

Tobacco Product Vending Machines



What Is Allowed:

-  Premium cigars only.
-  Properly licensed.
-  Products purchased from an OTP manufacturer or Maryland licensed wholesaler.

Questions?

If you have any questions regarding this information, please contact us by phone at **443-300-6990** or by email at **atcc.info@maryland.gov**

▶ **What is allowed in a tobacco product vending machine?**

Premium cigars.

▶ **What is a premium cigar?**

A premium cigar is made with 100% tobacco, including the wrapper. It may not have a filter, paper, or other added materials.

▶ **Can I sell cigarettes, OTP, or ESD products from a vending machine?**

No. Only premium cigars are excepted from the rule that tobacco products must be kept behind the counter. Cigarettes, OTP, ESD products, vapes, vape juice, and other tobacco products must be handled by an employee.

▶ **Where can I have a tobacco product vending machine?**

A vending machine is allowed only in a location where people under 21 are not allowed to enter by law. If anyone under 21 may legally enter at any time, the location does not qualify.

▶ **What kinds of places may qualify?**

The location must be always restricted to adults 21 and older. **In practice, this means casinos and adult entertainment locations.**

▶ **Can a bar, restaurant, tavern, lounge, store, or hotel have one?**

No. These businesses may mainly serve adults, but people under 21 are often allowed inside. If they may legally enter, the location does not qualify.

▶ **Can a vending machine be in a customer area or private room?**

Yes, if it contains premium cigars and nothing else, and the location is legally restricted to people 21 and older. If the machine contains any other tobacco product, it must be accessed only by an employee.

▶ **Who stocks the machine and provides the tobacco products?**

The business or employees who stock the machine are considered to be providing the tobacco products. If your business or employees stock it, the business must have the proper Maryland retail tobacco license for that location.

▶ **Where may I buy tobacco products for the machine?**

You may only purchase tobacco products from an OTP manufacturer or a Maryland licensed wholesaler.

▶ **Does each machine need its own license?**

Yes. Each machine needs its own license. The license must be displayed at the machine location and must use the address where the machine is physically located, not a home, warehouse, or other address.

▶ **Where do I get a vending machine license?**

The Clerk of the Circuit Court in your local jurisdiction.

▶ **Do I need a vending machine operator license?**

If you have more than 40 licensed vending machines in the State, then you must obtain a vending machine operator license from the ATCC. Each machine must be separately licensed and in a legal 21-and-older location.

▶ **What should I do before buying or installing a machine?**

Before buying, leasing, placing, installing, or stocking a machine, confirm that the location is legally allowed to have one. A seller may not know Maryland law. The business is responsible for compliance.