- 7 18. platinum;
- 8 19. gold;
- 9 20. rhodium; or
- 10 21. other nonferrous metals; and

11 (ii) the following used articles, made of either ferrous or nonferrous

12 metal:

- 13 1. catalytic converters;
- 14 2. metal bleachers;
- 15 3. hard-drawn copper;
- 16 4. metal beer kegs;
- 17 5. cemetery urns;
- 18 6. grave markers;
- 19 7. propane tanks;
- 20 8. cell tower batteries; and
- 21 9. any other used articles owned by a public utility including:
  - 22 A. guardrails;
  - 23 B. manhole covers;
  - 24 C. metal light poles;

1 D. tree grates;

2 E. water meters; and

3 F. street signs.

4 (2) "Junk" or "scrap metal" does not include beverage cans or food cans.

5 **[(f)] (G)** (1) "Junk dealer" or "scrap metal processor" means a person who  
6 does business buying or selling junk or scrap metal.

7 (2) "Junk dealer" or "scrap metal processor" does not include a dealer or  
8 pawnbroker licensed under Title 12 of this article.

9 **(H) "JUNK DEALER OR SCRAP METAL PROCESSOR LICENSE" MEANS A**  
10 **LICENSE ISSUED BY THE CLERK TO DO BUSINESS AS A JUNK DEALER OR SCRAP**  
11 **METAL PROCESSOR.**

12 **(I) "NONRESIDENT JUNK DEALER" MEANS A JUNK DEALER WHO IS NOT A**  
13 **RESIDENT OF THE STATE.**

14 **(J) "NONRESIDENT SCRAP METAL PROCESSOR" MEANS A SCRAP METAL**  
15 **PROCESSOR WHO IS NOT A RESIDENT OF THE STATE.**

16 **[(g)] (K)** "Primary law enforcement unit" means the Department of State Police,  
17 a police department, or sheriff, as designated by a resolution of the county or municipal  
18 governing body in the county in which the license of the junk dealer or scrap metal processor  
19 is held.

20 **(L) "STATE JUNK LICENSE" INCLUDES:**

21 **(1) A JUNK DEALER OR SCRAP METAL PROCESSOR LICENSE; OR**

22 **(2) AN AGENT LICENSE.**

23 [Part II. State Licensing.]

24 [17-1005.

25 (a) In Part II of this subtitle the following words have the meanings indicated.

26 (b) "Agent license" means a license issued by the clerk to act as an agent.

1 (c) "Junk dealer or scrap metal processor license" means a license issued by the  
2 clerk to do business as a junk dealer or scrap metal processor.

3 (d) "Nonresident junk dealer" or "nonresident scrap metal processor" means a  
4 junk dealer or scrap metal processor who is not a resident of the State.

5 (e) "State junk license" includes:

6 (1) a junk dealer or scrap metal processor license; and

7 (2) an agent license.]

8 [17-1006.] **17-1005.**

9 (a) (1) Except as otherwise provided in this subtitle, a person must have a junk  
10 dealer or scrap metal processor license whenever the person does business as a junk dealer  
11 or scrap metal processor in the State.

12 (2) This subsection does not apply to a situation in which:

13 (i) a nonresident junk dealer or nonresident scrap metal processor  
14 buys junk or scrap metal from a junk dealer or scrap metal processor licensee who is a  
15 resident of the State; or

16 (ii) the nonresident junk dealer or nonresident scrap metal processor  
17 transports that junk or scrap metal.

18 (3) If a nonresident junk dealer or nonresident scrap metal processor comes  
19 into the State in a vehicle, the nonresident junk dealer or nonresident scrap metal processor  
20 may not transport from the State in that vehicle any junk or scrap metal bought in the  
21 State unless the nonresident junk dealer or nonresident scrap metal processor holds a junk  
22 dealer or scrap metal processor license.

23 (b) (1) Except as otherwise provided in this subtitle, a person must have an  
24 agent license whenever the person acts as an agent in the State.

25 (2) This subsection does not apply to a salaried employee of a junk dealer  
26 or scrap metal processor licensee.

27 [17-1007.] **17-1006.**

28 (A) An applicant for a State junk license shall:

29 (1) certify to the clerk the applicant's name and business address; and

30 (2) pay to the clerk a license fee of:

1 (i) \$10 for a junk dealer or scrap metal processor license[, if the  
2 applicant is a resident of the State]; **OR**

3 (ii) \$5 for an agent license[, if the applicant is a resident of the State;  
4 or

5 (iii) \$100 for a junk dealer or scrap metal processor license or agent  
6 license, if the applicant is not a resident of the State].

7 **(B) ALL LICENSE FEES COLLECTED FOR ISSUANCE OF STATE JUNK  
8 LICENSES UNDER THIS SECTION SHALL BE PAID TO THE COMPTROLLER.**

9 **[17-1008.] 17-1007.**

10 (a) The clerk shall[:

11 (1) issue[, in numerical order,] a State junk license to each applicant who  
12 meets the requirements of [Part II of] this subtitle[; and

13 (2) collect an issuing fee of 50 cents per State junk license].

14 (b) [The clerk shall keep a record of the name, business address, and license  
15 number of each State junk licensee] **A STATE JUNK LICENSE IS NOT TRANSFERABLE.**

16 **[17-1009.**

17 A State junk license is not transferable.]

18 **[17-1010.] 17-1008.**

19 **[A] IF A nonresident junk dealer or nonresident scrap metal processor [may not  
20 keep] ESTABLISHES a fixed place of business AS A JUNK DEALER OR SCRAP METAL  
21 PROCESSOR in the State, THE NONRESIDENT JUNK DEALER OR SCRAP METAL  
22 PROCESSOR SHALL:**

23 **(1) OBTAIN A JUNK DEALER OR SCRAP METAL PROCESSOR LICENSE;  
24 AND**

25 **(2) COMPLY WITH ALL LAWS AND REGULATIONS RELATED TO THE  
26 JUNK DEALER OR SCRAP METAL PROCESSOR LICENSE.**

27 **[17-1011.] 17-1009.**

1 (a) (1) This section applies to all junk dealers and scrap metal processors doing  
2 business in the State, including nonresident junk dealers and nonresident scrap metal  
3 processors.

4 (2) This section applies to an automotive dismantler and recycler or scrap  
5 metal processor licensed under Title 15, Subtitle 5 of the Transportation Article if the  
6 automotive dismantler and recycler or scrap metal processor:

7 (i) conducts business as a licensed junk dealer or scrap metal  
8 processor;

9 (ii) acquires vehicle parts that qualify as junk or scrap metal as  
10 defined under [§ 17-1001(e)] **§ 17-1001(F)** of this subtitle; or

11 (iii) acquires articles that are listed, or made of metals that are listed,  
12 in [§ 17-1001(e)] **§ 17-1001(F)** of this subtitle.

13 (3) This section does not apply to:

14 (i) an automotive dismantler and recycler or scrap metal processor  
15 that only acquires whole vehicles for the purpose of dismantling, destroying, or scrapping  
16 them for the benefit of their parts or the materials in them; or

17 (ii) a person that buys scrap metal to use as raw material to produce  
18 1,000,000 tons of steel or more in the State per calendar year.

19 (4) (i) Except as provided in subparagraph (ii) of this paragraph, this  
20 section preempts the right of a county or municipality to regulate the resale of junk or scrap  
21 metal.

22 (ii) This section does not limit the power of a county or municipality  
23 to license junk dealers and scrap metal processors.

24 (iii) This section supersedes any existing law of a county or  
25 municipality that regulates the resale of junk or scrap metal.

26 (b) (1) For each purchase of junk or scrap metal in the State, a junk dealer or  
27 scrap metal processor shall keep an accurate record in English.

28 (2) The record shall state:

29 (i) the date and time of purchase;

30 (ii) a description of the junk or scrap metal purchased, including:

31 1. the type and grade of the junk or scrap metal; and



- 1                   1.     the date and time of purchase;
- 2                   2.     a description of the junk or scrap metal, including its  
3 weight if payment is based on weight;
- 4                   3.     whether the amount paid or other consideration for the  
5 junk or scrap metal exceeds \$500;
- 6                   4.     the registration plate number of any vehicle used by the  
7 individual from whom the junk or scrap metal is acquired;
- 8                   5.     the name and address of the individual from whom the  
9 junk or scrap metal is acquired;
- 10                  6.     the date of birth and driver's license number of the  
11 individual from whom the junk or scrap metal is acquired;
- 12                  7.     identification information about the individual from a  
13 valid State-issued photo ID that provides a physical description of the individual, including  
14 the sex, race, age, height, and weight of the individual; and
- 15                  8.     an electronic scan or photocopy of the valid State-issued  
16 photo ID under item 7 of this subparagraph.

17                   (iv)   The provisions of subparagraphs (i), (ii), and (iii) of this  
18 paragraph may not be construed to require a junk dealer or scrap metal processor to incur  
19 a substantial financial burden to comply with the requirements of this paragraph.

20                   (5)   A copy of a record submitted under paragraph (4) of this subsection:

- 21                   (i)   shall be kept confidential;
- 22                   (ii)  is not a public record; and
- 23                   (iii) is not subject to Title 4 of the General Provisions Article.

24                   (6)   The primary law enforcement unit may destroy the copy of a record  
25 submitted under paragraph (4) of this subsection after 1 year from the date that the  
26 primary law enforcement unit receives the copy.

27                   (7)   (i)   The primary law enforcement unit may waive the holding of  
28 electronic records under paragraph (3) of this subsection or the submission of electronic  
29 records under paragraph (4) of this subsection by a junk dealer or scrap metal processor.

30                   (ii)  Any waivers granted under subparagraph (i) of this paragraph  
31 shall be limited to authorizing a junk dealer or scrap metal processor to:

1                   1.       extend the reporting deadline under paragraph (4) of this  
2 subsection for an extra day;

3                   2.       hold written records; or

4                   3.       submit records by facsimile or by mail.

5           (c)   (1)   This subsection applies to junk dealers and scrap metal processors who  
6 are residents of the State.

7                   (2)   Each junk dealer or scrap metal processor shall keep the records  
8 required by subsection (b) of this section for 1 year after the date of the transaction.

9                   (3)   The records kept in accordance with this subsection shall be open to  
10 inspection during business hours by State or local law enforcement personnel for an  
11 investigation of a specific crime involving the materials listed under [§ 17-1001(e)] §  
12 **17-1001(F)** of this subtitle.

13           (d)   (1)   A junk dealer or scrap metal processor may not barter, buy, exchange,  
14 or accept from a person any junk or scrap metal unless the junk dealer or scrap metal  
15 processor keeps records and makes entries in them in accordance with [Part II] of this  
16 subtitle.

17                   (2)   A junk dealer or scrap metal processor may not purchase a catalytic  
18 converter from an individual unless the individual, at the time of purchase, provides  
19 identification as:

20                   (i)    a licensed automotive dismantler and recycler or scrap metal  
21 processor; or

22                   (ii)   an agent or employee of a licensed commercial enterprise.

23                   (3)   A junk dealer or scrap metal processor may not purchase a cemetery  
24 urn, grave marker, or any other item listed under [§ 17-1001(e)(1)(ii)] **§ 17-1001(F)(1)(II)**  
25 of this subtitle from an individual unless the individual, at the time of purchase, provides  
26 appropriate authorization from a relevant business or unit of federal, State, or local  
27 government specifically authorizing the individual to conduct the transaction.

28           (e)   State or local law enforcement personnel may request information from the  
29 records required under subsection (b) of this section pursuant to an investigation of a  
30 specific crime involving the materials listed under [§ 17-1001(e)] **§ 17-1001(F)** of this  
31 subtitle.

32           (f)   (1)   The record and reporting requirements of subsection (b) of this section  
33 do not apply to an item that is acquired from:

34                   (i)    a licensed junk dealer or scrap metal processor;

1 (ii) a unit of federal, State, or local government; or

2 (iii) a commercial enterprise with a valid business license that has  
3 entered into a written contract with a junk dealer or scrap metal processor who has  
4 provided to the primary law enforcement unit:

5 1. the name and business address of the commercial  
6 enterprise; and

7 2. the type of junk or scrap metal subject to the contract.

8 (2) (i) Subject to subparagraph (ii) of this paragraph, a contract under  
9 paragraph (1)(iii) of this subsection shall be open to inspection by a local law enforcement  
10 agency on the premises of the junk dealer or scrap metal processor during business hours.

11 (ii) Notwithstanding any other law, a contract open to inspection by  
12 a local law enforcement agency under subparagraph (i) of this paragraph may not be open  
13 for public inspection without the consent of the junk dealer or scrap metal processor.

14 (g) (1) If a State or local law enforcement agency has reasonable cause to  
15 believe that junk or scrap metal that is in the possession of a junk dealer or scrap metal  
16 processor is stolen, the law enforcement agency may issue a written hold notice.

17 (2) The written hold notice shall:

18 (i) identify the items of junk or scrap metal alleged to be stolen and  
19 subject to hold;

20 (ii) inform the junk dealer or scrap metal processor of the hold  
21 imposed on the items of junk or scrap metal; and

22 (iii) specify the time period for the hold, not to exceed 15 days.

23 (3) On receipt of a written hold notice from a law enforcement agency, a  
24 junk dealer or scrap metal processor may not process or remove from the junk dealer's or  
25 scrap metal processor's place of business before the end of the hold period any items of junk  
26 or scrap metal identified in the hold notice, unless the item is released by the law  
27 enforcement agency or by court order.

28 (h) Local law enforcement personnel of the county where the place of business of  
29 the junk dealer or scrap metal processor is located or where the junk or scrap metal was  
30 purchased may enforce this section.

31 (i) A person who violates this section is guilty of a misdemeanor and on conviction  
32 is subject to:

1 (1) a fine not exceeding \$500 for a first offense; and

2 (2) a fine not exceeding \$5,000 or imprisonment not exceeding 1 year or  
3 both for a subsequent offense.

4 **[17-1012.] 17-1010.**

5 (a) In this section, “historic marker or plaque” means a marker, plaque, or tablet  
6 commemorating a historic person or event, or identifying a historic place, structure, or  
7 object.

8 (b) This section applies to all junk dealers, scrap metal processors, and antique  
9 dealers who are residents of the State.

10 (c) (1) Each junk dealer, scrap metal processor, or antique dealer subject to  
11 this section who purchases a historic marker or plaque shall register with the sheriff or  
12 other law enforcement official designated by the governing body of the county in which the  
13 business of the junk dealer, scrap metal processor, or antique dealer is located a complete  
14 description of the historic marker or plaque.

15 (2) The description shall include:

16 (i) the date and time of purchase;

17 (ii) the name and address of the seller;

18 (iii) the license tag number of any vehicle used; and

19 (iv) a description of the historic marker or plaque, including the full  
20 text, any installation date, and the name of any installation sponsor.

21 (3) The registration required under this section shall be made within 3  
22 business days after the date of the purchase of the historic marker or plaque.

23 (d) The sheriff or other law enforcement official promptly shall notify the  
24 Maryland Historical Trust with a copy to the junk dealer, scrap metal processor, or antique  
25 dealer who registered with the sheriff.

26 (e) A historic marker or plaque may not be sold or otherwise disposed of for a  
27 period of 30 days from the date of the notice required under subsection (d) of this section.

28 (f) A person who violates this section is guilty of a misdemeanor and, on  
29 conviction, is subject to a fine not exceeding \$100.

30 **[17-1013.] 17-1011.**

1 Except as otherwise [specifically] provided in [Part II of] this subtitle, a person who  
2 violates [Part II of] this subtitle is guilty of a misdemeanor and, on conviction, is subject to  
3 a fine not exceeding \$500 for each offense.

4 Subtitle 11. Laundries and Dry Cleaners.

5 17-1101.

6 In this subtitle, “license” means a license issued by the clerk to do the business of  
7 cleaning, dyeing, pressing, or laundering **ON-SITE AT THE LOCATION STATED ON THE**  
8 **LICENSE.**

9 17-1102.

10 A person must have a license whenever the person does the business of **ON-SITE**  
11 cleaning, dyeing, pressing, or laundering, other than hand laundering, in the State.

12 Subtitle 12. Storage Warehouses.

13 17-1201.

14 (A) In this subtitle[, “license” means a license issued by the clerk to keep a storage  
15 warehouse] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

16 (B) **“STORAGE WAREHOUSE” MEANS A BUILDING OR STRUCTURE USED FOR**  
17 **KEEPING GOODS FOR A FEE, INCLUDING SELF-STORAGE WAREHOUSES.**

18 (C) **“STORAGE WAREHOUSE LICENSE” MEANS A LICENSE ISSUED BY THE**  
19 **CLERK TO KEEP A STORAGE WAREHOUSE.**

20 17-1202.

21 A person must have a **STORAGE WAREHOUSE** license whenever the person keeps a  
22 storage warehouse where goods are stored for a fee in the State.

23 17-1203.

24 (A) An applicant for a **STORAGE WAREHOUSE** license shall pay to the clerk a  
25 license fee of:

26 (1) \$30 for a storage warehouse in a municipal corporation with a  
27 population of not more than 10,000;

28 (2) \$50 for a storage warehouse in a municipal corporation **OR COUNTY**  
29 with a population of 10,001 to 20,000;





1           **(2) THE LICENSE FEE IN EACH COUNTY IS:**

2                   **(I) FOR 2 TO 5 STORES, \$5 FOR EACH STORE;**

3                   **(II) FOR 6 TO 10 STORES, \$ 20 FOR EACH STORE;**

4                   **(III) FOR 11 TO 20 STORES, \$100 FOR EACH STORE; AND**

5                   **(IV) FOR MORE THAN 20 STORES, \$150 FOR EACH STORE.**

6           **(C) IN BALTIMORE CITY AND BALTIMORE COUNTY THE LICENSE FEE IS:**

7                   **(1) FOR 2 TO 5 STORES, \$12 FOR EACH STORE;**

8                   **(2) FOR 6 TO 10 STORES, \$50 FOR EACH STORE;**

9                   **(3) FOR 11 TO 20 STORES, \$250 FOR EACH STORE; AND**

10                  **(4) FOR MORE THAN 20 STORES, \$150 FOR EACH STORE.**

11           **(D) IN CECIL COUNTY THE LICENSE FEE IS:**

12                  **(1) FOR 2 TO 5 STORES, \$10 FOR EACH STORE;**

13                  **(2) FOR 6 TO 10 STORES, \$30 FOR EACH STORE;**

14                  **(3) FOR 11 TO 20 STORES, \$100 FOR EACH STORE; AND**

15                  **(4) FOR MORE THAN 20 STORES, \$300 FOR EACH STORE.**

16                                Subtitle 18. Traders [and Chain Stores].

17 17-1801.

18           (a) In this subtitle the following words have the meanings indicated.

19           (b) “Blind Industries” means Blind Industries and Services of Maryland.

20           [(c) “Chain store license” means a license issued by the clerk to operate 2 or more  
21 stores under the same general management or ownership.]

22           [(d)] (C) “Exhibitor” means a person who rents space from a promoter to display  
23 and sell goods at a show.

1           [(e)] (D)       “Licensed trader” means a trader who is licensed by the clerk under this  
2 subtitle.

3           (E)       “MOBILE PLACE OF BUSINESS” MEANS A PLACE OF BUSINESS LOCATED  
4 IN A TRUCK, TRAILER, OR OTHER VEHICLE AND NOT IN A BUILDING OR OTHER FIXED  
5 STRUCTURE.

6           (f)       “Promoter” means a person who rents space at a show to an exhibitor.

7           (g)       “Show” includes an antique show, coin show, flea market, gun show, stamp  
8 show, and show of a temporary nature.

9 [17–1803.

10           (a)       Except as otherwise provided by State law and notwithstanding any local  
11 ordinance or regulation to the contrary, a manufacturer located and doing business in the  
12 State may sell and deliver goods to licensed traders in the State and for doing so need not  
13 get a license from or pay a fee to a county, municipal corporation, or other political  
14 subdivision.

15           (b)       A county or municipal corporation may require a local license to sell goods at  
16 auction.

17           (c)       Notwithstanding any public general or public local law to the contrary, if a  
18 visually handicapped individual or Blind Industries holds a trader’s license under this  
19 subtitle, the individual or Blind Industries need not get an additional license or pay an  
20 additional license fee to do business as a trader during the term of the trader’s license.]

21 [17–1804.] **17–1803.**

22           (a)       Except as otherwise provided in this subtitle, a person must have a trader’s  
23 license whenever the person:

24                   (1)       does business as a trader in the State; or

25                   (2)       does business as an exhibitor in the State.

26           (b)       A separate trader’s license is required for each store or [fixed] place of  
27 business that a person operates in the State.

28           (C)       (1)       **A SEPARATE TRADER’S LICENSE IS REQUIRED FOR EACH MOBILE**  
29 **PLACE OF BUSINESS THAT OPERATES EXCLUSIVELY IN ONE FIXED LOCATION IN THE**  
30 **STATE.**

1           **(2) EACH MOBILE PLACE OF BUSINESS THAT OPERATES IN MORE**  
2 **THAN ONE LOCATION IN THE STATE REQUIRES A TRADER’S LICENSE AND A**  
3 **PEDDLER’S LICENSE ISSUED UNDER SUBTITLE 9 OF THIS TITLE.**

4           **[(c)] (D)**       This section does not apply to:

5                   (1)     a grower, maker, or manufacturer of goods;

6                   (2)     a nonresident traveling salesperson, sample merchant, or  
7 representative of a foreign mercantile or manufacturing business while selling to or  
8 soliciting an order from a licensed trader in the State; or

9                   (3)     a private individual while publicly selling the individual’s personal  
10 effects on the individual’s property, if the individual holds only 1 sale not exceeding 14  
11 consecutive days in a calendar year.

12           **[(d)] (E)**     (1)     An exhibitor need not get a trader’s license for a show if the show  
13 is promoted by:

14                   (i)     a church, as defined in § 5–301(b) of the Corporations and  
15 Associations Article;

16                   (ii)    a governmental unit;

17                   (iii)   an amateur radio organization;

18                   (iv)    an antique vehicle, machine, and equipment organization;

19                   (v)     a volunteer fire department or rescue squad; or

20                   (vi)   a model train collectors’ association.

21                   (2)     An exhibitor need not get a trader’s license for a show if the exhibitor  
22 gives to the promoter an exhibitor’s affidavit stating that the exhibitor:

23                   (i)     receives less than 10% of the exhibitor’s annual income from  
24 selling the kind of goods that the exhibitor will display and sell at the show; and

25                   (ii)    has not participated in more than three shows, not including  
26 participation in one show sponsored by a national organization that is exempt from taxation  
27 under § 501(c)(3) of the Internal Revenue Code, during the previous 365 days.

28                   (3)     An exhibitor at an antique show, coin show, or collector show need not  
29 get a trader’s license for the show if the exhibitor gives to the promoter an exhibitor’s  
30 affidavit stating that the exhibitor:

31                   (i)     will display and sell at the show;

1 (ii) receives less than 10% of the exhibitor's annual income in the  
2 State from selling the kind of goods that the exhibitor will display and sell at the show; and

3 (iii) has not participated in more than three antique shows, coin  
4 shows, or collector shows in the State during the previous 365 days.

5 (4) An exhibitor who has a trader's license need not get an additional  
6 trader's license for a show if, before the show, the exhibitor gives the promoter a photocopy  
7 of the trader's license.

8 [17-1805.

9 A person must have a chain store license whenever the person operates 2 or more  
10 retail stores under the same general management or ownership in the State.]

11 [17-1806.] **17-1804.**

12 (a) An applicant for a trader's license shall state in the application the place  
13 where the applicant will do business as a trader.

14 (b) (1) An applicant for a trader's license may apply under this subsection if  
15 the applicant has a defect in vision such that:

16 (i) visual acuity in the applicant's better eye does not exceed 20/140  
17 with correcting lenses; or

18 (ii) the widest diameter of the applicant's visual field subtends an  
19 angle not exceeding 20 degrees.

20 (2) An applicant for a trader's license under this subsection shall submit to  
21 the clerk:

22 (i) a signed certificate, from a licensed physician who specializes in  
23 treatment of the eye, that the applicant's vision meets the standard of paragraph (1) of this  
24 subsection; and

25 (ii) an affidavit that the applicant is the owner of the place of  
26 business listed in the application.

27 (3) Blind Industries also may apply for a trader's license under this  
28 subsection for a business that it operates, if Blind Industries submits to the clerk an  
29 affidavit that:

30 (i) Blind Industries operates the business listed in the application;  
31 and

1 (ii) the manager of the business has vision that meets the standard  
2 of paragraph (1) of this subsection.

3 **[17-1807.] 17-1805.**

4 (a) (1) In Baltimore County, the clerk may not issue a trader's license for the  
5 first time without the approval of the zoning commissioner.

6 (2) In an area of Cecil County where the Cecil County Office of Planning  
7 and Zoning has jurisdiction, the clerk may not issue a trader's license for the first time until  
8 the applicant has obtained zoning approval from that office.

9 (3) (i) In Howard County, the clerk may not issue a trader's license for  
10 the first time without the approval of the Director of the Office of Planning and Zoning.

11 (ii) Within 3 working days after an application for a trader's license  
12 is submitted for review to the Director of the Office of Planning and Zoning, the Director  
13 shall notify the clerk of the approval or disapproval of the application.

14 **(4) IN CALVERT COUNTY, THE CLERK MAY NOT ISSUE A TRADER'S**  
15 **LICENSE WITHOUT THE APPROVAL OF THE DIRECTOR OF THE OFFICE OF PLANNING**  
16 **AND ZONING FOR ALL NEW LICENSES AND FOR ANY CHANGES TO A LOCATION FOR**  
17 **AN EXISTING LICENSE.**

18 **(B) THE CLERK SHALL INDICATE ON EACH TRADER'S LICENSE THE PLACE**  
19 **WHERE THE LICENSED TRADER MAY DO BUSINESS AS A TRADER.**

20 **[(b)] (C)** (1) This subsection does not apply to a county or municipal  
21 corporation that selects a uniform license fee under **[§ 17-1807.1] § 17-1806** of this  
22 subtitle.

23 (2) A clerk may not issue a trader's license until the clerk reviews the  
24 accuracy of the statement made by the applicant on the application for a trader's license  
25 under **[§ 17-1806] § 17-1804** of this subtitle regarding the place where the applicant will  
26 do business as a trader.

27 **[17-1807.1.] 17-1806.**

28 (a) On or before October 1 each year, the governing body of a county or municipal  
29 corporation may select a uniform license fee for a trader's license under **[§ 17-1808(b)] §**  
30 **17-1807(B)** of this subtitle by submitting its selection on a form provided by the  
31 Comptroller and the State Department of Assessments and Taxation.

32 (b) A selection by the governing body of a county or municipal corporation under  
33 this section is irrevocable.

1 [17-1808.] **17-1807.**

2 (a) (1) Except as otherwise provided in this section, an applicant for a trader's  
3 license shall pay to the clerk a license fee.

4 (2) If the applicant's business is located in a county or municipal  
5 corporation that selects a uniform license fee under [§ 17-1807.1] **§ 17-1806** of this  
6 subtitle, the applicant:

7 (i) shall pay the license fee set forth in subsection (b) of this section;  
8 and

9 (ii) if the county or municipal corporation in which the business is  
10 located provides a full tax exemption for commercial inventory, may not be required to  
11 submit a certification by the State Department of Assessments and Taxation of the value  
12 of the goods, fixtures, and stock-in-trade under § 17-302 of this title.

13 (3) If the applicant's business is located in a county or municipal  
14 corporation with a license fee based on the value of the applicant's stock-in-trade, the  
15 applicant shall pay the license fee under subsection (c) of this section.

16 (b) (1) This subsection applies only to a county or municipal corporation that  
17 selects a uniform license fee for a trader's license under [§ 17-1807.1] **§ 17-1806** of this  
18 subtitle.

19 (2) In a county other than Baltimore City or Baltimore County, the license  
20 fee is \$15.

21 (3) In Baltimore City or Baltimore County, the license fee is \$20.

22 (c) (1) This subsection applies only to a county or municipal corporation with  
23 a license fee based on the value of the applicant's stock-in-trade.

24 (2) In a county other than Baltimore City or Baltimore County, the license  
25 fee is:

26 (i) \$15, if the value of the applicant's stock-in-trade is not more  
27 than \$1,000;

28 (ii) \$18, if the value is more than \$1,000 but not more than \$1,500;

29 (iii) \$20, if the value is more than \$1,500 but not more than \$2,500;

30 (iv) \$25, if the value is more than \$2,500 but not more than \$4,000;

31 (v) \$30, if the value is more than \$4,000 but not more than \$6,000;

- 1 (vi) \$40, if the value is more than \$6,000 but not more than \$8,000;
- 2 (vii) \$50, if the value is more than \$8,000 but not more than \$10,000;
- 3 (viii) \$65, if the value is more than \$10,000 but not more than \$15,000;
- 4 (ix) \$80, if the value is more than \$15,000 but not more than \$20,000;
- 5 (x) \$100, if the value is more than \$20,000 but not more than  
6 \$30,000;
- 7 (xi) \$125, if the value is more than \$30,000 but not more than  
8 \$40,000;
- 9 (xii) \$150, if the value is more than \$40,000 but not more than  
10 \$50,000;
- 11 (xiii) \$200, if the value is more than \$50,000 but not more than  
12 \$75,000;
- 13 (xiv) \$250, if the value is more than \$75,000 but not more than  
14 \$100,000;
- 15 (xv) \$300, if the value is more than \$100,000 but not more than  
16 \$150,000;
- 17 (xvi) \$350, if the value is more than \$150,000 but not more than  
18 \$200,000;
- 19 (xvii) \$400, if the value is more than \$200,000 but not more than  
20 \$300,000;
- 21 (xviii) \$500, if the value is more than \$300,000 but not more than  
22 \$400,000;
- 23 (xix) \$600, if the value is more than \$400,000 but not more than  
24 \$500,000;
- 25 (xx) \$750, if the value is more than \$500,000 but not more than  
26 \$750,000; and
- 27 (xxi) \$800, if the value is more than \$750,000.

28 (3) In Baltimore City, the license fee is:

- 29 (i) \$20, if the value of the applicant's stock-in-trade is not more  
30 than \$1,000;

- 1 (ii) \$40, if the value is more than \$1,000 but not more than \$5,000;
- 2 (iii) \$80, if the value is more than \$5,000 but not more than \$10,000;
- 3 (iv) \$160, if the value is more than \$10,000 but not more than  
4 \$50,000;
- 5 (v) \$375, if the value is more than \$50,000 but not more than  
6 \$100,000;
- 7 (vi) \$1,000, if the value is more than \$100,000 but not more than  
8 \$300,000;
- 9 (vii) \$1,500, if the value is more than \$300,000 but not more than  
10 \$750,000; and
- 11 (viii) \$2,125, if the value is more than \$750,000.
- 12 (4) In Baltimore County, the license fee is:
- 13 (i) \$20, if the value of the applicant's stock-in-trade is not more  
14 than \$1,000;
- 15 (ii) \$40, if the value is more than \$1,000 but not more than \$5,000;
- 16 (iii) \$80, if the value is more than \$5,000 but not more than \$10,000;
- 17 (iv) \$160, if the value is more than \$10,000 but not more than  
18 \$50,000;
- 19 (v) \$375, if the value is more than \$50,000 but not more than  
20 \$100,000;
- 21 (vi) \$450, if the value is more than \$100,000 but not more than  
22 \$200,000;
- 23 (vii) \$500, if the value is more than \$200,000 but not more than  
24 \$300,000;
- 25 (viii) \$775, if the value is more than \$300,000 but not more than  
26 \$400,000;
- 27 (ix) \$1,000, if the value is more than \$400,000 but not more than  
28 \$500,000;

1 (x) \$1,250, if the value is more than \$500,000 but not more than  
2 \$750,000; and

3 (xi) \$1,600, if the value is more than \$750,000.

4 (d) (1) This subsection does not apply to a domestic corporation that has  
5 shares subject to taxation under State law.

6 (2) In determining the value of an applicant's stock-in-trade, the clerk  
7 shall accept as prima facie evidence the values shown on the certification of the State  
8 Department of Assessments and Taxation, **OR DECLARATION OF INVENTORY FROM THE**  
9 **APPLICANT, AS** required by § 17-302 of this title.

10 (e) A license fee shall be waived for:

11 (1) a visually handicapped applicant who meets the standards of [§  
12 17-1806(b)(1)] **§ 17-1804(B)(1)** of this subtitle; and

13 (2) Blind Industries.

14 [17-1809.

15 (a) This section does not apply to an automobile service station where the  
16 principal business is the sale or distribution of motor fuel.

17 (b) (1) An applicant for a chain store license shall pay to the clerk a license fee  
18 based on the value of the applicant's stock-in-trade under § 17-1808 of this subtitle and  
19 an additional license fee.

20 (2) In a county other than Baltimore City, Baltimore County, or Cecil  
21 County, the additional license fee is:

22 (i) \$5 for each store for 2 to 5 stores;

23 (ii) \$20 for each store for 6 to 10 stores;

24 (iii) \$100 for each store for 11 to 20 stores; or

25 (iv) \$150 for each store for more than 20 stores.

26 (3) In Baltimore City or Baltimore County, the additional license fee is:

27 (i) \$12 for each store for 2 to 5 stores;

28 (ii) \$50 for each store for 6 to 10 stores;

29 (iii) \$250 for each store for 11 to 20 stores; or

1 (iv) \$375 for each store for more than 20 stores.

2 (4) In Cecil County, the additional license fee is:

3 (i) \$10 for each store for 2 to 5 stores;

4 (ii) \$30 for each store for 6 to 10 stores;

5 (iii) \$100 for each store for 11 to 20 stores; and

6 (iv) \$300 for each store for more than 20 stores.]

7 [17–1810.

8 The clerk shall state on each trader’s license the place where the licensed trader may  
9 do business as a trader.]

10 [17–1811.] **17–1808.**

11 [(a) (1) Except as provided in paragraph (2) of this subsection, a trader’s license  
12 authorizes the holder to offer goods for sale in any part of the State.]

13 **(A) (1) THE CLERK SHALL STATE ON EACH TRADER’S LICENSE THE PLACE**  
14 **WHERE THE LICENSEE MAY DO BUSINESS AS A TRADER.**

15 (2) [However, a] **A** trader may keep a [store or fixed] place of business only  
16 at the place stated [in] **ON** the trader’s license.

17 (b) A trader’s license issued to an exhibitor authorizes the holder to do business  
18 as an exhibitor at any show in the State.

19 **(C) A TRADER’S LICENSE ISSUED TO A PEDDLER, AS DEFINED IN § 17–901**  
20 **OF THIS TITLE, AUTHORIZES THE HOLDER OF THE TRADER’S LICENSE TO ACT AS A**  
21 **PEDDLER ONLY IN THE COUNTY WHERE THE TRADER’S LICENSE WAS ISSUED.**

22 [17–1812.] **17–1809.**

23 (a) (1) If a trader disputes the value of the trader’s stock–in–trade on which  
24 the license fee is based, the trader may submit in accordance with the Tax – Property  
25 Article an appeal to the State Department of Assessments and Taxation as to the value of  
26 the stock–in–trade.

27 (2) To avoid being in default, the trader may pay the license fee and get a  
28 trader’s license with the understanding that the trader will get a refund of any excess  
29 amount paid for the trader’s license.

1 (b) (1) If the State Department of Assessments and Taxation reduces the value  
2 of the stock-in-trade, resulting in a lower license fee, the licensed trader may get a refund  
3 of any excess amount paid by submitting to the clerk who issued the trader's license:

4 (i) a claim for the refund; and

5 (ii) supporting evidence of the reduction from the State Department  
6 of Assessments and Taxation.

7 (2) On approving the claim, the clerk shall pay the refund.

8 (c) If the clerk pays a refund, the clerk shall deduct the amount of the refund from  
9 the license fees distributed to the county or municipal corporation that receives the fee.

10 **[17-1813.] 17-1810.**

11 (a) Except as provided in subsection (b) of this section, a trader may transfer the  
12 trader's license to a person who:

13 (1) buys the stock-in-trade of the trader; and

14 (2) buys or rents the place of business of the trader.

15 (b) (1) A trader's license issued to a visually handicapped individual or Blind  
16 Industries is not transferable.

17 (2) However, Blind Industries may change the manager of the place of  
18 business for which a trader's license was issued if the new manager has vision that meets  
19 the standard of [§ 17-1806(b)(1)] **§ 17-1804(B)(1)** of this subtitle.

20 (c) Whenever a trader sells the trader's stock-in-trade and transfers the trader's  
21 license:

22 (1) the transfer of the trader's license shall be reported to the clerk who  
23 issued the license; and

24 (2) the clerk shall[:

25 (i)] record the transfer of the trader's license[; and

26 (ii) charge 50 cents for doing so.]

27 (d) (1) In Baltimore County, the clerk may not issue a transferred trader's  
28 license without the approval of the zoning commissioner.

1           (2) (i) In Howard County, the clerk may not issue a transferred trader's  
2 license without the approval of the Director of the Office of Planning and Zoning.

3           (ii) Within 3 working days after an application for issuance of a  
4 transferred trader's license is submitted for review by the Director of the Office of Planning  
5 and Zoning, the Director shall notify the clerk of the approval or disapproval of the  
6 application.]

7           **(2) IN CALVERT COUNTY, THE CLERK MAY NOT ISSUE A**  
8 **TRANSFERRED TRADER'S LICENSE UNLESS THE ZONING REQUIREMENTS UNDER §**  
9 **17-307 OF THIS TITLE ARE MET.**

10          (e) A person who buys a trader's license may do business as a trader for the rest  
11 of the term of the trader's license.

12 **[17-1814.] 17-1811.**

13          (a) A promoter may not allow an exhibitor to do business at a show unless, before  
14 the show, the exhibitor submits to the promoter:

15           (1) a photocopy of the trader's license of the exhibitor; or

16           (2) an exhibitor's affidavit in accordance with § **[17-1804(d)(2)]**  
17 **17-1803(D)(2)** or (3) of this subtitle.

18          (b) The exhibitor's affidavit or the photocopy of the trader's license shall be  
19 displayed conspicuously during the show.

20          (c) Within 7 days after a show ends, the promoter shall submit to the Comptroller  
21 the exhibitors' affidavits.

22 **[17-1815.**

23          (a) (1) In this section the following words have the meanings indicated.

24           (2) "Yacht brokerage" means the sale of new or used vessels.

25           (3) (i) "Yacht salesperson" means an individual who provides yacht  
26 brokerage services on behalf of a licensed trader.

27           (ii) "Yacht salesperson" includes a licensed yacht broker.

28          (b) Subject to the provisions of this section, a licensed trader who sells yachts  
29 may, at the trader's option, utilize as an independent contractor, employ, or otherwise  
30 contract with a yacht salesperson.

1 (c) A yacht salesperson:

2 (1) may operate under a trader's license; and

3 (2) is not required to be licensed personally.

4 (d) (1) A licensed trader shall exercise reasonable and adequate supervision  
5 over the provision of yacht brokerage services by a yacht salesperson on behalf of the trader.

6 (2) The requirement of paragraph (1) of this subsection shall apply  
7 regardless of the manner in which a yacht salesperson is affiliated with the trader on whose  
8 behalf the services are rendered.]

9 [17-1816.] **17-1812.**

10 A person, including a licensed physician, who violates or conspires to violate any  
11 provision of this subtitle that relates to trader's licenses for visually handicapped  
12 individuals or Blind Industries is guilty of a misdemeanor and, on conviction, is subject to  
13 a fine not exceeding \$1,000 or imprisonment not exceeding 6 months or both.

14 Subtitle 19. Vending Machines.

15 17-1902.

16 This subtitle does not apply to:

17 (1) the sale or offering for sale of [cigarettes,] newspapers, magazines,  
18 paper cups, paper or cloth towels, soap, toilet seat covers, postage stamps, or sanitary  
19 napkins; [or]

20 (2) the sale or offering for sale of merchandise through a bulk vending  
21 machine as defined in § 11-201.1 of the Tax – General Article; **OR**

22 **(3) THE SALE OF TOBACCO PRODUCTS THROUGH A VENDING**  
23 **MACHINE UNDER TITLE 16, SUBTITLE 3A OF THIS ARTICLE.**

24 17-1904.

25 **(A)** An applicant for a vending machine license shall pay to the clerk a license fee  
26 of \$2.50 for each vending machine.

27 **(B) ALL VENDING MACHINE LICENSE FEES COLLECTED UNDER THIS**  
28 **SECTION SHALL BE PAID TO THE COMPTROLLER.**

29 17-1905.

1 (a) [The clerk shall give each vending machine licensee an identification label for  
2 each vending machine.] **THE COMPTROLLER SHALL PRINT AND DELIVER TO THE**  
3 **CLERK A LICENSE STICKER FOR EACH VENDING MACHINE.**

4 **(B) THE CLERK SHALL GIVE EACH VENDING MACHINE LICENSEE A LICENSE**  
5 **STICKER FOR EACH VENDING MACHINE.**

6 **[(b)] (C)** (1) Subject to regulations adopted by the Comptroller, the  
7 **[identification label] LICENSE STICKER** shall be attached to the vending machine so that  
8 the identification label is easily visible.

9 (2) In addition, the name and telephone number of the vending machine  
10 licensee or owner of the vending machine shall be displayed on each vending machine so  
11 that the name and telephone number are easily visible.

12 **[(c)] (D)** (1) If an inspector finds that a vending machine does not display the  
13 **[identification label] LICENSE STICKER** required by this section, the inspector promptly  
14 shall:

15 (i) notify the vending machine licensee or owner in writing of the  
16 violation; and

17 (ii) require that the vending machine licensee or owner display the  
18 **[identification label] LICENSE STICKER** properly within 10 days after receiving notice of  
19 the violation.

20 (2) If the vending machine licensee or owner fails to display the  
21 **[identification label] LICENSE STICKER** properly within 10 days, the inspector shall:

22 (i) seal the vending machine to prevent further use; and

23 (ii) take necessary action to enforce the licensing provisions of this  
24 subtitle.

25 (3) If neither the **[identification label] LICENSE STICKER** nor the name  
26 and telephone number of the vending machine licensee or owner are displayed properly,  
27 the inspector:

28 (i) immediately shall seal the vending machine to prevent further  
29 use; and

30 (ii) shall take necessary action to enforce this subtitle.

1 (a) A person may not sell goods or offer goods for sale through a vending machine  
2 in the State unless the person has a vending machine license that covers that machine.

3 **(B) AN UNAUTHORIZED PERSON MAY NOT REMOVE OR TAMPER WITH A**  
4 **LICENSE STICKER OR SEAL ON A VENDING MACHINE.**

5 **[(b)] (C)** A person who violates **ANY PROVISION OF** this **[section]** **SUBTITLE** is  
6 guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$100.

7 [17–1907.

8 (a) An unauthorized person may not remove or tamper with a seal on a vending  
9 machine.

10 (b) A person who violates this section is guilty of a misdemeanor and, on  
11 conviction, is subject to a fine not exceeding \$100.]

12 Subtitle 21. General Prohibited Acts; Penalties.

13 17–2101.

14 In this subtitle, “license” has the meaning stated in [§ 17–201] **§§ 17–101 AND**  
15 **17–201** of this title.

16 17–2103.

17 A person may not fail to display a license, **LICENSE STICKER, OR METAL TAG** as  
18 required by this title.

19 **SECTION 3. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
20 October 1, 2022.