

**Title 36**  
**MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY**  
**Subtitle 04 VIDEO LOTTERY TERMINALS**  
**Chapter 02 Video Lottery Terminal Machines**

Authority: State Government Article, §§9-1A-04 and 9-1A-21, Annotated Code of Maryland

**.02 Authorized Video Lottery Terminals.**

A. – B. (text unchanged)

C. Implementation of Approved Request for Reduction.

(1) No later than December 31 following the effective date of an approved reduction request, the operator shall remove the subject video lottery terminals from its gaming floor.

(2) Agency staff shall implement an approved reduction by issuing the operator an amended license certificate.

(3) The operator for which a request for reduction was approved may operate:

(a) A maximum of the number of authorized video lottery terminals on its license; or

(b) Less than the number of authorized video lottery terminals on its license.

(4) The facility operator shall pay all costs incurred by the Commission associated with reducing the number of authorized video lottery terminals from the operator's license.

(5) A facility operator for which a reduction was approved may not be credited or refunded any portion of the initial license fee paid under State Government Article, §9-1A-36, Annotated Code of Maryland.

~~[(6) For each authorized video lottery terminal on its license, a facility operator shall pay the annual fee of \$425 required by State Government Article, §9-1A-33, Annotated Code of Maryland.]~~

(6) A facility operator shall pay the annual fee of \$425 required by State Government Article, §9-1A-33, Annotated Code of Maryland, for each terminal at the beginning of each calendar year.

(7) The annual fee is based on the highest number of video lottery terminal positions in use on any day during the prior calendar year.

~~[(7)]~~(8) Unless otherwise specified, a reduction in the number of authorized video lottery terminals does not change any other applicable requirement.

D. Request to Increase Number of Authorized Video Lottery Terminals on a License.

(1) A facility operator may submit a written request to the Commission to increase the number of authorized video lottery terminals on its license up to and including the allocation limit for its location specified in State Government Article, §9-1A-36(i)(1), Annotated Code of Maryland.

(2) A written request under §D(1) of this regulation shall include the:

(a) Reason for the request;

(b) Number of video lottery terminals to be added to the license;

(c) Proposed reconfiguration of the facility's floor plan;

(d) Proposed date by which the increase would be implemented; and

(e) Projected analysis of the impact of the increase on the facility's gaming revenues.

(3) The Commission may approve or deny a request.

(4) To implement an approved request for an increased number of authorized video lottery terminals on its license, the operator shall:

(a) Pay a nonrefundable license fee of \$6,000 for each additional video lottery terminal on the license, to accrue to the Education Trust Fund;

(b) At its own expense, purchase or lease, and maintain, the additional video lottery terminals;

(c) Pay all costs incurred by the Commission associated with increasing the number of authorized video lottery terminals on the operator's license; and

(d) Meet all applicable Commission requirements for placing the additional authorized video lottery terminals on the gaming floor.

~~[(5) For each authorized video lottery terminal on its license, a facility operator shall pay the annual fee of \$425 required by State Government Article, §9-1A-33, Annotated Code of Maryland.]~~

(5) A facility operator shall pay the annual fee of \$425 required by State Government Article, §9-1A-33, Annotated Code of Maryland.

(6) The annual fee is based on the highest number of video lottery terminals in use on any day of the calendar year.

~~[(6)]~~(7) Agency staff shall implement an approved increase by issuing the operator an amended license certificate.

~~[(7)]~~(8) The operator for which a request for increase was approved may operate:

- (a) A maximum of the number of authorized video lottery terminals on its license; or
- (b) Less than the number of authorized video lottery terminals on its license.

E. This regulation does not apply to a request for an increased allocation of video lottery terminals under State Government Article, §9-1A-36(i), Annotated Code of Maryland.

Proposed