

Sec. 24-9C. Distribution of tobacco products to minors.

(a) *Definitions.* In this Section the following words have the meanings indicated.

(1) Tobacco product means any substance containing tobacco, including cigarettes, cigars, smoking tobacco, snuff, or smokeless tobacco.

(2) Distribute means to:

(A) give away, sell, deliver, dispense, or issue;

(B) offer to give away, sell, deliver, dispense, or issue; or

(C) cause or hire any person to give away, sell, deliver, dispense, or issue or offer to give away, sell, deliver, dispense, or issue.

(b) Unlawful distribution.

(1) A person engaged in the business of selling or otherwise distributing tobacco products for commercial purposes must not:

(i) distribute any tobacco product to a minor, unless the minor is acting solely as the agent of the minor's employer who is engaged in the business of distributing tobacco products;

(ii) distribute cigarette rolling papers to a minor; or

(iii) distribute to a minor a coupon redeemable for any tobacco product.

(2) A person, who is not a person described under paragraph (b)(1), must not:

(i) buy for or sell to a minor any tobacco product; or

(ii) deliver or sell to a minor cigarette rolling papers.

(c) Subsection (b) does not apply to the distribution of a coupon which is redeemable for any tobacco product when the coupon is contained in a newspaper, a magazine, or any other type of publication in which the coupon is incidental to the primary purpose of the publication, or sent through the mail.

(d) A person has not violated this Section if:

(1) that person examined a driver's license or another valid identification issued by an employer, a government entity, or an institution of higher education; and

(2) that license or other identification positively identified the buyer or recipient of a tobacco product as at least 18 years old.

(e) If a minor bought a tobacco product from a vending machine, this Section does not apply to the owner of the vending machine or any other person with control over the vending machine.

(f) A person who violates this Section liable for a class A civil violation. (1998 L.M.C., ch. 15, § 1.)

Editor's note-County Council Resolution No. 13-1410 adopted 1998 L.M.C., ch. 15 (Bill No. 13-98) as a Board of Health Regulation.