

Title 36 STATE LOTTERY AND GAMING CONTROL AGENCY

Subtitle 06 ELECTRONIC GAMING DEVICES

Chapter 01 General

Authority: State Government Article, § 9-110 and Criminal Law Article §§ 12-301 and 12-301.1, Annotated Code of Maryland

.01 Scope.

A. This subtitle applies to electronic gaming devices regulated by the Commission under Criminal Law Article, §§ 12-301 – 12-308, Annotated Code of Maryland.

B. This subtitle applies to all electronic gaming devices, regardless of whether the device delivers a game through the Internet or offers Internet or other services.

C. This subtitle does not apply to:

(1) Slot machines that are subject to regulation by the Comptroller under Criminal Law Article, § 12-304, Annotated Code of Maryland;

(2) Paper tip jar gaming where authorized;

(3) Traditional arcade or boardwalk-style games and non-electronic games such as pool or billiards;

(4) A device that is directly related to the operation of and is located within a restaurant or food service establishment where a token, credit, or ticket:

(a) May be used for play;

(b) May be given as an award for playing;

(c) May be exchanged for noncash merchandise; and

(d) Has an individual value in trade not to exceed 5 cents; or

(4) Amusement devices that are:

(a) Characterized as lawful under chapter 02 of this subtitle; and

(b) Licensed by Baltimore City or Baltimore County.

D. Nothing in this subtitle shall be deemed to preclude a county from exercising a licensing or other restriction in order to limit the operation of electronic gaming devices in that county.

.02 Definitions.

A. In this subtitle, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Electronic gaming device" means a machine, apparatus, or device that electronically:

(a) Operates or can be made to operate by inserting, depositing, or placing with another person money, a token, or another object; and

(b) Through the element of chance, the reading of a game of chance, the delivery of a game of chance, or any other outcome unpredictable by the user, awards the user:

(i) Money, a token, or other object that represents or that can be converted into money; or

(ii) The right to receive money, a token, or another object that represents and can be converted into money.

(2) "Independent certified testing laboratory" means a person engaged in the testing and verification of electronic gaming devices and the equipment, systems and software utilized to collect, monitor, interpret, analyze, authorize, issue, redeem, report and audit data with regard to activity at electronic gaming devices that:

(a) Holds a certificate in good standing for compliance with:

(i) International Organization for Standardization # 17025 – General Requirements for the Competence of Testing and Calibration Laboratories; and

(ii) International Organization for Standardization # 17020 – General Criteria for the Operation of Various Types of Bodies Performing Inspections;

(b) Has performed testing and certification of gaming equipment, systems and software on behalf of a state within the United States for a period of five or more years;

(c) Is independent from the entity that is seeking testing;

(d) Has been approved by the Commission to test and certify equipment, systems and software on its behalf; and

1 (e) Meets any other conditions required by the Commission.

2 (3) "Knock-off switch" means a mechanism or other method in or associated with an
3 electronic gaming device that releases free games or credits accumulated toward the award of a
4 prize of money or merchandise.

5 (4) "Licensee" means the holder of any license under this subtitle.

6 (5) "Manufacturer" means a person that is engaged in the business of designing, building,
7 constructing, assembling, manufacturing, or distributing electronic gaming devices, associated
8 equipment or software, or the cabinet in which an electronic gaming device is housed.

9 (6) "Serial number" means a unique number assigned and printed by a manufacturer on
10 an electronic gaming device.

11 (7) "Theme" means a concept, subject matter, and methodology of design of an electronic
12 gaming device.

13 (8) Transport; Transportation.

14 (a) "Transport" or "transportation" means any shipping, transfer, delivery, or
15 other movement of an electronic gaming device into or out of the State, or between
16 facilities within the State.

17 (b) "Transport" or "transportation" does not include the movement of electronic
18 gaming devices within a facility.

19 (9) "Version" means a sequence number or designation assigned to electronic gaming
20 device equipment, a system or software to identify the initial release of the equipment, system, or
21 software and to track changes or revisions to the initial release.

22 **.03 Counties.**

23 A. Upon request by a county, the Commission may:

24 (1) Review a county's licensing and regulatory process for electronic gaming devices,
25 and

26 (2) Determine upon review that:

27 (a) The county's licensing and regulatory process for electronic gaming devices is
28 equivalent to a license from the Commission, and

29 (b) A county license for owning, operating, or manufacturing an electronic
30 gaming device in the county is equivalent to a state license.

- 1 B. A decision of the Commission on the equivalency of a county's licensing and regulatory
- 2 process for electronic gaming devices under this Regulation is final and not appealable.

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