

1 **Title 36 STATE LOTTERY AND GAMING CONTROL AGENCY**

2
3 **Subtitle 06 ELECTRONIC GAMING DEVICES**

4
5 **Chapter 01 General**

6
7 Authority: Criminal Law Article §§ 12-301 and 12-301.1, Annotated Code of Maryland; Section
8 6, Chapter 603, Acts of 2012

9 **.01 Scope.**

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

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

14 C. This subtitle does not apply to:

15 (1) Slot machines that are subject to regulation by the Comptroller under Criminal Law Article, §
16 12-304, Annotated Code of Maryland;

17 (2) Lottery devices used by the Agency or, under the authority of the Agency, by a licensed
18 retailer under State Government Article, Title 9, Subtitle 1, Annotated Code of Maryland;

19 (3) Video lottery terminals or tables games permitted and licensed under State Government
20 Article, Title 9, Subtitle 1A, Annotated Code of Maryland;

21 (4) Paper tip jar gaming where authorized; or

22 (5) Skills-based amusement devices that award prizes and are operated in compliance with
23 COMAR 36.08.

24 **.02 Definitions.**

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

26 (1) “Antique electronic gaming device” means an electronic gaming device that is at least 25
27 years old.

28 (2) “Electronic gaming device” means an electronic machine, apparatus, or device that can be
29 configured to:

30 (a) Operate by inserting, depositing, or placing with another person money, a token, or another
31 object; and

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

5 **.03 Counties.**

6 A. The Commission may:

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

8 (2) Determine upon review that:

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

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

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

15 C. Baltimore City and Baltimore County.

16 Operators of amusement games in Baltimore City or Baltimore County shall be required to be
17 licensed by the jurisdiction in which they are located.