

In (b)1: Added text specifying asset number requirements.
Amended by R.1993 d.318, effective July 6, 1993 (operative October 15, 1993).

See: 25 N.J.R. 1503(b), 25 N.J.R. 2908(a).

Amended by R.1994 d.69, effective February 7, 1994.

See: 25 N.J.R. 4471(a), 26 N.J.R. 829(a).

Amended by R.1994 d.504, effective October 3, 1994.

See: 26 N.J.R. 2872(a), 26 N.J.R. 3253(a), 26 N.J.R. 4089(a).

Amended by R.1996 d.350, effective August 5, 1996.

See: 28 N.J.R. 2348(a), 28 N.J.R. 3816(a).

Amended by R.1996 d.358 effective August 5, 1996.

See: 28 N.J.R. 1946(a), 28 N.J.R. 3822(a).

Amended by R.2000 d.405, effective October 2, 2000.

See: 32 N.J.R. 1154(a), 32 N.J.R. 3582(a).

Rewrote (a)6.

Case Notes

No implied private cause of action for inadequate or defective signage of slot machine. *Marcangelo v. Boardwalk Regency Corp.*, D.N.J.1994, 847 F.Supp. 1222, on subsequent appeal 47 F.3d 88.

19:46-1.26A—Bill changers with electrically erasable/programmable storage media

(a) All program code for bill changers with electrically erasable/programmable storage media shall:

1. Be capable of detecting 99.99 percent of all possible failures or changes in the bill changer program;

2. Utilize a Cyclic Redundancy Check, or other method reviewed by the Division and approved by the Commission, which:

i. Yields, at a minimum, an eight digit hex number; and

ii. Is displayed by the slot machine upon demand by calculating independently the Cyclic Redundancy Check code using a random number entered manually at the slot machine;

3. Be stored in an electrically erasable programmable read-only memory ("EEPROM") that is soldered onto the mother board or attached in some other manner deemed acceptable by the Division;

4. Provide verification from the slot machine that the bill changer code has not been altered, which verification shall occur, at a minimum, whenever power is restored to the slot machine, during all door closures and at other times related to the operation of the game; and

5. Be capable of detecting a change in the bill changer code, and in such event shall:

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- i. Cause the slot machine to enter a tilt mode which requires a manual act to clear; and
- ii. Send a specific signal to the casino licensee's slot monitoring system to indicate such change.

New Rule, R.1999 d.225, effective July 19, 1999 (operative January 15, 2000).

See: 30 N.J.R. 3175(a), 31 N.J.R. 1947(a).

In (a)4, changed N.J.A.C. reference.

19:46-1.27 Slot machine areas; density; arrangement; floor plans

(a) Slot machines used in the conduct of gaming shall be located and arranged in such a manner so as to:

1. Promote optimum security for the casino operation;
2. Avoid deception or frequent distraction to players at gaming tables;
3. Maximize the comfort of patrons;
4. Create and maintain a gracious playing environment in the casino; and
5. Encourage and preserve competition in casino operations by assuring that a variety of gaming opportunities is offered to the public.

(b) Each casino licensee shall be permitted to install and operate one slot machine for every 10 square feet of its casino floor space which may be allocated to slot area, as determined in accordance with (d) below.

(c) Each casino licensee shall arrange the layout of its casino floor so that whenever one row of slot machines in a casino is lined up back to back with another row of machines, the two rows shall be separated by metal grating or other type of barrier, as approved by the Commission, that will prohibit a person from placing his or her hand between the rows of machines.

(d) The total amount of casino floor space that a casino licensee may utilize for slot machines, the walkways between them, and other structures or areas which are reasonably related to the use of slot machines ("Slot Area") such as slot booths, change booths, change machines, slot carousels, walls, columns or other architectural structures, and any other structures or areas which are reasonably related to, and contained within casino floor space which is dedicated to, the use of slot machines, shall not exceed 90 percent of the total amount of casino floor space and casino simulcasting facility floor space.

(e) The total amount of casino floor space dedicated to the Slot Area shall be measured by identifying the perimeter of each such area on the casino floor plan.

(f) Any casino floor space which is not used for slot area pursuant to (e) above shall be dedicated to authorized

games other than slot machines and related support and circulation space.

(g) Each casino licensee or applicant shall submit to the Commission a detailed floor plan, drawn to scale, depicting its proposed arrangement of slot machines, slot stools and table games. Such plan shall indicate all relevant floor space square footage; density information; and aisle dimensions, including the dimensions of aisles between rows of slot machines facing each other, of distances in front of slot machines not directly facing another slot machine, and of distances between slot stools and other obstructions or slot machines. Each casino licensee shall maintain on file with the Commission a current floor plan certified as to its accuracy.

(h) Each casino licensee or applicant seeking approval for a proposed arrangement of slot machines shall submit to the Commission a detailed floor plan, drawn to scale, depicting its proposed arrangement of slot machines, slot stools and table games and shaded to include all areas covered by (e) above. Such plans or attachments thereto shall indicate the amount of casino floor space by slot zone, or other subdivision of the total area included in the calculation required by (e) above, as approved by the Commission, and the total of such areas. Each casino licensee shall maintain on file with the Commission a current shaded floor plan certified as to its accuracy.

(i) Any floor plan submission that satisfies the requirements of this section shall be deemed approved by the Commission unless the casino licensee is notified in writing to the contrary within three days of filing.

(j) Slot machines shall not be permissible in casino simulcasting facilities.

R.1978 d.160, effective May 17, 1978.

See: 10 N.J.R. 176(c), 10 N.J.R. 266(c).

Amended by R.1979 d.82, effective March 2, 1979.

See: 11 N.J.R. 52(c), 11 N.J.R. 214(a).

Amended by R.1984 d.422, effective October 1, 1984.

See: 15 N.J.R. 1465(a), 16 N.J.R. 2689(c).

Added (i) through (k) referring to slot stools.

Amended by R.1992 d.90, effective February 18, 1992.

See: 23 N.J.R. 3252(a), 23 N.J.R. 649(a).

Deleted subsection (d) which had minimum requirements for the percentage of nickel and quarter denomination slot machines.

Recodified existing (e)-(k) as (d)-(j) with no change in text.

Amended by R.1992 d.363, effective September 21, 1992.

See: 24 N.J.R. 2138(a), 24 N.J.R. 3338(b).

Method of calculation of floor area for slots specified; with possible increases resulting.

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

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

Slot machines prohibited at (k).

Amended by R.1995 d.284, effective June 5, 1995.

See: 27 N.J.R. 1173(a), 27 N.J.R. 2264(a).

Amended by R.1996 d.563, effective December 2, 1996.

See: 28 N.J.R. 3907(b), 28 N.J.R. 5083(a).

Administrative correction.

See: 29 N.J.R. 1519(a).

In (h), amended subsection references.

19:46-1.28 Testing of designated gaming or simulcast wagering equipment or related devices or software by the Division

(a) The following items of gaming or simulcast wagering equipment or related devices or software shall not be utilized in a casino, casino simulcasting facility or hub facility unless they are identical in all mechanical, electrical, electronic and other aspects to a prototype thereof which has been specifically tested by the Division pursuant to this section and approved for use by the Commission in accordance with N.J.A.C. 19:46-1.20:

1. Slot machines;
2. Progressive slot machine systems;
3. Slot monitoring systems;
4. Bill changers;
5. Coin acceptors;
6. Keno systems;
7. Software related to (a)1 through 6 above;
8. Totalisators;
9. Pari-mutuel machines, self-service pari-mutuel machines and credit voucher machines; and
10. Any other gaming or simulcast wagering equipment or related device or software that is determined by the Commission to require testing by the Division in order to contribute to the integrity of gaming or simulcast wagering operations.

(b) Any manufacturer or distributor proposing to offer any equipment, device or software that requires testing pursuant to (a) above prior to its use in an Atlantic City casino, casino simulcasting facility or hub facility, shall submit a written request for the testing of the equipment, device or software to the Division's Technical Services Bureau, 1601 Atlantic Avenue, Atlantic City, New Jersey 08401. The manufacturer or distributor shall transport, at its own expense, a prototype of the equipment, device or software to a location specified by the Division for testing, examination and analysis in accordance with this section.

(c) Each prototype submitted pursuant to (b) above shall be accompanied by, without limitation, the following information, as applicable:

1. A hardware block diagram of the major subsystems;
2. A complete set of schematics for all subsystems;
3. A wiring loom/harness connection diagram;
4. Operation and/or service manuals;
 - i. An operation manual for bill acceptors incorporated into or connected with slot machines shall describe the operation of the device and its fault conditions, and shall include a software version thereof;

5. Details for coin hopper operation, including, but not limited to, capacities for various denominations, hopper fill detection, hopper jam detection, hopper empty detection and illegal or extra coin out detection;

6. A description of all meters required by N.J.A.C. 19:45 or 19:46;

7. Detailed information on the battery backup power, including, without limitation, identification of the components being backed up, type of battery or energy storage capability, expected operational life of the unit, information stored in the battery backed-up component, and a description of the low battery voltage indicator circuit;

8. A description of all tower light functions and what each situation indicates;

9. A mathematical explanation of the theoretical return to the player, listing all assumptions, all steps in the formula from the first principles through to the final results of all calculations and, where a game requires or permits player strategy in the theoretical derivations of the payout return, the source of strategy;

10. For fault conditions, the condition name and code, if applicable, the type of machine alarm (for example, bell or video message), a description of the fault and whether the machine locks up in this condition, and how the machine is reset from each fault condition;

11. A description of the use and function of all dip switch settings or selectable operations;

12. Information on special test connections and communication requirements for evaluation purposes;

13. A description of the random number generators used to determine game outcome, including a detailed explanation of operation methodology, and a description of the manner by which the random number generator and random number selection process is impervious to outside influences including, without limitation, electromagnetic interference, electro-static interference, radio frequency interference and influence from associated equipment via data communications;

14. If a slot machine includes more than one game, a description of each game, an indication that each game has separate meters and an indication that each such game complies with the minimum payout requirements in N.J.A.C. 19:45-1.37;

15. Software listings, in a format to be provided by the Division; and

16. Any other information or documentation that is deemed necessary by the Division in order to complete the testing of the prototype.

(d) In lieu of the information required by (c) above, the manufacturer or distributor may certify that a component of a prototype is identical in all aspects to a component of a prototype previously submitted to the Division for testing.

(e) The testing, examination and analysis of a prototype pursuant to this section may require the dismantling of the prototype and tests that may result in damage to or destruction of one or more systems or components of the prototype. Once submitted for testing pursuant to this section, no prototype shall be returned to the manufacturer or distributor thereof unless otherwise determined by the Division.

(f) Upon completion of its testing, examination and analysis of a prototype, the Division shall submit a report of its findings, conclusions and recommendations to the Commission, which report shall specify any recommendations for modifications or additions to the prototype.

(g) Prior to a decision on whether to approve a particular prototype tested by the Division, the Commission may require a trial period of such duration as it may deem necessary to assess the operation of the prototype in a licensed casino. During the trial period;

1. Minor changes in the operation or design of the prototype may be made with the prior approval of the Division; and

2. The manufacturer or distributor of the prototype shall not be entitled to receive revenue of any kind whatsoever due to the use of the prototype.

R.1978 d.160, effective May 17, 1978.
See: 10 N.J.R. 176(c), 10 N.J.R. 266(c).
Amended by R.1999 d.173, effective June 7, 1999.
See: 30 N.J.R. 2164(a), 31 N.J.R. 1502(a).
Rewrote the section.

19:46-1.29 Operation of gaming and simulcast wagering equipment and related devices and software in conformance with Commission approval

(a) The responsibility for final assembly and initial operation of any gaming or simulcast wagering equipment or related device or software in the manner approved by the Commission rests with the manufacturer and distributor. Any subsequent change in the manner of assembly or operation of an approved piece of gaming or simulcast wagering equipment or a related device or software shall be deemed unsuitable unless prior to the institution of the change the manufacturer or distributor or operator shall have obtained approval from the Commission in accordance with this section, N.J.A.C. 19:46-1.20 and, if applicable, N.J.A.C. 19:46-1.28.

(b) Any request for changes to an approved piece of gaming or simulcast wagering equipment or any related device or software shall be filed with the Commission and shall include the following:

1. A description of the modification and the reasons therefor;

2. Any relevant documentation that describes the operational impact of the modification; and

3. Diagrams or mathematical explanations as necessary.

(c) Any hardware or software modification to an approved prototype that was previously tested by the Division pursuant to N.J.A.C. 19:46-1.28 shall be submitted to the Division for review and approved by the Commission prior to implementation.

(d) Each piece of gaming or simulcast wagering equipment or related device or software approved by the Commission shall, at all times, operate or function in accordance with all representations made by the manufacturer, distributor or operator to the Commission, the Division and the public.

R.1978 d.160, effective May 17, 1978.
See: 10 N.J.R. 176(c), 10 N.J.R. 266(c).
Amended by R.1988 d.495, effective October 17, 1988.
See: 20 N.J.R. 52(a), 20 N.J.R. 2591(b).
Deleted (a)2.
Amended by R.1999 d.173, effective June 7, 1999.
See: 30 N.J.R. 2164(a), 31 N.J.R. 1502(a).
Rewrote the section.

19:46-1.30 (Reserved)

R.1978 d.160, effective May 17, 1978.
See: 10 N.J.R. 176(c), 10 N.J.R. 266(c).
Repealed by R.1999 d.173, effective June 7, 1999.
See: 30 N.J.R. 2164(a), 31 N.J.R. 1502(a).
Section was "Disciplinary procedures".

19:46-1.31 Records and reports

(a) Each casino licensee shall maintain a complete record of all customer complaints registered and repairs made with regard to each slot machine in the possession of the licensee. A copy of such records shall be made available to authorized employees and agents of the Commission or Division upon request.

(b) Each casino licensee shall record in a log whenever any logic board in any slot machine is replaced with another logic board. Such log shall include the date, slot machine asset number, serial number on the logic board and the signature of the individual completing the log. Such log shall be maintained by the casino licensee's slot department and shall be available for inspection by the Commission and Division upon request.

R.1978 d.160, effective May 17, 1978.
See: 10 N.J.R. 176(c), 10 N.J.R. 266(c).
Amended by R.1996 d.350, effective August 5, 1996.
See: 28 N.J.R. 2348(a), 28 N.J.R. 3816(a).

19:46-1.32 (Reserved)

R.1979 d.255, effective June 28, 1979.
See: 11 N.J.R. 108(a), 11 N.J.R. 420(b).
Amended by R.1988 d.34, effective January 19, 1988.
See: 19 N.J.R. 1890(a), 20 N.J.R. 205(a).
Added (c) renumbered old (c)-(d) to (d)-(e).
Petition for rulemaking.
See: 28 N.J.R. 1315(b).
Repealed by R.1996 d.301, effective July 1, 1996.
See: 28 N.J.R. 1952(a), 28 N.J.R. 3330(a).

Section was "Limitation on utilization of slot machines of any one manufacturer".

19:46-1.33 Issuance and use of slot tokens for gaming and simulcast wagering; prize tokens; slot token and prize token specifications; promotional non-gaming tokens

(a) Each casino licensee may, with Commission approval, issue the following types of metal disks having two faces and an edge:

1. A "slot token" that is:

i. Designed for gaming use in the hoppers of the casino licensee's slot machines, in keno and in simulcast wagering within the casino licensee's casino simulcast-facility;

ii. Capable, upon insertion into the coin acceptor of a designated slot machine operated by the casino licensee that issued the slot token, of activating the play of that slot machine;

iii. Issuable, in an exchange with a patron upon request, only from a slot booth, the cashiers' cage, a change machine or bill changer, or by a changeperson; provided, however, that each casino licensee may issue slot tokens as complimentary services or items in accordance with a distribution program authorized pursuant to N.J.A.C. 19:45-1.46;

iv. Exchangeable, by a patron at the casino where the slot token was issued, in the manner provided by N.J.A.C. 19:45-1.34 and 19:45-1.35; and

v. Redeemable, by the issuing casino licensee promptly upon request of the patron surrendering one or more slot tokens, only at a coin redemption booth, a slot booth or the cashiers' cage for an equivalent amount of cash or for a casino check of that casino licensee in the amount of the slot tokens surrendered and dated the day of the redemption; and, at the option of the issuing casino licensee, redeemable upon request of the patron by mail, provided such redemption shall be effectuated by a cage supervisor as defined in N.J.A.C. 19:45-1.1, in accordance with internal controls approved by the Commission which, at a minimum, shall detail procedures for the issuance of a casino check and the transfer of the surrendered slot tokens to the master coin bank in a transaction fully supported by proper documentation; and

2. A "prize token" that is:

i. Designed to be awarded and issued only as a payout from a payout-only hopper of a designated slot machine that is operated by the casino licensee using the token;

ii. Incapable of activating slot machine play at any slot machine which is capable of accepting coin or slot tokens of a denomination that is greater than the denomination of the prize token;

iii. Unavailable for use in keno or simulcast wagering;

iv. Redeemable, by the issuing casino licensee promptly upon request of the patron surrendering one or more prize tokens, only at a coin redemption booth, a slot booth or the cashiers' cage for an equivalent amount of cash or for a casino check of that casino licensee in the amount of the prize tokens surrendered and dated the day of the redemption; and, at the option of the issuing casino licensee, redeemable upon request of the patron by mail, provided such redemption shall be effectuated by a cage supervisor as defined in N.J.A.C. 19:45-1.1, in accordance with internal controls approved by the Commission which, at a minimum, shall detail procedures for the issuance of a casino check and the transfer of the surrendered prize tokens to the master coin bank in a transaction fully supported by proper documentation;

v. Exchangeable, by a patron at the casino where the prize token was issued, in the manner provided by N.J.A.C. 19:45-1.34 and 19:45-1.35;

vi. Unavailable as a manually paid jackpot;

vii. Unavailable as a payout on a winning progressive jackpot combination;

viii. Unavailable as a multi-casino jackpot; and

ix. Unavailable as a complimentary service or item.

(b) Each slot token and each prize token shall be designed so that it:

1. Clearly identifies the name or trade name and location of the issuing casino;

2. Clearly states its face value;

3. Contains on at least one face, in the case of a slot token only, a statement, approved by the Commission as to form and content, that notifies a patron that the slot token will be accepted to activate play only in slot machines operated by the casino licensee that issued it;

4. Contains the statement "Not Legal Tender";

5. Is not deceptively similar to any current or past coin of the United States or a foreign country;

6. Is of a size or shape or has other characteristics which physically prevents its use in lawful vending machines or other machines designed to be operated by coins of the United States, except slot machines;

7. Is not manufactured from:

i. A three-layered material consisting of a pure copper core clad on both sides with a copper-nickel alloy;

ii. A copper based alloy, unless the total zinc, nickel, aluminum, magnesium and other alloying metal exceeds 25 percent of the token's weight; or