

(2) Obtaining the written and signed attestation of a casino supervisor as to the identity of the patron on a form on which the casino supervisor's name and license number is recorded.

(e) Each casino licensee that uses a registered electronic funds transfer company to comply with the requirements of (d)1 and 2 above may, in lieu of establishing a direct charge or cash advance against the credit card account of the patron, permit the registered electronic funds transfer company to establish such direct charge or cash advance and accept the check or draft of the registered electronic funds transfer company as being the source of payment for the gaming chips or plaques to be exchanged with the patron. Any check or draft accepted by a casino licensee from a registered electronic funds transfer company pursuant to this subsection shall be:

1. Processed by the casino licensee in accordance with the requirements of (d) above;

2. Drawn incident to, and as a direct result of, a patron requesting a charge or cash advance against his or her recognized credit card account in order to obtain gaming chips or plaques as part of a credit card chip transaction;

3. Made payable to the casino licensee or to the patron requesting the transaction and dated with the date of the transaction; and

4. Printed on a machine that is connected telephonically to the registered electronic funds transfer company and located, at the option of the casino licensee, in the pit where the credit card is presented or in the cashiers' cage; provided that, for checks printed in the cashiers' cage, the casino licensee shall transport the check or draft from the cashiers' cage to the appropriate pit by a secure method as approved in its internal controls.

(f) After the pit clerk completes all documents or computer records required for the processing of the credit or debit card chip transaction and obtains the endorsement, if required, or signature of the patron presenting the recognized credit or debit card, the pit clerk shall deliver the document to be deposited into the drop box to the dealer or boxperson, who shall process the document as if it were cash in accordance with N.J.A.C. 19:45-1.18.

(g) Unless the procedures of the issuer of the recognized credit or debit card or, as applicable, the registered electronic funds transfer company or registered debit card verification agency, require the confiscation of the recognized credit or debit card presented by the patron, the pit clerk shall return the recognized credit or debit card to the patron at the conclusion of the credit or debit card chip transaction.

(h) Each casino licensee that accepts a recognized credit or debit card in a credit or debit card chip transaction shall indicate in its internal controls the method by which it will notify a patron of the fees, if any, that the casino licensee or, as applicable, registered electronic funds transfer compa-

ny or registered debit card verification agency, will charge the patron for processing a credit or debit card chip transaction.

(i) Any credit or debit card presented by a patron as part of a credit or debit card chip transaction that has not been signed in the space provided for the signature of the authorized user prior to its presentation at the table (an "unsigned card") or that does not require and has no space for the authorized user to sign the card, shall not qualify as a recognized credit or debit card for purposes of this section; provided, however, that an unsigned card that qualifies as a recognized credit or debit card but for the absence of the signature of the authorized user may be accepted in a credit or debit card chip transaction if:

1. The issuer of the credit or debit card and, if applicable, the registered electronic funds transfer company or registered debit card verification agency, permits any merchant to which the card is presented to accept the card without the authorized user signing the card before it is presented, and the casino licensee follows the procedures established by the issuer of the recognized credit or debit card and, if applicable, the registered electronic funds transfer company or registered debit card verification agency, for accepting the credit or debit card in such circumstances; and

2. Either of the following two conditions is satisfied:

i. The casino licensee performs additional steps to verify, in accordance with its internal controls, that the patron presenting the unsigned card is the authorized user of the card, which steps shall be recorded in a log to be maintained by the casino licensee; or

ii. The unsigned card is designed to and does include a clear photograph of the face of the authorized user as a permanent part of the card and the casino licensee reasonably concludes that the presenting patron is the person whose picture is on the card.

New Rule, R.1996 d.439, effective September 16, 1996.
See: 28 N.J.R. 2809(a), 28 N.J.R. 4236(a).

19:45-1.19 Acceptance of tips or gratuities from patrons

(a) No casino key employee or boxperson, floorperson, or any other casino employee who serves in a supervisory position shall solicit or accept, and no other casino employee shall solicit, any tip or gratuity from any player or patron of the casino or casino simulcasting facility where he or she is employed. The casino licensee shall not permit any practices prohibited by (a) of this section.

(b) All tips and gratuities allowed dealers in the casino and casino simulcasting facility shall be:

1. Immediately deposited in a transparent locked box reserved for that purpose. If non-value chips are received at a roulette or pokette table, the marker button indicating their specific value shall not be removed until

after a dealer, in the presence of a casino supervisor, has expeditiously converted them into value chips which shall then be immediately deposited in a transparent locked box reserved for that purpose;

2. Accounted for; and

3. Placed in a common pool for distribution pro rata among all dealers with the distribution based upon the number of hours each dealer has worked. Notwithstanding the foregoing, a casino licensee may establish a separate common pool for tips and gratuities received by its poker dealers if the casino licensee will have a minimum of 25 poker tables and 25 non-poker gaming tables in its casino and/or casino simulcasting facility during the time period that the separate common pools shall be in effect. If a casino licensee maintains a separate common pool for tips and gratuities received by its poker dealers, distribution of the tips and gratuities to the poker dealers shall be pro rata based upon the number of hours each poker dealer has worked.

(c) Upon receipt from a patron of a tip or gratuity, a dealer shall extend his or her arm in an overt motion, and deposit such tip or gratuity in the locked box reserved for such purpose.

(d) In determining the number of hours which an employee has worked for purposes of tip pool distribution, a casino licensee may, in its discretion, establish standards for distribution which include hours of vacation time, personal leave time or any other authorized leave of absence in the number of hours worked by each employee. Any such standards shall apply uniformly to all employees, except that the casino licensee may establish different standards for full-time or part-time employees.

(e) Any distribution of tips and gratuities from a common tip pool pursuant to this section shall occur no more frequently than once every seven calendar days.

Amended by R.1984 d.624, effective January 21, 1985.

See: 16 N.J.R. 2076(a), 17 N.J.R. 212(a).

Substituted "boxperson, floorperson" for "boxman, floorman".

Amended by R.1992 d.453, effective November 16, 1992.

See: 24 N.J.R. 2140(a), 24 N.J.R. 4279(b).

In (b)1, added reference to pokette; deleted text regarding receptacle attached to rim of roulette wheel; stipulated "casino" supervisor and changed "are immediately deposited" to "shall then be immediately deposited".

Amended by R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Simulcast and tips to pari-mutuel cashiers provisions added.

Amended by R.1993 d.320, effective July 6, 1993.

See: 25 N.J.R. 1674(a), 25 N.J.R. 2913(a).

Amended by R.1995 d.285, effective June 5, 1995.

See: 26 N.J.R. 2218(a), 27 N.J.R. 2254(a).

Amended by R.1998 d.19, effective January 5, 1998.

See: 29 N.J.R. 3439(a), 30 N.J.R. 117(b).

In (b)3, inserted second and third sentences; and added (g).

Amended by R.1998 d.164, effective April 6, 1998.

See: 29 N.J.R. 2632(a), 30 N.J.R. 1304(a).

Deleted former (c) and (d); recodified former (e) as (c), and deleted a reference to casino pari-mutuel cashiers and keno writers; and recodified former (f) and (g) as (d) and (e).

19:45-1.20 Table inventories

(a) Whenever a gaming table in a casino or casino simulcasting facility is opened for gaming, operations shall commence with an amount of gaming chips, coins and plaques to be known as the "table inventory" and no casino licensee shall cause or permit gaming chips, coins or plaques to be added to, or removed from, such table inventory during the gaming day except:

1. In exchange for cash, coupons, issuance copies of Counter Checks presented by casino patrons, or documents prepared to evidence a credit or debit card chip transaction, in conformity with the applicable provisions of N.J.A.C. 19:45-1.18, 1.18A and 1.25;

2. In payment of winning wagers and collection of losing wagers made at such gaming table;

3. In exchange for gaming chips or plaques received from a patron having an equal aggregate face value;

4. In conformity with the Fill and Credit Slip procedures described in N.J.A.C. 19:45-1.22 and 1.23;

5. In conformity with N.J.A.C. 19:47-3.3 and 7.3, coin may be used for the purpose of marking baccarat vigorish;

6. In conformity with N.J.A.C. 19:47-14.14, the rake collected from patrons playing the game of poker shall always be placed in the table inventory container;

7. In conformity with a table inventory return device utilized in the game of caribbean stud poker pursuant to N.J.A.C. 19:46-1.13G, the gaming chips wagered on the progressive payout shall always be placed in the table inventory container; and

8. In conformity with N.J.A.C. 19:47-18.7, 18.8 and 18.9, gaming chips placed on or in the wagering devices utilized for the optional bonus wager in the game of let it ride poker pursuant to N.J.A.C. 19:46-1.13H(e), shall always be placed in the table inventory container.

(b) Whenever a gaming table is not open for gaming activity, the table inventory and the Table Inventory Slip prepared in conformity with the procedures set forth in N.J.A.C. 19:45-1.31 shall be stored in a separate, locked clear container which shall be clearly marked on the outside with the game and the gaming table number to which it corresponds. The information on the Table Inventory Slip shall be visible from the outside of the container. All containers shall be stored either in the cashiers' cage or secured to the gaming table, provided that there is adequate security, as approved by the Commission.

(c) The keys to the locked containers containing the table inventories shall be maintained and controlled by the casino department in a secure place and shall at no time be made accessible to any cashiers' cage personnel or to any person responsible for transporting such table inventories to or from the gaming tables.