

Maryland Code, Labor & Employment § 3-415. Payment of Overtime

(a) *General requirement.*- Except as otherwise provided in this section, each employer shall pay an overtime wage of at least 1.5 times the usual hourly wage, computed in accordance with § 3-420 of this subtitle.

(b) *Exceptions for employers.*- This section does not apply to an employer that is:

- (1) subject to 49 U.S.C. § 10501;
- (2) an establishment that is a hotel or motel;
- (3) an establishment that is a restaurant;
- (4) considered a gasoline service station because the employer is engaged primarily in selling gasoline and lubricating oil, even if the employer sells other merchandise or performs minor repair work;
- (5) a bona fide private country club;
- (6) a not for profit entity and is engaged primarily in providing temporary at-home care services, such as companionship or delivery of prepared meals, to aged or sick individuals, individuals with disabilities, or individuals with a mental disorder;
- (7) a not for profit concert promoter, legitimate theater, music festival, music pavilion, or theatrical show; or
- (8) an amusement or recreational establishment, including a swimming pool, if the establishment:
 - (i) operates for no more than 7 months in a calendar year; or
 - (ii) for any 6 months during the preceding calendar year, has average receipts in excess of one-third of the average receipts for the other 6 months.

(c) *Exceptions for employees.*- This section does not apply to an employer with respect to:

- (1) an employee for whom the United States Secretary of Transportation may set qualifications and maximum hours of service under 49 U.S.C. § 31502;
- (2) a mechanic, parts person, or salesperson who primarily sells or services automobiles, farm equipment, trailers, or trucks, if the employer is engaged primarily in selling those vehicles to ultimate buyers and is not a manufacturer; or
- (3) a driver if the employer is engaged in the business of operating taxicabs