

2. Fixing an annual fee or fees, not subject to proration, for licenses to be issued in such amount or amounts as may be determined upon consideration of such factors as the number of days or period upon or during which the licensee shall be authorized to operate or conduct the games, the number of units employed therein, the number of places, the number of specific kinds of games to be conducted and the number of persons who may become players of the game at any one time, but in no case shall such fee be less than \$10.00 for any one license for a period of one year or for a lesser term except as to agricultural fairs and exhibitions where, in any one year, the fair and exhibition is held for a period not in excess of 30 days the fee for the municipal license shall be \$5.00 or less for any one license.

### 13:3-1.6 Restrictions on hours for amusement games

No license shall be issued to authorize the conduct of amusement games during hours or on days prohibited by municipal ordinance.

### 13:3-1.7 Premises with alcoholic beverage license

No license shall be issued for any premises licensed under any alcoholic beverage license.

### 13:3-1.8 Separate license required for each game and premises

A separate license shall be issued for each specific kind of game authorized to be held, operated and conducted on the licensed premises by the licensee, and a separate license shall be issued for each place at which the licensee is authorized to hold, operate and conduct such game, except that a single license may be issued for all games classified under Certification No. 2 pursuant to N.J.A.C. 13:3-7.9(a)2 and operated in an arcade at a single location.

Amended by R.1988 d.227, effective May 16, 1988.

See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).

Added text "except that a single . . .".

### 13:3-1.9 License term; investigation fees

(a) All licenses shall be issued on a calendar-year basis, with a maximum term from January 1 to December 31 of the year within which the license is to be operative, or for such shorter term within the year as may be fixed by law or ordinance.

(b) In any event, the full annual fee as fixed by ordinance shall be payable without proration and shall accompany the license application.

(c) In the event of denial or withdrawal of the application, or in the event of denial or withdrawal of application for State license filed with the Commissioner pursuant to Subchapter 2 (Issuance of Licenses) of this Chapter, the full fee up to \$10.00 or 25 percent of the fee, whichever shall be the greater, shall be retained by the municipality as and for

an investigation fee, and the remainder of the fee, if any, shall be refunded to the applicant.

### 13:3-1.10 Application form and license certificate

(a) Each application for license shall be submitted in duplicate in form prescribed by the Commissioner.

(b) The original shall be retained by the municipal governing body and, in the event the application is granted, the copy shall be transmitted forthwith to the Commissioner.

As amended, R.1982 d.498 eff. January 17, 1983.

See: 14 N.J.R. 1194(a), 15 N.J.R. 93(a).

Deleted reference to section 8.3 and added "by the Commissioner".

As amended, R.1983 d.90, eff. April 2, 1984.

See: 16 N.J.R. 208(a), 16 N.J.R. 737(a).

### 13:3-1.11 Fingerprinting

(a) Each individual applicant, the officers, directors, and stockholders (including the officers, directors and stockholders of any corporation holding five percent or more of the capital stock) of any corporate applicant, as well as the partners or members as the case may be, of any partnership, association, or organization applicant, upon filing of an initial application or any employee of an applicant, may, if so required by the Commissioner or municipal governing body issuing a license, be fingerprinted under the supervision of the municipal chief of police.

(b) The fingerprint records so obtained shall be marked "Applicant" and shall be submitted to the Federal Bureau of Investigation and the New Jersey State Police Bureau of Identification and upon receipt of returns from such Bureaus, the chief of police shall make report thereof to the municipal governing body, together with report of any other arrest or conviction record which may be obtained from other sources.

(c) Failure or refusal of any of the above-designated persons to submit to fingerprinting shall be deemed cause for denial of the application.

(d) Any fees for fingerprinting or any other investigations shall be paid for by the applicant.

As amended, R.1983 d.303, eff. August 1, 1983.

See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

In (a), added "upon filing an initial application . . . may if required by the commissioner or municipal governing body issuing a license . . .". Also added (d).

### 13:3-1.12 Qualification of applicant; conviction of crime

No license shall be issued to any applicant if any of the persons required by Section 1.11 (Fingerprinting) to be fingerprinted in connection with the application are not of good moral character or have ever been convicted of a crime unless the disqualification resulting from such conviction has been removed by the Commissioner pursuant to P.L. 1962, c.200.

**13:3-1.13 Municipal resolution to authorize licenses**

(a) No license shall be issued in any municipality unless and until the issuance thereof has been authorized by a resolution duly adopted by the municipal governing body which resolution shall, among other things, specifically recite:

1. That the premises to be licensed are located in a recognized amusement park in the municipality; or

2. That the municipality is a seashore or other resort and that the premises to be licensed are located in an amusement or entertainment area in such resort according to the customary understanding of such terms in the municipality; or

3. That the municipality contains a place where an agricultural fair and exhibition is held by an association organized for the purpose of holding agricultural fairs and exhibitions which is approved by the State Department of Agriculture.

(b) A certified copy of each such resolution, together with a copy of the application endorsed to show the granting of a municipal license shall be transmitted to the Commissioner by the municipal governing body forthwith.

As amended, R.1983 d.90, eff. April 2, 1984.  
See: 16 N.J.R. 208(a), 16 N.J.R. 737(a).

(b) added language concerning application endorsement.  
Amended by R.1988 d.227, effective May 16, 1988.  
See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).

Combined (a)2 and 3 and renumbered old (a)4 to (a)3.

**13:3-1.14 License certificate contents**

(a) Each license certificate shall indicate:

1. The name of the licensee;
2. The address of the licensee both in and off season, and the address of the licensed premises, if different from that of the licensee;
3. The name and detailed description of the kind of game licensed;
4. The amount of fee paid;
5. A statement of the dates and the hours between which such game may be conducted; and
6. Such other information as may be required on a form prescribed by the Commissioner.

As amended, R.1982 d.498, eff. January 17, 1983.  
See: 14 N.J.R. 1194(a), 15 N.J.R. 93(a).

Added (a)6.

As amended, R.1983 d.303, eff. August 1, 1983.  
See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

Amended (a)2 and 3.

**13:3-1.15 Disposition of license certificate**

(a) After municipal approval and the Commissioner's approval, the license certificate shall be prepared in quadruplicate.

(b) The original shall be delivered to the licensee.

(c) One of the copies shall be delivered to the municipality to be made part of its licensing records.

(d) The remaining two copies shall be retained by the Commissioner.

As amended, R.1983 d.90, eff. April 2, 1984.  
See: 16 N.J.R. 208(a), 16 N.J.R. 737(a).

**13:3-1.16 Amendment to license; notice**

(a) Any license may be amended, upon application to the municipal governing body, a copy of which application must be submitted to the Commissioner, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license, including amendments between all certifications, and upon payment of such additional license fee, if any, as would have been payable, if it had been so included.

(b) Notice of any such amendment shall be certified to the Commissioner by the municipal governing body within 10 days, along with a \$25.00 amendment fee, payable by the licensee to the Amusement Games Control Bureau.

As amended, R.1983 d.303, eff. August 1, 1983.  
See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

In (a), added that application must be submitted to the Commissioner. In (b), notice of any amendment must be made in 10 days.  
Amended by R.1988 d.227, effective May 16, 1988.  
See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).

Substantially amended.

**13:3-1.17 Devolution of license upon death, bankruptcy, receivership or incompetency of licensee**

(a) In case of death, bankruptcy, receivership or incompetency of the licensee, or if for any other reason the operation of the business covered by the license shall devolve by operation of law upon a person other than the licensee, application for extension of the license for a limited time, not exceeding its term, shall be made promptly by the executor, administrator, trustee, receiver or other person upon whom operation of the business covered by the license shall have devolved by operation of the law.

(b) Application for such extension shall be made in the form of a petition addressed to and acted upon by the municipal governing body.

(c) If the petition for extension is granted, the license certificate shall be appropriately endorsed by the municipal governing body, without fee, and a report of the extension shall be made to the Commissioner by the municipal governing body within 10 days.

As amended, R.1983 d.303, eff. August 1, 1983.  
See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

In (c) report must be made to Commissioner within 10 days.

### 13:3-1.18 Reporting change in application facts

Whenever any change shall occur in the facts as set forth in any application for a license, the licensee shall file with the Commissioner and the municipal governing body a notice in writing of such change within ten days after the occurrence thereof.

As amended, R.1983 d.90, eff. April 2, 1984.  
See: 16 N.J.R. 208(a), 16 N.J.R. 737(a).

### 13:3-1.19 Agricultural Department approval of agricultural fair license

No license shall be issued in any municipality for premises at a place where an agricultural fair and exhibition is held unless and until a photostatic or other copy of the certificate of the State Department of Agriculture has been submitted to the municipality evidencing that the fair and exhibition is held by an association organized for the purpose of holding agricultural fairs and exhibitions and is approved by such Department for participation in any or all State-sponsored programs relative to the promotion of agriculture and the advancement of agricultural interests in New Jersey. A second copy of the certificate shall be transmitted to the Commissioner, the receipt of such copy being required before any State license can be issued for premises at a place where the agricultural fair and exhibition is to be held.

## SUBCHAPTER 2. ISSUANCE OF LICENSES BY STATE COMMISSIONER

### 13:3-2.1 Need for municipal license

No municipal approval of a license shall become operative unless and until the licensee named therein shall have been issued the State license certificate by the State Commissioner of Amusement Games Control.

As amended, R.1983 d.90, eff. April 2, 1984.  
See: 16 N.J.R. 208(a), 16 N.J.R. 737(a).

### 13:3-2.2 License fees

(a) Application for a State license shall be made upon a form prescribed and furnished by the Commissioner, accompanied by the requisite fee in cash, money order or certified check drawn to the order of the New Jersey Amusement Games Control Commissioner in such amount as is prescribed by N.J.S.A. 5:8-102 for games at an amusement park or seashore resort, or by N.J.S.A. 5:8-125 for games at an agricultural fair and exhibition.

As amended, R.1982, d.498, eff. January 17, 1983.  
See: 14 N.J.R. 1194(a), 15 N.J.R. 93(a).

Deleted reference to sections 8.1 and 8.5. Added accompaniment of fee. Recodified and increased fee schedule.  
As amended, R.1983 d.303, effective August 1, 1983.  
See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

Deleted list of license fees and added amounts to be charged as prescribed by N.J.S.A. 5:8-102 and 5:8-125.

### 13:3-2.3 Separate application and fee for specific games and separate premises

(a) A separate application shall be made, and separate fee paid, for each specific kind of game to be authorized to be held, operated and conducted by the applicant pursuant to municipal and State license and for each place at which the applicant seeks authorization to hold, operate and conduct such game or games, except that a single license may be issued for all games classified under Certification No. 2 pursuant to N.J.A.C. 13:3-7.9(a)2 and operated in an arcade at a single location.

As amended, R.1983 d.90, eff. April 2, 1984.  
See: 16 N.J.R. 208(a), 16 N.J.R. 737(a).

Language concerning when no fee payable deleted.  
Amended by R.1988 d.227, effective May 16, 1988.  
See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).  
Added text "except that a single . . .".

### 13:3-2.4 Duration of license; prorating fees

(a) All State licenses shall be issued on a calendar year basis with a maximum term from January 1 to December 31 of the year within which the license is to be operative, or for such shorter term within the year as may be fixed by the Commissioner to accord with the municipal license.

(b) In any event, the full annual fee, where required, for each license shall be payable without proration.

(c) In the event of denial or withdrawal, the Commissioner shall retain as and for an investigation fee, from the sum deposited with each application denied or withdrawn, the sum of \$10.00, or if the fee is less than \$10.00 the full fee, and the remaining sum paid, if any, shall be refunded to the applicant.

### 13:3-2.5 Reporting change of application facts

Whenever any change shall occur in the facts as set forth in any application for State license, the licensee shall file with the Commissioner a notice in writing of such change within 10 days after the occurrence thereof.

### 13:3-2.6 Cancellation of license

Any State license issued by the Commissioner may be cancelled in the event that after its issuance it appears that the municipal license rendered operative thereby has been issued in violation of any provision of the Amusement Games Control Law (P.L. 1959, c.108) or the Amusement Games Licensing Law (P.L. 1959, c.109) or any of the rules and regulations promulgated by the Commissioner pursuant thereto.

### SUBCHAPTER 3. CONDUCT OF LICENSEES AND OPERATION OF LICENSED GAMES

#### 13:3-3.1 Conspicuous display of license

No licensee shall hold, operate or conduct, or allow, permit or suffer the holding, operation or conduct of any amusement game on the licensed premises unless during the holding, operation and conduct of such game the currently effective and operative license certificate evidencing that a license has been issued to permit the building, operation and conduct of such game is conspicuously displayed upon the licensed premises, suitably weather-proofed if subject to exposure to the elements, and in such plain view and location as to be easily read by all persons visiting such premises.

As amended, R.1983 d.90, eff. April 2, 1984.  
See: 16 N.J.R. 208(a), 16 N.J.R. 737(a).

#### Case Notes

Nude dancing was not allowed within separate room adjacent to or within licensed premises. Division of Alcohol Beverage Control v. J & M Restaurant, 95 N.J.A.R.2d (ABC) 11.

#### 13:3-3.2 Method of operating licensed games

No licensee shall hold, operate or conduct, or allow, permit or suffer the holding, operation or conduct on the licensed premises of any licensed game in which there is not active participation by the player or players thereof, or in which there is not compliance with the requirements, limitations and restrictions contained in the Permissible Amusement Games Certification Number in Subchapter 7 (Certification of Permissible Games) of this Chapter under which the license has been issued, or the outcome of which is controllable or which may be influenced in any way by the operator by any arrangement, installation, plan or scheme, or by electrical, electronic, sonic, mechanical or other device, or allow, permit or suffer any such arrangement, installation or device on the licensed premises.

#### 13:3-3.3 Hours and days license in effect

No licensee shall hold, operate or conduct or allow, permit or suffer the holding, operation or conduct of any amusement game on the licensed premises during hours or on days prohibited by municipal ordinance or during hours or on days not authorized by the license as indicated on the license certificate.

#### 13:3-3.4 Maximum fee for participation in game

(a) No licensee shall charge or accept, or allow or permit, directly or indirectly, the charging or accepting of more than \$2.00 from any one player for an opportunity to participate in any one amusement game.

(b) All prizes or tickets or tokens redeemable for a prize awarded in a game shall be awarded immediately upon completion of the game and before making or accepting a charge for participation in any subsequent game.

(c) No charge may be made or accepted for participation in a game in excess of the posted charge for the opportunity to participate in the game. Nothing in this section shall be construed to prohibit a licensee from offering a discounted entry fee for multiple opportunities to participate in a single game not in excess of \$2.00.

(d) Upon receipt of currency greater than the charge to play a game, the licensee must immediately remit the appropriate change to the player.

As amended, R.1983 d.303, eff. August 1, 1983.

See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

Increased maximum fee from \$0.25 to \$1.00 except that maximum charge for arcade games shall not exceed \$0.50.

Amended by R.1986 d.218, effective June 16, 1986.

See: 18 N.J.R. 613(a), 18 N.J.R. 1306(a).

Added text "Upon receipt of . . . player immediately."

Amended by R.1988 d.227, effective May 16, 1988.

See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).

Deleted "except that the maximum . . ." and added (b) through (f).

Amended by R.1990 d.465, effective September 17, 1990.

See: 22 N.J.R. 1435(b), 22 N.J.R. 2982(a).

Specified when a bill acceptor may be used.

Amended by R.1995 d.175, effective March 20, 1995.

See: 26 N.J.R. 4951(a), 27 N.J.R. 1191(b).

#### 13:3-3.5 Types of prizes permitted; value of prize

(a) No licensee shall offer or give, directly or indirectly, any prize in any single amusement game except merchandise other than alcoholic beverages; drug or narcotic paraphernalia; obscene, indecent, filthy, lewd, lascivious or disgusting recordings, printings, writing, pictures or other matter; or weapons as defined in N.J.S.A. 2C:39-1r.

(b) The retail value of such merchandise prize or prizes to be so offered and given in any such game or for an accumulation of wins from a series of games or plays shall not exceed an average retail value of \$500.00, except that the maximum average retail value of any prize which may be offered and given for accumulation of tickets or tokens in any arcade or parlor certified in N.J.A.C. 13:3-7.9(a)2 or (a)4 under Certifications No. 2 or No. 4 ("Skilo" and "Fascination") only shall not exceed \$999.99.

1. There shall be no limit on the time within which tokens or tickets must be redeemed in any arcade licensed pursuant to N.J.A.C. 13:3-7.9(a)2 under Certification No. 2, or in any "Skilo" and "Fascination" parlor licensed pursuant to N.J.A.C. 13:3-7.9(a)4 under Certification No. 4.

2. The transfer of any arcade or parlor licensed and certified in N.J.A.C. 13:3-7.9(a)2 or (a)4 under Certification Nos. 2 or 4 ("Skilo" or "Fascination" only) shall specifically provide that all tickets and tokens awarded by the transferor shall be honored by the transferee.

(c) All winners shall be determined and all prizes or nontransferable tickets or tokens that may be accumulated for a prize shall be awarded in any game forthwith upon the completion of the game and before making or accepting any charge for participation in any subsequent game or play.

(d) Where games licensed and certified pursuant to N.J.A.C. 13:3-7.9(a)1, 3, 5, 6, 7, 8 or 9 are operated in conjunction with an arcade licensed pursuant to N.J.A.C. 13:3-7.9(a)2 under Certification No. 2, such arcade may also award as prizes tickets redeemable toward merchandise prizes available in the arcade, provided that the value of any single prize ticket shall not permit redemption for a prize valued in excess of an average retail value of \$500.00. Such tickets may be combined with tickets or tokens awarded in the arcade for redemption purposes.

As amended, R.1983 d.303, eff. August 1, 1983.

See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

In (a), added drug or narcotic paraphernalia not permitted. In (b), retail value of prizes increased from \$15.00 to \$300.00. In (c), added nontransferable tickets or tokens may be accumulated.

Amended by R.1985 d.334, effective July 1, 1985.

See: 17 N.J.R. 1058(a), 17 N.J.R. 1664(a).

Substantially amended.

Amended by R.1988 d.227, effective May 16, 1988.

See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).

Substantially amended.

### 13:3-3.6 Determination of value of prizes

(a) No licensee shall offer, give or display any prize in the licensed premises unless its average retail value is not in excess of the limits established in N.J.A.C. 13:3-3.5(b).

(b) For the purpose of this subchapter, the "average retail value" of the merchandise awarded as prizes shall be based on the manufacturer's suggested retail price or commonly advertised price.

As amended, R.1983, d.303, eff. August 1, 1983.

See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

In (a), retail value of prizes increased from \$15.00 to \$300.00.

In (b), changed retail value from not to exceed \$15.00 to manufacturer's suggested retail value.

Old (c) deleted.

Amended by R.1985 d.334, effective July 1, 1985.

See: 17 N.J.R. 1058(a), 17 N.J.R. 1664(a).

Retail value of prize changed from \$300.00 to \$500.00.

Amended by R.1988 d.227, effective May 16, 1988.

See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).

Added text in (a) "the limits established in N.J.A.C. 13:3-3.5(b)".

### 13:3-3.7 Redemption of prize or cash

No licensee shall, directly or indirectly, redeem for money or for the playing of any additional game or games, any prize or ticket or token offered or given nor shall any licensee allow, permit, suffer or participate in such redemption.

Amended by R.1988 d.227, effective May 16, 1988.

See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).

Added text "or ticket or token" and "nor shall any licensee".

### 13:3-3.8 Deceptive, fraudulent or misleading advertising or practice; conduct of games

(a) No licensee shall allow, permit or suffer on or about the licensed premises or engage in any deceptive, misleading or fraudulent advertising or practice in connection with the holding, operation or conduct of any licensed game.

(b) All games, including free, sample or tryout games, must be conducted in their original certified form and any changes must receive prior written authorization by the Commissioner.

(c) All prizes that are displayed must be available to be won and requirements to win such prizes must be clearly stated. If multiple wins are required for a prize, such requirements must be clearly posted.

As amended, R.1983 d.303, eff. August 1, 1983.

See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

(b)-(d) added.

Amended by R.1986 d.218, effective June 16, 1986.

See: 18 N.J.R. 613(a), 18 N.J.R. 1306(a).

Deleted subchapter (d).

### 13:3-3.9 Employees qualification, questionnaires, list

(a) No licensee shall employ in any capacity on the licensed premises any person who would fail to qualify as a licensee by reason of conviction of crime or otherwise, nor any person who refuses or fails to execute under oath a questionnaire, in a form prescribed by the State Commissioner of Amusement Control which shall be supplied by and filed with the municipal police department by the licensee within 72 hours of employment.

(b) A copy of an employee list shall be kept with each individual license. This list must contain the name and home and seasonal address of every person authorized to operate the licensed game, his date of birth, and the date of commencement and termination of employment. The list must be kept current.

(c) The licensee may require employees to complete an application or affidavit certifying the employee's eligibility for employment under the terms of this section.

As amended, R.1982 d.498, eff. January 17, 1983.

See: 14 N.J.R. 1194(a), 15 N.J.R. 93(a).

Deleted reference to section 8.8.

As amended, R.1983 d.303, eff. August 1, 1983.

See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

In (a), added within 72 hours of employment. In (b), added employee list. Also added new (c).

Amended by R.1988 d.227, effective May 16, 1988.

See: 20 N.J.R. 627(a), 20 N.J.R. 1085(a).

Deleted old (b); renumbered old (c) to (b) and added new (c).

### 13:3-3.10 Fingerprinting employees

No licensee shall employ or have connected with him in any business capacity whatsoever any adult person who refuses to submit himself for fingerprinting when required

to do so by any agent of the municipal governing body concerned or the Commissioner.

As amended, R.1983 d.303, eff. August 1, 1983.

See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

"Adult" added to person.

### 13:3-3.11 Interest held in business by person other than licensee

No licensee shall allow, permit or suffer any person other than the licensee to exercise or attempt to exercise, or hold himself out as authorized to exercise, the rights and privileges of the license issued to the licensee, or allow, permit or suffer any person other than the licensee to share in the profits of the licensed business except by way of *bona fide* rental agreements with landlords or *bona fide* commission or bonus agreements with operating personnel first approved by the Commissioner.

### 13:3-3.12 Law enforcement officers holding business interest

No license shall be held by any regular police officer, any peace officer or any other person whose powers or duties include the enforcement of the Amusement Games Control Law or the Amusement Games Licensing Law or Regulations, or by any profit corporation or association in which any such officer or person is interested, directly or indirectly, nor shall any licensee employ or have connected with him in any business capacity whatsoever any such officer or person.

### 13:3-3.13 Hindering inspection or investigation

No licensee shall, directly or indirectly, in any way hinder or delay or cause the hindrance or delay of any inspection of the licensed premises or investigation of the conduct of the licensed business by the Commissioner or the municipal governing body or his or their agents, or fail to facilitate such inspection or investigation in any way whatsoever.

### 13:3-3.14 Requirement for license

No licensee shall hold, operate or conduct, or allow, permit or suffer the holding, operating or conducting on the licensed premises any unlicensed game required to be licensed pursuant to the Amusement Games Control Law or the Amusement Games Licensing Law or Regulations.

### 13:3-3.15 Gambling on licensed premises

No licensee shall allow, permit or suffer on the licensed premises any playing for money or other valuable thing at any game other than that permitted by the license issued pursuant to the application and description of the game for that licensed premises, and in no event shall any prize be conditioned in any way upon any occurrence at or upon the outcome of any athletic, sporting game or contest or lottery.

As amended, R.1983 d.303, eff. August 1, 1983.

See: 15 N.J.R. 680(a), 15 N.J.R. 1254(b).

Deleted prohibited games of play and added prohibition of any game other than that permitted by the license issued pursuant to the application and description of the game for the licensed premises. Also deleted old (b).

### 13:3-3.16 Licensee responsible for acts of employees

(a) In any disciplinary proceedings to suspend or revoke any amusement games license, it shall be sufficient, in order to establish the guilt of the licensee, to show that the violation was committed by an agent, servant or employee of the licensee.

(b) The fact that the licensee did not participate in the violation or that his agent, servant or employee acted contrary to instructions given to him by the licensee or that the violation did not occur in the licensee's presence shall constitute no defense to the charges preferred in such disciplinary proceedings.

### 13:3-3.17 Required signs

(a) Rules and instructions for the game must be clearly and conspicuously posted on a sign entitled "Rules." Minimum size for rule signs is 8½ inches by 11 inches with readable letters at least one-half inch high. The color of the print and background material must be contrasting.

(b) The price to play must be clearly posted and visible from all player positions. If the price to play is not on the rules sign, it must be on a sign with the minimum dimensions of 5 inches by 5 inches, with the color of the print and background material contrasting.

New Rule R.1986 d.218, effective June 16, 1986.

See: 18 N.J.R. 613(a), 18 N.J.R. 1306(a).

## SUBCHAPTER 4. SUBMISSION OF REPORTS BY LICENSEES

### 13:3-4.1 Books of account, entries; inspection

Every licensee shall have and keep a true book or books of account wherein there shall be entered all moneys received and the specific source of such receipts and wherein there shall also be entered all moneys expended from such receipts and the name of the person receiving such expenditures and the purpose for which such expenditures were made. All books and records pertaining to such receipts or expenditures shall be made available for inspection by the State Commissioner of Amusement Games Control and the municipal governing body and his and their agents.

### 13:3-4.2 Invoices of cost of prizes retained

Every licensee shall retain for a period of one year from the date thereof, all delivery slips, invoices, manifests, way-bills or similar documents received from suppliers of merchandise to be awarded as prizes readily available for inspection by agents of the Commissioner.