§4362-A. Licenses

1. Generally. A distributor doing business in this State shall obtain a license from the assessor. A license must be obtained for each wholesale outlet maintained by the distributor. A distributor's license must be prominently displayed on the premises of the business covered by the license. A person required to be licensed as a distributor pursuant to this chapter must also be in compliance with Title 22, section 1580-L. A distributor's license issued pursuant to this section is not a license within the meaning of that term in the Maine Administrative Procedure Act.
[PL 2019, c. 379, Pt. B, §10 (AMD).]

2. Applications; forms. An application for a distributor's license must be made on a form prescribed and issued by the assessor. Licenses are issued in the form prescribed by the assessor and must contain the name and address of the licensed distributor, the address of the place of business and such other information as the assessor may require for the proper administration of this chapter.
[PL 2007, c. 438, §89 (AMD).]

3. Expiration and reissuance.
[PL 2019, c. 379, Pt. B, §11 (RP).]

4. Penalties. The following penalties apply to violations of this section.

A. A distributor who imports into this State any cigarettes without holding a distributor's license issued by the assessor pursuant to this section commits a civil violation for which a fine of not less than $250 and not more than $500 must be adjudged. [PL 2003, c. 452, Pt. U, §9 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A distributor who violates paragraph A after having been previously adjudicated as violating paragraph A commits a civil violation for which a fine of not less than $500 and not more than $1,000 must be adjudged for each subsequent violation. [PL 2003, c. 452, Pt. U, §9 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. A distributor who sells at wholesale, offers for sale at wholesale or possesses with intent to sell at wholesale any cigarettes without holding a distributor's license issued by the assessor pursuant to this section commits a civil violation for which a fine of not less than $250 and not more than $500 must be adjudged. [PL 2003, c. 452, Pt. U, §9 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

D. A distributor who violates paragraph C after having been previously adjudicated as violating paragraph C commits a civil violation for which a fine of not less than $500 and not more than $1,000 must be adjudged for each subsequent violation. [PL 2003, c. 452, Pt. U, §9 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
[PL 2003, c. 452, Pt. U, §9 (RPR); PL 2003, c. 452, Pt. X, §2 (AFF).]

5. Surrender, revocation or suspension. When the business with respect to which a license was issued pursuant to this section is sold or ceases to do business in this State, the holder of the license shall immediately surrender it to the assessor. The assessor may revoke or suspend the license of a distributor for failure to comply with any provision of this chapter or if the distributor no longer imports or sells cigarettes. A license that has been revoked or suspended pursuant to this subsection must be immediately surrendered to the assessor. Any person aggrieved by a revocation or suspension may request reconsideration as provided in section 151.
[PL 2019, c. 379, Pt. B, §12 (AMD).]

SECTION HISTORY

PL 1997, c. 458, §3 (NEW). PL 2001, c. 526, §3 (AMD). PL 2003, c. 439, §2 (AMD). PL 2003, c. 452, §U9 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2007, c. 438, §§89,90 (AMD). PL 2015, c. 300, Pt. A, §36 (AMD). PL 2019, c. 379, Pt. B, §§10-12 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.