

“Bill validator” means a device on a gaming voucher redemption machine which accepts gaming vouchers, coupons and currency.

“Bill validator box” means a removable, secure, tamper-resistant container approved by the Commission into which are deposited all gaming vouchers, coupons and currency accepted by a bill validator.

“Bill validator drop” is defined in N.J.A.C. 19:45-1.33A(a).

“Bill Validator Receipt” is defined in N.J.A.C. 19:45-1.33A(a)3.

“Cash Fill” is defined in N.J.A.C. 19:45-1.35A(b).

“Casino affiliate check” means a check issued by a person that is an affiliate of a New Jersey casino licensee and holds a gaming license in any other jurisdiction. A casino affiliate check shall be drawn on the bank account of the affiliate, be made payable only to the person presenting the check, and shall not contain any other endorsements.

“Casino check” means a check which is drawn by a casino licensee upon the licensee’s account at any New Jersey banking institution and made payable to a person in redemption of the licensee’s gaming chips, pursuant to N.J.S.A. 5:12-100(k) in return, either in whole or in part, of a person’s deposit on account with the casino licensee pursuant to N.J.S.A. 5:12-101(b), or for winnings from slot machine, keno or simulcasting wagering payoffs, or table game progressive payouts and which is identifiable in a manner approved by the Commission as a check issued for one of these purposes. At a minimum, such identification method shall include an endorsement or imprinting on the check which indicates that the check is issued in redemption of gaming chips, in return of funds on account with the casino licensee or for winnings from slot machine, keno or simulcast wagering payoffs, or table game progressive payouts.

“Casino computer system” is defined in N.J.A.C. 19:45-2.1.

“Casino hotel alcoholic beverage (CHAB) employee” means any natural person employed by a CHAB licensee whose responsibilities include the handling, service, delivery, purchase, control or storage of alcoholic beverages.

“Casino hotel alcoholic beverage (CHAB) licensee” is defined at N.J.A.C. 19:50-1.1.

“Casino licensee” or “licensed casino” means the holder of any license, issued pursuant to the Casino Control Act, that authorizes the ownership or operation of a casino and, if applicable, of a casino simulcasting facility.

“Casino manager” is defined in N.J.A.C. 19:45-1.11(b)4 and 1.12(a).

“Casino simulcasting” is defined in N.J.A.C. 19:55-1.1.

“Casino simulcasting facility” is defined in N.J.A.C. 19:55-3.1 through 3.4.

“CCTV” means closed circuit television.

“Chairman” or “Chair” and “Commissioner” or “member” means the Chair and any member of the Casino Control Commission, respectively.

“Change machine” means any mechanical, electrical, or other device which operates independently of a slot machine which, upon insertion of currency therein, shall dispense an equivalent amount of loose or rolled coin or slot tokens.

“Changeperson” means a person employed in the operation of a casino to possess an imprest inventory of coin, currency and slot tokens received pursuant to N.J.A.C. 19:45-1.35(d) and used for the even exchange with slot machine patrons of coupons, coin, currency, gaming chips, slot tokens and prize tokens.

“Chief executive officer” means:

1. As to casino licensees or applicants, the natural person who is ultimately responsible for the daily conduct of the hotel and gaming business of one or more affiliated casino licensees or applicants, regardless of the form of business association of the casino licensee or applicant or the particular title which that person or any other person holds. The chief executive officer may also function as the chief gaming executive, as defined in N.J.A.C. 19:45-1.1, of a single casino licensee or applicant if the chief executive officer is principally located at that casino facility.

2. As to casino service industry enterprise licensees or applicants, the natural person who bears ultimate responsibility for the organization and business activities of the enterprise.

“Chipperson” means a person employed in the operation of a casino to possess an imprest inventory of gaming chips and currency received pursuant to N.J.A.C. 19:45-1.14(a)5 and 1.15(c)3vi and (c)4vi, placed in a chip cart pursuant to N.J.A.C. 19:45-1.53, and used for the even exchange of coin, currency, coupons and slot tokens and other functions permitted by N.J.A.C. 19:45-1.53(a), only with patrons seated at a poker table at which a game is in progress.

“Coin acceptor” means the slot and accompanying device, approved by the Commission, that is the part of a slot machine into which a patron, in the normal course of operating the machine, inserts a coin or slot token for the purpose of activating play and which is designed to identify those coins or slot tokens so inserted that are appropriate for use in that machine and to reject all slugs, prize tokens and other non-conforming objects so inserted.

“Coin hopper” means a secure, removable or non-removable, tamper-resistant container approved by the Commission, which holds and dispenses a single denomination of coin

from an automated jackpot payout machine or gaming voucher redemption machine.

"Coin hopper fill" means the initial placement of coin into an automated jackpot payout machine or gaming voucher redemption machine by inserting removable coin hoppers, containing coin or depositing coin into non-removable coin hoppers or the subsequent replenishment of coin by replacing removable coin hoppers with coin hoppers containing coin or depositing coin into non-removable coin hoppers.

"Commission inspector" means any authorized representative of the Commission.

"Computer access" or "logical access" is defined in N.J.A.C. 19:45-2.1.

"Computer security" is defined in N.J.A.C. 19:45-2.1.

"Contested case" means a proceeding, including any licensing proceedings, in which the legal rights, duties, obligations, privileges, benefits or other legal relations of specific parties are required by constitutional right or by statute to be determined by an agency by decisions, determinations, or orders, addressed to them or disposing of their interests, after opportunity for an agency hearing.

"Controller" is defined in N.J.A.C. 19:45-1.11(b)7.

"Count room" is defined in N.J.A.C. 19:45-1.32.

"Count room supervisor" is defined in N.J.A.C. 19:45-1.33 and 1.43.

"Coupon acceptance system" means a computerized system utilized by a casino licensee to establish the validity of and redeem coupons.

"Coupons considered in the calculation of gross revenue" shall include, without limitation, match play coupons, chip coupons, keno coupons and coupons accepted by bill validators.

"Coupon Redemption Report" is defined in N.J.A.C. 19:45-1.33A(a)6.

"Credit card chip transaction" is defined in N.J.A.C. 19:45-1.18A.

"Credit manager" is defined in N.J.A.C. 19:45-1.11(b)5.

"Credit Receipt" is defined in N.J.A.C. 19:45-1.35A(f)1.

"Cumulative progressive jackpot meter" is defined in N.J.A.C. 19:45-1.39(b)2.

"Currency" means paper money issued by the United States of America as legal tender.

"Currency cassette" means a secure, removable, tamper-resistant container, approved by the Commission, which holds and dispenses a single denomination of currency from

an automated coupon redemption machine, automated jackpot payout machine or gaming voucher redemption machine.

"Currency cassette fill" means the initial placement of currency into an automated jackpot payout machine or gaming voucher redemption machine by inserting currency cassettes containing currency and an empty currency cassette reject bin, or the subsequent replenishment of currency into such a machine by replacing currency cassettes and the currency cassette reject bin with currency cassettes containing currency and an empty currency cassette reject bin.

"Currency cassette reject bin" means a secure, tamper-resistant container in an automated jackpot payout machine or gaming voucher redemption machine into which currency is deposited from a currency cassette as a test or because the currency cassette dispensed the incorrect amount of currency.

"Debit card chip transaction" is defined in N.J.A.C. 19:45-1.18A.

"Director of security" is defined in N.J.A.C. 19:45-1.11(b)6.

"Director of surveillance" is defined in N.J.A.C. 19:45-1.11(b)1.

"Electronic credit" means an electronic signal or transmission which is generated by a device contained in or connected to a slot machine and which is initiated by a player as a means to activate the play of the slot machine. Electronic credits shall include, without limitation, electronic credits generated in accordance with the provisions of N.J.A.C. 19:45-1.37A.

"Electronic transfer credit system" is defined in N.J.A.C. 19:45-1.37A.

"Express jackpot" is defined in N.J.A.C. 19:45-1.40F.

"Fill Receipt" is defined in N.J.A.C. 19:45-1.35A(f)3.

"Foreign slot token" means a slot token issued by an establishment other than the casino licensee at which it is wagered.

"Free play award" means an outcome on a slot machine play that has no cash value to the patron but entitles the patron to activate one or more additional plays without making an additional slot machine wager.

"Game cycle" means the estimated number of game activations required to achieve each of the game outcomes that are possible in a primary slot machine game.

"Game-within-a-game" means a distinct set of plays that are described to the public on a slot machine as an authorized game in accordance with N.J.A.C. 19:45-1.37(a)4 but are only available for wagering if a patron first makes a wager on, and achieves a specific outcome from, a play offered as part of a primary slot machine game. A single primary slot

In (b), "Bill changer" substituted "value" for "amount", inserted "the value of gaming voucher" after "currency"; added "Electronic credit", "Gaming voucher".

Amended by R.2003 d.243, effective June 16, 2003.
See: 35 N.J.R. 1395(a), 35 N.J.R. 2740(a).

In (b), inserted "boston 5 stud poker" following "colorado hold 'em poker" in "Authorized game".

Petition for Rulemaking.
See: 35 N.J.R. 5171(a).

Amended by R.2003 d.462, effective December 1, 2003.

See: 35 N.J.R. 2792(a), 35 N.J.R. 5435(a).

In (b), added "Multi-denominational".

Amended by R.2004 d.175, effective May 3, 2004.

See: 35 N.J.R. 5527(a), 36 N.J.R. 2204(a).

In (b), added "Slot machine main program".

Amended by R.2004 d.326, effective August 16, 2004.

See: 36 N.J.R. 1305(a), 36 N.J.R. 3889(a).

In (b), inserted "double cross poker" following "5 stud poker," in "Authorized game" or "authorized gambling game".

Amended by R.2004 d.339, effective September 7, 2004.

See: 36 N.J.R. 2308(a), 36 N.J.R. 4165(b).

In (b), rewrote "Authorized game", added "Table game".

Amended by R.2004 d.465, effective December 20, 2004.

See: 36 N.J.R. 4165(b), 36 N.J.R. 5704(a).

In "Table game", inserted "double attack blackjack, double cross poker" preceding "double down stud," and "four card poker" preceding "let it ride poker".

Amended by R.2005 d.12, effective January 3, 2005.

See: 36 N.J.R. 4105(a), 37 N.J.R. 100(a).

In (b), added "Jackpot" and "Jackpot display", and substituted "jackpot" for "combination" in "Variable outcome".

Amended by R.2005 d.86, effective March 7, 2005.

See: 36 N.J.R. 623(a), 37 N.J.R. 789(a).

In (b), added "Chief executive officer".

Petition for Rulemaking.

See: 37 N.J.R. 812(a).

Amended by R.2005 d.121, effective April 18, 2005.

See: 36 N.J.R. 2996(a), 37 N.J.R. 1227(b).

Added "CCTV", "Commission inspector", "Principal inspector" and "Slot system operator"; and rewrote "Multi-casino progressive slot system".

Amended by R.2005 d.216, effective July 5, 2005.

See: 36 N.J.R. 3242(a), 37 N.J.R. 2561(a).

Rewrote the section.

Amended by R.2005 d.356, effective October 17, 2005.

See: 37 N.J.R. 2301(a), 37 N.J.R. 4034(a).

In (b), added "texas hold 'em bonus poker" to definition "Table game".

Amended by R.2006 d.276, effective July 17, 2006.

See: 38 N.J.R. 1413(a), 38 N.J.R. 3067(a).

In definition "Table game", inserted "flop poker," preceding "four card poker".

Amended by R.2006 d.341, effective September 18, 2006.

See: 38 N.J.R. 2404(a), 38 N.J.R. 3920(a).

In definition "Table game" in (b), deleted "and" preceding "three card poker" and inserted "and two card joker poker".

Amended by R.2007 d.86, effective March 19, 2007.

See: 38 N.J.R. 3149(a), 39 N.J.R. 940(a).

Added definitions "Riffle shuffle" and "Strip shuffle".

Amended by R.2007 d.117, effective April 16, 2007.

See: 38 N.J.R. 4669(a), 39 N.J.R. 1505(a).

In (b), added definitions "ATM transaction", "ATM Transaction Report", "Automated jackpot payout machine", "Automated Jackpot Payout Machine Journal Report", "Balance Receipt", "Bill validator", "Bill validator box", "Bill validator drop", "Bill Validator Receipt", "Cash Fill", "Coin hopper", "Coin hopper fill", "Coupon acceptance system", "Coupon Redemption Report", "Credit Receipt", "Currency", "Currency cassette", "Currency cassette fill", "Currency cassette reject bin", "Express jackpot", "Fill Receipt", "Gaming Voucher Error Receipt", "Gaming voucher redemption machine", "Gaming Voucher Redemption Machine Journal Report", "Gaming Voucher Redemption Machine Report", "Gaming Voucher System Report", "Inventory Report", "Manual slot payout", "Manual Slot Payout Report" and "System override".

Amended by R.2007 d.222, effective July 16, 2007.

See: 39 N.J.R. 359(b), 39 N.J.R. 2655(a).

Added definition "Jackpot-to-credit-meter switch".

Amended by R.2007 d.246, effective August 20, 2007.

See: 39 N.J.R. 1652(a), 39 N.J.R. 3551(d).

In definition "Table game", inserted "asia poker,".

Amended by R.2008 d.95, effective April 21, 2008.

See: 39 N.J.R. 5192(a), 40 N.J.R. 2132(a).

In definition "Table game" in (b), substituted a comma for "and" following "three card poker" and inserted "and ultimate texas hold 'em".

Amended by R.2008 d.263, effective September 2, 2008.

See: 40 N.J.R. 2422(a), 40 N.J.R. 5064(a).

In definition "Table game" in (b), substituted a comma for "and" preceding "ultimate" and inserted "and winner's pot poker".

Administrative correction.

See: 41 N.J.R. 2341(b).

19:40-1.3 Construction and amendments

(a) These rules shall be construed in accordance with generally accepted principles of statutory construction, including those set forth in N.J.S.A. 1:1-1 et seq.

(b) These rules shall be liberally construed to permit the Commission and the Division to effectively carry out their respective statutory functions and to secure a just and expeditious determination of issues properly presented to the Commission.

(c) Nothing contained in these rules shall be so construed as to conflict with any provision of the New Jersey Casino Control Act or any other applicable statute.

(d) In special cases and for good cause shown, the Commission may relax or permit deviations from these rules.

(e) These rules may be amended by the Commission from time to time in accordance with the provisions of the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.).

(f) Whenever any provision of these rules requires that an act or event occur on a specified day or date, and such day or date falls upon a Saturday, Sunday or legal holiday, such provision shall be construed to refer to the next business day immediately following such day or date.

(g) Pursuant to N.J.S.A. 5:12-69(e), the Commission may authorize the temporary adoption, amendment or repeal of any rule concerning the conduct of gaming or simulcast wagering, the use or design of gaming or simulcast wagering equipment or the internal procedures and administrative and accounting controls required by N.J.S.A. 5:12-99 for a period not to exceed 270 days, for the purpose of determining whether such rules should be adopted on a permanent basis. Any interested person may file a petition for temporary rulemaking with the Commission in accordance with N.J.A.C. 19:40-3.6.

1. The Commission shall file notice of any temporary rulemaking with the Office of Administrative Law for publication in the New Jersey Register at least seven days prior to initiation of the experiment, and shall prominently post such notice in each casino participating in the experiment.

2. The Commission shall post the text of any temporary rule in each casino participating in the experiment and shall make copies of such text available upon request to the Commission.

Amended by R.1982 d.254, effective August 2, 1982, operative September 15, 1982.

See: 14 N.J.R. 558(b), 14 N.J.R. 841(a).

Added (f).

Amended by R.1989 d.495, effective September 18, 1989.

See: 21 N.J.R. 1975(b), 21 N.J.R. 3022(b).

(f) deleted, new (f) and (g) added concerning dates of rules and temporary rulemaking.

Amended by R.1994 d.461, effective September 6, 1994.

See: 26 N.J.R. 2564(a), 26 N.J.R. 3746(a).

Amended by R.1996 d.351, effective August 5, 1996.

See: 28 N.J.R. 2349(a), 28 N.J.R. 3817(a).

19:40-1.4 Words and terms; tense, number and gender

(a) In construing the provisions of these rules and regulations, except when otherwise plainly declared or clearly apparent from the context:

1. Words in the present tense shall include the future tense.
2. Words in the masculine shall include the feminine and neuter genders.
3. Words in the singular shall include the plural and the plural shall include the singular.

19:40-1.5 Severability and preemption

(a) If any clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion of these rules or the

application thereof to any person or circumstance shall be held to be invalid, such holding shall not affect, impair or invalidate the remainder of these rules or the application of such portion held invalid to any other person or circumstances, but shall be confined in its operation to the clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion thereof directly involved in such holding or to the person or circumstance therein involved.

(b) Notwithstanding the provisions of any other law to the contrary, no local government unit of this State may enact or enforce any ordinance or resolution conflicting with any provision of the Act or of these rules or with any policy of this State expressed or implied herein, whether by exclusion or inclusion. The Commission shall have exclusive jurisdiction over all matters delegated to it or within the scope of its powers under the provisions of the Act and these rules.

Recodified from 19:40-1.12 by R.1989 d.495, effective September 18, 1989.

See: 21 N.J.R. 1975(b), 21 N.J.R. 3022(b).

The following annotations pertain to the rule formerly at this cite:

As amended, R.1984 d.454, effective October 15, 1984.

See: 16 N.J.R. 2259(a), 16 N.J.R. 2832(a).

Deleted old (e) and substituted new therefor.

19:40-1.6 Practice where regulations do not govern

In any matter not governed by these rules and regulations, the Commission or the Division shall exercise its discretion so as to carry out the purposes of the Act.