



JOE LOMBARDO
Governor

NEVADA GAMING CONTROL BOARD

1919 College Parkway, P.O. Box 8003, Carson City, Nevada 89702
7 State of Nevada Way, Las Vegas, Nevada 89119
3650 S. Pointe Circle, Suite 203, P.O. Box 31109, Laughlin, Nevada 89028
557 W. Silver Street, Suite 207, Elko, Nevada 89801
9790 Gateway Drive, Suite 100, Reno, Nevada 89521

KIRK D. HENDRICK, *Chairman*
DR. BRITTNIE WATKINS, *Member*
HON. GEORGE ASSAD (RET.), *Member*

NOTICE TO LICENSEES

Notice #2024-53

Issuing Division: Technology

DATE: May 28, 2024

TO: All Licensees and Interested Persons

FROM: Jim Barbee, Chief

SUBJECT: Gaming Technology Approval Guidelines

The Nevada Gaming Control Board (“Board”) encourages the introduction and use of new and innovative technology into the gaming industry in Nevada and strives to provide an environment to facilitate the efficient introduction, development, and ongoing maintenance of such technologies. To achieve this objective, the following guidelines will be followed to expedite the evaluation of gaming technology by the Board, effective July 1, 2024.

These guidelines do not modify or amend any regulation adopted by the Nevada Gaming Commission (“NGC” or “Commission”). Instead, these guidelines incorporate the processes the Board intends to follow within the existing parameters of the NGC regulations.

The Board’s evaluation of gaming technology is predicated on the receipt of a complete application for approval. An application is considered complete when it is determined to comply with NGC Regulation 14.030 for new gaming devices; NGC Regulation 14.260 for new associated equipment; NGC Regulation 14.100 for a modification to a gaming device; or NGC Regulation 14.300 for a modification to associated equipment. Application deficiencies may include, without limitation, incomplete or inaccurate submission material or an incorrect or inadequate independent laboratory (“ITL”) certification.

The Board’s evaluation of gaming technology may include a physical inspection and/or a field test period. However, the Board will rely to the fullest extent possible on the certification results of a registered ITL during the evaluation process.

The term “days” means business days, except where “calendar days” is specified.

An application held in abeyance status may be disapproved after 30 calendar days.

I. Approval of New Gaming Devices

(NGC Regulations 14.030, 14.070, 14.080, 14.090, & 14.100)

The Board is committed to completing the evaluation of a new gaming device and placement of such device on the next regularly scheduled meetings of the Board and Commission within 45 calendar days of receipt of a complete application when a field test or physical inspection is not required. When a field test or physical inspection is required, the Board is committed to completing the evaluation of a new gaming device and placement of such device on the next regularly scheduled meetings of the Board and Commission within 90 calendar days of receipt of a complete application.

Applications for the approval of a new gaming device will be processed according to the following guidelines:

1. Applications are to be submitted in accordance with NGC Regulation 14.030.
2. The Technology Division will review a submitted application for compliance with NGC Regulation 14.030, and notify the manufacturer within 5 days of the initial submission regarding any specific deficiencies with the application.
 - a. Upon notification, the application will be placed in abeyance status until the manufacturer corrects all identified application deficiencies.
 - b. If the Technology Division does not notify the manufacturer of any application deficiencies within 5 days, the application will be considered complete.
3. If the Technology Division intends to perform a physical inspection of the new gaming device, it will notify the manufacturer of such inspection and identify with specificity the reason(s) for such inspection within 5 days of a complete application.
 - a. Upon notification, the application will be placed in abeyance status until the manufacturer delivers the new gaming device to the Technology Division for inspection.
 - b. The Technology Division will complete its inspection and notify the manufacturer of any identified deficiencies with the new gaming device within 10 days of receipt of the physical gaming device.
 - c. Upon notification, the application will be placed in abeyance status until the manufacturer corrects all identified deficiencies.
4. The Technology Division will notify the manufacturer within 5 days of a complete application if a field test will be allowed or required.
 - a. The notification will include a description of the field test requirements and a non-binding good faith estimate of the number of transactions that must be observed during the field test evaluation period.
 - b. The Technology Division will provide field test period authorization within 10 days of a complete application when a field test is required.

- c. To facilitate a timely start, field test period procedures may be provided after the start of the field test.
5. The Technology Division will provide the manufacturer seeking approval of the new gaming device a report that includes an explanation of the manner in which the device operates within 10 days of completing the evaluation of a new gaming device. The manufacturer shall have 15 days to return the certification report in accordance with NGC Regulation 14.090 or the application will be processed with a recommendation for disapproval.
6. Upon completion of the Technology Division evaluation, the Board Chair will place the new gaming device on the next regularly scheduled Board meeting (and will seek to have it on the same month's Commission meeting).

II. Approval of New Associated Equipment

(NGC Regulations 14.260, 14.270, & 14.280)

The Board is committed to completing the evaluation and rendering a decision on a request for approval of new associated equipment application within 20 days of receipt of a complete application when a field test or physical inspection is not required. When a field test or physical inspection is required, the Board is committed to completing the evaluation and rendering a decision on a request for approval of the new associated equipment within 60 calendar days of receipt of a complete application.

Applications for the approval of associated equipment will be processed according to the following guidelines:

1. Applications are to be submitted in accordance with NGC Regulation 14.260.
2. The Technology Division will review a submitted application for compliance with NGC Regulation 14.260 and notify the manufacturer within 5 days of initial submission regarding any specific deficiencies with the application.
 - a. Upon notification, the application will be placed in abeyance status until the manufacturer corrects all identified application deficiencies.
 - b. If the Technology Division does not notify the manufacturer of any application deficiencies within 5 days, the application will be considered complete.
3. If the Technology Division intends to perform a physical inspection of the new associated equipment, it will direct such inspection and identify with specificity the reason(s) for such inspection within 5 days of a complete application.
 - a. Upon notification of a physical inspection, the application will be placed in abeyance status until the manufacturer delivers to the Technology Division, installs, and properly configures the new associated equipment to be evaluated.

- b. The Technology Division will complete its inspection and notify the manufacturer of any identified deficiencies within 20 days of delivery, installation, and configuration of the new associated equipment.
 - c. Upon notification, the application will be placed in abeyance status until the manufacturer corrects all identified deficiencies.
 4. The Technology Division will notify the manufacturer within 5 days of a complete application if a field test will be allowed or required.
 - a. The notification will include a description of the field test requirements and a non-binding good faith estimate of the number of transactions that must be observed during the field test evaluation period.
 - b. The Technology Division will provide field test period authorization within 10 days of a complete application when a field test is required and no physical inspection is required. In the event a physical inspection is conducted, the Technology Division will provide field test period authorization within 10 days of the manufacturer remedying all deficiencies identified in the inspection to the Technology Division's satisfaction.
 - c. To facilitate a timely start, field test period procedures may be provided after the start of the field test.

III. Approval to Modify Gaming Devices and Associated Equipment

(NGC Regulations 14.110, 14.130, 14.140, 14,270, 14.280, & 14.300)

The Board is committed to completing the evaluation and rendering a decision on a request for approval of an application for a modification to a gaming device within 5 days, and a modification to associated equipment within 10 days, of receipt of a complete application when a field test or physical inspection is not required. When a field test or physical inspection is required, the Board is committed to completing the evaluation and rendering a decision on a request for approval of the modification within 60 calendar days of receipt of a complete application.

Applications for the approval of a modification to associated equipment or a gaming device or will be processed according to the following guidelines:

1. Applications are to be submitted in accordance with NGC Regulation 14.110 for a modification to a gaming device.
2. Applications are to be submitted in accordance with NGC Regulation 14.300 for a modification to associated equipment.
3. The Technology Division will review a submitted application for compliance with NGC Regulation 14.110 or NGC Regulation 14.260, as applicable, and notify the manufacturer within 5 days of initial submission of the specific deficiencies with the application.

- a. Upon notification, the application will be placed in abeyance status until the manufacturer corrects all identified application deficiencies.
 - b. If the Technology Division does not notify the manufacturer of any application deficiencies within 5 days, the application will be considered complete.
4. If the Technology Division intends to perform a physical inspection of the modified associated equipment or gaming device, the Technology Division will direct such inspection and identify with specificity the reason(s) for such inspection within 5 days of a complete application.
 - a. Upon notification of a physical inspection, the application will be placed in abeyance status until the manufacturer delivers to the Technology Division, installs, and properly configures the associated equipment or gaming device to be evaluated.
 - b. The Technology Division will complete its inspection and notify the manufacturer of any identified deficiencies within 20 days of delivery, installation, and configuration of the associated equipment or gaming device.
 - c. Upon notification, the application will be placed in abeyance status until the manufacturer corrects all identified deficiencies.
5. The Technology Division will notify the manufacturer within 5 days of a complete application if a field test will be allowed or required.
 - a. The field test will be conducted in accordance with Regulation 14.280.
 - b. The notification will include a description of the field test requirements and a non-binding good faith estimate of the number of transactions that must be observed during the field test evaluation period.
 - c. The Technology Division will provide field test period authorization within 10 days of a complete application when a field test is required and a physical inspection is not necessary.
 - d. In the event a physical inspection is conducted, the Technology Division will provide field test period authorization within 10 days of the manufacturer remedying all deficiencies identified during the inspection to the Technology Division's satisfaction.
 - e. To facilitate a timely start, field test period procedures may be provided after the start of the field test.

IV. Field Test of Gaming Devices and Associated Equipment

(NGC Regulations 14.080, 14.130, & 14.280)

The Board will process the field test of new and modified gaming devices and associated equipment using the following guidelines. These guidelines do not apply to a field test

conducted under the New Innovation Beta initiative. See Industry Notice #2023-65 for more information on gaming device field tests.

1. The field test of a gaming device will be conducted in accordance with NGC Regulation 14.080 or 14.130, as applicable.
2. The field test of associated equipment will be conducted in accordance with NGC Regulation 14.280.
3. The Technology Division will notify the manufacturer within 5 days of a complete application if a field test will be allowed or required.
 - a. The notification will include a description of the field test requirements and a non-binding good faith estimate of the number of transactions that must be observed during the field test evaluation period.
 - b. The Technology Division will provide field test period authorization within 10 days of the later of either: (i) a complete application; or (ii) the date upon which the manufacturer corrected to the Technology Division's satisfaction any deficiencies identified in the event a physical inspection of the associated equipment or gaming device was necessary.
 - c. To facilitate a timely start, field test period procedures may be provided after the start of the field test.
4. The manufacturer must commence the field test period within 90 calendar days of receipt of the authorization or the test period authorization will be revoked and the application will be placed in abeyance status until the manufacturer identifies a field test period start date.
5. The field test evaluation period will be for a period of 30 calendar days unless an alternate number of days has been ordered by the Board Chair or the Technology Division.
6. The field test evaluation period will begin upon: (i) the installation and public offering of all associated equipment or gaming devices participating in the field test at the licensed gaming establishment(s) participating in the field test; and (ii) the commencement of the field test evaluation procedures.
7. The Technology Division will notify the manufacturer of any deficiencies observed during the field test evaluation period as those deficiencies are identified.
 - a. The manufacturer is expected to address deficiencies in a reasonable period of time, not to exceed 30 calendar days from the date of notification.
 - b. If a deficiency is not cured and the corrective action deployed to the participating gaming devices or associated equipment within 30 calendar days of notification: (i) the test period may be terminated; (ii) the associated equipment or gaming device under test may be required to be removed from operation; and (iii) and the

application for approval may be processed with a recommendation for disapproval in the case of a new gaming device or disapproved in the case of new associated equipment, a modification to associated equipment, or a modification to a gaming device.

- c. The length of time necessary to resolve a deficiency and deploy the corrective action will extend the field test evaluation period.
8. A field test will be considered successfully completed when:
- a. All deficiencies have been cured to the satisfaction of the Technology Division;
 - b. The estimated number of transactions have been observed;
 - c. The associated equipment or gaming device has demonstrated compliance with applicable statutes, regulations, technical standards, minimum internal controls standards, and field test order terms and conditions for 30 calendar days, or an alternate number of days as determined by the Board Chair or Technology Division;
 - d. The manufacturer and all participating licensees provide to the Technology Division evidence that all test period procedures have been completed; and
 - e. The manufacturer submits to the Technology Division the final ITL certification evidencing the final versions of the associated equipment or gaming device hardware and software in use at the conclusion of the field test to include the SHA1 signatures of all regulated software components. The final ITL certification must be provided within 10 days after concluding the field test evaluation period or: (i) the test period may be terminated; (ii) the new gaming devices or associated equipment under test may be required to be removed from operation; and (iii) the application for approval may be processed with a recommendation for disapproval in the case of a new gaming device or disapproved in the case of associated equipment, a modification to associated equipment, or a modification to a gaming device.

V. Meet and Confer

The manufacturer may submit to the Board Chair a request for a meet and confer session when the manufacturer concludes that either:

- a. A directive of the Technology Division to perform a physical inspection or field test of a gaming device or associate equipment is unnecessary or duplicative given the ITL certification submitted with the application; or
- b. A finding of a deficiency by the Technology Division related to an application or other submission made in accordance with these guidelines is not supported by good cause.

A request for a meet and confer session may be submitted at any time during the period prescribed for action by the manufacturer under these guidelines, and is initiated by delivering to the Board Chair and the Chief of the Technology Division a written request for a meet and confer session. Such written request must provide a short and plain statement of the manufacturer's objections that must not exceed 500 words in length, preferably on a single page when printed.

The Technology Division must deliver a written response to the manufacturer and the Board Chair within 3 days of receipt of the manufacturer's written objections. Such response must provide a short and plain statement of the Technology Division's justification for the action(s) to which the manufacturer has objected that must not exceed 500 words in length, preferably on a single page when printed.

On or before the tenth (10th) day after the date on which the manufacturer submitted the meet and confer request, the Board Chair will convene the meet and confer session which may be conducted in-person, telephonically, or by video conferencing technology.

A representative of the manufacturer and the Technology Division must attend the meet and confer session.

At the meet and confer session, the Board Chair will attempt to resolve the objection or objections by the manufacturer considering the positions of each of the manufacturer and the Technology Division, the content of any ITL certification and by applying a risk-based assessment of the need for the inspection, field test or deficiency correction sought by the Technology Division.

The Board Chair will render a decision, preferably during, and no later than the second day following the meet and confer session. The Board Chair is permitted to have ex parte communication with the manufacturer and the Technology Division regarding the matter. The decision of the Board Chair shall be in writing, but may be informal and need not include findings of facts or conclusions of law. Furthermore, the Board Chair's decision is not an administrative approval action for the purposes of or subject to review under NGC Regulations 4.185 through 4.195.

Please direct questions to Technology Division Deputy Chief John Lastusky at (702) 486-2043 or jlustusky@gcb.nv.gov or Technology Division Chief Jim Barbee at (702) 486-2240 or jbarbee@gcb.nv.gov.