Nearly 9 out of 10 adult smokers began smoking before the age of 18. As a tobacco retailer, you play a leading role in keeping tobacco products out of the hands of Maryland youth, and limiting the negative health effects of tobacco use on those too young to make an informed decision about using tobacco. To assist in this effort, this Guide provides basic information on the various laws and regulations governing the sale of tobacco products in Maryland.

**LICENSING**

To sell tobacco at retail in Maryland, you must obtain a license. The type of license required depends on the tobacco products being offered for sale. Licenses can be obtained by applying to the appropriate county clerk for each place of business and paying the applicable fee. Licenses must be clearly displayed in the place of business. Licenses must be renewed by April 30th of each year.

A tobacco license may be suspended or revoked if law enforcement or health officials determine that a retailer sold tobacco products to customers under the age of 18. Store owners and sales personnel may also be subject to the criminal penalties for tobacco sales to minors.

**CONTACT INFORMATION**

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SALES TO MINORS
Maryland law prohibits the sale of tobacco products, including tobacco paraphernalia and electronic nicotine devices (e-cigarettes), to anyone under the age of 18.

Electronic Cigarettes: The sale of e-cigarettes, including any component part or refillable container of e-liquid, to a minor is punishable by:

1st Offense: Fine of up to $300
Additional offenses: Fine of up to $500

Tobacco Products: The sale of tobacco products to a minor is a criminal misdemeanor, punishable by:

1st offense: Fine of up to $300
2nd offense: Fine of up to $1,000
Additional offenses: Fine of up to $3,000 if within 24 months of a prior violation.

Local Penalties: In addition to State criminal law, the following counties have imposed additional civil prohibitions and fines for tobacco sales to minors:

- **Baltimore County**
  - $300 fine for first violation
  - $500 fine for subsequent violations

- **Cecil County**
  - $300 fine for first violation
  - $500 fine for second violation
  - $750 fine for subsequent violations

- **Carroll County**
  - $300 fine for first violation
  - $500 fine for subsequent violations within 24 months from the previous violation

- **Garrett County**
  - Fine of up to $300

- **Howard County**
  - **Owners** – fines of $250 to $500 for first violation and $500 to $1,000 for subsequent violations within one year of a prior violation
  - **Employees** – fines of $50 to $100 for first violation and $100 to $250 for subsequent violations within one year of a prior violation

**Montgomery County**
- $500 fine for first violation
- $750 fine for subsequent violations

**Prince George’s County**
- **Owners** – fines of up to $300 for first violation and up to $1,000 for subsequent violations
- **Employees** – fines of up to $50 for first violation and $100 for subsequent violations

**St. Mary’s County**
- $300 fine for first violation
- $500 fine for subsequent violations within 24 months from the prior violation

**SELF-SERVICE TOBACCO**
Cigarettes and smokeless tobacco products **MUST** be sold in face-to-face transactions. Self-service displays or vending machines are prohibited unless located in a facility prohibiting entry by anyone under 18.

In addition to statewide vending machine restrictions, the following local jurisdictions require ALL tobacco products to be placed in a location inaccessible to customers and impose civil penalties for violations:

- Baltimore City
- Baltimore County
- Charles County
- Garrett County
- Harford County
- Howard County
- Kent County
- Montgomery County
- Prince George’s County
- Talbot County
- Wicomico County

**IDENTIFICATION CHECKS**
Retailers **MUST** check a photo ID of every tobacco customer who is under 27 years old.
The photo ID must contain a birth date and show that the customer’s age is at least 18. Maryland IDs of those under age 21 are vertically-oriented, rather than horizontally-oriented. For those under age 18 the ID also shows in **bold red type** the date until which the individual is under 18.

Other acceptable forms of identification include military identification cards, passports, and immigration cards.

**FLAVORED CIGARETTES**
The sale of flavored cigarettes (excluding menthol) is prohibited under federal law, and is subject to action by the FDA. In addition, the sale of clove cigarettes in Maryland is a criminal misdemeanor punishable by a fine of $500.

**PACKAGING AND PROMOTIONS**
Cigarettes may **ONLY** be sold in packages of at least 20. Sale or distribution of unpackaged cigarettes is punishable by a fine of $500 and up to 3 months imprisonment.

Retailers may **NOT** distribute free samples of tobacco products or offer gifts with the purchase of tobacco products. This includes coupons or credits on any product other than tobacco. Smokeless tobacco may be sold only as packaged by the manufacturer.