

Nebraska Tax Application and Return for Mechanical Amusement Device (MAD) Decals for Devices that DO NOT Award Cash Prizes

FORM
54

1 Do you hold, or have you previously held, a Nebraska ID Number? ☐ Yes ☐ No If Yes, provide the number _____	Please Do Not Write In This Space
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2 Federal Employer ID or Social Security Number	
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Business Name and Address	Name and Mailing Address
Business Name or Doing Business As (DBA)	Name
Street Address (Do Not Use PO Box)	Street or Other Mailing Address
City State Zip Code	City State Zip Code

3 County of Business Location in Nebraska	4 Reason for Filing Application (1) ☐ Original Application (2) ☐ Renewal (3) ☐ Acquired Additional Devices (4) ☐ Other
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5 Application is made for: (1) ☐ Distributor's License – No Fee (2) ☐ Operator's License – No Fee (3) ☐ Distributor/Operator's License – No Fee
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6 Are you a resident of the State of Nebraska? If no, and you are a noncorporate applicant, you must designate a Nebraska resident agent for service of process purposes. ☐ Yes ☐ No	
Name of Resident Agent	Address

7 Type of Ownership (1) ☐ Sole Proprietorship (2) ☐ Partnership (3) ☐ Nonprofit Corporation	(4) ☐ Domestic Corporation (5) ☐ Foreign Corporation (6) ☐ Domesticated Corporation	(7) ☐ Governmental (8) ☐ Fiduciary (Estate or Trust) (9) ☐ Nonprofit Organization (10) ☐ Cooperative (11) ☐ Limited Liability Company
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8 Provide a general description of your business operations:

9 Identify Owners, Members, Partners, or Corporation Officers (One of the listed individuals must sign as applicant.)		
Social Security Number	Name, Address, City, State, Zip Code	Title

Mechanical Amusement Devices

See definitions of a Mechanical Amusement Device provided on this form for further details.

If any device awards or is capable of awarding: a cash prize; credits redeemable for a cash prize, or tickets, tokens, or other items redeemable for a cash prize; this form may not be used.

Occupation Tax

10 Enter the total number of decals.....	10	
11 Occupation tax (\$70 multiplied by the number of decals).....	11	
12 Total occupation tax and penalty amount (total of lines 11 and 14). Pay in full with return.....	12	

Under penalties of law, I declare that I have examined this application and return, and to the best of my knowledge and belief, it is correct and complete.

**sign
here** ▶

Signature of Owner, Member, Partner, Corporate Officer,
or Person Authorized by Attached Power of Attorney Title Date Daytime Phone Number

Email Address _____

For Department of Revenue Use Only		
Serial Numbers of Decals Issued	Issued by	Date
Penalties		
13 Number of mechanical amusement devices not properly registered	13	
14 Penalty (line 13 multiplied by \$75) (include on line 12).....	14	

**sign
here** ▶

Signature of Department of Revenue Representative Title Date

Mail this form to: **Nebraska Department of Revenue, Charitable Gaming Division, PO Box 94855, Lincoln, NE 68509-4855.**
 Walk-in at: **137 NW 17th Street, Lincoln, NE 68528.**
Retain a copy for your records.

Instructions

Who Must File. All operators and distributors of mechanical amusement devices covered by the Mechanical Amusement Device Tax Act must file an application.

When and Where to File. This application, properly signed and accompanied by check or money order payable to the Nebraska Department of Revenue, must be filed prior to the date of the first transaction involving the use or sale of a mechanical amusement device. Licenses and occupation tax decals expire on December 31 each year, regardless of the date of issuance, and must be renewed on or before January 1.

Business Name and Address. If you have mechanical amusement devices at multiple locations, you must indicate your primary business address in this block.

Definitions

Mechanical Amusement Device (Device). A device is any machine which, upon insertion of a coin, currency, credit card, or substitute into the machine, operates or may be operated or used for a game, contest, or amusement of any description. This includes but is not limited to:

- Arcade Video Games – flight simulators, video racing games, video trivia and IQ games, and other video and electronic games;
- Crane Games;
- Musical Devices;
- Pinball Machines;
- Pool/Billiards Tables;
- Table Games – foosball, air hockey, shuffleboard, light tennis and ping pong, bowling games, and other table games. This does **not** include pool/billiards tables; and
- Other Mechanical Amusement Devices – whac-a-mole, skee-ball, darts, rifles, and other non-table sports-related games.

A device does not include vending machines which dispense tangible personal property, devices located in private homes for private use, pickle card dispensing devices which are required to be registered with the Nebraska Department of Revenue (DOR) pursuant to [Neb. Rev. Stat. § 9-345.03](#), or devices which are mechanically constructed in a manner that would render their operation illegal under Chapter 28, article 11 of the Nebraska Revised Statutes. **The presence of a MAD decal on any device only indicates that the device is in compliance with the applicable provisions of the Mechanical Amusement Device Tax Act, [Neb. Rev. Stat. §§ 77-3001 to 77-3011](#). A MAD decal is not evidence that the device is legal under Chapter 28, article 11 of the Nebraska Revised Statutes.**

Distributor. A distributor is any person who sells, leases, or delivers possession or custody of a machine or mechanical amusement device to operators thereof for a consideration either directly or indirectly received.

Operator. An operator is any person who operates a place of business in which a machine or device owned by him or her is physically located, or any person who places and who either directly or indirectly controls or manages any machine or device.

Distributor-operator. A distributor who leases or rents a device to business owners, but retains control of the device, is also considered an operator and subject to the same licensing requirements and payment of the occupation tax on each device.

Payment of Additional Occupation Taxes. This application must be used for paying occupation taxes on any device put into operation after the original application has been filed.

Display Decal. Every operator must conspicuously and permanently affix to each device the occupation tax decal. **The decal must not be affixed by tape or any other means.** The backing on each decal must be removed in order to permanently affix the decal to the device. Any person who has placed a device in operation in the State of Nebraska without the necessary decal conspicuously and permanently affixed to it is subject to an administrative penalty of \$75 for each violation and the device is subject to being sealed by DOR. If the seal is broken prior to payment of the occupation tax for the device, the device is subject to forfeiture and sale by DOR.

Specific Instructions

Line 6. If you are a foreign (non-Nebraska) corporation and do not have a certificate of authority to transact business in Nebraska, please contact the Nebraska Secretary of State's Office at 402-471-4079 to obtain an application.

Line 12. An occupation tax of \$70 is assessed for **each** device placed in operation. Checks written to the Nebraska Department of Revenue may be presented electronically.

The occupation tax can only be paid by the operator who has actual ownership of the device being taxed. The tax must be paid at the time the device is purchased and prior to the device being placed into operation. An occupation tax decal is issued denoting the payment of the tax for each device.

Penalty Abatement. An operator who has been assessed a penalty may request an abatement of the penalty. A [Request for Abatement of Penalty, Form 21](#), must be completed and filed with DOR. The request for abatement of penalty will not be considered until the penalty has been paid.

Authorized Signature. This application must be signed by the owner, member, partner, or corporate officer listed on line 9. Individuals who are not listed on line 9 but are signing the application, must attach a completed [power of attorney](#).

If you need additional assistance, contact the Charitable Gaming Division, Nebraska Department of Revenue at 402-471-5949.