

CHAPTER 46
GAMING EQUIPMENT

Authority

N.J.S.A. 5:12-63c, 69a, 70f, 70i and 100.

Source and Effective Date

R.2008 d.309, effective September 18, 2008.
See: 40 N.J.R. 3982(a), 40 N.J.R. 6231(b).

Chapter Expiration Date

Chapter 46, Gaming Equipment, expires on September 18, 2013.

Chapter Historical Note

Chapter 46, Gaming Equipment, was adopted as R.1978 d.187, effective June 5, 1978. See: 10 N.J.R. 4(a), 10 N.J.R. 306(f).

Pursuant to Executive Order No. 66(1978), Chapter 46, Gaming Equipment, was readopted as R.1983 d.163, effective May 4, 1983. See: 15 N.J.R. 429(b), 15 N.J.R. 932(a).

Pursuant to Executive Order No. 66(1978), Chapter 46, Gaming Equipment, was readopted as R.1988 d.232, effective April 28, 1988. See: 20 N.J.R. 638(a), 20 N.J.R. 1209(c).

Pursuant to Executive Order No. 66(1978), Chapter 46, Gaming Equipment, was readopted as R.1993 d.204, effective April 15, 1993. See: 25 N.J.R. 918(a), 25 N.J.R. 1999(c).

Pursuant to Executive Order No. 66(1978), Chapter 46, Gaming Equipment, was readopted as R.1998 d.232, effective April 15, 1998. See: 30 N.J.R. 618(a), 30 N.J.R. 1853(a).

Chapter 46, Gaming Equipment, was readopted as R.2003 d.362, effective August 13, 2003. See: 35 N.J.R. 1210(a), 35 N.J.R. 4307(a).

Petition for Rulemaking. See: 36 N.J.R. 5009(d).

Petition for Rulemaking. See: 37 N.J.R. 146(c), 917(c).

Petition for Rulemaking. See: 40 N.J.R. 5878(b).

Chapter 46, Gaming Equipment, was readopted as R.2008 d.309, effective September 18, 2008. See: Source and Effective Date.

Petition for Rulemaking. See: 41 N.J.R. 901(a).

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SUBCHAPTER 1. GENERAL PROVISIONS

19:46-1.1 Gaming chips; physical characteristics applicable to all gaming chips; issuance and use; promotional non-gaming chips

(a) Each gaming chip issued by a casino licensee shall be in the form of a disk and, except as otherwise provided in N.J.A.C. 19:46-1.1A, shall have a uniform diameter of one and 9/16ths inches. Each of the two surfaces of a gaming chip across which the diameter of the chip can be measured shall be known as a "face." The surface of a gaming chip across which its thickness can be measured in a perpendicular line from one face to the other shall be known as its "edge."

(b) No gaming chip shall be issued by a casino licensee or utilized in a casino or casino simulcasting facility unless and until:

1. The design specifications of the proposed gaming chip are, prior to the manufacture of the gaming chip, submitted to and approved by the Commission, which submission shall include a detailed schematic depicting the actual size and, as appropriate, location of the following:

- i. Each face, including any indentations or impressions;
- ii. The edge; and
- iii. Any colors, words, designs, graphics or security measures contained on the gaming chip; and

2. A sample stack of 20 gaming chips of each sample chip, manufactured in accordance with its approved design specifications, is submitted to and approved by the Commission.

(c) Each gaming chip issued by a casino licensee shall be designed and manufactured with sufficient graphics or other security measures, including, at a minimum, those items specifically required to appear on the face or edge of a gaming

chip pursuant to N.J.A.C. 19:46-1.1A or 1.1B, so as to prevent, to the greatest extent possible, the counterfeiting of the gaming chip.

(d) No casino licensee shall issue, use or allow a patron to use in its casino or casino simulcasting facility any gaming chip that it knows, or reasonably should know, is materially different from the sample of that gaming chip approved by the Commission pursuant to this section.

(e) No casino licensee or other person licensed by the Commission shall manufacture for, sell to, distribute to or use in any casino outside of Atlantic City, any gaming chips having the same edge spot and design specifications as those approved for use in Atlantic City casinos and casino simulcasting facilities.

(f) A casino licensee may issue promotional non-gaming chips that are prohibited from use in gaming or simulcast wagering in any casino or casino simulcast facility. The physical characteristics of such chips shall be sufficiently distinguishable from approved design specifications of any gaming chip issued by a casino licensee so as to reasonably ensure that they will not be confused with authorized gaming chips. At a minimum, such chips shall:

1. Be unique in terms of size or color;
2. Have no edge designs unique to gaming chips; and
3. Bear the name of the casino licensee issuing them and language on both faces stating that they have no redeemable value.

Amended by R.1979 d.358, effective September 11, 1979.

See: 11 N.J.R. 419(a), 11 N.J.R. 531(a).

Amended by R.1983 d.539, effective November 21, 1983.

See: 15 N.J.R. 1239(a), 15 N.J.R. 1957(c).

Substantially amended and recodified text.

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

In subsection (l), recodified 1.i. and 1., deleting 1.ii. regarding the cage cashier; added new subparagraphs 2. and 3., deleting 2.i. Stylistic revisions through (l). Added new text regarding one-half hour prior notice for a roulette table impressment. In (m), deleted (m)5 and added specific signature requirements.

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

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

Added new (h); redesignated existing (h) through (p) as (i) through (q). In (i), (j), and (l), added references to pokette.

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

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

Simulcast provisions added.

Amended by R.1996 d.13, effective January 2, 1996.

See: 27 N.J.R. 3771(b), 28 N.J.R. 180(c).

In (m), deleted provision for notice to the commission prior to impressment.

Repeal and New Rule, R.1997 d.132, effective March 17, 1997.

See: 28 N.J.R. 5160(a), 29 N.J.R. 923(a).

Section was "Gaming chips; value and non-value; physical characteristics".

Administrative correction.

See: 29 N.J.R. 2847(a).

Amended by R.1999 d.221, effective July 19, 1999.

See: 30 N.J.R. 3171(a), 31 N.J.R. 1943(a).

Added (f).

Amended by R.2000 d.106, effective March 20, 2000.

See: 31 N.J.R. 3941(a), 32 N.J.R. 1052(a).

In (f)1., deleted "weight and" following "of size".

3. A separate designated area for the placement of the five community cards, which area shall be located in the center of the table between the table inventory container and the player betting areas;

4. A separate designated area for the placement of the dealer's two cards, which area shall be located between the table inventory container and the designated area for the community cards described in (b)3 above;

5. An inscription indicating that an ante wager shall push if the dealer has less than a pair; and

6. Unless the casino licensee complies with (c) below, an inscription at each player position describing the following:

- i. The payout odds for blind and trips wagers;
- ii. That a blind wager shall not be paid unless the player's hand ranks higher than the dealer's hand; and
- iii. The rules governing the required amount of a play wager as a multiple of the player's ante wager (three or four times the ante if made prior to any community cards being dealt; two times the ante if made after the flop is dealt but prior to the final two community cards; or equal to the ante if made after all community cards are dealt but prior to the dealer's cards being revealed).

(c) If the information required by (b)6 above is not inscribed on the layout, a sign shall be posted at each ultimate texas hold 'em table that sets forth such information.

(d) Each ultimate texas hold 'em table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer, in locations approved by the Commission.

New Rule, R.2008 d.95, effective April 21, 2008.
See: 39 N.J.R. 5192(a), 40 N.J.R. 2132(a).

19:46-1.13V Winner's pot poker table; physical characteristics

(a) Winner's pot poker shall be played on a table having positions for no more than seven players on one side of the table and a place for the dealer on the opposite side.

(b) The layout for a winner's pot poker table shall be approved by the Commission and shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. Four separate designated betting areas at each player position for the placement of ante, bet, double and jacks plus bonus wagers, configured in an array so that the jacks plus bonus wager area is closest to the dealer, the double wager area is second closest to the dealer, the bet wager area is third closest to the dealer, and the ante wager area is farthest from the dealer;

3. Three separate designated betting areas for the dealer for the placement of the dealer's ante, bet and double wagers, configured in an array in front of the dealer so that the double wager area is closest to the dealer, the bet wager area is the second closest to the dealer, and the ante wager area is farthest from the dealer;

4. A designated area at each player position for the placement of the face up cards of the player, which area shall be located to the left of and adjacent to the wagering areas of the player;

5. A designated area at the center of the gaming table for the placement of the face up cards of the dealer;

6. A designated area at the center of the gaming table for the placement of collected wagers comprising the winner's pot; and

7. Unless the casino licensee complies with (c) below, inscriptions:

- i. Listing the payout odds for the jacks plus bonus wager; and
- ii. Indicating the winner's pot shall be awarded to the highest ranking hand of a player or the dealer.

(c) If the information required by (b)7 above is not inscribed on the layout, a sign shall be posted at each winner's pot poker table that lists the payout odds for the jacks plus bonus wager and indicates that the winner's pot shall be awarded to the highest ranking hand of a player or the dealer. In addition, a sign shall be posted at each winner's pot poker table indicating that:

1. The ante wager of a player who folds after the first three cards are dealt does not increment the winner's pot and is placed in the table inventory container;

2. The percentage or, if applicable, the dollar amount of commission that shall be deducted from the winner's pot and placed in the table inventory container; and

3. The outcome of a jacks plus bonus wager of a player who has folded his or her hand shall be determined on the cards dealt to the player prior to folding.

(d) Each winner's pot poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer, in locations approved by the Commission.

New Rule, R.2008 d.263, effective September 2, 2008.
See: 40 N.J.R. 2422(a), 40 N.J.R. 5064(a).

19:46-1.13W Supreme pai gow table; pai gow poker shaker; physical characteristics; computerized random number generator

(a) Supreme pai gow shall be played at a table having places for six players on one side of the table and a place for the dealer on the opposite side.

(b) The layout for a supreme pai gow table shall be approved by the Commission and shall contain, at a minimum, the following:

1. The name or trade name of the casino licensee;
2. Six separate designated betting areas for the players at the table for placement of the supreme pai gow wager with each area being numbered one through six;
3. Two separate areas located below each betting area, which shall be designated for the placement of the high and low hands of that player and configured with the high hand area farther from the betting area;
4. Two separate areas located in front of the table inventory container designated for the placement of the high and low hands of the dealer and configured with the dealer's high hand area closer to the dealer; and
5. A separate designated area at each player position for placement of the bonus wager, which area shall be located immediately above and to the right of the supreme pai gow wagering area as viewed by the player.

(c) Each supreme pai gow table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer and in locations approved by the Commission.

(d) Pursuant to N.J.A.C. 19:47-34.4, supreme pai gow may be played with a container, to be known as a "supreme pai gow shaker," which shall be used to shake three dice before each hand of supreme pai gow is dealt in order to determine the starting position for the dealing or delivery of the cards. The supreme pai gow shaker shall be designed and constructed to contain any feature the Commission may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

1. The supreme pai gow shaker shall be capable of housing three dice and shall be designed, so as to prevent the dice from being seen while the dealer is shaking it; and
2. The supreme pai gow shaker shall have the name or identifying logo of the casino imprinted or impressed thereon.

(e) As an alternative to using the shaker and dice described in (d) above, a casino licensee may determine the starting position for the dealing or delivery of the cards in supreme pai gow by utilizing a computerized random number generator that automatically selects and displays a number from 1 through 7, inclusive. Any computerized random number generator proposed for use by a casino licensee shall be approved by the Commission.

New Rule, R.2009 d.338, effective November 16, 2009.
See: 41 N.J.R. 1983(a), 41 N.J.R. 4313(a).

19:46-1.14 Red dog table; physical characteristics

(a) Red dog shall be played at a table having on one side places for no more than seven players and on the opposite side a place for the dealer.

(b) The layout for a red dog table shall be approved by the Commission, and shall contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;
2. Two separate designated betting areas for each player, clearly marked to distinguish between the original wager and the raise wager in a manner approved by the Commission, and situated so that the betting area for the raise wager is closer to the player than the betting area for the original wager;
3. An area designated for the placement of the first, second and third card; and
4. The payout odds currently being offered in accordance with N.J.A.C. 19:47-6.5.

(c) Each red dog table shall have a drop box and a tip box attached to it with the location of said boxes on the same side of the gaming table but on opposite sides of the dealer, as approved by the Commission.

Repeal and New Rule, R.1991 d.532, effective November 4, 1991.

See: 23 N.J.R. 2231(a), 23 N.J.R. 3348(a).

Section was "Maximum and minimum wagers."

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

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

"Trade name" and "licensee" added.

Amended by R.1998 d.147, effective March 16, 1998.

See: 30 N.J.R. 33(a), 30 N.J.R. 1057(a).

Rewrote the section.

19:46-1.15 Dice; physical characteristics

(a) Except as otherwise provided below, each die used in gaming shall:

1. Be formed in the shape of a perfect cube and of a size no smaller than 0.750 of an inch on each side nor any larger than 0.775 of an inch on each side;
2. Be transparent and made exclusively of cellulose except for the spots, name or trade name of the casino licensee and serial numbers or letters contained thereon;
3. Have the surface of each of its sides perfectly flat and the spots contained in each side perfectly flush with the area surrounding them;
4. Have all edges and corners perfectly square and forming perfect 90 degree angles;
5. Have the texture and finish of each side exactly identical to the texture and finish of all other sides;

ii. The envelope or container shall be appropriately sealed and maintained in a secure place within the pit until collection by a casino security officer.

(h) All extra dice in dice reserve that are to be destroyed or canceled shall be placed in a sealed envelope or container, with a label attached to each envelope or container which identifies the date and time and is signed by the pit boss.

(i) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission, and at such other times as may be necessary, a casino security officer shall collect and sign all envelopes or containers of used dice and any dice in dice reserve that are to be destroyed or canceled and shall transport them to the casino security department for cancellation or destruction. The casino security officer shall also collect all triplicate copies of Dice Discrepancy Reports, if any. No dice that have been placed in a cup for use in gaming shall remain on a table for more than 24 hours.

(j) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission, and at such other times as may be necessary, a table games shift manager or casino supervisor thereof may collect all extra dice in dice reserve.

1. If collected, dice shall be returned to the primary storage area; provided, however, that any dice, which have not been inspected and sealed pursuant to the requirements in (e)3 above (Alternative No. 3) shall, prior to use for actual gaming, be inspected as follows:

i. For craps, mini-craps, mini-dice or sic bo, in accordance with the requirements in (e)1 or (e)2 above; or

ii. For pai gow, pai gow poker, supreme pai gow or asia poker, in accordance with the requirements in (e)2 above.

2. If not collected, all dice in dice reserve must be re-inspected in accordance with one of the alternatives listed in (e) above, prior to their use for gaming, except for those dice maintained in a locked compartment pursuant to (e)2v(2) or (e)3vi above.

(k) The casino licensee shall submit to the Commission for approval procedures for:

1. A dice inventory system which shall include, at a minimum, the recordation of the following:

- i. The balance of dice on hand;
- ii. The dice removed from storage;
- iii. The dice returned to storage or received from the manufacturer;
- iv. The date of the transaction; and

v. The signatures of the individuals involved.

2. A reconciliation on a daily basis of the dice distributed, the dice destroyed and canceled, the dice returned to the primary storage area and, if any, the dice in dice reserve; and

3. A physical inventory of the dice at least once every three months.

i. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of dice on hand required in (k)1i above.

ii. Any discrepancies shall immediately be reported to the Commission and Division.

(l) All destruction and cancellation of dice, other than those retained for Commission or Division inspection, shall be completed within 72 hours of collection.

1. Cancellation shall occur by drilling a circular hole of at least one fourth inch in diameter through the center of each dice.

2. Destruction shall occur by shredding.

3. The destruction and cancellation of dice shall take place in a secure place, the location and physical characteristics of which shall be approved by the Commission.

Amended by R.1983 d.308, effective August 1, 1983.

See: 14 N.J.R. 829(a), 15 N.J.R. 1259(a).

Text substantially amended.

Amended by R.1983 d.540, effective November 21, 1983.

See: 15 N.J.R. 1368(a), 15 N.J.R. 1958(a).

Substantially amended and recodified text.

Amended by R.1987 d.336, effective August 17, 1987.

See: 19 N.J.R. 2121(a), 19 N.J.R. 1570(b).

Added "immediately" and "and delivery" to (g).

Amended by R.1991 d.615, effective December 16, 1991.

See: 23 N.J.R. 2922(a), 23 N.J.R. 3820(b).

Revised (e) and (g), added provisions for sic bo.

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

Revised procedures for handling dice in dice reserve. Stylistic revisions throughout section. Added new (h), recodifying (h)-(k) as (i)-(l). Added text in new (i) regarding dice in dice reserve. In (j): added new (j)2, subsuming existing (j)2 as (j)1. In (k), specified reconciliation procedures.

Amended by R.1992 d.406, effective October 19, 1992.

See: 24 N.J.R. 569(a), 24 N.J.R. 1517(a), 24 N.J.R. 3742(a).

Dice inspection and handling requirements specified by game type.

Amended by R.1992 d.411, effective October 19, 1992.

See: 24 N.J.R. 558(a), 24 N.J.R. 3753(a).

Inspection specified.

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

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

Simulcast provisions added.

Amended by R.1993 d.86, effective February 16, 1993.

See: 24 N.J.R. 4339(a), 25 N.J.R. 719(a).

In (a), deleted language that primary storage area be "in or immediately adjacent to the casino floor". In (i) and (j), added alternative provision for collection of dice.

Amended by R.1994 d.265, effective June 6, 1994.

See: 25 N.J.R. 5893(a), 26 N.J.R. 2463(a).

Amended by R.1996 d.192, effective April 15, 1996.

See: 28 N.J.R. 810(a), 28 N.J.R. 2081(c).

Amended by R.1996 d.317, effective July 15, 1996.

See: 28 N.J.R. 1362(a), 28 N.J.R. 3627(a).

Amended by R.1996 d.356, effective August 5, 1996.
 See: 28 N.J.R. 2352(b), 28 N.J.R. 3818(b).
 Amended by R.1997 d.133, effective March 17, 1997.
 See: 29 N.J.R. 110(a), 29 N.J.R. 921(a).
 Amended by R.1997 d.427, effective October 6, 1997.
 See: 28 N.J.R. 5060(a), 29 N.J.R. 4307(b).

Inserted references to mini-dice throughout (e) and (g); and in (e)1iii(3) and (e)2iv(2), deleted provision relating to maximum time a sic bo shaker may be secured to a table and inserted provision relating to security of a mini-dice shaker.

Amended by R.1998 d.18, effective January 5, 1998.
 See: 29 N.J.R. 3432(b), 30 N.J.R. 112(b).
 Amended by R.1998 d.561, effective December 7, 1998.
 See: 30 N.J.R. 3002(b), 30 N.J.R. 4258(b).

Rewrote (d), (e) and (g).
 Amended by R.2005 d.240, effective July 18, 2005.
 See: 37 N.J.R. 882(b), 37 N.J.R. 2690(a).

In (e), inserted references to manual sic bo shakers throughout.
 Amended by R.2006 d.70, effective February 21, 2006.
 See: 37 N.J.R. 4214(a) 38 N.J.R. 1228(b).

In introductory paragraph (l), extended destruction time of dice from 48 hours to 72 hours.

Amended by R.2007 d.246, effective August 20, 2007.
 See: 39 N.J.R. 1652(a), 39 N.J.R. 3551(d).

Substituted “, pai gow poker or asia poker” for “or pai gow poker” throughout; in (e)2vii(3), substituted “, pai gow poker and asia poker” for “and pai gow poker”; and in (e)3v(2), deleted “subsection” preceding “(e)2 above”.

Amended by R.2009 d.338, effective November 16, 2009.
 See: 41 N.J.R. 1983(a), 41 N.J.R. 4313(a).

In (e) and (j)1ii, inserted “, supreme pai gow” throughout; in (e)3v(1), substituted “(e)1 or 2” for “subsection (e)1 or (e)2”; and in the introductory paragraph of (j)1, inserted a comma following the second occurrence of “dice”, inserted “above” following “(e)3” and deleted “above” preceding the second occurrence of “shall”.

19:46-1.16A Sic bo shaker and mini-dice shaker; security procedures

(a) Manual sic bo shakers and mini-dice shakers which have been filled with dice in accordance with N.J.A.C. 19:46-1.16(e)3iii may only be stored in a locked compartment in the primary storage area. Manual sic bo shakers and mini-dice shakers which have not been filled with dice may be stored in a locked compartment in the pit stand. An automated dice shaker which has been filled with dice must be secured to the sic bo table at all times. An automated dice shaker which has not been filled with dice may be stored in a locked compartment in the pit stand.

(b) At the end of each gaming day a pit boss shall inspect all sic bo shakers and mini-dice shakers that have been placed in use for gaming for evidence of tampering. Such evidence discovered at this time shall be immediately reported to the Commission and the Division. At a minimum, such reports shall include:

1. The date and time when the tampering was discovered;
2. The table number where the sic bo shaker or mini-dice shaker was used; and
3. The name and license number of the individuals discovering the tampering.

New Rule, R.1991 d.615, effective December 16, 1991.
 See: 23 N.J.R. 2922(a), 23 N.J.R. 3820(b).

Amended by R.1997 d.427, effective October 6, 1997.
 See: 28 N.J.R. 5060(a), 29 N.J.R. 4307(b).

Inserted references to mini-dice shakers throughout.
 Amended by R.2005 d.240, effective July 18, 2005.
 See: 37 N.J.R. 882(b), 37 N.J.R. 2690(a).
 Rewrote (a).

19:46-1.17 Cards; physical characteristics

(a) Cards used to play blackjack, spanish 21, double attack blackjack, baccarat, minibaccarat, pai gow poker, pokette, red dog, casino war, poker, caribbean stud poker, let it ride poker, three card poker, fast action hold 'em, colorado hold 'em poker, boston 5 stud poker, double cross poker, four card poker, texas hold 'em bonus poker, flop poker, two card joker poker, asia poker, ultimate texas hold 'em, winner's pot poker, supreme pai gow and double down stud shall be in decks of 52 cards each with each card identical in size and shape to every other card in such deck. Notwithstanding the foregoing, decks of cards used to play the following games shall be modified as follows:

1. A pai gow poker and asia poker deck shall include one additional joker card, which shall be identical in size and shape to every other card in such deck;

2. A spanish 21 and double attack blackjack deck shall consist of 48 cards, created by the removal of the 10 of each of the four suits in the deck; and

3. A two card joker poker and supreme pai gow deck shall include two additional joker cards, each of which shall be identical in size and shape to every other card in such deck;

(b) Each deck shall be composed of four suits: diamonds, spades, clubs and hearts.

(c) Each suit shall be composed of 13 cards: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, 2. The face of the ace, king, queen, jack and 10 value cards may contain an additional marking, as approved by the Commission, which will permit a dealer, prior to exposing his or her hole card at the game of blackjack, to determine the value of that hole card.

(d) The backs of each card in the deck shall be identical and no card shall contain any marking, symbol or design that will enable a person to know the identity of any element printed on the face of the card or that will in any way differentiate the back of that card from any other card in the deck.

(e) The backs of all cards in the deck shall be designed so as to diminish as far as possible the ability of any person to place concealed markings thereon.

(f) The design to be placed on the backs of cards used by casino licensees shall contain the name or trade name of the casino licensee and shall be submitted to the Commission for approval prior to use of such cards in gaming activity.

(g) Each deck of cards shall be packaged separately or in a set containing the number of decks authorized in N.J.A.C.

19:47 and this chapter and selected by a casino licensee for use in a particular table game. Each package of cards shall be sealed in a manner approved by the Commission so as to provide evidence of any tampering with the package. If multiple decks of cards are packaged and sealed in a set:

1. The package shall have a label affixed thereto that indicates or contains a window that reveals an adequate description of the contents of the package, including without limitation, the name of the casino licensee for which the cards were manufactured, the type of cards, the color(s) of the backs of the cards, the date and time that the cards were manufactured, and the total number of cards in the set; and

2. No deck of cards shall be separated from the set for independent use at a table game.

(h) Nothing in this section shall prohibit a manufacturer from manufacturing decks of cards with one or more jokers contained therein; provided, however, such jokers shall not be used by the casino licensee in the play of any game other than pai gow poker, two card joker poker, asia poker or supreme pai gow in accordance with the provisions of N.J.A.C. 19:47-11.3, 30.5, 31.3 or 34.3, respectively.

(i) In addition to satisfying the requirements of this section, the cards used by a casino licensee at poker must:

1. Be visually distinguishable from the cards used by that casino licensee to play any other table game; and

2. Be made of plastic.

(j) Each casino licensee which elects to offer the game of poker shall be required to have and use on a daily basis at least six visually distinguishable card backings for the cards to be used at the game of poker. These card backings may be distinguished, without limitation, by different logos, different colors or different design patterns.

Amended by R.1991 d.532, effective November 4, 1991.
See: 23 N.J.R. 2231(a), 23 N.J.R. 3348(a).

Added "red dog" game to subsection (a).

Amended by R.1992 d.406, effective October 19, 1992.

See: 24 N.J.R. 569(a), 24 N.J.R. 1517(a), 24 N.J.R. 3742(a).

Pai gow provisions moved from (a) to (h).

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

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

In (a), added reference to pokette.

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

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

Revised (f) and (h).

Amended by R.1993 d.38, effective January 19, 1993.

See: 24 N.J.R. 2351(a), 25 N.J.R. 367(a).

Additional marking permitted on certain cards, at (c).

Administrative correction to subsection (a).

See: 25 N.J.R. 1778(b).

Amended by R.1994 d.141, effective March 21, 1994.

See: 25 N.J.R. 5906(a), 26 N.J.R. 1380(a).

Temporary Amendment: Double Down Stud.

See: 26 N.J.R. 1390(a).

Temporary Amendment: Caribbean Stud Poker.

See: 26 N.J.R. 3464(a).

Temporary Amendment: Double Down Stud.

See: 26 N.J.R. 4445(b).

Amended by R.1994 d.593, effective December 5, 1994.

See: 26 N.J.R. 1323(a), 26 N.J.R. 4790(a).

Amended by R.1995 d.430, effective August 7, 1995.

See: 27 N.J.R. 1767(b), 27 N.J.R. 2967(a).

Added caribbean stud poker.

Amended by R.1995 d.534, effective October 2, 1995.

See: 27 N.J.R. 2119(a), 27 N.J.R. 3795(b).

Amended by R.1997 d.134, effective March 17, 1997.

See: 28 N.J.R. 2531(a), 29 N.J.R. 928(a).

In (a), added reference to three card poker.

Amended by R.1998 d.371, effective July 20, 1998.

See: 29 N.J.R. 4672(a), 30 N.J.R. 2639(b).

In (a), inserted a reference to fast action hold 'em.

Amended by R.1999 d.29, effective January 19, 1999.

See: 30 N.J.R. 30(a), 31 N.J.R. 144(a).

In (a), inserted references to casino war and fast action hold 'em.

Amended by R.2000 d.2, effective January 3, 2000.

See: 30 N.J.R. 4149(a), 32 N.J.R. 71(a).

Rewrote (a).

Amended by R.2001 d.288, effective August 20, 2001.

See: 32 N.J.R. 4240(a), 33 N.J.R. 2824(a).

In the introductory paragraph of (a), added reference to colorado hold 'em poker.

Petition for Rulemaking.

See: 34 N.J.R. 2871(b).

Amended by R.2003 d.243, effective June 16, 2003.

See: 35 N.J.R. 1395(a), 35 N.J.R. 2740(a).

In (a), inserted " , boston 5 stud poker" following "colorado hold 'em poker" in the introductory paragraph.

Petition for Rulemaking.

See: 35 N.J.R. 5171(a).

Petition for Rulemaking.

See: 36 N.J.R. 1617(b).

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

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

In (a), inserted "double cross poker" following "5 stud poker;" in the introductory paragraph.

Amended by R.2004 d.340, effective September 7, 2004.

See: 36 N.J.R. 2310(a), 36 N.J.R. 4166(a).

In (a), inserted "double attack blackjack" following "spanish 21" in the introductory paragraph.

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

See: 36 N.J.R. 3639(a), 36 N.J.R. 5704(a).

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

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

In introductory paragraph of (a), added " , texas hold 'em bonus poker".

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

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

In (a), inserted " , flop 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 (a), inserted " , two card joker poker"; in (a)2, inserted "and double attack blackjack" and substituted " ; and" for the period at the end; and added (a)3.

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

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

In the introductory paragraph of (a), inserted " , asia poker"; in (a)1, inserted "and asia poker"; and in (h), inserted " , two card joker poker or asia poker" and substituted "N.J.A.C. 19:47-11.3, 30.5 or 31.3, respectively" for "N.J.A.C. 19:47-11".

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

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

In the introductory paragraph of (a), inserted "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 (a), inserted " , winner's pot poker".

Amended by R.2008 d.264, effective September 2, 2008.

See: 39 N.J.R. 5199(a), 40 N.J.R. 5069(a).

Rewrote (g).

Amended by R.2009 d.338, effective November 16, 2009.

See: 41 N.J.R. 1983(a), 41 N.J.R. 4313(a).

In the introductory paragraph of (a), inserted “, supreme pai gow”; in (a)3, inserted “and supreme pai gow”; and in (h), substituted a comma for “or” following the second occurrence of “poker” and following “30.5”, and inserted “or supreme pai gow” and “or 34.3”.

19:46-1.18 Cards; receipt, storage, inspections and removal from use

(a) When decks of cards are received for use in the casino or casino simulcasting facility from the manufacturer or distributor thereof, they shall be placed for storage in a locked cabinet in the cashiers' cage or within a primary or secondary storage area by at least two individuals, one of whom shall be from the casino department and the other from the casino security department or casino accounting department. The cabinet or primary storage area shall be located in the cashiers' cage or in another secure place, the location and physical characteristics of which shall be approved by the Commission. Secondary storage areas shall be used for the storage of surplus decks of cards. Decks of cards maintained in secondary storage areas shall not be distributed to gaming pits or tables for use in gaming until the decks have been moved to a primary storage area. All secondary storage areas shall be located in secure areas, the location and physical characteristics of which shall be approved by the Commission. Nothing herein shall preclude a casino licensee from having a separate storage area for decks of cards to be used at the game of poker; provided, however, the location and physical characteristics of the separate storage area shall be approved by the Commission.

(b) All primary, secondary and poker storage areas, other than the cashiers' cage, shall have two separate locks. The casino security department shall maintain one key and the casino department or cashiers' cage shall maintain the other key; provided, however, that no person employed by the casino department below the table games shift manager in the organizational hierarchy shall have access to the casino department key for the primary and secondary storage areas and no person below the poker shift supervisor in the organizational hierarchy shall have access to the casino department key to the poker storage area. Decks of cards stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by a table games shift manager or casino supervisor thereof.

(c) Immediately prior to the commencement of each gaming day and at such other times as may be necessary, a representative of the table games department, in the presence of a casino security officer, shall remove the appropriate number of decks of cards for that gaming day from a primary storage area. The representative of the table games department shall be the table games shift manager or a casino supervisor thereof, or an employee of the table games department who reports directly to the shift manager, is required to be licensed as a casino key employee, and has no direct supervisory responsibilities over the operation and conduct of the table games in a pit during that gaming day. The table games shift manager or casino supervisor thereof or the

designated casino key employee and the casino security officer who removed the decks shall distribute sufficient decks to the pit boss and, if applicable, to the poker shift supervisor. The number of decks distributed shall include extra decks that shall be placed in the pit stand for card reserve. Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the pit boss or casino supervisor thereof or the poker shift supervisor or supervisor thereof.

1. If the decks are to be inspected at open gaming tables pursuant to (e)1 below, the pit boss shall distribute the decks to the dealer at each table or the poker shift supervisor shall transport the decks to the poker pit stand for subsequent distribution to the dealer at each poker table either directly or through the floorperson assigned to supervise the dealer. The distribution of the decks to the poker tables shall comply with the provisions of N.J.A.C. 19:47-14.2.

i. Prior to distributing decks to each poker table, the poker shift supervisor or floorperson shall examine each deck to determine if any replacement cards are necessary pursuant to (n) below. If needed, the poker shift supervisor or floorperson shall place the appropriate replacement cards into the deck from the cards held in reserve at the pit stand. Upon insertion of the replacement cards into the deck, the poker shift supervisor or floorperson shall re-examine the front of each card and the back of each card to ensure a consistent shading pattern and to ensure that the condition of the deck with the inclusion of the replacement cards has sufficient quality in order to maintain the integrity of gaming at poker.

ii. If the integrity of gaming at poker would in any way be compromised by the use of the deck with the replacement cards, the entire deck of cards shall be placed in a sealed envelope or container, identified with the date and time and shall be signed by the poker shift supervisor. The poker shift supervisor shall maintain the envelope or container in a secure place within the pit stand until collection by a casino security officer.

2. If the decks are to be pre-inspected and pre-shuffled at a closed gaming table pursuant to (e)2 and (r) below, the pit boss or poker shift supervisor shall deliver the decks to the dealer, floorperson or pit boss at the closed gaming table where the pre-inspection and pre-shuffling shall be performed.

3. If the decks have already been pre-inspected, pre-shuffled, sealed in containers and placed in the card storage area pursuant to (r)8ii below, the table games shift supervisor or supervisor thereof or the designated casino key employee and a casino security representative shall transport the number of sealed containers of cards needed for that gaming day to the gaming pits where the cards will be utilized and either lock the containers in the pit stand or place the containers in an alternative locked cabinet in accordance with (r)8i below. A record of the removal of the

sealed containers of cards from the card storage area and their distribution to the gaming pits shall be maintained by the casino security department in a manner approved by the Commission.

(d) Notwithstanding (c) above, if the decks of cards to be used at poker for that gaming day shall be removed from the poker storage area, the poker shift supervisor or supervisor thereof and a casino security officer shall, prior to the commencement of each gaming day and at such other times as may be necessary, remove the appropriate number of decks from the poker storage area and distribute the decks in accordance with the provisions of (c)1, 2 or 3 above. The number of decks distributed shall include extra decks that shall be placed in the pit stand for card reserve. Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the poker shift supervisor or supervisor thereof.

(e) With the exception of cards used to game at pokette, which are governed by the requirements of N.J.A.C. 19:47-12.3, each deck of cards shall be inspected by a dealer and the inspection verified by a floorperson or pit boss in accordance with the provisions of (e)1 or 2 below prior to the use of the cards on a gaming table. The purpose of the inspection is to assure that the cards specified in N.J.A.C. 19:46-1.17 are actually contained in the deck and that the back of each card is not flawed, scratched or marked in any way that might compromise the integrity or fairness of the game.

1. Card inspection at an open gaming table shall require each deck of cards to be sorted into sequence and into suit and a visual inspection of the back of each card. If, after inspecting the cards, the dealer finds that a card is unsuitable for use or an extra card is found, the following procedures shall be observed:

i. If a card is unsuitable for use:

(1) A poker shift supervisor or casino supervisor shall bring a substitute card from the card reserve in the pit stand;

(2) The unsuitable card shall be placed in a sealed envelope or container, identified by table number, date, and time and shall be signed by the dealer and floorperson assigned to that table; and

(3) The poker shift supervisor or casino supervisor shall maintain the envelope or container in a secure place within the pit until collection by a casino security officer; or

ii. If an extra card is found:

(1) The poker shift supervisor or casino supervisor shall place the extra card in a sealed envelope or container, identified by table number, date and time and signed by the dealer and floorperson assigned to that table; and

(2) The poker shift supervisor or casino supervisor shall maintain the envelope or container in a secure place within the pit until collection by a casino security officer.

2. Card inspection at a closed gaming table as part of the pre-inspection and pre-shuffling procedure authorized pursuant to (r) below shall comply with the requirements of that subsection.

(f) All envelopes and containers used to hold or transport cards collected by security shall be transparent.

1. The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

2. The envelopes or containers and seals shall be approved by the Commission.

(g) Any cards, which have been opened and placed on a gaming table, shall be changed at least every 24 hours. Notwithstanding the foregoing:

1. Except as otherwise provided for in (g)5 below for baccarat and in N.J.A.C. 19:46-1.12(c) for minibaccarat, cards opened for use on a baccarat, minibaccarat or fast action hold 'em table shall be changed at least once during the gaming day;

2. Cards opened for use on a pai gow poker, caribbean stud poker, let it ride poker, colorado hold 'em poker, boston 5 stud poker, double cross poker, four card poker, texas hold 'em bonus poker, ultimate texas hold 'em, two card joker poker, flop poker, asia poker, winner's pot poker, supreme pai gow or three card poker table and dealt from a dealing shoe and cards opened for use on a double down stud table and dealt from the hand shall be changed at least every eight hours;

3. Cards opened for use on a pai gow poker, caribbean stud poker, let it ride poker, colorado hold 'em poker, boston 5 stud poker, four card poker, double cross poker, texas hold 'em bonus poker, ultimate texas hold 'em, flop poker, two card joker poker, asia poker, winner's pot poker, supreme pai gow or three card poker table and dealt from the dealer's hand shall be changed at least every four hours;

4. Cards opened for use on a blackjack table offering the 6 to 5 blackjack variation shall be changed at least every four hours;

5. Cards opened for use on a baccarat table using the alternative dealing procedure set forth at N.J.A.C. 19:47-3.7(d) shall be changed after each shoe;

6. Cards opened for use on a poker table shall be changed at least every six hours; and

7. Cards opened for use on a blackjack, spanish 21 and double attack blackjack table or on a minibaccarat table using the alternative dealing procedures set forth at

N.J.A.C. 19:47-7.7(c)1 and 2, may be used for no more than 48 hours if the following requirements are satisfied:

- i. The gaming table shall remain open for gaming during the entire period of card usage;
- ii. At least six decks of cards shall be used to play the game; and
- iii. A table games shift manager shall identify for the surveillance department those gaming tables at which cards are in use for the extended period.

(h) Cards damaged during course of play shall be replaced by the dealer who shall request a floorperson or supervisor thereof for the game of poker or casino supervisor for all other games to bring cards in substitution from the pit stand.

1. The damaged cards shall be placed in a sealed envelope, identified by table number, date and time and shall be signed by the dealer and the individual who brought the replacement card to the table.

2. The poker shift supervisor or casino supervisor shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(i) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission, or at the end of the extended period pursuant to (g)7 above, and at such other times as may be necessary, the floorperson or supervisor thereof for the game of poker or casino supervisor for all other games shall collect all used cards required to be removed from play.

1. These cards shall be placed in a sealed envelope or container. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the dealer and floorperson assigned to the table.

2. The poker shift supervisor or casino supervisor shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(j) The casino licensee shall remove any cards at any time during the day if there is any indication of tampering, flaws, scratches, marks or other defects that might affect the integrity or fairness of the game, or at the request of the Commission or Division.

(k) Except for decks that have been pre-shuffled and pre-inspected pursuant to (r) below, all extra decks or packaged sets of multiple decks in card reserve with broken seals shall be placed in a sealed envelope or container, with a label attached to each envelope or container that contains the number of decks or packaged sets of multiple decks, as applicable, included therein, the date and time and the signature of the floorperson or supervisor thereof for poker and the pit boss for all other games.

(l) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission, and at such other times as may be necessary, a casino security officer shall collect and sign all envelopes or containers with damaged cards, cards required to be removed that gaming day, and all extra decks in card reserve with broken seals, except those that have been pre-shuffled and pre-inspected pursuant to (r) below, and shall return the envelopes or containers to the casino security department.

(m) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission, and at such other times as may be necessary, a table games shift manager or casino supervisor thereof may collect all extra decks in card reserve. If the casino maintains a separate storage area for poker cards, a poker shift supervisor or supervisor thereof may collect all extra decks in card reserve for the game of poker. If collected, all sealed decks shall either be canceled or destroyed or returned to the storage area.

(n) When the envelopes or containers of used cards and reserve cards with broken seals are returned to the casino security department, they shall be inspected for tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play.

1. For cards used in blackjack, spanish 21, double attack blackjack, double cross poker, red dog, casino war, fast action hold 'em or minibaccarat using the dealing procedures in N.J.A.C. 19:47-7.7(c)1 or 2, the casino licensee shall cause to be inspected either:

- i. All decks used during the day; or
- ii. A sample of decks selected at random or in accordance with an approved stratification plan, provided that the procedures for selecting the sample size and for assuring a proper selection of the sample are submitted to and approved by the Commission. This sample shall be collected, stored and inspected separately from the sample required by (n)2 below, and shall not be commingled with any cards from that sample.

2. For cards used in baccarat, or cards used in minibaccarat using the dealing procedures in N.J.A.C. 19:47-7.7(c)3, the casino licensee shall cause to be inspected all decks used during the gaming day. Notwithstanding the foregoing, for any decks that are opened for a single use in a shoe (the cards are not reshuffled for a subsequent use and are removed from the table), a casino licensee may cause to be inspected a sample of decks selected at random or in accordance with an approved stratification plan, provided that the procedures for selecting the sample size and for assuring a proper selection of the sample are submitted to and approved by the Commission.

3. The casino licensee shall also inspect:

i. Any cards which the Commission or Division requests the casino licensee to remove for the purpose of inspection;

ii. Any cards the casino licensee removed for indication of tampering;

iii. All cards used for pai gow poker, caribbean stud poker, let it ride poker, colorado hold 'em poker, boston 5 stud poker, double cross poker, four card poker, texas hold 'em bonus poker, ultimate texas hold 'em, flop poker, two card joker poker, asia poker, winner's pot poker, supreme pai gow or three card poker;

iv. All cards used for pokette, which must be inspected by sorting the cards sequentially by suit; and

v. All cards used for poker.

4. The procedures for inspecting all decks required to be inspected under this subsection, with the exception of pokette cards, shall, at a minimum, include:

i. The sorting of cards sequentially by suit or utilizing a machine approved by the Commission capable of reading the cards to determine whether any deck contains missing or additional cards;

ii. The inspection of the backs with an ultraviolet light;

iii. The inspection of the sides of the cards for crimps, bends, cuts and shaving; and

iv. The inspection of the front and back of all plastic cards for consistent shading and coloring.

5. If, during the inspection procedures required in (n)3 above, one or more plastic cards in a deck are determined to be unsuitable for continued use, those cards shall be placed in a sealed envelope or container and a three-part Card Discrepancy Report shall be completed in accordance with n(9) below.

6. Upon completion of the inspection procedures required in (n)3 above, each deck of plastic cards which is determined suitable for continued use shall be placed in sequential order, repackaged and returned to the primary or poker storage area for subsequent use. If a deck has any missing cards pursuant to n(4) above, the individual who repackages the cards shall indicate the need for the appropriate replacement card(s) in a manner approved by the Commission.

7. The casino licensee shall develop internal control procedures for returning the repackaged cards to the storage area.

8. The individuals performing said inspection shall complete a work order form which shall detail the procedures performed and list the tables from which the cards were removed and the results of the inspection. The indi-

vidual shall sign the form upon completion of the inspection procedures.

9. The casino licensee shall submit the training procedures for those employees performing the inspection, which shall be approved by the Commission.

10. Evidence of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play discovered at this time, or at any other time, shall be immediately reported to the Commission and Division by the completion and delivery of a three-part Card Discrepancy Report.

i. The report shall accompany the cards when delivered to the Commission.

ii. The cards shall be retained for further inspection by the Commission.

iii. The Commission inspector receiving the cards shall sign the original, duplicate and triplicate copy of the Card Discrepancy Report and retain the original at the Commission Booth. The duplicate copy shall be delivered to the Division office located within the casino hotel facility. The triplicate copy shall be retained by the casino licensee.

11. Notwithstanding any provision in this subsection to the contrary, for cards used:

i. In any authorized game or variation thereof which permits a player to touch them, the casino licensee shall cause to be inspected all decks used during the day; and

ii. At any gaming table open for more than 24 hours pursuant to (g)7 above, the casino licensee shall cause to be inspected a sample of decks, that is separate from the sample of decks selected pursuant to (n)1ii above, provided that the procedures for selecting the sample size and for assuring a proper stratification of the sample shall be submitted to and approved by the Commission.

(o) The casino licensee shall separately account for decks of cards packaged individually and in sets of multiple decks in accordance with Commission approved procedures for:

1. A card inventory system, which shall include, at a minimum, the recordation of the following:

i. The balance of decks of cards on hand;

ii. The decks of cards removed from storage;

iii. The decks of cards returned to storage or received from the manufacturer;

iv. The date of the transaction; and

v. The signatures of the individuals involved;

2. A reconciliation on a daily basis of the decks of cards distributed, destroyed and cancelled, returned to the

storage area, in use on an open gaming table for more than 24 hours and, if any, in card reserve; and

3. A physical inventory of the decks of cards at least once every three months.

i. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of decks of cards on hand required in (o)1i above.

ii. Any discrepancies shall immediately be reported to the Commission and Division.

(p) Where cards in an envelope or container are inspected and found to be without any indication of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play, those cards with the exception of plastic cards used at poker which are of sufficient quality for reuse, shall within 72 hours of collection be destroyed or canceled. Once released by the Commission and Division, the cards submitted as evidence shall immediately be destroyed or canceled.

1. Destruction of cards shall be by shredding.

2. Cancellation of cards shall be by drilling a circular hole of at least one fourth of an inch in diameter through the center of each card in the deck.

3. The destruction and cancellation of cards shall take place in a secure place, the location and physical characteristics of which shall be approved by the Commission.

(q) If a deck of plastic cards has been reused 12 or more times and the deck has been determined to be suitable for reuse by the individual performing the inspection procedures required by (n)3 above, before that deck may be reused at a poker table, the deck must be inspected by a poker shift supervisor or floorperson. A satisfactory inspection shall be documented by the poker shift supervisor or floorperson. If the poker shift supervisor or floorperson determines that the deck may not be reused, the deck shall be placed in a sealed envelope or container, with a label attached which identifies the date and time and shall be signed by the poker shift supervisor or floorperson. At the end of the gaming day or at such other times as may be necessary, said envelope or container shall be collected by a casino security officer and be returned to the casino security department for destruction or cancellation pursuant to (p) above.

(r) If a casino licensee elects to pre-inspect and pre-shuffle cards at a closed gaming table prior to the delivery of the cards to an open gaming table, the procedures set forth in this subsection shall be performed by a dealer and verified by a floorperson or pit boss with no concurrent supervisory responsibility for open gaming tables. A schedule of the proposed time and location for the pre-inspection and pre-shuffling shall be provided to the principal inspector at least 24 hours prior to commencement of the process. The procedures required by (r)1 through 7 below shall be recorded by

the surveillance department and each such recording shall be retained by the casino licensee for no less than seven days.

1. Upon receipt of the decks of cards pursuant to (c)2 above, the dealer shall perform the procedures in (r)2 through 7 below independently for each batch of cards that will be sealed in a container pursuant to (r)7 below, with the number of decks of cards in each batch being equal to the number of decks of cards required for the table game in which they are intended to be used.

2. The dealer shall visually inspect the back of each card to assure that it is not flawed, scratched or marked in any way that might compromise the integrity or fairness of the game.

3. The dealer shall then shuffle the cards in a manner permitted by the applicable rules governing the table game at which the cards will be utilized.

4. To ensure that there are no missing or extra cards, the dealer shall inspect the cards utilizing a machine approved by the Commission.

i. The machine shall issue a receipt that shall be attached to the original Pre-inspected/Pre-shuffled Form required by (r)7 below and shall, at a minimum, include:

(1) The manufacturer, model and serial number of the card inspection machine;

(2) The name or identification number of the dealer who operates the machine;

(3) The number of the closed gaming table at which the inspection is performed;

(4) The date and time of the inspection;

(5) The manufacturer and type of cards, the number of decks, and the table game for which the cards are inspected;

(6) The result of the inspection and, if failed, the identification of any missing or extra card(s); and

(7) The number of the seal to be used on the clear container in which the cards will be placed pursuant to (r)7 below.

5. If, after inspecting the cards, a card is determined to be unsuitable for use or an extra card is found, the following procedures shall be observed:

i. If a card is unsuitable for use:

(1) The unsuitable card shall be placed in a sealed envelope or container which shall be identified by table number, date, and time and signed by the dealer and floorperson or pit boss performing the pre-inspection and pre-shuffle;

(2) The sealed envelope or container containing the unsuitable card shall be maintained by the floor-

person or pit boss until collection by a casino security officer at the conclusion of the pre-inspection and pre-shuffle procedure; and

(3) The floorperson or pit boss verifying the inspection shall provide a substitute card from the pre-inspected cards being maintained for card reserve; or

ii. If an extra card is found:

(1) The floorperson or pit boss verifying the inspection shall place the extra card in a sealed transparent bag identified on a label by pit number, table number, date and time, and signed by the dealer and floorperson or pit boss performing the pre-inspection and pre-shuffle; and

(2) The sealed transparent bag shall be maintained by the floorperson or pit boss until collection by a casino security officer at the conclusion of the pre-inspection and pre-shuffling procedure.

6. Upon completion of the pre-inspection and pre-shuffling process of the cards in the batch, the dealer and supervisor shall complete items (r)6i through v below on a two-part Pre-shuffled/Pre-inspected Form or such other documentation as approved by the Commission, which documentation shall, at a minimum, include:

i. The time and date the Form was prepared;

ii. The number of decks in the batch;

iii. The table games at which the cards will be utilized;

iv. The signature of the dealer who pre-inspected and pre-shuffled the cards, certifying that the cards were pre-inspected and pre-shuffled in accordance with this subsection;

v. The signature of the floorperson or pit boss who witnessed and verified the pre-inspection and pre-shuffling;

vi. The time, date and gaming table to which the sealed container of cards is subsequently delivered; and

vii. The signature of the floorperson or pit boss who delivers the sealed container of cards to the gaming table pursuant to (r)9 below.

7. The dealer shall then place the pre-inspected and pre-shuffled batch of cards, together with the Form or such other documentation and the attached card inspection machine receipt required by (r)4 above, in a clear container that conforms to the requirements of (f) above and seal the container with a pre-numbered label unique to such container. Procedures for maintenance and security of unused seals, and the distribution, return and reconciliation of seals used on containers holding pre-inspected and pre-shuffled cards shall be subject to internal controls approved by the Commission.

8. The sealed containers of cards shall be transported by:

i. A pit boss or poker shift supervisor to the gaming pit of the gaming tables where they will be utilized and either locked in the pit stand in accordance with (c) or (d) above or, with the approval of the Commission, placed in an alternative locked cabinet in the gaming pit, the keys to which shall be available only to floorpersons and pit bosses and subject to sign-out and sign-in procedures approved by the Commission; or

ii. A table games shift manager or supervisor thereof or a casino key employee designated in accordance with the provisions of (c) above and a casino security officer to a primary card storage or poker storage area where they shall be placed back into card inventory and segregated from cards that have not been pre-inspected and pre-shuffled. A record of the transport of the sealed containers of cards to the card storage area shall be maintained by the casino security department in a manner approved by the Commission.

9. When they are needed for play, each container of cards shall be delivered by a floorperson or pit boss to an open gaming table. Upon delivery, the floorperson or pit boss shall unseal the container, place the decks of cards on the gaming table in front of the dealer, complete and sign the Pre-shuffled/Pre-inspected Form, drop the original Form and attached card inspection machine receipt in a locked box in the gaming pit for the casino manager and forward the copy of the Form to the casino security department.

10. The dealer at the gaming table shall perform a strip shuffle or riffle shuffle of the cards and then cut the cards in the manner prescribed by the rules governing the particular table game.

11. The dealer shall then proceed to deal the cards in accordance with the rules governing the particular table game.

Amended by R.1983 d.308, effective August 1, 1983.

See: 14 N.J.R. 829(a), 15 N.J.R. 1259(a).

Text substantially amended.

Amended by R.1983 d.538, effective November 21, 1983.

See: 15 N.J.R. 1370(a), 15 N.J.R. 1958(b).

Substantially amended text.

Amended by R.1987 d.336, effective August 17, 1987.

See: 19 N.J.R. 2121(a), 19 N.J.R. 1570(b).

Added "immediately" and "and delivery" to (l).

Experimental 90-day implementation (N.J.A.C. 19:46-1.18(k) and (n)), pursuant to N.J.S.A. 5:12-69(e), 5:12-70(f) and 5:12-100(e), effective March 12, 1990 (expired June 10, 1990).

See: 22 N.J.R. 841(b).

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

Revised text to modify procedures for handling extra cards in card reserve. Stylistic revisions throughout text. Restructured section through (g)-(p).

Amended by R.1992 d.406, effective October 19, 1992.

See: 24 N.J.R. 569(a), 24 N.J.R. 1517(a), 24 N.J.R. 3742(a).

Added text, throughout section, regarding games of pai gow poker and pokette.

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

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

In (e) and (n), added text regarding cards used in pokette.

Experimental implementation pursuant to N.J.S.A. 5:12-69(e), effective on or after November 24, 1992.

See: 24 N.J.R. 4283(a).

Dealing pai gow poker from the hand.

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

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

Revised (a).

Amended by R.1993 d.86, effective February 16, 1993.

See: 24 N.J.R. 4339(a), 25 N.J.R. 719(a).

In (a), deleted language stipulating that primary storage area be located "in or immediately adjacent to the casino floor". In (i), (l) and (m), added alternative provision for collection of cards.

Amended by R.1993 d.192, effective May 3, 1993.

See: 24 N.J.R. 4247(a), 25 N.J.R. 1887(b).

Revised (g)2 and added (g)3.

Amended by R.1994 d.141, effective March 21, 1994.

See: 25 N.J.R. 5906(a), 26 N.J.R. 1380(a).

Amended by R.1995 d.430, effective August 7, 1995.

See: 27 N.J.R. 1767(b), 27 N.J.R. 2967(a).

Added caribbean stud poker.

Amended by R.1995 d.534, effective October 2, 1995.

See: 27 N.J.R. 2119(a), 27 N.J.R. 3795(b).

Amended by R.1996 d.317, effective July 15, 1996.

See: 28 N.J.R. 1362(a), 28 N.J.R. 3627(a).

Amended by R.1997 d.134, effective March 17, 1997.

See: 28 N.J.R. 2531(a), 29 N.J.R. 928(a).

In (g)2, (g)3 and (n)2iii, added reference to three card poker.

Petition for Rulemaking: Notice of Receipt of a Petition for Rulemaking.

See: 29 N.J.R. 2571(d).

Amended by R.1998 d.18, effective January 5, 1998.

See: 29 N.J.R. 3432(b), 30 N.J.R. 112(b).

Amended by R.1998 d.371, effective July 20, 1998.

See: 29 N.J.R. 4672(a), 30 N.J.R. 2639(b).

In (g)1 and (n)1, inserted references to fast action hold 'em.

Amended by R.1999 d.29, effective January 19, 1999.

See: 30 N.J.R. 30(a), 31 N.J.R. 144(a).

In (n)1, inserted references to casino war and fast action hold 'em.

Amended by R.1999 d.42, effective February 1, 1999.

See: 30 N.J.R. 4034(a), 31 N.J.R. 454(a).

In (n), inserted a reference to casino war, deleted "baccarat" preceding "fast action" and inserted "using the dealing procedures in N.J.A.C. 19:47-7.7(c) 1 or (c)2" in the introductory paragraph of 1, added a new last sentence in liii, added a new 2, and recodified former 2 through 9 as 3 through 10.

Amended by R.2000 d.2, effective January 3, 2000.

See: 30 N.J.R. 4149(a), 32 N.J.R. 71(a).

In (n)1, rewrote the introductory paragraph.

Amended by R.2001 d.288, effective August 20, 2001.

See: 32 N.J.R. 4240(a), 33 N.J.R. 2824(a).

In (g)2, (g)3 and (n)3iii, added references to colorado hold 'em poker.

Petition for Rulemaking.

See: 34 N.J.R. 2871(b).

Amended by R.2003 d.243, effective June 16, 2003.

See: 35 N.J.R. 1395(a), 35 N.J.R. 2740(a).

In (g)2 and 3 and (n)3iii, inserted " , boston 5 stud poker" following "colorado hold 'em poker".

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

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

Inserted "double cross poker" following "5 stud poker," throughout.

Amended by R.2004 d.340, effective September 7, 2004.

See: 36 N.J.R. 2310(a), 36 N.J.R. 4166(a).

In (n), inserted "double attack blackjack" in 1 and "double cross poker" in 3iii.

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

See: 36 N.J.R. 3639(a), 36 N.J.R. 5704(a).

Inserted "four card poker" following "boston 5 stud poker" throughout.

Amended by R.2005 d.102, effective April 4, 2005.

See: 36 N.J.R. 4699(a), 37 N.J.R. 1087(a).

Rewrote (g).

Amended by R.2005 d.241, effective July 18, 2005.

See: 36 N.J.R. 3246(a), 37 N.J.R. 2691(a).

In (n), rewrote 4i.

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

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

In (g)2 and 3 and (n)3iii, added " , texas hold 'em bonus poker"; deleted " , " following "boston 5" in (g)3.

Amended by R.2006 d.36, effective January 17, 2006.

See: 37 N.J.R. 2159(a), 38 N.J.R. 842(b).

In (g)4, added "and on a blackjack table offering the 6 to 5 blackjack variation"; rewrote (n)2; added (n)11.

Amended by R.2006 d.69, effective February 21, 2006.

See: 37 N.J.R. 4210(a) 38 N.J.R. 1228(a).

In (g)4, deleted "poker table and on a" and decreased the frequency of changing cards from four hours to six hours; added (g)6.

Amended by R.2006 d.70, effective February 21, 2006.

See: 37 N.J.R. 4214(a) 38 N.J.R. 1228(b).

In introductory paragraph (p), extended destruction or cancellation time of cards from 48 hours to 72 hours.

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

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

In (g)2, (g)3 and (n)3iii, inserted " , flop 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 (g)2, (g)3, and (n)3iii, inserted "two card joker poker".

Petition for Rulemaking.

See: 38 N.J.R. 4510(b), 5423(b).

Petition for Rulemaking.

See: 39 N.J.R. 805(a).

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

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

Rewrote (c) through (e); in (g)2, inserted "and cards opened for use on a double down stud table and dealt from the hand"; in (k), substituted "Except for decks that have been pre-shuffled and pre-inspected pursuant to (r) below, all" for "All"; in (l), inserted " , except those that have been pre-shuffled and pre-inspected pursuant to (r) below, "; and added (r).

Administrative correction.

See: 39 N.J.R. 1803(a).

Petition for Rulemaking: Gaming Equipment.

See: 39 N.J.R. 805(a), 39 N.J.R. 1828(a).

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

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

In (g)2 , (g)3, and (n)3iii, inserted " , asia poker" and in (g)3, deleted "and" from the end.

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

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

In the introductory paragraph of (g), inserted a comma following "cards"; in (g)2, (g)3, and (n)3iii, inserted "ultimate texas hold 'em, "; and in (n)9, substituted a period for a semicolon at the end.

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

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

In (g)2, (g)3, and (n)3iii, inserted " , winner's pot poker".

Amended by R.2008 d.264, effective September 2, 2008.

See: 39 N.J.R. 5199(a), 40 N.J.R. 5069(a).

In the third sentence of (a), inserted "decks of", in the fourth sentence of (a), substituted "Decks of cards" for "Cards" and "decks" for "cards", and in the last sentence of (a), substituted "decks of cards" for "the cards"; in (b), the introductory paragraph of (c), and (d), substituted "Decks of cards" for "Cards"; in (d), inserted "decks of"; in (k), inserted "or packaged sets of multiple decks", and substituted "that contains the number of decks or packaged sets of multiple decks, as applicable, included therein," for "which identifies" and "the signature of" for "is signed by"; in the introductory paragraph of (o), substituted "separately account for decks of cards packaged individually and in sets of multiple decks in accordance with Commission approved" for "submit to the Commission for approval"; in (o)1 and (o)3, inserted "decks of" throughout; in the introductory paragraph of (o)1, inserted a comma following "system"; and in (o)2, inserted "decks of" and deleted "the cards" preceding "destroyed", "returned" and "in card reserve".

Amended by R.2009 d.29, effective January 20, 2009.

See: 40 N.J.R. 3987(a), 41 N.J.R. 639(a).

Section was "Cards; receipt, storage, inspections, and removal from use". In (n)1, inserted "double-cross poker,"; in (n)1ii, deleted "ii" following "(n)2", and in (n)2, inserted "gaming" and inserted the final sentence.

Amended by R.2009 d.90, effective March 16, 2009.

See: 40 N.J.R. 5956(a), 41 N.J.R. 1269(a).

In the introductory paragraph of (g), substituted "Notwithstanding the foregoing" for "In addition"; in (g)5, deleted "and" from the end; in (g)6, substituted "; and" for a period at the end; added (g)7; in the introductory paragraph of (i), inserted "or at the end of the extended period pursuant to (g)7 above," and "required to be removed from play"; in (l), substituted "required to be removed that" for "used during the"; rewrote (n)11; and in (o)2, inserted ", in use on an open gambling table for more than 24 hours".

Amended by R.2009 d.338, effective November 16, 2009.

See: 41 N.J.R. 1983(a), 41 N.J.R. 4313(a).

In (g)2, (g)3 and (n)3iii, inserted ", supreme pai gow".

19:46-1.19 Dealing shoes; automated shuffling devices

(a) The following words and terms when used in this section shall have the following meanings:

"Base plate" means the interior shelf of the dealing shoe on which the cards rest.

"Face plate" means the front wall of the dealing shoe against which the next card to be dealt rests and which typically contains a cutout.

(b) Cards used to game at blackjack, spanish 21, double attack blackjack, pai gow poker, minibaccarat, red dog, caribbean stud poker, let it ride poker, three card poker, fast action hold 'em, colorado hold 'em poker, casino war, boston 5 stud poker, double cross poker, four card poker, texas hold 'em bonus poker, ultimate texas hold 'em poker, flop poker, two card joker poker, asia poker, winner's pot poker, supreme pai gow and double down stud shall be dealt from a manual or automated dealing shoe, which shall be secured to the gaming table when the table is open for gaming activity and secured in a locked compartment when the table is not open for gaming activity. Cards used to game at baccarat shall be dealt from a dealing shoe, which shall be secured in a locked compartment when the table is not open for gaming activity. Notwithstanding the foregoing, cards used to game at:

1. Pai gow poker, double down stud, caribbean stud poker, three card poker, colorado hold 'em poker, boston 5 stud poker, double cross poker, flop poker, four card poker, texas hold 'em bonus poker, ultimate texas hold 'em poker, asia poker, winner's pot poker, supreme pai gow and two card joker poker may be dealt from the dealer's hand in accordance with the rules for each game in N.J.A.C. 19:47; and

2. The 6 to 5 blackjack variation shall be dealt from the dealer's hand in accordance with N.J.A.C. 19:47-2.6A.

(c) A device, which automatically shuffles cards may be utilized at the game of blackjack, spanish 21, double attack blackjack, baccarat, pai gow poker, minibaccarat, red dog, poker, caribbean stud poker, let it ride poker, three card poker, fast action hold 'em, colorado hold 'em poker, casino war, boston 5 stud poker, double cross poker, four card poker,

texas hold 'em bonus poker, ultimate texas hold 'em poker, flop poker, two card joker poker, asia poker, winner's pot poker, supreme pai gow and double down stud in addition to a manual or automated dealing shoe, provided that:

1. The automated card shuffling device and the procedures for shuffling and dealing the cards through the use of the device are submitted to and approved by the Commission; and

2. The security of an automated card shuffling device conforms to the security of any dealing shoe used at the gaming table pursuant to (b) above.

(d) Each manual or automated dealing shoe shall be designed and constructed with such features as the Commission may require to maintain the integrity of the game at which such shoe is used. Such features shall include, at a minimum, the following:

1. At least the first four inches of the base plate shall be white;

2. The sides of the shoe below the base plate shall be transparent or have a transparent sealed cutout unless the dealing shoe is otherwise constructed to prevent any object from being placed into or removed from the portion of the dealing shoe below the base plate and to permit the inspection of this portion of the shoe; and

3. A stop underneath the top of the face plate shall preclude the next card to be dealt from being moved upwards for more than one-eighth inch distance; and

4. Each dealing shoe used in blackjack and spanish 21 shall have a mark on the side of the shoe that enables the dealer, after aligning the stack of cards against the shoe in accordance with N.J.A.C. 19:47-2.5(d), to insert the cutting card in such stack so that approximately one quarter of the stack is behind the cutting card.

(e) A baccarat dealing shoe, in addition to meeting the requirements of (d)1 through 3 above, shall also adhere to the following specifications:

1. A removable lid shall be opaque from the point where it meets the face plate to a point at least four inches from the face plate;

2. The sides and back above the base plate shall be opaque; and

3. A device within the shoe shall, when engaged, prevent the cards from moving backward in the shoe.

(f) A pai gow poker dealing shoe, in addition to meeting the requirements of (d) above, may, in the discretion of the casino licensee, also contain a device approved by the Commission on the front of the face plate so as to preclude the players from viewing the next card to be dealt.

(g) All dealing shoes and shuffling devices in the casino and casino simulcasting facility shall be inspected at the

beginning of each gaming day by a floorperson assigned to the table prior to cards being placed in them. The purpose of this inspection shall be to assure that there has been no tampering with the shoe or shuffling device.

(h) For gaming tables at which a manual dealing shoe is utilized, the shoe shall be located on the side of the gaming table to the left of the dealer, and the discard rack shall be located on the side of the gaming table to the right of the dealer. For gaming tables at which either an automated card shuffling device or an automated dealing shoe is utilized, the location of the automated device or shoe shall be approved by the Commission, and the discard rack shall be on the side of the gaming table opposite such device or shoe.

Amended by R.1983 d.238, effective June 20, 1983.
See: 14 N.J.R. 559(b), 15 N.J.R. 1040(c).

Added last sentence to (a). Added reference to "shuffling devices".
Amended by R.1986 d.308, effective August 4, 1986.
See: 18 N.J.R. 1096(a), 18 N.J.R. 1614(b).

Added text to (a) "Cards used to ... during non-gaming hours."
Amended by R.1988 d.468, effective October 3, 1988 (operative January 31, 1989).

See: 20 N.J.R. 1069(a), 20 N.J.R. 2468(a).

Added new (a) and renumbered old (a) to (b); Deleted text in (b) "A dealing shoe ..."; Deleted old (b); added new (c)-(e) and renumbered old (c) to (f).

Amended by R.1991 d.532, effective November 4, 1991.

See: 23 N.J.R. 2231(a), 23 N.J.R. 3348(a).

Added "red dog" game to (b) and (c).
Amended by R.1992 d.110, effective March 2, 1992.
See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

In (b); added text regarding specific times when and when not the table is open for gaming that the dealing shoe must be secured.
Amended by R.1992 d.406, effective October 19, 1992.

See: 24 N.J.R. 569(a), 24 N.J.R. 1517(a), 24 N.J.R. 3742(a).

Pai gow provisions added.

Experimental implementation pursuant to N.J.S.A. 5:12-69(e), effective on or after November 24, 1992.

See: 24 N.J.R. 4283(a).

Dealing pai gow poker from the hand.
Amended by R.1993 d.37, effective January 19, 1993.
See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Simulcast provisions added.
Amended by R.1993 d.192, effective May 3, 1993.
See: 24 N.J.R. 4247(a), 25 N.J.R. 1887(b).

In (b), added reference regarding pai gow poker.
Administrative Correction to subsection (b).
See: 26 N.J.R. 492(a).

Temporary Amendment: Double Down Stud.
See: 26 N.J.R. 1390(a).

Amended by R.1994 d.172, effective April 4, 1994.
See: 26 N.J.R. 349(a), 26 N.J.R. 1539(a).

Amended by R.1994 d.224, effective May 2, 1994.
See: 26 N.J.R. 344(a), 26 N.J.R. 1853(b).

Amended by R.1994 d.265, effective June 6, 1994.
See: 25 N.J.R. 5893(a), 26 N.J.R. 2463(a).

Amended by R.1994 d.345, effective July 5, 1994.
See: 26 N.J.R. 1622(a), 26 N.J.R. 2805(a).

Temporary Amendment: Caribbean Stud Poker.
See: 26 N.J.R. 3464(a).

Temporary Amendment: Double Down Stud.
See: 26 N.J.R. 4445(a).

Amended by R.1994 d.593, effective December 5, 1994.
See: 26 N.J.R. 1323(a), 26 N.J.R. 4790(a).

Amended by R.1995 d.430, effective August 7, 1995.
See: 27 N.J.R. 1767(b), 27 N.J.R. 2967(a).

Added caribbean stud poker.
Amended by R.1995 d.534, effective October 2, 1995.
See: 27 N.J.R. 2119(a), 27 N.J.R. 3795(b).

Administrative Correction to (b) and (c).

See: 28 N.J.R. 2404(a).

Administrative Correction to (b) and (c).

See: 28 N.J.R. 3976(a).

Amended by R.1997 d.134, effective March 17, 1997.

See: 28 N.J.R. 2531(a), 29 N.J.R. 928(a).

In (b) and (c), added reference to three card poker.

Amended by R.1997 d.519, effective December 1, 1997.

See: 29 N.J.R. 4082(a), 29 N.J.R. 5075(b).

In (c), added "poker".

Amended by R.1998 d.371, effective July 20, 1998.

See: 29 N.J.R. 4672(a), 30 N.J.R. 2639(b).

In (b), inserted a reference to fast action hold 'em; and in (c), inserted references to poker and fast action hold 'em.

Amended by R.1999 d.29, effective January 19, 1999.

See: 30 N.J.R. 30(a), 31 N.J.R. 144(a).

In (b) and (c), inserted references to casino war.

Amended by R.1999 d.110, effective April 5, 1999.

See: 30 N.J.R. 4155(a), 31 N.J.R. 894(a).

Rewrote (c); and added (h).

Amended by R.2000 d.2, effective January 3, 2000.

See: 30 N.J.R. 4149(a), 32 N.J.R. 71(a).

In (b) through (d), inserted references to spanish 21 throughout; in (b) and (c), inserted references to casino war; and in (c), inserted 1 designation and added 2.

Administrative correction.

See: 32 N.J.R. 718(b).

Amended by R.2001 d.288, effective August 20, 2001.

See: 32 N.J.R. 4240(a), 33 N.J.R. 2824(a).

In (b), inserted N.J.A.C. reference in the last sentence; in (b) and the introductory paragraph of (c), added references to colorado hold 'em poker.

Petition for Rulemaking.

See: 34 N.J.R. 2871(b).

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) and the introductory paragraph of (c), inserted " , boston 5 stud poker" following "casino war".

Petition for Rulemaking.

See: 35 N.J.R. 5171(a).

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) and (c), inserted references to double cross poker following 5 stud poker and colorado hold 'em poker throughout and inserted a N.J.A.C. reference in (b).

Amended by R.2004 d.340, effective September 7, 2004.

See: 36 N.J.R. 2310(a), 36 N.J.R. 4166(a).

Inserted references to double cross poker and double attack blackjack throughout; in (b), added "and 25.8" following "23.8".

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

See: 36 N.J.R. 3639(a), 36 N.J.R. 5704(a).

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

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

Rewrote last sentence in (b); in (b) and introductory paragraph of (c), added " , texas hold 'em bonus poker".

Amended by R.2006 d.36, effective January 17, 2006.

See: 37 N.J.R. 2159(a), 38 N.J.R. 842(b).

Rewrote (b).

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

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

In (b), (b)1 and (c), inserted " , flop 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 the introductory paragraph of (b), in (b)1, and the introductory paragraph of (c), inserted "two card joker poker"; and in (b)1, deleted "and" preceding "texas hold 'em".

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

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

In the introductory paragraph of (b), inserted " , asia poker" and inserted a comma after "shoe" two times; in (b)1, inserted " , asia poker" and substituted " ; and" for a period at the end; and in the introductory paragraph of (c), 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 the introductory paragraph of (b), (b)1 and the introductory paragraph of (c), inserted "ultimate texas hold 'em,"; and in the introductory paragraph of (c), inserted a comma following "device".
Amended by R.2008 d.263, effective September 2, 2008.
See: 40 N.J.R. 2422(a), 40 N.J.R. 5064(a).

In the introductory paragraph of (b), (b)1 and the introductory paragraph of (c), inserted ", winner's pot poker"; and in the introductory paragraph of (b), inserted a comma following "from a dealing shoe".
Amended by R.2009 d.338, effective November 16, 2009.
See: 41 N.J.R. 1983(a), 41 N.J.R. 4313(a).

In the introductory paragraph of (b), in (b)1, and in the introductory paragraph of (c), inserted ", supreme pai gow".

19:46-1.19A Pai gow tiles physical characteristics

(a) Pai gow shall be played with a set of 32 rectangular blocks to be known as tiles. Each tile in a set shall be identical in size and shading to every other tile in the set.

(b) Each tile used in gaming at pai gow shall:

1. Be made of a non-transparent black material, formed in the shape of a rectangle, and be of a size no smaller than 2.500 inches in length, 1.000 inch in width and .375 of an inch in thickness;

2. Have the surface of each of its sides perfectly flat, except that the front side of each tile shall contain spots which shall extend into the tile exactly the same distance as every other spot;

3. Have on the back of each tile an identifying feature unique to each casino;

4. Have the texture and finish of each side, with the exception of the front side, exactly identical to the texture and finish of all other sides;

5. Have the back and sides of each tile within a set be identical and no tile within a set shall contain any marking, symbol or design that will enable a person to know the identity of any element on the front side of the tile or that will distinguish any tile from any other tile within a set; and

6. Have identifying spots on the front of the tiles which are either red or white or both.

(c) Each set of tiles shall be composed of 32 tiles as set forth in N.J.A.C. 19:47-10.2(g).

(d) Each set of tiles shall be packaged separately and completely sealed in such a manner so that any tampering shall be evident.

New Rule, R.1992 d.411, effective October 19, 1992.
See: 24 N.J.R. 558(a), 24 N.J.R. 3753(a).

19:46-1.19B Pai gow tiles; receipt; storage; inspections and removal from use

(a) When sets of tiles to be used at pai gow are received from the manufacturer or distributor thereof, they shall immediately following receipt be inspected by a member of the casino security department and a casino supervisor to assure that the seals on each package are intact, unbroken and free from tampering. Packages that do not satisfy these criteria shall be inspected at this time to assure that the tiles conform to Commission standards and there is no evidence of tampering. Packages satisfying these criteria, together with packages having unbroken, intact and untampered seals shall then be placed for storage in a locked cabinet within a primary or secondary storage area. Sets of tiles which are to be distributed to gaming pits or tables for use in gaming shall be distributed from a locked cabinet in the cashiers' cage, or from another secure primary storage area, the location and physical characteristics of which shall be approved by the Commission. Secondary storage areas shall be used for the storage of surplus tiles. Tiles maintained in secondary storage areas shall not be distributed to gaming pits or tables for use in gaming until the tiles have been moved to a primary storage area. All secondary storage areas shall be located in secure areas, the location and physical characteristics of which shall be approved by the Commission.

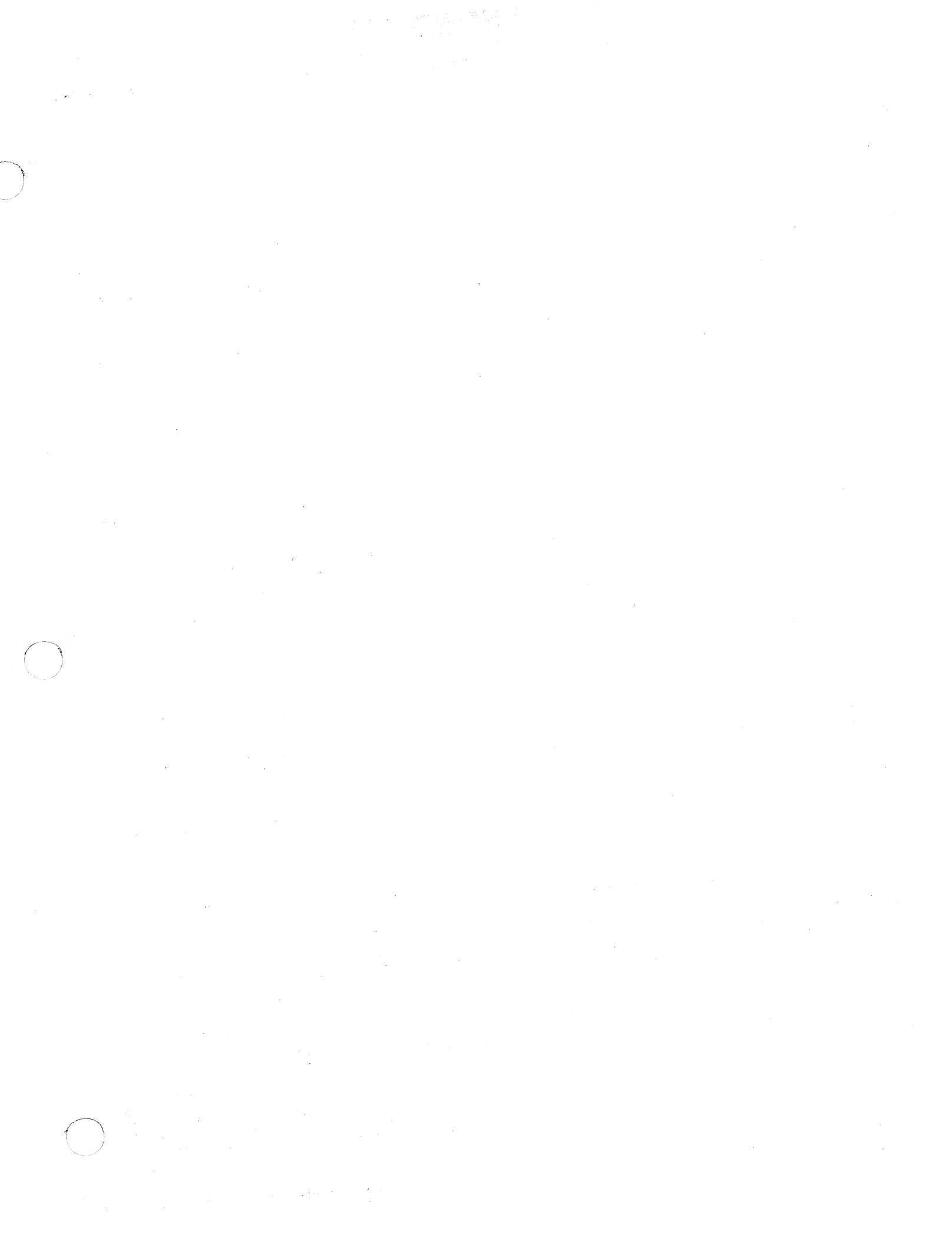
(b) All primary and secondary storage areas, other than the cashiers' cage, shall have two separate locks. The casino security department shall maintain one key and the casino department or cashiers' cage shall maintain the other key; provided, however, that no person employed by the casino department below the table games shift manager in the organization hierarchy shall have access to the casino department key. Tiles stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by a table games shift manager or casino supervisor thereof.

(c) Immediately prior to the commencement of each gaming day and at such other times as may be necessary, the table games shift manager or casino supervisor thereof, in the presence of a casino security officer, shall remove the appropriate number of sets of tiles for that gaming day from a primary storage area.

(d) All envelopes and containers used to hold or transport tiles shall be transparent.

1. The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

2. The envelopes or containers and seals shall be approved by the Commission.



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 and table game progressive payout wager 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, Citicenter Building, 1300 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 may receive compensation for 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.

Administrative change.

See: 33 N.J.R. 1018(a).

Amended by R.2001 d.402, effective November 5, 2001.

See: 33 N.J.R. 2633(a), 33 N.J.R. 3762(a).

In (a)2, inserted "and table game progressive payout wager" preceding "systems".

Amended by R.2002 d.208, effective July 1, 2002.

See: 34 N.J.R. 1372(a), 34 N.J.R. 2337(a).

Rewrote (g)2.

19:46-1.28A Standards for the approval of a slot machine game

(a) No slot machine game shall be approved by the Commission for casino gaming unless it complies with the requirements of this section.

(b) Except as otherwise provided in this section, each slot machine game shall have a theoretical payout percentage equal to or greater than 83 percent but less than 100 percent. A game-within-a-game may have a theoretical payout percentage equal to or greater than 100 percent if the theoretical payout percentage of the game-within-a-game and the primary slot machine game within which it is included, when determined together, is less than 100 percent.

(c) Except as otherwise provided in this section, each play offered by a slot machine game shall have a theoretical payout percentage equal to or greater than 83 percent. A particular play may have a theoretical payout percentage that is equal to or greater than 100 percent if the primary slot machine game in which the play is included has a theoretical payout percentage that is less than 100 percent. No play offered by a slot machine game shall have a theoretical payout percentage which is less than, when calculated to one hundredth of a percentage point, the theoretical payout percentage for any other play offered by that slot machine game which is activated by a slot machine wager in a lesser amount than the slot machine wager required for that play. Notwithstanding the foregoing, the theoretical payout percentage of one or more particular plays may be less than the theoretical payout percentage of one or more plays which require a lesser wager provided that:

1. The aggregate total of the decreases in the theoretical payout percentage for plays offered by the slot machine game is no more than one-half of one percent; and

2. The theoretical payout percentage for every play offered by the slot machine game is equal to or greater than the theoretical payout percentage for the play that requires the lowest possible wager that will activate the slot machine game.

(d) When determining whether a slot machine game or play meets the minimum 83 percent payout requirement, the following shall not be included as a payout:

1. A payout of merchandise or thing of value pursuant to N.J.S.A. 5:12-45 and N.J.A.C. 19:45-1.40A;

2. The amount of a progressive jackpot in excess of the initial or reset amount;

3. A cash or noncash complimentary issued pursuant to N.J.A.C. 19:45-1.9(i); and

4. A limited time payout.

(e) A slot machine game that includes a play with a skill feature and does not automatically disclose the choice that represents optimal strategy or provide mathematically sufficient information for a patron to derive optimal strategy shall have a theoretical payout percentage equal to or greater than 85 percent.

(f) The theoretical payout percentage of a play and slot machine game with a strategy feature or skill feature shall be calculated on the assumption that a patron will always exercise optimal strategy.

(g) A slot machine game that offers one or more games-within-a-game shall comply with the following requirements:

1. The primary slot machine game shall satisfy the 83 percent minimum payout requirement independently of any game-within-a-game;

2. Each game-within-a-game shall satisfy the 83 percent minimum payout requirement independently of the primary slot machine game within which it is included;

3. Each game-within-a-game, other than a game with a theoretical payout percentage equal to 100 percent, shall have an in meter, jackpot meter and manual jackpot meter that operate independently of the metering of the primary slot machine game, and the meters for the primary slot machine game shall be inclusive of all game-within-a-game activity;

4. The last game recall of the primary slot machine game shall include all game-within-a game activity; and

5. The theoretical payout percentage of a game-within-a-game that can be played through the use of a free play award shall be equal to or greater than the theoretical payout percentage of the primary slot machine game.

(h) A slot machine game that includes plays with one or more strategy features shall comply with the following requirements:

1. Whenever a patron has an option to make a strategy choice, the slot machine game shall, in a manner approved by the Commission including, without limitation, through one or more video screens activated by a conspicuous button or touch screen option, automatically disclose the

choice that represents optimal strategy or information that is mathematically sufficient for a patron to derive optimal strategy; and

2. Once a patron has achieved the highest award offered on a play by a strategy feature, the slot machine game shall not permit the patron to risk the award by making an additional strategy choice.

(i) Unless the Commission expressly finds, after consultation with the Division, that a particular type of proposed scripting would not be deceptive, or unless otherwise provided in this subsection, scripting shall not be permitted in any slot machine game. Jackpot scripting shall be permitted if:

1. It does not include any outcome in which no award will be received;
2. It does not display any unachievable result; and
3. It is not otherwise misleading.

(j) A slot machine game that offers free play awards shall not display as a possible outcome of a wager any amount that could only be won through the consecutive activation of free play awards won on the wager. For example, if the highest jackpot offered by a slot machine game is \$1,000 and it is possible to win two free play awards on one wager, the slot machine game shall not display \$2,000 as a possible jackpot.

(k) A multi-denominational slot machine shall comply with the following requirements:

1. All meters required by N.J.A.C. 19:45-1.37(b)1 to 4 shall increment in dollars and cents;
2. The slot machine shall provide the notice required by N.J.A.C. 19:45-1.37(a)4ix; and
3. Unless all credits on the slot machine can be fully redeemed by a gaming voucher or other means:
 - i. The value of the coin or slot token in the slot machine's hopper shall be equal to the lowest denomination that can be wagered on any slot machine game on the slot machine; and
 - ii. Each denomination that can be wagered on any slot machine game on the slot machine shall be evenly divisible by the lowest denomination that can be wagered. For example, a slot machine may offer wagers in denominations of five cents, 10 cents, 25 cents and \$1.00, but may not offer wagers in denominations of 10 cents, 25 cents and \$1.00.

New Rule, R.2001 d.451, effective December 3, 2001.
See: 33 N.J.R. 772(a), 33 N.J.R. 4151(b).
Amended by R.2003 d.462, effective December 1, 2003.
See: 35 N.J.R. 2792(a), 35 N.J.R. 5435(a).
Added (k).

Amended by R.2005 d.103, effective April 4, 2005.
See: 36 N.J.R. 5239(a), 37 N.J.R. 1088(a).

In (i), deleted 1 and recodified former 2 through 4 as 1 through 3.
Amended by R.2009 d.83, effective March 16, 2009.
See: 40 N.J.R. 6766(a), 41 N.J.R. 1269(b).

In (h)1, substituted "one or more video screens activated by a conspicuous button or touch screen option" for "a readily available help screen".

19:46-1.28B Gaming voucher redemption machines; requirements

(a) A gaming voucher redemption machine may be used to redeem a gaming voucher issued to a patron pursuant to N.J.A.C. 19:45-1.54 and 1.55 if the machine is connected electronically to the casino licensee's gaming voucher system and does not have the capability of affecting the security or integrity of that system.

(b) Each gaming voucher redemption machine shall be designed and constructed to provide maximum security for the gaming vouchers, coupons and cash contained therein and shall permit a patron to redeem a gaming voucher and, if applicable, a coupon, for cash by verifying and electronically canceling the voucher or coupon when it is scanned. Each gaming voucher redemption machine shall include, at a minimum, a tower light that displays its operational status and a cabinet which contains a cash dispenser unit, a bill validator, one or more bill validator boxes, currency cassettes, a currency cassette reject bin, coin hoppers, a computer and terminal and a printer.

(c) The computer required by (b) above shall include computer software which has the capability, at a minimum, to:

1. Communicate and store, in machine-readable form, separate from the gaming voucher system, data with respect to all transactions related to:
 - i. The redemption of gaming vouchers and, if applicable, coupons;
 - ii. The removal or insertion of bill validator boxes, currency cassettes, currency cassette reject bins, or coin hoppers from the gaming voucher redemption machine; and
 - iii. If applicable, bill breaking and ATM transactions.
2. Determine and report the value of cash or the number of bills, coins, gaming vouchers and coupons in each currency cassette, currency cassette reject bin, coin hopper and bill validator box at all times; and
3. Generate all forms and reports required by N.J.A.C. 19:45-1.33A and 1.35A.

(d) Nothing shall preclude the use of a related computer to satisfy the requirements of (c) above, provided that the requirements of (e), (i), (j), (k) and (l) below shall also be satisfied with respect to the related computer.

(e) Access to the computer software and data required in (c) above shall be restricted in a manner as set forth in the casino licensee's internal controls so that, at a minimum, no employee of the casino accounting or independent slot machine cage department or the department responsible for slot

9. Procedures to ensure that user and operator manuals are updated to reflect changes in policies and procedures resulting from the proposed modification.

(m) Notwithstanding the provisions of (l) above, the Commission may permit a casino licensee to change or upgrade non-critical software files or directories or hardware, as recommended by the Division and specifically identified in the casino licensee's approved internal controls, provided that written notice describing the modification in accordance with (l) above shall be filed within 24 hours following the change.

(n) Subject to any testing required pursuant to N.J.A.C. 19:46-1.28 and approval by the Commission upon receipt of the notification required by (l) above, modifications to the automated jackpot payout machine or related computer shall be installed in the presence of a Commission inspector and an employee of the MIS department with no incompatible functions.

(o) Following completion of the modification, the casino licensee shall generate a record detailing the modification, or if the automated jackpot payout machine or related computer does not have the capability of generating such a record, such other record as may be required by the Commission. In the event the Commission determines that testing is required after the modification, the Commission shall establish the terms and conditions of such a test.

New Rule, R.2007 d.117, effective April 16, 2007.
See: 38 N.J.R. 4669(a), 39 N.J.R. 1505(a).

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 manu-

facturer 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".