

“Last game recall” means the capability of a slot machine game to display the outcome of the previous play.

“Layout” means the cloth covering a gaming table, containing designated areas for patrons to place the various wagers of the game, and such rules of the game, payoff odds and other information or graphics as the Division shall require.

“Limited time payout” means a jackpot offered by a slot machine game that is only available to be won for a limited period of time during the game cycle.

“Linked slot machine” is defined in N.J.A.C. 13:69D-1.39(c).

“Location number” means the unique number assigned to each site on a casino floor or in a casino simulcasting facility that contains the following: a pit and each table game located therein, a slot machine and any bill changer attached thereto or incorporated therein, an automated coupon redemption machine, a credit voucher machine or a self-service pari-mutuel machine.

“Logic board serial number” means a number assigned to a logic board by a casino licensee or its agent for identification and control purposes, which number shall correspond to the manufacturer’s serial number of the slot machine in which the logic board is installed and shall be permanently imprinted, impressed, affixed or engraved on the logic board.

“Manufacturer’s serial number” means a unique number permanently assigned to a slot machine by a slot machine manufacturer for identification and control purposes, which number shall be affixed to the outside of the slot machine cabinet in a location as approved by the Division.

“MIS department manager” is defined in N.J.A.C. 13:69D-1.11(b)3.

“MIS security officer” is defined in N.J.A.C. 13:69D-1.11(b)3.

“Multi-denominational,” when used in conjunction with or in reference to a slot machine, means a slot machine that contains one or more slot machine games on which a patron has the option to make wagers in different denominations.

“On a daily basis” means something which occurs or is performed each gaming day.

“Operation certificate” means a certificate issued by the Division which certifies that operation of a casino and, if applicable, of a casino simulcasting facility conforms to the requirements of the Act and applicable rules.

“Optimal strategy” means the choice from among more than one option presented to a patron by a slot machine game which, if selected by the patron, offers the greatest theoretical rate of return to the patron.

“Pari-mutuel ticket” is defined in N.J.A.C. 13:69M-1.1.

“Patron access control” means a system or device used by a casino licensee to identify and grant a patron exclusive authority to initiate the transmission of electronic credits to the electronic transfer credit meter of a slot machine and may include, without limitation, the use of a patron access card with a magnetically coded strip, a coded key pad system or any other means of patron access control approved by the Division.

“Payout-only slot machine hopper” or “payout-only hopper” is defined in N.J.A.C. 13:69D-1.36(a)1ii.

“Physical connection” means an enclosed permanent pedestrian passageway. In no event shall the main entrance or only access to an approved hotel be through a casino.

“Pit” means the area enclosed or encircled by the arrangement of gaming tables in which casino personnel administer and supervise the games played at the tables by the patrons located on the outside perimeter of the area.

“Play,” as in “a play,” means, for purposes of a slot machine game, all gaming transactions that may be initiated by the making of a specific slot machine wager. A play includes the making of a slot machine wager or the use of a free play award in lieu of the wager, the activation of the slot machine game by the patron and an indication to the patron of the outcome of the wager including, if a jackpot is won, the payment of the jackpot. All available plays must be displayed on the slot machine. For example, a slot machine game may include a \$1.00 play (requiring a \$1.00 wager), a \$2.00 play (requiring a \$2.00 wager) and a \$3.00 play (requiring a \$3.00 wager). The \$1.00 play includes all potential outcomes that may result when a \$1.00 wager is made on the slot machine game.

“Primary slot machine game” means a distinct set of plays that are described to the public on a slot machine as an authorized game and are available to a patron for wagering without regard to whether the patron has made a prior slot machine wager on that slot machine game. A single slot machine may contain one or more primary slot machine games.

“Progressive jackpot” is defined in N.J.A.C. 13:69D-1.39(a).

“Public area” means the areas in each casino and casino simulcasting facility that are open to the public in accordance with a casino licensee’s internal controls.

“Regulation” or “rule” means the regulation adopted by the Commission or Division pursuant to the Act.

“Representation of gaming debt” means a document issued by a casino licensee in a form approved by the Division to evidence a specific amount of money owed to a patron by the casino licensee as a result of a gaming transaction, and in-

cludes a gaming voucher and winning keno ticket, but does not include a gaming chip, gaming plaque, slot token, jackpot payout receipt, receipt for table game, tournament or bad beat payout, winning pari-mutuel ticket or simulcasting credit voucher.

“Restricted areas” or “restricted casino areas” means the cashiers’ cage, the soft count room, the hard count room, the slot booths and runway areas, the interior of table game pits, the surveillance room and catwalk areas, the slot machine repair room, the simulcast counter, the specific areas designated and approved pursuant to N.J.S.A. 5:12-100b for the possession and maintenance of gaming equipment (such as computers) that supports the conduct of gaming in the casino or casino simulcasting facility, the areas used for storing or destroying dice or cards, any additional area that a casino licensee designates as restricted in its internal controls, and any other area specifically designated by the Division as restricted elsewhere in the rules of the Division or in a particular casino licensee’s operation certificate.

“Restricted brewery authorization” is defined in N.J.A.C. 13:69I-1.4A.

“Riffle shuffle” means a type of shuffle performed by the dealer pursuant to which a single deck of cards is divided into two approximately equal stacks that are placed face down on the gaming table next to one another, the shorter edges of the cards in both stacks are bent upwards and released in such a manner so that the cards in both stacks become interlaced and combined to reform a single complete deck of cards. If multiple decks of cards are being riffle shuffled, the dealer shall place the decks in a single stack, remove a stack of cards from the top that is approximately equal to a single deck of cards, perform a riffle shuffle on the removed stack, and repeat the process as many times as necessary until the entire original stack of cards has been shuffled in this manner.

“Scripting” means information that is programmed to be displayed in a particular manner by a slot machine game that is unrelated or unnecessary to the illustration of the actual gaming transaction to the patron.

“Simulcast horse race” is defined in N.J.A.C. 13:69M-1.1.

“Simulcast payout” means the money paid to a patron in exchange for a credit voucher or a winning, cancelled or refunded pari-mutuel ticket.

“Skill feature” means a play on a slot machine game that requires the patron to make a choice as to how to proceed in the game, where the available choices affect the theoretical payout percentage of the play and the game, and the game uses electronic representations of a standard set of playing cards, a standard set of dice, or some other set of symbols or numbers where the probability of choosing any particular symbol or number in the set is one divided by the total number of elements in the set.

“Slot department manager” is defined in N.J.A.C. 13:69D-1.12(c).

“Slot machine game” means a primary slot machine game or a game-within-a-game.

“Slot machine main program” means the software that controls those aspects of a slot machine prototype that are necessary to the operation of a slot machine game, including, without limitation, its meters, random number generator and security. More than one slot machine main program may be approved for a slot machine prototype, but only one slot machine main program shall at any given time control the operation of a slot machine. “Slot machine main program” does not include software that controls only, without limitation, the pay tables, sound or graphics of a slot machine game or the operation of a bill changer or gaming voucher printer connected to the slot machine.

“Slot machine wager” means the total value of coins, currency, coupons, slot tokens or electronic credits generated that are required to activate a particular slot machine play.

“Slot zone” means a specified area on a casino floor that contains one or more a slot machines.

“Slug” means any object, excluding coin appropriately used to activate play and foreign slot tokens, that is found in a slot machine hopper, slot drop bucket or slot drop box.

“Soft count room” is defined in N.J.A.C. 13:69D-1.32(d).

“Strategy feature” means a play on a slot machine game that requires a patron to make a choice whether to accept a variable outcome or risk it for another variable outcome.

“Strip shuffle” means a type of shuffle performed by the dealer pursuant to which a single deck of cards is placed face down on the gaming table and stacks of cards comprised of no more than 15 cards each are successively removed from the top of the deck and placed adjacently on the gaming table to reform a stacked single deck. If multiple decks of cards are being strip shuffled, the dealer shall place the decks of cards in a single stack, remove a stack of cards from the top that is approximately equal to a single deck of cards, perform a strip shuffle on the removed stack, and repeat the process as many times as necessary until the entire original stack of cards has been shuffled in this manner.

“Table game” means one of the following authorized games approved by the Division pursuant to N.J.S.A. 5:12-5: asia poker, baccarat, big six, blackjack, boston 5 stud poker, caribbean stud poker, casino war, colorado hold ’em poker, craps, double attack blackjack, double cross poker, double down stud, fast action hold ’em, flop poker, four card poker, let it ride poker, minibaccarat, mini-craps, mini-dice, mississippi stud, pai gow, pai gow poker, poker, pokette, red dog, roulette, sic bo, spanish 21, supreme pai gow, texas hold ’em bonus poker, three card poker, two card joker poker, ultimate texas hold ’em and winner’s pot poker.

“Theoretical payout percentage” of a play or slot machine game means the total value of the jackpots expected to be paid by a play or slot machine game divided by the total value of slot machine wagers expected to be made on that play or slot machine game during the same portion of the game cycle, calculated in accordance with the provisions of N.J.A.C. 13:69E-1.28A.

“Variable outcome” means an outcome that is randomly selected from a disclosed range of outcomes that become available when a specified jackpot is achieved in a slot machine game. The probability of selecting any particular outcome in the range shall in no way be based upon the number or value of prior slot machine wagers made on the slot machine game.

“Washing or chemmy shuffle” means a mixing of the cards, during which the cards are placed face down on the table and randomly intermixed by the dealer using the heels of the palms of the hands, by rotating one hand in a circular clockwise motion and the other hand in a circular counter-clockwise motion, with each hand completing at least eight full circles.

“Zone letter” or “zone number” means the unique alpha or numeric designation assigned to each slot zone.

### 13:69-1.3 Construction and amendments

(a) The Division’s 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) The Division’s 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 or the Division.

(c) Nothing contained in the Division’s 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 or Division may relax or permit deviations from the Division’s rules.

(e) The Division’s rules may be amended by the Division 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 the Division’s 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 Division 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 Division in accordance with N.J.A.C. 13:69-3.6.

1. The Division 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 Division 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 Division.

### 13:69-1.4 Words and terms; tense, number and gender

(a) In construing the provisions of the Division’s rules, 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; and

3. Words in the singular shall include the plural and the plural shall include the singular.

### 13:69-1.5 Severability and preemption

(a) If any clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion of the Division’s 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 the Division’s 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 the Division’s rules or with any policy of this State expressed or implied in the Division’s rules, whether by exclusion or inclusion. The Commission and Division may exercise any proper power or authority necessary to perform the duties assigned to each entity by law, and no specific enumeration of powers in the Act shall be read to limit the authority of the Division to administer the Act and the Division’s rules.

**13:69-1.6 Practice where rules do not govern**

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

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**SUBCHAPTER 2. DELEGATION OF DIVISION  
AUTHORITY**
**13:69-2.1 through 13:69-2.4 (Reserved)****13:69-2.5 Delegation of Division authority**

(a) The Director may, in his or her discretion and where permitted by law, delegate the authority of the Division to perform any of its functions under the Act or the Division's rules to a member or members of the Division's staff. Except as provided in (c) below, such action shall for all purposes be deemed the final action of the Division, without approval, ratification or other further action by the Division.

(b) All delegations of authority made pursuant to this section shall remain in effect indefinitely.

(c) Any determination by the Division staff pursuant to delegated authority shall be presented for review by the Director, upon timely request by any party adversely affected by such determination. Such request shall be in writing, and must be received by the Division within three days after the date of such determination. No determination by the Division staff pursuant to delegated authority shall be deemed final until all parties have been afforded an opportunity for review in accordance with this subsection.

(d) Notwithstanding any other provision of this section, any matter which has otherwise been delegated to the Division staff may alternatively be presented to and determined by the Director at the discretion of the Director, or upon the request of the Division staff.

(e) Whenever any provision of the Division's rules requires that a party provide notice to or file any application, petition or other submission with the Division, the Division shall provide written notice to such party, designating any member or members of its staff authorized to accept such notice or filings on behalf of the Division.

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**SUBCHAPTER 3. INFORMATION AND FILINGS**
**13:69-3.1 Offices; hours**

(a) The offices of the Division of Gaming Enforcement are located at:

1. Citicenter Building  
1300 Atlantic Avenue  
Atlantic City, NJ 08401

2. 140 East Front Street  
P.O. Box 047  
Trenton, NJ 08625-0047; and

(b) The main offices of the Commission are located at:

Arcade Building  
Tennessee Avenue and the Boardwalk  
Atlantic City, N.J. 08401

(c) The offices of the Division are open for the filing of papers and for other business (except public inspection of documents) from 9:00 A.M. to 5:00 P.M., Monday through Friday, unless otherwise authorized by the Division. The offices of the Division are open for public inspection of documents from 10:00 A.M. to 4:00 P.M., Monday through Friday, unless otherwise authorized by the Division. The offices of the Division are closed on legal holidays.

**13:69-3.2 Official records; fees for copies**

(a) No original official record of the Division shall be released from the custody of the Division except upon express direction Director or his or her designee, as applicable, or upon the order of a court of competent jurisdiction.

(b) Copies of the official records of the Division which are required by law to be made available for public inspection will be made available during the hours provided for in N.J.A.C. 13:69-3.1 upon the payment of appropriate fees.

(c) No person shall, directly or indirectly, procure or attempt to procure from the records of the Division or from other sources, information of any kind which is not made available by proper authority.

(d) No application, petition, notice, report, document or other paper will be accepted for filing and no request for copies of any forms, pamphlets, records, documents, or other papers will be granted, unless such papers or requests are accompanied by the required fees, charges, or deposits.

(e) Any person may subscribe to meeting notices, minutes, or notices of rulemaking by written request accompanied by a check or money order in accordance with the subscription rates established in this section. All subscriptions shall be on a calendar year basis only, and rates for subscriptions commencing during a calendar year will be prorated accordingly. At the discretion of the Division, no payment may be required when the request is made by the governor of the State of New Jersey or by a member of the Legislature or by any newspaper, television station or radio station regularly serving New Jersey.

(f) Except as provided in (g) below, copies of official records which are required by law to be made available for public inspection shall be made available according to the following fee schedule: