

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 145.00: POSSESSION OF SLOT MACHINES AND OTHER ELECTRONIC GAMING DEVICES

Section

145.01: Possession of Slot Machines and Other Electronic Gaming Devices

145.02: Transportation of Slot Machines and Other Electronic Gaming Devices

145.01: Possession of Slot Machines and Other Electronic Gaming Devices

(1) The following persons and any employee or agent acting on their behalf may, subject to any terms and conditions imposed by the commission, possess slot machines in the commonwealth for the purposes provided in 205 CMR 145.00, and such possession is not restricted by M.G.L. c. 271, § 5A, provided that the machines are kept only in such locations as may be specifically authorized in writing by the commission and that any machines located outside of a gaming establishment not be used for gaming activity:

(a) A holder of:

1. A gaming license at the gaming establishment;
2. A gaming vendor license, for the purpose of distributing, repairing, servicing, displaying, or operating a showroom for slot machines in accordance with M.G.L. c. 23K, § 25(e);

(b) An employee or agent of the commission, for the purpose of fulfilling official duties or responsibilities;

(c) A common carrier, for the purpose of transporting such slot machines;

(d) A gaming school certified by the commission in accordance with 205 CMR 137.00: *Gaming Schools* for educational purposes; or

(e) Any other person the commission may approve after finding that possession of slot machines by such person in this state is necessary and appropriate to fulfill the goals and objectives of M.G.L. c. 23K and 205 CMR.

(2) Each gaming licensee shall file, prior to the commencement of gaming and every thirty days thereafter with the commission a comprehensive lists of:

(a) The slot machines in the gaming area (the "Slot Machine Master List");

(b) The slot machines possessed by the licensee in restricted areas outside the gaming area but on the premises of its gaming establishment; and

(c) The slot machines possessed by the licensee at locations in the commonwealth but off the premises of its gaming establishment.

(3) At a minimum, each list of slot machines required by 205 CMR 145.01(2) shall contain the following information, as applicable, for each slot machine on the "Slot Machine Master List", in consecutive order by location number:

(a) The date on which the list was prepared;

(b) A description of each slot machine by:

1. Slot machine model and serial number and unique identification number issued in accordance with 205 CMR 144.03(2)(a);
2. Computer program number;
3. Denomination;
4. Manufacturer and machine type; and
5. Any other information directed by the Commission.

(c) A cross reference for each slot machine by zone and serial number;

(d) Where applicable, the restricted area within the gaming establishment where each slot machine is located;

(e) Where applicable, the address of the slot machine storage facility where each slot machine is located; and

(f) Such other information as the commission may require.

(4) Any building located outside of a gaming establishment where slot machines will be kept shall meet, at a minimum, the following requirements:

(a) All access doors and windows must be locked and alarmed;

(b) Access shall be restricted to those individuals permitted to maintain slot machines pursuant to 205 CMR 145.00, however, in the case of a display or showroom, the general public may be admitted during normal business hours for previewing the slot machines; and

(c) Any other requirements as deemed appropriate by the commission.

145.02: Transportation of Slot Machines and Other Electronic Gaming Devices

(1) Pursuant to St. 2011, c. 194, §§ 101 and 102, the commonwealth declared and proclaimed that it shall be exempt from the provisions of chapter 1194, 64 Stat. 1134, and also designated as 15 U.S.C. 1171 through 1178 for any gambling device authorized for use and transport under M.G.L. c. 3K and 205 CMR 144.00: *Approval of Slot Machines and Electronic Gaming Equipment and Testing Laboratories* and 205 CMR 145.00. All shipments of gambling devices into the commonwealth, including slot machines, the registering, recording and labeling of which has been duly had by the manufacturer or dealer thereof in accordance with sections 3 and 4 of "An act to prohibit transportation of gambling devices in interstate and foreign commerce", 15 U.S.C. §§ 1171 through 1177, shall be deemed legal shipments thereof into the commonwealth.

(2) Any person moving a slot machine or other electronic gaming device (except those identified in 205 CMR 144.01(2)(o)):

- (a) into the Commonwealth;
- (b) from one authorized location to another authorized location within the Commonwealth unless both locations are operated and controlled by the same gaming licensee; or
- (c) out of the Commonwealth.

shall first notify the commission at least one day in advance of the movement in writing that provides the following information:

- 1. The full name and address of the person shipping or moving the machine or device;
- 2. The full name and address of the person who owns the machine or device, including the name of any new owner in the event ownership is being changed in conjunction with the shipment or movement;
- 3. The method of shipment or movement and the name of the carrier or carriers;
- 4. The full name and address of the person to whom the machine or device is being sent and the destination of the machine or device if different from such address;
- 5. The quantity of machines or devices being shipped or moved and the manufacturer's serial number of each machine;
- 6. The expected date and time of delivery to or removal from any authorized location in the Commonwealth;
- 7. A copy of the certification report issued by the independent testing laboratory in accordance with 205 CMR 144.04(2); and
- 8. The reason for transporting the machine or device.

(3) The person shipping or moving any slot machine or other electronic gaming device in accordance with 205 CMR 145.02 shall provide to the shipper a document, at least one copy of which shall be kept with the slot machine or other electronic gaming device at all times during the shipping process, that contains the following information, at a minimum:

- (a) The manufacturer's serial number of the slot machine or other electronic gaming device being transported;
- (b) The full name and address of the person from whom the machine or device was obtained;
- (c) The full name and address of the person to whom the machine or device is being sent; and
- (d) The dates of shipment.

(4) Any person moving a slot machine or other electronic gaming device:

- (a) within a gaming establishment; or
- (b) between two authorized locations within the Commonwealth if both locations are operated and controlled by the same gaming licensee;

shall file a request for approval pursuant to 205 CMR 144.03: *Installation and Approval for Use of an Electronic Gaming Device* and record such movement in a log maintained in accordance with the record retention requirements contained in 205 CMR 138.09: *Retention, Storage and Destruction Records* and include the following:

- 1. The manufacturer's serial number;
- 2. The casino operator's equipment number, if applicable;
- 3. An indication as to whether the equipment is equipped for tokenization, and if so, the denomination;
- 4. The date and time of movement of the equipment;
- 5. The location from which the equipment was moved;
- 6. The location to which the equipment was moved; and
- 7. The printed name(s) and signature(s) of the person(s) involved in moving the equipment.