THE COMPTROLLER SHALL SEAL A VENDING MACHINE TO PREVENT THE SALE OR REMOVAL OF CIGARETTES FROM THE MACHINE IF:

(1) A TAX STAMP IS NOT VISIBLE ON EACH VISIBLE PACKAGE OF CIGARETTES IN THE MACHINE, AS REQUIRED BY § 16-209(B)(1) OF THIS SUBTITLE; OR

(2) THE MACHINE IS NOT LABELED AS REQUIRED BY § 16-209(B)(2) OF THIS SUBTITLE.

(B) REMOVAL BY COMPTROLLER.

IF THE VIOLATION FOR WHICH A VENDING MACHINE IS SEALED HAS BEEN CORRECTED IN THE PRESENCE OF THE COMPTROLLER OR THE COMPTROLLER'S DESIGNEE, THE COMPTROLLER SHALL REMOVE THE SEAL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 628.

In subsection (a)(1) of this section, the reference to each "visible" package of cigarettes is added for accuracy and clarity since each cigarette package in the machine is not always visible.

In subsection (b) of this section, the phrase "or the Comptroller's designee" is added to clarify that the Comptroller need not be present.

Defined terms: "Cigarette" § 16-101
"Comptroller" § 1-101

16-221. REMOVING OR TAMPERING WITH VENDING MACHINE SEAL PROHIBITED.

(A) PROHIBITED ACT.

EXCEPT AS OTHERWISE PROVIDED IN § 16-220 OF THIS SUBTITLE, A PERSON MAY NOT REMOVE OR TAMPER WITH A SEAL PLACED ON A VENDING MACHINE BY THE COMPTROLLER.

(B) PENALTY.

A PERSON WHO WILLFULLY VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING $1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, §§ 629 and 630(b).

Defined terms: "Comptroller" § 1-101
"Person" § 1-101