

1 Title 36 STATE LOTTERY AND GAMING CONTROL AGENCY

2
3 Subtitle 06 ELECTRONIC GAMING DEVICES

4
5 Chapter 04 Electronic Gaming Device General Standards

6
7 Authority: State Government Article, § 9-110 and Criminal Law Article §§ 12-301 and
8 12-301.1, Annotated Code of Maryland

9
10 **.01 Compliance with Federal Law.**

11
12 A person who transports an electronic gaming device shall comply with applicable
13 provisions of 15 U.S.C. §§ 1171—1178, commonly known as the Johnson Act.

14
15 **.02 Transportation.**

16
17 A. Unless otherwise directed by the Commission, a ~~person-licensee or entity required to~~
18 ~~register under this Subtitle~~ shall submit ~~a~~ written notice ~~on a quarterly basis~~ to the
19 Commission ~~prior to indicating transportation- of transporting~~ an electronic gaming device
20 ~~or skills-based amusement device.~~

21
22 B. For each electronic gaming device ~~or skills-based amusement device to be~~ transported,
23 ~~a licensee or entity required to register under this Subtitle~~ ~~a person proposing to transport~~
24 ~~the device~~ shall submit to the Commission a written notice containing:

25
26 (1) The name and address of person initiating transportation;

27 ~~(2) The reason for transportation;~~

28 ~~(3) The method of transportation;~~

29 ~~(4) The name of and address of the carrier;~~

30 ~~(5) The anticipated beginning and end dates of transportation;~~

31 ~~(2)6~~ The name and address of the destination;

32 ~~(3)7~~ The name and address of the manufacturer ~~or distributor~~;

33 ~~(8) The manufacturer's serial number;~~

34 ~~(9) The model number;~~

35 ~~(10)4~~ A description of the ~~electronic gaming~~ device to be transported

36 ~~(5) The device certification or registration control number;~~ and

37 ~~(11)6~~ Any other information requested by the Commission.

38
39 C. ~~A licensee or entity required to register under this Subtitle~~ ~~A person proposing to~~
40 ~~transport or transporting an electronic gaming device~~ shall promptly submit to the
41 Commission written notice of any changes to the information already submitted as
42 required under § B of this Regulation.

43
44 ~~D. A person transporting an electronic gaming device shall plainly and clearly label the~~
45 ~~package so that the name and address of the shipper and recipient, and the contents of the~~
46 ~~package, may be readily ascertained during an inspection of the outside of the package.~~

1 | **.03 Registration Register.**

2 |
3 | A. The Commission shall maintain a register of each electronic gaming device and skills-
4 | based amusement device placed in operation in the State.

5 |
6 | B. For each electronic gaming device and skills-based amusement device placed into
7 | operation, the Commission shall:

8 |
9 | (1) Assign a ~~electronic gaming~~ device certification or registration control number; and

10 | (2) Assign a ~~Commission~~ certification or registration tag that shall be affixed ~~by the~~
11 | licensee to the device.

12 |
13 | C. ~~If A~~an electronic gaming device or skills-based amusement device may not be is
14 | transported ~~out of the State unless outside of a facility, a licensee or entity required to~~
15 | register under this Subtitle shall:

16 |
17 | (1) Remove the certification or registration tag; and

18 | (2) Submit the certification or registration tag to the Commission with the written notice
19 | required under Regulation .02 of this Chapter~~the Commission.~~

20 |
21 | ~~(1) Approves the action; and~~

22 | ~~(2) Receives the certification tag.~~

23 |
24 | **.04 Testing.**

25 |
26 | A. The Commission ~~shall~~ may test electronic gaming devices and associated equipment
27 | for:

28 |
29 | ~~(1)A.~~ Accuracy; and

30 |
31 | ~~(2)B.~~ Any other function that the Commission determines may be necessary to validate
32 | the proper functionality and performance of the devices and equipment.

33 |
34 | B. The Commission may accept prior testing by an independent certified testing
35 | laboratory or other testing facility recognized by the Commission.

36 |
37 | **.05 Request for Approval.**

38 | A. Requests.

39 | (1) Only a licensee may request approval to operate a skills-based amusement device that
40 | pays out noncash merchandise or prizes in excess of \$30.

41 | (2) Documents submitted by a licensee to the Commission under this regulation shall
42 | consist of an original and shall be in the format required by Commission.

43 | B. Submission Requirements.

1 (1) The documents submitted under §A of this regulation shall include:

2 (a) A written explanation as to how the device is a skills-based amusement device that
3 awards prizes of minimal value that includes;

4 (i) A description of how the game operates;

5 (ii) The maximum noncash merchandise or prize wholesale value offered;

6 (b) Testing results as required under Chapter 5 of this subtitle;

7 (c) Technical and operator manuals; and

8 (d) Other information required by the Commission.

9 (2) A licensee seeking Commission approval under this regulation shall submit a
10 prototype of the skills-based amusement device to a location designated by the
11 Commission for evaluation.

12 C. Request Review.

13 (1) Upon receipt of a request from a licensee for payout of noncash merchandise or prizes
14 in excess of \$30 by the Commission, the Director or Director's designee shall review the
15 request to determine whether it contains all the information required under this
16 regulation.

17 (2) If the Director determines that the required information has not been submitted, the
18 Director shall notify the licensee in writing and state the nature of the deficiency.

19 (3) A licensee notified in accordance with §C(2) of this regulation may submit the
20 documents necessary to complete the request not later than 15 days after issuance of the
21 notification.

22 (4) A licensee who is notified in accordance with §C(2) of this regulation and who fails to
23 submit the requested documents in a timely manner need not be considered by the
24 Director.

25 D. Director Approval.

26 The Director may approve of the request submitted under this regulation after
27 determining that:

28 (1) The licensee has met the submission requirements under §B of this regulation;

29 (2) The licensee complies with the regulations of this Title; and

1 (3) The skills-based amusement device awards noncash merchandise or prizes of minimal
2 value.

3 E. Denial of Request.

4 (1) After reviewing the request submitted under this regulation, the Director may deny
5 the request.

6 (2) If the Director denies the request, the Director shall promptly provide written notice
7 to the licensee of the:

8 (a) Denial;

9 (b) Basis for the denial; and

10 (c) Licensee's right to request a hearing by the Commission on the Director's denial.

11 (3) A licensee may submit a hearing request to the Commission within 15 days of the
12 date of the notice provided by the Director under §E(2) of this regulation.

13 (4) If a licensee fails to timely submit a hearing request under §E(3), the Director's denial
14 shall be in effect.

15 (5) A hearing request that complies with §E(3) shall be the subject of a hearing before the
16 Commission, after which the Commission shall:

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18 (a) Determine that the licensee's request meets the requirements provided under §D of
19 this regulation and approve of the request; or

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21 (b) Determine that the licensee's request does not meet the requirements provided under
22 §D of this regulation; and

23
24 (i) Deny the request; and

25
26 (ii) Prepare an order denying the request with a statement of the reasons and specific
27 findings of fact.

28
29 (6) The Commission's decision is final.

30 F. A Commission hearing shall be conducted in the manner specified in:

31 (1) State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland; and

32 (2) COMAR 36.01.02.06.