

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 5: BUSINESS REGULATION**

**§ 50144. Fines and Penalties.**

(a) *Suspension or Revocation of License.* The Secretary of Commerce shall have the power to suspend or revoke the license of any person or business that violates this chapter, as set forth below.

(b) *Penalties and Fines for Illegal Sales of Tobacco.* Any business establishment that gives, sells, or permits to be given or sold any tobacco product to an individual under the age of 18 (a minor) within the period of one year shall, upon issuance of a notice of violation to the owner, agent, or employee in charge of the business by any representative of a Department authorized to enforce this chapter who has properly identified him or herself, be fined and penalized in the following manner:

- (1) *First Offense:* The business establishment shall receive a warning letter.
- (2) *Second Offense:* A maximum fine of \$500.
- (3) *Third Offense:* A license suspension of up to seven days.
- (4) *Fourth Offense:* Revocation of the license for up to one year.

(c) *Violations Relating to Vending Machines.* Any business establishment that places a stocked or operational cigarette vending machine in a location other than a bar, cabaret, or any establishment for which the minimum age for admission is 18 years, shall be subject to a fine of up to a maximum of \$500 for a first offense, up to \$750 for a second offense, up to a 90 day suspension of the license for a third offense, and revocation of the license for up to one year for a fourth offense.

(d) *Establishment Operating Without License.* Any person found to be engaged in the sale, distribution, or other transfer of tobacco products without a valid license from the Department of Commerce, Alcohol Beverage and Tobacco Control Division, shall be liable for a fine of up to \$1,000 per business establishment.

(e) *Revocation or Voluntary Surrender; Disposal of Stock.* A person or business establishment in possession of a stock of lawfully acquired tobacco products following the revocation or voluntary surrender of, or failure to renew a license, may sell such stock, under supervision of the Department of Commerce, Alcohol Beverage and Tobacco Control Division, in such a manner as the division shall provide to a licensee authorized to sell tobacco products.

(f) *Right to Administrative Hearing.* Any person or business establishment found subject to a fine or penalty, including suspension or revocation of a tobacco license, for an offense established in this section shall have the right to an administrative hearing pursuant to the procedures established under the Administrative Procedures Act, 1 CMC §§ 9108 to 9115, upon the filing of a request for such hearing with the Department of Commerce, Alcohol Beverage and Tobacco Control Division.

**Source:** PL 11-75, § 16, modified.