

Article - Business Regulation

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§16.7–207. IN EFFECT

(a) Subject to the hearing provisions of § 16.7–208 of this subtitle, the Comptroller may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license if the applicant or licensee:

- (1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensee, or another person;
- (2) fraudulently or deceptively uses a license;
- (3) buys electronic smoking devices for resale:
 - (i) in violation of a license; or
 - (ii) from a person that is not a licensed electronic smoking devices manufacturer or a licensed electronic smoking devices wholesaler;
- (4) is convicted, under the laws of the United States or of any other state, of:
 - (i) a felony; or
 - (ii) a misdemeanor that is a crime of moral turpitude and is directly related to the fitness and qualification of the applicant or licensee;
- (5) violates federal, State, or local law regarding the sale of electronic smoking devices; or
- (6) violates this title, Title 16, or Title 16.5 of this article or regulations adopted under these titles.

(b) Subject to the hearing provisions of § 16.7–208 of this subtitle, the Comptroller shall deny a license to any applicant that has had a license revoked under this section until:

- (1) 1 year has passed since the license was revoked; and
- (2) it satisfactorily appears to the Comptroller that the applicant will comply with this title and any regulations adopted under this title.

(c) Prior to the issuance or renewal of any license, the Comptroller shall conduct an investigation with regard to:

- (1) the applicant;
- (2) the business to be operated; and
- (3) the facts set forth in the application.

§16.7–207. ** TAKES EFFECT JUNE 1, 2020 PER CHAPTER 12 OF 2019 **

(a) Subject to the hearing provisions of § 16.7–208 of this subtitle, the Executive Director may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license if the applicant or licensee:

- (1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensee, or another person;
- (2) fraudulently or deceptively uses a license;
- (3) buys electronic smoking devices for resale:
 - (i) in violation of a license; or
 - (ii) from a person that is not a licensed electronic smoking devices manufacturer or a licensed electronic smoking devices wholesaler;
- (4) is convicted, under the laws of the United States or of any other state, of:
 - (i) a felony; or
 - (ii) a misdemeanor that is a crime of moral turpitude and is directly related to the fitness and qualification of the applicant or licensee;
- (5) violates federal, State, or local law regarding the sale of electronic smoking devices; or
- (6) violates this title, Title 16, or Title 16.5 of this article or regulations adopted under these titles.

(b) Subject to the hearing provisions of § 16.7–208 of this subtitle, the Executive Director shall deny a license to any applicant that has had a license revoked under this section until:

(1) 1 year has passed since the license was revoked; and

(2) it satisfactorily appears to the Executive Director that the applicant will comply with this title and any regulations adopted under this title.

(c) Prior to the issuance or renewal of any license, the Executive Director shall conduct an investigation with regard to:

(1) the applicant;

(2) the business to be operated; and

(3) the facts set forth in the application.

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