

Maryland Register

Issue Date: April 5, 2013

Volume 40 • Issue 7 • Pages 595—684

IN THIS ISSUE

General Assembly
Judiciary
Regulatory Review and
Evaluation
Regulations
Special Documents
General Notices

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before March 18, 2013, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of March 18, 2013.

Brian Morris
Acting Administrator, Division of State Documents
Office of the Secretary of State



Information About the Maryland Register and COMAR

MARYLAND REGISTER

The Maryland Register is an official State publication published every other week throughout the year. A cumulative index is published quarterly.

The Maryland Register is the temporary supplement to the Code of Maryland Regulations. Any change to the text of regulations published in COMAR, whether by adoption, amendment, repeal, or emergency action, must first be published in the Register.

The following information is also published regularly in the Register:

- Governor's Executive Orders
- Attorney General's Opinions in full text
- Open Meetings Compliance Board Opinions in full text
- State Ethics Commission Opinions in full text
- Court Rules
- District Court Administrative Memoranda
- Courts of Appeal Hearing Calendars
- Agency Hearing and Meeting Notices
- Synopses of Bills Introduced and Enacted by the General Assembly
- Other documents considered to be in the public interest

CITATION TO THE MARYLAND REGISTER

The Maryland Register is cited by volume, issue, page number, and date. Example:

- 19:8 Md. R. 815—817 (April 17, 1992) refers to Volume 19, Issue 8, pages 815—817 of the Maryland Register issued on April 17, 1992.

CODE OF MARYLAND REGULATIONS (COMAR)

COMAR is the official compilation of all regulations issued by agencies of the State of Maryland. The Maryland Register is COMAR's temporary supplement, printing all changes to regulations as soon as they occur. At least once annually, the changes to regulations printed in the Maryland Register are incorporated into COMAR by means of permanent supplements.

CITATION TO COMAR REGULATIONS

COMAR regulations are cited by title number, subtitle number, chapter number, and regulation number. Example: COMAR 10.08.01.03 refers to Title 10, Subtitle 08, Chapter 01, Regulation 03.

DOCUMENTS INCORPORATED BY REFERENCE

Incorporation by reference is a legal device by which a document is made part of COMAR simply by referring to it. While the text of an incorporated document does not appear in COMAR, the provisions of the incorporated document are as fully enforceable as any other COMAR regulation. Each regulation that proposes to incorporate a document is identified in the Maryland Register by an Editor's Note. The Cumulative Table of COMAR Regulations Adopted, Amended or Repealed, found online, also identifies each regulation incorporating a document. Documents incorporated by reference are available for inspection in various depository libraries located throughout the State and at the Division of State Documents. These depositories are listed in the first issue of the Maryland Register published each year. For further information, call 410-974-2486.

HOW TO RESEARCH REGULATIONS

An Administrative History at the end of every COMAR chapter gives information about past changes to regulations. To determine if there have been any subsequent changes, check the "Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed" which is found online at www.dsd.state.md.us/CumulativeIndex.pdf. This table lists the regulations in numerical order, by their COMAR number, followed by the citation to the Maryland Register in which the change occurred. The Maryland Register serves as a temporary supplement to COMAR, and the two publications must always be used together. A Research Guide for Maryland Regulations is available. For further information, call 410-260-3876.

SUBSCRIPTION INFORMATION

For subscription forms for the Maryland Register and COMAR, see the back pages of the Maryland Register. Single issues of the Maryland Register are \$15.00 per issue.

CITIZEN PARTICIPATION IN THE REGULATION-MAKING PROCESS

Maryland citizens and other interested persons may participate in the process by which administrative regulations are adopted, amended, or repealed, and may also initiate the process by which the validity and applicability of regulations is determined. Listed below are some of the ways in which citizens may participate (references are to State Government Article (SG), Annotated Code of Maryland):

- By submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see "Opportunity for Public Comment" at the beginning of all regulations appearing in the Proposed Action on Regulations section of the Maryland Register). (See SG, §10-112)
- By petitioning an agency to adopt, amend, or repeal regulations. The agency must respond to the petition. (See SG §10-123)
- By petitioning an agency to issue a declaratory ruling with respect to how any regulation, order, or statute enforced by the agency applies. (SG, Title 10, Subtitle 3)
- By petitioning the circuit court for a declaratory judgment on the validity of a regulation when it appears that the regulation interferes with or impairs the legal rights or privileges of the petitioner. (SG, §10-125)
- By inspecting a certified copy of any document filed with the Division of State Documents for publication in the Maryland Register. (See SG, §7-213)

Maryland Register (ISSN 0360-2834). Postmaster: Send address changes and other mail to: Maryland Register, State House, Annapolis, Maryland 21401. Tel. 410-260-3876; Fax 410-280-5647. Published biweekly, with cumulative indexes published quarterly, by the State of Maryland, Division of State Documents, State House, Annapolis, Maryland 21401. The subscription rate for the Maryland Register is \$225 per year (first class mail). All subscriptions post-paid to points in the U.S. periodicals postage paid at Annapolis, Maryland and additional mailing offices.

Martin O'Malley, Governor; **John P. McDonough**, Secretary of State; **Brian Morris**, Acting Administrator; **Gail S. Klakring**, Senior Editor; **Mary D. MacDonald**, Editor, Maryland Register and COMAR; **Elizabeth Ramsey**, Editor, COMAR Online, and Subscription Manager; **Tami Cathell**, Help Desk, COMAR and Maryland Register Online.

Front cover: State House, Annapolis, MD, built 1772—79.

Illustrations by Carolyn Anderson, Dept. of General Services

Note: All products purchased are for individual use only. Resale or other compensated transfer of the information in printed or electronic form is a prohibited commercial purpose (see State Government Article, §7-206.2, Annotated Code of Maryland). By purchasing a product, the buyer agrees that the purchase is for individual use only and will not sell or give the product to another individual or entity.

Contents

597

Closing Dates for the Maryland Register

Schedule of Closing Dates and Issue Dates for the Maryland Register	599
---	-----

COMAR Research Aids

Table of Pending Proposals	600
----------------------------------	-----

Index of COMAR Titles Affected in This Issue

COMAR Title Number and Name	Page
05 Department of Housing and Community Development	609
07 Department of Human Resources	609
08 Department of Natural Resources	609, 614
09 Department of Labor, Licensing, and Regulation	610, 618
10 Department of Health and Mental Hygiene	610
12 Department of Public Safety and Correctional Services	619
14 Independent Agencies	608, 612, 629
26 Department of the Environment	621
31 Maryland Insurance Administration	613
36 Maryland State Lottery and Gaming Control Agency	608, 629

PERSONS WITH DISABILITIES

Individuals with disabilities who desire assistance in using the publications and services of the Division of State Documents are encouraged to call (410) 974-2486, or (800) 633-9657, or FAX to (410) 974-2546, or through Maryland Relay.

General Assembly

SYNOPSIS NO. 5.....	603
---------------------	-----

The Judiciary

COURT OF APPEALS OF MARYLAND SCHEDULE	604
COURT OF SPECIAL APPEALS SCHEDULE FOR MAY 1, 2, 3, 6, 7, 8, 13, 14, 15, 16, 17, 2013	604

Regulatory Review and Evaluation

INDEPENDENT AGENCIES WORKERS' COMPENSATION COMMISSION Opportunity for Public Comment.....	607
MARYLAND INSURANCE ADMINISTRATION Opportunity for Public Comment.....	607

Emergency Action on Regulations

14 INDEPENDENT AGENCIES

STATE LOTTERY AGENCY Introduction	608
General Regulations.....	608
Lottery Games	608
Regulations Applicable to Agent	608
Consumer Regulations	608
Conditions for Payment of Voluntary Assignment of Lottery Prizes Under Judicial Order	608
Agency Procedures Under the Public Information Act	608
Rules of Procedure for Commission Hearings	608
Open Meetings.....	608
Video Lottery Terminals.....	608
Video Lottery Facility Operation Licenses	608

Video Lottery Terminal Machines.....	608
Facility Standards	608
Video Lottery Facility Minimum Internal Control Standards	608
Video Lottery Technical Standards	608
Voluntary Exclusion and Responsible Gaming	608
Mandatory Exclusion	608
Violations, Civil Penalties, and Sanctions	608
Collection of Taxes, Fees, and Civil Penalties	608
Unannounced Inspections.....	608

36 MARYLAND STATE LOTTERY AND GAMING

CONTROL AGENCY

TABLE GAMES

Poker Rules	608
Roulette Rules	608
Big Six Wheel Rules	608
Four Card Poker Rules	608
Midi Baccarat Rules	608
Mississippi Stud Rules	608
Pai Gow Poker Rules.....	608
Texas Hold' Em Rules.....	608
Three Card Poker Rules.....	608

Final Action on Regulations

05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

COMMUNITY LEGACY

Designation of Neighborhood Conservation Areas	609
--	-----

07 DEPARTMENT OF HUMAN RESOURCES

CHILD SUPPORT ENFORCEMENT ADMINISTRATION

Child Support Enforcement Incentives.....	609
Incarcerated Obligor.....	609

08 DEPARTMENT OF NATURAL RESOURCES

FISHERIES SERVICE

Fish.....	609
Striped Bass.....	609
Fishing Licenses — Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure.....	609

09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

RACING COMMISSION

Thoroughbred Rules.....	610
-------------------------	-----

REAL ESTATE COMMISSION

Code of Ethics	610
----------------------	-----

ELEVATOR SAFETY REVIEW BOARD

General Regulations	610
---------------------------	-----

10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE PROCEDURES

Fair Hearing Appeals Under the Maryland State Medical Assistance Program	610
--	-----

HEALTH STATISTICS

Vital Records.....	610
--------------------	-----

MEDICAL CARE PROGRAMS

Home/Community Based Services Waiver for Older Adults	610
Living at Home Waiver Program	611
Maryland Medicaid Managed Care Program: Managed Care Organizations	611
Primary Adult Care Program.....	611

CANCER CONTROL

Cancer Registry	611
-----------------------	-----

Contents

598

DEVELOPMENTAL DISABILITIES	
Fee Payment System for Licensed Residential and Day Programs	611
Community Supported Living Arrangements Payment System	611
BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS	
Nursing Home Administrators	611
BOARD OF PHARMACY	
Drug Therapy Management	611
BOARD OF NURSING — CERTIFIED NURSING ASSISTANTS	
Certified Medicine Aides	612
PREVENTIVE MEDICINE	
Screening for Critical Congenital Heart Disease (CCHD) in Newborns	612
BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS	
General Regulations	612
Licensing Procedures	612
Approved Training	612
Rules of Procedure for Board Hearings	612
Code of Ethics	612
Fee Schedule	612
Compelling Public Purpose Disclosure	612
14 INDEPENDENT AGENCIES	
MARYLAND HEALTH BENEFIT EXCHANGE	
General Provisions	612
Individual Exchange Navigator Certification and Training Standards	612
Individual Exchange Navigator Certification—Renewal, Reinstatement, Deactivation, and Suspension or Revocation of Certification	612
Insurance Producer Authorization to Sell Qualified Plans in the SHOP Exchange and Individual Exchange	612
Insurance Producer Authorization — Renewal, Reinstatement, and Suspension or Revocation of Authorization	612
Exchange Consumer Services Center	612
Eligibility and Enrollment	612
31 MARYLAND INSURANCE ADMINISTRATION	
INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS	
Procedures — Written Consent — Federal Law	613
HEALTH INSURANCE — GENERAL	
Private Review Agents	613

Proposed Action on Regulations

08 DEPARTMENT OF NATURAL RESOURCES	
BOATING — SPEED LIMITS AND OPERATION OF VESSELS	
Gunpowder River	614
South River	615
09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION	
BOARD OF STATIONARY ENGINEERS	
General Regulations	618
12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES	
POLICE TRAINING COMMISSION	
General Regulations	619
Firearms Training	620
CORRECTIONAL TRAINING COMMISSION	
Electronic Control Device Training	620

26 DEPARTMENT OF THE ENVIRONMENT	
AIR QUALITY	
General Administrative Provisions	621
General Emission Standards, Prohibitions, and Restrictions	621
General Administrative Provisions	623
Nonattainment Provisions for Major New Sources and Major Modifications	623
Emission Limitations for Power Plants	626
Outer Continental Shelf Air Regulations	627
14 INDEPENDENT AGENCIES	
STATE LOTTERY AGENCY	
Introduction	629
General Regulations	629
Lottery Games	629
Regulations Applicable to Agents	629
Consumer Regulations	629
Conditions for Payment of Voluntary Assignment of Lottery Prizes Under Judicial Order	629
Agency Procedures Under the Public Information Act	629
Rules of Procedure for Commission Hearings	629
Open Meetings	629
Video Lottery Terminals	629
Video Lottery Facility Operation Licenses	629
Video Lottery Terminal Machines	629
Facility Standards	629
Video Lottery Facility Minimum Internal Control Standards	629
Video Lottery Technical Standards	629
Voluntary Exclusion and Responsible Gaming	629
Mandatory Exclusion	629
Violations, Civil Penalties, and Sanctions	629
Collection of Taxes, Fees, and Civil Penalties	629
Unannounced Inspections	629
36 MARYLAND STATE LOTTERY AND GAMING	
CONTROL AGENCY	
TABLE GAMES	
Poker Rules	629
Roulette Rules	629
Big Six Wheel Rules	630
Four Card Poker Rules	630
Midi Baccarat Rules	630
Mississippi Stud Rules	630
Pai Gow Poker Rules	630
Texas Hold ‘Em Rules	630
Three Card Poker Rules	630

Special Documents

DEPARTMENT OF BUDGET AND MANAGEMENT	
Notice of Amounts of Debt That May Be Issued Pursuant to Executive Order 01.01.1998.07	680
DEPARTMENT OF THE ENVIRONMENT	
SUSQUEHANNA RIVER BASIN COMMISSION	
Projects Approved for Consumptive Uses of Water	680
DEPARTMENT OF STATE POLICE	
HANDGUN ROSTER BOARD	
Proposed Additions to Handgun Roster and Notice of Right to Object or Petition	680

General Notices

BOARD OF ARCHITECTS	
Public Meeting	682

Contents

BOARD OF AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH-LANGUAGE PATHOLOGISTS
Public Meeting 682

CHESAPEAKE BAY TRUST
Public Meeting 682

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
Public Meeting 682

CRIMINAL JUSTICE INFORMATION ADVISORY BOARD
Public Meeting 682

MARYLAND STATE BOARD OF EDUCATION
Public Meeting 682

PROFESSIONAL STANDARDS AND TEACHER EDUCATION BOARD
Public Meeting 682

ELEVATOR SAFETY REVIEW BOARD
Public Meeting 682

STATE BOARD OF STATIONARY ENGINEERS
Public Meeting 682

BOARD OF FORESTERS
Public Meeting 682

BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS (HVACR)
Public Meeting 682

MARYLAND STATEWIDE INDEPENDENT LIVING COUNCIL
Public Meeting 682

HOME IMPROVEMENT COMMISSION
Public Meeting 683

BOARD OF CERTIFIED INTERIOR DESIGNERS
Public Meeting 683

STATE ADVISORY BOARD FOR JUVENILE SERVICES
Public Meeting 683

COMMISSION ON KIDNEY DISEASE
Public Meeting 683

DEPARTMENT OF NATURAL RESOURCES/COASTAL MANAGEMENT PROGRAM
Request for Public Comments..... 683

MARYLAND HEALTH CARE COMMISSION
Public Meeting 683
Threshold for Reviewability of Health Care Facility Capital Expenditures 683

BOARD OF PHYSICIANS
Public Meeting 683

BOARD OF PODIATRIC MEDICAL EXAMINERS
Public Meeting 683
Public Meeting 683
Public Meeting 683
Public Meeting 684
Public Meeting 684

BOARD OF PUBLIC ACCOUNTANCY
Public Meeting 684

RACING COMMISSION
Public Meeting 684

MARYLAND STATE REHABILITATION COUNCIL AND THE MARYLAND DIVISION OF REHABILITATION SERVICES (DORS)
Public Meeting 684

STATE ADVISORY COUNCIL ON QUALITY CARE AT THE END OF LIFE
Public Meeting 684

BOARD OF WELL DRILLERS
Public Meeting 684

WORKERS' COMPENSATION COMMISSION
Public Meeting 684

COMAR Online

The Code of Maryland Regulations is available at www.dsd.state.md.us as a free service of the Office of the Secretary of State, Division of State Documents. The full text of regulations is available and searchable. Note, however, that the printed COMAR continues to be the only official and enforceable version of COMAR.

The Maryland Register is also available at www.dsd.state.md.us.

For additional information, visit www.sos.state.md.us, Division of State Documents, or call us at (410) 974-2486 or 1 (800) 633-9657.

Availability of Monthly List of Maryland Documents

The Maryland Department of Legislative Services receives copies of all publications issued by State officers and agencies. The Department prepares and distributes, for a fee, a list of these publications under the title "Maryland Documents". This list is published monthly, and contains bibliographic information concerning regular and special reports, bulletins, serials, periodicals, catalogues, and a variety of other State publications. "Maryland Documents" also includes local publications.

Anyone wishing to receive "Maryland Documents" should write to: Legislative Sales, Maryland Department of Legislative Services, 90 State Circle, Annapolis, MD 21401.

**CLOSING DATES AND ISSUE DATES
through JULY 26, 2013**

Issue Date	Emergency and Proposed Regulations 5:00 p.m.*	Final Regulations 10:30 a.m.	Notices, etc. 10:30 a.m.
April 19	April 1	April 10	April 8
May 3	April 15	April 24	April 22
May 17	April 29	May 8	May 6
May 31**	May 13	May 21	May 20
June 14**	May 23	June 5	June 3
June 28	June 10	June 19	June 17
July 12**	June 24	July 2	June 28
July 26	July 8	July 17	July 15

* Due date for documents containing 8 to 18 pages — 48 hours before date shown; due date for documents exceeding 18 pages — 1 week before date shown

NOTE: ALL DOCUMENTS MUST BE SUBMITTED IN TIMES NEW ROMAN, 9-POINT, SINGLE-SPACED FORMAT. THE REVISED PAGE COUNT REFLECTS THIS FORMATTING.

** Note closing date changes

The regular closing date for Proposals and Emergencies is Monday.

REGULATIONS CODIFICATION SYSTEM

Under the COMAR codification system, every regulation is assigned a unique four-part codification number by which it may be identified. All regulations found in COMAR are arranged by title. Each title is divided into numbered subtitles, each subtitle is divided into numbered chapters, and each chapter into numbered regulations.

09.12.01.01D(2)(c)(iii)
 Title Chapter Section Paragraph
 Subtitle Regulation Subsection Subparagraph

A regulation may be divided into lettered sections, a section divided into numbered subsections, a subsection divided into lettered paragraphs, and a paragraph divided into numbered subparagraphs.

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

This table, previously printed in the Maryland Register lists the regulations, by COMAR title, that have been adopted, amended, or repealed in the Maryland Register since the regulations were originally published or last supplemented in the Code of Maryland Regulations (COMAR). The table is no longer printed here but may be found on the Division of State Documents website at www.dsd.state.md.us.

Table of Pending Proposals

The table below lists proposed changes to COMAR regulations. The proposed changes are listed by their COMAR number, followed by a citation to that issue of the Maryland Register in which the proposal appeared. Errata pertaining to proposed regulations are listed, followed by “(err)”. Regulations referencing a document incorporated by reference are followed by “(ibr)”. None of the proposals listed in this table have been adopted. A list of adopted proposals appears in the Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed.

03 COMPTROLLER OF THE TREASURY

03.01.01.04 • 40:3 Md. R. 221 (2-8-13)
03.06.01.08 • 40:3 Md. R. 222 (2-8-13)
03.06.01.09 • 40:3 Md. R. 223 (2-8-13)
03.06.01.10 • 40:3 Md. R. 223 (2-8-13)
03.06.01.22 • 40:3 Md. R. 224 (2-8-13)
03.06.01.28 • 40:2 Md. R. 77 (1-25-13)
03.06.01.43 • 40:3 Md. R. 226 (2-8-13)
03.06.01.45 • 40:3 Md. R. 227 (2-8-13)
03.06.02.06 • 39:3 Md. R. 261 (2-10-12)
03.06.03.02 • 40:3 Md. R. 227 (2-8-13)
03.06.03.05 • 40:3 Md. R. 228 (2-8-13)

05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

05.03.02.01—04,06—09,11—14,19,
.20 • 40:2 Md. R. 78 (1-25-13)

08 DEPARTMENT OF NATURAL RESOURCES

08.02.22.02,04 • 40:6 Md. R. 477 (3-22-13)
08.18.11.01—05 • 40:7 Md. R. 614 (4-5-13)
08.18.25.01—05 • 40:7 Md. R. 615 (4-5-13)

09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

09.03.14.01 • 40:2 Md. R. 86 (1-25-13)
09.09.02.01—03 • 40:6 Md. R. 478 (3-22-13)
09.12.31 • 40:6 Md. R. 479 (3-22-13)
09.12.31 • 40:6 Md. R. 479 (3-22-13)
09.12.31 • 40:6 Md. R. 480 (3-22-13)

09.14.04.12 • 40:3 Md. R. 237 (2-8-13)
09.14.05.01 • 40:3 Md. R. 238 (2-8-13)
09.14.05.03 • 40:3 Md. R. 239 (2-8-13)
09.15.05.01—03 • 40:3 Md. R. 240 (2-8-13) (ibr)
09.17.01.01—03 • 40:7 Md. R. 618 (4-5-13)
09.20.01.01,02,04 • 40:3 Md. R. 241 (2-8-13) (ibr)
09.28.03.03 • 39:25 Md. R. 1620 (12-14-12)
09.34.03.01,02 • 40:3 Md. R. 245 (2-8-13)
09.34.05.01,02 • 39:20 Md. R. 1315 (10-5-12)
09.34.06.01—13 • 39:20 Md. R. 1315 (10-5-12)
09.34.07.01—06 • 39:20 Md. R. 1315 (10-5-12)
09.34.08.01—12 • 39:20 Md. R. 1315 (10-5-12)
09.34.09.01,02 • 39:20 Md. R. 1315 (10-5-12)

10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitles 01 — 08 (1st Volume)

10.05.05.03 • 39:15 Md. R. 976 (7-27-12)
10.07.05.04 • 39:15 Md. R. 977 (7-27-12)
10.07.14.07 • 39:15 Md. R. 978 (7-27-12)
10.07.22.01—33 • 40:2 Md. R. 88 (1-25-13) (ibr)
10.09.35.01,04,05,07 • 40:6 Md. R. 480 (3-22-13)
10.09.41.02—04,07 • 40:5 Md. R. 413 (3-8-13)
10.09.47.03 • 40:6 Md. R. 482 (3-22-13)
10.09.83.01—07 • 39:23 Md. R. 1546 (11-16-12)
 40:6 Md. R. 482 (3-22-13)

Subtitles 10 — 22 (3rd Volume)

10.10.04.02 • 39:15 Md. R. 979 (7-27-12)
10.21.07.02—07,09,11—14 • 39:20 Md. R. 1324 (10-5-12)
10.21.20.07 • 39:19 Md. R. 1260 (9-21-12)

10.22.02.01 • 40:2 Md. R. 99 (1-25-13) (ibr)

Subtitles 23 — 36 (4th Volume)

- 10.24.01.01 • 39:25 Md. R. 1622 (12-14-12)
- 10.25.02.02 • 40:6 Md. R. 483 (3-22-13)
- 10.25.03.02 • 40:6 Md. R. 484 (3-22-13)
- 10.29.01.01,.10—,13 • 39:20 Md. R. 1326 (10-5-12)
- 10.29.16.01,.02 • 39:20 Md. R. 1326 (10-5-12)
- 10.29.17.01—,10 • 39:20 Md. R. 1326 (10-5-12)
- 10.29.18.01—,06 • 39:20 Md. R. 1326 (10-5-12)
- 10.29.19.01—,12 • 39:20 Md. R. 1326 (10-5-12)
- 10.29.20.01,.02 • 39:20 Md. R. 1326 (10-5-12)
- 10.32.03.17,.18 • 39:15 Md. R. 981 (7-27-12)
- 10.32.06.12,.13 • 39:15 Md. R. 986 (7-27-12)
- 10.32.08.01—,12 • 39:16 Md. R. 1091 (8-10-12)
- 10.32.10.04,.05,.05-1,.05-2,.06 • 40:2 Md. R. 106 (1-25-13)
- 10.32.10.16,.19 • 39:15 Md. R. 990 (7-27-12)
- 10.32.11.15,.16 • 39:15 Md. R. 994 (7-27-12)
- 10.34.36.01—,10 • 39:19 Md. R. 1266 (9-21-12)
40:3 Md. R. 249 (2-8-13)

Subtitles 37—60 (5th Volume)

- 10.41.08.01-1,.02 • 40:3 Md. R. 251 (2-8-13)
- 10.41.08.11 • 39:18 Md. R. 1209 (9-7-12)
- 10.44.04.01—,28 • 40:2 Md. R. 111 (1-25-13)
- 10.44.20.02 • 40:2 Md. R. 111 (1-25-13)
- 10.44.30.01-1,.02,.03 • 40:3 Md. R. 251 (2-8-13)
- 10.46.04.04 • 40:2 Md. R. 116 (1-25-13)
- 10.54.01.19 • 40:6 Md. R. 485 (3-22-13)

11 DEPARTMENT OF TRANSPORTATION

Subtitles 01—10

- 11.04.02.01,.05 • 40:2 Md. R. 130 (1-25-13)
- 11.07.05.01—,05 • 40:2 Md. R. 131 (1-25-13)

Subtitles 11—22 (MVA)

- 11.11.05.02 • 39:22 Md. R. 1454 (11-2-12)

**12 DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

- 12.04.01.09,.14 • 40:7 Md. R. 619 (4-5-13)
- 12.04.02.03 • 40:7 Md. R. 620 (4-5-13)
- 12.10.05.06 • 40:7 Md. R. 620 (4-5-13)
- 12.15.01.02—,20 • 39:8 Md. R. 559 (4-20-12)
- 12.15.02.01—,13 • 39:8 Md. R. 559 (4-20-12)
- 12.15.03.01—,11 • 39:8 Md. R. 559 (4-20-12)
- 12.15.04.01,.03—,06,.08,.09 • 39:8 Md. R. 559 (4-20-12)
- 12.15.05.02—,09 • 39:8 Md. R. 559 (4-20-12)

13A STATE BOARD OF EDUCATION

- 13A.06.08.01—,07 • 40:6 Md. R. 487 (3-22-13) (ibr)
- 13A.12.01.02,.06,.11 • 39:22 Md. R. 1458 (11-2-12)
- 13A.13.01.01—,14 • 40:2 Md. R. 132 (1-25-13)
- 13A.13.02.01—,08 • 40:1 Md. R. 42 (1-11-13)

14 INDEPENDENT AGENCIES

- 14.01.01.01,.02 • 40:7 Md. R. 629 (4-5-13)
- 14.01.02.01 —,13 • 40:7 Md. R. 629 (4-5-13)
- 14.01.03.01 —,15 • 40:7 Md. R. 629 (4-5-13)
- 14.01.04.01 —,07 • 40:7 Md. R. 629 (4-5-13)
- 14.01.05.01 —,08 • 40:7 Md. R. 629 (4-5-13)
- 14.01.06.01 —,03 • 40:7 Md. R. 629 (4-5-13)
- 14.01.07.01 —,15 • 40:7 Md. R. 629 (4-5-13)
- 14.01.08.01 —,04 • 40:7 Md. R. 629 (4-5-13)
- 14.01.09.01 —,06 • 40:7 Md. R. 629 (4-5-13)
- 14.01.10.01 —,20 • 40:7 Md. R. 629 (4-5-13)
- 14.01.11.01 —,08 • 40:7 Md. R. 629 (4-5-13)
- 14.01.12.01 —,07 • 40:7 Md. R. 629 (4-5-13)
- 14.01.13.01 —,08 • 40:7 Md. R. 629 (4-5-13)
- 14.01.14.01 —,50 • 40:7 Md. R. 629 (4-5-13)
- 14.01.15.01 —,33 • 40:7 Md. R. 629 (4-5-13)
- 14.01.16.01 —,11 • 40:7 Md. R. 629 (4-5-13)
- 14.01.17.01 —,09 • 40:7 Md. R. 629 (4-5-13)
- 14.01.18.01 —,06 • 40:7 Md. R. 629 (4-5-13)
- 14.01.19.01 —,04 • 40:7 Md. R. 629 (4-5-13)
- 14.01.20.01 —,04 • 40:7 Md. R. 629 (4-5-13)
- 14.30.07.04 • 39:6 Md. R. 448 (3-23-12)
- 14.30.11.12 • 39:6 Md. R. 448 (3-23-12)
- 14.31.06.02—,19 • 40:3 Md. R. 252 (2-8-13)
- 14.34.02.04 • 39:8 Md. R. 578 (4-20-12)

15 DEPARTMENT OF AGRICULTURE

- 15.05.01.01,.14 • 40:2 Md. R. 153 (1-25-13)
- 15.20.06.01,.02,.04,.05,.07 • 40:2 Md. R. 157 (1-25-13)
- 15.20.07.02 • 40:2 Md. R. 162 (1-25-13) (ibr)
- 15.20.08.05 • 40:2 Md. R. 162 (1-25-13)
- 15.20.10.01—,17 • 40:2 Md. R. 157 (1-25-13)

**18 DEPARTMENT OF ASSESSMENTS AND
TAXATION**

- 18.04.07.01,.04 • 40:6 Md. R. 489 (3-22-13)

21 STATE PROCUREMENT REGULATIONS

- 21.01.02.01 • 40:4 Md. R. 349 (2-22-13)
- 21.01.03.01-1 • 40:4 Md. R. 349 (2-22-13)
- 21.05.08.07 • 40:4 Md. R. 349 (2-22-13)
- 21.07.01.14,.25 • 40:4 Md. R. 349 (2-22-13)
- 21.10.02.01,.02 • 40:4 Md. R. 349 (2-22-13)
- 21.11.01.04,.06 • 40:4 Md. R. 349 (2-22-13)

- 21.11.03.01—.04,.07,.09,.10,.12,
.13 • 40:4 Md. R. 349 (2-22-13)
- 21.11.07.01,.13 • 40:4 Md. R. 349 (2-22-13)
- 21.11.12.01—.09 • 39:25 Md. R. 1631 (12-14-12)

26 DEPARTMENT OF THE ENVIRONMENT

Subtitles 08—12 (Part 2)

- 26.11.01.01 • 40:7 Md. R. 621 (4-5-13)
- 26.11.01.01 • 40:7 Md. R. 623 (4-5-13)
- 26.11.02.17,.19 • 39:24 Md. R. 1584 (11-30-12)
- 26.11.06.14 • 40:7 Md. R. 621 (4-5-13)
- 26.11.09.08 • 39:16 Md. R. 1120 (8-10-12)
39:16 Md. R. 1122 (8-10-12)
- 26.11.14.06—.08 • 39:16 Md. R. 1120 (8-10-12)
- 26.11.17.01,.02 • 40:7 Md. R. 623 (4-5-13)
- 26.11.27.02,.03 • 40:7 Md. R. 626 (4-5-13)
- 26.11.29 • 39:17 Md. R. 1177 (8-24-12) (err)
- 26.11.29.01—.05 • 39:16 Md. R. 1124 (8-10-12)
- 26.11.30.01—.08 • 39:16 Md. R. 1122 (8-10-12)
- 26.11.37.01—.04 • 40:7 Md. R. 627 (4-5-13)

**27 CRITICAL AREA COMMISSION FOR THE
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

- 27.01.01.01 • 40:6 Md. R. 489 (3-22-13)
- 27.01.04.03 • 40:6 Md. R. 489 (3-22-13)
- 27.03.01.01,.04 • 40:6 Md. R. 489 (3-22-13)

31 MARYLAND INSURANCE ADMINISTRATION

- 31.08.05.02,.03 • 39:20 Md. R. 1345 (10-5-12)
- 31.08.12.02—.06 • 39:20 Md. R. 1346 (10-5-12)
- 31.08.13.01—.06 • 39:26 Md. R. 1674 (12-28-12)
- 31.16.11.01—.03 • 39:20 Md. R. 1348 (10-5-12)

**36 MARYLAND STATE LOTTERY AND GAMING
CONTROL AGENCY**

- 36.01.01.01—.06 • 40:4 Md. R. 354 (2-22-13)
- 36.01.02.01—.06 • 40:4 Md. R. 354 (2-22-13)
- 36.01.03.01—.07 • 40:4 Md. R. 354 (2-22-13)
- 36.02.01.01 • 40:5 Md. R. 415 (3-8-13)
- 36.02.02.01—.10 • 40:5 Md. R. 415 (3-8-13)
- 36.02.03.01—.10 • 40:5 Md. R. 415 (3-8-13)
- 36.02.04.01—.08 • 40:5 Md. R. 415 (3-8-13)
- 36.02.05.01—.03 • 40:5 Md. R. 415 (3-8-13)
- 36.02.06.01—.18 • 40:5 Md. R. 415 (3-8-13)
- 36.02.07.01,.02 • 40:5 Md. R. 415 (3-8-13)
- 36.02.08.01—.09 • 40:5 Md. R. 415 (3-8-13)
- 36.03.01.01—.04 • 40:6 Md. R. 490 (3-22-13)
- 36.03.02.01—.18 • 40:6 Md. R. 490 (3-22-13)
- 36.03.03.01—.09 • 40:6 Md. R. 490 (3-22-13)
- 36.03.04.01—.07 • 40:6 Md. R. 490 (3-22-13)
- 36.03.05.01—.03 • 40:6 Md. R. 490 (3-22-13)
- 36.03.06.01—.03 • 40:6 Md. R. 490 (3-22-13)
- 36.03.07.01—.08 • 40:6 Md. R. 490 (3-22-13)
- 36.03.08.01—.04 • 40:6 Md. R. 490 (3-22-13)

- 36.03.09.01,.02 • 40:6 Md. R. 490 (3-22-13)
- 36.03.10.01—.49 • 40:6 Md. R. 490 (3-22-13)
- 36.03.11.01—.08 • 40:6 Md. R. 490 (3-22-13)
- 36.03.12.01—.06 • 40:6 Md. R. 490 (3-22-13)
- 36.04.01.01—.32 • 40:4 Md. R. 364 (2-22-13)
- 36.04.02.01,.02 • 40:4 Md. R. 364 (2-22-13)
- 36.05.01.01,.02 • 40:6 Md. R. 541 (3-22-13)
- 36.05.02.01—.19 • 40:6 Md. R. 541 (3-22-13)
- 36.05.03.01—.24 • 40:6 Md. R. 541 (3-22-13)
- 36.05.04.01—.14 • 40:6 Md. R. 541 (3-22-13)
- 36.05.05.01—.11 • 40:6 Md. R. 541 (3-22-13)
- 36.05.06.01—.18 • 40:7 Md. R. 629 (4-5-13)
- 36.05.07.01—.06 • 40:7 Md. R. 629 (4-5-13)
- 36.05.08.01—.03 • 40:7 Md. R. 629 (4-5-13)
- 36.05.09.01—.13 • 40:7 Md. R. 629 (4-5-13)
- 36.05.10.01—.13 • 40:7 Md. R. 629 (4-5-13)
- 36.05.11.01—.13 • 40:7 Md. R. 629 (4-5-13)
- 36.05.12.01—.14 • 40:7 Md. R. 629 (4-5-13)
- 36.05.13.01—.13 • 40:7 Md. R. 629 (4-5-13)
- 36.05.14.01—.13 • 40:7 Md. R. 629 (4-5-13)
- 36.06.01.01—.03 • 40:4 Md. R. 381 (2-22-13)
- 36.06.02.01,.02 • 40:4 Md. R. 381 (2-22-13)
- 36.06.03.01—.16 • 40:4 Md. R. 381 (2-22-13)
- 36.06.04.01—.05 • 40:4 Md. R. 381 (2-22-13)
- 36.06.05.01—.10 • 40:4 Md. R. 381 (2-22-13)
- 36.07.01.01—.03 • 40:5 Md. R. 431 (3-8-13)
- 36.07.02.01—.18 • 40:5 Md. R. 431 (3-8-13)
- 36.07.03.01—.03 • 40:5 Md. R. 431 (3-8-13)
- 36.07.04.01—.19 • 40:5 Md. R. 431 (3-8-13)
- 36.07.05.01 • 40:5 Md. R. 431 (3-8-13)

The General Assembly

For additional up-to-date information concerning bills introduced in the General Assembly, log on to <http://mlis.state.md.us> Click on Bill Information and Status. You may then enter a specific bill number for information about that bill. You may also click on Senate Synopsis or House Synopsis for the most recent synopsis list for each house, or click on Synopsis Index for a listing of all bill synopses since the beginning of the legislative session.

SYNOPSIS NO. 5

House Bills

HB1527 Del Beidle. Anne Arundel County - Human Relations - Violations of County Discrimination Laws.

HB1528 Del O'Donnell. Natural Resources - Patuxent River - Drifting Gill Nets.

HB1529 Dels Hammen and Pena-Melnyk. Department of Health and Mental Hygiene - Health Care Staff Agencies - Regulation.

HB1530 Del Griffith, et al. Maryland Consolidated Capital Bond Loan of 2010 - Prince George's County - Walker Mill Daycare and Training Center.

HB1531 Del O'Donnell. Election Law - Prince George's County Republican Party Central Committee - Membership.

HB1532 Del Carter. Condominiums and Homeowners Associations - Attorney's Fees.

HB1533 Del Mitchell, et al. Economic Development - Baltimore Region - Baltimore Metropolitan Council and Advisory Board and Baltimore Region Transportation Board.

HB1534 Del Frush, et al. Renewable Energy Portfolio Standard - Solar Water Heating Systems.

HB1535 Del Jones. Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution.

[13-07-40]

Senate Bills

SB1060 Sen Benson. Creation of a State Debt - Prince George's County - Palmer Park Boys & Girls Club.

SB1061 Sen Klausmeier. Maryland Consolidated Capital Bond Loan of 2006 - Baltimore County - Perry Hall Mansion.

SB1062 Sen Muse. Condominiums and Homeowners Associations - Attorney's Fees.

SB1063 Sen McFadden. Evaluation of the Application of Minority Business Enterprise Program by the Public Service Commission.

SB1064 Sen Middleton. Renewable Energy Portfolio Standard - Solar Water Heating Systems.

SB1065 Sen Raskin (Chr Wkgrp Dsclosure Rq Ethics). Public Ethics - Public Officials, Local Governments, and Lobbyists - Training, Reporting, and Enforcement.

SB1066 Sen Pugh. Minority Business Enterprises - Not-for-Profit Entities.

SB1067 Sen Klausmeier, et al. Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution.

SB1068 Sen Glassman. Commission to Study the Regulation of Payroll Services.

SB1069 Sen Shank. Criminal Procedure - Issuance of Summonses and Arrest Warrants and Restrictions on Pretrial Release.

SB1070 Sen Jennings. Baltimore County - Correctional Officers' Bill of Rights.

[13-07-41]

The Judiciary

COURT OF APPEALS OF MARYLAND

SCHEDULE

Wednesday, May 1, 2013

Bar Admissions

- AG 15 Attorney Grievance Commission of Maryland v. Dean Clayton Kremer
AG 18 Attorney Grievance Commission of Maryland v. Jason Ashley Kobin
No. 78 Joanna Anthony v. Peter Garrity
No. 77 Ocean City, Maryland Chamber of Commerce, Inc. v. Daniel J. Barufaldi

Thursday, May 2, 2013

- AG 20 Attorney Grievance Commission of Maryland v. Gina Michelle O'Leary
No. 80 Bashawn Montgomery Ray v. State of Maryland
No. 83 John L. Webb, Sr., et ux. v. G. Philip Nowak, et ux.

Monday, May 6, 2013

- AG 21 Attorney Grievance Commission of Maryland v. Jimmy Anthony Bell
No. 84 In Re: Adoption/Guardianship of Jayden G.
No. 86 Tommy Whack, Jr. v. State of Maryland

Tuesday, May 7, 2013

- No. 75 Gail B. Litz v. Maryland Department of the Environment, et al.
No. 82 Bernard Dixon, etc., et al. v. Ford Motor Company
No. 102 Georgia-Pacific, LLC v. Jocelyn A. Farrar

On the day of argument, counsel are instructed to register in the Clerk's Office no later than 9:30 a.m. unless otherwise notified.

After May 7, 2013 the Court will recess until June 5, 2013.

BESSIE M. DECKER
Clerk

[13-07-39]

COURT OF SPECIAL APPEALS

SCHEDULE FOR MAY 1, 2, 3, 6, 7, 8, 13, 14, 15, 16, 17, 2013

Wednesday, May 1, 2013

Courtroom No. 1

- No. 01284/11 Daniel R. Seifert vs. Sayres & Associates, Corporation
No. 00704/12 Larry Finch et al. vs. LVNV Funding LLC
No. 00127/12 Sunoco Inc. et al. vs. Luther Gales III
No. 00283/12 Thomas Dantzer vs. George Dawson et al.
No. 02850/11 Dorsey Cutler vs. Kelly Coates
No. 00533/12 Joseph Valenti vs. Hyundai Motors America

Courtroom No. 2

- No. 01647/12* In the Matter of John T. Wilson for the Appointment of a Guardian of the Person and the Property
No. 00001/12 Robert Douglas More vs. State of Maryland
No. 00251/12 Mark Kugler vs. Clinton Acres, LLC
No. 02060/11 Donald Ray Cox, Jr. vs. State of Maryland
No. 00718/12 Security Title Guarantee Corp. of Baltimore vs. Widdowson & Dashiell P.A. et al.

*8-207(a)

Thursday, May 2, 2013

Courtroom No. 1

- No. 00586/12 Housing Authority of Baltimore City vs. Amafica K. Woodland
No. 00427/12 Jean Burns vs. Bechtel Corp. n/k/a Sequoia Ventures, Inc.
No. 00542/12 Donald C. Roane vs. Maryland State Board of Physicians et al.
No. 00271/12 Donald C. Roane vs. Maryland State Board of vs.
No. 00553/12 GRP Loan, LLC et al. vs. Raymond E. Schulze

Courtroom No. 2

- No. 01847/11 Carolina Federal Savings Bank vs. Richard Cucina, Jr. et al.
No. 00435/12 John Sachon vs. Teresa Keiger f/k/a Teresa Sachon
No. 01391/12 Michael William Spence vs. State of Maryland
No. 00955/12 Rasaan Balogun vs. Oyinlola Balogun
No. 00688/12 Marshall Maine vs. State of Maryland

Friday, May 3, 2013

Courtroom No. 1

- No. 00429/12 Phillip P. Weiner vs. Prosperity System, Inc. d/b/a Pizza Bolis
No. 00487/12 Mark Comes vs. Injured Workers' Insurance Fund et al.
No. 01619/12 Montgomery County Office of Child Support Enforcement et al. vs. Ainul Faruqui
No. 00965/12* Rebecca Loraine Ygnacio vs. Julio Miguel Fernandes
No. 00403/12 Richard S. Sternberg vs. Sheryl S. Sternberg
*8-207(a)

Courtroom No. 2

- No. 01095/12* In Re: Adoption/Guardianship of Ma'Kayala H.
No. 00143/12 Chukwuemeka John Mezu vs. Mercedes-Benz USA, LLC
No. 02656/11 Prince George's County, Maryland vs. Paul Mazzie et al.
No. 00562/12 Rosalia Huggins vs. Mayor and City Council of Baltimore, Maryland
No. 00272/12 Maryann Symons vs. Brenda K. Merson
No. 02135/12* In Re: Sunshyne E. and Noah I.

*8-207(a)

Monday, May 6, 2013

Courtroom No. 1

- No. 00874/12 Dean Roy Thomas vs. State of Maryland

No. 00372/12 Samuel Peaks et al. vs. Jerome Johnson
 No. 00723/12 Estate Recoveries, Inc. et al. vs. Lashone Mobley
 No. 00916/12 Zora Backoulas vs. State of Maryland
 No. 00327/12 Jeffrey G. Capps vs. John S. Burson, et al. Trustees

Courtroom No. 2

No. 00399/12 Robert J. Wagner vs. Calvert Memorial Hospital et al.
 No. 00076/12 Edgewood Management Company vs. Donna Jackson
 No. 00544/12 Robert K. Stetson et al. vs. Herman E. Hill, Jr.
 No. 00193/12 Samuel E. Young et ux. vs. Orleans Court Condominium Association
 No. 00378/12 Michael Glenn vs. State of Maryland

Tuesday, May 7, 2013Courtroom No. 1

No. 00522/12 Raymond Velencia vs. Kristine Koumentakos et vir.
 No. 00524/12 Allstate Mortgage & Company vs. Mayor & City Council of Baltimore City
 No. 01250/11 Donzella Pelletier vs. John S. Burson et al., Substitute Trustees
 No. 00374/12 Kristen Y. Saunders vs. Continental Realty Corporation et al.
 No. 01238/12 Christopher J. Damson vs. State of Maryland
 No. 00415/12 Lana Daniels vs. Brenda Daniels

Courtroom No. 2

No. 00234/12 Maria D. Benfield vs. Gregory M. Benfield
 No. 01039/12 Sekwan Merritt vs. State of Maryland
 No. 00907/12 Guy Carroll Erbe vs. State of Maryland
 No. 00622/12 Doctors Groover, Christie & Merritt, P.C. vs. SurgCenter Development LLC et al.
 No. 00793/11** Prince George Center II, LLC vs. UTC Retail III, LLC et al.
 No. 00080/12** Whiting-Turner Contracting Company vs. Prince George Center II, LLC et al.
 No. 00402/12 John C. Bradley vs. Sharon M. Bradley

**Consolidated Cases

Wednesday, May 8, 2013Courtroom No. 1

No. 00888/12 CareFirst of Maryland d/b/a vs. Benelogic, LLC
 No. 00037/12 John Ayres Cox Amos vs. Christine O'Dell
 No. 00273/12 Steve Bell et al. vs. Anne Arundel County, Maryland et al.
 No. 02721/11 Mois Louis vs. State of Maryland
 No. 00259/12 Patricia Mugg O'Neal vs. Prince George's County Council, sitting as the District Council

Courtroom No. 2

No. 01715/11 Jerrod M. Peterson vs. State of Maryland
 No. 02101/12* In Re: Kyrstin A.
 No. 00431/12 CAS Severn, Inc. vs. Andrew Awalt
 No. 01080/12 Todd B. Garliss, Jr. vs. Covahey, Boozer, Devan & Dore, P.A. et al.
 No. 01046/12 Julius Henson vs. State of Maryland

*8-207(a)

Monday, May 13, 2013Courtroom No. 1

No. 01394/12 Enzo Martinez, a minor, by and through his Parents and Next Friends, Rebecca Fielding and Enso Martinez, et al. vs. Johns Hopkins Hospital
 No. 00527/12 George Moehrle Masonry, Inc. vs. Baltimore County, Maryland
 No. 00532/12 Eric Hodge vs. Mayor & City Council of Baltimore City
 No. 00697/12 Weerasak W. Lima et al. vs. Westley Scriber et al.
 No. 00741/12 Wayne K. Bartsch vs. Francis K. Bartsch et al.
 No. 00751/12 Beddow School, Inc. vs. Department of Labor, Licensing & Regulations et al.

Courtroom No. 2

No. 02745/10 Rocco Belmonte vs. Maryland Jockey Club of Baltimore City, Inc. et al.
 No. 01676/12* Jonathan A. James, Sr. vs. Kendra R. Bell
 No. 02742/11 Joseph Carter vs. State of Maryland
 No. 00525/12 Lois Myers vs. Maryland State Retirement & Pension System
 No. 00501/12 Innovative Insurance Solutions, LLC vs. Christine Harmison
 No. 00680/12 Donald M. Ricketts, II vs. State of Maryland
 *8-207(a)

Tuesday, May 14, 2013Courtroom No. 1

No. 00486/12 Agnes Graham vs. Sam's West, Inc.
 No. 00609/12 Teon Carter a/k/a Nathaniel Gregory vs. State of Maryland
 No. 01083/11 David Collins vs. Douglas Maeser
 No. 00434/12 State of Maryland, Central Collection Unit vs. Russell Buckingham et al.
 No. 00287/12 Prince George's County Police Department vs. Scott Campbell
 No. 00698/12 Cheryl Denise Goosbey vs. Yolanda Smith

Courtroom No. 2

No. 01998/11 Latanya Baxter vs. Nancy Youssefi et al.
 No. 00864/12 Michael Brown vs. State of Maryland
 No. 00529/12 William Young vs. Mayor & City Council of Baltimore City
 No. 00919/12 Frank Orazio Cipriani vs. State of Maryland
 No. 00867/12 Tavon Perry vs. State of Maryland

Wednesday, May 15, 2013

All cases submitted on brief

Courtroom No. 1

No. 02256/11 Mark O. Langston vs. State of Maryland
 No. 02536/11 Maurice Brown vs. State of Maryland
 No. 00353/12 Tiya Cross vs. State of Maryland
 No. 00453/12 Thomas H. Clark vs. John J. Mitcherling
 No. 01361/12 Scott W. DiBiasio vs. Melissa DiBiasio
 No. 00915/12 James Biddinger vs. State of Maryland
 No. 00900/12** Lori Lou Palmer vs. State of Maryland
 No. 00984/12** Lori Lou Palmer vs. State of Maryland

**Consolidated Cases

Courtroom No. 2

No. 02062/12* Susan Carrillo vs. Oscar Carrillo, Sr.
 No. 00575/12 Gilbert Fletcher vs. State of Maryland

THE JUDICIARY

606

- No. 00591/12 Tonya Alston a/k/a Tanya Alston vs. State of Maryland
- No. 00090/12 Marianne Evans vs. Supervisor of Assessments of St. Mary's County
- No. 00923/12 Mitchell Jones vs. State of Maryland
- No. 02100/11 Roland Westley Evans vs. State of Maryland
- No. 02276/11 Joseph C. Hall vs. State of Maryland
- No. 01036/12 Jason Kelly Stottlemeyer vs. State of Maryland
- No. 00614/12 Dwayne Whyte vs. State of Maryland
- No. 00176/12** Jean Paul Butler vs. State of Maryland
- No. 00177/12** Jean Paul Butler vs. State of Maryland

*8-207(a)
**Consolidated Cases

On the day of argument, counsel are instructed to register in the Office of the Clerk **no later than 9 a.m.** The Court is located at 361 Rowe Boulevard, in the Robert C. Murphy Courts of Appeals Building. After May, 2013, the Court will recess until June, 2013.

LESLIE D. GRADET
Clerk

ADMINISTRATIVE ORDER

Pursuant to Maryland Rule 8-522(a), I hereby direct that oral argument in the month of May be limited to 20 minutes per side, subject to the discretion of the hearing panel to allow additional argument, not exceeding a total of 30 minutes per side.

This directive applies only to cases scheduled in May, 2013.

Chief Judge's signature appears on original Administrative Order

Dated: March 15, 2012

[13-07-32]

Thursday, May 16, 2013

All cases submitted on brief
Courtroom No. 1

- No. 00436/12 Steven Moseley vs. Stephany Young et al.
- No. 00408/12 Frederic Gussin vs. Marcy Gussin
- No. 00683/12 Deandre Ballard vs. State of Maryland
- No. 00844/12 William Carr vs. State of Maryland
- No. 00822/12 Brandon Scott Cowan vs. State of Maryland
- No. 00674/12 Donald Washington vs. State of Maryland

Courtroom No. 2

- No. 01600/12 Joao Carones vs. Ivone Vilas Boas Carones
- No. 00837/12 Arthur Kungle, Jr. vs. Steve Anderson et al.
- No. 01661/11 Francis Ryan vs. State of Maryland
- No. 00639/12 Michael A. Brown vs. State of Maryland
- No. 02705/11 Orlando Grant Dennis vs. State of Maryland
- No. 00858/12 Robin Price vs. State of Maryland
- No. 00606/12 Donnell Mackey vs. State of Maryland
- No. 00557/12 Charles Edward Wallace vs. State of Maryland

Friday, May 17, 2013

All cases submitted on brief
Courtroom No. 1

- No. 02670/11 Aaron Lee Taylor, Sr. vs. Jose Hernandez-Diaz
- No. 00386/12 Cortez Clark vs. State of Maryland
- No. 00917/12 Melvin Melendez-Lopez vs. State of Maryland
- No. 00989/12 Bryan Joseph Santesse vs. State of Maryland
- No. 02252/12* In Re: Adoption/Guadianship of Elijah R.
- No. 02513/11 Greg Jenkins a/k/a Jerome Lee vs. State of Maryland
- No. 00727/12 Najarred Theodore Walker vs. State of Maryland
- No. 00995/12 Emery Jerome Mackey vs. State of Maryland
- No. 00472/12 Melvin Vincent Burris, Jr. vs. State of Maryland
- No. 00568/12* Kendall Smith vs. Yulanda Swindell et al.
- No. 02547/11 Najee Griffin vs. State of Maryland

*8-207(a)

Courtroom No. 2

- No. 02532/11 Robert Deandre Moton vs. State of Maryland
- No. 00745/12 Peter A. Muntjan vs. Robert P. Moore et al.
- No. 02770/11 Dwight Thomas vs. State of Maryland
- No. 00546/12 Olubunmi Comfort Oludipe etc et al. vs. Montgomery County, Maryland et al.
- No. 00512/12 Saad A. H. Mikhail et ux. vs. Council of Unit Owners of Sea Watch Condominium
- No. 00117/12 Robert Carl Hall vs. State of Maryland
- No. 01156/12 Holly Sterling vs. State of Maryland

Regulatory Review and Evaluation

Regulations promulgated under the Administrative Procedure Act will undergo a review by the promulgating agency in accordance with the Regulatory Review and Evaluation Act (State Government Article, §§10-130 — 10-139; **COMAR 01.01.2003.20**). This review will be documented in an evaluation report which will be submitted to the General Assembly's Joint Committee on Administrative, Executive, and Legislative Review. The evaluation reports have been spread over an 8-year period (see **COMAR 01.01.2003.20** for the schedule). Notice that an evaluation report is available for public inspection and comment will be published in this section of the Maryland Register.

Title 14 INDEPENDENT AGENCIES Subtitle 09 WORKERS' COMPENSATION COMMISSION

Opportunity for Public Comment

In accordance with the Regulatory Review and Evaluation Act, State Government Article, §§10-130 — 10-139, Annotated Code of Maryland, the Workers' Compensation Commission (the Commission) is currently reviewing and evaluating the following chapters:

14.09.07 Uninsured Employer's Fund Claims 14.09.08 Open Meetings

The purpose of the review and evaluation is to determine whether existing regulations continue to accomplish the purposes for which they were adopted, clarify ambiguous or unclear language, and repeal any obsolete or duplicative provisions. Pursuant to its work plan, the Commission will evaluate the need to retain, amend, or repeal the regulations based on whether the regulations are:

- Still necessary to the public interest;
- Drafted in a clear and understandable manner;
- Still supported by statutory authority and judicial opinions and consistent with federal regulations and other State regulations;
- Still effective in accomplishing the intended purpose of the regulations;
- Obsolete, duplicative, or otherwise appropriate for amendment or repeal.

The Commission would like to provide interested parties with an opportunity to participate in the review and evaluation process by submitting comments on the regulations. The comments may address any concerns about the regulations. If the comments include suggested changes to the regulations, please be as specific as possible and provide language for the suggested changes. Comments must be received by **June 3, 2013**.

Comments should be directed to Amy S. Lackington, Regulations Coordinator, 10 E. Baltimore Street, Baltimore, MD 21202, or by email to alackington@wcc.state.md.us.

[13-07-25]

TITLE 31 MARYLAND INSURANCE ADMINISTRATION

Opportunity for Public Comment

In accordance with the Regulatory Review and Evaluation Act, State Government Article, §§10-130—10-139, Annotated Code of Maryland, the Maryland Insurance Administration is reviewing and evaluating certain regulations codified within COMAR 31.11 Health Insurance — Group. The purpose of the review and evaluation is to determine whether existing regulations continue to accomplish the purposes for which they were adopted, clarify ambiguous or unclear language, and repeal obsolete or duplicative provisions.

Regulations being reviewed include:

- 31.11.02 Group Health Insurance — Continuation of Coverage of Divorced Spouses
- 31.11.03 Group Health Insurance—Continuation of Coverage of Surviving Spouses
- 31.11.04 Group Health Insurance—Continuation of Coverage for Terminated Employees
- 31.11.05 Group Health Insurance Options for Alzheimer's Disease and for Diseases of the Elderly
- 31.11.07 Small Employer Group Health Insurance – Self-Employed Individuals
- 31.11.08 Small Group Market Health Insurance Geographic Areas
- 31.11.09 Solicitation of Coverage Under Group Health or Blanket Health Insurance Policy Issued in Another Jurisdiction

Interested parties may submit comments to **Nancy Egan**, Assistant Director of Government Relations, and transmitted by mail to 200 St. Paul Place, Suite 2700, Baltimore, MD 21202; by fax to (410) 468-2020; or by email to InsuranceRegReview.mia@maryland.gov. Comments must be received by May 15, 2013.

[13-07-30]

Emergency Action on Regulations

Symbol Key

- Roman type indicates text existing before emergency status was granted.
- *Italic type* indicates new text.
- [Single brackets] indicate deleted text.

Emergency Regulations

Under State Government Article, §10-111(b), Annotated Code of Maryland, an agency may petition the Joint Committee on Administrative, Executive, and Legislative Review (AELR), asking that the usual procedures for adopting regulations be set aside because emergency conditions exist. If the Committee approves the request, the regulations are given emergency status. Emergency status means that the regulations become effective immediately, or at a later time specified by the Committee. After the Committee has granted emergency status, the regulations are published in the next available issue of the Maryland Register. The approval of emergency status may be subject to one or more conditions, including a time limit. During the time the emergency status is in effect, the agency may adopt the regulations through the usual promulgation process. If the agency chooses not to adopt the regulations, the emergency status expires when the time limit on the emergency regulations ends. When emergency status expires, the text of the regulations reverts to its original language.

Title 36 MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY

Subtitle 05 TABLE GAMES

Notice of Emergency Action

[13-091-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to the repeal of the following existing chapters under **Subtitle 01 State Lottery Agency**, under **Title 14 Independent Agencies**:

- (1) Regulations .01 and .02 under **COMAR 14.01.01 Introduction**
- (2) Regulations .01 — .13 under **COMAR 14.01.02 General Regulations**;
- (3) Regulations .01 — .15 under **COMAR 14.01.03 Lottery Games**;
- (4) Regulations .01 — .07 under **COMAR 14.01.04 Regulations Applicable to Agents**;
- (5) Regulations .01 — .08 under **COMAR 14.01.05 Consumer Regulations**;
- (6) Regulations .01 — .03 under **COMAR 14.01.06 Conditions for Payment of Voluntary Assignment of Lottery Prizes Under Judicial Order**;
- (7) Regulations .01 — .15 under **COMAR 14.01.07 Agency Procedures Under the Public Information Act**;
- (8) Regulations .01 — .04 under **COMAR 14.01.08 Rules of Procedure for Commission Hearings**;
- (9) Regulations .01 — .06 under **COMAR 14.01.09 Open Meetings**;
- (10) Regulations .01 — .20 under **COMAR 14.01.10 Video Lottery Terminals**;
- (11) Regulations .01 — .08 under **COMAR 14.01.11 Video Lottery Facility Operation Licenses**;
- (12) Regulations .01 — .07 under **COMAR 14.01.12 Video Lottery Terminal Machines**;
- (13) Regulations .01 — .08 under **COMAR 14.01.13 Facility Standards**;
- (14) Regulations .01 — .50 under **COMAR 14.01.14 Video Lottery Facility Minimum Internal Control Standards**;

(15) Regulations .01 — .33 under **COMAR 14.01.15 Video Lottery Technical Standards**;

(16) Regulations .01 — .11 under **COMAR 14.01.16 Voluntary Exclusion and Responsible Gaming**;

(17) Regulations .01 — .09 under **COMAR 14.01.17 Mandatory Exclusion**;

(18) Regulations .01 — .06 under **COMAR 14.01.18 Violations, Civil Penalties, and Sanctions**;

(19) Regulations .01 — .04 under **COMAR 14.01.19 Collection of Taxes, Fees, and Civil Penalties**; and

(20) Regulations .01 — .04 under **COMAR 14.01.20 Unannounced Inspections**.

The Joint Committee on Administrative, Executive, and Legislative Review has also granted emergency status to the following new chapters under a new subtitle, **Subtitle 05 Table Games**, under a new title, **Title 36 Maryland State Lottery and Gaming Control Agency**:

(1) New Regulations .01 — .18 under **COMAR 36.05.06 Poker Rules**;

(2) New Regulations .01 — .06 under **COMAR 36.05.07 Roulette Rules**;

(3) New Regulations .01 — .03 under **COMAR 36.05.08 Big Six Wheel Rules**;

(4) New Regulations .01 — .13 under **COMAR 36.05.09 Four Card Poker Rules**;

(5) New Regulations .01 — .13 under **COMAR 36.05.10 Midi Baccarat Rules**;

(6) New Regulations .01 — .13 under **COMAR 36.05.11 Mississippi Stud Rules**;

(7) New Regulations .01 — .14 under **COMAR 36.05.12 Pai Gow Poker Rules**;

(8) New Regulations .01 — .13 under **COMAR 36.05.13 Texas Hold' Em Rules**; and

(9) New Regulations .01 — .13 under **COMAR 36.05.14 Three Card Poker Rules**.

Emergency status began: March 1, 2013.

Emergency status expires: August 23, 2013.

Editor's Note: The text of this document will not be printed here because it appears as a Notice of Proposed Action on pages 629—679 of this issue, referenced as [13-091-P].

STEPHEN L. MARTINO

Director

Maryland State Lottery and Gaming Control Agency

Final Action on Regulations

Symbol Key

- Roman type indicates text already existing at the time of the proposed action.
- *Italic type* indicates new text added at the time of proposed action.
- Single underline, italic indicates new text added at the time of final action.
- Single underline, roman indicates existing text added at the time of final action.
- [[Double brackets]] indicate text deleted at the time of final action.

Title 05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Subtitle 17 COMMUNITY LEGACY

05.17.03 *Designation of Neighborhood Conservation Areas*

Authority: Tax-Property Article, §9-255(a)(2), Annotated Code of Maryland

Notice of Final Action

[13-027-F]

On March 18, 2013, the Secretary of Housing and Community Development adopted new Regulations **.01—.06** under a new chapter, **COMAR 05.17.03 Designation of Neighborhood Conservation Areas**. This action, which was proposed for adoption in 40:2 Md. R. 81—83 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

RAYMOND A. SKINNER
Secretary of Housing and Community Development

Title 07 DEPARTMENT OF HUMAN RESOURCES

Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

07.07.11 Child Support Enforcement Incentives

Authority: Family Law Article, §§10-106.1 and 10-114, Annotated Code of Maryland

Agency Note: Federal Regulatory Reference—45 CFR §§302.55, 303.52, and 304; 42 U.S.C. §§658 and 658a

Notice of Final Action

[13-007-F]

On March 11, 2013, the Secretary of Human Resources adopted amendments to Regulations **.02** and **.05** under **COMAR 07.07.11 Child Support Enforcement Incentives**. This action, which was proposed for adoption in 40:1 Md. R. 26 (January 11, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

THEODORE DALLAS
Secretary of Human Resources

Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

07.07.24 *Incarcerated Obligor*

Authority: Family Law Article, §§10-114 and 12-101.1, Annotated Code of Maryland

Notice of Final Action

[12-315-F]

On March 11, 2013, the Secretary of Human Resources adopted new Regulations **.01—.06** under a new chapter, **COMAR 07.07.24 Incarcerated Obligor**. This action, which was proposed for adoption in 39:24 Md. R. 1567—1596 (November 30, 2012), has been adopted as proposed.

Effective Date: April 15, 2013.

THEODORE DALLAS
Secretary of Human Resources

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

Notice of Final Action

[13-023-F]

On March 26, 2013, the Secretary of Natural Resources adopted amendments to:

- (1) Regulation **.01** under **COMAR 08.02.05 Fish**; and
- (2) Regulation **.07** under **COMAR 08.02.15 Striped Bass**.

This action, which was proposed for adoption in 40:2 Md. R. 83—84 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOHN R. GRIFFIN
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.13 Fishing Licenses — Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure

Authority: Natural Resources Article, §§4-206, 4-220, 4-701, 4-745, 4-1201, and 4-1210, Annotated Code of Maryland

Notice of Final Action

[13-032-F]

On March 23, 2013, the Secretary of Natural Resources adopted amendments to Regulations **.01 — .03, .05, and .08** under **COMAR 08.02.13 Fishing Licenses — Point Assignment, License**

Revocation and Suspension Schedule and Criteria, and Hearing Procedure. This action, which was proposed for adoption in 40:3 Md. R. 228—237 (February 8, 2013), has been adopted as proposed.
Effective Date: April 15, 2013.

JOHN R. GRIFFIN
 Secretary of Natural Resources

Regulations. This action, which was proposed for adoption in 39:23 Md. R. 1543—1544 (November 16, 2012), has been adopted as proposed.
Effective Date: April 15, 2013.

EDWARD M. HORD
 Chairman
 Elevator Safety Review Board

**Title 09
 DEPARTMENT OF LABOR,
 LICENSING, AND
 REGULATION**

Subtitle 10 RACING COMMISSION

09.10.01 Thoroughbred Rules

Authority: Business Regulation Article, §11-210, Annotated Code of Maryland

Notice of Final Action
 [13-005-F]

On March 20, 2013, the Maryland Racing Commission adopted amendments to Regulation .64 under **COMAR 09.10.01 Thoroughbred Rules**. This action, which was proposed for adoption in 40:1 Md. R. 27 (January 11, 2013), has been adopted as proposed.
Effective Date: April 15, 2013.

J. MICHAEL HOPKINS
 Executive Director

**Subtitle 11 REAL ESTATE
 COMMISSION**

09.11.02 Code of Ethics

Authority: Business Occupations and Professions Article, §17-207, Annotated Code of Maryland

Notice of Final Action
 [13-004-F]

On March 20, 2013, the Real Estate Commission adopted amendments to Regulation .02 under **COMAR 09.11.02 Code of Ethics**. This action, which was proposed for adoption in 40:1 Md. R. 28 (January 11, 2013), has been adopted as proposed.
Effective Date: April 15, 2013.

J. NICHOLAS D'AMBROSIA
 Chairman
 Real Estate Commission

**Subtitle 35 ELEVATOR SAFETY
 REVIEW BOARD**

09.35.01 General Regulations

Authority: Public Safety Article, §§12-822.1, 12-823, 12-824, 12-833.1, 12-834, and 12-837, Annotated Code of Maryland

Notice of Final Action
 [12-309-F]

On February 22, 2013, the Elevator Safety Review Board adopted amendments to Regulation .01 under **COMAR 09.35.01 General**

**Title 10
 DEPARTMENT OF HEALTH
 AND MENTAL HYGIENE**

Subtitle 01 PROCEDURES

**10.01.04 Fair Hearing Appeals Under the
 Maryland State Medical Assistance Program**

Authority: Health-General Article, §2-104, Annotated Code of Maryland

Notice of Final Action
 [13-042-F]

On March 19, 2013, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .01 and .02 under **COMAR 10.01.04 Fair Hearing Appeals Under the Maryland State Medical Assistance Program**. This action, which was proposed for adoption in 40:2 Md. R. 87 (January 25, 2013), has been adopted as proposed.
Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
 Secretary of Health and Mental Hygiene

Subtitle 03 HEALTH STATISTICS

10.03.01 Vital Records

Authority: Health-General Article, §4-217, Annotated Code of Maryland

Notice of Final Action
 [13-047-F]

On March 14, 2013, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .13 under **COMAR 10.03.01 Vital Records**. This action, which was proposed for adoption in 40:2 Md. R. 87—88 (January 25, 2013), has been adopted as proposed.
Effective Date: April 15, 2013

JOSHUA M. SHARFSTEIN, M.D.
 Secretary of Health and Mental Hygiene

**Subtitle 09 MEDICAL CARE
 PROGRAMS**

**10.09.54 Home/Community Based Services
 Waiver for Older Adults**

Authority: Health-General Article, §§2-104(b), 15-103, 15-105, and 15-132, Annotated Code of Maryland

Notice of Final Action
 [13-050-F]

On March 27, 2013, the Secretary of Health and Mental Hygiene adopted new Regulations .14-1 and .30-1 and amendments to

Regulation .33 under **COMAR 10.09.54 Home/Community Based Services Waiver for Older Adults**. This action, which was proposed for adoption in 40:3 Md. R. 246—248 (February 8, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.55 Living at Home Waiver Program

Authority: Health-General Article, §§2-104(b), 15-103, 15-105, and 15-130, Annotated Code of Maryland

Notice of Final Action

[13-058-F]

On March 27, 2013, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .26-3 and .29 under **COMAR 10.09.55 Living at Home Waiver Program**. This action, which was proposed for adoption in 40:3 Md. R. 248—249 (February 8, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

Notice of Final Action

[13-040-F]

On March 19, 2013, the Secretary of Health and Mental Hygiene adopted amendments to:

(1) Regulation .19 under **COMAR 10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations**; and

(2) Regulation .14 under **COMAR 10.09.76 Primary Adult Care Program**.

This action, which was proposed for adoption in 40:2 Md. R. 93—98 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 14 CANCER CONTROL

10.14.01 Cancer Registry

Authority: Health-General Article, §§2-104, 18-104, 18-203 and 18-204, Annotated Code of Maryland; 42 U.S.C. §280(e)

Notice of Final Action

[13-045-F-I]

On March 20, 2013, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .01, .02, and .07, and new Regulation .02-1 under **COMAR 10.14.01 Cancer Registry**. This action, which was proposed for adoption in 40:2 Md. R. 98—99 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 22 DEVELOPMENTAL DISABILITIES

Notice of Final Action

[13-044-F]

On March 19, 2013, the Secretary of Health and Mental Hygiene adopted amendments to:

(1) Regulations .02, .06 — .08, and .10 under **COMAR 10.22.17 Fee Payment System for Licensed Residential and Day Programs**; and

(2) Regulation .04 under **COMAR 10.22.18 Community Supported Living Arrangements Payment System**.

This action, which was proposed for adoption in 40:2 Md. R. 99—105 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 33 BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

10.33.01 Nursing Home Administrators

Authority: Health Occupations Article, §§1-212, 1-606, and 9-101—9-502; State Government Article, §§10-226 and 10-617(h)(3); Annotated Code of Maryland

Notice of Final Action

[13-049-F]

On March 19, 2013, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .03, .08, and .13 under **COMAR 10.33.01 Nursing Home Administrators**. This action, which was proposed for adoption in 40:2 Md. R. 107—108 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 34 BOARD OF PHARMACY

10.34.29 Drug Therapy Management

Authority: Health Occupations Article, §§12-6A-01—12-6A-10, Annotated Code of Maryland

Notice of Final Action

[13-039-F]

On March 19, 2013, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .01—, .04, the repeal of existing Regulations .05, .06, .09, and .10, and amendments to and the recodification of existing Regulations .07, .08, and .11 to be Regulations .05, .06, and .07, respectively, under **COMAR 10.34.29 Drug Therapy Management**. This action, which was proposed for adoption in 40:2 Md. R. 108—111 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

**Subtitle 39 BOARD OF NURSING —
CERTIFIED NURSING ASSISTANTS**

10.39.03 Certified Medicine Aides

Authority: Health Occupations Article, §§8-205(a)(1) and (2) and 8-6A-14(b)—(d), Annotated Code of Maryland

Notice of Final Action

[13-006-F]

On March 14, 2013, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .03 under **COMAR 10.39.03 Certified Medicine Aides**. This action, which was proposed for adoption in 40:1 Md. R. 41—42 (January 11, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 52 PREVENTIVE MEDICINE

10.52.15 Screening for Critical Congenital Heart Disease (CCHD) in Newborns

Authority: Health-General Article, §§13-109, 13-111, and 18-107(a), Annotated Code of Maryland

Notice of Final Action

[12-252-F]

On March 25, 2013, the Secretary of Health and Mental Hygiene adopted new Regulations .01—.08 under a new chapter, **COMAR 10.52.15 Screening for Critical Congenital Heart Disease (CCHD) in Newborns**. This action, which was proposed for adoption in 39:19 Md. R. 1275—1278 (September 21, 2012) and repropoed in 40:2 Md. R. 117—118 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

**Subtitle 60 BOARD OF
ENVIRONMENTAL HEALTH
SPECIALISTS**

Notice of Final Action

[13-046-F]

On March 19, 2013, the Secretary of Health and Mental Hygiene adopted:

- (1) New Regulations .01—.05 under a new chapter, **COMAR 10.60.01 General Regulations**;
- (2) New Regulations .01—.08 under a new chapter, **COMAR 10.60.02 Licensing Procedures**;
- (3) New Regulations .01—.02 under a new chapter, **COMAR 10.60.03 Approved Training**;
- (4) New Regulations .01—.12 under a new chapter, **COMAR 10.60.04 Rules of Procedure for Board Hearings**;
- (5) New Regulations .01—.02 under a new chapter, **COMAR 10.60.05 Code of Ethics**;
- (6) New Regulation .01 under a new chapter, **COMAR 10.60.06 Fee Schedule**; and
- (7) New Regulations .01—.02 under a new chapter, **COMAR 10.60.07 Compelling Public Purpose Disclosure**.

This action, which was proposed for adoption in 40:2 Md. R. 118—130 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

**Title 14
INDEPENDENT AGENCIES**

**Subtitle 35 MARYLAND HEALTH
BENEFIT EXCHANGE**

Notice of Final Action

[13-059-F]

On March 26, 2013, the Maryland Health Benefit Exchange adopted:

- (1) New Regulations .01 and .02 under a new chapter, **COMAR 14.35.01 General Provisions** under a new subtitle, **Subtitle 35 Maryland Health Benefit Exchange**;
- (2) New Regulations .01—.04 under a new chapter, **COMAR 14.35.02 Individual Exchange Navigator Certification and Training Standards** under a new subtitle, **Subtitle 35 Maryland Health Benefit Exchange**;
- (3) New Regulations .01—.05 under a new chapter, **COMAR 14.35.03 Individual Exchange Navigator Certification—Renewal Reinstatement, Deactivation, and Suspension or Revocation of Certification** under a new subtitle, **Subtitle 35 Maryland Health Benefit Exchange**;
- (4) New Regulations .01—.04 under a new chapter, **COMAR 14.35.04 Insurance Producer Authorization to Sell Qualified Plans in the SHOP Exchange and Individual Exchange** under a new subtitle, **Subtitle 35 Maryland Health Benefit Exchange**;
- (5) New Regulations .01—.04 under a new chapter, **COMAR 14.35.05 Insurance Producer Authorization—Renewal, Reinstatement, and Suspension or Revocation of Authorization** under a new subtitle, **Subtitle 35 Maryland Health Benefit Exchange**;
- (6) New Regulation .01 under a new chapter, **COMAR 14.35.06 Exchange Consumer Services Center** under a new subtitle, **Subtitle 35 Maryland Health Benefit Exchange**; and
- (7) New Regulation .01 under a new chapter, **COMAR 14.35.07 Eligibility and Enrollment** under a new subtitle, **Subtitle 35 Maryland Health Benefit Exchange**.

This action, which was proposed for adoption in 40:3 Md. R. 270—274 (February 8, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

JOSHUA M. SHARFSTEIN, M.D.
Chairman, Board of Trustees
Maryland Health Benefit Exchange

Title 31
MARYLAND INSURANCE
ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS
AND OTHER INSURANCE
PROFESSIONALS

31.03.12 Procedures — Written Consent —
Federal Law

Authority: Insurance Article, §2-109(e), Annotated Code of Maryland

Notice of Final Action

[13-036-F]

On March 17, 2013, the Insurance Commissioner adopted amendments to Regulations **.02** and **.03** under **COMAR 31.03.12 Procedures — Written Consent — Federal Law**. This action, which was proposed for adoption in 40:2 Md. R. 166 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

THERESE M. GOLDSMITH
Insurance Commissioner

Subtitle 10 HEALTH INSURANCE —
GENERAL

31.10.21 Private Review Agents

Authority: Insurance Article, §§2-109(a)(1) and 15-10B-03(h), Annotated Code of Maryland

Notice of Final Action

[13-037-F]

On March 17, 2013, the Insurance Commissioner adopted amendments to Regulations **.02-1** under **COMAR 31.10.21 Private Review Agents**. This action, which was proposed for adoption in 40:2 Md. R. 166—167 (January 25, 2013), has been adopted as proposed.

Effective Date: April 15, 2013.

THERESE M. GOLDSMITH
Insurance Commissioner

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, a comparison to federal standards, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 18 BOATING — SPEED LIMITS AND OPERATION OF VESSELS

08.18.11 Gunpowder River

Authority: Natural Resources Article, §§8-703 and 8-704, Annotated Code of Maryland

Notice of Proposed Action

[13-097-P]

The Secretary of Natural Resources proposes to amend Regulations .01 — .04 and adopt new Regulation .05 under **COMAR 08.18.11 Gunpowder River**.

Statement of Purpose

The purpose of this action is to update and clarify existing boating laws and coordinates of certain boundaries and to ensure safe boating on Maryland's waterways.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Gutierrez, Division Director, Boating Facilities & Access Planning, Maryland Department of Natural Resources — Boating Services Unit, 580 Taylor Avenue, E/4, Annapolis, Maryland 21401, or call 410-260-8778, or email to lgutierrez@dnr.state.md.us, or fax to 410-260-8453. Comments will be accepted through May 6, 2013. A public hearing has not been scheduled.

.01 Gunpowder River.

The Gunpowder River encompasses all the waters of the Gunpowder River and its tributaries, [except Bird River,] northerly of a line [from Lat. 39°18'17.92"N., Long. 76°20'10.34"W. (Weir Point), running 096° True to the opposite shore, Lat. 39°18'06.53"N., Long. 76°17'47.26"W. (Rickett Point).] *beginning at Wier Point, at or near Lat. 39° 18.30' N., Long. 76° 20.17' W., then running 96° (True) to Rickett Point, at or near Lat. 39° 18.12' N., Long. 76° 17.78' W.*

.02 Upper Gunpowder River.

A. The Upper Gunpowder River encompasses the area *north of a line beginning at a point [Lat. 39°23'29.91"N., Long. 76°20'39.68"W. (north end Penn Central railroad bridge), a line running 278° True to the opposite shore, Lat. 39°23'32.36"N., Long. 76°21'02.66"W., and running upriver to a line beginning at a point Lat. 39°23'40.32"N., Long. 76°20'55.20"W., and running 090° True to the opposite shore, Lat. 39°23'40.32"N., Long. 76°20'45.80"W.] at or near Lat. 39° 23.502' N., Long. 76° 20.667' W., then running 281° (True) to a point, at or near Lat. 39° 23.560' N., Long. 76° 21.040' W., and south of a line beginning at a point, at or near Lat. 39° 23.667' N., Long. 76° 20.915' W., then running 90° (True) to a point, at or near Lat. 39° 23.667' N., Long. 76° 20.765' W.* This area has a 6-knot [(6.9 MPH)] speed limit Saturdays, Sundays, and State holidays, all year.

B. Amtrak Railroad Bridge. The Amtrak Railroad Bridge encompasses the zone *upstream of a line beginning at a point on shore at or near [Lat. 39°22'46.4"N., Long. 76°21'11.3"W., then following a line running 034° True, parallel to and 80 yards southeasterly of the railroad bridge to a point on shore at or near Lat. 39°23'30.2"N., Long. 76°20'35.5"W., then running along the shore*

northwesterly to a point on shore at or near Lat. 39°23'32.5"N., Long 76°20'41.8"W., then following a line running 214° True, parallel to and 80 yards northwesterly of the railroad bridge to a point on shore at or near Lat. 39°22'47.5"N., Long. 76°21'18.5"W., then following the shoreline southeasterly back to the point of beginning at or near Lat. 39°22'46.4"N., Long. 76°21'11.3"W.] *Lat. 39° 23.508' N., Long. 76° 20.602' W., then running 212° (True) to a point, at or near Lat. 39° 22.780' N., Long. 76° 21.195' W., and downstream of a line beginning at a point, at or near Lat. 39° 22.798' N., Long. 76° 21.308' W., then running 32° (True) to a point, at or near Lat. 39° 23.562' N., Long. 76° 20.687' W.* This area has a 6-knot [(6.9 MPH)] speed limit all year.

.03 Foster Branch and Joppatowne Channel.

Foster Branch and Joppatowne Channel encompass the area *upstream of a line beginning at a point [Lat. 39°23'40.32"N., Long. 76°20'55.20"W., a line running 090° True to the opposite shore, Lat. 39°23'40.32"N., Long. 76°20'45.80"W.,] at or near Lat. 39° 23.667' N., Long. 76° 20.915' W., then running 90° (True) to a point, at or near Lat. 39° 23.667' N., Long. 76° 20.765' W., and running to the head of the branch.* This area has a 6-knot [(6.9 MPH)] speed limit all year.

.04 Dundee Creek.

Dundee Creek encompasses the area *upstream of a line beginning at a point [Lat. 39°20'59.2"N., Long. 76°21'45.0"W, a line running 110° True to Lat. 39°20'55.4"N., Long. 76°21'31.7"W.,] at or near Lat. 39° 20.995' N., Long. 76° 21.753' W., then running 113° (True) to a point, at or near Lat. 39° 20.923' N., Long. 76° 21.535' W., and running to the head of the Creek.* This area has a 6-knot [(6.9 MPH)] speed limit all year.

.05 Railroad Creek.

Railroad Creek encompasses the area south of a line beginning at a point at or near Lat. 39° 22.557' N., Long. 76° 22.721' W., then running 97° (True) to a point, at or near Lat. 39° 22.515' N., Long. 76° 22.293' W., then running 154° (True) to a point, at or near Lat. 39° 22.496' N., Long. 76° 22.281' W., and running to the head of the Creek. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays during the boating season.

JOHN R. GRIFFIN
Secretary of Natural Resources

Subtitle 18 BOATING — SPEED LIMITS AND OPERATION OF VESSELS

08.18.25 South River

Authority: Natural Resources Article, §8-704, Annotated Code of Maryland

Notice of Proposed Action
[13-098-P]

The Secretary of Natural Resources proposes to amend Regulations **.01— .05** under **COMAR 08.18.25 South River.**

Statement of Purpose

The purpose of this action is to update and clarify existing boating laws and coordinates of certain boundaries and to ensure safety on Maryland waterways.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Gutierrez, Division Director, Boating Facilities & Access Planning, Maryland Department of Natural Resources, 580 Taylor Avenue, E/4, Annapolis, Maryland 21401, or call 410-260-8778, or email to lgutierrez@dnr.state.md.us, or fax to 410-260-8453. Comments will be accepted through May 6, 2013. A public hearing has not been scheduled.

.01 South River.

The South River encompasses all the waters of the South River and its tributaries westerly of a line [from Lat. 38°54'26.64"N., Long. 76°27'36.46"W. (Thomas Point), running 228° True to the opposite shore, Lat. 38°53'11.45"N., Long. 76°29'24.68"W. (Saunders Point).] *beginning at Thomas Point, at or near Lat. 38° 54.433' N., Long. 76° 27.615' W., then running 227° (True) to Saunders Point, at or near Lat. 38° 53.108' N., Long. 76° 29.445' W.*

.02 South River Proper.

A. (text unchanged)

B. The Route 2 bridge area encompasses the area *upstream of a line beginning at a point [Lat. 38°56'45.97"N., Long. 76°33'05.49"W., a line running 035° True to the opposite shore, Lat. 38°57'05.69"N., Long. 76°32'48.13"W. (Shadow Point), upriver to a line beginning at a point Lat. 38°56'58.56"N., Long. 76°33'26.49"W., and running 000° True to the opposite shore, Lat. 38°57'23.06"N., Long. 76°33'26.49"W.] at or near Lat. 38° 56.783' N., Long. 76° 32.981' W., then running 32° (True) to Shadow Point, at or near Lat. 38° 57.057' N., Long. 76° 32.762' W., and downstream of a line beginning at a point, at or near Lat. 38° 56.916' N., Long. 76° 33.429' W., then running 358° (True) to a point, at or near Lat. 38° 57.377' N., Long. 76° 33.447' W., and not including Warehouse and Gingerville Creeks.* This area has a 6-knot [(6.9 MPH)] speed limit all year. [These coordinates are approximately 500 yards below the bridge and 465 yards above the bridge.]

C. The area between Riva Bridge and the Route 2 Bridge encompasses the area *upstream of a line beginning at a point [Lat. 38°56'58.56"N., Long. 76°33'26.49"W., a line running 000° True to the opposite shore, Lat. 38°57'23.06"N., Long. 76°33'26.49"W., upriver to a line beginning at a point Lat. 38°57'14.15"N., Long. 76°34'20.50"W., and running 020° True to the opposite shore, Lat. 38°57'28.95"N., Long. 76°34'13.60"W.] Lat. 38° 56.916' N., Long. 76° 33.429' W., then running 358° (True) to a point, at or near Lat. 38° 57.377' N., Long. 76° 33.447' W., and downstream of a line beginning at a point at or near Lat. 38° 57.229' N., Long. 76° 34.330' W., then running 30° (True) to a point, at or near Lat. 38° 57.451' N., Long. 76° 34.166' W.* This area has a:

(1) 20-knot [(23 MPH)] speed limit, sunset to sunrise [(nights)], during the boating season [only, which is April 15 through October 15.];

(2) 35-knot [(40.25 MPH)] speed limit, sunrise to sunset [(daylight)], during the boating season [only, which is April 15 through October 15].

D. The Riva bridge area encompasses the area *upstream of a line beginning at a point [Lat. 38°57'14.15"N., Long. 76°34'20.50"W., a line running 020° True to the opposite shore, Lat. 38°57'28.95"N., Long. 76°34'13.60"W., upriver to a line beginning at a point Lat. 38°57'12.18"N., Long. 76°34'32.64"W., and running 020° True to the opposite shore, Lat. 38°57'29.10"N., Long. 76°34'24.75"W.*

(Addison Point.)] *at or near Lat. 38° 57.229' N., Long. 76° 34.330' W., then running 30° (True) to a point, at or near Lat. 38° 57.451' N., Long. 76° 34.166' W., and downstream of a line beginning at a point, at or near Lat. 38° 57.211' N., Long. 76° 34.545' W., then running 20° (True) to Addison Point, at or near Lat. 38° 57.495' N., Long. 76° 34.412' W.* This area has a 6-knot [(6.9 MPH)] speed limit Saturdays, Sundays, and Holidays during the boating season [only, which is April 15 through October 15. These coordinates are approximately 236 yards below the bridge and 75 yards above the bridge].

E. The area between the Riva Bridge and the controlled ski area encompasses the area *upstream of a line beginning at a point [Lat. 38°57'12.18"N., Long. 76°34'32.64"W., a line running 020° True to the opposite shore, Lat. 38°57'29.10"N., Long. 76°34'24.75"W., upriver to a line beginning at a point Lat. 38°58'08.16"N., Long. 76°36'00.83"W., and running 068° True to Lat. 38°58'10.88"N., Long. 76°35'52.27"W.] at or near Lat. 38° 57.211' N., Long. 76° 34.545' W., then running 20° (True) to a point, at or near Lat. 38° 57.495' N., Long. 76° 34.412' W., and downstream of a line beginning at a point, at or near Lat. 38° 58.637' N., Long. 76° 36.365' W., then running 72° (True) to a point, at or near Lat. 38° 58.685' N., Long. 76° 36.177' W.* This area has a:

(1) 20-knot [(23 MPH)] speed limit, sunset to sunrise [(nights)], during the boating season [only, which is April 15 through October 15.];

(2) 35-knot [(40.25 MPH)] speed limit, sunrise to sunset [(daylight)], during the boating season [only, which is April 15 through October 15].

F. The Route 50 bridge area encompasses the area *upstream of a line beginning at a point [Lat. 38°58'38.05"N., Long. 76°36'21.21"W., a line running 070° True to the opposite shore, Lat. 38°58'41.13"N., Long. 76°36'10.37"W.,] at or near Lat. 38° 58.637' N., Long. 76° 36.365' W., then running 72° (True) to a point, at or near Lat. 38° 58.685' N., Long. 76° 36.177' W., and running to the head of the river.* This area has a minimum wake zone all year.

G. [Upstream of a line running from the southeasterly tip of Thomas Point to Saunders Point (the existing territorial limit or crab line) to a line running southeasterly from Shadow (Poplar) Point to a point of land on the southeast shore of the mouth of Warehouse Creek, at or near Lat. 38°56'46.0"N., Long. 76°33'0.05"W.] *The lower South River area encompasses the area upstream of a line beginning at Thomas Point, at or near Lat. 38° 54.433' N., Long. 76° 27.615' W., then running 227° (True) to Saunders Point, at or near Lat. 38° 53.108' N., Long. 76° 29.445' W., and downstream of a line beginning at Shadow Point, at or near Lat. 38° 56.783' N., Long. 76° 32.981' W., then running 32° (True) to a point, at or near Lat. 38° 57.057' N., Long. 76° 32.762' W., excluding any creek or area otherwise regulated under this chapter.* This area has a:

(1) 35-knot [(40.25 MPH)] speed limit, sunrise to sunset [(days)], during the boating season [only, which is April 15 to October 15]; and

(2) 25-knot [(28.8 MPH)] speed limit, sunset to sunrise [(nights)], during the boating season [only, which is April 15 to October 15].

.03 South River South Shore.

A. (text unchanged)

B. Almshouse Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°56'41.71"N., Long. 76°32'36.47"W., a line running 168° True to the opposite shore, Lat. 38°56'33.50"N., Long. 76°32'34.23"W.,] *upstream of a line beginning at or near Lat. 38° 56.677' N., Long. 76° 32.573' W., then running 184° (True) to a point, at or near Lat. 38° 56.543' N., Long. 76° 32.587' W., and running to the head of the creek.* This area has a 6-knot [(6.9 MPH)] speed limit all year.

C. Beards Creek.

(1) Lower Beards Creek encompasses the area *upstream of a line beginning at the mouth of the creek, [Lat. 38°57'01"N., Long. 76°34'16.60"W. (Cedar Point), a line running 280° True to the opposite shore, Lat. 38°57'02.52"N., Long. 76°34'27.64"W., and running up the creek to a line beginning at a point Lat. 38°56'10.75"N., Long. 76°34'57.50"W., and running 000° True to the opposite shore, Lat. 38°56'17"N., Long. 76°34'57.50"W.] at or near Lat. 38° 57.005' N., Long. 76° 34.262' W., then running 281° (True) to a point, at or near Lat. 38° 57.033' N., Long. 76° 34.442' W., and downstream of a line beginning at a point, at or near Lat. 38° 56.172' N., Long. 76° 34.913' W., then running 350° (True) to a point, at or near Lat. 38° 56.278' N., Long. 76° 34.937' W.* This area has a:

(a) 6-knot [6.9 MPH] speed limit Saturdays, Sundays, and State holidays, during the boating season [only, which is April 15 through October 15];

(b) 20-knot [(23 MPH)] speed limit, weekdays, sunset to sunrise [(nights)], during the boating season [only, which is April 15 through October 15];

(c) 35-knot [(40.25 MPH)] speed limit, weekdays, sunrise to sunset [(daylight)], during the boating season [only, which is April 15 through October 15.];

(2) Upper Beards Creek encompasses the area *upstream of a line beginning at a point [Lat. 38°56'10.75"N., Long. 76°34'57.50"W., a line running 000° True to the opposite shore, Lat. 38°56'17"N., Long. 76°34'57.50"W.,] at or near Lat. 38° 56.172' N., Long. 76° 34.913' W., then running 350° (True) to a point, at or near Lat. 38° 56.278' N., Long. 76° 34.937' W., and running to the head of the creek.* This area has a minimum wake zone all year.

D. Brewer Creek encompasses the area *upstream of a line beginning at [the mouth of the creek, Lat. 38°55'33.70"N., Long. 76°31'35.55"W., a line running 080° True to the opposite shore, Lat. 38°55'35.16"N., Long. 76°31'24.66"W., and running up the creek to a line beginning at a point Lat. 38°55'26.08"N., Long. 76°31'32.40"W., and running 328° True to the opposite shore, Lat. 38°55'28.48"N., Long. 76°31'34.33"W.] or near Lat. 38° 55.798' N., Long. 76° 31.557' W., then running 147° (True) to a point, at or near Lat. 38° 55.593' N., Long. 76° 31.383' W., and downstream of a line beginning at a point, at or near Lat. 38° 55.432' N., Long. 76° 31.528' W., then running 305° (True) to a point, at or near Lat. 38° 55.450' N., Long. 76° 31.562' W.* This area has a 6-knot [(6.9 MPH)] speed limit Saturdays, Sundays, and State holidays, during the boating season [only, which is April 15 through October 15].

E. Flat Creek encompasses the area *upstream of a line beginning at a point [Lat. 38°57'38.47"N., Long. 76°35'41.83"W., a line running 135° True to the opposite shore, Lat. 38°57'35.28"N., Long. 76°35'37.76"W.,] at or near Lat. 38° 57.630' N., Long. 76° 35.768' W., then running 110° (True) to a point, at or near Lat. 38° 57.590' N., Long. 76° 35.630' W., and running to the head of the creek.* This area has a minimum wake zone all year.

F. Glebe Creek encompasses the area *upstream of a line beginning at [the mouth of the creek, Lat. 38°55'47.80"N., Long. 76°32'27.69"W., a line running 267° True to the opposite shore, Lat. 38°55'47.38"N., Long. 76°32'37.92"W.,] a point at or near Lat. 38° 55.800' N., Long. 76° 32.462' W., then running 261° (True) to a point, at or near Lat. 38° 55.780' N., Long. 76° 32.615' W., and running to the head of the creek.* This area has a 6-knot [(6.9 MPH)] speed limit, during the boating season [only, which is April 15 through October 15].

G. Granville Creek encompasses the area *upstream of a line beginning at [the mouth of the creek, Lat. 38°57'26"N., Long. 76°34'55.75"W., a line running 270° True to the opposite shore, Lat. 38°57'26"N., Long. 76°34'58.20"W.,] a point at or near Lat. 38° 57.425' N., Long. 76° 34.920' W., then running 297° (True) to a*

point, at or near Lat. 38° 57.445' N., Long. 76° 34.970' W., and running to the head of the creek. This area has a 6-knot [(6.9 MPH)] speed limit all year.

H. Pocahontas Creek encompasses the area *upstream of a line* beginning [at the mouth of the creek, Lat. 38°55'26.08"N., Long. 76°31'32.40"W., a line running 328° True to the opposite shore, Lat. 38°55'28.48"N., Long. 76°31'34.33"W.,] *at a point at or near Lat. 38° 55.432' N., Long. 76° 31.528' W., then running 305° (True) to a point, at or near Lat. 38° 55.450' N., Long. 76° 31.562' W.,* and running to the head of the creek. This area has a 6-knot [(6.9 MPH)] speed limit all year.

I. Ramsay Lake.

(1) The Turkey Point bridge area at Ramsay Lake encompasses the area [25 yards on both sides of the Turkey Point road bridge.] south of a line beginning at a point at or near Lat. 38° 54.115' N., Long. 76° 30.432' W., then running 261° (True) to a point, at or near Lat. 38° 54.097' N., Long. 76° 30.578' W., and north of a line beginning at a point at or near Lat. 38° 54.062' N., Long. 76° 30.543' W., then running 82° (True) to a point, at or near Lat. 38° 54.075' N., Long. 76° 30.417' W. This area has a 6-knot [(6.9 MPH)] speed limit all year.

(2) Ramsay Lake encompasses the area *south of a line* beginning [at the mouth of the creek, Lat. 38°54'18.30"N., Long. 76°29'39.93"W., a line running 146° True to the opposite shore, Lat. 38°54'14.18"N., Long. 76°29'36.34"W., and running up the creek to 25 yards south of the Turkey Point road bridge,] *at a point at or near Lat. 38° 54.062' N., Long. 76° 30.543' W., then running 82° (True) to a point, at or near Lat. 38° 54.075' N., Long. 76° 30.417' W., and north of a line beginning at a point at or near Lat. 38° 54.313' N., Long. 76° 29.720' W., then running 131° (True) to a point, at or near Lat. 38° 54.232' N., Long. 76° 29.600' W.,* including all tributaries. This area has a 6-knot [(6.9 MPH)] speed limit Saturdays, Sundays, and State holidays, all year.

J. Selby Bay encompasses the area *south of a line* beginning [at the mouth of the creek, Lat. 38°54'41.20"N., Long. 76°30'21.52"W., a line running 136° True to the opposite shore, Lat. 38°54'27.75"N., Long. 76°30'04.74"W., and running up the bay to 25 yards north of the Turkey Point road bridge] *at a point at or near Lat. 38° 54.708' N., Long. 76° 30.373' W., then running 136° (True) to a point, at or near Lat. 38° 54.462' N., Long. 76° 30.070' W., and north of a line beginning at a point, at or near Lat. 38° 54.115' N., Long. 76° 30.432' W., then running 261° (True) to a point, at or near Lat. 38° 54.097' N., Long. 76° 30.578' W.,* including all tributaries. This area has a 6-knot [(6.9 MPH)] speed limit Saturdays, Sundays, and State holidays, all year.

K. Cedar Point Cove (Spring Lake) encompasses the area [beginning at the mouth of the cove, Lat. 38°57'01.28"N., Long. 76°33'54.94"W., a line running 076° True to the opposite shore, Lat. 38°57'01.68"N., Long. 76°33'52.85"W.,] *upstream of a line beginning at a point at or near Lat. 38° 57.007' N., Long. 76° 33.912' W., then running 90° (True) to a point, at or near Lat. 38° 57.007' N., Long. 76° 33.893' W.,* and running to the head of the cove. This area has a 6-knot [(6.9 MPH)] speed limit all year.

L. Warehouse Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°56'44"N., Long. 76°33'11.40"W., a line running 157° True to the opposite shore, Lat. 38°56'41"N., Long. 76°33'09.80"W.,] *upstream of a line beginning at a point at or near Lat. 38° 56.738' N., Long. 76° 33.203' W., then running 152° (True) to a point, at or near Lat. 38° 56.687' N., Long. 76° 33.168' W.,* and running to the head of the creek. This area has a 6-knot [(6.9 MPH)] speed limit all year.

.04 South River North Shore.

A. (text unchanged)

B. Aberdeen Creek.

(1) Lower Aberdeen Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°56'30.99"N., Long. 76°31'24.18"W., a line running 094° True to the opposite shore, Lat. 38°56'30.38"N., Long. 76°31'13.33"W., and running up the creek to a line beginning at a point Lat. 38°56'31.32"N., Long. 76°31'24.11"W., and running 100° True to the opposite shore, Lat. 38°56'29.82"N., Long. 76°31'13.26"W.] *upstream of a line beginning at a point at or near Lat. 38° 56.510' N., Long. 76° 31.400' W., then running 91° (True) to a point, at or near Lat. 38° 56.507' N., Long. 76° 31.232' W., and downstream of a line beginning at a point at or near Lat. 38° 56.787' N., Long. 76° 31.263' W., then running 82° (True) to a point, at or near Lat. 38° 56.800' N., Long. 76° 31.140' W.* This area has a 6-knot [(6.9 MPH)] speed limit Saturdays, Sundays, and State holidays, during the boating season [only, which is April 15 through October 15].

(2) Upper Aberdeen Creek encompasses the area [beginning at a point Lat. 38°56'31.32"N., Long. 76°31'24.11"W., a line running 100° True to the opposite shore, Lat. 38°56'29.82"N., Long. 76°31'13.26"W.,] *upstream of a line beginning at a point at or near Lat. 38° 56.787' N., Long. 76° 31.263' W., then running 82° (True) to a point, at or near Lat. 38° 56.800' N., Long. 76° 31.140' W.,* and running to the head of the creek. This area has a 6-knot [(6.9 MPH)] speed limit, during the boating season [only, which is April 15 through October 15].

C. Boyd Point Cove encompasses the area [beginning at the mouth of the cove, Lat. 38°57'22"N., Long. 76°33'58.50"W., a line running 072° True to the opposite shore, Lat. 38°57'22.50"N., Long. 76°33'56.50"W.,] *upstream of a line beginning at a point at or near Lat. 38° 57.380' N., Long. 76° 33.960' W., then running 79° (True) to a point, at or near Lat. 38° 57.383' N., Long. 76° 33.938' W.,* and running to the head of the cove. This area has a 6-knot [(6.9 MPH)] speed limit all year.

D. Broad Creek.

(1) Lower Broad Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°57'31.61"N., Long. 76°34'36.63"W. (Porter Point), a line running 109° True to the opposite shore, Lat. 38°57'28.74"N., Long. 76°34'25.97"W. (Addison Point), and running up the creek to a line beginning at a point Lat. 38°58'05.92"N., Long. 76°34'32.16"W., and running 270° True to the opposite shore, Lat. 38°58'05.92"N., Long. 76°34'39.62"W.] *upstream of a line beginning at Porter Point, at or near Lat. 38° 57.547' N., Long. 76° 34.625' W., then running 110° (True) to Addison Point, at or near Lat. 38° 57.495' N., Long. 76° 34.447' W., and downstream of a line beginning at a point at or near Lat. 38° 58.113' N., Long. 76° 34.538' W., then running 281° (True) to a point, at or near Lat. 38° 58.127' N., Long. 76° 34.625' W.* This area has a:

(a) 20-knot [(23 MPH)] speed limit, sunset to sunrise [(nights)], during the boating season [only, which is April 15 through October 15];

(b) 35-knot [(40.25 MPH)] speed limit, sunrise to sunset [(daylight)], during the boating season [only, which is April 15 through October 15].

(2) Upper Broad Creek encompasses the area [beginning at a point Lat. 38°58'05.92"N., Long. 76°34'32.16"W., a line running 270° True to the opposite shore, Lat. 38°58'05.92"N., Long. 76°34'39.62"W.,] *upstream of a line beginning at a point at or near Lat. 38° 58.113' N., Long. 76° 34.538' W., then running 281° (True) to a point, at or near Lat. 38° 58.127' N., Long. 76° 34.625' W.,* and running to the head of the creek. This area has a:

(a) 6-knot [(6.9 MPH)] speed limit Saturdays, Sundays, and State holidays, during the boating season [only, which is April 15 through October 15];

(b) 20-knot [(23 MPH)] speed limit, weekdays, sunset to sunrise [(nights)], during the boating season [only, which is April 15 through October 15];

(c) 35-knot [(40.25 MPH)] speed limit, weekdays, sunrise to sunset [(daylight)], during the boating season [only, which is April 15 through October 15].

E. Cherrytree Cove encompasses the area [beginning at the mouth of the cove, Lat. 38°55'12.37"N., Long. 76°28'51.40"W., a line running 312° True to the opposite shore, Lat. 38°55'22.53"N., Long. 76°29'05.75"W.,] *upstream of a line beginning at a point at or near Lat. 38° 55.412' N., Long. 76° 28.992' W., then running 152° (True) to a point, at or near Lat. 38° 55.217' N., Long. 76° 28.857' W., and running to the head of the cove.* This area has a minimum wake zone all year.

F. Church Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°57'06.73"N., Long. 76°32'24.14"W., a line running 084° True to the opposite shore, Lat. 38°57'07.36"N., Long. 76°32'16.50"W.,] *upstream of a line beginning at a point at or near Lat. 38° 57.115' N., Long. 76° 32.412' W., then running 84° (True) to a point, at or near Lat. 38° 57.128' N., Long. 76° 32.258' W., and running to the head of the creek.* This area has a 6-knot [(6.9 MPH)] speed limit, during the boating season [only, which is April 15 through October 15].

G. Crab Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°57'07.46"N., Long. 76°32'05.69"W., a line running 080° True to the opposite shore, Lat. 38°57'12"N., Long. 76°31'55.73"W.,] *upstream of a line beginning at a point at or near Lat. 38° 57.128' N., Long. 76° 32.078' W., then running 55° (True) to a point, at or near Lat. 38° 57.197' N., Long. 76° 31.955' W., and running to the head of the creek.* This area has a 6-knot [(6.9 MPH)] speed limit, during the boating season [only, which is April 15 through October 15].

H. Duvall Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°55'44.01"N., Long. 76°29'14.38"W., a line running 117° True to the opposite shore, Lat. 38°55'40.01"N., Long. 76°29'04.34"W.,] *north of a line beginning at a point at or near Lat. 38° 55.733' N., Long. 76° 29.238' W., then running 115° (True) to a point at or near Lat. 38° 55.673' N., Long. 76° 29.073' W., and running to the head of the creek.* This area has a 6-knot [(6.9 MPH)] speed limit, during the boating season [only, which is April 15 through October 15].

I. Gingerville Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°57'19.21"N., Long. 76°33'22.17"W., a line running 052° True to the opposite shore, Lat. 38°57'22.47"N., Long. 76°33'16.82"W.,] *upstream of a line beginning at a point at or near Lat. 38° 57.332' N., Long. 76° 33.372' W., then running 61° (True) to a point, at or near Lat. 38° 57.377' N., Long. 76° 33.268' W., and running to the head of the creek.* This area has a 6-knot [(6.9 MPH)] speed limit all year.

J. Harness Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°55'55.53"N., Long. 76°30'55.40"W., a line running 080 True to the opposite shore, Lat. 38°55'57.83"N., Long. 76°30'38.68"W.,] *upstream of a line beginning at a point at or near Lat. 38° 55.942' N., Long. 76° 30.900' W., then running 92° (True) to a point, at or near Lat. 38° 55.933' N., Long. 76° 30.640' W., and running to the head of the creek.* This area has a 6-knot [(6.9 MPH)] speed limit all year.

K. Hillsmere Lake encompasses the area [beginning at the mouth of the lake, Lat. 38°55'41.26"N., Long. 76°30'03.53"W., a line running 310° True to the opposite shore, Lat. 38°55'41.90"N., Long. 76°30'04.51"W.,] *upstream of a line beginning at a point at or near Lat. 38° 55.685' N., Long. 76° 30.073' W., then running 322° (True) to a point, at or near Lat. 38° 55.692' N., Long. 76° 30.080' W., and running to the head of the lake.* This area has a 6-knot [(6.9 MPH)] speed limit all year.

L. Little Aberdeen Creek encompasses the area [beginning at the mouth of the creek, Lat. 38°56'47.05"N., Long. 76°31'45.10"W., a line running 050° True to the opposite shore, Lat. 38°56'47.75"N., Long. 76°31'44.02"W.,] *upstream of a line beginning at a point at or near Lat. 38° 56.773' N., Long. 76° 31.740' W., then running 111° (True) to a point, at or near Lat. 38° 56.747' N., Long. 76° 31.652' W., and running to the head of the creek.* This area has a 6-knot [(6.9 MPH)] speed limit, during the boating season [only, which is April 15 through October 15].

.05 Upper South River Controlled Ski Area.

(text unchanged)

B. The Upper South River Controlled Ski Area encompasses the area [from a line Lat. 38°58'08.16"N., Long. 76°36'00.83"W., a line running 068° True to the opposite shore, Lat. 38°58'10.88"N., Long. 76°35'52.27"W., upriver to a line beginning at a point Lat. 38°58'38.05"N., Long. 76°36'21.21"W., and running 070° True to the opposite shore, Lat. 38°58'41.13"N., Long. 76°36'10.37"W. This area is approximately 1,114 yards in length.] *upstream of a line beginning at a point at or near Lat. 38° 58.085' N., Long. 76° 36.013' W., then running 65° (True) to a point, at or near Lat. 38° 58.168' N., Long. 76° 35.780' W., and downstream of a line beginning at a point at or near Lat. 38° 58.637' N., Long. 76° 36.365' W., then running 72° (True) to a point, at or near Lat. 38° 58.685' N., Long. 76° 36.177' W.*

C. The Upper South River Controlled Ski Area [has] is a minimum wake zone when the permitted:

- (1) Slalom ski course is in use; or
- (2) Ski jump course is in use.

D. — E. (text unchanged)

JOHN R. GRIFFIN
Secretary of Natural Resources

Title 09
DEPARTMENT OF LABOR,
LICENSING, AND
REGULATION
Subtitle 17 BOARD OF STATIONARY
ENGINEERS

09.17.01 General Regulations

Authority: Business Occupations and Professions, §6.5-205, Annotated Code of Maryland

Notice of Proposed Action

[13-092-P]

The Maryland Board of Stationary Engineers proposes to adopt new Regulations **.01—03** under a new chapter, **COMAR 09.17.01 General Regulations**. This action was considered at a public meeting of the Maryland Board of Stationary Engineers held on February 19, 2013, notice of which was given by publication in 40:1 Md. R. 51 (January 11, 2013), pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to establish by regulation general requirements that a licensee be familiar with the laws and regulations applicable to the provision of stationary engineering services; that a time limit within which an applicant for licensure must submit a license application after successful completion of a license

examination in order for the examination results to remain valid; and that a licensee display a current license, affix a current photograph to the license, and have available a valid government-issued photographic identification for boilers that require certification.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Gae Herzberger, Administrative Aide, Maryland Board of Stationary Engineers, Department of Labor, Licensing, and Regulation, 500 North Calvert Street, Room 302, Baltimore, MD 21202, or call 410-230-6163, or email to gherzberger@dldr.state.md.us, or fax to 410-333-6314. Comments will be accepted through June 10, 2013. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Maryland Board of Stationary Engineers during a public meeting to be held on June 18, 2013 at 10:00 a.m., at the Department of Labor, Licensing, and Regulation, 500 North Calvert Street, Third Floor Conference Room, Baltimore, Maryland 21202.

.01 Responsibilities of Licensee.

A licensee shall be familiar with and comply with the laws and regulations governing the provision of stationary engineer services.

.02 Application for Licensure.

A. An applicant who has successfully completed a license examination shall apply for licensure, and pay all applicable fees, within 2 years of successfully completing the license examination in order for the applicant's test results to remain valid.

B. An applicant who successfully completed a license examination more than 2 years before the effective date of this regulation shall apply for licensure, and pay all applicable fees, no later than December 31, 2013 in order for the applicant's test results to remain valid.

.03 Boiler Certification.

If a boiler certification is required, a licensee shall:

A. Display conspicuously a current and valid license of each individual assigned to oversee a boiler:

(1) Near the regulated machinery; or

(2) With the certificate of inspection for the regulated machinery;

B. Affix a current photograph to the license; and

C. Have available at all times valid government-issued photographic identification.

HAROLD E. NORRIS
Chairman
Board of Stationary Engineers

**Title 12
DEPARTMENT OF PUBLIC
SAFETY AND
CORRECTIONAL SERVICES**

**Subtitle 04 POLICE TRAINING
COMMISSION**

12.04.01 General Regulations

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208(a); Annotated Code of Maryland

Notice of Proposed Action

[13-100-P]

The Secretary of Public Safety and Correctional Services, in cooperation with the Police Training Commission, proposes to amend Regulations .09 and .14 under **COMAR 12.04.01 General Regulations**. This action was considered by the Police Training Commission at a public meeting held on January 9, 2013.

Statement of Purpose

The purpose of this action is to transfer a provision from COMAR 12.04.01.09 to 12.04.01.14. The proposal also makes technical changes to achieve consistency and clarity in the terminology used.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Thomas C. Smith, Director Policy and Process Review, Police and Correctional Training Commissions, 6852 4th Street, Sykesville, MD 21784, or call 410-875-3605, or email to tcsmith@dpscs.state.md.us, or fax to 410-875-3584. Comments will be accepted through May 6, 2013. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Police Training Commission during a public meeting to be announced.

.09 Minimum Standards for Entrance-Level Training for Police Officers.

A. — F. (text unchanged)

G. Waiver of Commission Entrance-Level Training Requirements.

(1) — (2) (text unchanged)

(3) An applicant for certification by the Commission as a police officer who has completed entrance-level training in another state or for the federal government may be eligible [for an exemption] to receive a waiver from a portion of the Commission-required entrance-level training upon:

(a) Meeting the requirements under Regulation [.16E(7)] .14E(7) of this chapter; and

[(b) Successfully completing a Driving Under the Influence Detection and Standardized Field Sobriety Test course approved by the Commission; and]

[(c)] (b) Meeting other requirements approved by the Commission.

H. — I. (text unchanged)

.14 Waiver of a Selection or Training Standard.

A. — D. (text unchanged)

E. Waiver of an Entrance-Level Training Standard.

(1) — (6) (text unchanged)

(7) If the Deputy Director grants a waiver of full entrance-level training, the individual shall *successfully* complete the following:

(a) (text unchanged)

(b) Emergency medical care under Regulation .09 of this chapter; [and]

(c) *A Driving Under the Influence Detection and Standardized Field Sobriety Test course approved by the Commission; and*

[(c)] (d) (text unchanged)

(8) (text unchanged)

GARY D. MAYNARD

Secretary of Public safety and Correctional Services

Subtitle 04 POLICE TRAINING COMMISSION

12.04.02 Firearms Training

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208; Annotated Code of Maryland

Notice of Proposed Action

[13-101-P]

The Secretary of Public Safety and Correctional Services, in cooperation with the Police Training Commission, proposes to amend Regulation .03 under **COMAR 12.04.02 Firearms Training**. This action was considered by the Police Training Commission at a public meeting on January 9, 2013.

Statement of Purpose

The purpose of this action is to require Police Training Commission approval for firearms qualification that is conducted to meet the Commission’s training requirements.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Thomas C. Smith, Director, Policy and Process Review, Police and Correctional Training Commissions, 6852 4th Street Sykesville, MD 21784, or call 410-875-3605, or email to tcsmith@dpscs.state.md.us, or fax to 410-875-3584. Comments will be accepted through May 6, 2013. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Police Training Commission during a public meeting to be announced.

.03 General Requirements — Authorized Firearms Classroom Instruction, Training, and Qualification, and Firing Line Supervision.

A. — B. (text unchanged)

C. Firearms Classroom Instruction, Training, and Qualification Approval and Minimum Hours.

(1) Commission Approval.

(a) Written approval by the Commission is required for firearms classroom instruction, training, *and qualification*.

(b) (text unchanged)

(2) (text unchanged)

GARY D. MAYNARD

Secretary

Department of Public safety and Correctional Services

Subtitle 10 CORRECTIONAL TRAINING COMMISSION

12.10.05 Electronic Control Device Training [and Instructor Certification]

Authority: Correctional Services Article, §§2-109 and 8-208; Public Safety Article §3-207; Annotated Code of Maryland

Notice of Proposed Action

[13-099-P]

The Secretary of Public Safety and Correctional Services, in cooperation with the Correctional Training Commission, proposes to repeal Regulation .06 under **COMAR 12.10.05 Electronic Control Device Training**. This action was considered by the Correctional Training Commission at a public meeting on January 15, 2013.

Statement of Purpose

The purpose of this action is to amend the name of COMAR 12.10.05 by deleting “and Instructor Certification”; and to repeal COMAR 12.10.05.06 to accurately reflect the subject covered in the chapter. Regulation .06 is repealed since provisions of Regulation .06 were previously moved to COMAR 12.10.06.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Thomas C. Smith, Director, Policy and Process Review, Police and Correctional Training Commissions, 6852 4th Street Sykesville, MD 21784, or call 410-875-3605, or email to tcsmith@dpscs.state.md.us, or fax to 410-875-3584. Comments will be accepted through May 6, 2013. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Correctional Training Commission during a public meeting to be announced.

GARY D. MAYNARD

Secretary of Public safety and Correctional Services

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

Notice of Proposed Action

[13-096-P]

The Secretary of the Environment proposes to amend:

(1) Regulation .01 under **COMAR 26.11.01 General Administrative Provisions**; and

(2) Regulation .14 under **COMAR 26.11.06 General Emission Standards, Prohibitions, and Restrictions**.

Statement of Purpose

The purpose of this action is to incorporate updated federal standards for the New Source Review (NSR) Prevention of Significant Deterioration (PSD) program. This amendment will provide that future amendments to the federal PSD program will be automatically included in Maryland regulations. This incorporation by reference will add provisions for fine particulate matter and its precursors, provisions to defer inclusion of sources of biogenic emissions under PSD and removes certain grandfathering provisions.

These amendments will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland's State Implementation Plan.

Background

On July 18, 1997, the EPA revised the NAAQS for PM to add new standards for fine particles, using PM_{2.5} as the indicator. Health-based (primary) annual and 24-hour standards for PM_{2.5} were established at 15 micrograms per cubic meter (µg/m³) and 65 µg/m³, respectively (62 FR 38652). At the same time that the primary standards were set, the EPA also established welfare-based (secondary) standards identical to the primary standards. On October 17, 2006, the EPA revised the primary and secondary NAAQS for PM_{2.5} and PM₁₀ (71 FR 61143). In the final rule, the EPA reduced the 24-hour NAAQS for PM_{2.5} to 35 µg/m³ and retained the existing annual PM_{2.5} NAAQS of 15 µg/m³.

Epidemiological studies measuring health effects associated with PM_{2.5} have shown a significant correlation between elevated PM_{2.5} levels and premature mortality. Other important effects associated with PM_{2.5} exposure include aggravation of respiratory and cardiovascular disease, lung disease, decreased lung function, asthma attacks, and certain cardiovascular problems. Individuals particularly sensitive to PM_{2.5} exposure include older adults, people with heart and lung disease, and children.

EPA has finalized a number of amendments to the PSD requirements during 2010, 2011, and 2012. These amendments include the following:

March 12, 2012 - This proposed rule would clarify that condensable particulate matter should be included as part of the emissions measurements for regulation of PM_{2.5} and PM₁₀. The proposal would remove the inadvertent requirement in the 2008 PM_{2.5} NSR Implementation Rule, that measurements of condensable particulate matter be included as part of the measurement and regulation of much larger particles included as "particulate matter emissions."

May 10, 2011 - EPA issues a final rule to repeal the grandfather provision for PM_{2.5} contained in the federal PSD permit program.

January 12, 2011 - EPA announces its plan to defer, for three years, greenhouse gas (GHG) permitting requirements for carbon dioxide (CO₂) emissions from biomass-fired and other biogenic sources.

On December 23, 2010, the U.S. Environmental Protection Agency (EPA) issued a series of rules that put the necessary regulatory framework in place to ensure that 1) industrial facilities can get Clean Air Act permits covering their greenhouse gas (GHG) emissions when needed and 2) facilities emitting GHGs at levels below those established in the Tailoring Rule do not need to obtain Clean Air Act permits.

September 29, 2010 - EPA has established key components for making PSD permitting determinations for fine particle pollution - increments, significant impact levels (SILs), and a significant monitoring concentration (SMC).

Sources Affected and Location

The NSR PSD program applies to new major sources locating in attainment areas and major modifications that occur in attainment areas. The program also applies in nonattainment areas. In nonattainment areas, new major sources or major modifications of regulated NSR pollutants for which the area is not nonattainment must meet PSD requirements.

Requirements

Specific Requirements for PM_{2.5}

These amendments to COMAR 26.11.17, Nonattainment Provisions for Major New Sources and Major Modifications, reflecting the amendments to 40 CFR 51.165 and 40 CFR 51 Appendix S, establish the following:

- SO₂ and NO_x are precursors to PM_{2.5};
- The emission rate applicable to Major Stationary Source threshold for PM_{2.5} and its precursors is 100 tpy; and
- The emission rate applicable to Major Modification for PM_{2.5} is 10 tpy direct PM_{2.5}, 40 tpy of SO₂ and 40 tpy of NO_x.

General Requirements for PSD

Prevention of Significant Deterioration (PSD) applies to new major sources or major modifications at existing sources for pollutants where the area the source is located is in attainment or unclassifiable with the National Ambient Air Quality Standards (NAAQS). It requires the following:

1. installation of the "Best Available Control Technology (BACT)";
2. an air quality analysis;
3. an additional impacts analysis; and
4. public involvement.

Best Available Control Technology (BACT)

BACT is an emissions limitation which is based on the maximum degree of control that can be achieved. It is a case-by-case decision that considers energy, environmental, and economic impact. BACT can be add-on control equipment or modification of the production processes or methods. This includes fuel cleaning or treatment and innovative fuel combustion techniques. BACT may be a design, equipment, work practice, or operational standard if imposition of an emissions standard is infeasible.

The RACT/BACT/LAER Clearinghouse (RBLC) database contains information on what has been required as BACT in air permits.

Air Quality Analysis

The main purpose of the air quality analysis is to demonstrate that new emissions emitted from a proposed major stationary source or major modification, in conjunction with other applicable emissions

increases and decreases from existing sources, will not cause or contribute to a violation of any applicable NAAQS or PSD increment.

Generally, the analysis will involve (1) an assessment of existing air quality, which may include ambient monitoring data and air quality dispersion modeling results, and (2) predictions, using dispersion modeling, of ambient concentrations that will result from the applicant's proposed project and future growth associated with the project.

Class I areas are areas of special national or regional natural, scenic, recreational, or historic value for which the PSD regulations provide special protection. The Federal Land Manager (FLM), including the State or Indian governing body, where applicable, is responsible for defining specific Air Quality Related Values (AQRV's) for an area and for establishing the criteria to determine an adverse impact on the AQRV's. If a FLM determines that a source will adversely impact AQRV's in a Class I area, the FLM may recommend that the permitting agency deny issuance of the permit, even in cases where no applicable increments would be exceeded. However, the permitting authority makes the final decision to issue or deny the permit.

PSD Increment

PSD increment is the amount of pollution an area is allowed to increase. PSD increments prevent the air quality in clean areas from deteriorating to the level set by the NAAQS. The NAAQS is a maximum allowable concentration "ceiling." A PSD increment, on the other hand, is the maximum allowable increase in concentration that is allowed to occur above a baseline concentration for a pollutant. The baseline concentration is defined for each pollutant and, in general, is the ambient concentration existing at the time that the first complete PSD permit application affecting the area is submitted. Significant deterioration is said to occur when the amount of new pollution would exceed the applicable PSD increment. It is important to note, however, that the air quality cannot deteriorate beyond the concentration allowed by the applicable NAAQS, even if not all of the PSD increment is consumed.

Additional Impacts Analysis

The additional impacts analysis assesses the impacts of air, ground and water pollution on soils, vegetation, and visibility caused by any increase in emissions of any regulated pollutant from the source or modification under review, and from associated growth. Associated growth is industrial, commercial, and residential growth that will occur in the area due to the source.

Expected Emissions Reductions

This incorporation by reference requires affected major sources of emissions to install Best Available Control Technology (BACT) which may not have occurred in the absence of this program.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:

This action will have a positive impact on individuals with disabilities involving respiratory problems by reducing air pollutants that contribute to disease.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on May 7, 2013, at 10 a.m., at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Deborah Rabin, Regulations Coordinator, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or emailed to drabin@mde.state.md.us. Comments must be received not later than May 7, 2013, or be submitted at the hearing. For more information, call Deborah Rabin at (410) 537-3240.

Copies of the proposed action and supporting documents are available for review at the following locations: The Air and Radiation Management Administration; regional offices of the Department in Cumberland and Salisburry; all local air quality control offices; and local health departments in those counties not having separate air quality control offices.

Anyone needing special accommodations at the public hearing should contact the Department's Fair Practices Office at (410) 537-3964. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

26.11.01 General Administrative Provisions

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (36) (text unchanged)

(37) "Prevention of Significant Deterioration (PSD) source" means any new or modified source subject to the provisions of 40 CFR §52.21, as [published in the 2009 edition, as amended by the "Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule" (75 FR 31514) and the "Deferral for CO₂ Emissions from Bioenergy and Other Biogenic Sources under the Prevention of Significant Deterioration and Title V Programs" (76 FR 43490), including:] *amended.*

[(a) Any of the following sources which emit, or have the potential to emit, 100 tons per year of any air pollutant, except for greenhouse gases, regulated under the federal Clean Air Act Amendments of 1977 (42 U.S.C. §7401 et seq.):

- (i) Fossil fuel-fired steam electric plants of more than 250 million Btu per hour heat input;
- (ii) Coal cleaning plants (with thermal dryers);
- (iii) Kraft pulp mills;
- (iv) Portland cement plants;
- (v) Primary zinc smelters;
- (vi) Iron and steel mill plants;
- (vii) Primary aluminum ore reduction plants;
- (viii) Primary copper smelters;
- (ix) Municipal incinerators capable of charging more than 250 tons of refuse per day;
- (x) Hydrofluoric, sulfuric, and nitric acid plants;
- (xi) Petroleum refineries;
- (xii) Lime plants;
- (xiii) Phosphate rock processing plants;
- (xiv) Coke oven batteries;
- (xv) Sulfur recovery plants;
- (xvi) Carbon black plants (furnace process);
- (xvii) Primary lead smelters;
- (xviii) Fuel conversion plants;
- (xix) Sintering plants;
- (xx) Secondary metal production plants;

- (xxi) Chemical process plants;
- (xxii) Fossil fuel boilers (or combination of them) totaling more than 250 million Btu per hour heat input;
- (xxiii) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- (xxiv) Taconite ore processing plants;
- (xxv) Glass fiber processing plants;
- (xxvi) Charcoal production plants;
- (b) Any other source which emits or has the potential to emit 250 tons per year or more of any air pollutant, except for greenhouse gases, regulated under the Federal Clean Air Act (42 U.S.C. 7401 et seq.);
- (c) Beginning January 2, 2011, sources of GHGs to which 40 CFR 52.21(b)(49)(iv) applies; and
- (d) Beginning July 1, 2011, sources of GHGs to which 40 CFR 52.21(b)(49)(v) applies.]
- (38) — (53) (text unchanged)

26.11.06 General Emission Standards, Prohibitions, and Restrictions

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

.14 Control of PSD Sources.

- A. (text unchanged)
- B. General Requirements.

(1) A person may not construct, modify, or operate, or cause to be constructed, modified, or operated, a Prevention of Significant Deterioration (PSD) source, as defined in COMAR 26.11.01.01B(37), which will result in violation of any provision of 40 CFR §52.21, as [published in the 2009 edition, as amended by the “Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule” (75 FR 31514) and the “Deferral for CO₂ Emissions from Bioenergy and Other Biogenic Sources under the Prevention of Significant Deterioration and Title V Programs” (76 FR 43490)] *amended*.

(2) (text unchanged)

ROBERT M. SUMMERS, Ph.D.
Secretary of the Environment

Subtitle 11 AIR QUALITY

Notice of Proposed Action

[13-095-P]

The Secretary of the Environment proposes to amend:

- (1) Regulation .01 under **COMAR 26.11.01 General Administrative Provisions**; and
- (2) Regulations .01 and .02 under **COMAR 26.11.17 Nonattainment Provisions for Major New Sources and Major Modifications**.

Statement of Purpose

The purpose of this action is to incorporate federal standards for the New Source Review (NSR) program for fine particulate matter and its precursors into the Code of Maryland Regulations (COMAR). Fine particulate matter is defined as particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers and is referred to as PM_{2.5}. Maryland’s nonattainment area (NAA) NSR program is contained in COMAR 26.11.17, and applies to major stationary sources and major modifications which are major for PM_{2.5} or its precursors at facilities located in Baltimore City, Anne Arundel, Baltimore, Carroll, Charles, Frederick, Harford, Howard, Montgomery, Prince George’s and Washington counties.

These amendments will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland’s State Implementation Plan (SIP).

Background

On July 18, 1997, the EPA revised the National Ambient Air Quality Standards (NAAQS) for PM to add new standards for fine particles, using PM_{2.5} as the indicator. Health-based (primary) annual and 24-hour standards for PM_{2.5} were established at 15 micrograms per cubic meter (µg/m³) and 65 µg/m³, respectively (62 FR 38652). At the same time that the primary standards were set, the EPA also established welfare-based (secondary) standards identical to the primary standards.

Epidemiological studies measuring health effects associated with PM_{2.5} have shown a significant correlation between elevated PM_{2.5} levels and premature mortality. Other important effects associated with PM_{2.5} exposure include aggravation of respiratory and cardiovascular disease, lung disease, decreased lung function, asthma attacks, and certain cardiovascular problems. Individuals particularly sensitive to PM_{2.5} exposure include older adults, people with heart and lung disease, and children.

The Clean Air Fine Particle Implementation Rule was proposed in the Federal Register on November 1, 2005 and included proposed revisions to the NSR program along with plans to implement the 1997 PM_{2.5} NAAQS (70 FR 65984). Details included requirements and guidance for State and local air pollution agencies to follow in developing State Implementation Plans (SIPs) and NSR program provisions. On April 25, 2007, the final implementation rule that included all the SIP related provisions was promulgated by the EPA (72 FR 20585).

On October 17, 2006, the EPA revised the primary and secondary NAAQS for PM_{2.5} and PM₁₀ (71 FR 61143). In the final rule, the EPA reduced the 24-hour NAAQS for PM_{2.5} to 35 µg/m³ and retained the existing annual PM_{2.5} NAAQS of 15 µg/m³.

On May 16, 2008, the EPA finalized the NSR provisions of the November 1, 2005 proposed rule, and included details on major source threshold, significant emissions rate, and applicability of NSR to PM_{2.5} precursors (“Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM_{2.5})” (73 FR 28321)). In this final rule, changes associated with PM_{2.5} and its precursors to nonattainment area (NAA) NSR and NSR prevention of significant deterioration (PSD) programs were established.

In the development of the federal regulation, the EPA identified sulfur dioxide (SO₂) and nitrogen oxides (NO_x) as precursors for PM_{2.5}; the MDE is adopting the same precursors (SO₂ and NO_x) to its nonattainment program for PM_{2.5}. Per 73 FR 28321, the final federal rule was effective on July 15, 2008, and the federal NSR requirements were effective on January 1, 2011.

Sources Affected and Location

Section I.A. of 73 FR 28321 identifies the following industries as potentially affected by this new rule: electric services, petroleum refining, industrial organic/inorganic chemicals, natural gas liquids, natural gas transport, pulp and paper mill, automobile manufacturing and pharmaceuticals. Major stationary sources and major modifications located in PM_{2.5} nonattainment areas in Maryland, specifically in Baltimore City, Anne Arundel, Baltimore, Carroll, Charles, Frederick, Harford, Howard, Montgomery, Prince George’s and Washington counties, would therefore be subject to the NSR program.

A review of sources located in Maryland and which submitted annual emission certification reports between 2007 and 2010 identified ten (10) sources with emissions greater than 100 tons per year (tpy) PM_{2.5}. Evaluating this, these sources, if newly locating to

Maryland, would trigger NSR for major stationary sources. This in turn suggests that historically a limited number of sources would have been affected by this regulation.

Of the ten (10) sources reporting greater than 100 tpy PM_{2.5} between the period of 2007 and 2010, seven (7) are electric generating units.

Requirements

These amendments to COMAR 26.11.17, Nonattainment Provisions for Major New Sources and Major Modifications, reflecting the amendments to 40 CFR 51.165 and 40 CFR 51 Appendix S, establish the following:

- SO₂ and NO_x are precursors to PM_{2.5};
- The emission rate applicable to Major Stationary Source threshold for PM_{2.5} and its precursors is 100 tpy; and
- The emission rate applicable to Major Modification for PM_{2.5} is 10 tpy direct PM_{2.5}, 40 tpy of SO₂ and 40 tpy of NO_x.

Nonattainment NSR requirements include, but are not limited to:

- Installation of Lowest Achievable Emission Rate (LAER) control technology;
- Offsetting new emissions with creditable emissions reductions;
- Certification that all major sources owned and operated in the State by the same owner are in compliance with all applicable requirements under the Act;
- An alternative siting analysis demonstrating that the benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification; and
- Public comment on the permit.

Expected Emissions Reductions

The offset requirements of the amendments require emission reductions equal to the emissions of the new PM_{2.5} major source or major modification to occur or to have occurred in the past so that emissions in the NAA with the new source are equal to emissions in the NAA without the source. A source must also install controls to comply with the lowest achievable emission rate which may not have occurred in the absence of the NSR program.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

I. Summary of Economic Impact. With the inclusion of PM_{2.5} NAA NSR program into COMAR 26.11.17, there may be an associated cost on affected facilities. At the time that a facility becomes subject to the NSR program as a new major stationary source or major modification in an area of nonattainment, at a minimum the following requirements must be met:

- Installation of Lowest Achievable Emission Rate (LAER) control technology;
- Offsetting new emissions with creditable emissions reductions; and
- An alternative siting analysis demonstrating that the benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

Each of these requirements have an associated cost, impacted by the size, complexity and other pollutants emitted from the facility.

Additional economic impact on affected sources would be incurred due to costs associated with measuring, recording and reporting requirements.

There is no impact on the Department as a result of these amendments.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	(-)	Indeterminable at this time.
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	(+)	Indeterminable

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. With the inclusion of PM_{2.5} NAA NSR program into COMAR 26.11.17, there may be an associated cost on affected facilities. At the time that a facility becomes subject to the NSR program as a new major stationary source or major modification in an area of nonattainment, at a minimum the following requirements must be met:

- Installation of Lowest Achievable Emission Rate (LAER) control technology;
- Offsetting new emissions with creditable emissions reductions; and
- An alternative siting analysis demonstrating that the benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

Each of these requirements have an associated cost, impacted by the size, complexity and other pollutants emitted from the facility.

Additional economic impact on affected sources would be incurred due to costs associated with measuring, recording and reporting requirements.

F. This action will help improve Maryland's air quality and will result in fewer negative health effects on the general public from air pollution.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:

This action will have a positive impact on individuals with disabilities involving respiratory problems by reducing air pollutants that contribute to disease.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on May 7, 2013 at 10 a.m. at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Deborah Rabin, Regulations Coordinator, Air and Radiation

Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or emailed to drabin@mde.state.md.us. Comments must be received not later than May 7, 2013, or be submitted at the hearing. For more information, call Deborah Rabin at (410) 537-3240.

Copies of the proposed action and supporting documents are available for review at the following locations: The Air and Radiation Management Administration; regional offices of the Department in Cumberland and Salisburly; all local air quality control offices; and local health departments in those counties not having separate air quality control offices.

Anyone needing special accommodations at the public hearing should contact the Department's Fair Practices Office at (410) 537-3964. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

26.11.01 General Administrative Provisions

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

.01 Definitions.

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

B. Terms Defined.

(1) — (28) (text unchanged)

(29) "Particulate matter (PM)" means any material, except water in uncombined form, that is or has been airborne, and exists as a liquid or a solid at standard conditions.

(30) (text unchanged)

(30-1) "PM_{2.5}" means particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers.

(30-2) "PM_{2.5} emissions" means finely divided solid or liquid materials with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers, discharged into the ambient air.

(31) — (53) (text unchanged)

26.11.17 Nonattainment Provisions for Major New Sources and Major Modifications

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102 and 10-103, Annotated Code of Maryland

.01 Definitions.

A. For the purpose of this chapter, the following terms have the meanings indicated. Other applicable definitions may be found in COMAR 26.11.01.01.

B. Terms Defined.

(1) — (23) (text unchanged)

(24) "Regulated NSR pollutant" means any pollutant for which a national ambient air quality standard has been promulgated and any pollutant that is a constituent or precursor of the pollutant for which there is an ambient air quality standard, provided that the constituent or precursor may only be regulated under this chapter as part of regulation of the pollutant. *After January 1, 2011, PM_{2.5} and PM₁₀ emissions shall include gaseous emissions from a source or activity which condense to form particulate matter at ambient temperature. These emissions shall be accounted for in applicability determinations and in establishing emission limitation in permits. Compliance with PM_{2.5} and PM₁₀ emission limitations shall be as described in CFR 51.165(a)(1)(xxvii)(D). Precursors identified for the purpose of NSR in Maryland are:*

(a) Nitrogen oxides and volatile organic compounds are precursors of ozone in all ozone nonattainment areas.

(b) Nitrogen oxides and sulfur dioxide are precursors of PM_{2.5} in all PM_{2.5} nonattainment areas.

(25) (text unchanged)

(26) "Significant" means, in reference to a net emissions increase, a significant emissions increase or the potential of a source to emit a regulated NSR pollutant, or a rate of emissions that would equal or exceed any of the following rates:

[(a) For VOC or NO_x:

(i) 25 tons/year in Baltimore City or Anne Arundel, Baltimore, Calvert, Carroll, Cecil, Charles, Frederick, Harford, Howard, Montgomery, or Prince George's counties; or

(ii) 40 tons/year in Allegany, Caroline, Dorchester, Garrett, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties.

(b) For all other regulated NSR pollutants:

(i) Carbon monoxide—100 tons per year;

(ii) Sulfur dioxide—40 tons per year;

(iii) Lead—0.6 tons per year; and

(iv) PM₁₀—15 tons per year.]

(a) *Volatile organic compounds or nitrogen oxides: 25 tons per year (tpy) in Baltimore City or Anne Arundel, Baltimore, Calvert, Carroll, Cecil, Charles, Frederick, Harford, Howard, Montgomery, and Prince George's counties;*

(b) *Volatile organic compounds or nitrogen oxides: 40 tpy in Allegany, Caroline, Dorchester, Garrett, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties.*

(c) *PM_{2.5} emissions: 10 tpy;*

(d) *Sulfur dioxide: 40 tpy;*

(e) *Lead: 0.6 tpy;*

(f) *PM₁₀: 15 tpy; and*

(g) *Carbon monoxide: 100 tpy.*

(27) (text unchanged)

.02 Applicability.

[A. This chapter applies Statewide to:]

A. *This chapter applies Statewide, unless specified otherwise throughout this Chapter, to:*

(1) New major stationary sources and major modifications that are major for VOC or NO_x;

(2) *New major stationary sources and major modifications that are major for PM_{2.5} or its precursors and are located in Baltimore City or Anne Arundel, Baltimore, Carroll, Charles, Frederick, Harford, Howard, Montgomery, Prince George's, and Washington counties;*

[(2)] (3)—[(3)] (4) (text unchanged)

B. A person may apply for and obtain a permit to construct a new major stationary source or a major modification at an existing major stationary source [in an area designated as nonattainment for a particular pollutant or, as applicable, within the Ozone Transport Region,] *after meeting the conditions of §§A(1) — (4) of this regulation* if all of the provisions in this chapter are met.

C. *Major stationary sources and major modifications, whether located in attainment or nonattainment areas, may also be subject to the Prevention of Significant Deterioration requirements in COMAR 26.11.06.14.*

[C.] D. (text unchanged)

[D. Major stationary sources that are located in ozone or NO_x attainment areas may also be subject to the Prevention of Significant Deterioration requirements in COMAR 26.11.06.14.]

E. (text unchanged)

F. Major Modification.

(1) A project is a major modification for a regulated NSR pollutant if it causes a significant emissions increase and a significant net emissions increase. The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major

modification only if it also results in a significant net emissions increase.

(2) Applicability Tests.

(a) Actual-to-Projected-Actual Applicability Test for Projects That Involve Only Existing Emissions Units. A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions, for each existing emissions unit, equals or exceeds the significant amount for that pollutant.

(b) Actual-to-Potential Test for Projects That Involve Only Construction of a New Emissions Unit or Units. A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the potential to emit from each new emissions unit following completion of the project and the baseline actual emissions of these units before the project, equals or exceeds the significant amount for that pollutant.

(c) Hybrid Test for Projects That Involve Multiple Types of Emissions Units. A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the method specified in §F(2)(a) and (b) of this regulation, as applicable, with respect to each emissions unit, for each type of emissions unit, equals or exceeds the significant amount for that pollutant.

G.—I. (text unchanged)

ROBERT M. SUMMERS, Ph.D.
Secretary of the Environment

Subtitle 11 AIR QUALITY

26.11.27 Emission Limitations for Power Plants

Authority: Environmental Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 2-1003, 10-102, [and] 10-103, and 10-1002, Annotated Code of Maryland

Notice of Proposed Action

[13-094-P]

The Secretary of the Environment proposes to amend Regulations .02 and .03 under **COMAR 26.11.27 Emission Limitations for Power Plants**.

Statement of Purpose

The purpose of this action is to reinstate the original annual and ozone season emission limits for NO_x and annual emission limits for SO₂ for R. Paul Smith Power Station electric generating units as established under COMAR 26.11.27 Emission Limitations for Power Plants adopted permanently effective July 16, 2007. This action is in response to a request by R. Paul Smith to the Maryland Department of the Environment (MDE) to retain its Title V permit although the power plant has ceased operations as of September 1, 2012.

This action will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland's State Implementation Plan.

Background

Under the Healthy Air Act (HAA) which is codified as COMAR 26.11.27 – Emission Limitations for Power Plants, R. Paul Smith units 3 and 4 are defined as an affected facility subject to the requirements of §2-1003(c), Annotated Code of Maryland. The exception provisions of the HAA authorize the Department to allow the R. Paul Smith facility, units 3 and 4, to operate without complying with the emissions requirements of the HAA if PJM Interconnection, Inc. (PJM Inc.) determines that the termination of operation of the facility will adversely affect the reliability of electrical service in the PJM region. PJM Inc. conducted an

evaluation in 2006 and determined that R. Paul Smith is needed to maintain reliability.

The HAA also requires that if R. Paul Smith units 3 and 4 are allowed to operate without complying with the emissions requirements then the following conditions must be met: “(1) The facility may not operate at emissions levels greater than the highest level measured at the facility during the calendar years 2000 through 2004; and (2) The Department upon review of the operations of the facility shall adopt regulations to establish an alternative emissions requirement for the facility.”

The Department consequently made amendments to the HAA, which on September 7, 2009 became effective. The Department continued to monitor the necessity to maintain the R. Paul Smith facility and formally contacted PJM Inc. to request a reevaluation of the plant on March 14, 2011. The Department maintained the position to revise the regulations, if needed, based on PJM's reevaluation and the Department's findings.

On January 26, 2012, R. Paul Smith informed PJM of its intent to retire R. Paul Smith units 3 and 4. At no time did PJM object to the planned shut-down on concerns of reliability. On September 1, 2012, R. Paul Smith units 3 and 4 formally ceased operations though the power plant wishes to retain its Title V permit. The Department, therefore, is reestablishing the emission limits of the original HAA for R. Paul Smith units 3 and 4 and should the units ever come back online they would be required to meet the more stringent emission standards.

Sources Affected and Location

The R. Paul Smith facility is the only source affected by the amendments. R. Paul Smith Electric Power Generation Station is owned and operated by the FirstEnergy Corporation which has ceased the operations of the power plant as of September 2012. The facility, located in Washington County, Maryland operated two coal-fired boilers (unit 3 and unit 4).

Requirements

The proposed amendments will reinstate the following annual and ozone NO_x and annual SO₂ emission limits for R. Paul Smith, effective September 1, 2012:

1. An annual emission limit of 55 tons of NO_x for unit 3 and 288 tons of NO_x for unit 4;
2. An ozone season emission limit of 22 tons of NO_x for unit 3 and 118 tons of NO_x for unit 4; and
3. An annual emission limit of 124 tons of SO₂ for unit 3 and 644 tons of SO₂ for unit 4.

Expected Emissions Reductions

The proposed action provides no emission reductions. However, should the R. Paul Smith facility re-open then units 3 and 4 would be subject to stricter emission standards.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on May 7, 2013, at 10 a.m., at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference

Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Deborah Rabin, Regulations Coordinator, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or emailed to drabin@mde.state.md.us. Comments must be received not later than May 7, 2013, or be submitted at the hearing. For more information, call Deborah Rabin at (410) 537-3240.

Copies of the proposed action and supporting documents are available for review at the following locations: The Air and Radiation Management Administration; regional offices of the Department in Cumberland and Salisbury; all local air quality control offices; and local health departments in those counties not having separate air quality control offices.

Anyone needing special accommodations at the public hearing should contact the Department's Fair Practices Office at (410) 537-3964. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

.02 Applicability and Exemptions.

A. — B. (text unchanged)

[C. The R. Paul Smith facility is subject to the NO_x limitation in Regulation .03B(8) and the SO₂ limitation in Regulation .03C(3) of this chapter.]

.03 General Requirements.

A. (text unchanged)

B. NO_x Emission Limitations.

(1) (text unchanged)

(2) Annual Tonnage Limitations.

Affected Unit	Annual NO _x Tonnage Limitations Beginning	
	January 1, 2009	January 1, 2012
Brandon Shores Unit 1 — Morgantown Unit 2	(text unchanged)	
R. Paul Smith Unit 3		55 tons, effective September 1, 2012
R. Paul Smith Unit 4		288 tons, effective September 1, 2012
Total	19,800 tons	[16,324] 16,667 tons

(3) — (5) (text unchanged)

(6) Ozone Season Tonnage Limitations.

Affected Unit	Ozone Season NO _x Tonnage Limitations Beginning May 1, 2012
Brandon Shores Unit 1 — Morgantown Unit 2	(text unchanged)
R. Paul Smith Unit 3	22 tons, effective September 1, 2012
R. Paul Smith Unit 4	118 tons, effective September 1, 2012
Total	[7,197] 7,337 tons

(7) (text unchanged)

[(8) Emissions from the R. Paul Smith facility may not exceed:

(a) An annual tonnage limitation of 1,390 tons of NO_x beginning with the period January 1, 2009 through December 31, 2009; and

(b) An ozone season tonnage limitation of 545 tons of NO_x beginning with the ozone season May 1, 2009 through September 30, 2009.]

C. SO₂ Emission Limitations.

(1) (text unchanged)

(2) Annual Tonnage Limitations.

Affected Unit	Annual SO ₂ Tonnage Limitations Beginning	
	January 1, 2010	January 1, 2013
Brandon Shores Unit 1 — Morgantown Unit 2	(text unchanged)	
R. Paul Smith Unit 3		124 tons, effective September 1, 2012
R. Paul Smith Unit 4		644 tons, effective September 1, 2012
Total	47,616 tons	[37,235] 36,467 tons

[(3) Emissions from the R. Paul Smith facility may not exceed an annual tonnage limitation of 4,590 tons of SO₂ beginning with the period January 1, 2010 through December 31, 2010.]

D. Mercury Emission Limitations.

(1) — (3) (text unchanged)

[(4) The R. P. Smith facility shall meet the mercury requirements in §D(1)—(3) of this regulation.]

E. (text unchanged)

ROBERT M. SUMMERS, Ph.D.
Secretary of the Environment

Subtitle 11 AIR QUALITY

26.11.37 Outer Continental Shelf Air Regulations

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

Notice of Proposed Action

[13-093-P]

The Secretary of the Environment proposes to adopt new Regulations .01 — .04 under a new chapter, COMAR 26.11.37 Outer Continental Shelf Air Regulations.

Statement of Purpose

The purpose of this action is to adopt new regulations which will incorporate by reference (IBR) the provisions of the Code of Federal Regulations, 40 CFR 55 “Outer Continental Shelf Air Regulations”. The IBR will specifically include:

- (1) 40 CFR §55.1 Statutory authority and scope
 - (2) 40 CFR §55.2 Definitions
 - (3) 40 CFR §55.3 Applicability
 - (4) 40 CFR §55.4 Requirements to submit a notice of intent
 - (5) 40 CFR §55.6 Permit requirements
 - (6) 40 CFR §55.7 Exemptions
 - (7) 40 CFR §55.8 Monitoring, reporting, inspections, and compliance
 - (8) 40 CFR §55.9 Enforcement
 - (9) 40 CFR §55.10 Fees
 - (10) 40 CFR §55.13 Federal requirements that apply to OCS sources
 - (11) 40 CFR §55.14 Requirements that apply to OCS sources located within 25 miles of states’ seaward boundaries, by State.
 - (12) 40 CFR §55.15 Specific designation of corresponding onshore areas
 - (13) Appendix A to 40 CFR Part 55 Listing of State and Local Requirements Incorporated by Reference into Part 55, by State
- This action is required in order to allow the U.S. Environmental Protection Agency (EPA) to delegate to the State of Maryland EPA’s authority to control air pollution from sources located on the Outer Continental Shelf (OCS). This delegated authority would allow the Department to issue federal air quality permits to any OCS source,

including an offshore wind farm should one decide to locate offshore of Maryland.

Section 328(a)(1) of the Clean Air Act requires EPA to establish requirements to control air pollution from OCS sources located offshore of states along the Pacific, Atlantic, and Arctic coasts in order to attain and maintain Federal and State ambient air quality standards and to comply with the provisions of Part C of Title I of the Clean Air Act. Under 40 CFR Part 55 "Outer Continental Shelf Air Regulations," EPA established air pollution control requirements for "OCS sources" and procedures for implementation and enforcement of the requirements.

Background

The outer continental shelf (OCS) is a subject of emerging activity. Development of wind energy is being proposed along the North Eastern Atlantic shoreline. The U.S. Department of Interior's Bureau of Ocean Energy Management, Regulation and Enforcement has designated a Wind Energy Area off the coast of Maryland, an area about 10 miles off the shoreline of Ocean City covering 94 square miles, or roughly 79,000 acres, as of July 2011.

A plan for a potential wind farm off the coast of Ocean City, Maryland is under investigation by both private developers and State officials. The Maryland Department of Natural Resources (DNR) and Maryland Energy Administration (MEA) have partnered to conduct the environmental surveys necessary for the development of an offshore wind energy project. The environmental studies will allow the DNR to expand its coastal and ocean survey work. DNR and MEA are conducting targeted environmental surveys in Maryland's designated Wind Energy Area to identify environmental and economic impacts for such projects.

Any development activity (including construction) occurring in the OCS within 25 miles of a state's seaward boundary is subject to requirements of 40 CFR 55. A state may petition the EPA for the delegation of authority for implementation and enforcement of OCS activities off its shoreline. The EPA will delegate implementation and enforcement authority to a state, if the state has a proposal for an OCS source project and EPA determines that the state's regulations are adequate and meet the minimum requirements of 40 CFR 55.11.

Offshore wind energy production involves a variety of ancillary activities that produce air emissions even though the wind turbines themselves do not emit any air pollutants. An "OCS source" will typically include any vessel, barge, or equipment utilized on a vessel or barge associated within the project's area and performing any activity that supports construction or operation of the project.

The following text has been extracted directly from 40 CFR 55.2:

"OCS source means any equipment, activity, or facility which:

- (1) Emits or has the potential to emit any air pollutant;
- (2) Is regulated or authorized under the Outer Continental Shelf Lands Act ("OCSLA") (43 U.S.C. Sec. 1331 et seq.); and
- (3) Is located on the OCS or in or on waters above the OCS."

This definition shall include vessels only when they are:

- (1) Permanently or temporarily attached to the seabed and erected thereon and used for the purpose of exploring, developing or producing resources therefrom, within the meaning of section 4(a)(1) of OCSLA (43 U.S.C. Sec. 1331 et seq.); or
- (2) Physically attached to an OCS facility, in which case only the stationary sources aspects of the vessels will be regulated."

Section 328 of the Clean Air Act requires that for such sources located within 25 miles of a state's seaward boundary, the air pollution control requirements shall be the same as would be applicable if the sources were located in the corresponding onshore area (COA), which is typically the onshore attainment or nonattainment area that is closest to the source.

Sources Affected and Location

There are no sources affected at this time. Currently Maryland does not have any active OCS projects, however potential development has been identified off the coast of Ocean City Maryland.

Requirements

Currently the EPA administers the program requirements for the OCS. The purpose of this adoption is to incorporate by reference the federal air regulations located at 40 CFR 55 for the OCS into the Code of Maryland Regulations (COMAR).

The following sections are not incorporated as they are reserved as federal responsibilities: §55.5 COA designation, §55.11 Delegation, and §55.12 Consistency updates.

Following this regulation adoption, the Department will request delegation authority for control of air pollution from OCS sources as the corresponding onshore area (COA). This request will require future amendments by the EPA to add a consistency update to 40 CFR 55.14 and 40 CR 55 Appendix A. EPA's amendments will incorporate by reference all of the Maryland state regulations that would apply to the OCS. Once a Notice of Intent (NOI) has been received for activity within the 25 miles of seaward boundary of Maryland, EPA would delegate to the Department the authority to implement and enforce the requirements for the OCS.

Expected Emissions Reductions

There are no expected emission reductions as a result of this regulation.

OCS sources are required to follow federal regulations as well as state and local regulations from the COA.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on May 7, 2013 at 10 a.m. at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Deborah Rabin, Regulations Coordinator, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or emailed to drabin@mde.state.md.us. Comments must be received not later than May 7, 2013, or be submitted at the hearing. For more information, call Deborah Rabin at (410) 537-3240.

Copies of the proposed action and supporting documents are available for review at the following locations: The Air and Radiation Management Administration; regional offices of the Department in Cumberland and Salisbury; all local air quality control offices; and local health departments in those counties not having separate air quality control offices.

Anyone needing special accommodations at the public hearing should contact the Department's Fair Practices Office at (410) 537-3964. TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

.01 Definitions.

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

B. Terms Defined.

(1) "Corresponding onshore area (COA)" means, with respect to any existing or proposed OCS source located within 25 miles of a State's seaward boundary, the onshore area that is geographically closest to the source or another onshore area that the Administrator designates as the COA, pursuant to 40 CFR §55.5, as amended.

(2) Outer Continental Shelf (OCS) Source.

(a) "Outer Continental Shelf (OCS) source" means any equipment, activity, or facility which:

(i) Emits or has the potential to emit any air pollutant;

(ii) Is regulated or authorized under the Outer Continental Shelf Lands Act (OCSLA) (43 U.S.C. §1331 et seq.); and

(iii) Is located on the OCS or in or on waters above the OCS.

(b) "Outer Continental Shelf (OCS) source" includes vessels only when they are:

(i) Permanently or temporarily attached to the seabed and erected thereon and used for the purpose of exploring, developing or producing resources therefrom, within the meaning of section 4(a)(1) of OCSLA (43 U.S.C. §1331 et seq.); or

(ii) Physically attached to an OCS facility, in which case only the stationary sources aspects of the vessels will be regulated.

.02 Applicability.

Upon delegation of authority by the Administrator of the EPA to the Department, this regulation shall apply to the owner or operator of any Outer Continental Shelf (OCS) source for which Maryland is the corresponding onshore area (COA) as authorized under Section 328 of the Federal Clean Air Act Amendments (42 U.S.C. 7627) and 40 CFR Part 55, as amended.

.03 Incorporation by Reference.

A. In this chapter the following documents are incorporated by reference.

B. Documents Incorporated.

(1) 40 CFR §55.1, as amended (Statutory authority and scope).

(2) 40 CFR §55.2, as amended (Definitions).

(3) 40 CFR §55.3, as amended (Applicability).

(4) 40 CFR §55.4, as amended (Requirements to submit a notice of intent).

(5) 40 CFR §55.6, as amended (Permit requirements).

(6) 40 CFR §55.7, as amended (Exemptions).

(7) 40 CFR §55.8, as amended (Monitoring, reporting, inspections, and compliance).

(8) 40 CFR §55.9, as amended (Enforcement).

(9) 40 CFR §55.10, as amended (Fees).

(10) 40 CFR §55.13, as amended (Federal requirements that apply to OCS sources).

(11) 40 CFR §55.14, as amended (Requirements that apply to OCS sources located within 25 miles of states' seaward boundaries, by State).

(12) 40 CFR §55.15, as amended (Specific designation of corresponding onshore areas).

(13) Appendix A to 40 CFR Part 55, as amended (Listing of State and Local Requirements Incorporated by Reference into Part 55, by State).

.04 Requirements.

An OCS source shall comply with all requirements of the this subtitle to the extent that they are incorporated by EPA into 40 CFR §55.14, as amended.

ROBERT M. SUMMERS, Ph.D.
Secretary of the Environment

Title 36
MARYLAND STATE LOTTERY
AND GAMING CONTROL
AGENCY

Subtitle 05 TABLE GAMES

Notice of Proposed Action

[13-091-P]

The Maryland State Lottery and Gaming Control Agency proposes to repeal the following existing chapters under **Subtitle 01 State Lottery Agency**, under **Title 14 Independent Agencies**:

(1) Regulations .01 and .02 under **COMAR 14.01.01 Introduction**

(2) Regulations .01 —.13 under **COMAR 14.01.02 General Regulations;**

(3) Regulations .01 —.15 under **COMAR 14.01.03 Lottery Games;**

(4) Regulations .01 — .07 under **COMAR 14.01.04 Regulations Applicable to Agents;**

(5) Regulations .01 — .08 under **COMAR 14.01.05 Consumer Regulations;**

(6) Regulations .01 — .03 under **COMAR 14.01.06 Conditions for Payment of Voluntary Assignment of Lottery Prizes Under Judicial Order;**

(7) Regulations .01 — .15 under **COMAR 14.01.07 Agency Procedures Under the Public Information Act;**

(8) Regulations .01 — .04 under **COMAR 14.01.08 Rules of Procedure for Commission Hearings;**

(9) Regulations .01 — .06 under **COMAR 14.01.09 Open Meetings;**

(10) Regulations .01 — .20 under **COMAR 14.01.10 Video Lottery Terminals;**

(11) Regulations .01 — .08 under **COMAR 14.01.11 Video Lottery Facility Operation Licenses;**

(12) Regulations .01 — .07 under **COMAR 14.01.12 Video Lottery Terminal Machines;**

(13) Regulations .01 — .08 under **COMAR 14.01.13 Facility Standards;**

(14) Regulations .01 — .50 under **COMAR 14.01.14 Video Lottery Facility Minimum Internal Control Standards;**

(15) Regulations .01 — .33 under **COMAR 14.01.15 Video Lottery Technical Standards;**

(16) Regulations .01 — .11 under **COMAR 14.01.16 Voluntary Exclusion and Responsible Gaming;**

(17) Regulations .01 — .09 under **COMAR 14.01.17 Mandatory Exclusion;**

(18) Regulations .01 — .06 under **COMAR 14.01.18 Violations, Civil Penalties, and Sanctions;**

(19) Regulations .01 — .04 under **COMAR 14.01.19 Collection of Taxes, Fees, and Civil Penalties;** and

(20) Regulations .01 — .04 under **COMAR 14.01.20 Unannounced Inspections.**

The Maryland State Lottery and Gaming Control Agency also proposes to adopt the following new chapters under a new subtitle, **Subtitle 05 Table Games**, under a new title, **Title 36 Maryland State Lottery and Gaming Control Agency**:

(1) New Regulations .01 — .18 under **COMAR 36.05.06 Poker Rules;**

(2) New Regulations .01 — .06 under **COMAR 36.05.07 Roulette Rules;**

- (3) New Regulations .01 — .03 under COMAR 36.05.08 Big Six Wheel Rules;
- (4) New Regulations .01 — .13 under COMAR 36.05.09 Four Card Poker Rules;
- (5) New Regulations .01 — .13 under COMAR 36.05.10 Midi Baccarat Rules;
- (6) New Regulations .01 — .13 under COMAR 36.05.11 Mississippi Stud Rules;
- (7) New Regulations .01 — .14 under COMAR 36.05.12 Pai Gow Poker Rules;
- (8) New Regulations .01 — .13 under COMAR 36.05.13 Texas Hold ‘Em Rules; and
- (9) New Regulations .01 — .13 under COMAR 36.05.14 Three Card Poker Rules.

This action was considered at the Maryland State Lottery and Gaming Control Commission open meeting held on January 24, 2013, notice of which was given pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to update Regulations of the State Lottery and Gaming Control Agency to incorporate provisions for expanded gambling contained in S.B. 1 of 2012, Second Special Session, and passed by referendum on November 6, 2012, specifically to include provisions necessary for the implementation of table games operations.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Although the actual amount of revenue from table games will depend on the number, distribution, and type of table games awarded, and assuming that there will be about a six-month implementation delay between approval of table games and introduction of table games at VLT Facilities, DLS estimates that the revenues from table games will be \$36.7 million in FY 2013; \$136 million in FY 2014; \$231.1 million in FY 2015; \$249.1 million in FY 2016; and \$331.8 million in FY 2017. (Ref: Fiscal & Policy Note (rev) for S.B. 1 of 2012, Second Special Session)

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	None	
B. On other State Agencies:	None	
C. On local governments:	(R+)	Large
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(+)	Large
E. On other industries or trade groups:	(+)	Large
F. Direct and indirect effects on public:	(+)	Large

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

C. — F. Although the actual amount of revenue from table games will depend on the number, distribution, and type of table games awarded, and assuming that there will be about a six-month implementation delay between approval of table games and introduction of table games at VLT Facilities, DLS estimates that the revenues from table games will be \$36.7 million in FY 2013; \$136 million in FY 2014; \$231.1 million in FY 2015; \$249.1 million in FY 2016; and \$331.8 million in FY 2017. (Ref: Fiscal & Policy Note (rev) for S.B. 1 of 2012, Second Special Session)

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

To the extent that the VLT facility purchases goods from local businesses that are small businesses, these small businesses will benefit. Expenditures from the Small, Minority, and Woman-owned Business Investment Account will benefit small businesses. Other small businesses will be harmed by the substantial substitution of consumer spending away from other consumption to gambling. Small businesses in the entertainment and retail food service near VLTs could be particularly harmed. (Ref: Fiscal & Policy Note (rev) for S.B.1 of 2012, Second Special Session)

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Robert W. Howells, Regulations Coordinator, Maryland State Lottery and Gaming Control Agency, 1800 Washington Blvd., Suite 330, Baltimore, MD 21230, or call 410-230-8789, or email to rhowells@msla.state.md.us, or fax to 410-230-8727. Comments will be accepted through May 6, 2013.

36.05.06 Poker Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland

.01 Definitions.

A. In this chapter the following terms have the meaning indicated.

B. Terms Defined.

(1) “All-In” means when a player bets all of his funds remaining on the Poker table, does not have funds to continue betting in a round of play but still retains the right to contend for that portion of the pot in which the player has already placed a bet.

(2) “Bet” means when a player places value chips, tournament chips or plaques into the pot during a betting round.

(3) “Betting round” means a complete betting cycle in which all players have called, folded or gone All-In.

(4) “Blind Bet” means a mandatory bet in Hold ‘Em or Omaha Poker which a player sitting in a specific betting position shall be required to place prior to any cards being dealt.

(5) “Burn card” means a card taken from the top of a deck which is not in play, is discarded face down and its identity remains unknown.

(6) “Button” means an object that is moved clockwise around the table to determine the betting and dealing sequence.

(7) “Call” means when a player places a bet in an amount equal to the immediately preceding bet.

(8) “Check” means when a player waives the right to initiate the betting in a betting round but retains the right to place a bet if another player initiates the betting.

(9) “Common card” means a card that is dealt, in any game of Stud Poker, face up if there are insufficient cards left in the deck to

deal each player a card individually and which can be used by all players at the showdown.

(10) "Community card" means a card that is dealt face up and can be used by all players to form the best possible Poker hand.

(11) "Draw" means in any game of Draw Poker, when a player exchanges the cards held in his hand for an equal number of new cards from the deck.

(12) "Fold" means the withdrawal of a player from a round of play by refusing to make an equal bet during a betting round and discarding his hand of cards.

(13) "Forced Bet" means a bet that is required to start the first betting round in Seven-Card or Five-Card Stud Poker.

(14) "Fouled hand" means a hand that either has an improper number of cards or has come into contact with other cards in a way as to render it impossible to determine accurately which cards are in the hand.

(15) "Half-Kill option" means in the game of Omaha High-Low Split Eight or Better Poker, when one player wins an entire qualifying pot, the betting limits are increased by 1/2 the posted table betting limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand or until a pot does not equal or exceed the qualifying pot.

(16) "High hand" means a game of Poker in which the highest ranking hand, in accordance with Regulation .06 of this chapter, wins the pot.

(17) "High Hand Jackpot payout" means the total of the contribution amounts collected during a qualifying period which is payable to a player upon the occurrence of a Qualifying High Hand.

(18) "High-Low Split" means a form of Poker in which there is a winner for both the highest and lowest ranking hands.

(19) "High-Low Split Eight or Better" means a version of High-Low Split Poker in which a winning low hand may not contain pairs or any card ranked above an 8.

(20) "Hole card" means any card dealt face down to a player.

(21) "Kill option" means in the game of Omaha High-Low Split Eight or Better Poker, when a player wins an entire qualifying pot, the betting limits are twice the posted table betting limits for the next hand and remain in effect until a pot is split between a player winning the high hand and another player winning the low hand or until a pot does not equal or exceed the qualifying pot.

(22) "Low hand" means a game of Poker in which the lowest ranking hand, in accordance with Regulation .06 of this chapter, wins the pot.

(23) "Opening bet" means the first bet in a round of play.

(24) "Pot" means the amount that is awarded to the winning player or players at the conclusion of a round of play and is equal to the total amount bet by the players during the round of play, less any rake extracted under Regulation .17 of this chapter and, if applicable, any amount contributed to a Bad Beat or High Hand Jackpot payout fund in accordance with Regulation .15 or .16 of this chapter.

(25) "Protected hand" means a hand of cards that a player is physically holding or has placed under one or more chips or plaques.

(26) "Qualifying High Hand" means a high hand held by any player or players during a qualifying period which may result in a High Hand Jackpot payout if offered by the facility operator in accordance with Regulation .16 of this chapter.

(27) "Qualifying period" means a duration of time, as specified in the facility operator's Rules Submission under COMAR 36.05.03.19, during which a facility operator offers the High Hand Jackpot payout.

(28) "Qualifying pot" means in the game of Omaha High-Low Split Eight or Better Poker, a pot which equals or exceeds an amount established by the facility operator which triggers the increase in the

minimum and maximum bets when the Kill or Half-Kill option is used.

(29) "Raise" means when a player bets an amount greater than the immediately preceding bet in that betting round.

(30) "Round of play" means one complete cycle of play during which all cards have been dealt, all bets have been placed and the winner of the pot is determined and paid in accordance with this chapter.

(31) "Showdown" means the revealing of the hands of each player to determine who shall win the pot.

(32) "Side pot" means a separate pot formed when one or more players are All-In.

(33) "Table stakes" means a player's currency, value chips, tournament chips and plaques on the table that are available for betting during a round of play.

(34) "Up card" means in a game of Stud Poker, any card dealt face up to a player.

.02 Poker Tables.

A. Poker shall be played on an oval table which has places for up to ten players and a dealer.

B. The layout for a Poker table shall be submitted to the Commission and approved under COMAR 36.05.03.16 and contain at least:

(1) The name or logo of the facility operator; and

(2) A holding area located to the right of the dealer or in another location approved under COMAR 36.05.02.16 designated for the collection of the Poker rake prior to final placement of the rake in the drop box.

C. Decks of cards used for the play of Poker shall be kept on the Poker table in a location approved by the Commission under COMAR 36.05.02.16, and may be part of the table inventory container.

D. Each Poker table shall have a drop box for the Poker rake and a tip box attached to it on the same side of the table as, but on an opposite side from, the dealer, as approved by the Commission under COMAR 36.05.03.16.

E. The Commission may approve an alternative location for a tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box as required under §D of this regulation.

F. If a facility operator offers a Bad Beat or High Hand Jackpot payout at a designated Poker table, a transparent locked box or container shall be attached on the same side of the table as the drop box and be used to hold the pot contributions that fund the Bad Beat or High Hand Jackpot payout.

.03 Cards; Number of Decks.

A. Cards.

(1) Poker shall be played with one deck of cards.

(2) The cards of a deck shall be identical in appearance.

(3) A deck shall contain one cover card.

(4) Two decks of cards with different color backs shall be maintained for use at a Poker table at all times.

(a) A deck shall be continuously alternated in and out of play.

(b) Each deck shall be used for every other round of play.

(c) Unless an automated card shuffling device is being used in accordance with §B of this regulation, while one deck of cards is in use, the other deck shall be stored in the area designated under Regulation .02 of this chapter.

B. If an automated card shuffling device is being used, one deck shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

C. The two decks of cards that are alternated in and out of play shall be changed at least every 12 hours and rotated with other decks under COMAR 36.05.02.15.

.04 Opening a Table for Gaming.

A. After receiving two decks of cards at the table, the dealer shall inspect each deck for any defects, and the floorperson or above shall verify the inspection.

B. After the cards are inspected, the cards shall be spread out face up, according to suit and in sequence, on the table for visual inspection by the first two players seated at the table.

C. After the first two players seated at the table have had an opportunity to visually inspect the cards, each deck shall separately be turned face down on the table, mixed thoroughly by a washing of the cards, stacked, and shuffled as required under Regulation .05 of this chapter.

D. If an automated card shuffling device is not being used, one of the decks shall be shuffled and cut in accordance with Regulation .05 of this chapter and the other deck shall be placed in the area designated under Regulation .02 of this chapter.

(1) A facility operator may also mix, shuffle and cut only the deck intended for immediate use and place the other deck in the area designated under Regulation .02 of this chapter.

(2) Upon rotation of the decks of cards as required under Regulation .03 of this chapter, the other deck shall be mixed, shuffled and cut in accordance with Regulation .05 of this chapter.

E. If the decks of cards received at the table are preinspected and reshuffled under COMAR 36.05.02.16, §§A — D of this regulation do not apply.

.05 Shuffling and Cutting the Cards.

A. Immediately prior to commencement of play, unless the cards were reshuffled after each round of play has been completed or when directed by the floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

B. After the cards have been shuffled and stacked, and the dealer or device places the deck in a single stack, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with Regulation .07 of this chapter.

(2) If the cards were shuffled manually or were reshuffled, cut the deck by placing the cover card in the stack at least ten cards in from the top of the stack.

(3) After the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack.

C. After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

D. If there is no gaming activity at the Poker table which is open for gaming, each deck of cards at the table shall be spread out on the table face up.

E. After the first two players who arrive at the table are afforded an opportunity to visually inspect both decks, the procedures in Regulation .04 of this chapter and this regulation shall be completed.

.06 Poker Rankings.

A. Other than low hand Poker, from highest to lowest, the rank of the cards used in Poker is: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2.

B. Notwithstanding §A of this regulation, an ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5, but may not be combined with any other sequence of cards.

C. All suits are equal in rank.

D. The permissible five-card high hands, from highest to lowest rank, are:

(1) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit;

(2) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest ranking straight flush;

(3) A four-of-a-kind, which is a hand containing four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind;

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house;

(5) A flush, which is a hand consisting of five cards of the same suit;

(6) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight;

(7) A three-of-a-kind, which is a hand containing three cards of the same rank, regardless of suit, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind;

(8) Two pairs, which is a hand containing two pairs, with two aces and two kings being the highest ranking two pairs and two 3s and two 2s being the lowest ranking two pairs; and

(9) One pair, which is a hand containing two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

E. From highest to lowest, the rank of the cards used in low hand Poker is: ace, 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen and king.

F. The ranking of a five-card low hand is the inverse of the rankings for a five-card high hand as set forth under §D of this regulation, except that straights and flushes may not be considered for purposes of determining a winning hand at low hand.

G. When comparing two hands that are of identical rank under §C or D of this regulation, or which do not contain the hands authorized for that game, the hand that contains the highest ranking card as provided under §A or E of this regulation, which is not in the other hand shall be considered the higher ranking hand.

H. If the hands are of identical rank after the application of this regulation, the hands will be considered tied and the pot shall be divided equally among the players with the tied hands.

I. A hand shall be ranked according to the cards actually in a player's hand and not by the player's opinion or statement of the hand's value.

.07 Poker Overview; General Dealing Procedure.

A. Poker shall be conducted in a separate area of the facility designated in COMAR 36.03.11.05.

B. Poker shall be played with no less than two players.

C. Except as otherwise authorized in this chapter, a dealer may not participate in the play or outcome of a Poker game.

D. A player shall bet on the cards that the player holds in his or her hand.

(1) A player's bet shall be placed by the dealer in the designated area of the table known as the pot.

(2) A player may be required to place an Ante or Blind Bet prior to receiving a card.

(3) After each round of cards is dealt, a betting round shall be conducted during which a player shall decide whether to continue contending for the pot by calling or raising the bet of the other players.

E. The object of Poker is for a player to win the pot.

(1) By making a bet that no other player elects to call; or

(2) Depending on the type of Poker being played, by having the highest ranking high hand, the highest ranking low hand or both the highest ranking high and low hands in accordance with Regulation .06 of this chapter.

(3) If two or more players remain in contention for a pot after all cards have been dealt and the final betting round has been completed, there shall be a showdown among those players to determine which player has the winning hand.

F. A dealer shall use the following procedures when dealing a Poker game:

(1) The dealer shall place the stacked deck of cards in either hand.

(a) After the dealer has chosen which hand holds the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play.

(b) The cards held by the dealer shall be kept in front of the dealer at all times and as level with the Poker table as possible.

(c) If during a round of play the dealer sets down the deck to handle a transaction, the dealer shall place a marker button on top of the deck until the transaction has been completed.

(2) The dealer shall verbally or physically describe the action that is occurring at the Poker table with regard to the conduct of the game, and shall instruct a player as to the player's various turns to act and options.

(3) All burn cards required under this chapter shall be kept separate from the pile of discarded cards.

(4) The dealer shall:

(a) Count the entire deck of cards at least once every 5 rounds of play to determine if 52 cards are present; or

(b) Utilize an automated card shuffling device, submitted to the Commission's independent certified testing laboratory and approved under COMAR 36.03.12.05 which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present.

(5) The dealer may count the stub in the games of Hold 'Em Poker and Omaha Poker.

(6) If a count of the deck or stub indicates that the number of cards in the deck is incorrect, the deck shall be removed from the table.

(7) At the completion of a round of play, the dealer shall award the pot to the winning player or players after a showdown, or to the last remaining player if all other players have folded.

(8) Prior to pushing the pot to the winner and collecting the winning hand, the dealer shall:

(a) Collect the cards from all losing players and count them to determine that the proper number of cards has been returned;

(b) Award all side pots;

(c) Collect the rake under Regulation .17 of this chapter; and

(d) Collect an amount required to be contributed to a Bad Beat or High Hand Jackpot payout fund under Regulations .16 or .16 of this chapter.

.08 Placing Bets; Minimum and Maximum Bets.

A. Only a player who is seated at a Poker table may receive cards and participate in a betting round.

B. A player may participate in the betting during a round of play in accordance with the following requirements:

(1) A player may bet only with the table stakes that were already on the Poker table in front of the player when the round of play commenced.

(2) A player may add to the player's table stakes only between rounds of play and, except as provided in §B(6) of this regulation, may not remove any of the player's table stakes from the Poker table at any time during a round of play.

(3) Currency that is available for use by a player may be utilized in accordance with this regulation to initiate, call or raise a bet if the currency is expeditiously converted into value chips, tournament chips or plaques by the dealer.

(4) A player shall have an amount of currency, value chips, tournament chips or plaques available on the Poker table prior to the start of the round of play that is sufficient to make any Ante, Blind or Forced Bet required by the Poker game being played and at least one bet at the posted table minimum.

(5) A player who satisfies the requirements in §B(4) of this regulation, but depletes his or her funds on the Poker table prior to the completion of a round of play, shall be deemed All-In as follows:

(a) An All-In player shall retain a financial interest in the outcome of the round of play, but is eligible to win only the amount of the pot to which the player contributed;

(b) An All-In player shall continue to receive all cards to which the player would normally be entitled; and

(c) Betting shall continue unimpeded among the other players by generating a separate side pot which only those players shall be eligible to win.

(6) If a player indicates an intent to temporarily leave a Poker table during a round of play without relinquishing his seat at the table, a flooperson or above shall:

(a) Determine the amount of the player's table stakes prior to the player's departure from the table and verify that the amount of the player's table stakes have not been changed upon the player's return to the table; or

(b) Maintain the player's table stakes on the table surface using a nontransparent cover until the player's return.

C. If it is a player's turn to act, the player's verbal statement of "fold", "check", "call" or "raise", or a player's announcement of a specific bet within the rules of the Poker game being played and the minimum and maximum betting limits for the Poker table, shall be binding on the player.

D. A player who announces a bet or raise of a certain amount but places a different amount of value chips, tournament chips or plaques in the pot shall to correct the bet or raise to the announced amount in accordance with the instructions of the dealer.

E. A player shall be considered to have placed a bet if the player:

(1) Pushes value chips, tournament chips or plaques forward to indicate the intent to place a bet.

(2) Places value chips, tournament chips or plaques at a sufficient distance from the player and towards the pot to make it obvious that the value chips, tournament chips or plaques are intended as a bet.

(3) Places currency into the pot to be exchanged for chips in accordance with §B(3) of this regulation.

F. A player may not make a bet and thereafter attempt to increase the amount of the bet unless the player:

(1) Indicates at the time the bet is being made that the bet is not yet complete; or

(2) Puts the proper amount of value chips, tournament chips or plaques into the pot to call a bet and also indicates his intention to raise.

G. Subject to the posted table betting limits, a player who announces "raise" may continue to bet value chips, tournament

chips or plaques until both of his hands come to rest in front of the pot.

H. A dealer shall ensure that no player touches any of the value chips, tournament chips or plaques once they are placed into the pot.

I. Unless a raise has been verbally announced by a player, the player who puts a single value chip or tournament chip into the pot that is larger than required is assumed to have only called the preceding bet and to be awaiting change from the dealer.

J. A facility operator shall post a sign specifying any restrictions on the maximum number of raises that may be permitted for any round of betting and the minimum and maximum bets in effect at each Poker table.

(1) If all players at a Poker table agree to increase the minimum bet at the table, the minimum bet posted at the table need not be followed.

(2) Unless specifically posted to the contrary, a player may raise after the player has previously checked in a betting round.

K. A facility operator shall include in its Rules Submission under COMAR 36.05.03.19 any restrictions on:

(1) The maximum number of raises that may be permitted for a round of betting;

(2) Provisions specifying the maximum amount that the minimum bet may be increased; and

(3) How the dealer will determine that all of the players have agreed to the increased minimum bet amount.

.09 Permissible Poker Games; Announcement of Available Games and Seats.

A. A facility operator may offer the following types of Poker games:

(1) Seven-card Stud, including High, Low, High-Low Split and High-Low Split Eight or Better;

(2) Hold 'Em, including High;

(3) Omaha, including High, High-Low Split Eight or Better;

(4) Five-Card Draw, including High and Low;

(5) Five-Card Stud, including High; and

(6) Other Poker games approved by the Commission.

B. A facility operator may not offer or permit the playing of a Poker game which is not authorized by this chapter.

C. A facility operator may announce, in the areas where Poker tables are located, the particular types of available Poker games, the table minimum and maximum bets that are being offered and the availability of any vacant seats at a Poker table.

.10 Seven-Card Stud Poker; Procedure for Dealing; Completion of Play.

A. A facility operator that offers Seven-card Stud High, Seven-card Stud Low, Seven-card Stud High-Low Split or Seven-card Stud High-Low Split Eight or Better Poker shall follow the procedures in this regulation.

B. No more than eight players may participate in a Seven-card Stud Poker game.

(1) A player who elects to participate in a round of play may be required to place an Ante bet.

(2) The rules governing the placement of an Ante bet and the amount of an Ante bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

C. Starting with the first player to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal two rounds of cards face down and one round of cards face up to each player.

D. After each player has been dealt three cards in accordance with §C of this regulation, the first betting round shall commence with one player making a Forced Bet.

(1) The amount of a Forced Bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted at the Poker table.

(2) A player who is required to place a Forced Bet shall be determined by comparing the up card of each player.

(3) If two or more up cards are of the same rank, the up cards shall be ranked by suit with the highest to lowest ranked suits in the following order: spades, hearts, diamonds and clubs.

(4) A Forced Bet shall be made by the player with the:

(a) Lowest ranked up card for Seven-card Stud High Poker;

(b) Highest ranked up card for Seven-card Stud Low Poker;

(c) Highest ranked up card for Seven-card Stud High-Low Split Poker, and to determine the highest ranked up card, an ace shall be ranked below a two; and

(5) Lowest ranked up-card for Stud High-Low Split Eight or Better Poker, and to determine the lowest ranked up-card, an ace shall be considered the highest ranking card.

E. Following the placement of a Forced Bet, starting with the player to the left of player who placed the Forced Bet and continuing around the table in a clockwise manner, each subsequent player may fold, call or raise the bet.

F. After the last player has responded to the most recent bet, the betting round shall be considered complete.

G. Upon completion of the first betting round, a dealer shall burn the top card of the deck and then, starting with the first remaining player to the dealer's left, deal a fourth card face up to each player who made or called the last bet.

H. The next betting round shall commence as follows:

(1) For Seven-card Stud High, Seven-card Stud High-Low Split or Seven-card Stud High-Low Split Eight or Better Poker, the player with the highest ranking high hand showing shall be required to bet or check;

(2) For Seven-card Stud Low, the player with the highest ranking low hand showing shall be required to bet or check; and

(3) If the highest ranking hand showing is held by two or more players, the player closest to the left of the dealer shall be required to bet or check.

I. Following the initial bet or check required under §G of this regulation, proceeding in a clockwise rotation each subsequent player may fold, call, raise or, if the preceding players have not made a bet, check.

(1) After a bet has been made, the next player in a clockwise rotation may fold, call or raise.

(2) After the last player has responded to the most recent bet, the betting round is complete.

J. The dealer shall then deal two additional rounds of cards face up and one round of cards face down to each player who made or called the last bet.

(1) Before dealing each round of cards, the dealer shall burn the top card of the deck.

(2) Notwithstanding §J(1) of this regulation, if insufficient cards remain in the deck to give each remaining player either a sixth or seventh card, the top card of the deck shall be burned and a common card shall be dealt face up in the center of the table.

(3) If there is one, or no, card remaining in the deck when a common card is to be dealt, the dealer shall shuffle the burn cards, burn a card and then deal the common card.

(4) The dealing of a round of cards or, if applicable, a common card under this subsection, shall be followed by a betting round conducted in accordance with §§G and H of this regulation.

K. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot.

L. Each player remaining in the game shall form a five-card Poker hand from the seven cards dealt to the player, and the winner of the pot shall be:

(1) In Seven-card Stud High Poker, the player with the highest ranking five-card high hand;

(2) In Seven-card Stud Low Poker, the player with the highest ranking five-card low hand; and

(3) In Seven-card Stud High-Low Split Poker or Seven-card Stud High-Low Split Eight or Better Poker:

(a) The player with the highest ranking five-card high hand and the player with the highest ranking five-card low hand, subject to §M(1) of this regulation, shall divide the pot equally.

(b) If a pot cannot be divided equally, the excess amount, which may not exceed \$1, shall be given to the player with the highest ranking high hand.

(c) If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players.

(d) If the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the highest ranking high card by suit.

(e) If a tie exists between two or more players for the highest ranking low hand, the low hand share of the pot shall be divided equally among the tied players.

(f) If the low hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the lowest ranking low hand Poker card by suit.

(g) For purposes of this section, the cards shall be ranked by suit from highest to lowest as follows: spades, hearts, diamonds and clubs.

M. Seven-Card Stud High-Low Split Eight or Better Poker.

(1) A winning low-hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a 9, 10, jack, queen or king;

(2) If none of the hands of the remaining players satisfies the requirement of §M(1) of this regulation, the entire pot shall be awarded to the player with the highest ranking high hand.

(3) A player may form two different hands of five cards each out of the player's seven available cards, enabling that player to contend for both the high hand and low hand share of the pot.

(4) A player may use the same five-card grouping under §M(3) of this regulation to make a high hand and a low hand, including:

(a) A hand consisting of a 2, 3, 4, 5 and 6 qualifies as a straight for purposes of the high hand and as a high ranking low hand; and

(b) A hand consisting of five cards of the same suit, none higher than an 8, qualifies as a flush for purposes of the high hand and as a high ranking low hand.

(5) An ace may be used concurrently as a low hand card to make up a low hand and as a high card to make up a high Poker hand.

.11 Hold 'Em Poker; Procedure for Dealing; Completion of Play.

A. A facility operator that offers Hold 'Em Poker shall follow the procedures in this regulation and play Hold 'Em Poker only to determine a winning high hand.

B. No more than ten players may participate in a Hold 'Em Poker game.

(1) A player who elects to participate in a round of play may be required to place an Ante bet.

(2) The rules governing the placement of an Ante bet and the amount of an Ante bet shall be specified in a facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at the Poker table.

C. A button shall be used to indicate the order in which the cards shall be dealt and the order in which a player shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of:

(a) The first player to the right of the dealer; or

(b) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

D. Before a cards is dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet.

(1) A facility operator may require additional Blind Bets to be made immediately after the initial Blind Bet.

(2) The amount and number of a required Blind Bet shall be specified in a facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at the table.

E. The player to the left of the player who placed a Blind Bet may place a Straddle Bet, if a Straddle Bet is offered by the facility operator.

(1) The rules governing the placement of a Straddle Bet and the amount of a Straddle Bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at a Poker table.

(2) No more than one Straddle Bet may be made during a round of play.

F. Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal two rounds of cards face down to each player so that the player with the button shall be the last player to receive a card each time.

G. After each player has been dealt two cards in accordance with §E of this regulation, each player, starting with the player to the left of the player who was required to place a Blind Bet, or the player who placed a Straddle Bet, and continuing around the table in a clockwise manner, may fold, call or raise the bet.

(1) The option to raise shall also apply to a player who made a Blind Bet or Straddle Bet.

(2) After the last player has responded to the most recent bet, the betting round shall be considered complete.

H. The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table.

(1) The first player to the left of the button who has not folded shall commence the next betting round and may bet or check.

(2) If preceding players have not made a bet, make an opening bet or check, a subsequent player may, in clockwise rotation, fold, call, or raise.

(3) After the last player has responded to the most recent bet, the betting round shall be considered complete.

I. Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fourth community card face up in the center of the table, and begin and complete the next betting round as required by §G of this regulation.

J. Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fifth and final community card face up in the center of the table, and begin and complete the final betting round as required by §G of this regulation.

K. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot.

(1) Each player remaining in the game shall form the highest ranking five-card high hand using any of the two cards dealt to the player and the five community cards.

(2) The winner of the pot shall be the player with the highest ranking five-card high hand.

(3) If the highest ranking five-card high hand that each of the remaining players can form is comprised of the five community cards, all players remaining in the round of play shall share equally in the pot.

(4) If the pot cannot be divided evenly among the players, the excess, which may not exceed \$1, may be given to the player specified in the facility operator's Rules Submission under COMAR 36.05.03.19.

.12 Omaha Poker; Procedure for Dealing; Completion of Play.

A. A facility operator that offers Omaha High or Omaha High-Low Split Eight or Better Poker shall follow the procedures in this regulation.

B. No more than ten players may participate in an Omaha Poker game.

(1) Each player who participates in a round of play may be required to place an Ante bet.

(2) The rules governing the placement of an Ante bet and the amount of an Ante bet, and a Kill or Half-Kill option, shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

C. A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of:

- (a) The first player to the right of the dealer; or
- (b) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

D. Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet.

(1) A facility operator may require additional Blind Bets to be made immediately after the initial Blind Bet.

(2) The amount and number of all Blind Bets required shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at the table.

E. If a Straddle Bet is offered by a facility operator, the player to the left of the player who placed a Blind Bet may place a Straddle Bet.

(1) The rules governing the placement of a Straddle Bet and the amount of a Straddle Bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

(2) No more than one Straddle Bet may be made during a round of play.

F. Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal four rounds of cards face down to each player, so that the player with the button shall be the last player to receive a card each time.

G. After each player has been dealt four cards in accordance with §E of this regulation, each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, and continuing around the table in a clockwise manner, may fold, call or raise the bet.

(1) The option to raise shall also apply to a player who made a Blind Bet or Straddle Bet.

(2) After the last player has responded to the most recent bet, the betting round shall be considered complete.

H. The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table.

(1) The first player to the left of the button who has not folded shall commence the next betting round and may bet or check.

(2) Each subsequent player may, in clockwise rotation, fold, call, raise or, if preceding players have not made a bet, make an opening bet or check.

(3) After the last player has responded to the most recent bet, the betting round shall be considered complete.

I. Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fourth community card face up in the center of the table, and commence and complete the next betting round shall be commenced and completed as required under §H of this regulation.

J. Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fifth and final community card face up in the center of the table, and commence and complete the final betting round as required under §G of this regulation.

K. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot.

(1) Each player remaining in the game shall form a five-card hand using two of the four cards dealt to the player and three of the five community cards.

(2) The winner of the pot shall be:

(a) In Omaha High Poker, the player with the highest ranking five-card high hand.

(b) In Omaha High-Low Split Eight or Better Poker:

(3) The player with the highest ranking five-card high hand and the player with the highest ranking five-card low hand, subject to §K(1) of this regulation, shall divide the pot equally.

(4) If a pot cannot be divided equally, the excess amount, which may not exceed \$1, shall be given to the player with the highest ranking high hand.

(5) If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players.

(6) If the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the highest ranking high card by suit or to the player specified in the facility operator's Rules Submission under COMAR 36.05.03.19.

(7) If a tie exists between two or more players for the highest ranking low hand, the low hand share of the pot shall be divided equally among the tied players.

(8) If the low hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the lowest ranking low hand Poker card by suit or to the player specified in the facility operator's Rules Submission under COMAR 36.05.03.19.

(9) For purposes of this subsection, the cards shall be ranked by suit the highest to lowest rank suit as follows: spades, hearts, diamonds and clubs.

L. In Omaha High-Low Split Eight or Better Poker:

(1) A winning low hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a 9, 10, jack, queen or king.

(2) If none of the hands of the remaining players satisfies the requirement in §L(1) of this regulation, the entire pot shall be awarded to the player with the highest ranking high hand.

(3) A player may form two different hands of five cards each, enabling that player to contend for both the high hand and low hand share of the pot.

(4) A hand shall consist of any three of the community cards and any two of four cards dealt to the player.

(5) A player may use the same five-card grouping to make a high hand and a low hand.

(6) An ace may be used concurrently as a low hand card to make up a low hand and as a high card to make up a high hand.

M. In Omaha High-Low Split Eight or Better Poker, the facility operator may use either the Half-Kill or Kill option.

N. If a facility operator elects to use either option, the facility operator shall indicate which option is being used in the facility operator's Rules Submission under COMAR 36.05.03.19 and post on a sign at each Omaha Poker table which option is being used and the minimum value of a qualifying pot.

.13 Five-Card Draw Poker; Procedure for Dealing; Completion of Play.

A. A facility operator that offers Five-Card Draw High or Five-Card Draw Low Poker shall follow the procedures in this regulation.

B. No more than eight players may participate in a Five-Card Draw Poker game.

(1) A player who participates in a round of play may be required to place an Ante bet.

(2) The rules governing the placement of an Ante bet and the amount of an Ante bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

C. A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of:

- (a) The first player to the right of the dealer; or
- (b) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

D. Starting with the first player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal five rounds of cards face down to each player, so that the player with the button shall be the last player to receive a card each time.

E. After each player has been dealt five cards in accordance with §D of this regulation, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet.

(1) A facility operator may require additional Blind Bets to be made immediately after the initial Blind Bet.

(2) The amount and number of all Blind Bets required shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at the table.

F. Following the placement of the required Blind Bets, each player, starting with the player to the left of the player or players who were required to place a Blind Bet, and continuing around the table in a clockwise manner, may fold, call or raise the bet.

(1) The option to raise shall also apply to a player who made a Blind Bet.

(2) After the last player has responded to the most recent bet, the betting round shall be considered complete.

G. Upon completion of the initial betting round, each player remaining in the round of play shall have an opportunity to draw new cards.

(1) This process shall be accomplished one player at a time starting with the player to the immediate left of the button and continuing around the table in a clockwise manner.

(2) Each player may keep his original hand or discard as many cards as he chooses.

(3) The dealer shall replace each discarded card with a new card dealt from the deck as follows:

(a) Prior to the first player receiving any new cards, the dealer shall burn the top card of the deck.

(b) If insufficient cards remain in the deck for each player remaining in the round of play to draw new cards, the discard pile shall be reshuffled and used for this purpose.

(c) The cards to be discarded by a player who has not yet requested new cards may not be included as part of the reshuffled cards.

H. The first player to the left of the button who has not folded shall commence the final betting round and may bet or check.

(1) Each subsequent player may, in clockwise rotation, fold, call, raise or, if preceding players have not made a bet, make an opening bet or check.

(2) After the last player has responded to the most recent bet, the betting round shall be considered complete.

I. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot as follows:

(1) In Five-Card High Poker, the player with the highest ranking five-card high hand; and

(2) In Five-Card Low Poker, the player with the highest ranking five-card low hand.

.14 Five-Card Stud Poker; Procedure for Dealing; Completion of Play.

A. Five-Card Stud Poker shall be played only to determine a winning high hand, and a facility operator that offers Five-Card Stud Poker shall follow the procedures in this regulation.

B. No more than eight players may participate in a Five-Card Stud Poker game.

(1) Each player who elects to participate in a round of play may be required to place an Ante bet.

(2) The rules governing the placement of an Ante bet and the amount of an Ante bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

C. Starting with the first player to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one round of cards face down and one round of cards face up to each player.

D. After each player has been dealt two cards in accordance with §C of this regulation, the first betting round shall commence with one player making a Forced Bet.

(1) The amount of the Forced Bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted at the Poker table.

(2) A player required to place the Forced Bet shall be determined by comparing the up card of each player.

(3) The player with the lowest ranked up card shall be required to make a Forced Bet.

(4) In the event that two or more up cards are of the same rank, the up cards shall then be ranked by suit with the highest to lowest spades, hearts, diamonds and clubs.

E. Following the placement of the Forced Bet, each subsequent player, starting with the player to the left of the player who placed the Forced Bet and continuing around the table in a clockwise manner, may bet, fold, call or raise the bet, and after the last player has responded to the most recent bet, the betting round shall be considered complete.

F. Upon completion of the first betting round, the dealer shall burn the top card of the deck and then, starting with the first remaining player to the dealer's left, deal another round of cards face up to each player who made or called the last bet, commencing the next betting round as follows:

(1) The player with the highest ranking hand showing shall be required to bet or check.

(2) If the highest ranking hand showing is held by two or more players, the player closest to the left of the dealer shall be required to bet or check.

G. Following the bet or check required under §F of this regulation, each subsequent player, proceeding in a clockwise rotation, may fold, call, raise or, if the preceding players have not made a bet, check.

(1) After a bet has been made, the next player in a clockwise rotation may fold, call or raise.

(2) After the last player has responded to the most recent bet, the betting round shall be considered complete.

H. The dealer shall burn the top card of the deck and then deal two additional rounds of cards face up to each player who made or called the last bet, with each round followed by a betting round conducted in accordance with §§F and G of this regulation.

I. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot.

J. The winner of the pot under §I of this regulation shall be the player with the highest ranking five-card high hand.

.15 Bad Beat Payout — Procedure.

A. If specified in its Rules Submission under COMAR 36.05.03.19, a facility operator may offer a Bad Beat payout for one or more Bad Beat hands, which shall be made from a separate fund created from pot contributions required at tables where a Bad Beat payout is offered and paid in accordance with the procedures established under this section.

B. A facility operator shall post at each Poker table that offers a Bad Beat payout notice advising players of eligibility for the Bad Beat payout. The facility operator shall display the current amount of the Bad Beat payout and post in a conspicuous location within the Poker room the Bad Beat payout rules which shall include:

(1) The maximum contribution amount that will be collected from each pot to fund the Bad Beat payout and the method of calculation for any contribution amount.

(2) The minimum pot amount required before the contribution to the Bad Beat payout is collected.

(3) Qualifying Bad Beat requirements and payouts.

C. A facility operator shall extract from each pot at a Poker table designated for participation in a Bad Beat payout a prescribed contribution to the Bad Beat payout.

(1) The contribution amount shall be collected in accordance with the Bad Beat payout rules as specified in the facility operator's Rules Submission under COMAR 36.05.03.19.

(2) After the dealer has extracted the rake, the amount from each pot to be contributed to a Bad Beat payout shall be determined, segregated from the pot and deposited into the Bad Beat payout box.

(3) Notwithstanding other provisions of this regulation, a facility operator may, upon amending its Bad Beat payout rules, terminate collection of Bad Beat contributions at any time in accordance with §I of this regulation.

D. At least once each gaming day and upon notice to a Commission compliance representative, a facility operator shall count the accumulated contents of each Bad Beat payout box at a closed Poker table, the main cage or a satellite cage, in accordance with the facility operator's approved internal controls, as follows:

(1) If the counting of the contents of a Bad Beat payout box occurs at a closed Poker table, the counting shall be performed by a Poker dealer in the presence of a floorperson or above and recorded by the surveillance department.

(a) Documentation of the count shall be prepared and signed by both the dealer and the floorperson or above who witnessed the count.

(b) The contents of the Bad Beat payout box shall then be placed in a locked container along with documentation of the count

and transported to the main cage or satellite cage by a security department employee.

(2) If the counting of the contents of a Bad Beat payout box occurs in the main cage or a satellite cage:

(a) A floorperson or above shall account for all locked Bad Beat payout boxes transported from the Poker tables to the cage.

(b) A security department employee shall transport the Bad Beat boxes to the main cage or satellite cage for counting.

E. After each Bad Beat payout box or locked container is delivered to the main cage or satellite cage, a cashier shall:

(1) Count the contents of a box; or

(2) If the contents of a box were previously counted by Poker room personnel and combined in a locked container for transport, verify the aggregate count.

F. The accounting department shall maintain the official record of the amount of daily contributions to the Bad Beat payout.

G. The Poker shift supervisor shall verify each Bad Beat Poker hand prior to awarding the Bad Beat payout. Upon verification, the Poker shift supervisor shall:

(1) Post a sign or otherwise provide visible notice that the applicable Bad Beat payout display amount is pending adjustment due to a Bad Beat payout.

(2) Notify a representative from the security department or accounting department to deliver to the Poker table the applicable amount of the Bad Beat payout.

H. The accounting department shall prepare a Bad Beat payout distribution in cash or a recognized cash equivalent in accordance with the facility operator's approved internal controls. Notwithstanding §G(2) of this regulation, a facility operator may elect to pay a Bad Beat payout at the main cage or satellite cage.

I. No less than once a day and immediately upon notification of a Bad Beat verification by the Poker shift supervisor, an accounting department employee shall:

(1) In the presence of a floorperson or above, adjust each Bad Beat payout amount displayed in the Poker area to reflect the current Bad Beat payout amount.

(2) Verify that the amount of any Bad Beat payout maintained by the accounting department corresponds to the amount being displayed to players.

J. A Bad Beat payout may not be offered at a Poker table until a facility operator has submitted internal controls and the Commission has approved procedures for discontinuing any Bad Beat payout, which shall address the method by which pot contributions will be terminated or transferred to other Bad Beat payouts to ensure that all payout amounts are paid to Poker players.

.16 High Hand Jackpot Payout — Posting Rules; Contributions; Payout Amount; Procedure.

A. If specified in its Rules Submission under COMAR 36.05.03.19, a facility operator may offer a High Hand Jackpot payout for a Qualifying High Hand made during a qualifying period, and a High Hand Jackpot payout shall be:

(1) Made from a separate fund created from pot contributions required at tables where a High Hand Jackpot payout is offered; and

(2) Paid in accordance with the procedures established under this regulation.

B. A facility operator shall post at each Poker table that offers a High Hand Jackpot payout notice advising players of eligibility for a High Hand Jackpot payout, and shall display the current amount of the High Hand Jackpot payout and post in a conspicuous location within the Poker room the High Hand Jackpot payout rules, which shall include:

(1) The collection and qualifying periods for the High Hand Jackpot payout;

(2) The maximum contribution amount that will be collected from each pot to fund the High Hand Jackpot payout;

(3) The minimum pot amount required before the contribution to the High Hand Jackpot is collected;

(4) The minimum number of players who shall be dealt into a hand to qualify for a High Hand Jackpot payout;

(5) The division of the High Hand Jackpot payout if two or more players have the same value Qualifying High Hand during a qualifying period;

(6) Any time limits on collecting High Hand Jackpot payouts including a statement notifying players that they do not need to be present at the end of the qualifying period to win the High Hand Jackpot payout; and

(7) Any restrictions on collecting a High Hand Jackpot payout, including a statement notifying players that valid identification shall be presented for a player's hand to qualify for a High Hand Jackpot payout.

C. A facility operator shall extract from each pot at a Poker table designated for participation in a High Hand Jackpot payout a prescribed contribution to the High Hand Jackpot payout.

(1) The contribution amount shall be collected in accordance with the High Hand Jackpot payout rules as specified in the facility operator's Rules Submission under COMAR 36.05.03.19.

(2) After the dealer has extracted the rake, the amount from each pot to be contributed to a High Hand Jackpot payout shall be determined, segregated from the pot and deposited into the High Hand Jackpot payout box.

D. At the end of each qualifying period, a facility operator shall count the accumulated contents of each High Hand Jackpot payout box at a closed Poker table, the main cage or a satellite cage, in accordance with the facility operator's approved internal controls, as follows:

(1) If the contents of a High Hand Jackpot payout box are counted at a closed Poker table, the counting shall be performed by a Poker dealer in the presence of a floorperson or above and recorded by the surveillance department.

(a) Documentation of the count shall be prepared and signed by both the dealer and the floorperson or above who witnessed the count.

(b) The contents of the High Hand Jackpot payout box shall then be placed in a locked container along with documentation of the count and transported to the main cage or satellite cage by a security department employee.

(2) If the contents of a High Hand Jackpot payout box are counted in the main cage or a satellite cage, a floorperson or above shall account for all locked High Hand Jackpot payout boxes transported from the Poker tables to the cage, and a security department employee shall transport the High Hand Jackpot payout boxes to the main cage or satellite cage for counting.

E. After a High Hand Jackpot payout box or locked container is delivered to the main cage or satellite cage:

(1) A cashier shall count the contents of each box; or

(2) If the contents of the boxes were previously counted by Poker room personnel and combined in a locked container for transport, a cashier shall verify the aggregate count.

F. The accounting department shall maintain the official record of the amount of contributions to the High Hand Jackpot payout.

G. At the start of each qualifying period, dealers shall begin tracking hands.

(1) When a player has a full house, as defined in COMAR 36.05.06.06, the dealer shall call a floorperson or above who shall verify the hand and record the value on the High Hand Tracking Slip.

(2) As the value of the hands increase during the qualifying period, the value of the next higher hand shall be announced and the floorperson or above shall record on the High Hand Tracking Slip the next higher value hand.

(3) The High Hand Tracking Slip shall contain:

(a) The name, phone number and seat number of the player with the higher value hand;

(b) The table number;

(c) The higher value hand;

(d) The dealer's name and license number; and

(e) The signature and license number of the floorperson or above who verified the higher value hand.

H. When a qualifying period has ended:

(1) The contribution amount collected during the qualifying period shall be counted, verified and taken to the main cage or satellite cage in accordance with §§D and E of this regulation; and

(2) The pooled contribution amounts from all Poker tables that participated in the qualifying period shall be announced and displayed.

I. A player with the highest Qualifying High Hand during the qualifying period shall be awarded a High Hand Jackpot payout.

(1) A High Hand Jackpot payout shall be paid from the main cage or satellite cage.

(2) If a full house was not made by any player during the qualifying period, the High Hand Jackpot payout contribution amounts shall be added to the next High Hand Jackpot payout qualifying period.

J. A facility operator shall specify in its Rules Submission under COMAR 36.05.03.19 the procedure for distributing a High Hand Jackpot payouts that has not been collected within the time period specified in §B(6) of this regulation.

.17 Poker Revenue.

A. A facility operator shall derive its Poker revenue at all Poker tables by extracting a rake, and shall submit as part of its Rules Submission under COMAR 36.05.03.19 the following:

(1) The types of rake utilized;

(2) The methodology used for calculating the rake;

(3) The amount of maximum permissible rake per round of play;

B. A facility operator may use one or more of the following procedures in determining and extracting the rake:

(1) A percentage rake, not to exceed 10 percent, which shall be calculated and extracted from the pot and any side pots:

(a) After the conclusion of a betting round and placed into the designated rake area required under Regulation .02 of this chapter as play progresses; and

(b) Upon completion of a round of play and immediately placed by the dealer into the drop box.

(2) An incremental rake, as certain predetermined dollar levels have been achieved which:

(a) Upon collection shall be placed into the designated rake area required under Regulation .02 of this chapter; and

(b) Upon completion of a round of play shall be immediately placed by the dealer into the drop box.

(3) A rake based on time charges which:

(a) May be assessed on a per-player basis or on a per-table basis;

(b) If taken on a per-player basis, inactive players seated at the table shall also be assessed;

(c) Shall be expressed as an hourly fee based on the minimum and maximum betting limits at a game;

(d) May be assessed fractionally every 20 or 30 minutes as determined by the facility operator;

(e) Once assessed, shall be placed by the dealer into the designated rake area required under Regulation .02 of this chapter; and

(f) Upon verification by a floorman or above of the time charges collected, shall be immediately placed by the dealer into the drop box.

C. A sign describing the type and amount of rake to be collected under §B of this regulation shall be posted at each Poker table.

D. An uncalled final bet may not be considered part of the pot for purposes of calculating the amount of rake under §B(1) and (2) of this regulation.

E. After the dealer has extracted the rake and the pot and any side pots have been collected by the winning player or players, additional rake may not be taken.

.18 Player Conduct; General Poker Operating; Irregularities.

A. In a dispute in which a ruling, interpretation, clarification or intervention is required, the decision of a Poker shift supervisor is final.

B. A player in a Poker game shall play the game solely to improve the player's chance of winning and may not take action to improve another player's chance of winning or communicate information to another player which could assist the other player in affecting the outcome of a Poker game.

C. A facility operator who has reasonable cause to believe that a player has acted or is acting in violation of §B of this regulation may require the player to leave the game and shall notify a Commission compliance representative as soon as possible.

D. A player shall keep all cards dealt to the player in full view of the dealer at all times, and the dealer shall ensure compliance with this requirement.

E. At a showdown, a winning hand shall be clearly displayed in its entirety and properly identified.

(1) The player initiating the final bet shall be the first player to show his hand at the showdown.

(2) All other players who have not folded shall then reveal their hands in a clockwise rotation.

(3) Unless an operator in its Rules Submission under COMAR 36.05.03.19 requires the disclosure of all discarded hands, a player holding a losing hand may concede his rights to the pot and discard the hand without revealing the player's cards.

F. A player in a showdown shall ensure that the player's hand has lost to the other hands at the table before discarding the hand.

G. Cards that are misdealt shall be returned to the dealer for a reshuffle, and these errors shall be cause for a misdeal:

(1) Failure to shuffle and cut the cards in accordance with Regulation .05 of this chapter;

(2) Dealing to an incorrect starting position if the error has been detected prior to two players voluntarily placing bets into the pot;

(3) If more than one card is found face up in the deck; and

(4) Failure to deal to an eligible seated player, if the error has been detected prior to two players voluntarily placing bets into the pot.

H. If one or more cards are mistakenly dealt to an ineligible player, the cards dealt to that player shall be discarded and the round of play shall continue.

I. If at any time during a round of play missing cards are discovered or additional cards are found, the round of play is void, all value chips, tournament chips and plaques in the pot shall be returned to the appropriate player and the deck shall be replaced.

J. A card found face up in the deck may not be used in that round of play and shall be placed with the pile of discarded cards.

K. A player who fails to take reasonable means to protect the player's hand shall have no redress if the player's hand becomes a fouled hand and the dealer accidentally collects the hand, except that:

(1) A hole card in a game of Stud Poker shall be considered protected for purposes of fouling a hand.

(2) If a protected hand comes into contact with discarded cards, every effort shall be made to reconstruct the hand and complete the round of play.

(3) A player who has a protected hand collected by the dealer or fouled by discarded cards shall be entitled to a refund from the pot of all moneys that the player put in the pot if the player has been a victim of and not a contributor to the error.

(4) A player who leaves the table without comment and has an unprotected hand shall be assumed to have no interest in the pot and the player's cards shall be collected and discarded.

L. Verbal statements which are clearly audible by and directed to the dealer shall always have precedence over actions and gestures and are considered binding on the player whose turn it is to act.

(1) A player shall be deemed to have folded if, when faced with making or calling a bet, the player:

(a) Discards the player's hand face down towards the pile of discarded cards or the pot; or

(b) Turns up the player's cards in a game of Stud Poker face down.

(2) If a player is obligated to place a bet as a Blind Bet, Forced Bet or by virtue of a verbal statement, throwing away the player's cards does not relieve the player of that obligation.

M. In Seven-card Stud:

(1) If a player's first or second hole card is accidentally turned face up in the dealing process, the third card shall be dealt face down;

(2) If both hole cards are accidentally turned face up, the dealer shall collect the two cards, call the player's hand void and return the player's Ante bet, if applicable; and

(3) If a player's third hole card is accidentally turned face up in the dealing process, the player shall be afforded the option to:

(a) End the player's obligation to make additional bets and contend only for that part of the pot formed prior to any additional betting; or

(b) Continue to contend for the entire pot.

N. In Five-Card Stud, if a player's hole card is accidentally turned face up in the dealing process, the second card shall be dealt face down.

O. If a card is accidentally dealt off the table, the card may not be used in that round of play and shall be placed with the pile of discarded cards after a thorough examination of the card by the dealer.

P. In the games of Hold 'Em and Omaha Poker, if any of the cards that are required to be dealt face down to a player are accidentally dealt face up, the dealer shall exchange the exposed card with a card from the top of the deck and place the exposed card face down with the pile of discarded cards.

Q. If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

R. If an automated card shuffling device malfunctions and cannot be used, the device shall be covered or have a sign indicating that the automated card shuffling device is out of order placed on the device before any other method of shuffling may be utilized at that table.

S. A facility operator may clarify and supplement the procedures related to irregularities in this section in the facility operator's Rules Submission under COMAR 36.05.03.19.

36.05.07 Roulette Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland

.01 Roulette Ball, Wheel and Table.

A. A ball used in Roulette shall be:

(1) Made completely of a nonmetallic substance; and

(2) Not less than 12/16 inch nor more than 14/16 inch in diameter.

B. Roulette shall be played on a table having a Roulette:

(1) Wheel of at least 30 inches in diameter at one end of the table; and

(2) Layout imprinted on the opposite end of the table.

C. A single zero Roulette wheel shall have 37 equally spaced compartments around the wheel where the Roulette ball may come to rest.

(1) A Roulette wheel shall have a ring of 37 equally spaced areas to correspond to the position of the compartments with:

(a) A compartment marked 0 and colored green; and

(b) The other compartments marked 1 to 36 and colored alternately red and black.

(2) The numbers shall be arranged clockwise around the wheel in the following order: 0; 32; 15; 19; 4; 21; 2; 25; 17; 34; 6; 27; 13; 36; 11; 30; 8; 23; 10; 5; 24; 16; 33; 1; 20; 14; 31; 9; 22; 18; 29; 7; 28; 12; 35; 3; and 26.

(3) The color of each compartment shall be a:

(a) Corresponding color to those depicted on the ring; or

(b) Neutral color approved under COMAR 36.05.03.16.

D. A double zero Roulette wheel shall have 38 equally spaced compartments around the wheel where the Roulette ball may come to rest.

(1) A Roulette wheel shall have:

(a) A ring of 38 equally spaced areas to correspond to the position of the compartments with a compartment marked 0 and colored green;

(b) A compartment marked 00 and colored green; and

(c) The other compartments marked 1 to 36 and colored alternately red and black.

(2) The numbers shall be arranged clockwise around the wheel in the following order: 0; 28; 9; 26; 30; 11; 7; 20; 32; 17; 5; 22; 34; 15; 3; 24; 36; 13; 1; 00; 27; 10; 25; 29; 12; 8; 19; 31; 18; 6; 21; 33; 16; 4; 23; 35; 14; and 2.

(3) The color of each compartment shall be a:

(a) Corresponding color to those depicted on the ring; or

(b) Neutral color approved under COMAR 36.05.03.16.

E. A double zero Roulette wheel and double zero table layout may be used as a single zero Roulette wheel and single zero table layout if:

(1) The 00 wager area on the layout is obscured with a cover or other device approved under COMAR 36.05.03.16, which clearly indicates that the 00 wager is not available.

(2) Signage is posted at the Roulette table to notify players of the following:

(a) The double zero Roulette wheel is being used as a single zero Roulette wheel and that 00 is not an available wager.

(b) If the Roulette ball comes to rest in the compartment marked 00, the spin will be declared void and the wheel will be respun.

(c) Wagers on red, black, odd, even, 1 to 18 and 19 to 36 shall be lost if the Roulette ball comes to rest in a compartment marked 0.

F. A facility operator shall submit a layout for a Roulette table to the Commission for approval under COMAR 36.05.03.16 that shall contain at least:

(1) The name or logo of the facility operator;

(2) Specific betting areas for the placement of the wagers authorized under Regulation .03 of this chapter;

(3) Signage indicating the minimum and maximum wagers permitted at that table; and

(4) If the facility operator offers the Five Adjacent Number Wager authorized under Regulation .03 of this chapter, a replica of the Roulette wheel.

G. Each Roulette table shall have a drop box and tip box attached in locations as approved by the Commission under COMAR 36.05.03.16.

.02 Inspection and Security Procedures.

A. Prior to opening a Roulette table for gaming activity, a floorperson or member of a facility operator's security department shall:

(1) Inspect the Roulette ball by passing it over a magnet or compass to assure its nonmagnetic quality;

(2) Inspect the Roulette table and Roulette wheel for any magnet or contrivance that would affect the fair operation of the Roulette wheel;

(3) Inspect the Roulette wheel to assure that the wheel is level and rotating freely and evenly;

(4) Inspect the Roulette wheel to assure that all parts are secure and free from movement; and

(5) If a double zero Roulette wheel is being used as a single zero Roulette wheel, confirm that the layout and signage comply with Regulation .01 of this chapter.

B. If a facility operator uses a Roulette wheel that has external movable parts, any adjustments to the movable parts shall be made by a floorperson or a member of the facility operator's gaming operations department in the presence of a security department member.

C. All adjustments shall be completed prior to the required inspections under §A of this regulation.

D. A facility operator may replace any of the movable parts at any time, except that an inspection as required under §A of this regulation shall be completed prior to reopening the Roulette wheel and table for play.

E. A facility operator shall maintain an inspection log, which shall include:

(1) The date and time;

(2) The Roulette table number;

(3) Whether an adjustment or replacement was completed;

(4) A description of the adjustment or replacement;

(5) If required, a certification that an inspection was completed; and

(6) The signature and license number of the individual making the adjustment or replacement.

F. When a Roulette table is not open for play, the Roulette wheel shall be secured by placing a cover over the entire wheel and securely locking the cover.

.03 Placing Wagers.

A. A wager at a Roulette table shall be made by placing Roulette chips on the appropriate areas of the Roulette layout, and verbal wagers accompanied by cash may not be accepted.

B. A player at a Roulette table may not play with Roulette chips that are identical in color and design to value chips or to Roulette chips being used by another player at that same table.

C. Roulette chips shall be cashed in for value chips or plaques before a player leaves a Roulette table.

D. Regardless of whether a player is assisted by the dealer, a player shall be responsible for:

(1) The correct positioning of the player's wager on the Roulette layout; and

(2) Ensuring that the instructions the player gives to the dealer regarding the placement of a wager are correctly carried out.

E. A wager shall be settled in accordance with its position on the layout when the ball falls into a compartment of the wheel.

F. The wagers in the game of Roulette include:

(1) A Straight Wager that the Roulette ball will come to rest in the compartment of the Roulette wheel that corresponds to a single number selected by a player, which a player shall make by placing a

wager within the box on the Roulette layout that contains the selected number, and:

(a) If specified in its Rules Submission under COMAR 36.05.03.19, a facility operator may offer the option to make five simultaneous Straight Wagers by selecting five adjacent numbers on the Roulette wheel;

(b) A player shall make a Five Adjacent Number Wager by placing Roulette chips on the number indicated on the Roulette wheel replica that is the center number of the five adjacent numbers being selected; and

(c) A player making a Five Adjacent Number Wager shall be deemed to have made a separate Straight Wager of equal value on each of the five numbers selected;

(2) A Split Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to either of two numbers selected by the player, and:

(a) A player shall select the numbers by placing a wager on the line between the two boxes on the Roulette layout that contain the two selected numbers; and

(b) A Split Wager on 0 and 00 may also be placed on the line between the 0 and 00 or on the line between the 2nd 12 box and the 3rd 12 box;

(3) A Three Numbers Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of three numbers in a single row on the Roulette layout selected by the player, which a player shall make by placing a wager on the outside line of the box on the Roulette layout that contains the first number in the selected row.

(a) A Three Numbers Wager may also include a wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of the three numbers in one of the following groups of numbers: 0, 1 and 2; 0, 2 and 00; or 00, 2 and 3; and

(b) A player shall select one of the Three Numbers Wagers in §F(3)(a) of this regulation by placing a wager on the common corner of the three boxes containing the selected numbers;

(4) A Four Numbers Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of four numbers in contiguous boxes on the Roulette layout selected by a player by placing a wager on the common corner of the four boxes containing the selected numbers;

(5) A First Five Numbers Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of the numbers 0, 00, 1, 2 or 3, which a player shall make by placing a wager on the common corner of the boxes on the Roulette layout that contain the label 1st 12 and the numbers 0 and 1;

(6) A Six Numbers Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to one of six consecutive numbers contained in two contiguous rows of numbers on the Roulette layout selected by a player, which the make by placing a wager on the outside common corner of the boxes on the Roulette layout that contains the first number in each of the rows being selected;

(7) A Column Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any 1 of 12 numbers contained in a single column on the Roulette layout selected by the player, which a player make by placing a wager in the box on the Roulette layout that is at the bottom of the column being selected;

(8) A Dozen Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any 1 of 12 consecutive numbers from 1 to 12, 13 to 24 or 25 to 36, selected by the player, which a player shall make by placing a wager in the box on the Roulette layout labeled 1st 12, 2nd 12 or 3rd 12;

(9) A Red Wager that the Roulette ball will come to rest in any compartment of the Roulette wheel that corresponds to a number with a red background on the Roulette wheel, which a player shall make by placing a wager within the red box on the Roulette layout;

(10) A Black Wager that the Roulette ball will come to rest in any compartment of the Roulette wheel that corresponds to a number with a black background on the Roulette wheel, which a player shall make by placing a wager within the black box on the Roulette layout;

(11) An Odd Wager that the Roulette ball will come to rest in any compartment of the Roulette wheel that corresponds to an odd number, which a player shall make by placing a wager within the box on the Roulette layout that is labeled Odd;

(12) An Even Wager that the Roulette ball will come to rest in any compartment of the Roulette wheel that corresponds to an even number, which a player shall make by placing a wager within the box on the Roulette layout that is labeled Even;

(13) A 1 to 18 Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any 1 of 18 consecutive numbers from 1 to 18, which a player shall make by placing a wager within the box on the Roulette layout that is labeled 1 to 18; and

(14) A 19 to 36 Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any 1 of 18 consecutive numbers from 19 to 36, which a player shall make by placing a wager within the box on the Roulette layout that is labeled 19 to 36.

.04 Payout Odds.

A. A facility operator shall pay out a winning Roulette wager at no less than the odds in the following payable:

- (1) For a Straight the payout is 35 to 1;
- (2) For a Split the payout is 17 to 1;
- (3) For Three Numbers the payout is 11 to 1;
- (4) For Four Numbers the payout is 8 to 1;
- (5) For First Five Numbers the payout is 6 to 1;
- (6) For Six Numbers the payout is 5 to 1;
- (7) For Column the payout is 2 to 1;
- (8) For Dozen the payout is 2 to 1;
- (9) For Red the payout is 1 to 1;
- (10) For Black the payout is 1 to 1.
- (11) For Odd the payout is 1 to 1;
- (12) For Even the payout is 1 to 1;
- (13) For 1-18 the payout is 1 to 1; and
- (14) For 19-36 the payout is 1 to 1.

B. When Roulette is played on a single zero wheel or double zero wheel and the Roulette ball comes to rest in a compartment marked "zero" or "0", or "double zero" or "00", wagers on red, black, odd, even, 1 to 18 and 19 to 36 will be lost.

C. When Roulette is played on a double zero wheel being used as a single zero wheel as provided in Regulation .01 of this chapter, the following apply:

- (1) Notice shall be provided that the double zero wheel is being used as a single zero wheel;
- (2) If the Roulette ball comes to rest in a compartment marked "double zero" or "00", the dealer shall announce "no spin", declare the spin void and respin the wheel; and
- (3) Wagers on red, black, odd, even, 1 to 18 and 19 to 36 will be lost if the Roulette ball comes to rest in a compartment marked "zero" or "0."

.05 Rotation of Wheel and Ball.

A. A dealer shall spin a Roulette ball in a direction opposite to the rotation of the wheel and the ball shall complete at least four revolutions around the track of the wheel to constitute a valid spin.

B. While the ball is still rotating in the track around the wheel, the dealer shall announce “no more bets”, in a manner sufficient to be heard by all players at the table.

C. Once “no more bets” has been announced by the dealer, a player may not touch a chip that have been placed on the Roulette layout until the dealer has collected all losing wagers and paid off all winning wagers in accordance with §F of this regulation.

D. When the ball comes to rest in a compartment, the dealer shall announce the number of the compartment and shall place a point marker on that number on the Roulette layout.

E. If a facility operator offers the Five Adjacent Number Wager, the dealer shall then move 1/5 of each winning Five Adjacent Number Wager from the Roulette wheel replica to the box on the main Roulette layout that contains the single number corresponding to the compartment in which the Roulette ball came to rest.

F. After placing the point marker on the layout and, if applicable, complying with §E of this regulation, the dealer shall first collect all losing wagers and then pay off all winning wagers in accordance with Regulation .04 of this chapter.

.06 Irregularities.

A. If the ball is spun in the same direction as the wheel, the dealer shall announce “no spin” and attempt to remove the Roulette ball prior to it coming to rest in one of the compartments.

B. If the Roulette ball does not complete four revolutions around the track of the wheel, the dealer shall announce “no spin”, and:

(1) The dealer shall inspect the ball for any signs of damage; and

(2) If the ball is damaged, ask the floorperson or above for a new Roulette ball with which to continue gaming at the table.

C. If the Roulette ball leaves the wheel during the spin, the dealer shall announce “no spin”, and

(1) The dealer shall inspect the ball for any signs of damage; and

(2) If the ball is damaged, ask the floorperson or above for a new Roulette ball with which to continue gaming at the table.

D. If a foreign object enters the wheel prior to the ball coming to rest, the dealer shall announce “no spin” and attempt to remove the Roulette ball from the wheel before it comes to rest in one of the compartments.

36.05.08 Big Six Wheel Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland

.01 Big Six Wheel Layout; Physical Characteristics.

A. Big Six Wheel gaming shall be conducted at a circular wheel at least 5 feet in diameter.

(1) Except as provided in §C of this regulation, the rim of the wheel shall be divided into 54 equally spaced sections, with:

(a) 23 sections containing a \$1 symbol;

(b) 15 sections containing a \$2 symbol;

(c) 8 sections containing a \$5 symbol;

(d) 4 sections containing a \$10 symbol;

(e) 2 sections containing a \$20 symbol;

(f) 1 section containing a picture of a flag, the name or logo of the facility operator or other unique symbol; and

(g) 1 section containing a picture of a joker or other unique symbol.

(2) Each section shall be covered with glass.

B. Except as provided in §C of this regulation, the sections required under §A of this regulation must be arranged clockwise around the rim of the wheel in the following order: joker; \$1, \$2; \$1; \$5; \$2; \$1; \$10; \$1; \$5; \$1; \$2; \$1; \$20; \$1; \$2; \$1; \$5; \$2; \$1; \$10; \$1; \$2; \$5; \$1; \$2; \$1; flag or logo; \$2; \$5; \$2; \$1; \$2; \$1;

\$10; \$1; \$5; \$1; \$2; \$1; \$20; \$1; \$2; \$1; \$5; \$2; \$1; \$10; \$1; \$2; \$5; \$1; \$2; and \$1.

C. If approved in advance by the Commission under COMAR 36.05.03.16, a facility operator may use symbols that depict fruit or other themed symbols instead of the dollar symbols specified in §A and B of this regulation.

D. Each section of the wheel shall display the payout odds in Regulation .03 of this chapter for the wager.

E. The wheel must contain a clapper capable of selecting a particular section of the wheel upon the conclusion of the spin.

F. Each Big Six Wheel table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Commission.

G. A facility operator shall submit the layout for a Big Six Wheel table to the Commission for approval under COMAR 36.05.03.16 and contain at least:

(1) The name or logo of the facility operator.

(2) Specific betting areas for the placement of wagers, including:

(a) Symbols for \$1, \$2, \$5, \$10 and \$20 or other approved symbols in accordance with §C of this regulation.

(b) A flag, the name or logo of the facility operator or other unique symbol as it appears on the wheel.

(c) A joker or other unique symbol as it appears on the wheel.

(3) The payout odds for each permissible wager.

.02 Wagers and Rotation of the Wheel.

A. Prior to the spin of the wheel, the dealer shall announce “no more bets.”

B. The wheel shall be spun by the dealer in either direction and must complete at least three revolutions to constitute a valid spin.

C. A wager shall be settled in accordance with the wager’s position on the layout when the clapper comes to rest in a section of the wheel.

D. If the clapper comes to rest between two numbers or symbols upon completion of the spin of the wheel, the spin is void and the dealer shall respin the wheel.

E. Upon completion of the spin, the dealer shall:

(1) Collect all losing wagers; and

(2) Pay off all winning wagers in accordance with Regulation .03 of this chapter.

.03 Payout Odds.

A facility operator shall pay out winning Big Six Wheel wagers at no less than the odds in the following payable:

A. For a \$1 symbol or other approved alternate symbol the payout is 1 to 1;

B. For a \$2 symbol or other approved alternate symbol the payout is 2 to 1;

C. For a \$5 symbol or other approved alternate symbol the payout is 5 to 1;

D. For a \$10 symbol or other approved alternate symbol the payout is 10 to 1;

E. For a \$20 symbol or other approved alternate symbol the payout is 20 to 1; and

F. For a Joker, flag, name, logo or other unique symbol the payout is 45 to 1.

36.05.09 Four Card Poker Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d),
Annotated Code of Maryland

.01 Definitions.

A. In this chapter the following terms have the meanings indicated.

B. Terms Defined.

(1) "Aces Up Wager" means a wager that a player is required to make prior to any cards being dealt to compete against a posted payable, regardless of whether the player's hand outranks the dealer's hand.

(2) "Envy Bonus" means an additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at a Four Card Poker table is the holder of an Envy Bonus Qualifying Hand.

(3) "Envy Bonus Qualifying Hand" means a player's Four Card Poker hand with a rank of four-of-a-kind or better or a straight flush or better, depending on the payable selected by the facility operator.

(4) "Hand" means a Four Card Poker hand that is held by a player and the dealer after the cards are dealt.

(5) "Play Wager" means an additional wager that a player shall make if the player opts to remain in competition against the dealer after the player reviews his hand.

(6) "Progressive Payout Hand" means a player's Four Card Poker hand with a rank of three-of-a-kind or better.

.02 Four Card Poker Tables.

A. Four Card Poker shall be played at a table that has:

(1) Betting positions for no more than seven players on one side of the table; and

(2) A place for the dealer on the opposite side of the table.

B. A facility operator shall submit to the Commission for approval the layout for a Four Card Poker table that contains at least:

(1) The name or logo of the facility operator;

(2) Three separate betting areas designated for the placement of Ante, Play and Aces Up Wagers for each player;

(3) If the facility operator offers the optional Progressive Payout Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Progressive Payout Wager for each player; and

(4) Inscriptions that advise a player of the payout odds or amounts for all permissible wagers offered by the facility operator, except that if payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Four Card Poker table.

C. If a facility operator offers a Progressive Payout Wager under Regulation .07 of this chapter, a Four Card Poker table shall have a progressive table game system for the placement of Progressive Payout Wagers that includes a:

(1) Wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager; and

(2) Device that controls or monitors the placement of Progressive Payout Wagers at the gaming table and includes a lock-out button or other mechanism that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

D. A Four Card Poker table shall have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Commission.

E. The Commission may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

F. Each Four Card Poker table shall have a discard rack securely attached to the top of the dealer's side of the table.

.03 Cards; Number of Decks.

A. Except as provided in §B of this regulation, Four Card Poker shall be played with one deck of cards that has:

(1) Cards that are identical in appearance; and

(2) One cover card.

B. If an automated card shuffling device is used, Four Card Poker may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck shall be of the same design;

(2) The backs of the cards in one deck shall be of a different color than the cards included in the other deck;

(3) One deck shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game;

(4) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and

(5) The cards from only one deck are placed in the discard rack at any given time.

C. The decks of cards used in Four Card Poker shall be changed at least every:

(1) Four hours, if the cards are dealt by hand; and

(2) Eight hours, if the cards are dealt from a manual or automated dealing shoe.

.04 Opening a Table for Gaming.

A. After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects and a floorperson assigned to the table shall verify the inspection.

B. After the cards are inspected, the dealer shall spread the cards out face up on the table, in horizontal fan shaped columns by deck according to suit and in sequence, for visual inspection by the first player to arrive at the table.

C. After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the dealer shall:

(1) Turn the cards face down on the table;

(2) Mix the cards thoroughly by washing them; and

(3) Stack the cards.

D. After the cards have been stacked, the dealer shall shuffle them in accordance with Regulation .05 of this chapter.

E. If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with §§A — D of this regulation.

F. If the decks of cards received at the table are preinspected and reshuffled, §§A — E of this regulation do not apply.

.05 Shuffling and Cutting the Cards.

A. Unless the cards were reshuffled, the dealer shall shuffle the cards so they are randomly intermixed, manually or with an automated card shuffling device:

(1) Immediately prior to commencement of play;

(2) After each round of play has been completed; or

(3) When directed by a floorperson or above.

B. A facility operator may use an automated card shuffling device which inserts the stack of cards directly into a dealing shoe after shuffling is complete, and the deck shall be removed from the table if an automated card shuffling device:

(1) Is being used which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present; and

(2) The device reveals that an incorrect number of cards are present.

C. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack, and:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with Regulations .08, .09 or .10 of this chapter.

(2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with the procedures in §D of this regulation.

D. If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack.

(1) After the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack.

(2) The stack of cards shall then be inserted into the dealing shoe for commencement of play.

E. After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

F. If there is no gaming activity at a Four Card Poker table which is open for gaming, the dealer shall:

(1) Remove the cards from the dealing shoe and discard rack;

(2) Unless a player requests that the cards be spread face up on the table, spread out the cards on the table face down; and

(3) After the first player arriving at the table is afforded an opportunity to visually inspect the cards, complete the procedures in this section and Regulation .04 of this chapter.

G. A facility operator may use a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Commission and approved prior to its use in the facility.

H. If a facility operator is using a device described in §G of this regulation, §§D — F of this regulation do not apply.

.06 Four Card Poker Rankings.

A. In order of highest to lowest rank, the rank of the cards used in Four Card Poker is: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2, except that an ace:

(1) May be used to complete a straight flush or a straight with a 2, 3 and 4; and

(2) May not be combined with any other sequence of cards, including a sequence of king, ace, 2 and 3.

B. All suits are equal in rank.

C. In order of highest to lowest rank, the permissible Poker hands in the game of Four Card Poker are:

(1) A four-of-a-kind, which is a hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind;

(2) A straight flush, which is a hand consisting of four cards of the same suit in consecutive ranking, with an ace, king, queen and jack being the highest ranking straight flush and an ace, 2, 3 and 4 being the lowest ranking straight flush;

(3) A three-of-a-kind, which is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind;

(4) A flush, which is a hand consisting of four cards of the same suit, regardless of rank;

(5) A straight, which is a hand consisting of four cards of more than one suit and of consecutive rank, with ace, king, queen and jack being the highest ranking straight and an ace, 2, 3 and 4 being the lowest ranking straight;

(6) Two pairs, which is a hand consisting of two pairs with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair; and

(7) A pair, which is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

D. When comparing two Poker hands that are of identical rank under §B of this regulation or that contain none of the hands listed in §C of this regulation, the hand that contains the highest ranking card under §A of this regulation which is not contained in the other hand is the higher ranking hand.

E. If the hands are of equal rank after the application of §D of this regulation, the hands shall be a tie.

.07 Wagers.

A. A player shall make a wager at Four Card Poker by placing a value chip, plaque or other Commission-approved table game wagering instrument on the appropriate area of the table layout.

B. Only a player seated at a Four Card Poker table may wager at the game.

(1) After a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play.

(2) If a player leaves the table during a round of play, any wager made by the player may be considered abandoned and may be treated as a losing wager.

C. Except the Play Wager, all wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in Regulations .08, .09 and .10 of this chapter.

D. Except as provided in Regulation .11 of this chapter, a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

E. The following wagers may be placed in the game of Four Card Poker:

(1) A player may compete solely against the dealer's Four Card Poker hand by placing an Ante Wager then a Play Wager, in an amount from one to three times the amount of the player's Ante Wager, in accordance with Regulation .11 of this chapter.

(2) A player may compete solely against a posted payable by placing an Aces Up Wager.

(3) A player may compete against both the dealer's Four Card Poker hand and the posted payable by placing an Ante Wager and an Aces Up Wager in accordance with §E(1) and (2) of this regulation.

(4) If specified in its Rules Submission, a facility operator may offer to a player at a Four Card Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand.

(a) After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player.

(b) Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

F. A facility operator shall specify in its Rules Submission the number of adjacent boxes on which a player may place a wager in one round of play.

.08 Procedure for Dealing Cards from a Manual Dealing Shoe.

A. If a manual dealing shoe is used, it shall be located on the table in a location approved by the Commission.

B. After the procedures required under Regulation .05 of this chapter have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

C. Prior to dealing any cards, the dealer shall announce "no more bets."

(1) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(2) If any Progressive Payout Wagers have been made, the dealer shall:

(a) Collect the Progressive Payout wagers;

(b) On the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

D. Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

E. Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to a player who has placed a wager in accordance with Regulation .07 of this chapter and to the dealer until each player who placed a wager has five cards and the dealer has six cards.

(1) All cards dealt to the players and the first five cards dealt to the dealer shall be dealt face down.

(2) The dealer's sixth card shall be dealt face up.

(3) The dealer's fifth and sixth cards shall be dealt consecutively.

F. After five cards have been dealt to each player and six cards to the dealer, the dealer shall:

(1) Remove the stub from the manual dealing shoe; and

(2) Except as provided in §G of this regulation, place the stub in the discard rack without exposing the cards.

G. If an automated card shuffling device described in Regulation .05B of this chapter is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck.

H. The dealer shall determine the number of cards in the stub as required under §G of this regulation by counting the cards face down on the layout.

(1) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(2) If the count of the stub indicates that the number of cards in the deck is not 52, the dealer shall determine if:

(a) A player has more or less than 5 cards; or

(b) The dealer has more or less than 6 cards;

(3) If 52 cards remain in the deck but a player has more or less than 5 cards or the dealer has more or less than 6 cards, all hands are void and the dealer shall return all wagers to the players.

(4) If the cards were not misdealt as described in §H(3) of this regulation, all hands are void and the dealer shall return all wagers to the players and remove the entire deck of cards from the table.

.09 Procedure for Dealing Cards from the Hand.

A. If the cards are dealt from a dealer's hand, the following requirements shall be met:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under Regulation .05 of this chapter have been completed, the dealer shall place the stacked deck of cards in either hand.

(a) After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand while holding the cards during that round of play.

(b) The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Before dealing any cards:

(a) The dealer shall announce "no more bets;" and

(b) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(4) If any Progressive Payout Wagers have been made, the dealer shall:

(a) On the layout in front of the table inventory container, collect the wagers;

(b) Verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

B. The dealer shall:

(1) Deal each card by holding the deck of cards in the chosen hand;

(2) Use the other hand to remove the top card of the deck to place it face down on the appropriate area of the layout;

(3) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed a wager allowable under Regulation .07 of this chapter and to the dealer until each player who placed a wager has five cards and the dealer has six cards;

(4) Deal all cards to a player and the first five cards to the dealer face down;

(5) Deal the sixth card to the dealer face up; and

(6) Deal the dealer's fifth and sixth cards consecutively.

(7) Except as provided in §C of this regulation, after dealing five cards to each player and six cards to the dealer, place the stub in the discard rack without exposing the cards.

C. If an automated card shuffling device described in Regulation .05B of this chapter is not being used, the dealer shall:

(1) Count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck; and

(2) Determine the number of cards in the stub by counting the cards face down on the layout.

D. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

E. If the count of the stub indicates that the number of cards in the deck is not 52, the dealer shall determine if:

(1) A player has more or less than 5 cards; or

(2) The dealer has more or less than 6 cards.

F. If the cards were misdealt as described in §E of this regulation but 52 cards remain in the deck, all hands are void, the dealer shall return all wagers to the players.

G. If the cards were not misdealt as described in §E of this regulation, all hands are void and the dealer shall return all wagers to the players remove the entire deck of cards from the table.

.10 Procedure for Dealing Cards from an Automated Dealing Shoe.

A. If cards are dealt from an automated dealing shoe, the following requirements shall be met:

(1) After the procedures required under Regulation .05 of this chapter have been completed, the dealer shall place the cards in an automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall:

(a) Announce "no more bets;" and

(b) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(3) If any Progressive Payout Wagers have been made, the dealer shall:

(a) On the layout in front of the table inventory container, collect the wagers;

(b) Verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

B. The dealer shall:

- (1) Deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed a wager allowable under Regulation .07 of this chapter;
- (2) Moving clockwise around the table as the remaining stacks are dispensed to the dealer by the automated dealing shoe, deliver a stack face down to each of the other players who has placed a wager allowable under Regulation .07 of this chapter;
- (3) Deliver a stack of five cards face down to the area designated for the placement of the dealer's cards;
- (4) When the automated dealing shoe dispenses the next sequence of five cards, remove the stack and spread the cards face down on the layout so that the top card of the stack is to the dealer's right and the bottom card is to the dealer's left;
- (5) Turn the bottom card of the stack, which is the card on the dealer's far left, face up on the dealer's hand; and
- (6) Collect the remaining four cards of that stack and place the cards in the discard rack without revealing the cards.

C. After each stack of five cards has been dispensed and delivered in accordance with §B of this regulation, the dealer shall:

- (1) Remove the stub from the automated dealing shoe; and
- (2) Except as provided in §D of this regulation, place the cards in the discard rack without exposing the cards.

D. If an automated card shuffling device described in Regulation .05B of this chapter is not being used, the dealer shall:

- (1) Count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck; and
- (2) Determine the number of cards in the stub by counting the cards face down on the layout.

E. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

F. If the count of the stub indicates that there are not 52 cards in the deck, the dealer shall determine if:

- (1) A player has more or less than 5 cards; or
- (2) The dealer has more or less than 6 cards.

G. If 52 cards remain in the deck, but the cards were misdealt as described in §F of this regulation, all hands are void, and the dealer shall return all wagers to the players.

H. If the cards were not misdealt as described in §F of this regulation, all hands are void and the dealer shall return all wagers to the players and remove the entire deck of cards from the table.

I. Notwithstanding the requirements in §§B and C of this regulation, if a facility operator is using an automated dealing shoe that automatically reshuffles the cards, the dealer's six cards may be dispensed before the five cards are dispensed to each player.

.11 Procedure for Completing a Round of Play.

A. After the dealing procedures required under Regulations .08, .09 and .10 of this chapter have been completed, a player shall examine the player's cards subject to the following limitations:

- (1) A player who wagers at Four Card Poker shall be responsible for the player's hand;
- (2) No individual other than the dealer and a player to whom the cards were dealt may touch the cards of the player; and
- (3) A player shall keep the player's five cards in full view of the dealer at all times.

B. After each player has examined his or her cards and placed the cards face down on the layout, beginning with the player farthest to the dealer's left and moving clockwise around the table, the dealer shall ask each player who placed an Ante Wager if:

- (1) The player wishes to make a Play Wager in an amount from one to three times the amount of the player's Ante Wager; or

- (2) Forfeit the Ante Wager and end the player's participation in the round of play.

C. If a player has placed an Ante Wager and:

- (1) An Aces Up Wager but does not make a Play Wager, the player shall forfeit the Ante Wager but may not forfeit the Aces Up Wager; or

- (2) A Progressive Payout Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Progressive Payout Wager, but may not forfeit the eligibility to receive an Envy Bonus under Regulation .12 of this chapter.

D. The dealer shall:

- (1) Collect all forfeited wagers and associated cards and place the cards in the discard rack after each player who has placed an Ante Wager has:

- (a) Placed a Play Wager on the designated area of the layout; or
- (b) Forfeited the player's Ante Wager and hand.

- (2) Reveal the dealer's cards;
- (3) Select the four cards that form the highest possible ranking Four Card Poker hand;

- (4) After turning the dealer's cards face up, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

- (a) The dealer shall turn the five cards of each player face up on the layout.

- (b) The dealer shall examine the cards of the player and select the four cards that form the highest possible ranking Poker hand for each player.

- (c) If a player's highest ranking Four Card Poker hand is ranked:

- (i) Lower than the dealer's Four Card Poker hand, the dealer shall immediately collect the Ante and Play Wagers made by the player; or

- (ii) Higher than or equal to the dealer's Four Card Poker hand, the dealer shall pay the Ante and Play Wagers and any Ante Bonus in accordance with the payout odds in Regulation .12 of this chapter;

- (5) After settling a player's Ante and Play Wagers, settle any Aces Up Wagers by determining whether the player's Four Card Poker hand qualifies for a payout in accordance with Regulation .12 of this chapter;

- (6) Pay a winning Aces Up Wager regardless of whether the player's Four Card Poker hand outranks the dealer's hand.

- (7) If Progressive Payout Wager is offered by the facility operator, settle a player's Progressive Payout Wager;

- (8) Pay a winning Progressive Payout Wager regardless of whether a player's hand outranks the dealer's hand;

- (9) If a player has won a progressive payout:

- (a) Verify that the hand is a winning hand;
- (b) Verify that the appropriate light on the progressive table game system has been illuminated;

- (c) Have a floorperson or above validate the progressive payout in accordance with the facility operator's approved internal control procedures;

- (d) Pay the winning Progressive Payout Wager in accordance with the payout odds in Regulation .12 of this chapter, subject to the following conditions:

- (i) If a player has won a progressive payout that is 100 percent of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container;

- (ii) If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that

player shall remain on the table until the necessary documentation has been completed;

(e) Pay any Envy Bonus won in accordance with Regulation .12 of this chapter, subject to the following conditions:

(i) A player making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Four Card Poker table is the holder of an Envy Bonus Qualifying Hand;

(ii) Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying Hand; and

(iii) A player is not entitled to an Envy Bonus for the player's hand or the hand of the dealer; and

(10) After all wagers of the player have been settled:

(a) Remove all remaining cards from the table; and

(b) Place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

.12 Payout Odds; Envy Bonus; Rate of Progression.

A. A facility operator shall pay each winning Ante Wager and Play Wager at odds of 1 to 1.

B. Regardless of whether a player's Four Card Poker hand outranks the dealer's hand, a player placing an Ante Wager and a Play Wager shall be paid a bonus on the Ante Wager at the odds in the following payable,:

- (1) For a Four-of-a-kind the payout is 25 to 1;
- (2) For a Straight flush the payout is 20 to 1; or
- (3) For a Three-of-a-kind the payout is 2 to 1.

C. A player placing an Aces Up Wager shall be paid at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

- (a) For a Four-of-a-kind the payout is 50 to 1;
- (b) For a Straight flush the payout is 30 to 1;
- (c) For a Three-of-a-kind the payout is 9 to 1;
- (d) For a Flush the payout is 6 to 1;
- (e) For a Straight the payout is 4 to 1;
- (f) For a Two pair the payout is 2 to 1; or
- (g) For a Pair of aces the payout is 1 to 1;

(2) Paytable B:

- (a) For a Four-of-a-kind the payout is 50 to 1;
- (b) For a Straight flush the payout is 30 to 1;
- (c) For a Three-of-a-kind the payout is 7 to 1;
- (d) For a Flush the payout is 6 to 1;
- (e) For a Straight the payout is 5 to 1;
- (f) For a Two pair the payout is 2 to 1; or
- (g) For a Pair of aces the payout is 1 to 1;

(3) Paytable C:

- (a) For a Four-of-a-kind the payout is 50 to 1;
- (b) For a Straight flush the payout is 40 to 1;
- (c) For a Three-of-a-kind the payout is 8 to 1;
- (d) For a Flush the payout is 5 to 1;
- (e) For a Straight the payout is 4 to 1;
- (f) For a Two pair the payout is 3 to 1; or
- (g) For a Pair of aces the payout is 1 to 1;

(4) Paytable D:

- (a) For a Four-of-a-kind the payout is 50 to 1;
- (b) For a Straight flush the payout is 40 to 1;
- (c) For a Three-of-a-kind the payout is 8 to 1;
- (d) For a Flush the payout is 6 to 1;
- (e) For a Straight the payout is 4 to 1;
- (f) For a Two pair the payout is 2 to 1; or
- (g) For a Pair of aces the payout is 1 to 1;

(5) Paytable E:

- (a) For a Four-of-a-kind the payout is 50 to 1;
- (b) For a Straight flush the payout is 30 to 1;
- (c) For a Three-of-a-kind the payout is 8 to 1;

- (d) For a Flush the payout is 6 to 1;
- (e) For a Straight the payout is 4 to 1;
- (f) For a Two pair the payout is 2 to 1; or
- (g) For a Pair of aces the payout is 1 to 1;

(6) Paytable F:

- (a) For a Four-of-a-kind the payout is 50 to 1;
- (b) For a Straight flush the payout is 40 to 1;
- (c) For a Three-of-a-kind the payout is 7 to 1;
- (d) For a Flush the payout is 5 to 1;
- (e) For a Straight the payout is 4 to 1;
- (f) For a Two pair the payout is 3 to 1; or
- (g) For a Pair of aces the payout is 1 to 1.

D. If a facility operator offers a Progressive Payout Wager:

(1) A player placing a Progressive Payout Wager shall be paid at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

(a) Paytable A:

- (i) For Four aces the payout is 100 percent of meter;
- (ii) For Four-of-a-kind the payout is 300 for 1;
- (iii) For a Straight flush the payout is 100 for 1; or
- (iv) For Three-of-a-kind the payout is 9 for 1;

(b) Paytable B:

- (i) For Four aces the payout is 100 percent of meter;
- (ii) For Four-of-a-kind the payout is 300 for 1;
- (iii) For a Straight flush the payout is 100 for 1; or
- (iv) For Three-of-a-kind the payout is 15 for 1.

(2) A player shall receive the payout for only the highest ranking Four Card Poker hand formed.

(3) A facility operator shall include in its Rules Submission:

- (a) The rate of progression for the meter used for the progressive payout in §D(1) of this regulation; and
- (b) The initial and reset amount, which shall be at least:
 - (i) \$5,000 for Paytable A; and
 - (ii) \$1,000 for Paytable B.

(4) Winning Progressive Payout Hands shall be paid the amount on the meter when it is a player's turn to be paid as allowable under Regulation .11 of this chapter.

E. Envy Bonus payouts shall be:

(1) Based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus; and

(2) Made according to one of the payouts for Envy Bonus Qualifying Hands that was designated by the facility operator in its Rules Submission.

F. An Envy Bonus payout for \$1 Progressive Payout Wager shall be paid according to:

(1) Paytable A Envy Bonus:

- (a) For Four aces the payout is \$100;
- (b) For Four-of-a-kind the payout is \$10; and
- (c) For a Straight flush the payout is \$5; or

(2) Paytable B Envy Bonus:

- (a) For Four aces the payout is \$100; and
- (b) For Four-of-a-kind the payout is \$25;

G. An Envy Bonus payout for \$5 Progressive Payout Wager shall be paid according to:

(1) Paytable A Envy Bonus:

- (a) For Four aces the payout shall be \$500;
- (b) For Four-of-a-kind the payout shall be \$50; and
- (c) For a Straight flush the payout shall be \$25; or

(2) Paytable B Envy Bonus:

- (a) For Four aces the payout shall be \$500; and
- (b) For Four-of-a-kind the payout shall be \$125;

.13 Irregularities.

A. A card that is found face up in the shoe or the deck while the cards are being dealt shall:

- (1) May not be used in that round of play; and

(2) Shall be placed in the discard rack.

B. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands are void and the dealer shall return all wagers shall be returned to the players reshuffle the cards.

C. A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

D. If a player or the dealer is dealt an incorrect number of cards, all hands are void and the dealer shall return all wagers to the players reshuffle the cards.

E. If one or more of the dealer's cards is inadvertently exposed before the dealer reveals the dealer's under Regulation .11 of this chapter, all hands are void and the dealer shall return all wagers to the players reshuffle the cards.

F. The cards shall be reshuffled if an automated card shuffling device in use and jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle.

G. If an automated dealing shoe in use and jams, stops dealing or fails to deal all cards during a round of play, the round of play is void, and the dealer shall return all wagers to the players, remove the cards the device, and reshuffle the cards with any cards already dealt.

H. If an automated shuffling device or automated dealing shoe malfunctions and cannot be used, before another method of shuffling or dealing may be used at that table, the automated card shuffling device or automated dealing shoe shall be:

(1) Covered; or

(2) Marked with a sign indicating that the automated shuffling device or automated dealing shoe is out of order.

36.05.10 Midi Baccarat Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d),
Annotated Code of Maryland

.01 Definitions.

A. In this chapter the following terms have the meanings indicated.

B. Terms Defined.

(1) "Dragon 7" means a Banker's Hand which has a Point Count of 7 with a total of three cards dealt and the Player's Hand which has a Point Count of less than 7.

(2) "EZ Baccarat" means a variation of Midi Baccarat in which vigorish is not collected.

(3) "Natural" means a hand which has a point count of 8 or 9 on the first two cards dealt.

.02 Midi Baccarat Tables.

A. Midi Baccarat shall be played on a table having:

(1) Numbered positions for no more than nine seated players on one side of the table; and

(2) A place for the dealer on the opposite side of the table.

B. A facility operator shall submit to the Commission for approval the layout for a Midi Baccarat table, which shall contain at least:

(1) The name or logo of the facility operator;

(2) Separate areas designated for the placement of wagers on the Banker's Hand, Player's Hand and Tie Hand for each player;

(3) The payout odds for all permissible wagers offered by a facility operator, except that if the payout odds are not inscribed on the layout, a sign identifying the payout odds shall be posted at each Midi Baccarat table;

(4) An area designated for the placement of cards for the Player's Hand and Banker's Hand;

(5) If a facility operator offers the Dragon Bonus Wager authorized under Regulation .07 of this chapter, separate areas

designated for the placement of the Dragon Bonus Wager for each player;

(6) If a facility operator offers EZ Baccarat:

(a) Separate areas for each player designated for the placement of the Dragon 7 Insurance Wager authorized under Regulation .07 of this chapter; and

(b) Inscriptions that advise players that a wager on the Banker's Hand that results in a Dragon 7 shall push and be returned to the player, except that if the information is not inscribed on the layout, a sign containing the information shall be posted at each Midi Baccarat table; and

(7) Unless the dealer, in accordance with the option selected in the facility operator's Rules Submission, collects the vigorish from a player at the time the winning payout is made or the table is designated for play as an EZ Baccarat table, numbered areas that correspond to the seat numbers for the purpose of marking vigorish.

C. If marker buttons are used for the purpose of marking vigorish, the marker buttons shall be placed in the table inventory container or in a separate rack designed for the purpose of storing marker buttons.

D. If a separate rack is used, the rack shall be placed in front of the table inventory container during gaming activity.

E. A Midi Baccarat table shall have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Commission.

F. The Commission may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

G. A Midi Baccarat table shall have a discard bucket on the dealer's side of the table.

.03 Cards; Number of Decks.

A. Midi Baccarat shall be played with six to eight decks of cards that have:

(1) Cards that are identical in appearance; and

(2) Two cover cards.

B. The decks of cards opened for use at a Midi Baccarat table shall be changed after the play of each dealing shoe.

.04 Opening a Table for Gaming.

A. After receiving six or more decks of cards at a table, a dealer shall inspect the cards for any defects and a floorperson assigned to the table shall verify the inspection.

B. After the cards are inspected, the dealer shall spread the cards out face up on the table, in horizontal fan shaped columns by deck according to suit and in sequence, for visual inspection by the first player to arrive at the table.

C. After the first player has been afforded an opportunity to visually inspect the cards, the dealer shall:

(1) Turn the cards face down on the table;

(2) Mix the cards thoroughly by washing them; and

(3) Stack the cards.

D. If the decks of cards received at the table are preinspected and reshuffled, §§A — C of this regulation do not apply.

.05 Shuffling and Cutting the Cards.

A. Unless the cards were reshuffled, the dealer shall, immediately prior to commencement of play, shuffle the cards so that they are randomly intermixed, except that if the cards have been manually shuffled, the dealer shall leave the entire stack of cards intermixed but not entirely squared off so that the floorperson can verify that the shuffle did not result in any uneven distribution of cards.

B. After the cards have been shuffled, the dealer shall offer the stack of cards to a player to be cut.

(1) The cards shall be offered with the backs facing away from the dealer.

(2) The dealer shall begin with the player seated in the highest number position at the table and, working clockwise around the table, offer the stack to each player until a player accepts the cut.

(3) If a player does not accept the cut, the dealer shall cut the cards.

(4) The cards shall be cut by placing a cover card in the stack at least ten cards in from the top or the bottom of the stack.

C. Once the cover card has been inserted into the stack, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack, and:

(1) Insert the second cover card in a position at least 14 cards above the bottom of the stack; and

(2) Insert the stack of cards into the dealing shoe for commencement of play.

D. After the cards have been cut and before the cards have been placed in the dealing shoe, a floorperson or above may require the cards to be recut if the floorperson or above determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

E. If a recut is required under §D of this regulation:

(1) The cards shall be recut by the next person entitled to cut the cards, as described in §B of this regulation; and

(2) The stack of cards shall be inserted into the dealing shoe for commencement of play.

F. Prior to commencement of play, the dealer shall remove and expose the first card from the dealing shoe and place it, and an additional number of cards, drawn face down, equal to the face value of the first card drawn, in the discard bucket.

G. When determining the face value of the first card removed from the dealing shoe under §F of this regulation:

(1) A 10, jack, queen or king shall count as ten; and

(2) An ace shall count as one.

.06 Value of Cards; Point Count of Hand.

A. The value of the cards in each deck is as follows:

(1) A card from 2 to 9 has its face value;

(2) A 10, jack, queen or king has a value of zero; and

(3) A ace shall have a value of one.

B. The Point Count of a hand is:

(1) A single digit number from 0 to 9; and

(2) Determined by totaling the value of the cards in the hand.

C. If the total point count of the cards in a hand is a two-digit number under §B of this regulation:

(1) The left digit of the number is discarded; and

(2) The right digit constitutes the point count of the hand.

.07 Wagers.

A. The following are permissible wagers in the game of Midi Baccarat:

(1) A wager on the Banker's Hand, which:

(a) Unless EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7, wins if the Banker's Hand has a Point Count higher than that of the Player's Hand;

(b) Loses if the Banker's Hand has a Point Count lower than that of the Player's Hand; or

(c) Ties and is returned to the player if:

(i) The Banker's Hand and the Player's Hand have the same Point Count; or

(ii) If EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7;

(2) A wager on the Player's Hand, which:

(a) Wins if the Player's Hand has a Point Count higher than that of the Banker's Hand.

(b) Loses if:

(i) The Player's Hand has a Point Count lower than that of the Banker's Hand; or

(ii) If EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7; or

(c) If the Point Counts of the Banker's Hand and the Player's Hand are equal, ties and is returned to the player;

(3) A Tie Wager, which:

(a) Wins if the Point Counts of the Banker's Hand and the Player's Hand are equal; or

(b) Loses if Point Counts of the Banker's Hand and the Player's Hand are not equal;

(4) If offered by a facility operator, a Dragon Bonus Wager on the Player's Hand or Banker's Hand, or both, which:

(a) Wins if the selected hand is:

(i) A Natural and the other hand is not a Natural;

(ii) A Natural 9 and the other hand is a Natural 8; or

(iii) Not a Natural and has a Point Count that exceeds the Point Count of the other hand by four or more points;

(b) Loses if the selected hand is:

(i) A Natural 8 and the other hand is a Natural 9;

(ii) Not a Natural and has a Point Count less than or equal to the Point Count of the other hand; or

(iii) Not a Natural and has a Point Count that exceeds the Point Count of the other hand by less than four points; or

(c) Ties and is returned to the player if the selected hand is a Natural and the other hand is a Natural of equal Point Count.

(5) A Dragon 7 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which:

(a) Wins if the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7; or

(b) Loses if the Point Counts of the Banker's Hand and the Player's Hand do not result in a Dragon 7.

B. A player shall make a wager at Midi Baccarat by placing a value chip or plaque on the appropriate area of a Midi Baccarat layout.

C. If a verbal wager is confirmed by the dealer and the cash is expeditiously converted into a value chip or plaque, a verbal wager accompanied by cash may be accepted.

D. A player may not make, increase or withdraw a wager after the dealer has announced "no more bets."

.08 Player's and Banker's Hands; Procedure for Dealing Initial Two Cards.

A. Two hands shall be dealt in Midi Baccarat:

(1) Player's Hand; and

(2) Banker's Hand.

B. Prior to dealing any cards, the dealer shall announce "no more bets."

C. The dealer shall deal an initial four cards from the dealing shoe:

(1) The first and third cards dealt shall be placed face down on the area designated for the Player's Hand; and

(2) The second and fourth cards dealt shall be placed face down on the area designated for the Banker's Hand.

D. After the four cards described in §C of this regulation have been dealt:

(1) The dealer shall place the Banker's Hand under the right corner of the dealing shoe;

(2) The dealer shall hand the two cards of the Player's Hand, face down, to the player with the highest wager on the Player's Hand;

(3) After viewing the Player's Hand, the player shall return the two cards, face up, to the dealer, who shall place the cards face up on the area designated for the Player's Hand and announce the Point Count of the Player's Hand.

(4) The dealer shall then hand the two cards of the Banker's Hand, face down, to the player with the highest wager on the Banker's Hand.

(5) After viewing the Banker's Hand, the player shall return the two cards to the dealer face up, who shall:

(a) Place the cards face up on the area designated for the Banker's Hand; and

(b) Announce the Point Count of the Banker's Hand;

E. If a third card is required to be dealt to the Player's Hand, the card shall be placed face down on the area designated for the Player's Hand.

(1) The dealer shall hand the card, face down, to the player who was handed and returned the Player's Hand; and

(2) After viewing the card, the player shall return the card, face up, to the dealer, who shall place the card face up on the area designated for the Player's Hand.

F. If a third card is required to be dealt to the Banker's Hand, the card shall be placed face down on the area designated for the Banker's Hand.

(1) The dealer shall hand the card, face down, to the player who was handed and returned the Banker's Hand.

(2) After viewing the card, the player shall return the card, face up, to the dealer, who shall place the card face up on the area designated for the Banker's Hand.

G. If two or more players wager an equally high amount on the Player's Hand, the player making the wager who is closest to the dealer, moving counterclockwise around the table, shall be handed the Player's Hand and any third card required to be dealt.

H. If two or more players wager an equally high amount on the Banker's Hand, the player making the wager who is closest to the dealer, moving counterclockwise around the table, shall be handed the Banker's Hand and any third card required to be dealt.

I. If a player unreasonably delays the game, the dealer or floorperson assigned to the table may require any player to relinquish the right to turn over the player's cards in accordance with §C of this regulation.

(1) If the voluntary or compulsory relinquishment of a player's right to turn over the player's cards occurs, the dealer shall offer the right to the player immediately to the right of the previous player.

(2) The dealer shall offer the right described in §I(1) of this regulation to each of the other players in turn, moving counterclockwise around the table for the remainder of that round of play.

(3) The dealer shall turn the cards over and place them on the designated areas of the layout if:

(a) There is not a player in the position described in §I(1) of this regulation; or

(b) No player accepts the cards.

.09 Procedure for Dealing a Third Card.

A. After the dealer positions the cards in accordance with Regulation .08 of this chapter, the dealer shall announce the Point Count of the Player's Hand and the Banker's Hand.

B. Following the announcement of the Point Counts of the hands under §A of this regulation, the dealer shall:

(1) Determine whether to deal a third card to each hand in accordance with Regulation .10 of this chapter; and

(2) Any third cards required shall be dealt as provided in Regulation .08 of this chapter.

C. The dealer may not deal more than one additional card be dealt to either hand.

D. If a cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the dealer shall:

(1) Remove the cover card, place it to the side and complete the hand;

(2) Upon completion of that hand, announce "last hand;" and

(3) At the completion of one more hand, replace the cards with new decks of cards.

.10 Rules for Determining Whether a Third Card is Dealt.

A. If either the Player's Hand or the Banker's Hand is a Natural, there may be no more cards dealt to either hand.

B. If the Point Count of the Player's Hand and the Banker's Hand is 0 to 7 on the first two cards, the Player's Hand shall:

(1) Draw a third card if the Player's Hand has a Point Count of less than 6; or

(2) Stay if the Player's Hand has a Point Count of 6 or more.

C. If the Point Count of the Player's Hand and the Banker's Hand is 0 to 7 on the first two cards, the Banker's Hand shall draw or stay in accordance with the following requirements of §§D and E of this regulation.

D. If the Player's Hand does not receive a third card, the Banker's Hand shall be dealt a third card if the Point Count of the Banker's Hand is 5 or less.

E. If the Player's Hand is dealt a third card, and:

(1) The Banker's Hand has a Point Count of less than 3, the Banker's Hand shall be dealt a third card;

(2) The Banker's Hand has a Point Count of 7, the Banker's Hand may not be dealt a third card;

(3) The Banker's Hand has a Point Count of 3, 4, 5 or 6, the Banker's Hand shall be dealt or not dealt a third card in accordance with the following requirements:

(a) If the point count of the third card drawn by Player's hand is 0 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall stay;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall stay; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall stay;

(b) If the point count of the third card drawn by Players hand is 1 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall stay;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall stay; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall stay;

(c) If the point count of the third card drawn by Player's hand is 2 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall draw a third card;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall stay;

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall stay;

(d) If the point count of the third card drawn by Player's hand is 3 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall draw a third card;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall stay; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall stay;

(e) If the point count of the third card drawn by Player's hand is 4 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall draw a third card;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall draw a third card; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall stay;

(f) If the point count of the third card drawn by Player's hand is 5 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall draw a third card;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall draw a third card; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall stay;

(g) If the point count of the third card drawn by Player's hand is 6 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall draw a third card;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall draw a third card; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall draw a third card;

(h) If the point count of the third card drawn by Player's hand is 7 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall draw a third card;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall draw a third card; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall draw a third card;

(i) If the point count of the third card drawn by Player's hand is 8 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall stay;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall stay;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall stay; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall stay;

(j) If the point count of the third card drawn by Player's hand is 9 and:

(i) The point count of Banker's hand after two card is 3 the Banker's hand shall draw a third card;

(ii) The point count of Banker's hand after two card is 4 the Banker's hand shall stay;

(iii) The point count of Banker's hand after two card is 5 the Banker's hand shall stay; or

(iv) The point count of Banker's hand after two card is 6 the Banker's hand shall stay.

.11 Announcement of Round Result; Payment and Collection of Wagers.

A. After every hand has received all the cards to which it is entitled under Regulations .08, .09 and .10 of this chapter, the dealer shall announce the final Point Count of each hand indicating which hand has won the round.

(1) If two hands have equal Point Counts, the dealer shall announce "tie hand."

(2) If the table is designated for play as an EZ Baccarat table and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7, the dealer shall announce "Dragon 7."

B. After the result of the round is announced, the dealer shall first collect each losing wager.

(1) Unless the table is designated for play as an EZ Baccarat table, after the losing wagers are collected, starting at the highest numbered player position at which a winning wager is located the dealer shall mark or collect the vigorish owed by a player.

(2) Immediately thereafter, the dealer shall pay a player's winning wager; and

(3) Proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat the procedure described in §B(1) and (2) of this regulation until the vigorish owed by each player is either marked or collected and each winning wager is paid.

C. At the conclusion of a round of play, the dealer shall remove all cards from the table and place the cards in the discard bucket.

.12 Payout Odds; Vigorish.

A. A winning wager made on the Player's Hand shall be paid at odds of 1 to 1.

B. A winning Tie Wager shall be paid at odds of at least 8 to 1.

C. Unless a facility operator is offering EZ Baccarat, a winning wager made on the Banker's Hand shall be paid at odds of 1 to 1, except that the facility operator shall extract a vigorish from the winning players in an amount equal to 5 percent of the amount won.

D. When collecting the vigorish under §C of this regulation:

(1) The facility operator may round off the vigorish to 25 cents or the next highest multiple of 25 cents; and

(2) A dealer shall collect the vigorish from a player in accordance with one of the following procedures selected by the facility operator in its Rules Submission:

(a) At the time the winning payout is made.

(b) At a later time, if:

(i) The outstanding vigorish shall be collected prior to beginning play with a new dealing shoe of cards or when the player leaves the gaming table, whichever occurs first;

(ii) The amount of the vigorish shall be tracked by placing a coin or marker button, which contains the amount of the vigorish owed, in the rectangular space on the layout that is imprinted with the number of the player owing the vigorish; and

(iii) The coin or marker button may not be removed from the layout until the vigorish owed is collected.

E. If a facility operator offers the Dragon Bonus Wager under Regulation .07 of this chapter, a vigorish may not be extracted on a winning Dragon Bonus Wager.

F. A winning Dragon Bonus Wagers shall be paid out at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

- (1) Paytable A:
 - (a) For a Win by 9 points payout is 30 to 1;
 - (b) For a Win by 8 points payout is 10 to 1;
 - (c) For a Win by 7 points payout is 6 to 1;
 - (d) For a Win by 6 points payout is 4 to 1;
 - (e) For a Win by 5 points payout is 2 to 1;
 - (f) For a Win by 4 points payout is 1 to 1;
 - (g) For a Natural winner payout is 1 to 1; and
 - (h) For a Natural tie payout is Push;
- (2) Paytable B:
 - (a) For a Win by 9 points payout is 20 to 1;
 - (b) For a Win by 8 points payout is 8 to 1;
 - (c) For a Win by 7 points payout is 7 to 1;
 - (d) For a Win by 6 points payout is 4 to 1;
 - (e) For a Win by 5 points payout is 3 to 1;
 - (f) For a Win by 4 points payout is 1 to 1;
 - (g) For a Natural winner payout is 1 to 1; and
 - (h) For a Natural tie payout is Push;
- (3) Paytable C:
 - (a) For a Win by 9 points payout is 30 to 1;
 - (b) For a Win by 8 points payout is 10 to 1;
 - (c) For a Win by 7 points payout is 4 to 1;
 - (d) For a Win by 6 points payout is 4 to 1;
 - (e) For a Win by 5 points payout is 2 to 1;
 - (f) For a Win by 4 points payout is 2 to 1;
 - (g) For a Natural winner payout is 1 to 1; and
 - (h) For a Natural tie payout is Push.

G. A winning Dragon 7 Insurance Wager described in Regulation .07 of this chapter shall be paid at odds of 40 to 1.

.13 Irregularities.

A. Except as provided in §B of this regulation, a card drawn in error from the dealing shoe that is not disclosed shall be used as the first card of the next hand of play.

B. If a third card is not authorized under Regulation .10 of this chapter, a third card dealt to the Player's Hand that is not disclosed shall become the:

(1) Third card of the Banker's Hand if the Banker's Hand is required to draw under Regulation .10 of this chapter; or

(2) If the Banker's Hand is required to stay, the first card of the next hand of play.

C. If a third card is not authorized under Regulation .10 of this chapter, if a third card dealt to the Player's Hand is disclosed at the time it is dealt or is found face up in the dealing shoe, the dealer shall:

(1) Use the disclosed card as the third card of the Banker's Hand if the Banker's Hand is required to draw under Regulation .10 of this chapter; or

(2) If the Banker's Hand is required to stay, the dealer shall follow one of the procedures designated in the facility operator's Rules Submission:

(a) Place the disclosed card and one additional card, drawn face down from the dealing shoe, into the discard bucket without disclosing the additional card; or

(b) Use the disclosed card as the first card of a simulated round of play in which wagers may not be accepted, and:

(i) Deal a disclosed card accordance with this chapter; and

(ii) Place the card in the discard bucket upon completion of the dealing procedures.

D. Except as provided in §C of this regulation, if a card is disclosed at the time it is dealt or a card is found face up in the dealing shoe, the dealer shall:

(1) Use the disclosed card as the first card of a simulated round of play in which wagers may not be accepted;

(2) Deal the card in accordance with this chapter; and

(3) Place the card in the discard bucket upon completion of the dealing procedures.

E. If there are insufficient cards remaining in the dealing shoe to complete a round of play:

(1) That round is void and the dealer shall return all wagers; and

(2) A new round shall commence after the entire set of cards has been replaced and the new set of cards have been placed in the dealing shoe.

36.05.11 Mississippi Stud Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland

.01 Definitions.

A. In this chapter the following terms have the meanings indicated.

B. Terms Defined.

(1) "Bet Wager" means a 3rd Street, 4th Street or 5th Street Wager made by a player.

(2) "Community card" means a card which is used by all players to form the best possible five-card Poker hand.

(3) "Envy Bonus" means an additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Mississippi Stud table is the holder of an Envy Bonus Qualifying Hand.

(4) "Envy Bonus Qualifying Hand" means a Mississippi Stud hand with a rank of a royal flush or a straight flush.

(5) "5th Street Wager" means an additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the dealer reveals a second community card.

(6) "Fold" means the withdrawal of a player from a round of play by not making a Bet Wager.

(7) "4th Street Wager" means an additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the dealer reveals the first community card.

(8) "Progressive Payout Hand" means a Mississippi Stud hand formed using the two player cards and three community cards with a rank of a three-of-a-kind or better.

(9) "Push" means a player's hand that results in neither payment on nor collection of the player's wagers.

(10) "3rd Street Wager" means an additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the player has been dealt the initial two cards.

.02 Mississippi Stud Tables.

A. Mississippi Stud shall be played on a table which has betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

B. The layout for a Mississippi Stud table shall be submitted to the Commission for approval and contain at least:

(1) The name or logo of the facility operator;

(2) Four separate betting areas designated for the placement of the wagers for each player required under Regulation .07 of this chapter;

(3) Separate areas designated for the placement of the three community cards located directly in front of the table inventory container, with each area inscribed as:

- (a) "3rd Street;"
- (b) "4th Street;" or
- (c) "5th Street;"

(4) If a facility operator offers the optional Progressive Payout Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Progressive Payout Wager for each player;

(5) If a facility operator offers the optional Three Card Bonus Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Three Card Bonus Wager for each player; and

(6) Inscriptions that advise a player of the payout odds or amounts for all permissible wagers and the rules governing the required amount of the 3rd Street, 4th Street or 5th Street Wager as a multiple of the player's Ante Wager, except that if the information is not inscribed on the layout, a sign that sets forth the required information shall be posted at each Mississippi Stud table.

C. If a facility operator offers the Progressive Payout Wager in accordance with Regulation .07 of this chapter, a Mississippi Stud table shall have a progressive table game system for the placement of Progressive Payout Wagers that shall include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager; and

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table including a mechanism that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

D. A Mississippi Stud table shall have a:

(1) Drop box and a tip box attached on the same side of the gaming table as, but on opposite side of, the dealer, as approved by the Commission; and

(2) Discard rack securely attached to the top of the dealer's side of the table.

E. The Commission may approve an alternative location for the tip box if a card shuffling device or other table game equipment prevents the placement of the drop box and tip box as required in §D of this regulation.

.03 Cards; Number of Decks.

A. Except as provided in §B, Mississippi Stud shall be played with one deck of cards and one cover card.

B. If an automated card shuffling device is utilized, Mississippi Stud may be played with two decks of cards in accordance with the following requirements:

- (1) The cards in each deck shall be of the same design.
- (2) The backs of the cards in one deck shall be a different color than the backs of the cards in the other deck.
- (3) One deck shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.
- (4) Both decks are continually alternated in and out of play, with each deck being used for every other round of play.
- (5) The cards from only one deck shall be placed in the discard rack at any given time.

C. The decks of cards used in Mississippi Stud shall be changed at least:

- (1) Every 4 hours if the cards are dealt by hand; or
- (2) Every 8 hours if the cards are dealt from a manual or automated dealing shoe.

.04 Opening a Table for Gaming.

A. After receiving one or more decks of cards at the table, the dealer shall inspect the cards for defects and a floorperson assigned to the table shall verify the inspection.

B. After the cards are inspected, the dealer shall spread the cards out face up on the table, in horizontal fan shaped columns by deck according to suit and in sequence, for visual inspection by the first player to arrive at the table.

C. After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the dealer shall:

- (1) Turn the cards face down on the table;
- (2) Mix the cards thoroughly by washing them; and
- (3) Stack the cards.

D. After the cards have been stacked, the dealer shall shuffle them in accordance with Regulation .05 of this chapter.

E. If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with §§A — D of this regulation.

F. If the decks of cards received at the table are preinspected and reshuffled, §§A — D of this regulation do not apply.

.05 Shuffling and Cutting the Cards.

A. Unless the cards were reshuffled, the dealer shall shuffle the cards so they are randomly intermixed, manually or with an automated card shuffling device:

- (1) Immediately prior to commencement of play;
- (2) After each round of play has been completed; or
- (3) When directed by a floorperson or above.

B. A facility operator may use an automated card shuffling device which inserts the stack of cards directly into a dealing shoe after shuffling is complete.

C. The deck shall be removed from the table if an automated card shuffling device:

- (1) Is being used which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present; and
- (2) The device reveals that an incorrect number of cards are present.

D. After the cards have been shuffled and placed in a single stack by the dealer or automated card shuffling device, the dealer shall:

- (1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with Regulations .08, .09 and .10 of this chapter.
- (2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with the procedures in §E of this regulation.

E. If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack.

- (1) After the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack.
- (2) The stack of cards shall then be inserted into the dealing shoe for the commencement of play.

F. After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

G. If there is no gaming activity at a Mississippi Stud table that is open for gaming, the dealer shall:

- (1) Remove the cards from the dealing shoe and the discard rack;
- (2) Unless a player requests that the cards be spread face up on the table, spread out the cards on the table face down; and
- (3) After the first player is afforded an opportunity to visually inspect the cards, complete the procedures in Regulation .04 of this chapter.

H. A facility operator may use a dealing shoe or other device that automatically reshuffles and counts the cards provided if the device is submitted and approved prior to its use in the facility.

I. If a facility operator is using a device described in §H of this regulation, §§D — F of this regulation do not apply.

.06 Mississippi Stud Hand Rankings.

A. In order of highest to lowest rank, the rank of the cards used in Mississippi Stud is: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2.

B. Notwithstanding §A of this regulation, a player may use an ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5 but may not combine an ace with any other sequence of cards.

C. All suits shall be equal in rank.

D. The permissible five-card Poker hands in the game of Mississippi Stud, in order of highest to lowest rank, are:

- (1) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit;
- (2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking;
- (3) A four-of-a-kind, which is a hand consisting of four cards of the same rank;
- (4) A full house, which is a hand consisting of a three-of-a-kind and a pair;
- (5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order;
- (6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank;
- (7) A three-of-a-kind, which is a hand consisting of three cards of the same rank;
- (8) Two pairs, which is a hand consisting of two pairs; and
- (9) One pair, which is a hand consisting of two cards of the same rank.

E. For purposes of the Three Card Bonus authorized under Regulation .07 of this chapter, the permissible three-card Poker hands are:

- (1) A mini-royal, which is straight flush of an ace, king and queen;
- (2) A straight flush, which is three cards of the same suit in consecutive rank;
- (3) A Three-of-a-kind, which is three cards of the same rank;
- (4) A straight, which is three cards of consecutive rank;
- (5) A flush, which is three cards of the same suit; and
- (6) A pair, which is two cards of the same rank.

.07 Wagers.

A. A player shall make a wager at Mississippi Stud by placing a value chip, plaque or other Commission-approved wagering instrument on the appropriate betting areas of the table layout.

B. A verbal wager accompanied by cash may not be accepted.

C. Only a player who is seated at the Mississippi Stud table may place a wager at the game.

(1) After a player has placed a wager and received cards, the player shall remain seated until the completion of the round of play.

(2) If a player leaves the table during a round of play, any wager made by the player may be considered abandoned and may be treated as a losing wager.

D. A player shall place all Ante, Progressive Payout and Three Card Bonus Wagers prior to the dealer announcing “no more bets” in accordance with the dealing procedure in Regulations .08, .09 and .10 of this chapter.

E. Except as provided in Regulation .11 of this chapter, a player may not make, increase or withdraw a wager after the dealer announces “no more bets” and begins dealing the cards.

F. The following wagers may be placed in the game of Mississippi Stud:

(1) A player shall place an Ante Wager to participate in a round of play;

(2) In accordance with Regulation .11 of this chapter, 3rd Street, 4th Street and 5th Street Wagers;

(3) A facility operator may, if specified in its Rules Submission, offer to each player at a Mississippi Stud table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand.

(a) After placing an Ante Wager, a player may make an additional Progressive Payout Wager by placing a value chip into the progressive wagering device designated for that player.

(b) A player shall be responsible for verifying that the player’s respective Progressive Payout Wager has been accepted.

(4) If specified in its Rules Submission, a facility operator may offer to each player at a Mississippi Stud table the option to make an additional Three Card Bonus Wager that the three community cards will form a three-card Poker hand of a pair or better, as defined in Regulation .06 of this chapter.

G. A player may not wager on more than one player position at a Mississippi Stud table.

.08 Procedure for Dealing Cards from a Manual Dealing Shoe.

A. If a manual dealing shoe is used, it must be located on the table in a location approved by the Commission.

B. After the procedures required under Regulation .05 of this chapter have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by the automated card shuffling device.

C. Prior to dealing any cards, the dealer shall announce “no more bets.”

(1) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(2) If any Progressive Payout Wagers have been made, the dealer shall:

(a) Collect the Progressive Payout Wagers;

(b) On the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

D. Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

E. Starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, the dealer shall deal the cards as follows:

(1) Two cards face down to each player who placed an Ante Wager in accordance with Regulation .07 of this chapter; and

(2) Three cards face down to the area designated for the placement of the community cards.

F. After dealing two cards to each player and three cards to the area designated for the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in §G of this regulation, place the stub in the discard rack without exposing the cards.

G. If an automated card shuffling device described in Regulation .05C of this chapter is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck.

H. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

I. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

J. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt.

(1) If 52 cards remain in the deck, but the cards were misdealt so that a player has more or less than 2 cards or the area designated for the placement of the community cards has more or less than 3 cards, all hands are void and the dealer shall return all wagers to the players; and

(2) If the cards were not misdealt, all hands are void, and the dealer shall return all wagers to the players and remove the entire deck of cards from the table.

.09 Procedure for Dealing Cards from the Hand.

A. If the cards are dealt from the dealer's hand, the following requirements shall be met:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under Regulation .05 of this chapter have been completed, the dealer shall place the stacked deck of cards in either hand.

(a) After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play.

(b) The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Before dealing any cards, the dealer shall:

(a) Announce "no more bets;" and

(b) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(4) If any Progressive Payout Wagers have been made, the dealer shall:

(a) On the layout in front of the table inventory container collect the wagers;

(b) Verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

B. Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall:

(1) Deal two cards face down to each player who placed an Ante Wager in accordance with Regulation .07 of this chapter;

(2) Deal three cards face down to the area designated for the placement of the community cards;

(3) After two cards have been dealt to each player and three cards have been dealt to the area designated for the community cards, except as provided in §C of this regulation, place the stub in the discard rack without exposing the cards.

C. If an automated card shuffling device described in Regulation .05C of this chapter is not being used, the dealer shall:

(1) Count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck; and

(2) Determine the number of cards in the stub by counting the cards face down on the layout.

D. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

E. If the count of the stub indicates that the number of cards in the deck is not 52, the dealer shall determine if:

(1) A player has more or less than 2 cards;

(2) The area designated for the placement of the community cards has more or less than 3 cards.

F. If the cards were misdealt as described in §E of this regulation but 52 cards remain in the deck, all hands are void, and the dealer shall return all wagers to the players.

G. If the cards were not misdealt as described in §E of this regulation, all hands are void, and the dealer shall return all wagers to the players and remove the entire deck of cards from the table.

.10 Procedure for Dealing Cards from an Automated Dealing Shoe.

A. If the cards are dealt from an automated dealing shoe, the following requirements shall be met:

(1) After the procedures required under Regulation .05 of this chapter have been completed, the dealer shall place the cards in the automated dealing shoe.

(2) Prior to the dealing shoe dispensing any stacks, the dealer shall:

(a) Announce "no more bets;" and

(b) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(3) If any Progressive Payout Wagers have been made, the dealer shall:

(a) On the layout in front of the table inventory container, collect the wagers;

(b) Verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

B. The dealer shall:

(1) Deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager in accordance with Regulation .07 of this chapter.

(2) Moving clockwise around the table as the remaining stacks are dispensed to the dealer by the automated dealing shoe, deliver a stack face down to each of the other players who has placed an Ante Wager.

(3) After each stack of two cards has been dispensed and delivered in accordance with this section, remove the remaining cards from the automated dealing shoe;

(4) Following the procedures in Regulation .09 of this chapter, deal from the dealer's hand three community cards; and

(5) Except as provided in §C of this regulation, after all three community cards have been dealt, place the stub in the discard rack without exposing the cards.

C. If an automated card shuffling device described in Regulation .05C of this chapter is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine that the correct number of cards are still present in the deck by counting the cards face down on the layout.

D. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

E. If the count of the stub indicates that there are not 52 cards in the deck, the dealer shall determine if:

(1) A player has more or less than 2 cards; or

(2) The area designated for the placement of the community cards has more or less than 3 cards.

F. If 52 cards remain in the deck but the cards were misdealt as described in §E of this regulation, all hands are void, and the dealer shall return all wagers to the players.

G. If the cards were not misdealt as described in §E of this regulation, all hands are void, and the dealer shall return all wagers to the players and remove the entire deck of cards from the table.

H. Notwithstanding the requirements in §§B and C of this regulation, if a facility operator is using an automated dealing shoe

that automatically reshuffles the cards, the three community cards may be dispensed before the two cards are dispensed to each player.

.11 Procedure for Completing a Round of Play.

A. After the dealing procedures required under Regulations .08, .09 and .10 have been completed, a player shall examine the player's cards subject to the following limitations:

(1) A player who wagers at Mississippi Stud is responsible for the player's hand;

(2) No individual other than the dealer and the player to whom the cards were dealt may touch the cards of that player;

(3) A player shall keep the player's cards in full view of the dealer at all times;

(4) A player may not exchange or communicate information regarding the player's hand prior to the dealer revealing all of the community cards; and

(5) Any violation of §A(1) — (4) of this regulation shall result in a forfeiture of all wagers on that round by the player in violation.

B. After all players have examined their cards and replaced them face down on the layout, beginning with the player farthest to the dealer's left and moving clockwise around the table:

(1) The dealer shall ask each player who placed an Ante Wager if the player wishes to:

(a) Place a 3rd Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager; or

(b) Fold.

(2) If a player folds, the dealer shall immediately collect the player's:

(a) Ante Wager and place it in the table inventory container; and

(b) Folded hand and place it in the discard rack;

(3) Notwithstanding §B(2) of this regulation, if a folding player made a Progressive Payout or Three Card Bonus Wager, the player's cards shall be left on the table until all wagers are resolved in accordance with §I of this regulation.

C. After all players have either placed a 3rd Street Wager or folded, the dealer shall turn over and reveal the first community card.

D. Each player shall then either place a 4th Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager in the designed 4th Street betting area or fold.

(1) If a player folds, the dealer shall immediately collect the:

(a) Ante Wager and 3rd Street Wager, and place them in the table inventory container; and

(b) Folded hand, and place it in the discard rack.

(2) Notwithstanding §D(1) of this regulation, if the folding player made a Progressive Payout or Three Card Bonus Wager, the player's cards shall be left on the table until all wagers are resolved in accordance with §I of this regulation.

E. After all remaining players have either placed a 4th Street Wager or folded, the dealer shall turn over and reveal the second community card.

F. Each player shall then either place a 5th Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager in the designed 5th Street betting area or fold.

(1) If a player folds, the dealer shall immediately collect the:

(a) Ante Wager, 3rd Street and 4th Street Wagers, and place them in the table inventory container; and

(b) Folded hand, and place it in the discard rack.

(2) Notwithstanding §F(1) of this regulation, if the folding player made a Progressive Payout or Three Card Bonus Wager, the player's cards shall be left on the table until all wagers are resolved in accordance with §I of this regulation.

G. After all remaining players have either placed a 5th Street Wager or folded, the dealer shall turn over and reveal the third community card.

H. If a player has placed an Ante Wager and a Progressive Payout or Three Card Bonus Wager but does not make a 3rd Street, 4th Street or 5th Street Wager, the player:

(1) Shall forfeit the Ante Wager, the Progressive Payout Wager and any 3rd and 4th Street Wagers; and

(2) Does not forfeit the eligibility to receive an Envy Bonus or a Three Card Bonus payout under Regulation .12 of this chapter.

I. Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn over and reveal the player's cards.

(1) The dealer shall evaluate and announce the best possible five-card Poker hand that can be formed using the player's two cards and the three community cards; and

(2) The wagers of each remaining player shall be resolved one player at a time regardless of outcome, as follows:

(a) All losing wagers shall immediately be collected by the dealer and placed in the table inventory container and the player's cards shall be collected and placed in the discard rack;

(b) If a player's five-card Poker hand is a pair of 6s, 7s, 8s, 9s or 10s, the player's hand is a push, for which the dealer may not collect or pay the wagers, but shall immediately collect the player's cards; and

(c) All winning Mississippi Stud wagers shall be paid in accordance with the payout odds in Regulation .12 of this chapter.

(3) After settling the player's Mississippi Stud Wager, the dealer shall settle the Progressive Payout or Three Card Bonus Wager, if offered by the facility operator;

(4) If a player has won the progressive payout, the dealer shall settle the Progressive Payout or Three Card Bonus wager as follows:

(a) Verify that the hand is a winning hand;

(b) Verify that the appropriate light on the progressive table game system has been illuminated;

(c) Ensure that a floorperson or above validates the progressive payout in accordance with the facility operator's approved internal control procedures;

(d) Pay the winning Progressive Payout Wager in accordance with Regulation .12 of this chapter.

(i) If a player has won a progressive payout that is 100% of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container.

(ii) If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(e) Pay any Envy Bonus won in accordance with Regulation .12 of this chapter:

(i) A player making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Mississippi Stud table is the holder of an Envy Bonus Qualifying Hand;

(ii) A player is entitled to multiple Envy Bonuses if more than one player is the holder of an Envy Bonus Qualifying Hand; and

(iii) A player is not entitled to an Envy Bonus for the player's hand; and

(5) If a player has won the Three Card Bonus, the dealer shall pay the winning Three Card Bonus Wager in accordance with Regulation .12 of this chapter.

J. After all wagers have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand if there is a question or player dispute.

.12 Payout Odds; Envy Bonus; Rate of Progression.

A. A facility operator shall pay each winning Mississippi Stud wager at the odds in this paytable:

(1) For a Royal flush the payout is 500 to 1;

- (2) For a Straight flush the payout is 100 to 1;
- (3) For a Four-of-a-kind the payout is 40 to 1;
- (4) For a Full house the payout is 10 to 1;
- (5) For a Flush the payout shall be 6 to 1;
- (6) For a Straight the payout is 4 to 1;
- (7) For a Three-of-a-kind the payout is 3 to 1;
- (8) For a Two pair the payout is 2 to 1;
- (9) For a Pair of jacks or better the payout is 1 to 1; or
- (10) For Pair of 6s to 10s the payout is Push.

B. Notwithstanding the payout odds in §A of this regulation, the aggregate payout limit for any hand may not exceed the greater of:

- (1) \$50,000; or
- (2) The maximum amount that one player could win per round when betting the minimum wager.

C. If a facility operator offers the Progressive Payout Wager:

(1) The facility operator shall pay each winning Progressive Payout Wager in accordance with these odds:

- (a) For a Royal flush the payout is 100 percent of meter;
- (b) For a Straight flush the payout is 10 percent of meter;
- (c) For a Four-of-a-kind the payout is 300 for 1;
- (d) For a Full house the payout is 50 for 1;
- (e) For a Flush the payout is 40 for 1;
- (f) For a Straight the payout is 30 for 1; or
- (g) For a Three-of-a-kind the payout is 9 for 1;

(2) A player shall receive the payout for only the highest ranking hand formed from the player's two cards and the three community cards;

(3) The facility operator's Rules Submission must include the:

- (a) Rate of progression for the meter used for the progressive payouts in §C(1) of this regulation;
- (b) Initial and reset amount, which may not be less than \$10,000;

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with Regulation .11 of this chapter.

(5) Envy Bonus payouts shall be paid according to the following payout schedules for every Envy Bonus Qualifying Hand based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

- (a) For a \$1 Progressive the facility operator shall pay out winning wagers at the odds in the following payable:
 - (i) For a Royal flush the payout is \$1,000; or
 - (ii) For a Straight flush the payout is \$300;
- (b) For a \$5 Progressive the facility operator shall pay out winning wagers at the odds in the following payable:
 - (i) For a Royal flush the payout is \$5,000; or
 - (ii) For a Straight flush the payout is \$1,500.

D. A facility operator shall pay each winning Three Card Bonus Wager at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

- (a) For a Mini-royal the payout is 40 to 1;
- (b) For a Straight flush the payout is 40 to 1;
- (c) For a Three-of-a-kind the payout is 30 to 1;
- (d) For a Straight the payout is 6 to 1;
- (e) For a Flush the payout is 4 to 1; or
- (f) For a Pair the payout is 1 to 1;

(2) Paytable B:

- (a) For a Mini-royal the payout is 40 to 1;
- (b) For a Straight flush the payout is 40 to 1;
- (c) For a Three-of-a-kind the payout is 30 to 1;
- (d) For a Straight the payout is 5 to 1;
- (e) For a Flush the payout is 4 to 1; or
- (f) For a Pair the payout is 1 to 1;

(3) Paytable C:

- (a) For a Mini-royal the payout is 50 to 1;
- (b) For a Straight flush the payout is 40 to 1;
- (c) For a Three-of-a-kind the payout is 30 to 1;
- (d) For a Straight the payout is 5 to 1;
- (e) For a Flush the payout is 4 to 1; or
- (f) For a Pair the payout is 1 to 1;

(4) Paytable D:

- (a) For a Mini-royal the payout is 50 to 1;
- (b) For a Straight flush the payout is 40 to 1;
- (c) For a Three-of-a-kind the payout is 30 to 1;
- (d) For a Straight the payout is 6 to 1;
- (e) For a Flush the payout is 3 to 1; or
- (f) For a Pair the payout is 1 to 1.

.13 Irregularities.

A. A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack.

B. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands are void, and the dealer shall return all wagers to the players and reshuffle the cards.

C. A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

D. If a player or the area designated for the placement of the community cards is dealt an incorrect number of cards, all hands are void, and the dealer shall return all wagers to the players reshuffle the cards.

E. If a community card is exposed prior to the dealer revealing the community cards under Regulation .11 of this chapter, all hands are void, and the dealer shall return all wagers to the players and reshuffle the cards.

F. The cards shall be reshuffled if an automated card shuffling device is in use and jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle.

G. If an automated dealing shoe is in use and jams, stops dealing cards or fails to deal cards during a round of play, the round of play is void, and the dealer shall return all wagers to the players and remove the cards from the device and reshuffle them with any cards already dealt.

H. If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, before another method of shuffling or dealing may be used at that table, the automated card shuffling device or automated dealing shoe shall be:

- (1) Covered; or
- (2) Marked with a sign indicating that the automated card shuffling device or automated dealing shoe is out of order.

36.05.12 Pai Gow Poker Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland

.01 Definitions.

A. In this chapter the following terms have the meanings indicated.

B. Terms Defined.

(1) "Bank" means a player who elects to have the other players and the dealer play against him or her and accepts the responsibility of paying all winning Pai Gow Poker Wagers.

(2) "Co-banking" means that the bank and the dealer each cover 50 percent of all winning Pai Gow Poker Wagers.

(3) "Envy Bonus" means an additional fixed sum payout made to a player who placed a Qualifying Wager when another player at the Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand.

(4) "Envy Bonus Qualifying Hand" means a player's Pai Gow Poker hand with a rank of a four-of-a-kind or better formed from the seven cards dealt to a player.

(5) "High hand" means the five-card hand that is formed from the seven cards dealt so as to rank equal to or higher than the two-card low hand.

(6) "Low hand" means the two-card hand that is formed from the seven cards dealt so as to rank equal to or lower than the five-card high hand.

(7) "Qualifying Wager" means an Emperor's Treasure Wager or a Fortune Bonus Wager of at least \$5 which may entitle a player to an Envy Bonus.

(8) "Setting the hands" means the process of forming a high hand and low hand from the seven cards dealt.

.02 Pai Gow Poker Tables and Shakers.

A. Pai Gow Poker shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

B. The layout for a Pai Gow Poker table shall be submitted to the Commission for approval and contain at least:

(1) The name or logo of the facility operator;

(2) A separate betting area designated for the placement of the Pai Gow Poker Wager for each player;

(3) Two separate areas designated for the placement of the high and low hands of each player;

(4) Two separate areas designated for the placement of the high and low hands of the dealer;

(5) If the facility operator offers the optional Fortune Bonus Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Fortune Bonus Wager for each player;

(6) If the facility operator offers the optional Emperor's Treasure Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Emperor's Treasure Wager for each player;

(7) If the facility operator offers the optional Pai Gow Insurance Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Pai Gow Insurance Wager for each player;

(8) If the facility operator offers the optional Progressive Payout Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Progressive Payout Wager for each player;

(9) Inscriptions that advise a player of the payout odds or amounts for all permissible wagers offered by the facility operator, except that if the information is not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Pai Gow Poker table; and

(10) An inscription indicating the payout limit per hand established by the facility operator under Regulation .13 of this chapter or a generic inscription indicating the game is subject to the posted payout limit, except that if the information is not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Pai Gow Poker table.

C. The starting position for the dealing or delivery of the cards may be determined with:

(1) A Pai Gow Poker shaker, which:

(a) Shall be designed and constructed to maintain the integrity of the game;

(b) Shall be the responsibility of the dealer, and

(i) May not be left unattended while at the table;

(ii) Shall be capable of housing three dice that when not being shaken shall be maintained within the Pai Gow Poker shaker.

(c) If the shaker contains dice for use in gaming, may not remain on a table for more than 24 hours;

(d) Shall be designed to prevent the dice from being seen while being shaken; and

(e) Shall have the name or logo of the facility operator imprinted or impressed thereon;

(2) A computerized random number generator which shall be submitted to, and approved by, the Commission prior to its use; or

(3) A flat button which shall be submitted to, and approved by, the Commission prior to its use.

D. If a facility operator offers the optional Progressive Payout Wager in accordance with Regulation .07 of this chapter, a Pai Gow Poker table shall have a progressive table game system for the placement of Progressive Payout Wagers and include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager; and

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the placement of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

E. A Pai Gow Poker table shall have a:

(1) Drop box and tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Commission; and

(2) Discard rack securely attached to the top of the dealer's side of the table.

F. The Commission may approve an alternative location for the tip box if a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

.03 Cards; Number of Decks.

A. Except as provided in §B in this regulation:

(1) Pai Gow Poker shall be played with one deck of cards;

(2) The cards of a deck shall be identical in appearance;

(3) A deck shall contain:

(a) Two cover cards; and

(b) One joker; and

(4) A facility operator may use decks that are manufactured with two jokers provided that only one joker is used for gaming.

B. If an automated card shuffling device is utilized, Pai Gow Poker may be played with two decks of cards that meet these requirements:

(1) The cards in each deck are the same design, except that the backs of the cards in one deck shall be of a different color than the cards in the other deck;

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game;

(3) Both decks of cards shall be continuously alternated in and out of play, with each deck being used for every other round of play; and

(4) The cards from only one deck may be placed in the discard rack at any given time.

C. The decks of cards used in Pai Gow Poker shall be changed:

(1) At least every 4 hours if the cards are dealt by hand; or

(2) At least every 8 hours if the cards are dealt from a manual or automated dealing shoe.

.04 Opening a Table for Gaming.

A. After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects and a floorperson assigned to the table shall verify the inspection.

B. If the deck of cards used by the facility operator contains two jokers, the dealer and a floorperson shall ensure that only one joker is utilized and that the other joker is torn in half and placed in the box, envelope or container from which the deck originated.

(1) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table.

(2) The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence and include the one joker.

C. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the dealer shall:

- (1) Turn the cards face down on the table;
- (2) Mix the cards thoroughly by a washing them; and
- (3) Stack the cards.

D. After the cards have been stacked, the dealer shall shuffle them in accordance with Regulation .05 of this chapter.

E. If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with §§A — C of this regulation.

F. If the decks of cards received at the table are preinspected and reshuffled, §§A — D of this regulation do not apply.

.05 Shuffling and Cutting the Cards; Determining Starting Position.

A. Unless the cards were reshuffled, the dealer shall shuffle the cards so they are randomly intermixed, manually or with an automated card shuffling device:

- (1) Immediately prior to commencement of play;
- (2) After each round of play has been completed; or
- (3) When directed by the floorperson or above.

B. A facility operator may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

C. After the cards have been shuffled and placed in a single stack by the dealer or automated card shuffling device, the dealer shall:

- (1) If the cards were shuffled using an automated card shuffling device, determine the starting position in accordance with §I of this regulation and deal the cards in accordance with Regulation .08, .09 or .10 of this chapter; or
- (2) If the cards were shuffled manually, cut the cards in accordance with the procedures in §§D — F of this regulation.

D. Upon completion of a manual shuffle, the dealer shall place the stack of cards on top of one of the cover cards.

(1) The dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under §E of this regulation.

(2) If no player accepts the cut, the dealer shall cut the cards.

E. The dealer shall offer the cut of the cards to a player in the following order:

- (1) The first player arriving at the table, if the game is just beginning;
- (2) The player who accepts the bank under Regulation .12 of this chapter, if offered by the facility operator;
- (3) If the bank refuses the cut, the player to the right of the bank, and around the table in a counterclockwise manner, until a player accepts the cut; and
- (4) If there is no bank, the player at the farthest position to the right of the dealer, except that if this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

F. The player or dealer making the cut shall place the second cover card in the stack at least ten cards from the top or the bottom of the deck, and after the second cover card has been inserted, the dealer shall:

(1) Take the second cover card and all the cards on top of the second cover card and place them on the bottom of the stack;

(2) Remove the first cover card and place it on the bottom of the stack;

(3) Remove one of the cover cards and:

- (a) Place it in the discard rack; or
- (b) Use it as an additional cover card to be inserted four cards from the bottom of the deck;

(4) Determine the starting position in accordance with §I of this regulation; and

(5) Deal the cards in accordance with Regulations .08, .09 and .10 of this chapter.

G. After the cards have been cut and before the cards are dealt:

(1) A floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game; and

(2) If a recut is required, the cards shall be recut either by the player who last cut the cards, or by the next person entitled to cut the cards, as determined under §E of this regulation.

H. If there is no gaming activity at a Pai Gow Poker table which is open for gaming, the dealer shall:

- (1) Remove the cards from the dealing shoe and discard rack;
- (2) Unless a player requests that the cards be spread face up on the table, spread out the cards on the table face down; and
- (3) After the first player arriving at the table is afforded an opportunity to visually inspect the cards, complete the procedures in Regulation .04 of this chapter.

(4) If there is no automated shuffling device in use, thoroughly mix the cards by washing them, and stack and shuffle them.

(5) If an automated shuffling device is in use, stack the cards and place them into the automated shuffling device to be shuffled, and:

- (a) Remove a deck of cards already in the shuffler;
- (b) If the automated card shuffling device stores a single deck of shuffled cards inside the shuffler in a secure manner, unless a player requests otherwise, is not required to spread the deck of cards removed from the shuffler for inspection or reshuffle it prior to being dealt.

I. A facility operator may use a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Commission and approved prior to its use in the facility.

J. If a facility operator is utilizing the approved device, §§B — G of this regulation do not apply.

K. To determine the starting position for the dealing of cards, the facility operator shall use:

(1) A Pai Gow Poker shaker in accordance with the following procedures:

(a) The dealer shall shake the Pai Gow Poker shaker at least three times to cause a random mixture of the dice;

(i) If a player is the bank, in accordance with Regulation .12 of this chapter the player shall shake the Pai Gow Poker shaker instead of the dealer; and

(ii) The dealer shall ensure that the bank shakes the Pai Gow Poker shaker at least three times;

(b) The dealer shall:

(i) Remove the lid covering the Pai Gow Poker shaker and place the uncovered shaker on the designated area of the table layout; and

(ii) Total the dice and announce the total;

(c) If a player is the bank and the player inadvertently removes the lid, the Pai Gow Poker shaker shall be covered and reshaken by the bank;

(d) Regardless of whether there is a wager at the betting position, to determine the starting position the dealer shall count each betting position in order beginning with the dealer as number

one and continuing around the table in a counterclockwise manner, until the count matches the total of the three dice.

(e) If a player is the bank, when counting the betting positions to determine the starting position for dealing the cards, the bank, instead of the dealer, shall be considered number one.

(f) After the dealing procedures required under Regulations .08, .09 and .10 have been completed, the dealer shall place the cover on the Pai Gow Poker shaker and shake the shaker once and place it to the right of the dealer;

(2) A computerized random number generator to select and display a number from 1 to 7:

(a) To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner until the count matches the number displayed by the random number generator; and

(b) If a player is the bank in accordance with Regulation .12 of this chapter, when counting the betting positions to determine the starting position for dealing the cards, the bank, instead of the dealer, shall be considered number one; or

(3) If an automated card shuffling device and dealing shoe are used under Regulation .10 of this chapter a flat button to indicate the starting position:

(a) At the commencement of play, the button shall be placed in front of the dealer; and

(b) The button shall rotate around the table in a clockwise manner after each round of play.

L. After the starting position for a round of play has been determined, a facility operator may mark that position with an additional cover card or similar object approved by the Commission.

.06 Pai Gow Poker Rankings.

A. In order of highest to lowest rank, the rank of the cards used in Pai Gow Poker is: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2, and:

(1) Notwithstanding §A of this regulation, an ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5, but may not be combined with any other sequence of cards; and

(2) The joker shall be used and ranked as an ace or may be used as any card to complete a straight, a flush, a straight flush or a royal flush.

B. The permissible Poker hands at the game of Pai Gow Poker, in order of highest to lowest rank are:

(1) Five aces, which is a high hand consisting of four aces and a joker;

(2) A royal flush, which is a high hand consisting of an ace, king, queen, jack and 10 of the same suit or a king, queen, jack and 10 of the same suit and a joker;

(3) A straight flush, which is a high hand consisting of five cards of the same suit in consecutive ranking, with ace, 2, 3, 4 and 5 being the highest ranking straight flush; king, queen, jack, 10 and 9 being the second highest ranking straight flush; and 2, 3, 4, 5 and 6 being the lowest ranking straight flush;

(4) A four-of-a-kind, which is a high hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind;

(5) A full house, which is a high hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house;

(6) A flush, which is a high hand consisting of five cards of the same suit. When comparing two flushes, the hand which contains the highest ranking card, as provided in §A of this regulation, which is not in the other hand, shall be considered the higher ranking hand;

(7) A straight, which is a high hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight; an ace, 2, 3, 4 and 5 being the second highest ranking straight; and a 2, 3, 4, 5 and 6 being the lowest ranking straight;

(8) A three-of-a-kind, which is a high hand containing three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind;

(9) Two pair, which is a high hand containing two pairs, with two aces and two kings being the highest ranking two pair hand and two 3s and two 2s being the lowest ranking two pair hand; and

(10) A pair, which is either a high hand or a low hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

C. When comparing two high hands or two low hands that are of identical hand rank under §B of this regulation, or contain none of the hands listed in §B of this regulation:

(1) The hand that contains the highest ranking card under §A of this regulation which is not in the other hand, is the higher ranking hand; or

(2) If the two hands are of identical rank after the application of this section, the hands are a tie.

D. If a facility operator offers the optional Fortune Bonus Wager under Regulation .07 of this chapter, the following seven-card hands rank higher than a hand of five aces as described in §B of this regulation and shall be used to determine the amount of the Fortune Bonus Wager payout or Envy Bonus payment to a winning player:

(1) A seven-card straight flush with no joker, which is a hand consisting of seven cards of the same suit in consecutive ranking with no joker used to complete the straight flush;

(2) A royal flush plus Royal Match, which is a seven-card hand consisting of an ace, king, queen, jack and a 10 of the same suit, with or without a joker, with one of the following:

(a) An additional ace and king of a same suit, or

(b) An additional king and queen of a same suit; or

(3) A seven-card straight flush with joker, which is a hand consisting of seven cards of the same suit in consecutive ranking with a joker being used to complete the straight flush.

E. If a facility operator offers the optional Emperor's Treasure Wager under Regulation .07 of this chapter, the following seven-card hands rank higher than a hand of five aces as described in §B of this regulation, and shall be used to determine the amount of the Emperor's Treasure Wager payout or Envy Bonus payout to a winning player:

(1) A seven-card straight flush with no joker, which is a hand consisting of seven cards of the same suit in consecutive ranking, with no joker used to complete the straight flush;

(2) A royal flush plus ace and king suited, which is a seven-card hand consisting of an ace, king, queen, jack and a 10 of the same suit, with or without a joker, and an additional ace and king of the same suit without a joker;

(3) A seven-card straight flush with joker, which is a hand consisting of seven cards of the same suit in consecutive ranking with a joker being used to complete the straight flush.

F. If a facility operator offers the optional Progressive Payout Wager under Regulation .07 of this chapter, the following seven-card hands shall be used to determine the amount of the progressive payout to a winning player:

(1) Seven-card straight flush is a hand consisting of seven cards of the same suit in consecutive ranking, with or without a joker;

(2) Five aces, which is a hand consisting of four aces and a joker;

(3) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit or a king, queen, jack and 10 of the same suit and a joker;

(4) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking;

(5) A four-of-a-kind, which is a hand consisting of four cards of the same rank; and

(6) A full house, which is a hand consisting of a three-of-a-kind and a pair.

.07 Wagers.

A. A player shall make a wager at Pai Gow Poker by placing a value chip, plaque or other Commission-approved wagering instrument on the appropriate areas of the Pai Gow Poker layout.

B. A verbal wager accompanied by cash may not be accepted.

C. Only a player who is seated at a Pai Gow Poker table may wager at the game.

(1) After a player has placed a wager and received cards, the player shall remain seated until the completion of the round of play.

(2) If a player leaves the table during a round of play, a wager made by the player may be considered abandoned and may be treated as a losing wager.

D. To participate in a round of play and compete against the dealer's high and low hands, a player shall place a Pai Gow Poker Wager.

(1) A player shall place a wager at Pai Gow Poker prior to the dealer announcing "no more bets" in accordance with the dealing procedures in Regulations .08, .09 and .10 of this chapter.

(2) A player may not make, increase or withdraw a wager after the dealer has announced "no more bets."

E. If specified in its Rules Submission, a facility operator may offer to each player who placed a Pai Gow Poker Wager the option of placing the following additional wagers:

(1) A Fortune Bonus Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a straight or better as described in Regulation .06 of this chapter;

(2) An Emperor's Treasure Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a straight or better as described in Regulation .06 of this chapter;

(3) A Pai Gow Insurance Wager that the seven cards dealt to the player will form a seven-card Poker hand that does not contain a pair or better as described in Regulation .06 of this chapter, but will contain a card ranked a nine-high or better; or

(4) A Progressive Payout Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a full house or better as described in Regulation .06 of this chapter.

F. If specified in its Rules Submission and except as provided in Regulation .12, a facility operator may permit a player to wager on two adjacent betting areas at a Pai Gow Poker table.

(1) If a facility operator permits a player to wager on adjacent betting areas, the player shall play the cards dealt to each betting area separately.

(2) If the two wagers are not equal, the player shall rank and set the hand with the larger wager before ranking and setting the other hand.

(3) If the amounts wagered are equal, each hand of a player shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand.

(4) After a player's hand has been ranked, set and placed face down on the layout, the hands may not be changed.

.08 Procedure for Dealing Cards from a Manual Dealing Shoe.

A. If a manual dealing shoe is used, it shall be located on the table in a location approved by the Commission.

B. After the procedures required under Regulation .05 of this chapter have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

C. Prior to dealing any cards, the dealer shall announce "no more bets", and shall:

(1) If the Fortune Bonus Wager or Emperor's Treasure Wager is being offered and a player makes a Qualifying Wager, place an Envy lammer next to the player's wager;

(2) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers;

(3) If any Progressive Payout Wagers have been made, collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(4) Place the value chips into the table inventory container.

D. The dealer shall:

(1) Determine the starting position for dealing the cards using one of the procedures authorized under Regulation .05 of this chapter;

(2) Deal the first card to the starting position as determined in §C of this regulation and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards;

(3) Remove each card dealt from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed face down on the appropriate area of the layout with the opposite hand.

E. After seven cards have been dealt to each position and the dealer, the dealer:

(1) Shall remove the stub from the manual dealing shoe and determine whether four cards are left by spreading them face down on the layout; and

(2) May not expose four cards that remain and place them in the discard rack.

F. If more or less than four cards remain, the dealer shall determine if the cards were misdealt.

(1) If a player position or the dealer has more or less than seven cards, all hands are void and all wagers shall be returned to the players.

(2) If the cards were not misdealt as described in §F(2) of this regulation, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

G. If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

.09 Procedure for Dealing Cards from the Hand.

A. If the cards are dealt from the dealer's hand, the following requirements shall be met:

(1) An automated shuffling device shall be used to shuffle the cards;

(2) After the procedures required under Regulation .05 of this chapter have been completed, the dealer shall place the deck of cards in either hand, and:

(a) After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand when holding the cards during that round of play; and

(b) The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times;

(3) Prior to dealing any cards, the dealer shall announce “no more bets”, and:

(a) If the Fortune Bonus Wager or Emperor’s Treasure Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player’s wager; and

(b) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers and, if a Progressive Payout Wager has been made, the dealer shall:

(i) Collect the wagers;

(ii) On the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(iii) Place the value chips into the table inventory container.

B. The dealer shall:

(1) Deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout; and

(2) Determine the starting position for dealing the cards using one of the procedures authorized under Regulation .05 of this chapter.

C. The dealer shall then deal the first card to the starting position as determined in §B of this regulation and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards.

D. After seven cards have been dealt to each position and the dealer, the dealer:

(1) Shall determine whether four cards are left by spreading them face down on the layout;

(2) May not exposed any remaining card; and

(3) Place any remaining card in the discard rack.

E. If more or less than four cards remain, the dealer shall determine if the cards were misdealt.

(1) If a player or the dealer has more or less than seven cards, all hands are void and all wagers shall be returned to the players.

(2) If the cards were not misdealt, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

F. If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

.10 Procedure for Dealing Cards from an Automated Dealing Shoe.

A. If the cards are dealt from an automated dealing shoe, the following requirements shall be met:

(1) After the procedures under Regulation .05 of this chapter have been completed, the dealer shall place the cards in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce “no more bets”, and:

(a) If the Fortune Bonus Wager or Emperor’s Treasure Wager is being offered and a player makes a Qualifying Wager, place an Envy lammer next to that player’s wager;

(b) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers;

(c) If any Progressive Payout Wagers have been made, collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(d) Place the value chips into the table inventory container.

B. The dealer shall determine the starting position for delivering the stacks of cards using one of the procedures authorized under Regulation .05 of this chapter.

C. After the starting position for delivering the cards has been determined, the dealer shall:

(1) Deliver the first stack of cards dispensed by the automated dealing shoe face down to that position; and

(2) As the remaining stacks are dispensed to the dealer by the automated dealing shoe, moving clockwise around the table, deliver a stack face down to:

(a) Each of the other positions, regardless of whether there is a wager at the position; and

(b) The dealer.

D. After dispensing and delivering seven cards to each position and the dealer, the dealer:

(1) Shall remove the remaining cards from the shoe and determine whether four cards are left by spreading them face down on the layout;

(2) May not expose the four cards that remain may not be exposed to anyone;

(3) Shall place the four remaining cards in the discard rack.

E. If more or less than four cards remain, the dealer shall determine if a player position or the dealer has more or less than seven cards.

(1) If so, all hands are void and all wagers shall be returned to the players; and

(2) If not, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

F. If the dealer determines the cards were dealt properly, the dealer shall:

(1) Collect any stacks dealt to a position where there was no wager; and

(2) Place them in the discard rack without exposing the cards.

.11 Procedure for Completing a Round of Play.

A. After the dealing procedures required under Regulations .08, .09 and .10 of this chapter have been completed, a player shall examine the player’s cards subject to the following limitations:

(1) A player who wagers at a Pai Gow Poker table is responsible for setting the player’s hands;

(2) No player other than the dealer and the player to whom the cards were dealt may touch the cards of that player;

(3) If a player requests assistance in the setting of the player’s hands, the dealer shall inform the player of the manner in which the facility operator requires the hands of the dealer to be set in accordance with the facility operator’s Rules Submission;

(4) A player shall keep the player’s seven cards in full view of the dealer at all times; and

(5) After each player has set a high and low hand and placed the two hands face down on the appropriate area of the layout, the player may not touch the cards again.

B. A player shall set his hands by arranging the cards into a high hand and a low hand, so that the five-card high hand is equal to or higher in rank than the two-card low hand.

C. After all players have set their hands and placed the cards on the table, the dealer shall turn over the dealer’s seven cards and set his hands by arranging the cards into a high and low hand.

(1) A facility operator shall specify in its Rules Submission the manner in which the dealer shall set the dealer’s hands;

(2) After setting the dealer’s hands, the dealer shall place the two hands face up on the appropriate area of the layout; and

(3) If a player is acting as the bank in accordance with Regulation .12 of this chapter, after all players have set their hands and placed the cards on the table, the bank shall turn over its seven

cards and set the two hands by arranging the cards in a high and low hand on the appropriate area of the layout.

D. Unless a player has placed an optional wager authorized under Regulation .07 of this chapter, a player may surrender the wager after the hands of the dealer or the bank have been set.

(1) A player shall announce the player's intention to surrender before the dealer exposes the two hands of that player as provided in §E of this regulation.

(2) After the player has announced his intention to surrender, the dealer shall immediately collect the Pai Gow Poker Wager from that player and collect the seven cards dealt to that player without exposing the cards to anyone at the table.

(3) If a Qualifying Wagers have been placed, the cards of the player shall remain on the table until collected in accordance with §H of this regulation.

(4) The dealer shall verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

E. After the dealer has set a high hand and a low hand, the dealer shall reveal both hands of each player, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, and shall:

(1) Compare the high and low hand of each player to the high and low hand of the dealer; and

(2) Announce if the Pai Gow Poker Wager of that player wins, loses or is a tie.

F. A Pai Gow Poker Wager shall:

(1) Lose, and be immediately collected by the dealer, if:

(a) The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer;

(b) The high hand of the player is identical in rank to the high hand of the dealer or the low hand of the player is identical in rank to the low hand of the dealer and the other hand of the player is identical in rank or lower in rank than the other hand of the dealer;

(c) The high hand of the player was not set so as to rank equal to or higher than the low hand of that player; or

(d) The two hands of the player were not otherwise set correctly in accordance with this chapter.

(2) Tie, and be returned to the player by the dealer, if:

(a) The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is identical in rank to the low hand of the dealer or lower in rank than the low hand of the dealer; or

(b) The high hand of the player is identical in rank to the high hand of the dealer or lower in rank than the high hand of the dealer, but the low hand of the player is higher in rank than the low hand of the dealer;

(3) Win, if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is higher in rank than the low hand of the dealer; and

(4) If winning, be paid by the dealer in accordance with the payout odds in Regulation .13 of this chapter.

G. Except as provided in §H of this regulation, after settling the player's Pai Gow Poker Wager, the dealer shall place the cards of the player in the discard rack.

H. After settling the player's Pai Gow Poker Wager, the dealer shall:

(1) In accordance with Regulation .07 of this chapter, rearrange the seven cards of a player who placed an optional wager to form the highest ranking hand and be responsible for creating the hand for purposes of all optional wagers offered by the facility operator;

(2) If any player at the table has placed a Qualifying Wager, rearrange the cards of all players regardless of whether the player placed a Fortune Bonus Wager or an Emperor's Treasure Wager;

(3) After rearranging the player's seven cards, the dealer shall settle the player's Fortune Bonus Wager as follows:

(a) If a player:

(i) Does not have a straight or higher as described in Regulation .06 of this chapter, the dealer shall collect the Fortune Bonus Wager and place the cards of the player in the discard rack;

(ii) Has a straight or higher, the dealer shall pay the winning Fortune Bonus Wager in accordance with Regulation .13 of this chapter and shall place the cards of the player in the discard rack;

(iii) If the player described in §H(3)(a)(ii) of this regulation has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table; and

(iv) Did not place a Fortune Bonus Wager but has an Envy Bonus Qualifying Hand, and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table;

(b) After all Fortune Bonus Wagers have been settled, if a player holds an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with Regulation .13 of this chapter to each player who has an Envy lammer at the player's betting position;

(i) Players are entitled to multiple Envy Bonuses when another player at the same Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand; and

(ii) A player is not entitled to an Envy Bonus for the player's or dealer's hand; and

(c) After all Envy Bonuses have been paid, the dealer shall collect all remaining cards and place them in the discard rack.

(4) The dealer shall settle the player's Emperor's Treasure Wager as follows:

(a) If a player does not have a straight or higher as described in Regulation .06 of this chapter, the dealer shall collect the Emperor's Treasure Wager and place the cards of the player in the discard rack;

(b) If a player has a straight or higher, the dealer shall pay the winning Emperor's Treasure Wager in accordance with Regulation .13 of this chapter and place the cards of the player in the discard rack;

(c) If the player has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table;

(d) If a player did not place an Emperor's Treasure Wager but has an Envy Bonus Qualifying Hand and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table;

(e) After all Emperor's Treasure Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with Regulation .13 of this chapter to each player who has an Envy lammer at the player's betting position; and

(i) A player is entitled to multiple Envy Bonuses when another player at the same Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand; and

(ii) A player is not entitled to an Envy Bonus for the player's or dealer's hand;

(f) After paying all Envy Bonuses, the dealer shall collect all remaining cards and place them in the discard rack;

(5) *The dealer shall settle the player's Pai Gow Insurance Wager as follows:*

(a) *If a player has a pair or better as described in Regulation .06 of this chapter, the dealer shall collect the Pai Gow Insurance Wager and place the cards of the player in the discard rack; or*

(b) *If a player does not have a pair or better, but has a card ranked a nine-high or better, the dealer shall pay the winning Pai Gow Insurance Wager in accordance with Regulation .13 of this chapter; and*

(c) *The dealer shall then place the cards of each player in the discard rack;*

(6) *The dealer shall settle the player's Progressive Payout Wager as follows:*

(a) *If a player does not have a full house or better as described in Regulation .06 of this chapter, the dealer shall collect the Progressive Payout Wager and place the cards of the player in the discard rack;*

(b) *If a player has a full house or better, the dealer shall:*

(i) *Verify that the hand is a winning hand;*

(ii) *Verify that the appropriate light on the progressive table game system has been illuminated;*

(iii) *Ensure that a floorperson or above validate the progressive payout in accordance with the facility operator's approved internal control procedures;*

(iv) *Pay the winning Progressive Payout Wager in accordance with the payout odds in Regulation .13 of this chapter;*

(v) *If a player has won a progressive payout that is a percentage of the progressive meter, the progressive payout may not be paid from the table inventory container; and*

(vi) *If a player has won a progressive payout that is not being paid from the table inventory, the cards of that player shall remain on the table until the necessary documentation has been completed.*

I. *Notwithstanding the requirements in §H of this regulation, if the facility operator offers more than one optional wager, the dealer shall settle all of the player's optional wagers before placing the player's cards in the discard rack.*

J. *All cards removed from the table shall be placed in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or player dispute.*

.12 Player Bank; Co-Banking; Selection of Bank; Procedure for Dealing.

A. *If specified in its Rules Submission, a facility operator may offer to all players at a Pai Gow Poker table the opportunity to bank the game.*

(1) *If the facility operator elects this option, the provisions of this regulation control for any round of play in which a player is the bank; and*

(2) *All other provisions of this chapter apply to the extent that they do not conflict with the provisions in this section.*

B. *For the purposes of this regulation:*

(1) *A player may not be the bank at the start of the game; and*

(2) *The start of the game is the first round of play after the dealer is required to shuffle the cards in accordance with Regulation .05 of this chapter.*

C. *After the first round of play, each player at the table shall have the option to either be the bank or pass the bank to the next player.*

(1) *The dealer shall:*

(a) *Offer the bank to each player, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, until a player accepts the bank; and*

(b) *Place a marker designating the bank in front of the player who accepts the bank;*

(2) *If the first player offered the bank accepts, the player seated to the right of the bank shall be offered the bank first on the next round of play;*

(3) *A player may not bank two consecutive rounds of play; and*

(4) *If no player accepts the bank, the round of play shall proceed in accordance with the rules of play provided in this chapter.*

D. *Before a player may bank a round of play, the dealer shall confirm that:*

(1) *The player placed a Pai Gow Poker Wager against the dealer during the last round of play in which there was no player banking the game; and*

(2) *The player has sufficient value chips or plaques on the table to cover all of the Pai Gow Poker Wagers placed by other players at the table for that round of play.*

E. *If specified in its Rules Submission, a facility operator may offer the bank the option of co-banking the round of play.*

(1) *If the facility operator offers the co-banking option, it shall be made available to all players at the table.*

(2) *If the bank wishes to use this option and co-bank 50 percent of the winning Pai Gow Poker Wagers, the bank shall specifically request to co-bank with the dealer.*

(3) *The dealer shall place a marker designating the player co-banking that round of play.*

(4) *When the dealer is co-banking, the dealer shall be responsible for setting the hand of the bank in the manner as specified in the facility operator's Rules Submission.*

(5) *When co-banking is in effect, the dealer may not place a wager against the bank.*

F. *If a player is the bank, the player may wager on only one betting area.*

G. *After the dealer has determined that a player may be the bank, as required under §D of this regulation, the dealer shall shuffle the cards in accordance with Regulation .05 of this chapter.*

(1) *Unless co-banking is in effect, the dealer shall remove value chips from the table inventory container in an amount equal to the banker's last Pai Gow Poker Wager made against the dealer or in an amount as specified in the facility operator's Rules Submission.*

(2) *The amount described in §G(2) of this regulation is the amount the dealer wagers against the bank.*

(3) *The bank may direct that the sum wagered by the dealer be a lesser amount or that the dealer place no wager during that round of play.*

(4) *Any amount wagered by the dealer shall be placed in front of the table inventory container.*

H. *The dealer shall determine the starting position for dealing the cards in accordance with Regulations .08, .09 and .10 of this chapter.*

I. *If the dealer placed a wager against the bank, after each player has set two hands and placed them on the table layout, the two hands of the dealer shall be set.*

(1) *After the dealer has formed a high and low hand and placed the hands face up on the appropriate area of the table layout, the dealer shall expose the hands of the bank and determine if the hands of the dealer are higher in rank than the hands of the bank.*

(2) *If the bank did not set its hands correctly, the dealer shall reset the bank's hands in accordance with the facility operator's Rules Submission.*

(3) *If the dealer wins, the cards of the dealer shall be stacked face up to the right of the table inventory container with the amount wagered by the dealer against the bank placed on top.*

(4) *If the dealer's hand is a tie with the bank's hand, the dealer shall return the amount wagered by the dealer against the bank to the table inventory container.*

(5) *If the dealer loses, the amount wagered by the dealer against the bank shall be moved to the center of the layout.*

J. If a player is banking the round of play, after the dealer has determined the outcome of the Pai Gow Poker Wager of the dealer against a bank, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, expose the hands of each player and shall:

(1) Compare the high and low hand of the player to the high and low hand of the bank and announce if the wager wins, loses or ties;

(2) Immediately collect losing wagers and place them in the center of the table;

(3) Pay all winning Pai Gow Poker Wagers, including the dealer's wager, with the value chips located in the center of the table;

(4) If this amount becomes exhausted before all winning Pai Gow Poker Wagers have been paid, collect from the bank an amount equal to the remaining winning wagers and place that amount in the center of the layout;

(5) Pay the remaining winning wagers from the amount in the center of the layout;

(6) If after collecting all losing wagers and paying all winning Pai Gow Poker Wagers, there is a surplus in the center of the table, charge this amount a 5 percent vigorish in accordance with Regulation .13 of this chapter; and

(7) After the vigorish has been paid, give the remaining amount to the bank.

K. Immediately after a winning Pai Gow Poker Wager of the dealer is paid, this amount and the dealer's original wager shall be returned to the table inventory container.

L. If a player and the dealer are co-banking the round of play, once the dealer has set the co-bank's hand under §E of this regulation, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, expose the hands of each player.

(1) The dealer shall:

(a) Compare the high and low hand of the player to the high and low hand of the bank and announce if the wager wins, loses or ties;

(b) Immediately collect losing wagers and place them in the center of the table; and

(c) Pay all winning Pai Gow Poker Wagers with the value chips located in the center of the table layout;

(2) If the amount described in §L(1)(c) of this regulation becomes exhausted before all winning Pai Gow Poker Wagers have been paid, the dealer shall collect from the bank an amount equal to 1/2 of the remaining winning wagers and place that amount in the center of the layout;

(3) The dealer shall:

(a) Remove an amount equal to 1/2 of the remaining winning wagers from the table inventory container and place that amount in the center of the layout;

(b) Pay the remaining winning wagers from the total amount in the center of the layout;

(c) If, after the collection of all losing wagers and payment of all winning Pai Gow Poker Wagers, there is a surplus in the center of the table, count this amount and place 1/2 of this amount into the table inventory container;

(d) Collect a 5 percent vigorish, in accordance with Regulation .13 of this chapter on the remaining amount; and

(e) After collecting the vigorish, shall give the remaining amount to the bank.

M. A player who has a winning Pai Gow Poker Wager against the bank shall pay the dealer a 5 percent vigorish on the amount won.

N. If the facility operator offers an optional wager authorized under Regulation .07 of this chapter, the optional wager shall be

resolved in accordance with Regulation .11 of this chapter, and the dealer shall pay all winning optional wagers.

.13 Payout Odds; Envy Bonus; Rate of Progression; Payout Limitation.

A. A facility operator shall pay each winning Pai Gow Poker Wager at odds of 1 to 1, except that the facility operator shall extract a vigorish from a winning player in an amount equal to 5 percent of the amount won.

(1) When collecting a vigorish, a facility operator may round off the vigorish to 25 cents or the next highest multiple of 25 cents.

(2) A facility operator shall collect the vigorish from a player at the time the winning payout is made.

B. The facility operator shall pay out winning Fortune Bonus Wagers and Envy Bonus payouts at the odds and amounts in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

(a) For a Seven card straight flush the payout is 8,000 to 1;
(b) For a Royal flush and Royal Match the payout is 2,000

to 1;

(c) For a Seven-card straight flush with joker the payout is 1,000 to 1;

(d) For Five aces the payout is 400 to 1;

(e) For a Royal flush the payout is 150 to 1;

(f) For a Straight flush the payout is 50 to 1;

(g) For Four-of-a-kind the payout is 25 to 1;

(h) For a Full house the payout is 5 to 1;

(i) For a Flush the payout is 4 to 1;

(j) For Three-of-a-kind the payout is 3 to 1; or

(k) For a Straight the payout or 2 to 1;

(2) Paytable A's Envy Bonus:

(a) For a Seven card straight flush the payout is \$5,000;

(b) For a Royal flush and Royal Match the payout is \$1,000;

(c) For a Seven-card straight flush with joker the payout is \$500;

(d) For Five aces the payout is \$250;

(e) For a Royal flush the payout is \$50;

(f) For a Straight flush the payout is \$20; or

(g) For Four-of-a-kind the payout is \$5;

(3) Paytable B:

(a) For a Seven card straight flush the payout is 5,000 to 1;

(b) For a Royal flush and Royal Match the payout is 2,000

to 1;

(c) For a Seven-card straight flush with joker the payout is 1,000 to 1;

(d) For Five aces the payout is 400 to 1;

(e) For a Royal flush the payout is 150 to 1;

(f) For a Straight flush the payout is 50 to 1;

(g) For Four-of-a-kind the payout is 25 to 1;

(h) For a Full house the payout is 5 to 1;

(i) For a Flush the payout is 4 to 1;

(j) For Three-of-a-kind the payout is 3 to 1; or

(k) For a Straight the payout is 2 to 1;

(4) Paytable B's Envy Bonus:

(a) For a Seven card straight flush the payout is \$3,000;

(b) For a Royal flush and Royal Match the payout shall be \$1,000

(c) For a Seven-card straight flush with joker the payout is \$500;

(d) For Five aces the payout is \$250;

(e) For a Royal flush the payout is \$50;

(f) For a Straight flush the payout is \$20; or

(g) For Four-of-a-kind the payout is \$5;

(5) Paytable C:

(a) For a Seven card straight flush the payout is 5,000 to 1;

- (b) For a Royal flush and Royal Match the payout is 1,000 to 1;
 - (c) For a Seven-card straight flush with joker the payout is 750 to 1;
 - (d) For Five aces the payout is 250 to 1;
 - (e) For a Royal flush the payout is 100 to 1;
 - (f) For a Straight flush the payout is 50 to 1;
 - (g) For Four-of-a-kind the payout is 20 to 1;
 - (h) For a Full house the payout is 5 to 1;
 - (i) For a Flush the payout is 4 to 1;
 - (j) For Three-of-a-kind the payout is 3 to 1; or
 - (k) For a Straight the payout is 2 to 1;
 - (6) Paytable C's Envy Bonus:
 - (a) For a Seven card straight flush the payout is \$1,000;
 - (b) For a Royal flush and Royal Match the payout is \$250;
 - (c) For a Seven-card straight flush with joker the payout is \$100;
 - (d) For Five aces the payout is \$50;
 - (e) For a Royal flush the payout is \$25;
 - (f) For a Straight flush the payout is \$10;
 - (g) For Four-of-a-kind the payout is \$5;
 - (7) Paytable D:
 - (a) For a Seven card straight flush the payout is 2,500 to 1;
 - (b) For a Royal flush and Royal Match the payout is 1,000 to 1;
 - (c) For a Seven-card straight flush with joker the payout is 750 to 1;
 - (d) For Five aces the payout is 250 to 1;
 - (e) For a Royal flush the payout is 125 to 1;
 - (f) For a Straight flush the payout is 50 to 1;
 - (g) For Four-of-a-kind the payout is 25 to 1;
 - (h) For a Full house the payout is 5 to 1;
 - (i) For a Flush the payout is 4 to 1;
 - (j) For Three-of-a-kind the payout is 3 to 1; or
 - (k) For a Straight the payout is 2 to 1;
 - (8) Paytable D's Envy Bonus:
 - (a) For a Seven card straight flush the payout is \$1,000;
 - (b) For a Royal flush and Royal Match the payout is \$750;
 - (c) For a Seven-card straight flush with joker the payout is \$250;
 - (d) For Five aces the payout is \$100;
 - (e) For a Royal flush the payout is \$50;
 - (f) For a Straight flush the payout is \$20; or
 - (g) For Four-of-a-kind the payout is \$5.
- C. A facility operator shall pay out winning Emperor's Treasure Wagers and Envy Bonus payouts at the odds and amounts in one of the following paytables selected by the facility operator in its Rules Submission:
- (1) Paytable A:
 - (a) For a Seven-card straight flush the payout is 8,000 to 1;
 - (b) For a Royal flush and ace king suited the payout is 2,000 to 1;
 - (c) For a Seven-card straight flush with joker the payout is 1,000 to 1;
 - (d) For Five aces the payout is 400 to 1;
 - (e) For a Royal flush the payout is 150 to 1;
 - (f) For a Straight flush the payout is 50 to 1;
 - (g) For Four-of-a-kind the payout is 25 to 1;
 - (h) For a Full house the payout is 5 to 1;
 - (i) For a Flush the payout is 4 to 1;
 - (j) For Three-of-a-kind the payout is 3 to 1; or
 - (k) For a Straight payout is 2 to 1;
 - (2) Paytable A's Envy Bonus:
 - (a) For a Seven-card straight flush the payout is \$5,000;

- (b) For a Royal flush and ace king suited the payout is \$1,000;
- (c) For a Seven-card straight flush with joker the payout is \$500;
- (d) For Five aces the payout is \$250;
- (e) For a Royal flush the payout is \$50;
- (f) For a Straight flush the payout is \$20; or
- (g) For Four-of-a-kind the payout is \$5;
- (3) Paytable B:
 - (a) For a Seven-card straight flush the payout is 5,000 to 1;
 - (b) For a Royal flush and ace king suited the payout is 2,000 to 1;
 - (c) For a Seven-card straight flush with joker the payout is 1,000 to 1;
 - (d) For Five aces the payout is 400 to 1;
 - (e) For a Royal flush the payout is 150 to 1;
 - (f) For a Straight flush the payout is 50 to 1;
 - (g) For Four-of-a-kind the payout is 25 to 1;
 - (h) For a Full house the payout is 5 to 1;
 - (i) For a Flush the payout is 4 to 1;
 - (j) For Three-of-a-kind the payout is 3 to 1; or
 - (k) For a Straight the payout is 2 to 1;
- (4) Paytable B's Envy Bonus:
 - (a) For a Seven-card straight flush the payout is \$3,000;
 - (b) For a Royal flush and ace king suited the payout is \$1,000;
 - (c) For a Seven-card straight flush with joker the payout is \$500;
 - (d) For Five aces the payout is \$250;
 - (e) For a Royal flush the payout is \$50;
 - (f) For a Straight flush the payout is \$20; or
 - (g) For Four-of-a-kind the payout is \$5;
- (5) Paytable C:
 - (a) For a Seven-card straight flush the payout is 5,000 to 1;
 - (b) For a Royal flush and ace king suited the payout is 1,000 to 1;
 - (c) For a Seven-card straight flush with joker the payout is 750 to 1;
 - (d) For Five aces the payout is 250 to 1;
 - (e) For a Royal flush the payout is 100 to 1;
 - (f) For a Straight flush the payout is 50 to 1;
 - (g) For Four-of-a-kind the payout is 20 to 1;
 - (h) For a Full house the payout is 5 to 1;
 - (i) For a Flush the payout is 4 to 1;
 - (j) For Three-of-a-kind the payout is 3 to 1; or
 - (k) For a Straight payout is 2 to 1;
- (6) Paytable C's Envy Bonus:
 - (a) For a Seven-card straight flush the payout is \$1,000;
 - (b) For a Royal flush and ace king suited the payout is \$250;
 - (c) For a Seven-card straight flush with joker the payout is \$100;
 - (d) For Five aces the payout is \$50;
 - (e) For a Royal flush the payout is \$25;
 - (f) For a Straight flush the payout is \$10; or
 - (g) For Four-of-a-kind the payout is \$5;
- (7) Paytable D:
 - (a) For a Seven-card straight flush the payout is 2,500 to 1;
 - (b) For a Royal flush and ace king suited the payout is 1,000 to 1;
 - (c) For a Seven-card straight flush with joker the payout is 750 to 1;
 - (d) For Five aces the payout is 250 to 1;
 - (e) For a Royal flush the payout is 125 to 1;
 - (f) For a Straight flush the payout is 50 to 1;
 - (g) For Four-of-a-kind the payout is 25 to 1;

- (h) For a Full house the payout is 5 to 1;
- (i) For a Flush the payout is 4 to 1;
- (j) For Three-of-a-kind the payout is 3 to 1; or
- (k) For a Straight the payout is 2 to 1;

(8) Paytable D's Envy Bonus:

- (a) For a Seven-card straight flush the payout is \$1,000;
- (b) For a Royal flush and ace king suited the payout is \$750;
- (c) For a Seven-card straight flush with joker the payout is \$250;
- (d) For Five aces the payout is \$100;
- (e) For a Royal flush the payout is \$50;
- (f) For a Straight flush the payout is \$20; or
- (g) For Four-of-a-kind the payout is \$5.

D. A facility operator shall pay out winning Pai Gow Insurance Wagers at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

- (a) For Nine-high the payout is 100 to 1;
- (b) For Ten-high the payout is 25 to 1;
- (c) For Jack-high the payout is 15 to 1;
- (d) For Queen-high the payout is 6 to 1;
- (e) For King-high the payout is 5 to 1; or
- (f) For Ace-high the payout is 3 to 1;

(2) Paytable B:

- (a) For Nine-high the payout is 100 to 1;
- (b) For Ten-high the payout is 25 to 1;
- (c) For Jack-high the payout is 15 to 1;
- (d) For Queen-high the payout is 7 to 1;
- (e) For King-high the payout is 5 to 1; or
- (f) For Ace-high the payout is 3 to 1.

E. If a facility operator offers the Progressive Payout Wager:

(1) The facility operator shall pay out a winning Progressive Payout Wager at the odds in the following payable:

- (a) For Seven-card straight flush the payout is 100 percent;
- (b) For Five aces the payout is 10 percent;
- (c) For a Royal flush the payout is 500 for 1;
- (d) For a Straight flush the payout is 100 for 1;
- (e) For Four-of-a-kind the payout is 75 for 1; or
- (f) For a Full house the payout is 4 for 1.

(2) The initial and resent amount shall be:

- (a) Included in the facility operator's Rules Submission; and
- (b) At least \$2,000.

(3) Regardless of the amount that was on the meter when the player placed the wager or when the dealer dealt the player's cards.

F. A facility operator shall pay a Winning Progressive Payout Wager the amount on the meter when it is the player's turn to be paid in accordance with Regulation .11 of this chapter.

G. Notwithstanding the payout odds in §§B — E of this regulation, a facility operator may, in its Rules Submission, establish a maximum amount that is payable to a player on a single hand.

(1) The maximum payout amount shall be the greater of:

- (a) \$50,000; or
- (b) The maximum amount that a player could win per round when betting the minimum permissible wager.

(2) A maximum payout limit established by a facility operator may not apply to Envy Bonus payouts.

.14 Irregularities.

A. A dealer shall call a "no roll" and reshake the dice if the dealer uncovers the Pai Gow Poker shaker, and

(1) All three dice do not land flat on the bottom of the shaker;

or

(2) A die falls out of the shaker.

B. If a dealer incorrectly totals the dice and deals the first card to the wrong position, all hands are void and the dealer shall return all wagers shall be returned to the players and reshuffle the cards.

C. If the dealer exposes any of the cards dealt to a player, the player may void the hand and decide, without looking at the unexposed cards, whether to play out the hand or to void the hand.

D. If a card in the dealer's or bank's hand is exposed, all hands are void, and the dealer.

E. A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack.

F. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands are void, and the dealer shall return all wagers to the players and reshuffle the cards.

G. A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

H. If a player or the dealer is dealt an incorrect number of cards, all hands are void, and the dealer shall return all wagers to the players and reshuffle the cards.

I. If the dealer or the bank does not set its hands in the manner in which the facility operator requires the hands of the dealer to be set, the hands shall be reset in accordance with the facility operator's Rules Submission and the round of play shall be completed.

J. If a card is exposed while the dealer is dealing the seven stacks in accordance with Regulation .09 of this chapter, the dealer shall return all wagers to the players and reshuffle the cards.

K. If a player position or the dealer is dealt an incorrect number of cards, all hands are void, and the dealer shall return all wagers to the players and reshuffle the cards.

L. If an automated card shuffling device is in use and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

M. If an automated dealing shoe is in use and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play are void, the dealer shall return all wagers to the players, remove the cards from the device, and reshuffle them with any cards already dealt.

N. If an automated shuffling device or automated dealing shoe malfunctions and cannot be used, before another method of shuffling or dealing may be used at that table, the automated card shuffling device or automated dealing shoe shall be:

- (1) Covered; or
- (2) Marked with a sign indicating that the automated shuffling device or automated dealing shoe is out of order.

36.05.13 Texas Hold 'Em Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland

.01 Definitions.

A. In this chapter the following terms have the meanings indicated.

B. Terms Defined.

(1) "Burn" means to remove the top or next card from the deck and place it face down in the discard rack without exposing the card to anyone.

(2) "Community card" means a card which may be used by each player and the dealer to form the best possible five-card Poker hand.

(3) "Flop" means the first three community cards dealt during a round of play.

(4) "Flop Wager" means the second wager that a player shall make prior to the Flop being dealt to continue participation in the round of play.

(5) "Fold" means the withdrawal of a player from a round of play by not making a Flop Wager.

(6) "Hand" means the five-card Poker hand formed from the two cards of the player or the dealer and any of the five community cards.

(7) "River card" means the fifth and final community card dealt during a round of play.

(8) "River Wager" means the fourth wager that a player may place prior to the River card being dealt.

(9) "Turn card" means the fourth community card dealt during a round of play.

(10) "Turn Wager" means the third wager that a player may place prior to the Turn card being dealt.

.02 Texas Hold 'Em Bonus Poker Tables.

A. Texas Hold 'Em Bonus Poker shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

B. The layout for a Texas Hold 'Em Bonus Poker table shall be submitted to the Commission for approval and contain at least:

(1) The name or logo of the facility operator;

(2) Four separate betting areas designated for the placement of Ante, Flop, Turn and River Wagers for each player;

(3) A separate area designated for the placement of the five community cards located directly in front of the table inventory container;

(4) A separate area designated for the placement of the dealer's two cards;

(5) If the facility operator offers the optional Texas Hold 'Em Bonus Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Texas Hold 'Em Bonus Wager for each player;

(6) Inscriptions that advise players of the payout odds for all permissible wagers offered by the facility operator. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each Texas Hold 'Em Bonus Poker table;

(7) Inscriptions indicating the following:

(a) The Ante Wager will be returned if the player's winning hand is not a straight or better or a flush or better as specified in the facility operator's Rules Submission; and

(b) The payout limit per hand established by the facility operator under Regulation .12 of this chapter or a generic inscription indicating that the game is subject to the posted payout limit; and

(8) If the information required under §B(7) of this regulation is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Texas Hold 'Em Bonus Poker table.

C. A Texas Hold 'Em Bonus Poker table shall have a:

(1) Drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Commission; and

(2) Discard rack securely attached to the top of the dealer's side of the table.

D. The Commission may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

.03 Cards; Number of Decks.

A. Except as provided in §B of this regulation:

(1) Texas Hold 'Em Bonus Poker shall be played with one deck of cards;

(2) The cards of a deck shall be identical in appearance; and

(3) A deck shall contain two cover cards.

B. If an automated card shuffling device is utilized, Texas Hold 'Em Bonus Poker may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck shall be of the same design;

(2) The backs of the cards in one deck shall be of a different color than the cards in the other deck;

(3) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game;

(4) Both decks of cards shall be continuously alternated in and out of play, with each deck being used for every other round of play; and

(5) The cards from only one deck shall be placed in the discard rack at any given time.

C. The decks of cards used in Texas Hold 'Em Bonus Poker shall be changed:

(1) At least every 4 hours if the cards are dealt by hand; and

(2) At least every 8 hours if the cards are dealt from a manual or automated dealing shoe.

.04 Opening a Table for Gaming.

A. After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects and a floorperson assigned to the table shall verify the inspection.

B. After the cards are inspected, the cards shall be spread out face up, in horizontal fan shaped columns by deck according to suit and in sequence, on the table for visual inspection by the first player to arrive at the table.

C. After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the dealer shall:

(1) Turn the cards face down on the table;

(2) Mix the cards thoroughly by washing them; and

(3) Stack the cards.

D. After the cards have been stacked, the dealer shall shuffle the cards in accordance with Regulation .05 of this chapter.

E. If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with §§A — C of this regulation.

F. If the decks of cards received at the table are preinspected and reshuffled, §§A — D of this regulation do not apply.

.05 Shuffling and Cutting the Cards.

A. Unless the cards were reshuffled, the dealer shall shuffle the cards so they are randomly intermixed, manually or with an automated card shuffling device:

(1) Immediately prior to commencement of play;

(2) After each round of play has been completed; or

(3) When directed by a floorperson or above.

B. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack.

C. The facility operator may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

D. After the cards have been shuffled and placed in a single stack by the dealer or an automated card shuffling device, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with Regulations .08, .09 and .10 of this chapter.

(2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with §F of this regulation.

E. The deck shall be removed from the table if an automated card shuffling device:

(1) Is being used which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present; and

(2) The device reveals that an incorrect number of cards are present.

F. If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack.

(1) After the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack.

(2) The stack of cards shall then be inserted into the dealing shoe for commencement of play.

G. After the cards have been cut and before any cards have been dealt, a floorman or above may require the cards to be recut if the floorman determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

H. If there is no gaming activity at a Texas Hold 'Em Bonus Poker table which is open for gaming, the dealer shall:

(1) Unless a player requests that the cards be spread face up on the table, spread out the cards on the table face down; and

(2) After the first player arriving at the table is afforded an opportunity to visually inspect the cards, complete the procedures in Regulation .04 of this chapter.

I. A facility operator may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Commission and approved prior to its use in the licensed facility. If a facility operator is utilizing the approved device, §§F — H of this regulation do not apply.

.06 Texas Hold 'Em Bonus Poker Rankings.

A. In order of highest to lowest rank, the rank of the cards used in Texas Hold 'Em Bonus Poker is: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2.

B. Notwithstanding §A of this regulation, a player may use an ace to complete a straight flush or straight formed with a 2, 3, 4 and 5, but may not combine an ace with any other sequence of cards.

C. All suits are equal in rank.

D. In order of highest to lowest rank, the permissible five-card Poker hands at the game of Texas Hold 'Em Bonus Poker are:

(1) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit;

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest straight flush;

(3) A four-of-a-kind, which is a hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind;

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house;

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush;

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight;

(7) A three-of-a-kind, which is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind;

(8) Two pair, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair; and

(9) A pair, which is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

E. When comparing two hands that are of identical rank under §B of this regulation or that contain none of the hands listed in §B of this regulation:

(1) The hand that contains the highest ranking card under §A of this regulation which is not contained in the other hand is the higher ranking hand; or

(2) If the hands are of identical rank after the application of this section, the hands are a tie.

.07 Wagers.

A. A player shall make a wager at Texas Hold 'Em Bonus Poker placing a value chip, plaque or other Commission-approved table game wagering instrument on the appropriate areas of the table layout.

B. A verbal wager accompanied by cash may not be accepted.

C. Only a player who is seated at a Texas Hold 'Em Bonus Poker table may place a wager at the game.

(1) After a player has placed a wager and received cards, the player shall remain seated until the completion of the round of play.

(2) If a player leaves the table during a round of play, a wager made by the player may be considered abandoned and may be treated as a losing wager.

D. An Ante and Texas Hold 'Em Bonus Wager shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in Regulations .08, .09 and .10 of this chapter.

E. Except as provided in Regulation.11 of this chapter, a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

F. The following wagers may be placed in the game of Texas Hold 'Em Bonus Poker:

(1) A player shall compete against the dealer's five-card Poker hand by placing an Ante Wager then a Flop, Turn and River Wager in accordance with Regulation.11 of this chapter; and

(2) A facility operator may, if specified in its Rules Submission, offer to each player at a Texas Hold 'Em Bonus Poker table the option to make an additional Texas Hold 'Em Bonus Wager that the player's first two cards will qualify for a payout in accordance with Regulation .12 of this chapter.

G. A Texas Hold 'Em Bonus Wager shall have no bearing on any other wager made by a player.

H. A player may not wager on more than one player position at a Texas Hold 'Em Bonus Poker table.

.08 Procedure for Dealing Cards from a Manual Dealing Shoe.

A. If a manual dealing shoe is used, it shall be located on the table in a location approved by the Commission.

B. After the procedures required under Regulation .05 of this chapter have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

C. After all Ante and Texas Hold 'Em Bonus Wagers have been placed and prior to dealing the cards, the dealer shall announce "no more bets."

D. The dealer shall:

(1) Remove each card from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand;

(2) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time, face down, to each player who placed an Ante Wager in accordance with Regulation.07 of this chapter and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have two cards;

(3) After two cards have been dealt to each player and to the area designated for the placement of the dealer's hand, deal five

community cards in accordance with Regulation .11 of this chapter; and

(4) After dealing all community cards, remove the stub from the manual dealing shoe and, except as provided in §F of this regulation, place the stub in the discard rack without exposing the cards.

E. If an automated card shuffling device described in Regulation .05E(1) of this chapter not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck by counting the cards face down on the layout.

F. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

G. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt.

(1) If the cards were misdealt but 52 cards remain in the deck, all hands are void and all wagers shall be returned to the players.

(2) If the cards were not misdealt, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

.09 Procedure for Dealing Cards from the Hand.

A. If the cards are dealt from the dealer's hand, the following requirements shall be met:

(1) An automated shuffling device shall be used to shuffle the cards; and

(2) After the procedures required under Regulation .05 of this chapter have been completed, the dealer shall place the stacked deck of cards in either hand, and:

(a) After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play; and

(b) The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

B. The dealer shall:

(1) Announce "no more bets;"

(2) Deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout;

(3) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who placed an Ante Wager in accordance with Regulation .07 of this chapter and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have two cards;

(4) After dealing two cards to each player and to the area designated for the placement of the dealer's hand, deal the five community cards in accordance with Regulation.11 of this chapter; and

(5) After all community cards have been dealt, except as provided in §D of this regulation, place the stub in the discard rack without exposing the cards.

C. If an automated card shuffling device described in Regulation .05E(1) of this regulation is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck.

D. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

E. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

F. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt.

G. If the cards were misdealt but 52 cards remain in the deck, all hands are void and all wagers shall be returned to the players.

H. If the cards were not misdealt, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

.10 Procedure for Dealing Cards from an Automated Dealing Shoe.

A. If the cards are dealt from an automated dealing shoe, the following requirements shall be met:

(1) After the procedures required under Regulation .05 of this chapter have been completed, the cards shall be placed in the automated dealing shoe; and

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce "no more bets."

B. The dealer shall:

(1) Deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager in accordance with Regulation .07 of this chapter;

(2) As the remaining stacks are dispensed to the dealer by the automated dealing shoe, moving clockwise around the table deliver a stack of two cards face down to each of the other players who has placed an Ante Wager;

(3) Deliver a stack of two cards face down under a cover card to the area designated for the dealer's cards;

(4) After each stack of two cards has been dispensed and delivered in accordance with §B of this regulation, remove the remaining cards from the automated dealing shoe and, following the procedures in Regulation .09 of this chapter, deal from the dealer's hand five community cards in accordance with Regulation .11 of this chapter; and

(5) After dealing all five community cards, except as provided in §D of this regulation, place the stub in the discard rack without exposing the cards.

C. If an automated card shuffling device described in Regulation .05E(1) if this regulation is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck.

D. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

E. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

F. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt.

G. If the cards were misdealt but 52 cards remain in the deck, all hands are void and all wagers shall be returned to the players.

H. If the cards were not misdealt, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

I. Notwithstanding the requirements in §§B and C of this regulation, if a facility operator is utilizing an automated dealing shoe which automatically reshuffles the cards:

(1) The five community cards may be dispensed before the two cards are dispensed to each player and to the dealer; and

(2) The community cards shall then be revealed in accordance with Regulation .11 of this chapter.

.11 Procedure for Completing a Round of Play.

A. After the dealing procedures required under Regulations .08, .09 and .10 of this chapter have been completed, a player shall examine the player's cards subject to the following limitations:

(1) A player who wagers at Texas Hold 'Em Bonus Poker shall be responsible for the player's hand;

(2) No individual other than the dealer and the player to whom the cards were dealt may touch a player's cards; and

(3) A player shall keep the player's cards in full view of the dealer at all times.

B. After all players have examined their cards, beginning with the player farthest to the dealer's left and moving clockwise around the table, the dealer shall ask each player if the player wishes to place a Flop Wager prior to the dealing of the Flop, and:

(1) The player may fold; or

(2) Place a Flop Wager equal to twice the amount of the player's Ante Wager.

C. If a player:

(1) Places a Flop Wager, the player shall place the wager in the area designated for the Flop Wager;

(2) Folds, the dealer shall collect the player's Ante Wager and placed it in the table inventory container;

(3) Has placed a Texas Hold 'Em Bonus Wager, the dealer shall place the cards of the player face down under the Texas Hold 'Em Bonus Wager pending its resolution at the conclusion of the round of play; and

(4) Has not placed a Texas Hold 'Em Bonus Wager, the dealer shall immediately collect the player's cards and place them in the discard rack.

D. After all players have either placed a Flop Wager or folded, the dealer shall:

(1) Burn the next card; and

(2) Deal the Flop face up to the designated area for the community cards.

E. After the dealer has dealt the Flop:

(1) The dealer shall, beginning with the player farthest to the dealer's left who has placed a Flop Wager and moving clockwise around the table, ask each player who has placed a Flop Wager if he wishes to place a Turn Wager prior to the dealing of the Turn card; and

(2) A player may:

(a) Check and remain in the game; or

(b) Place a Turn Wager in an amount equal to the player's Ante Wager.

F. After all remaining players have placed a Turn Wager or checked, the dealer shall:

(1) Burn the next card; and

(2) Deal the Turn card face up to the designated area for the community cards.

G. After the Flop and Turn cards have been dealt:

(1) Beginning with the player farthest to the dealer's left who has placed a Flop Wager and moving clockwise around the table, the dealer shall ask each player if he wishes to place a River Wager prior to the dealing of the River card; and

(2) The player may either check and remain in the game or place a River Wager in an amount equal to the player's Ante Wager.

H. After all remaining players have either placed a River Wager or checked, the dealer shall:

(1) Burn the next card face down; and

(2) Deal the River card face up to the designated area for the community cards.

I. After the dealer has dealt five community cards, the dealer shall:

(1) Remove the cover card on top of the dealer's cards and turn the dealer's two cards face up on the layout;

(2) Select five cards using the dealer's two cards and the five community cards to form the highest ranking five-card Poker hand;

(3) After the dealer's cards are turned face up, beginning with the player farthest to the dealer's right who has placed a Flop Wager and continuing around the table in a counterclockwise direction,

complete the following applicable procedures in succession for each player:

(a) Turn the two cards of each player who has placed a Flop Wager face up on the layout;

(b) Examine the cards of the player and select the five cards using the player's two cards and the five community cards to form the highest ranking five-card Poker hand;

(c) Resolve the wagers of each player one player at a time regardless of outcome;

(d) If a player's five card Poker hand:

(i) Is ranked lower than the dealer's five-card Poker hand, immediately collect the Ante, Flop, Turn and River Wagers made by the player;

(ii) Is ranked higher than the dealer's five-card Poker hand, pay the Ante, Flop, Turn and River Wagers in accordance with the payout odds in Regulation .12 of this chapter;

(iii) Return the player's Ante Wager if the player's winning hand is not a straight or higher or a flush or higher as specified in the facility operator's Rules Submission; and

(iv) Return the player's Ante, Flop, Turn and River Wagers if equal in rank to the dealer's five-card hand, the dealer shall; and

(4) After settling a player's Ante, Flop, Turn and River Wagers, settle any Texas Hold 'Em Bonus Wager made by the player by determining whether the player's two cards qualify for a payout in accordance with Regulation .12 of this chapter.

J. After the dealer has settled all wagers of the players, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

.12 Payout Odds; Payout Limitation.

A. A facility operator shall pay each winning Ante, Flop, Turn and River Wager at odds of 1 to 1.

B. A facility operator shall pay each winning Texas Hold 'Em Bonus Wager at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

(a) For an Ace-ace of dealer and player the payout is 1,000 to 1;

(b) For an Ace-ace the payout is 30 to 1;

(c) For an Ace-king of the same suit the payout is 25 to 1;

(d) For an Ace-queen or ace-jack of the same suit the payout is 20 to 1;

(e) For an Ace-king of different suits the payout is 15 to 1;

(f) For a king-king, queen-queen or jack-jack the payout is 10 to 1;

(g) For an Ace-queen or ace-jack of different suits the payout is 5 to 1; or

(h) For A pair of 10-10 through 2-2 the payout is 3 to 1;

(2) Paytable B:

(a) For an Ace-ace of dealer and player the payout is 1,000 to 1.

(b) For an Ace-ace the payout is 30 to 1;

(c) For an Ace-king of the same suit the payout is 25 to 1;

(d) For an Ace-queen or ace-jack of the same suit the payout is 20 to 1;

(e) For an Ace-king of different suits the payout is 15 to 1;

(f) For a king-king, queen-queen or jack-jack the payout is 10 to 1;

(g) For an Ace-queen or ace-jack of different suits the payout is 5 to 1; or

(h) For A pair of 10-10 through 2-2 the payout is 3 to 1.

C. Notwithstanding the payout odds in §§A and B of this regulation, the maximum aggregate payout limit on all winning Ante,

Flop, Turn, River and Texas Hold 'Em Bonus Wagers for any hand is the greater of:

- (1) \$50,000; or
- (2) The maximum amount that one player could win per round when betting the minimum wager.

.13 Irregularities.

A. A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack.

B. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands are void, and the dealer shall return all wagers to the players and reshuffle the cards.

C. Notwithstanding §A of this regulation, if the cards are found face up after each player and the dealer have received their initial two cards, any Texas Hold 'Em Bonus Wager shall be settled in accordance with the payout odds in Regulation .12 of this chapter.

D. A card drawn in error without its face being exposed shall be used as if it were the next card from the shoe or the deck.

E. If a player, the dealer or the area designated for the placement of the community cards is dealt an incorrect number of cards, all hands are void, and the dealer shall return all wagers to the players and reshuffle the cards.

F. If either of the cards dealt to the dealer in Texas Hold 'Em Bonus Poker is inadvertently exposed prior to each player having either folded or placed a Flop, Turn or River Wager as provided under Regulation .11 of this chapter, all hands are void and the dealer shall return all Ante, Flop, Turn and River Wagers to the players and reshuffle the cards.

G. Notwithstanding §D of this regulation, if a player has placed a Texas Hold 'Em Bonus Wager, the wager shall be settled in accordance with the payout odds in Regulation .12 of this chapter.

H. If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the dealer shall:

- (1) Reshuffle the cards;
- (2) Return all wagers to the players; and
- (3) Remove any cards from the device and reshuffled them with any cards already dealt.

I. If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, before any other method of shuffling or dealing may be utilized at that table, the automated card shuffling device or automated dealing shoe shall be:

- (1) Covered; or
- (2) Marked with a sign indicating that the automated card shuffling device or automated dealing shoe is out of order.

36.05.14 Three Card Poker Rules

Authority: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland

.01 Definitions.

A. In this chapter the following terms have the meaning indicated.

B. Terms Defined.

(1) "Envy Bonus" means an additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Three Card Poker table is the holder of an Envy Bonus Qualifying Hand.

(2) "Envy Bonus Qualifying Hand" means a player's Three Card Poker hand of an ace, king and queen of the same suit.

(3) "Hand" means a Three Card Poker hand that is held by each player and the dealer after the cards are dealt.

(4) "Pair Plus Wager" means a wager that a player is required to make prior to any cards being dealt to compete against a posted

paytable, regardless of the outcome of the player's hand against the dealer's hand.

(5) "Play Wager" means an additional wager that a player shall make if the player opts to remain in competition against the dealer after the player reviews his hand.

(6) "Progressive Payout Hand" means a player's Three Card Poker hand with a rank of a three-of-a-kind or better or a straight or better depending on the payable selected by the facility operator.

.02 Three Card Poker Tables.

A. Three Card Poker shall be played at a table having betting positions for no more than seven players on one side of the table and a place for the dealer on the opposite side of the table.

B. The layout for a Three Card Poker table shall be submitted to the Commission for approval and contain at least:

- (1) The name or logo of the facility operator;
- (2) Three separate betting areas designed for the placement of Ante, Play and Pair Plus Wagers for each player;
- (3) If a facility operator offers the optional Progressive Payout Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Progressive Payout Wager for each player;
- (4) If a facility operator offers the optional Six Card Bonus Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Six Card Bonus Wager for each player; and
- (5) Inscriptions that advise players of the payout odds or amounts for all permissible wagers offered by the facility operator and the phrase "Dealer Plays with Queen High or Better", except that if payout odds or amounts are not inscribed on the layout, a sign indicating the payout odds or amounts for all permissible wagers shall be posted at each Three Card Poker table.

C. If a facility operator offers a Progressive Payout Wager in accordance with Regulation .07 of this chapter, the Three Card Poker table shall have a progressive table game system for the placement of Progressive Payout Wagers that includes:

- (1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager; and
- (2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

D. A Three Card Poker table shall have a:

- (1) Drop box and tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Commission; and
- (2) Discard rack securely attached to the top of the dealer's side of the table.

E. The Commission may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

.03 Cards; Number of Decks.

A. Except as provided in §B of this regulation:

- (1) Three Card Poker shall be played with one deck of cards;
 - (2) The cards of a deck shall be identical in appearance; and
 - (3) A deck shall contain one cover card.
- B. If an automated card shuffling device is utilized, Three Card Poker may be played with two decks of cards that meet the following requirements:
- (1) The cards in each deck shall be of the same design;
 - (2) The backs of the cards in one deck shall be of a different color than the cards in the other deck;

(3) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game;

(4) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and

(5) The cards from only one deck may be placed in the discard rack at any given time;

C. The decks of cards used in Three Card Poker shall be changed at least every:

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

.04 Opening a Table for Gaming.

A. After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects and a floorperson assigned to the table shall verify the inspection.

B. After the cards are inspected, the dealer shall spread out the cards face up, in horizontal fan shaped columns by deck according to suit and in sequence, on the table for visual inspection by the first player to arrive at the table.

C. After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the dealer shall:

(1) Turn the cards face down on the table;

(2) Mix the cards thoroughly by washing them; and

(3) Stack the cards.

D. After the cards have been stacked, the cards shall be shuffled in accordance with Regulation .05 of this chapter.

E. If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with §§A — C of this regulation.

F. If the decks of cards received at the table are preinspected and preshuffled, §§A — D of this regulation do not apply.

.05 Shuffling and Cutting the Cards.

A. Unless the cards were preshuffled, the dealer shall shuffle the cards so they are randomly intermixed, manually or with an automated card shuffling device:

(1) Immediately prior to commencement of play;

(2) After each round of play has been completed; or

(3) When directed by the floorperson or above.

B. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack.

C. The facility operator may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

D. The deck shall be removed from the table:

(1) If an automated card shuffling device is being used which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present; and

(2) Automated card shuffling device reveals that an incorrect number of cards are present.

E. After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with Regulation .08, .09 and .10 of this chapter; or

(2) If the cards were shuffled manually or were preshuffled, cut the cards in accordance with the procedures in §F of this regulation.

F. If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack.

(1) After the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack.

(2) The stack of cards shall then be inserted into the dealing shoe for commencement of play.

G. After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

H. If there is no gaming activity at a Three Card Poker table which is open for gaming, the dealer shall:

(1) Remove the cards from the dealing shoe and discard rack;

(2) Unless a player requests that the cards be spread face up on the table, spread out the cards on the table face down; and

(3) After the first player arriving at the table is afforded an opportunity to visually inspect the cards, complete the procedures in Regulation .04 of this chapter.

I. A facility operator may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Commission and approved prior to its use in the facility.

J. If a facility operator is utilizing a device approved under §I of this regulation, §§F — H of this regulation do not apply.

.06 Three Card Poker Rankings.

A. In order of highest to lowest rank, the rank of the cards used in Three Card Poker is: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2.

B. Notwithstanding §A of this regulation, an ace may be used to complete a straight flush or a straight with a 2 and 3 but may not be combined with any other sequence of cards.

C. All suits are equal in rank.

D. In order of highest to lowest rank, the permissible Poker hands in the game of Three Card Poker are:

(1) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking, with an ace, king and queen being the highest ranking straight flush and an ace, 2 and 3 being the lowest ranking straight flush;

(2) A three-of-a-kind, which is a hand consisting of three cards of the same rank with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind;

(3) A straight, which is a hand consisting of three cards of more than one suit and of consecutive rank, with an ace, king and queen being the highest ranking straight and an ace, 2 and 3 being the lowest ranking straight;

(4) A flush, which is a hand consisting of three cards of the same suit, regardless of rank; and

(5) A pair, which is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

E. When comparing two Poker hands that are of identical rank under §B of this regulation, or contain none of the hands listed in §B of this regulation:

(1) The hand that contains the highest ranking card under §A of this regulation which is not contained in the other hand is the higher ranking hand; or

(2) If the hands are of equal rank after the application of this section, the hands shall be considered a tie.

F. If a facility operator offers the optional Six Card Bonus Wager under Regulation .07 of this chapter, the five-card Poker hands eligible for a payout are:

(1) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit;

(2) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking;

(3) A four-of-a-kind, which is a hand consisting of four cards of the same rank, regardless of suit;

(4) A full house, which is a hand consisting of three-of-a-kind and a pair;

(5) A flush, which is a hand consisting of five cards of the same suit;

(6) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit;

(7) A three-of-a-kind, which is a hand consisting of three cards of the same rank, regardless of suit; or

(8) A Super Royal, if the facility operator selects Paytable E in Regulation .12 of this chapter, which is a six-card Poker hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

.07 Wagers.

A. A player shall make a wager at Three Card Poker by placing a value chip, plaque or other Commission-approved table game wagering instrument on the appropriate areas of the table layout.

B. Verbal wagers accompanied by cash may not be accepted.

C. Only a player who is seated at a Three Card Poker table may place a wager at the game.

(1) After a player has placed a wager and received cards, the player shall remain seated until the completion of the round of play.

(2) If a player leaves the table during a round of play, a wager made by the player may be considered abandoned and may be treated as a losing wager.

D. Except a Play Wager, a wager shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in Regulations .08, .09 and .10 of this chapter.

E. Except as provided in Regulation .11 of this chapter, a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

F. The following wagers may be placed in the game of Three Card Poker:

(1) A player may compete solely against the dealer's Three Card Poker hand by placing an Ante Wager then a Play Wager in accordance with Regulation .11 of this chapter in an amount equal to the player's Ante Wager;

(2) A player may compete solely against a posted payable by placing a Pair Plus Wager;

(3) A player may compete against both the dealer's Three Card Poker hand and the posted payable by placing an Ante Wager and a Pair Plus Wager in accordance §E(1) and (2) of this regulation;

(4) If specified in its Rules Submission, a facility operator may offer to each player at a Three Card Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand.

(a) After placing an Ante Wager or a Pair Plus Wager, or both, a player may make the additional Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player.

(b) A player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(5) If specified in its Rules Submission, a facility operator may offer to each player at a Three Card Poker table the option to make an additional Six Card Bonus Wager that the three cards dealt to the dealer and the three cards dealt to the player will form a five-card Poker hand with a rank of a three-of-a-kind or better.

(a) If the facility operator has selected Paytable E in Regulation .12 of this chapter, the three cards dealt to the dealer and the three cards dealt to the player shall be used to form a six-card Poker hand for purposes of the Super Royal payout.

(b) After placing an Ante Wager or a Pair Plus Wager, or both, a player may make the additional Six Card Bonus Wager by placing a value chip on the designated betting area prior to the dealer announcing "no more bets."

G. Notwithstanding §D(1) — (3) of this regulation, a facility operator may offer a version of Three Card Poker that requires:

(1) As a precondition to the placement of a Pair Plus Wager, the placement of an Ante Wager in an amount equal to or greater than the Pair Plus Wager;

(2) As a precondition to the placement of a Pair Plus Wager, the placement of an Ante Wager in an amount equal to at least 1/2 the Pair Plus Wager; or

(3) The compulsory placement of an Ante Wager and a Pair Plus Wager, provided that one wager may be placed in an amount up to a maximum of five times the amount of the other wager without regard to which wager is the greater of the two.

H. A facility operator shall specify in its Rules Submission the number of adjacent boxes on which a player may place a wager in one round of play.

.08 Procedure for Dealing Cards from a Manual Dealing Shoe.

A. If a manual dealing shoe is used, the dealing shoe shall be located on the table in a location approved by the Commission.

B. After the procedures required under Regulation .05 of this chapter have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

C. Prior to dealing any cards, the dealer shall announce "no more bets."

(1) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(2) If any Progressive Payout Wagers have been made, the dealer shall:

(a) Collect the wagers;

(b) On the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

D. Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

E. Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal the cards face down, and:

(1) One card at a time to each player who has placed a wager in accordance with Regulation .07 of this chapter and to the dealer until each player who placed a wager and the dealer have three cards; and

(2) After three cards have been dealt to each player and the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in §F of this regulation, place the stub in the discard rack without exposing the cards.

F. If an automated card shuffling device described in Regulation .05D(1) of this chapter is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck by counting the cards face down on the layout.

G. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

H. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt.

(1) If the cards were misdealt but 52 cards remain in the deck, all hands are void and all wagers shall be returned to the players.

(2) If the cards were not misdealt, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

.09 Procedure for Dealing Cards from the Hand.

A. If the cards are dealt from the dealer's hand, the following requirements shall be met:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under Regulation .05 have been completed, the dealer shall place the stacked deck of cards in either hand, and

(a) After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play; and

(b) The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

B. Prior to dealing any cards, the dealer shall announce "no more bets."

(1) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(2) If any Progressive Payout Wagers have been made, the dealer shall:

(a) Collect the wagers;

(b) On the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

C. The dealer shall:

(1) Deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout;

(2) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed a wager in accordance with Regulation .07 of this chapter and to the dealer until each player who placed a wager and the dealer have three cards;

(3) Deal all cards face down; and

(4) After dealing three cards to each player and the dealer, except as provided in §D of this regulation, place the stub in the discard rack without exposing the cards.

D. If an automated card shuffling device described in Regulation .05D of this chapter is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck by counting the cards face down on the layout.

E. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

F. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt.

G. If the cards were misdealt but 52 cards remain in the deck, all hands are void and all wagers shall be returned to the players.

H. If the cards were not misdealt, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

.10 Procedure for Dealing Cards from an Automated Dealing Shoe.

A. If the cards are dealt from an automated dealing shoe, the following requirements shall be met:

(1) After the procedures required under Regulation .05 of this chapter have been completed, the cards shall be placed in the automated dealing shoe.

(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(3) If any Progressive Payout Wagers have been made, the dealer shall:

(a) Collect the wagers;

(b) On the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system; and

(c) Place the value chips into the table inventory container.

B. The dealer shall:

(1) Deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed a wager in accordance with Regulation .07 of this chapter;

(2) As the remaining stacks are dispensed to the dealer by the automated dealing shoe, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with Regulation .07 of this chapter ;

(3) Deliver a stack of three cards face down to the area designated for the placement of the dealer's cards; and

(4) After each stack of three cards has been dispensed and delivered in accordance with §B of this regulation, remove the stub from the automated dealing shoe and, except as provided in §D of this regulation, place the cards in the discard rack without exposing the cards.

C. If an automated card shuffling device described in Regulation .05D of this chapter is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards is still present in the deck by counting the cards face down on the layout.

D. If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

E. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt.

F. If the cards were misdealt but 52 cards remain in the deck, all hands are void and all wagers shall be returned to the players.

G. If the cards were not misdealt, all hands are void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

.11 Procedure for Completing a Round of Play.

A. After the dealing procedures required under Regulations .08, .09 and .10 of this chapter have been completed, a player shall examine the player's cards subject to the following limitations:

(1) A player who wagers at Three Card Poker shall be responsible for the player's hand;

(2) No individual other than the dealer and the player to whom the cards were dealt may touch a player's cards; and

(3) A player shall keep the player's three cards in full view of the dealer at all times.

B. After all players have examined their cards, beginning with the player farthest to the dealer's left and moving clockwise around the table, the dealer shall ask each player who placed an Ante Wager if the player wishes to make a Play Wager in an amount equal to the player's Ante Wager or forfeit the Ante Wager and end the player's participation in the round of play.

C. If a player:

(1) Has placed an Ante Wager and a Pair Plus Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Pair Plus Wager;

(2) Has placed an Ante Wager and a Progressive Payout Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Progressive Payout Wager but may not forfeit the eligibility to receive an Envy Bonus under Regulation .12 of this chapter; or

(3) Has placed an Ante Wager, a Pair Plus Wager and a Six Card Bonus Wager, but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Pair Plus Wager but does not forfeit the Six Card Bonus Wager.

D. After each player who has placed an Ante Wager has either placed a Play Wager on the designated area of the layout or forfeited the player's Ante Wager and hand, the dealer shall:

(1) Except for the cards of those players who placed a Six Card Bonus Wager, collect all forfeited wagers and associated cards and place the cards in the discard rack;

(2) Reveal the dealer's cards face up and place the cards so as to form the highest possible ranking Three Card Poker hand;

(3) Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(a) Turn the three cards of each player face up on the layout;

(b) Examine the cards of the player and form the highest possible ranking Three Card Poker hand for each player;

(c) If the dealer's highest ranking Three Card Poker hand is lower than a queen high, pay each player's Ante Wager and return the player's Play Wager; and

(d) If the dealer's highest ranking Three Card Poker hand is a queen high or better, and the player's highest ranking Three Card Poker hand is ranked:

(i) Lower than the dealer's Three Card Poker hand, immediately collect the Ante and Play Wagers made by the player;

(ii) Higher than the dealer's Three Card Poker hand, pay the Ante and Play Wagers and any Ante Bonus in accordance with the payout odds in Regulation .12 of this chapter; and

(iii) Equally with the dealer's Three Card Poker hand, return the player's Ante and Play Wagers;

(4) After settling the player's Ante and Play Wagers, settle any Pair Plus Wagers by determining whether the player's Three Card Poker hand qualifies for a payout in accordance with Regulation .12 of this chapter, except that a winning Pair Plus Wager shall be paid regardless of whether the player's Three Card Poker hand outranks the dealer's hand;

(5) If a Progressive Payout Wager was offered by the facility operator, settle the Progressive Payout Wager;

(6) A winning Progressive Payout Wager shall be paid regardless of whether the player's hand outranks the dealer's hand;

(7) If a player has won a progressive payout:

(a) Verify that the hand is a winning hand;

(b) Verify that the appropriate light on the progressive table game system has been illuminated;

(c) Ensure that a floorperson or above validate the progressive payout in accordance with the facility operator's approved internal control procedures;

(d) Pay the winning Progressive Payout Wager in accordance with the payout odds in Regulation .12 of this chapter, and:

(i) If a player has won a progressive payout that is 100percent of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container; and

(ii) If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed; and

(e) Pay any Envy Bonus won in accordance with Regulation .12 of this chapter:

(i) Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Three Card Poker table is the holder of an Envy Bonus Qualifying Hand;

(ii) Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying Hand; and

(iii) A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer; and

(8) Settle the Six Card Bonus Wager, if offered by the facility operator:

(a) A winning Six Card Bonus Wager shall be paid regardless of the outcome of the player's Ante Wager or Pair Plus Wager;

(b) The dealer shall arrange the dealer's three cards and the player's three cards to form the highest ranking five-card Poker hand for each player;

(c) If a player has a three-of-a-kind or better as described in Regulation .06 of this chapter, the dealer shall pay the winning Six Card Bonus Wager in accordance with the payout odds in Regulation .12 of this chapter; and

(d) If the facility operator has selected Paytable E in Regulation .12 of this chapter, the three cards dealt to the dealer and the three cards dealt to the player form a six-card Poker hand for purposes of the Super Royal payout.

E. After all wagers of the player have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

.12 Payout Odds; Envy Bonus; Rate of Progression.

A. A facility operator shall pay each winning Ante Wager and Play Wager at odds of 1 to 1.

B. Regardless of whether a player's Three Card Poker hand outranks the dealer's hand, a player placing an Ante Wager and a Play Wager shall be paid a bonus on the Ante Wager at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

(a) For a Straight flush the payout is 5 to 1;

(b) For a Three-of-a-kind the payout is 4 to 1; or

(c) For a Straight the payout is 1 to 1;

(2) Paytable B:

(a) For a Straight flush the payout is 5 to 1;

(b) For a Three-of-a-kind the payout is 3 to 1; or

(c) For a Straight the payout is 1 to 1;

(3) Paytable C:

(a) For a Straight flush the payout is 4 to 1;

(b) For a Three-of-a-kind the payout is 3 to 1; or

(c) For a Straight the payout is 1 to 1.

C. If a facility operator offers the version of Three Card Poker as described in Regulation .07 of this chapter, a player placing an Ante Wager and Play Wager shall be paid an Ante Bonus at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

(a) For an Ace, king, queen of spades the payout is 50 to 1;

(b) For an Ace, king, queen of hearts, diamonds or clubs the payout is 5 to 1;

(c) For a Straight flush the payout is 4 to 1;

(d) For a Three-of-a-kind the payout is 3 to 1; or

(e) For a Straight the payout is 1 to 1;

- (2) Paytable B:
 - (a) For an Ace, king, queen of spades the payout is 50 to 1;
 - (b) For an Ace, king, queen of hearts, diamonds or clubs the payout is 5 to 1;
 - (c) For a Straight flush the payout is 8 to 1; or
 - (d) For a Three-of-a-kind the payout is 6 to 1;
- (3) Paytable C:
 - (a) For an Ace, king, queen of spades the payout is 50 to 1;
 - (b) For an Ace, king, queen of hearts, diamonds or clubs the payout is 10 to 1;
 - (c) For a Straight flush the payout is 6 to 1; or
 - (d) For a Three-of-a-kind the payout is 3 to 1.

D. A player placing a Pair Plus Wager shall be paid at the odds in one of the following paytables selected by the facility operator in its Rules Submission:

- (1) Paytable A:
 - (a) For a Straight flush the payout is 35 to 1;
 - (b) For a Three-of-a-kind the payout is 25 to 1;
 - (c) For a Straight the payout is 6 to 1;
 - (d) For a Flush the payout is 4 to 1; or
 - (e) For a Pair the payout is 1 to 1;
- (2) Paytable B:
 - (a) For a Straight flush the payout is 40 to 1;
 - (b) For a Three-of-a-kind the is 30 to 1;
 - (c) For a Straight the payout is 5 to 1;
 - (d) For a Flush the payout is 4 to 1; or
 - (e) For a Pair the payout is 1 to 1;
- (3) Paytable C:
 - (a) For a Straight flush the payout is 40 to 1;
 - (b) For a Three-of-a-kind the payout is 30 to 1;
 - (c) For a Straight the payout is 6 to 1;
 - (d) For a Flush the payout is 3 to 1; or
 - (e) For a Pair the payout is 1 to 1;
- (4) Paytable D:
 - (a) For a Straight flush the payout is 40 to 1;
 - (b) For a Three-of-a-kind the payout is 30 to 1;
 - (c) For a Straight the payout is 6 to 1;
 - (d) For a Flush the payout is 4 to 1; or
 - (e) For a Pair the payout is 1 to 1;
- (5) Paytable E:
 - (a) For a Straight flush the payout is 40 to 1;
 - (b) For a Three-of-a-kind the payout is 25 to 1;
 - (c) For a Straight the payout is 6 to 1;
 - (d) For a Flush the payout is 4 to 1; or
 - (e) For a Pair the payout is 1 to 1.

E. If a facility operator offers a Progressive Payout Wager:

- (1) A player placing a Progressive Payout Wager is paid at the odds in one of the following paytables selected by the facility operator in its Rules Submission:
 - (a) Paytable A:
 - (i) For an Ace, king and queen of spades the payout is 100 percent of meter;
 - (ii) For an Ace, king and queen of hearts, diamonds or clubs the payout is 500 for 1;
 - (iii) For a Straight flush the payout is 70 for 1;
 - (iv) For a Three-of-a-kind the payout is 60 for 1; or
 - (v) For a Straight the payout is 6 for 1;
 - (b) Paytable B:
 - (i) For an Ace, king and queen of spades the payout is 100 percent of meter;
 - (ii) For an Ace, king and queen of hearts, diamonds or clubs the payout is 500 for 1;
 - (iii) For a Straight flush the payout is 100 for 1; or
 - (iv) For a Three-of-a-kind the payout is 90 for 1;

(2) A player shall receive the payout for only the highest ranking Three Card Poker hand formed.

- (3) The facility operator's Rules Submission shall include:
 - (a) The rate of progression for the meter used for the progressive payouts in §E(1) of this regulation, which shall be at least 14 percent for Paytable A and 20 percent for Paytable B; and
 - (b) The initial and reset amount, which shall be at least \$1,000.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with Regulation .11 of this chapter.

(5) Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

- (a) For \$1 Progressive Payout Wagers:
 - (i) For an Ace, king and queen of spades the payout is \$100; or
 - (ii) For an Ace, king and queen of hearts, diamonds or clubs the payout is \$25;
- (b) For \$5 Progressive Payout Wagers:
 - (i) For an Ace, king and queen of spades the payout is \$500; or
 - (ii) For an Ace, king and queen of hearts, diamonds or clubs the payout is \$125.

F. If a facility operator offers the Six Card Bonus Wager, the facility operator shall pay out winning Six Card Bonus Wagers at the amounts in one of the following paytables selected by the facility operator in its Rules Submission:

- (1) Paytable A:
 - (a) For a Royal flush the payout is 1,000 to 1;
 - (b) For a Straight flush the payout is 200 to 1;
 - (c) For a Four-of-a-kind the payout is 50 to 1;
 - (d) For a Full house the payout is 25 to 1;
 - (e) For a Flush the payout is 20 to 1;
 - (f) For a Straight the payout is 10 to 1; or
 - (g) For a Three-of-a-kind the payout is 5 to 1;
- (2) Paytable B:
 - (a) For a Royal flush the payout is 1,000 to 1;
 - (b) For a Straight flush the payout is 200 to 1;
 - (c) For a Four-of-a-kind the payout is 100 to 1;
 - (d) For a Full house the payout is 20 to 1;
 - (e) For a Flush the payout is 15 to 1;
 - (f) For a Straight the payout is 9 to 1; or
 - (g) For a Three-of-a-kind the payout is 8 to 1;
- (3) Paytable C:
 - (a) For a Royal flush the payout is 1,000 to 1;
 - (b) For a Straight flush the payout is 200 to 1;
 - (c) For a Four-of-a-kind the payout is 100 to 1;
 - (d) For a Full house the payout is 20 to 1;
 - (e) For a Flush the payout is 15 to 1;
 - (f) For a Straight the payout is 10 to 1; or
 - (g) For a Three-of-a-kind the payout is 7 to 1;
- (4) Paytable D:
 - (a) For a Royal flush the payout is 1,000 to 1;
 - (b) For a Straight flush the payout is 200 to 1;
 - (c) For a Four-of-a-kind the payout is 50 to 1;
 - (d) For a Full house the payout is 25 to 1;
 - (e) For a Flush the payout is 15 to 1;
 - (f) For a Straight the payout is 10 to 1; or
 - (g) For a Three-of-a-kind the payout is 5 to 1;
- (5) Paytable E:
 - (a) For a Super Royal of diamonds the payout is \$1,000,000;

(b) For a Super Royal of hearts, spades or clubs the payout is \$100,000;

(c) For a Royal flush the payout is 1,000 to 1;

(d) For a Straight flush the payout is 200 to 1;

(e) For a Four-of-a-kind the payout is 50 to 1;

(f) For a Full house the payout is 20 to 1;

(g) For a Flush the payout is 15 to 1;

(h) For a Straight the payout is 10 to 1; or

(i) For a Three-of-a-kind the payout is 5 to 1.

.13 Irregularities.

A. A card that is found face up in the shoe or the deck while the cards are being dealt, may not be used in that round of play and shall be placed in the discard rack.

B. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands are void, all wagers shall be returned to the players and the cards shall be reshuffled.

C. A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

D. If a player or the dealer is dealt an incorrect number of cards, all hands are void, all wagers shall be returned to the players and the cards shall be reshuffled.

E. If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his cards in accordance with Regulation .11 of this chapter, all hands are void, all wagers shall be returned to the players and the cards shall be reshuffled.

F. If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

G. If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play are void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

H. If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, before any other method of shuffling or dealing may be utilized at that table, the automated card shuffling device or automated dealing shoe shall be:

(1) Covered; or

(2) Marked with a sign indicating that the automated card shuffling device or automated dealing shoe is out of order.

STEPHEN L. MARTINO

Director

Maryland State Lottery and Gaming Control Agency

Special Documents

DEPARTMENT OF BUDGET AND MANAGEMENT

Notice of Amounts of Debt That May Be Issued Pursuant to Executive Order 01.01.1998.07

Pursuant to Executive Order 01.01.1998.07, the Department of Budget and Management must publish in the Maryland Register the amounts of debt that may be issued, net of refunding, by the following entities as set by the Governor for the upcoming fiscal year. The amounts for fiscal year 2014 are as follows:

Agency	Amount
Maryland Environmental Service	\$5,000,000
Maryland Food Center Authority	\$0
Maryland Transportation Authority	\$0
Maryland Water Quality Financing Administration	\$150,000,000

[13-07-36]

DEPARTMENT OF THE ENVIRONMENT SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATE: February 1, 2013, through February 28, 2013.

ADDRESS: Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717) 238-2436; e-mail: rcairo@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR §806.22(f) for the time period specified above:

Approvals By Rule Issued Under 18 CFR §806.22(f):

EOG Resources, Inc., Pad ID: KENNEDY A Pad, ABR-201302001, Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: February 7, 2013.

EOG Resources, Inc., Pad ID: JENKINS B Pad, ABR-201302002, Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: February 8, 2013.

Southwestern Energy Production Company, Pad ID: FLICKS RUN EAST PAD, ABR-201302003, Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: February 14, 2013.

Chief Oil & Gas LLC, Pad ID: Lathrop Farm Trust Drilling Pad, ABR-201302004, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: February 28, 2013.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: March 11, 2013.

STEPHANIE L. RICHARDSON
Secretary to the Commission

[13-07-28]

DEPARTMENT OF STATE POLICE

HANDGUN ROSTER BOARD

Proposed Additions to Handgun Roster and Notice of Right to Object or Petition

The following is a list of handguns that the Handgun Roster Board proposes to add to the official handgun roster. These handguns will be officially placed on the Handgun Roster if no timely objection is received or if all timely objections are dismissed.

Under the Public Safety Article, §5-405, Annotated Code of Maryland and COMAR 29.03.03.13 and .14, any person may object to the placement of any of those handguns on the Handgun Roster. Objections must be filed within 30 days after **April 5, 2013**. In addition, any person may petition for the placement of an additional handgun on the Handgun Roster. Forms for objections or petitions may be obtained from: Marlene Jenkins, Administrator, Handgun Roster Board, 1201 Reisterstown Road, Baltimore, MD 21208

Manufacturer	Model Name	Model Number	Caliber
Brno/CZ	P-07		.40 Cal
Brugger & Thomet	TP 9 US		9 X 19 mm
Colt/Colt Mfg. Co	Government Model Series 70		.45 ACP
Colt/Colt Mfg. Co	01091		.45 ACP
Colt/Colt Mfg. Co	***USMC	O1070CQB	.45 ACP
Dan Wesson	Guardian		9mm
FN Herstal	FNX-45		.45 ACP
FN Herstal	FNX-45 Tactical		.45 ACP
German Sports Gun	GSG-9 ²²	GERG2210GSG 9SF GER2210SGS9	.22 LR

I.W.I. Magnum Research	Baby Desert Eagle II	#BE9400RL	9mm, .357 Sig., 40 S&W, .45 ACP
Kimber	Ultra Raptor II		.45 ACP
Magnum Research	MR 40		.40 S&W
Rock Island Armory	Tactical 2011 (1911)		.45 ACP
SCCY	CPX-1		9mm
Sig Sauer	P-938		9mm
Sig Sauer	P-229, P-229 Two-Tone, Equinox, DAK, Two-Tone Laser, Elite Stainless, Elite Dark, SAS Gen 2, Classic 22, Enhanced Elite, Extreme, Scorpion, Scorpion TB		9mm, 9X19, .357 Sig, 40 S&W, 22 LR
Smith & Wesson	640 Pro Series		.357 Mag., 38 S&W Spl+P, .38 Special
Sturm Ruger	LC 380		.380 Auto
Sturm Ruger	LCR	#5414	.22 WMRF
Sturm Ruger	LC9-R	#3220	9mm Luger
Sturm Ruger	MKIII	#10154	.22LR
Sturm Ruger	New Vaquero	#5152, #5154	.45 ACP
Sturm Ruger	Single Nine	#08150	.22WMR
Sturm Ruger	SR22PS	#3607	.22LR
Sturm Ruger	SR-45	3800, 3801	.45 ACP

[13-07-33]

General Notices

Notice of ADA Compliance

The State of Maryland is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone planning to attend a meeting announced below who wishes to receive auxiliary aids, services, or accommodations is invited to contact the agency representative at least 48 hours in advance, at the telephone number listed in the notice or through Maryland Relay.

BOARD OF ARCHITECTS

Subject: Public Meeting
Date and Time: April 24, 2013, 10 a.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262

[13-07-35]

BOARD OF AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH-LANGUAGE PATHOLOGISTS

Subject: Public Meeting
Date and Time: April 18, 2013, 4 — 6 p.m.
Place: Metro Executive Bldg., 4201 Patterson Ave., Baltimore, MD
Contact: Christopher Kelter (410) 764-4723

[13-07-07]

CHESAPEAKE BAY TRUST

Subject: Public Meeting
Date and Time: May 2, 2013, 1 — 3 p.m.
Place: Osprey Point Retreat & Conference Center, St. Michael's, MD
Contact: Heather Adams (410) 974-2941

[13-07-31]

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS

Subject: Public Meeting
Date and Time: April 11, 2013, 10 a.m.
Place: 4201 Patterson Ave., Rm. 108/109, Baltimore, MD
Contact: Emily Jones (410) 764-4665

[13-07-15]

CRIMINAL JUSTICE INFORMATION ADVISORY BOARD

Subject: Public Meeting
Date and Time: April 26, 2013, 1 — 3 p.m.
Place: Judiciary Training Rm., 2009-D Commerce Park Dr., Rms. 1 and 2, Annapolis, MD
Contact: Robyn Lyles (410) 585-3185

[13-07-14]

MARYLAND STATE BOARD OF EDUCATION

Subject: Public Meeting
Date and Time: April 23, 2013, 9 a.m. — 5 p.m.; May 21, 2013; 9 a.m. — 5 p.m.
Place: 200 W. Baltimore St., Baltimore, MD

Add'l. Info: The State Board of Education is pleased to receive oral public comment at each of its regular monthly meetings. In order to allow the State Board sufficient time for its other business, the total time allotted to public comment will generally be limited to 30 minutes. Individuals seeking to speak to the Board will be given 3 minutes each. Persons desiring to speak to the State Board, must call (410-767-0467) or email (cnecessary@msde.state.md.us) the Board office no earlier than 1 week prior to the meeting to register to speak. Registration will be accepted on a first-come, first-served basis. In order to make the limited time available most effective, speakers are urged to provide multiple written copies of their comments or other material amplifying their views.

Contact: Charlene Necessary (410) 767-0467

[13-07-18]

PROFESSIONAL STANDARDS AND TEACHER EDUCATION BOARD

Subject: Public Meeting
Date and Time: May 2, 2013, 9:30 a.m. — 12:30 p.m.; June 6, 2013; 9:30 a.m. — 12:30 p.m.
Place: 200 W. Baltimore St., Baltimore, MD

Contact: Madeline Koum (410) 767-0385

[13-07-19]

ELEVATOR SAFETY REVIEW BOARD

Subject: Public Meeting
Date and Time: April 19, 2013, 10 a.m. — 12 p.m.
Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Contact: Raquel M. Meyers (410) 230-6379

[13-07-16]

STATE BOARD OF STATIONARY ENGINEERS

Subject: Public Meeting
Date and Time: May 21, 2013, 10 a.m. — 12 p.m.
Place: 500 N. Calvert St., Baltimore, MD
Contact: Gae Herzberger (410) 230-6163

[13-07-23]

BOARD OF FORESTERS

Subject: Public Meeting
Date and Time: April 15, 2013, 10 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Dennis Gring (410) 230-6224

[13-07-05]

BOARD OF HEATING, VENTILATION, AIR- CONDITIONING, AND REFRIGERATION CONTRACTORS (HVACR)

Subject: Public Meeting
Date and Time: May 8, 2013, 9:30 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Steve Smitson (410) 230-6169

[13-07-08]

MARYLAND STATEWIDE INDEPENDENT LIVING COUNCIL

Subject: Public Meeting
Date and Time: April 19, 2013, 11 a.m. — 3 p.m.; Additional Dates: June 21, August 16, October 18, December 20, 11 a.m. — 3 p.m.
Place: Workforce & Technology Center, 2301 Argonne Dr., Multipurpose Rm., Baltimore, MD
Contact: Denise Thomas (240) 638-0074; marylandsilc@gmail.com

[13-07-29]

**HOME IMPROVEMENT
COMMISSION**

Subject: Public Meeting
Date and Time: May 2, 2013, 10 a.m. — 12 p.m.
Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Contact: Steven Smitson (410) 230-6169
 [13-07-06]

**BOARD OF CERTIFIED INTERIOR
DESIGNERS**

Subject: Public Meeting
Date and Time: April 22, 2013, 2 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262
 [13-07-34]

**STATE ADVISORY BOARD FOR
JUVENILE SERVICES**

Subject: Public Meeting
Date and Time: April 16, 2013, 2 — 4 p.m.; Additional Dates: May 21, June 18, September 9, October 15, November 19, December 12, 2013, 2 — 4 p.m.
Place: Meeting Locations to Be Announced
Contact: Tim Gilbert (410) 230-3488
 [13-07-21]

COMMISSION ON KIDNEY DISEASE

Subject: Public Meeting
Date and Time: April 25, 2013, 2 p.m.
Place: 4201 Patterson Ave., Baltimore, MD
Add'l. Info: A portion of this meeting may be closed for executive session
Contact: Eva Schwartz (410) 764-4799
 [13-07-04]

**DEPARTMENT OF NATURAL
RESOURCES/COASTAL
MANAGEMENT PROGRAM**

Subject: : Request for Public Comments on List of *De Minimis* and Environmentally Beneficial Activities of the U.S. Department of Defense Concerning the Federal Consistency Provision of the Maryland Coastal Management Program
Add'l Info: The Maryland Department of Natural Resources is requesting comments on the Department of Defense's request that certain activities are *de minimis* or environmentally beneficial and therefore not subject to further federal consistency review under the Coastal Zone Management Act (CZMA). A list of the *de minimis* and environmentally beneficial activities is available at http://dnr.maryland.gov/ccp/coastal_policy.

asp. The deadline for submitting comments is April 26, 2013. Today's publication fulfills the public notice requirement pursuant to 15 CFR 930.33(a)(3)(i). If you wish to submit comments or have any questions regarding this matter, please contact Joe Abe, Coastal Policy Coordination Section Chief, Maryland Department of Natural Resources, at jabe@dnr.state.md.us or (410) 260-8740.
Contact: Joe Abe (410) 260-8740
 [13-07-42]

**MARYLAND HEALTH CARE
COMMISSION**

Subject: Public Meeting
Date and Time: April 18, 2013, 1 p.m.
Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD
Contact: Valerie Wooding (410) 764-3460
 [13-07-20]

**MARYLAND HEALTH CARE
COMMISSION**

Subject: Threshold for Reviewability of Health Care Facility Capital Expenditures
Add'l. Info: The Maryland Health Care Commission (MHCC) provides the following notice of a change to the dollar amount that establishes the level of capital expenditure, proposed "by or on behalf of a health care facility" regulated by the Commission, that will require Certificate of Need (CON) review and approval, pursuant to Health-General Article, §19-120(k), Annotated Code of Maryland, and COMAR 10.24.01.02A(5).

Effective June 1, 2006, the threshold for CON reviewability of health care facility capital expenditures was established as \$10,000,000 for hospitals and \$5,000,000 for all other health care facilities. The Commission is required to adjust the health care facility capital expenditure review threshold on an annual basis, using the Consumer Price Index-Urban (CPI-U) for the Baltimore Metropolitan Area, as published by the U.S. Department of Labor, Bureau of Labor Statistics (the Bureau), rounded off to the nearest \$50,000. (See COMAR 10.24.01.01B(40).)

The Commission updates the threshold in February of each year based on the published change in CPI-U for January of each year. On February 21, 2013, the Bureau published an index of 150.845 for January, 2013, which reflects inflation in consumer prices for a base period of November, 1996 (index = 100) through January, 2013. For purposes of adjusting the threshold, the Commission is inflating the two original thresholds (\$10,000,000

and \$5,000,000) from the corresponding July, 2006 index of 130.7. The index adjustment for January, 2013, rounded to the nearest \$50,000, yields a hospital capital expenditure threshold of \$11,550,000 and a threshold of \$5,750,000 for all non-hospital health care facilities. Effective March 22, 2013, these are the applicable capital expenditure thresholds for purposes of determining the requirement for CON review and approval of health care facility capital projects pursuant to COMAR 10.24.01.02A(5), until further notice. For further information about the CON capital expenditure review threshold, please contact Joel Riklin at (410)764-5596.
Contact: Ruby Potter (410) 764-3276
 [13-07-37]

BOARD OF PHYSICIANS

Subject: Public Meeting
Date and Time: April 17, 2013, 9 a.m. — 5 p.m.
Place: 4201 Patterson Ave., Baltimore, MD
Add'l. Info: The Board may discuss/vote on proposed regulations. A portion of the meeting may be held in closed session.
Contact: Carole Catalfo (410) 764-4777
 [13-07-17]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: April 11, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
 [13-07-09]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: May 9, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 100, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
 [13-07-10]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: June 13, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
 [13-07-11]

GENERAL NOTICES

684

BOARD OF PODIATRIC MEDICAL EXAMINERS

Subject: Public Meeting
Date and Time: July 11, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[13-07-12]

BOARD OF PODIATRIC MEDICAL EXAMINERS

Subject: Public Meeting
Date and Time: September 12, 2013, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
[13-07-13]

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Meeting
Date and Time: May 7, 2013, 9 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Dennis L. Gring (410) 230-6224
[13-07-03]

RACING COMMISSION

Subject: Public Meeting
Date and Time: April 16, 2013, 12:30 — 1 p.m.
Place: Pimlico Race Course, Baltimore, MD
Contact: J. Michael Hopkins (410) 296-9682
[13-07-27]

MARYLAND STATE REHABILITATION COUNCIL AND THE MARYLAND DIVISION OF REHABILITATION SERVICES (DORS)

Subject: Public Meeting
Date and Time: April 10, 2013, 2:30 — 4 p.m.
Place: Eastern Shore/Lower Shore Workforce Alliance One Stop Job Market, 31901 Tri-County Way, Ste. 117, Rm. #025, Salisbury, MD
Add'l. Info: The Maryland State Rehabilitation Council and the Maryland Division of Rehabilitation Services (DORS) invite people with disabilities, parents, educators, advocates, and others to public meetings to comment on the State's public vocational rehabilitation program and the State Plan for Vocational Rehabilitation. The State Plan assures that DORS operates in accordance with the federal Rehabilitation Act. The public can

read in advance and comment about updates in the Division's policies and initiatives and the State Plan by visiting www.dors.state.md.us, by calling 410-554-9435, 1-888-554-0334 or emailing dors@dors.state.md.us. There will also be time for audience members to discuss other topics of concern.

After each meeting, DORS staff will be on hand for individualized assistance. For directions or more information or to arrange accommodations visit www.dors.state.md.us, call 888-554-0334, or email dors@dors.state.md.us. Sign language interpreters will attend each meeting. Contact DORS to request a foreign language interpreter. If local government closes that county's schools for inclement weather, that day's meeting will be canceled.

Address requests for copies of the State Plan for Vocational Rehabilitation Services as well as other inquiries to Kimberlee Schultz, Staff Specialist, Public Information & Planning, 2301 Argonne Drive, Baltimore, MD 21218, 410-554-9435, 1-888-554-0334, or kschultz@dors.state.md.us
Contact: Kimberlee Schultz, Staff Specialist (410) 554-9435
[13-07-22]

STATE ADVISORY COUNCIL ON QUALITY CARE AT THE END OF LIFE

Subject: Public Meeting
Date and Time: May 20, 2013, 10 a.m. — 12 p.m.
Place: Maryland Dept. of Aging, 301 W. Preston St., Rm. 1007, Baltimore, MD
Contact: Paul Ballard (410) 767-6918
[13-07-24]

BOARD OF WELL DRILLERS

Subject: Public Meeting
Date and Time: April 24, 2013, 9 a.m. — 4 p.m.
Place: MDE, 1800 Washington Blvd., Terra Conf. Rm., Baltimore, MD
Add'l. Info: A portion of this meeting may be held in closed session.
Contact: Willie Everett (410) 537-3644
[13-07-01]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting
Date and Time: May 9, 2013, 9 — 11 a.m.
Place: 10 E. Baltimore St., Baltimore, MD
Add'l. Info: Portions of this meeting may be held in closed session.
Contact: Amy Lackington (410) 864-5300
[13-07-02]

COMAR IN PDF — ORDER FORM

Titles	Agency Name	Price ¹	Subscription ²	Quantity	Total
Complete set of COMAR PDF format		\$1,000	\$500	_____	_____
Title 01	Executive Department	\$35	\$24	_____	_____
Title 02	Office of the Attorney General	\$22	\$13	_____	_____
Title 03	Comptroller of the Treasury	\$30	\$20	_____	_____
Title 04	General Services	\$16	\$10	_____	_____
Title 05	Housing and Community Development	\$78	\$50	_____	_____
Title 07	Human Resources	\$80	\$53	_____	_____
Title 08	Natural Resources	\$78	\$51	_____	_____
Title 09	Labor, Licensing and Regulation	\$89	\$60	_____	_____
Title 10	Health & Mental Hygiene (All parts) **	\$272	\$180	_____	_____
Title 10	Part 1 **	\$48	\$32	_____	_____
Title 10	Part 2 **	\$75	\$50	_____	_____
Title 10	Part 3 **	\$75	\$50	_____	_____
Title 10	Part 4 **	\$50	\$35	_____	_____
Title 10	Part 5 **	\$69	\$50	_____	_____
Title 11	Transportation (All parts) **	\$106	\$75	_____	_____
Title 11	Part 1 (Transportation) **	\$42	\$25	_____	_____
Title 11	Parts 2 & 3 (MVA)**	\$74	\$50	_____	_____
Title 12	Public Safety and Correctional Services	\$67	\$43	_____	_____
Title 13A	Board of Education	\$63	\$42	_____	_____
Title 13B	Higher Education Commission	\$25	\$15	_____	_____
Title 14	Independent Agencies	\$87	\$60	_____	_____
Title 15	Agriculture	\$48	\$30	_____	_____
Title 16	Juvenile Service	\$23	\$15	_____	_____
Title 17	Budget and Management	\$28	\$16	_____	_____
Title 18	Assessments and Taxation	\$20	\$12	_____	_____
Title 19A	State Ethics Commission	\$24	\$14	_____	_____
Title 20	Public Service Commission	\$49	\$32	_____	_____
Title 21	State Procurement Regulations	\$48	\$30	_____	_____
Title 22	State Retirement and Pension System	\$22	\$13	_____	_____
Title 23	Board of Public Works	\$18	\$11	_____	_____
Title 24	Business and Economic Development	\$34	\$20	_____	_____
Title 25	State Treasurer	\$16	\$9	_____	_____
Title 26	Environment (All parts) **	\$189	\$125	_____	_____
Title 26	Part 1 **	\$54	\$35	_____	_____
Title 26	Part 2 **	\$83	\$52	_____	_____
Title 26	Part 3 **	\$57	\$38	_____	_____
Title 26	Part 4 **	\$37	\$24	_____	_____
Title 27	Critical Area Comm. for the Chesapeake and Atlantic Coastal Bays	\$18	\$10	_____	_____
Title 28	Office of Administrative Hearings	\$16	\$9	_____	_____
Title 29	State Police	\$30	\$18	_____	_____
Title 30	MD Institute for Emergency Medical Services Systems	\$25	\$17	_____	_____
Title 31	Maryland Insurance Administration	\$68	\$45	_____	_____
Title 32	Aging	\$25	\$15	_____	_____
Title 33	State Board of Elections	\$42	\$25	_____	_____
Title 34	Planning	\$31	\$18	_____	_____
Title 35	Veterans Affairs	\$16	\$9	_____	_____
	Individual Binders (COMAR PDF's binders not included)	\$15	S & H \$9.00	_____	_____
				Total:	_____

Prices are for single user license only ~ Multi-user licenses are available. Please call 410-260-3876 for pricing information.

¹ Price is per copy of each Title

² Subscription (optional) - Receive updated information quarterly. ~ If ordered, subscription quantities MUST match Title quantities.

** See the following pages for description of contents

COMAR IN PRINT — ORDER FORM (8 ½ x 11 format)

Titles	Agency Name	Price ¹	Subscription ²	Quantity	Total
Complete set of COMAR (includes binders)		\$1,400	\$700	_____	_____
Title 01	Executive Department	\$47	\$30	_____	_____
Title 02	Office of the Attorney General	\$31	\$20	_____	_____
Title 03	Comptroller of the Treasury	\$41	\$25	_____	_____
Title 04	General Services	\$23	\$12	_____	_____
Title 05	Housing and Community Development	\$103	\$70	_____	_____
Title 07	Human Resources	\$104	\$70	_____	_____
Title 08	Natural Resources	\$102	\$70	_____	_____
Title 09	Labor, Licensing and Regulation	\$116	\$75	_____	_____
Title 10	Health & Mental Hygiene (All Parts)**	\$345	\$230	_____	_____
Title 10	Part 1 **	\$65	\$40	_____	_____
Title 10	Part 2 **	\$99	\$70	_____	_____
Title 10	Part 3 **	\$99	\$70	_____	_____
Title 10	Part 4 **	\$69	\$42	_____	_____
Title 10	Part 5 **	\$91	\$62	_____	_____
Title 11	Transportation (All parts) **	\$137	\$85	_____	_____
Title 11	Part 1 (Transportation)**	\$55	\$35	_____	_____
Title 11	Parts 2 & 3 (MVA) **	\$102	\$70	_____	_____
Title 12	Public Safety and Correctional Services	\$86	\$55	_____	_____
Title 13A	Board of Education	\$83	\$60	_____	_____
Title 13B	Higher Education Commission	\$34	\$20	_____	_____
Title 14	Independent Agencies	\$112	\$75	_____	_____
Title 15	Agriculture	\$63	\$40	_____	_____
Title 16	Juvenile Service	\$32	\$20	_____	_____
Title 17	Budget and Management	\$38	\$25	_____	_____
Title 18	Assessments and Taxation	\$28	\$18	_____	_____
Title 19A	State Ethics Commission	\$33	\$20	_____	_____
Title 20	Public Service Commission	\$64	\$42	_____	_____
Title 21	State Procurement Regulations	\$65	\$42	_____	_____
Title 22	State Retirement and Pension System	\$33	\$18	_____	_____
Title 23	Board of Public Works	\$26	\$15	_____	_____
Title 24	Business and Economic Development	\$47	\$25	_____	_____
Title 25	State Treasurer	\$23	\$12	_____	_____
Title 26	Environment (All parts) **	\$241	\$160	_____	_____
Title 26	Part 1 **	\$72	\$42	_____	_____
Title 26	Part 2 **	\$109	\$72	_____	_____
Title 26	Part 3 **	\$76	\$50	_____	_____
Title 26	Part 4 **	\$51	\$30	_____	_____
Title 27	Critical Area Comm. for the Chesapeake and Atlantic Coastal Bays	\$26	\$15	_____	_____
Title 28	Office of Administrative Hearings	\$23	\$12	_____	_____
Title 29	State Police	\$40	\$22	_____	_____
Title 30	MD Institute for Emergency Medical Services Systems	\$34	\$20	_____	_____
Title 31	Maryland Insurance Administration	\$90	\$62	_____	_____
Title 32	Aging	\$34	\$18	_____	_____
Title 33	State Board of Elections	\$57	\$35	_____	_____
Title 34	Planning	\$42	\$25	_____	_____
Title 35	Veterans Affairs	\$23	\$12	_____	_____
	Binders	\$15	S & H \$9.00	_____	_____
Shipping & Handling Total: _____		Order Total: _____			

¹ Price is per copy of each Title

Binder included with purchase of Title

² Subscription (optional) - Receive updated information bi-annually ~ If ordered, subscription quantities MUST match Title quantities.

** See the following pages for description of contents

Note: COMAR prices are subject to change. Check the date on the lower right hand corner of this form. If the form is more than two months old, call the COMAR Subscription Manager (410-260-3876) to confirm prices. ***Fees are not refundable.***

Shipping/Handling	
<u>Publication Total</u>	<u>Shipping</u>
\$ 0-50	\$15
\$ 51-150	\$20
\$ 151-300	\$25
\$ 301-400	\$35
\$400 + please call Subscription Department.	
State agencies using courier, may omit S&H	

Updated on 12-1-2012

COMAR ORDER INFORMATION SHEET

Date _____ Subscriber I.D. _____

Name _____

Company _____

Address _____

City _____ State _____ Zip _____

Tel. _____ Fax _____

Email: _____

_____ Check enclosed, made payable to "Division of State Documents"

_____ Visa/Master Card/American Express/Discover card payment:

Acct.# _____ **Exp.** _____

Signature _____ Tel: _____

Return form & payment to: Office of the Secretary of State, Division of State Documents ~
State House ~ Annapolis, MD 21401 ~ Tel: 410-260-3876 ~ 800-633-9657 ext. 3876 ~ Fax: 410-280-5647

~~~~~

## SPECIAL PUBLICATIONS

| Publication / Handbook                                             | Print Price | S & H | Quantity     | Total |
|--------------------------------------------------------------------|-------------|-------|--------------|-------|
| Control of Ionizing Radiation (including supplements up to 22)     | \$163       | \$12  | _____        | _____ |
| Control of Ionizing Radiation Supplement 21 ONLY                   | \$10        | \$0   | _____        | _____ |
| Control of Ionizing Radiation Supplement 22 ONLY                   | \$17        | \$0   | _____        | _____ |
| Forest Conservation Law                                            | \$20        | \$9   | _____        | _____ |
| Forest Conservation Technical Manual 3 <sup>rd</sup> Edition, 1997 | \$25        | \$9   | _____        | _____ |
| Preventive Maintenance Handbook (PM Handbook)                      | \$15        | \$5   | _____        | _____ |
| Vehicle Inspection Handbook (Feb 2012)                             | \$48        | \$9   | _____        | _____ |
|                                                                    |             |       | <b>Total</b> | _____ |

If more than one quantity, shipping charges may vary, please call 410-260-3876 for pricing information.

## SUPPLEMENT UPDATE SCHEDULES

| PDF QUARTERLY UPDATES            | PRINT SEMI-ANNUAL UPDATES       |
|----------------------------------|---------------------------------|
| After March 30 <sup>th</sup>     | After June 30 <sup>th</sup>     |
| After June 30 <sup>th</sup>      | After December 31 <sup>st</sup> |
| After September 30 <sup>th</sup> |                                 |
| After December 31 <sup>st</sup>  |                                 |

**PDF – A replacement title(s) in its entirety will be sent in electronic format.**

**PRINT – Entire chapters affected will be sent for replacement and insertion into COMAR title book(s).**

## CODE OF MARYLAND REGULATIONS

Titles 10, 11, and 26 consist of more than one volume. Each volume may be purchased separately.

### Title 10

Department of Health and Mental Hygiene: Part & Subtitles

#### Part 1

- 01 Procedures
- 02 Division of Reimbursements
- 03 Health Statistics
- 04 Fiscal
- 05 Freestanding Ambulatory Care Facilities
- 06 Diseases
- 07 Hospitals
- 08 Health Facilities Grants

#### Part 2

- 09 Medical Care Programs

#### Part 3

- 10 Laboratories
- 11 Maternal and Child Health
- 12 Adult Health
- 13 Drugs
- 14 Cancer Control
- 15 Food
- 16 Housing
- 17 Sanitation
- 18 Human Immunodeficiency Virus (HIV) Infection and  
Acquired Immunodeficiency Syndrome (AIDS)
- 19 Dangerous Devices and Substances
- 20 Kidney Disease Program
- 21 Mental Hygiene Regulations
- 22 Developmental Disabilities

#### Part 4

- 23 Advance Directive Registry
- 24 Maryland Health Care Commission
- 25 Maryland Health Care Commission
- 26 Board of Acupuncture
- 27 Board of Nursing
- 28 Board of Examiners in Optometry
- 29 Board of Morticians and Funeral Directors
- 30 Commission on Kidney Disease
- 31 Health Occupation Boards
- 32 Board of Physicians
- 33 Board of Examiners of Nursing Home Administrators
- 34 Board of Pharmacy
- 35 Postmortem Examiners Commission
- 36 Board of Examiners of Psychologists

#### Part 5

- 37 Health Services Cost Review Commission
- 38 Board of Physical Therapy Examiners
- 39 Board of Nursing – Certified Nursing Assistants
- 40 Board of Podiatric Medical Examiners
- 41 Board of Examiners for Audiologists, Hearing Aid  
Dispensers, and Speech-Language Pathologists
- 42 Board of Social Work Examiners
- 43 Board of Chiropractic Examiners
- 44 Board of Dental Examiners
- 45 Maryland Community Health Resources Commission
- 46 Board of Occupational Therapy Practice
- 47 Alcohol and Drug Abuse Administration
- 48 Child Abuse and Neglect Medical Reimbursement Program
- 49 State Anatomy Board
- 50 Tissue Banks
- 51 Vacant
- 52 Preventive Medicine
- 53 Board of Nursing—Electrology Practice Committee
- 54 Special Supplemental Nutrition Program for Women,  
Infants, and Children (WIC)
- 55 State Board of Spinal Cord Injury Research
- 56 Board of Dietetic Practice
- 57 Board for Certification of Residential Child Care Program  
Professionals
- 58 Board of Professional Counselors and Therapists
- 59 Catastrophic Health Emergencies

### Title 11

Department of Transportation – Volume & Subtitles

#### Volume 1

- 01 Office of the Secretary
  - 02 Transportation Service Human Resources System
  - 03 Maryland Aviation Administration
  - 04 State Highway Administration
  - 05 Maryland Port Administration
  - 06 Mass Transit Administration
  - 07 Maryland Transportation Authority
  - 08 Vacant
  - 09 Vacant
  - 10 Vacant
- #### Volume 2 and Volume 3
- 11 Motor Vehicle Administration – Administrative Procedures
  - 12 MVA – Licensing of Businesses and Occupations
  - 13 MVA – Vehicle Equipment
  - 14 MVA – Vehicle Inspections
  - 15 MVA – Vehicle Registration
  - 16 MVA – Vehicle Operations
  - 17 MVA – Driver Licensing and Identification Documents
  - 18 MVA – Financial Responsibility Requirements
  - 19 MVA – School Vehicles
  - 20 MVA – Motorcycle Safety Program
  - 21 MVA – Commercial Motor Vehicles
  - 22 MVA – Preventive Maintenance Program
  - 23 MVA – Drivers' Schools, Instructors, Driver Education Program

### Title 26

Department of the Environment – Part & Subtitles

#### Part 1

- 01 General Provisions
- 02 Occupational, Industrial, and Residential Hazards
- 03 Water Supply, Sewerage, Solid Waste, and Pollution Control  
Planning and Funding
- 04 Regulation of Water Supply, Sewage Disposal, and Solid Waste
- 05 Board of Well Drillers
- 06 Waterworks and Waste Systems Operators
- 07 Board of Environmental Sanitarians

#### Part 2

- 08 Water Pollution
- 09 Maryland CO<sub>2</sub> Budget Trading Program
- 10 Oil Pollution and Tank Management
- 11 Air Quality
- 12 Radiation Management

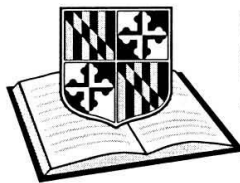
#### Part 3

- 13 Disposal of Controlled Hazardous Substances
- 14 Hazardous Substance Response Plan
- 15 Disposal of Controlled Hazardous Substances —  
Radioactive Hazardous Substances
- 16 Lead
- 17 Water Management
- 18 Susquehanna River Basin Commission

#### Part 4

- 19 Oil and Gas Resources
- 20 Surface Coal Mining and Reclamation under  
Federally Approved Program
- 21 Mining
- 22 Coastal Facilities Review
- 23 Nontidal Wetlands
- 24 Tidal Wetlands
- 25 Ballast Water Management
- 26 Community Right-to-Know Fund
- 27 Hazardous Material Security





**Office of the  
Secretary of State**

*Division of State Documents*

*State House  
Annapolis, MD 21401*

***PUBLISHERS OF:***

The Code of Maryland Regulations (COMAR)

The Maryland Register

*For information, contact:*

(410) 974-2486 \* (800) 633-9657

E-Mail address: [statedocs@sos.state.md.us](mailto:statedocs@sos.state.md.us)

Websites: [www.dsd.state.md.us](http://www.dsd.state.md.us) \* [www.sos.state.md.us](http://www.sos.state.md.us)