

Maryland Form 328 PERMIT APPLICATION

Office use only

Office Use Only

Permit # _____

VID _____ Year _____

Permit Year _____

VID _____

VID _____

Approved _____

Date _____

Check # _____

Check Amount _____

Deposit Date _____

- Note:**
- Read instructions carefully. Incomplete or incorrect application will be returned.
 - File a separate application for each type of permit desired.
 - All applicants must complete Sections 1 and 10.
 - All renewal applications received after October 31 will be considered new applications.

Check the type of permit you are applying for: (See last page for explanation)

- | | | | | | |
|---|----------|---|----------|---|-----------|
| <input type="checkbox"/> ND-Non-resident Dealer | \$200.00 | <input type="checkbox"/> IT-Individual Transportation | \$10.00 | <input type="checkbox"/> CH-Change of Domicile | \$ 5.00 |
| <input type="checkbox"/> NS-Non-resident Storage | \$500.00 | <input type="checkbox"/> IS-Individual Storage | \$50.00 | <input type="checkbox"/> NC-Non-beverage "C" | \$50.00 |
| <input type="checkbox"/> IE-Import-Export | \$75.00 | <input type="checkbox"/> PS-Public Storage | \$75.00 | <input type="checkbox"/> NE-Non-beverage "E" | Gratis |
| <input type="checkbox"/> PT-Public Transportation | \$75.00 | <input type="checkbox"/> ST-Storage & Transportation | \$200.00 | <input type="checkbox"/> Vehicle Identification Card (each) | \$ 10.00 |
| <input type="checkbox"/> NW-Non-resident Winery | \$50.00 | <input type="checkbox"/> FP-Family Beer and Wine Facility | \$400.00 | <input type="checkbox"/> RD-Resident Dealer | \$ 200.00 |
| <input type="checkbox"/> NB-Non-Resident Brewery | \$50.00 | <input type="checkbox"/> NL-Non-Resident Distillery | \$100.00 | | |

Section 1 - All Applicants Must Complete This Section New Permit Renewal (permit no.) _____

A. Permit is to be issued in the name of _____
Corporate name for corporation; all partners if partnership; individual name and trade name

B. Whose telephone number is _____ or _____ FAX _____
Toll Free Number
 E-mail address _____

C. Whose mailing address is _____

Street and Number

City County State Nine - digit ZIP Code

D. Provide physical location address if the mailing address is different _____

E. Applicant is a Corporation List Federal Identification Number -
 Limited Liability Co.
 Partnership List Social Security Number* - -
 Individual (Required for Resident Dealers)

*The disclosure of applicant's Social Security Number is mandatory and will be used for background investigations pursuant to the Annotated Code of Maryland, Alcoholic Beverages Article.

F. The applicant is presently the holder of the following Alcoholic Beverages Permits or Licenses issued by any other state, the state of Maryland, or the United States Government (if additional space is needed, attach separate paper). If NONE, so state.

Issuing authority	Type	Expiration date	Number
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Maryland Alcohol, Tobacco, and Cannabis Commission
 Regulatory & Research Section
 1215 E Fort Ave, Ste 300
 Baltimore, Maryland 21230

410-260-7314
atcc.licensing@maryland.gov
atcc.maryland.gov

- G. Has the applicant ever been convicted of a felony by any state or federal court? Yes No
- H. Does the applicant agree to conform to all the laws, rules, and regulations of the state of Maryland relating to the business proposed under this permit? Yes No
- I. Does the applicant authorize the Maryland Alcohol, Tobacco, and Cannabis Commission and its duly authorized personnel to search without warrant any vehicle, railroad cars, vessel, aircraft or premises used in the business to be conducted under this permit at any and all hours agreeable to the laws of the state of Maryland? Yes No
- J. Has the applicant ever been convicted of a violation of the laws of the United States, Maryland or any other state concerning alcoholic beverages, gaming, or gambling? (If yes, explain in detail on separate paper - list offense, court, date, etc.) Yes No
- K. Does the applicant have an interest in a Maryland alcoholic beverage wholesale or retail license, either issued or applied for? Provide particulars on separate attachment. Yes No
- L. The Annotated Code of Maryland, Alcoholic Beverages Article, Section 1-404 titled "Compliance with Workers' Compensation Act", requires the evidence of such compliance prior to the issuance of any permit by this office. The applicant hereby affirms (complete one):

- a. Applicant is not an employer required to provide coverage by the Maryland Workers' Compensation Law; or
- b. Applicant is an employer required to provide employee coverage by the Maryland Workers' Compensation Law and has secured such coverage. As evidence of such coverage, the following is submitted:

- 1. Name of insurance company _____
- 2. Policy or binder number _____

Section 2 - Non-beverage Applicants Complete This Section in Addition to Sections 1, 4, & 10

- A. Alcohol purchased under this permit is to be used for _____
- B. If the applicant is a hospital, educational or charitable organization qualified for Non-Beverage "E" gratis permit, set forth the nature of the organization and operation.

Section 3 - Change of Domicile Permit Applicants Complete This Section in Addition to Sections 1 & 10

- A. I am changing my domicile and moving my household effects from

Street and Number	City	County	State	Nine - digit ZIP Code
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to

Street and Number	City	County	State	Nine - digit ZIP Code
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- B. Attach an inventory of the alcoholic beverages you wish to bring into this state showing container size, brand name, type and proof or alcoholic content. Maryland tax at the following rates should accompany this application: Wine 40 cents per gallon, Beer 9 cents per gallon, Distilled Spirits (alcoholic beverages other than wine or beer) \$1.50 per gallon up to 100 proof plus .015 cents per 1 proof over 100 proof.

Section 4 - Public Storage, Individual Storage and Family Beer and Wine Facility Applicants Complete This Section in Addition to Section 1 & 10. Non-beverage Applicants Complete This Section in Addition to Section 1, 2, & 10. Public Storage and Transportation Applicants Complete This Section in Addition to Section 1, 5, & 10.

- A. If premises is in Maryland give exact site location (do not give P.O. address).

Street and Number	City	County	State	Rear, Front, 2nd Floor, etc.
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Other site locations _____

- B. Physical description of premises applied for (give distance to nearest prominent landmark and specify which portion of the building is to be covered by the permit if all of structure is not covered)

- C. The premises is owned by _____
- D. Whose mailing address is _____

E. If authorized by a manufacturer’s license, will you be manufacturing at this location? Yes No

F. (I, We) certify that (I am, we are) the owner(s) of the above described premises, and (I, we) hereby consent to the use of the premises in the conduct of the business to be engaged in under the permit applied for and (I, we) authorize the Maryland Alcohol, Tobacco, and Cannabis Commission and its duly authorized inspectors to inspect and search without warrant, the premises so described at any and all hours.

Your signature below indicates explicit consent to warrantless searches of the property in compliance with the Annotated Code of Maryland, Alcoholic Beverages Article, for as long as the regulated activity is authorized under this permit at this location and said consent shall remain in effect until the permit is invalidated or until the property undergoes a change of ownership.

WITNESS (My, Our) hand(s) and seal(s) this _____ day of _____ 20 _____

WITNESS _____ Owner’s signature

WITNESS _____ Owner’s signature

Section 5 - Public Transportation, Public Storage & Transportation, Individual Transportation Applicants Complete This Section in Addition to Section 1 & 10.

A. Will you operate as a common or contract carrier transporting for other persons? Yes No

B. If your answer to question A above is “Yes,” are you presently committed to transport for another person? Yes No

C. Will you be the owner of the alcoholic beverages to be transported? Yes No

D. If your answer to question C above is “Yes,” state the source and destination of the alcoholic beverages hauled.

E. Each vehicle operating under a permit must carry identification. A fee of \$10.00 per vehicle must accompany this application in addition to the permit fee.

F. Number of vehicles requiring a vehicle identification card at \$10.00 each: Total _____

Section 6 - Non-resident Winery Applicants Complete This Section in addition to Sections 1 & 10.

A. Do you produce less than 27,500 gallons of your own wine annually? Yes No

Section 7 - Non-resident Brewery Applicants Complete This Section in addition to Sections 1 & 10.

A. Do you produce less than 22,500 barrels of your own beer annually? Yes No

Section 8 - Resident Dealer Applicants Complete This Section in addition to Sections 1 & 10.

A. Has the applicant been a resident of Maryland for at least 2 years prior to making application? Yes No

MD Resident Since _____

Section 9 - Non-Resident Distillery Applicants Complete This Section in addition to Sections 1 & 10.

A. Do you produce less than 100,000 gallons of your own liquor annually? Yes No

Section 10 - All Applicants Must Complete This Section

Your signature below indicates your agreement to the terms of this Affidavit in compliance with the Annotated Code of Maryland, Alcoholic Beverages Article for as long as the regulated activity is authorized under this permit at this location, and these terms shall remain in effect until the permit is invalidated or until the property undergoes a change of ownership.

Affidavit

I do solemnly declare and affirm under the penalties of perjury that the contents of this foregoing document are true and correct to the best of my knowledge, information, and belief.

Signature of owner, partner or corporate officer

Type or print name of owner, partner or corporate officer

Title

Date

**PERMIT APPLICATION
EXPLANATION OF PERMITS AND FEES**

Permit Type	Purpose	Fee	Renewal
Non-Resident Dealer	Authorizes out-of-state dealers to sell and deliver alcoholic beverages ONLY to persons in Maryland who are authorized under Maryland law to receive them.	\$200 annually	Oct. 31
Non-Resident Storage	May only be issued to the holder of a Non-resident Dealer Permit (both permits may be applied for at the same time). It authorizes the holder to store alcoholic beverages in a licensed Maryland Public Storage warehouse for subsequent delivery to qualified Maryland licensees and persons outside Maryland. Invoices issued by Non-Resident Dealers from out-of-state addresses must be made with any delivery to a Maryland licensee. A monthly report of activities will be required. Attach to your application a letter fully outlining your proposed activities, including source, storage location in Maryland and ultimate destination (both in and out of Maryland) of alcoholic beverages.	\$500 annually	Oct. 31
Import-Export	Authorizes importation of alcoholic beverages into Maryland for storage in a licensed public warehouse for subsequent reshipment outside the state of Maryland. Alcoholic beverages imported under this permit may not be sold, consigned or delivered to any person within the state of Maryland. A monthly report of activities will be required. Attach to your application a letter fully outlining your proposed activities, including sources, storage location in Maryland and out-of-state destinations of alcoholic beverages.	\$75 annually	Oct. 31
Public Transportation	Authorizes only transportation of alcoholic beverages for the accounts of other persons, into, within, out of or through the state of Maryland. This permit does not allow selling, storing, or warehousing in Maryland.	\$75 annually	Oct. 31
Individual Transportation	Authorizes the transportation from or en route through the state of Maryland of alcoholic beverages which are not for sale or delivery within this state. Title to such alcoholic beverages shall be vested in the person to whom the permit is issued.	\$10 annually	Oct. 31
Individual Storage	Authorizes only the storage of alcoholic beverages which are the property of the permit holder at premises not otherwise licensed. The beverages so stored may only be delivered to the premises of the license holder.	\$50 annually	Oct. 31
Public Storage	Authorizes the operation of a warehouse for the storing of alcoholic beverages in Maryland for the accounts of other persons. Monthly reports will be required.	\$75 annually	Oct. 31
Public Storage and Transportation	Authorizes the operation of a warehouse for the storing of alcoholic beverages in Maryland for the accounts of other persons, and transportation of alcoholic beverages into, within, through and out of the state of Maryland. Monthly reports will be required.	\$200 annually	Oct. 31
Change of Domicile	Authorizes holders to transport into Maryland their private stock of alcoholic beverages for personal consumption only upon the payment of the Maryland tax on alcoholic beverages when the permit holder is changing domicile into the state of Maryland.	\$5	Valid for specific transaction
Non-Beverage "C"	Authorizes the holder for commercial purposes to purchase alcohol and alcoholic beverages for use in compounding or manufacturing flavoring extracts; medicinal, antiseptic or toilet preparations, or for other similar purposes; for scientific or laboratory purposes; for flavoring food products; or for sale by druggists or apothecaries upon the written prescription of a qualified physician.	\$50	Valid until cancelled or revoked
Non-Beverage "E"	This permit is the same as the Non-Beverage "C" permit, except that it is for non-commercial purposes and will be issued gratis to any publicly supported hospital, governmental or municipal institution, educational institution or charitable organization.	No fee	Valid until cancelled or revoked
Vehicle Identification Card	Each tractor unit or straight truck hauling alcoholic beverages under the authority of a Public Transportation Permit, Individual Transportation Permit, or a Public Storage and Transportation Permit must carry a Vehicle Identification Card at all times when alcoholic beverages are being transported. The permit holder shall enter the vehicle make, serial number and state of registration and license number on the card assigned to the vehicle. The cards are non-transferable once assigned by the permit holder and may be used only to identify vehicles owned or leased by the permit holder under such terms that the permit holder has absolute and exclusive use and control of the vehicle and operator.	\$10 annually for each tractor unit or straight truck	Oct. 31
Family Beer and Wine Facility	Authorized to establish a facility for the production of family beer or wine by nonlicensed Maryland state consumers who are of legal drinking age. The permit holder may provide equipment, raw materials and instructions to the consumer. Except for beer or wine produced for testing the equipment and recipes or sample to consumers who have entered into contract, the permit holder may not engage in actual production or manufacture of beer or wine. All family beer and wine produced at the Family Beer and Wine Facility shall be removed from the premises by the consumer for home consumption and personal use.	\$400 annually	Oct. 31
Resident Dealer	Authorizes in-state dealers to sell alcoholic beverages only to persons in Maryland who are authorized under MD law to receive them.	\$200 annually	Oct. 31
Non-Resident Brewery	Authorizes out of state breweries who produce not more than 22,500 barrels of their own beer annually to sell and deliver not more than 3,000 barrels of its own beer annually to retail license holders in Maryland who are authorized under Maryland Law to receive them.	\$50 annually	Oct. 31
Non-Resident Winery	Authorizes out-of-state wineries who produce less than 27,500 gallons of their own wine per year to sell and deliver wine to retailers in Maryland who are authorized under Maryland Law to receive them.	\$50 annually	Oct. 31
Non-Resident Distillery	Authorizes out-of-state distilleries who produce not more than 100,000 gallons of their own liquor annually to sell and deliver their own liquor to retail license holders in Maryland who are authorized under Maryland Law to receive them.	\$100 annually	Oct. 31

Maryland Alcohol, Tobacco, and Cannabis Commission
1215 E Fort Ave, Ste 300
Baltimore, MD 21230

Checklist for Non-Resident Winery Permit Application

Below is a checklist of forms, etc., that must be sent to the Maryland Alcohol, Tobacco, and Cannabis Commission, when applying for a Non-Resident Winery Permit to ship wine to retailers or permit holders in the State of Maryland.

Be sure to read thoroughly all the regulations, bulletins and notices enclosed before submitting your application. Incomplete applications or items not submitted will result in your application being returned unprocessed until all requirements are met.

- _____ Permit Application (Maryland Form 328) properly executed (one copy).
- _____ File an appropriate security. (form 364).
- _____ Provide an official Power of Attorney (if applicable) to authorize a compliance agent or employee to sign any documents submitted excluding the actual application which must be signed by a corporate officer or owner (if individual ownership).
- _____ Your check or money order made payable to the “Maryland Alcohol, Tobacco, and Cannabis Commission”, in the amount of \$50.00.
- _____ A copy of your winery’s most recent financial statement.
- _____ A letter certifying that you are the actual brand owner of the products you intend to sell in Maryland.
- _____ A sample invoice you propose to use to bill Maryland retailer’s.
- _____ Verify, in writing, that you do not ship wine and/or spirits directly to consumers in Maryland.
- _____ A copy of your State alcohol license.
- _____ A copy of your Federal Basic Permit.

Information regarding making sales to retailers on credit.

1. See regulation 03.02.01.04 – Wine and Distilled Spirits Credit Control.
2. You may not extend credit to retailers on the Over 30 Day Credit Control List and you must accept only cash or money orders from retailers on the Returned Check List.
3. You will receive more detailed information regarding Credit Control when your permit is issued.
4. Once your permit is issued, you must contact this office at 410-260-7532 to obtain a username and password to access the credit control system at the following address:
https://interactive.marylandtaxes.com/credit_control/

**MARYLAND
FORM
364** **WINE AND LIQUOR BOND**

Comptroller of Maryland
Field Enforcement Division
Regulatory & Licensing Section
P.O. Box 2999
Annapolis, Maryland 21404-2999
410-260-7314 or 800-MD-TAXES
ATT@marylandtaxes.gov
www.marylandtaxes.gov

RLS Use Only
Approved _____
Date _____

Bond Number: _____

KNOW ALL PERSONS BY THESE PRESENTS, that we _____, hereinafter called the Principal, and _____, a corporation incorporated under the laws of the state of _____ hereinafter called the Surety, are held and firmly bound unto the state of Maryland in the full and just sum of FIVE THOUSAND (\$5,000.00) DOLLARS, lawful money of the United States of America, to be paid to the said state of Maryland, or its assigns, to which payment well and truly to be made and done we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

Sealed with our respective seals and dated this _____ day of _____, _____.

WHEREAS, the above bounden principal is engaged or proposes to engage in the business of selling wine and/or liquor within the state of Maryland, and

WHEREAS, pursuant to Section 13-825, Tax-General Article of the Annotated Code of Maryland, this bond is required to be given and deposited with the Comptroller of Maryland.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such, that if the above bounden principal shall promptly file true returns and reports with the Comptroller of Maryland as required by law, and shall well and truly pay to the said Comptroller any and all wine and/or liquor taxes as they become due which are now or may hereafter be levied or imposed by the state of Maryland, together with any and all penalties and interest thereon, and shall faithfully comply with all of the provisions of the Tax-General Article of the Annotated Code of Maryland, then this obligation to be void, otherwise to be and remain in full force and virtue. This Bond shall remain in full force and effect until cancelled in accordance with the provisions of said Tax-General Article.

TO BE COMPLETED BY SURETY

TO BE COMPLETED BY LICENSEE

Name of Surety

Name of Principal

Signature of President/Attorney-In-Fact

Signature of Owner, Partner or Officer

Attest: _____

Witness: _____

NOTE: CANCELLATION OF THIS BOND REQUIRES A 60 DAY NOTICE