

Nebraska Racing and Gaming Commission

Procedure for the Transportation of Gaming Equipment

The Nebraska Racing and Gaming Commission (“the Commission”) requires that manufacturers, gaming-related vendors, and authorized gaming operators follow this procedure in relation to the shipping and storage of controlled gaming equipment under the jurisdiction of the Commission. Licensed manufacturers and distributors must request and receive approval from the Executive Director or his or her designee for shipment into, out of, or within the State of Nebraska prior to the proposed shipment date to or from an approved destination in Nebraska. The Commission reserves the right to modify these requirements at any time. Items not covered in these requirements are subject to the Commission’s review. Further information may be requested to evaluate the continued integrity of controlled gaming equipment shipped into and out of Nebraska.

Definitions

As used in this procedure, the following definitions apply:

“Authorized gaming operator” is defined in the Nebraska Racetrack Gaming Act (“the Act”) as “a person or entity licensed pursuant to the act to operate games of chance within a licensed racetrack enclosure.”

“Controlled gaming equipment” includes the following:

1. Gaming devices or any component parts material to electronic gaming devices or associated equipment, including random number generators, all game media, and progressive controllers;
2. Mechanical or electromechanical devices used with live table games or electronic table games, including items using radio frequency identification technology, shuffling devices, and progressive controllers;
3. System-to-system, game-to-system, or intra-device communication software, or any equivalent thereof, used in the conduct or monitoring of gaming activity, including monitoring and control systems, cashless wagering systems, bonusing systems, and player tracking systems, except for systems used solely for marketing purposes;
4. (4)Electromechanical devices used to account for gaming assets, including kiosks capable of distributing or collecting wagering instruments or conducting player account transactions and ticket validation equipment; and
5. Any other device, software, hardware, or other technology that the Executive Director determines may affect the integrity of gaming in this state.

“Fully assembled” means an approved electronic gaming device that is configured with all components so that it is not rendered inoperable and with software embedded.

“Gaming-related-vendor” is defined in Title 296, Nebraska Administrative Code (“296 NAC 1”) as “...any person required to be licensed by the Commission to provide goods or services

related to the conduct of gaming.”

“Independent Testing Laboratory” or “ITL” is a laboratory certified by the Commission to scientifically test and evaluate devices for compliance with the Act and to otherwise perform the functions assigned to it by the Commission.

“Manufacturer” is defined in 296 NAC 1 as “...a person who is licensed by the Commission as a gaming-related-vendor to manufacture, fabricate, assemble, produce, program, refurbish, or make modifications to any gaming device or component thereof, or associated program storage device for sale, lease, distribution, use or play by an authorized gaming operator in the State of Nebraska.”

“Program storage device” is defined in 296 NAC 1 as “...an EPROM (Erasable Programmable Read-Only Memory), hard drive, DVD, CD-ROM or other storage medium which is used for storing program instructions in a gaming device, system or other associated equipment.”

“Software” means operating media, game media, configuration media, and any other type of media that aids and its’ critical to the operation of controlled gaming equipment and is required to be approved for use in the State of Nebraska.

Shipping Requirements

1. All controlled gaming equipments must be securely shipped, and evidence in support of “chain of custody” is to be provided.
2. Controlled gaming equipment that have been certified by an ITL certified by the Commission may be shipped and delivered fully assembled.
3. The cargo area of a transportation carrier or the shipping container for the controlled gaming equipment, whichever is applicable, must be sealed with a unique identification number seal and identified in the shipping notification filed with the Commission at least five (5) business days prior to shipment. The shipping notification shall include the following information and documentation:
 - a. Company name, trade name, and business address of manufacturer, gaming-related-vendor or authorized gaming operator supplying, removing, or relocating the controlled gaming equipments.
 - b. Contact name, telephone number, and e-mail address for the representative of the manufacturer, gaming-related-vendor, or authorized gaming operator submitting the shipping notification.
 - c. The manufacturer’s company name and a contact person name, phone number and email if not provided in Item 3(b).
 - d. Serial number, model number, theme, software set description, laboratory

certification numbers, or other documented identification information that corresponds with the controlled gaming equipment being shipped, and corresponding number of each type of controlled gaming equipment or approved software components to be shipped. Alternative methods of identifying controlled gaming equipment may be approved in writing by the Executive Director if the aforementioned identifiers are not applicable to the controlled gaming equipment being shipped.

- e. Reason for shipment.
 - f. Date of shipment.
 - g. Company name, trade name, and address of ultimate owner, and location where the controlled gaming equipment are to be delivered.
 - h. Contact name, telephone number, and e-mail address for the company representative responsible for the receipt of the controlled gaming equipment.
 - i. Expected date and time of delivery.
 - j. Method of shipment and name, business address, and telephone number of transportation carrier.
 - k. An inventory of the controlled gaming equipment or approved software components to be shipped.
 - l. Unique transportation carrier cargo area seal number or product serial number in cases of shipments destined for multiple locations.
4. No controlled gaming equipment can be shipped until the Executive Director or his or her designee provides formal approval for that shipment. All controlled gaming equipment shipments shall be scheduled to permit the Executive Director or his or her designee to be present upon arrival of the shipment at the approved destination in Nebraska.
 5. For multiple shipments of controlled gaming equipment, shippers shall apply a shipping seal to each individual delivery and resealed after completion of deliveries.
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 6. Controlled gaming equipment shall only be delivered during normal business hours unless approved in advance by the Executive Director.

Licensee Requirements for the Shipping of Controlled gaming equipment

Before the shipment of controlled gaming equipment into, out of, or within Nebraska takes place, the manufacturer, gaming-related vendor, or authorized gaming operator that is shipping the controlled gaming equipment must be licensed by the Commission.

In addition to the above requirements, the entity shipping controlled gaming equipment must also adhere the following requirements:

1. Ensure the safe and secure transport of the controlled gaming equipment.

2. Ensure the controlled gaming equipment are placed in such a manner as to offer easy access to the Commission staff to verify the serial number and model number on the ID plate, or other unique identifier approved in writing by the Executive Director.

Authorized Locations Not on the Grounds of an Authorized Gaming Operator

The Commission may authorize a storage or repair location not on the grounds of an authorized gaming operator. The location must comply with the following requirements:

1. The location must be inaccessible by and/or closed to the general public.
2. The storage area and all entrances/exits must be under continuous video surveillance with recording capabilities.
3. Access should be limited to specified identified personnel only; entry and exit of personnel must be recorded in writing by the owner/manager of the facility. These records must include:
 - a. Dates
 - b. Time of entrance
 - c. Name of the person entering the location
 - d. Signature of the person entering the location
 - e. Purpose for entering the location
 - f. Time of departure

Variations and Waivers

1. In special circumstances and only for just cause, the Commission may allow deviations from the provisions of this procedure when strict and literal compliance of the provisions results in defeating the purposes of the procedure.



Tom Sage, Executive Director
Nebraska Racing and Gaming Commission