



1 (ii) Through the element of chance, the reading of a game of chance, the delivery of a game of  
2 chance, or any other outcome unpredictable by the user, award the user anything of value other  
3 than an award of free play or the right to receive anything of value other than an award of free  
4 play.

5 (b) “Electronic gaming device” does not include a skills-based amusement device that is  
6 operated in compliance with COMAR 36.08.

7 (2) “Facility” means a location where electronic gaming devices are operated.

8 (3) “Independent certified testing laboratory” means a person engaged in the testing and  
9 verification of electronic gaming devices, skills-based amusement devices and related  
10 equipment, systems and software that:

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

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

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

16 (b) Has performed testing and certification of gaming equipment, systems, and software on  
17 behalf of a state within the United States for a period of 5 or more years;

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

20 (d) Meets any additional conditions and requirements specified by the Commission.

21 (4) “Key management” means an individual who owns or operates an electronic gaming device  
22 at a facility.

23 **.03 Counties.**

24 A. The Commission may:

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

26 (2) Determine upon review that:

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

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

3 C. Baltimore City and Baltimore County.

4 In addition to the provisions of this title, applicants for electronic gaming devices to be located in  
5 Baltimore City and Baltimore County shall be required to be licensed by the jurisdiction in  
6 which the electronic gaming devices are located.

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