

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD
NOTICE OF NOTICE OF EMERGENCY RULEMAKING
AND PROPOSED RULEMAKING**

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §3-1306, District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22 issued November 18, 1996, hereby gives notice of the adoption of amendments to Chapters 5,6 and 9 of Title 30 DCMR, "Lottery and Charitable Games." These amendments are necessary to introduce the DC Daily 6 game that will start on August 28, 2005. These amendments replace the proposed rules first published in the D.C. Register on July 1, 2005 at 52 DCR 6211 and are necessary to avoid the significant loss of revenue and other financial loss, to the District and loss of goodwill to the District of Columbia Lottery and Charitable Games Control Board.

The effective date of this emergency rule is August 28, 2005 and the emergency rule will expire one hundred twenty (120) days from the effective date or upon publication of a Notice of Final Rulemaking in the D.C. Register, whichever occurs first.

AMEND CHAPTER 5. "LOTTERY TICKET"

Amend subsection 501.2 by substituting the following:

- 501.2 In addition to the persons identified in § 501.1, none of the following persons shall purchase a POWERBALL®, Hot Lotto™ ticket or win or be paid a POWERBALL® or Hot Lotto™ prize:
- (a) A Multi-State Lottery Association ("MUSL") employee, officer, or director;
 - (b) A contractor or consultant under agreement with MUSL to review the MUSL audit and security procedures;
 - (c) An employee of an independent accounting firm under contract with MUSL to observe drawings or site operations and actually assigned to the MUSL account and all partners, shareholders, or owners in the office of the firm located at the MUSL draw site or in the District of Columbia; or
 - (d) A parent, stepparent, child, stepchild, spouse, or sibling of an individual described in §§ 501.2(a), (b) and (c).

Amend subsections 503.1 and 503.4 by substituting the following:

- 503.1 A ticket which is printed in error for the Lucky Numbers and DC-4 game(s) may be cancelled only on the date purchased and prior to the drawing break. The tickets shall be voided only by the issuing agent and the terminal that printed the

ticket, and the player may request a refund or a replacement ticket. If for any reason the terminal that issued the ticket is inoperable prior to the drawing break, the player's sole recourse shall be a refund of the ticket price.

503.4 A ticket for POWERBALL®, HOT FIVE™, KENO, Hot Lotto™, DC Daily 6™ and Quick Cash tickets shall not be voided or cancelled.

AMEND CHAPTER 6. "CLAIMS AND PRIZE PAYMENTS"

Amend subsection 605.1 by substituting the following:

605.1 In addition to the validation requirements of § 603, an on-line game ticket shall not be valid unless all of the following conditions are met:

(a) The ticket validation number shall be presented and shall correspond in its entirety, using the computer validation file, to the selected numbers printed on the ticket for the date printed on the ticket;

(b) For the POWERBALL® and Hot Lotto™ games, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter "A," "B," "C," "D," or "E".

(c) For the Quick Cash game, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter "A," "B" and "C." The requisite number and the associated letters constitute a single lettered game board play;

(d) For the DC Daily 6™ game, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter "A" and "B". The requisite number and the associated letters constitute a single lettered game board play;

(e) The ticket data shall have been recorded on the central computer system on magnetic tape or disk prior to the drawing, and the ticket data shall match this computer record in every respect;

(f) The player selected numbers, the validation number data and the drawing data of an apparent winning lottery ticket shall appear on the official file of winning tickets, and a ticket with that exact data shall not have been previously paid; and

(g) The Agency shall not pay tickets that cannot be processed for validation purposes by the terminal except as provided in § 503.7.

Amend subsection 611.1 by substituting the following:

611.1 Payment of any prize, including a POWERBALL® or Hot Lotto™, or a prize awarded pursuant to Chapter 10 of this title, shall discharge the District of Columbia, the Agency, the Multi-State Lottery Association, and their members, product groups, officers, employees, agents and attorneys, representatives, and contractors of all liability for payment of the prize.

AMEND CHAPTER 9. "DESCRIPTION OF ON-LINE GAMES"

Amend Chapter 9 by deleting sections 900 and 901 in their entirety and replace with the following:

900. DESCRIPTION OF THE DC Daily 6™ GAME

- 900.1 The Agency may offer a game known as DC Daily 6™.
- 900.2 The DC Daily 6™ game is a six (6) out of thirty-nine (39) on-line lottery game. A bonus ball shall be drawn from the remaining thirty-three (33) numbers after the initial six (6) winning numbers are drawn. DC Daily 6™ pays the top prize in accordance with these rules. To play the DC Daily 6™ game, a player shall select six (6) numbers from 1 to 39 for input into a terminal. The holder of a winning DC Daily 6™ game ticket may win in only one prize category per game board.
- 900.3 The price of a DC Daily 6™ game ticket shall be two (2) boards for one dollar (\$ 1) or any other price designated by the Executive Director from a price schedule adopted by the Agency.
- 900.4 The bonus ball, which is chosen after the initial six (6) winning numbers are drawn may not be used to claim the top prize and shall only pay according to the prize structure in § 901.1.
- 900.5 If a single ticket contains more than one (1) winning play on separate game boards, the prize amounts shall be added together and shall be paid in accordance with the prize payment limits set forth in §§ 900.6 and 901.1.
- 900.6 The holder of a winning DC Daily 6™ ticket may win in only one prize category per board in connection with the winning numbers drawn, and shall be entitled only to the prize for the highest prize category won by those numbers.
- 900.7 A ticket subject to the validations requirements of this title shall be the only proof of a wager.

901 DC Daily 6™ PRIZE STRUCTURE AND PROBABILITY OF WINNING

- 901.1 The DC Daily 6™ game is a fixed payout game which pays prizes based on a one dollar (\$1) bet are as follows:

Number of Matches Per Play

- | | |
|--|-----------|
| (a) All six (6) winning numbers on a single lettered game board | \$250,000 |
| (b) Any five (5) winning numbers plus the bonus ball on a single lettered game board | \$5,000 |

- (c) Any five (5) winning numbers and no bonus ball on a single lettered game board \$ 500
- (d) Any four (4) winning numbers plus the bonus ball on a single lettered game board \$ 250
- (e) Any four (4) winning numbers and no bonus ball on a single lettered game board \$ 10
- (f) Any three (3) winning numbers plus the bonus ball on a single lettered game board \$ 5
- (g) Any three (3) winning numbers and no bonus ball on a single lettered game board \$ 2

901.2 There shall be a \$1,000,000 prize cap to be paid out on a pari-mutuel basis on the DC Daily 6™ top prize for each draw. The DC Daily 6™ top prize is \$250,000 unless there are five (5) or more top prizewinners for any one draw. If there are more than five (5) DC Daily 6™ top prizewinners for any draw, the \$1,000,000 prize cap will be shared by each of the top prizewinners on a pari-mutuel basis.

901.3 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in DC Daily 6™ game.

Number of Matches Per Ticket	Probability Distribution	Number of Winners	Probable Set Prize Amount
All six (6) winning numbers on a single lettered game board	1: 1,631,311.50	1	\$250,000
Any five (5) winning numbers plus the bonus ball on a single lettered game board	1: 271,885.25	6	\$5,000
Any five (5) winning numbers and no bonus ball on a single lettered game board	1: 8,496.41	192	\$500
Any four (4) winning numbers plus the bonus ball on a single lettered game board	1: 3,398.57	480	\$250
Any four (4) winning numbers and no bonus ball on a single lettered game board	1: 219.26	7,440	\$10
Any three (3) winning numbers plus the bonus ball on a single lettered game board	1: 164.45	9,920	\$5
Any three (3) winning numbers and no bonus ball on a single lettered game board	1: 16.44	99,200	\$2
Overall	1: 13.91	117,239	

Amend Chapter 9 by deleting sections 920 and 921 in their entirety and replace with the following:

920-921 [RESERVED]

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days from the date of publication of this notice in the Register. Comments should be filed with the Executive Director, District of Columbia Lottery and Charitable Games Control Board, 2101 Martin Luther King, Jr., Avenue, S.E., Washington, D.C. 20020. Copies of these proposed rules may be obtained at the address stated above.

DISTRICT OF COLUMBIA
DEPARTMENT OF MOTOR VEHICLESNOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Motor Vehicles, pursuant to the authority set forth in Section 1825 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 50-904); Section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)); Subsections 205(d) and 305(d) of The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code §§ 50-2302.05(d) & 50-2303.05(d)); and Mayor's Order 03-58, effective April 21, 2003, hereby gives notice of the adoption, on an emergency basis, of an amendment to Chapter 30 of Title 18 of the District of Columbia Municipal Regulations (DCMR) (Vehicles and Traffic). This amendment extends the time period within which a person must answer a ticket pursuant to the Traffic Adjudication Act.

This emergency rule will expire on December 22, 2005, one hundred and twenty (120) days after its adoption, or upon publication of a notice of final rulemaking, whichever occurs first.

The facts that constitute emergency circumstances are as follows:

The Department of Motor Vehicles ("DMV") facility that processes tickets and offers hearings was closed temporarily on August 8, 2005, due to an unexpected collapse of the air conditioning system. This made it impossible for a person to answer a ticket at the DMV in person. It took until August 24th, 2005, to resume hearings and in-person ticket processing services at another DMV location. The DMV therefore is extending the time period within which tickets must be answered before penalties are imposed and a loss of hearing rights takes effect. This action is therefore necessary to preserve the appeal rights of customers and give them adequate opportunity to answer their tickets.

The Director also gives notice of the intent to take final rulemaking action after thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 18, DCMR, Chapter 30, ADJUDICATION AND ENFORCEMENT, Section 3006, ANSWERS TO NOTICES OF INFRACTION, is amended by adding new subsections 3006.5 and 3006.6 to read as follows:

- 3006.5 For any notice of infraction issued between July 9, 2005 and August 23, 2005 pursuant to the Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code §§ 50-2301.01 *et seq.*) ("the act"), a respondent must answer within sixty (60) days after the date the notice was issued or a penalty equal to the amount of the civil fine shall be added.
- 3006.6 For any notice of infraction issued between June 9, 2005 and August 23, 2005 pursuant to the act a respondent must answer within ninety (90) days after the date

the notice was issued or they shall be deemed to have admitted the infraction and all applicable penalties, fines and points shall be assessed.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments, in writing, to Corey Buffo, General Counsel, D.C. Department of Motor Vehicles, 95 M Street, S.W., Washington, D.C. 20024. Comments must be received not later than thirty (30) days after the publication of this notice in the D.C. Register. Copies of this proposal may be obtained by writing to the above address.