

ARTICLE 17. MOVEMENT OF GAMING EQUIPMENT

Rule 1. Electronic Gaming Device Movements

68 IAC 17-1-1 General provisions

Authority: IC 4-33-4; IC 4-35-4

Affected: IC 4-33; IC 4-35

Sec. 1. (a) This rule applies to casino licensees and casino license applicants.

(b) Electronic gaming devices may only be moved in accordance with this rule. Casino licensees, casino license applicants, and supplier licensees must comply with this rule before electronic gaming devices are transported:

- (1) from a point outside of Indiana into the state of Indiana;
- (2) from a point within Indiana to a point outside of Indiana; or
- (3) within Indiana.

(c) Except as provided in section 2(d) of this rule, transportation notification is not required for the movement of an electronic gaming device on the casino floor of a casino.

(d) Electronic gaming devices may only be sold or delivered, or both, to casino licensees, casino license applicants, or other persons entitled to possess electronic gaming devices pursuant to applicable state and federal law.

(e) An electronic gaming device may not be delivered to a casino licensee or a casino license applicant unless a member of the commission staff or an enforcement agent is present at the point of delivery. The casino licensee is responsible for ensuring that a member of the commission staff or an enforcement agent is present at the point of delivery.

(f) EPROMs shall be transported separately from the shipment of electronic gaming devices. If an electronic gaming device:

- (1) is not being used by a casino licensee; and
- (2) is being stored outside the casino;

the EPROM shall be stored separately in a locked safe or the equivalent.

(g) Only a person who:

- (1) is licensed by the commission; or
- (2) has the legal ability to possess an electronic gaming device in the jurisdiction in which the person will hold the electronic gaming device;

may purchase an electronic gaming device from a casino licensee or supplier licensee. (*Indiana Gaming Commission; 68 IAC 17-1-1; filed Apr 19, 1996, 3:00 p.m.: 19 IR 2275; filed June 1, 1998, 2:46 p.m.: 21 IR 3707; filed Jul 10, 2000, 4:48 p.m.: 23 IR 3071; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Dec 6, 2006, 2:52 p.m.: 20070103-IR-068060191FRA; filed Dec 6, 2012, 2:32 p.m.: 20130102-IR-068110786FRA*)

68 IAC 17-1-2 Electronic gaming device movements

Authority: IC 4-33-4; IC 4-35-4

Affected: IC 4-33; IC 4-35

Sec. 2. (a) At least ten (10) days before transporting electronic gaming devices, the person causing the movement of the electronic gaming device shall notify the executive director, in writing, and provide the following information:

(1) The full name, business address, and business telephone number of the following:

- (A) The person selling the electronic gaming device.
- (B) The ultimate owner of the electronic gaming device if ownership is being changed in connection with the transportation of the electronic gaming device.

(2) The:

- (A) method of transportation; and
- (B) the name, business address, and business telephone number of the carrier or carriers.

(3) The full name, business address, and business telephone number of the person to whom the electronic gaming device is being transported.

(4) The individual responsible for the shipment of the electronic gaming device for each person listed in subdivisions (1) through (3).

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- (5) The destination of the electronic gaming device if the address is different from the business address listed in subdivision (1)(B).
 - (6) The quantity of electronic gaming devices being transported.
 - (7) A brief description of the electronic gaming device being transported.
 - (8) The serial number of the electronic gaming device and a request for the issuance of a commission registration number in accordance with 68 IAC 2-6-5(a)(9).
 - (9) The expected date and time of the following:
 - (A) Delivery of the electronic gaming device to the casino.
 - (B) The exit of the electronic gaming device if the device is exiting Indiana.
 - (10) If the origin of the electronic gaming device being transported into Indiana is outside of the United States, the:
 - (A) port of exit from that jurisdiction; and
 - (B) point of entry into the United States.
 - (11) If the electronic gaming device is being transported to a destination outside of the United States, the port of exit from the United States.
 - (12) The reason for the transportation of the electronic gaming device.
 - (13) Upon request by the executive director, the person selling the electronic gaming device must prove that the recipient is authorized, under state and federal law, to receive the electronic gaming device.
 - (b) The person receiving the electronic gaming device must prove receipt of the electronic gaming device if requested by the executive director.
 - (c) Before an electronic gaming device is removed from the casino floor, the casino licensee or casino license applicant must ensure the following actions are taken:
 - (1) The hopper is emptied in accordance with 68 IAC 15-11-4.
 - (2) An enforcement agent removes the evidence tape that was affixed in accordance with 68 IAC 2-6-19.
 - (3) Before an electronic gaming device is removed from Indiana, the casino licensee or casino license applicant shall:
 - (A) remove the commission registration tag; and
 - (B) return the tag to the enforcement agent.An enforcement agent must be present when the commission registration tag is removed.
 - (d) Casino licensees or casino license applicants must notify the executive director, in writing, of the following information before moving an electronic gaming device on the floor of the casino:
 - (1) The change in the position or location number of the electronic gaming device.
 - (2) The new designation the electronic gaming device will have in the central computer system.
 - (3) Any other information deemed necessary by the executive director or the commission to ensure compliance with IC 4-33, IC 4-35, and this title.
- (Indiana Gaming Commission; 68 IAC 17-1-2; filed Apr 19, 1996, 3:00 p.m.: 19 IR 2276; filed Jul 18, 1996, 8:55 a.m.: 19 IR 3316; errata filed Oct 28, 1997, 3:45 p.m.: 21 IR 1006; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Dec 6, 2006, 2:52 p.m.: 20070103-IR-068060191FRA; filed Dec 6, 2012, 2:32 p.m.: 20130102-IR-068110786FRA)*

68 IAC 17-1-3 Electronic gaming device database

Authority: IC 4-33-4; IC 4-35-4
Affected: IC 4-33; IC 4-35

Sec. 3. A casino licensee, casino license applicant, or supplier licensee shall use the commission's electronic gaming device database as prescribed by the commission. *(Indiana Gaming Commission; 68 IAC 17-1-3; filed Apr 19, 1996, 3:00 p.m.: 19 IR 2276; filed Jul 18, 1996, 8:55 a.m.: 19 IR 3317; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Dec 6, 2006, 2:52 p.m.: 20070103-IR-068060191FRA; filed Dec 6, 2012, 2:32 p.m.: 20130102-IR-068110786FRA)*

68 IAC 17-1-4 Deviation from provisions

Authority: IC 4-33-4; IC 4-35-4
Affected: IC 4-33; IC 4-35

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Sec. 4. (a) The executive director or the commission may approve deviations from the provisions of this article if the executive director or the commission determines that the:

- (1) procedure or requirement is impractical or burdensome; and
- (2) alternative means of satisfying the procedure or requirement:
 - (A) fulfill the purpose of the rule;
 - (B) are in the best interest of the public and the gaming industry in Indiana; and
 - (C) do not violate IC 4-33 or IC 4-35.

(b) If a licensee wishes to request a deviation from the provisions of this rule, the licensee must do so in writing. (*Indiana Gaming Commission; 68 IAC 17-1-4; filed Apr 19, 1996, 3:00 p.m.: 19 IR 2277; errata filed Jun 20, 1996, 1:15 p.m.: 19 IR 3114; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; readopted filed Nov 14, 2008, 12:51 p.m.: 20081210-IR-068080730RFA; filed Dec 6, 2012, 2:32 p.m.: 20130102-IR-068110786FRA*)

68 IAC 17-1-5 Reports by the executive director

Authority: IC 4-33-4-1; IC 4-33-4-2; IC 4-33-4-3
Affected: IC 4-33

Sec. 5. The executive director shall report any action he or she has taken or contemplates taking under this rule with respect to the transportation of electronic gaming devices to the commission at the next meeting held under 68 IAC 1-2-5. The commission may direct the executive director to take additional or different action. (*Indiana Gaming Commission; 68 IAC 17-1-5; filed Apr 19, 1996, 3:00 p.m.: 19 IR 2277; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Sep 30, 2004, 11:05 a.m.: 28 IR 531; readopted filed Sep 21, 2010, 3:55 p.m.: 20101020-IR-068100360RFA*)

Rule 2. Live Gaming Device Movements

68 IAC 17-2-1 General provisions

Authority: IC 4-33-4-1; IC 4-33-4-2; IC 4-33-4-3
Affected: IC 4-33

Sec. 1. (a) This rule applies to all riverboat licensees and riverboat license applicants.

(b) Live gaming devices may only be moved in accordance with this rule. Riverboat licensees, riverboat license applicants, and supplier licensees must comply with this rule before live gaming devices are transported:

- (1) from any point:
 - (A) outside of Indiana into Indiana; or
 - (B) within Indiana to any point outside Indiana; or
- (2) within Indiana.

(c) Except as provided in section 2(c) of this rule, transportation notification is not required for movement of a live gaming device on the casino floor of a riverboat.

(d) Live gaming devices may only be sold or delivered, or both, to the following:

- (1) Riverboat licensees.
- (2) Riverboat license applicants.
- (3) Other persons entitled to possess live gaming devices under applicable state and federal law.

(e) A live gaming device may not be delivered to a riverboat licensee or a riverboat license applicant unless a member of the commission staff or an enforcement agent is present at the point of delivery. The riverboat licensee is responsible for ensuring that a member of the commission staff or an enforcement agent is present at the point of delivery.

(f) Only a person who:

- (1) is licensed by the commission; or
- (2) has the legal ability to possess a live gaming device in the jurisdiction in which the person will hold the live gaming device;

may purchase a live gaming device from a riverboat licensee or supplier licensee. (*Indiana Gaming Commission; 68 IAC 17-2-1;*

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filed Jul 3, 1996, 5:00 p.m.: 19 IR 3047; filed Jul 10, 2000, 4:48 p.m.: 23 IR 3071; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Dec 6, 2006, 2:52 p.m.: 20070103-IR-068060191FRA; readopted filed Nov 26, 2013, 3:58 p.m.: 20131225-IR-068130354RFA)

68 IAC 17-2-2 Live gaming device movements

Authority: IC 4-33-4-1; IC 4-33-4-2; IC 4-33-4-3

Affected: IC 4-33

Sec. 2. (a) At least ten (10) days before transporting live gaming devices, the person causing the movement of the live gaming device shall notify the executive director, in writing, and provide the following information:

- (1) The full name, business address, and business telephone number of the ultimate owner of the following:
 - (A) The person selling the live gaming device.
 - (B) The ultimate owner of the live gaming device if ownership is being changed in connection with the transportation of the live gaming device.
- (2) The:
 - (A) method of transportation; and
 - (B) name, business address, and business telephone number of the carrier or carriers.
- (3) The full name, business address, and business telephone number of the person to whom the live gaming device is being transported.
- (4) The individual responsible for the shipment of the live gaming device for each person listed in subdivisions (1) through (3).
- (5) The destination of the live gaming device if the address is different from the business address listed in subdivision (1)(B).
- (6) The quantity of live gaming devices being transported.
- (7) A brief description of each live gaming device being transported.
- (8) Any serial number assigned to the live gaming device and a request for the issuance of a commission registration number in accordance with 68 IAC 14-1-2.
- (9) The expected date and time of the following:
 - (A) Delivery of the live gaming device to the riverboat.
 - (B) The exit of the live gaming device if the device is exiting Indiana.
- (10) If the origin of the live gaming device being transported into Indiana is outside of the United States, the:
 - (A) port of exit from that jurisdiction; and
 - (B) the point of entry into the United States.
- (11) If the live gaming device is being transported to a destination outside of the United States, the port of exit from the United States.
- (12) The reason for the transportation of the live gaming device.
- (13) Upon request by the executive director, the person selling the live gaming device must prove that the recipient is authorized, under state and federal law, to receive the live gaming device.
 - (b) The person receiving the live gaming devices must prove receipt of the live gaming device if requested by the executive director.
 - (c) Before a live gaming device is removed from the casino floor, the riverboat licensee or riverboat license applicant shall:
 - (1) remove the commission registration tag; and
 - (2) return the tag to the enforcement agent.

An enforcement agent must be present when the commission registration tag is removed.

(d) The riverboat licensee or riverboat license applicant must notify the executive director and the enforcement agent, in writing, of the following information before moving a live gaming device on the floor of the riverboat:

- (1) The change in the position or location number of the live gaming device.
- (2) Any change in designation the live gaming device will have in the central computer system.
- (3) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

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(Indiana Gaming Commission; 68 IAC 17-2-2; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3047; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Dec 6, 2006, 2:52 p.m.: 20070103-IR-068060191FRA; readopted filed Nov 26, 2013, 3:58 p.m.: 20131225-IR-068130354RFA)

68 IAC 17-2-3 Live gaming device transportation log

Authority: IC 4-33-4-1; IC 4-33-4-2; IC 4-33-4-3

Affected: IC 4-33

Sec. 3. (a) Each riverboat licensee and riverboat license applicant must maintain a live gaming device log on forms prescribed by or approved by the commission. The live gaming device movement log shall contain, at a minimum, the following information:

(1) The:

(A) manufacturer; and

(B) type;

of live gaming device being transported.

(2) Any serial number assigned to the live gaming device, and the commission registration number, if issued, of the live gaming device.

(3) The destination of the live gaming device.

(4) The expected date and time of the shipment.

(5) The:

(A) method of transportation; and

(B) the name, business address, and business telephone number of the carrier or carriers.

(6) Any other information the executive director or the commission deems necessary to ensure compliance with the Act and this title.

(b) The live gaming device movement log shall be:

(1) maintained by the riverboat licensee and riverboat license applicant for a minimum of five (5) years; and

(2) made available for inspection upon demand by the commission or an enforcement agent.

(Indiana Gaming Commission; 68 IAC 17-2-3; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3048; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Dec 6, 2006, 2:52 p.m.: 20070103-IR-068060191FRA; readopted filed Nov 26, 2013, 3:58 p.m.: 20131225-IR-068130354RFA)

68 IAC 17-2-4 Violation of rule

Authority: IC 4-33-4-1; IC 4-33-4-2; IC 4-33-4-3

Affected: IC 4-33

Sec. 4. Failure to comply with this rule may result in the initiation of a disciplinary action under 68 IAC 13. *(Indiana Gaming Commission; 68 IAC 17-2-4; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3048; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; readopted filed Nov 14, 2008, 12:51 p.m.: 20081210-IR-068080730RFA; readopted filed Nov 26, 2013, 3:58 p.m.: 20131225-IR-068130354RFA)*

68 IAC 17-2-5 Deviation from provisions

Authority: IC 4-33-4; IC 4-35-4

Affected: IC 4-33; IC 4-35

Sec. 5. (a) The executive director or the commission may approve deviations from the provisions of this rule if the executive director or the commission determines that the:

(1) procedure or requirement is impractical or burdensome; and

(2) alternative means of satisfying the procedure or requirement:

(A) fulfill the purpose of the rule;

(B) are in the best interest of the public and the gaming industry in Indiana; and

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(C) do not violate IC 4-33 or IC 4-35.

(b) If a licensee wishes to request a deviation from the provisions of this rule, the licensee must do so in writing. (*Indiana Gaming Commission; 68 IAC 17-2-5; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3048; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; readopted filed Nov 14, 2008, 12:51 p.m.: 20081210-IR-068080730RFA; filed Dec 6, 2012, 2:32 p.m.: 20130102-IR-068110786FRA; readopted filed Nov 26, 2013, 3:58 p.m.: 20131225-IR-068130354RFA*)

68 IAC 17-2-6 Reports by the executive director

Authority: IC 4-33-4-1; IC 4-33-4-2; IC 4-33-4-3

Affected: IC 4-33

Sec. 6. The executive director shall report any action he or she has taken or contemplates taking under this rule with respect to the movement of live gaming devices to the commission at the next meeting held under 68 IAC 1-2-5. The commission may direct the executive director to take additional or different action. (*Indiana Gaming Commission; 68 IAC 17-2-6; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3048; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Sep 30, 2004, 11:05 a.m.: 28 IR 531; readopted filed Sep 21, 2010, 3:55 p.m.: 20101020-IR-068100360RFA; readopted filed Nov 26, 2013, 3:58 p.m.: 20131225-IR-068130354RFA*)

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