



Ohio Administrative Code

Rule 3770:2-5-07 Technology providers licenses; fines.

Effective: December 29, 2011

(A) Monetary fines. As determined by the director, monetary fines may be imposed upon a technology provider licensee who does not comply with the Lottery Act, all rules, regulations, terms and conditions, policies, orders and directives adopted, promulgated or issued by the commission or the director which may include but may not be limited to a determination that a video lottery sales agent has failed to comply with or violated any provisions set forth in paragraphs (A)(1) to (A)(3) of rule 3770:2-5-06 of the Administrative Code.

(B) Suspension or revocation.. Any fines under this section may be in addition to or in lieu of a suspension or revocation under rule 3770:2-5-06 of the Administrative Code.

(C) Schedule of fines. The director may establish a schedule of fines that may be imposed pursuant to the authority set forth herein. Said schedule, and any amendments or revisions thereto, shall be approved by the director and made available to video lottery sales agents prior to imposition of monetary fines hereunder. Nothing contained on a fine schedule established by the director for technology provider licensees shall mandate imposition of a fine, but in the event that fines are imposed, the technology provider fine schedule in effect at the time of the event leading to a determination that a fine shall be imposed, shall be applicable.

(D) Right to hearing. When required to do so by the Administrative Procedure Act, the director shall afford a hearing to a technology provider licensee affected by an order imposing a fine. Such hearings shall be conducted by the director or a hearing examiner designated by the director and shall comply with requirements for adjudication hearings set out in the Administrative Procedure Act. The requirement of the Administrative Procedure Act that adjudication hearings be afforded prior to a final decision by the director to suspend or revoke a technology provider license may be waived under circumstances for reasons related to the public safety, convenience or trust which require immediate action. Further, as necessary for reasons related to public safety, convenience or trust which require immediate action, the director may order the immediate and indefinite disabling of all or a portion of the video lottery operations and/or removal of video lottery equipment at a



video lottery sales agent's video lottery facility. The director, however, must continue to comply with the requirements of the Administrative Procedure Act in affording the technology provider licensee a subsequent opportunity for an adjudication hearing.