

## **NYCRR Title 9, Executive**

### **Subtitle T**

### **New York State Gaming Commission**

#### **Chapter I**

#### **Division of Horse Racing and Pari-Mutuel Wagering**

#### **Subchapter E**

#### **Totalisator Systems**

#### **Part**

#### **4300 General Provisions**

#### **PART 4300**

#### **Totalisator Systems**

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### **§ 4300.1. Definitions and general provisions.**

(a) The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) *ASCII formatted flat file* means a data file containing structured data that is both record and field delimited containing only characters found in the American Standard Code for Information Interchange (ASCII) specification.

(2) *Authorized pari-mutuel wagering entity* means a corporation or association that is duly licensed by the commission or holds a franchise to conduct pari-mutuel wagering and simulcasting activity.

(3) *Betting interest* means a single wagering opportunity or a group of wagering opportunities coupled pursuant to the rules that the totalisator system designates as an interest on which a patron may wager.

(4) *Commission* means the New York State Gaming Commission.

(5) *Downlink* means the portion and process of the communications link used to transmit simulcast signals from a satellite or other platform to the earth-based station. For purposes of this Chapter, the term downlink also includes the equipment utilized in the process.

(6) *Export simulcast* means a race simulcast from a racetrack facility.

(7) *Firmware* means the system software permanently stored in a computer's or ticket issuing machine's read-only memory or elsewhere in the circuitry that cannot be modified by the user.

(8) *Guest site* means a facility at which a simulcast race is received and offered for wagering purposes.

- (9) *Host racetrack* means a racetrack at which a race is conducted and simulcast for wagering purposes.
- (10) *Import simulcast* means a simulcast race received at a guest site.
- (11) *Intelligent terminal* means a terminal or peripheral device that contains code extending beyond that which is necessary to allow the terminal to communicate with the central controlling device to which it is directly attached or to control the presentation of data on the display unit of the device.
- (12) *Log* means an itemized list of each command, inquiry, or transaction given to a computer during operation or written record maintained pursuant to these rules.
- (13) *Major revision* means a specific release of a hardware or software product, including additional functionality, major user interface revisions, or other program changes that significantly alter the basic function of the application.
- (14) *Minor revision* means an incrementally improved version of hardware or software, usually representing an error (bug) fix, or a minor improvement in program performance that does not alter basic functionality.
- (15) *Multi-leg wager* means a wagering pool that involves more than one race.
- (16) *Official* means a representative(s) of the commission.
- (17) *Remote site* means an authorized location at which wagering is occurring that is linked via the totalisator system to a racetrack facility for pari-mutuel wagering purposes.
- (18) *Report* means a summary of wagering activity or a written record prepared pursuant to these rules.
- (19) *Simulcast* means the telecast of live audio and visual signals of thoroughbred, harness or quarter horse races for the purposes of pari-mutuel wagering.
- (20) *Totalisator system* means a computer system that registers and computes the wagering and payoffs in pari-mutuel wagering.
- (21) *Totalisator system failure* means a state of affairs in which the tote system cannot receive, transmit or process wagers or wagering information.
- (22) *Totalisator operator* means the individual assigned to operate the totalisator system at an authorized facility.

(23) *Tote board* means a display in public view of wagering activity required pursuant to statute and rule that lists all single wagering opportunities or a group of wagering opportunities coupled pursuant to the rules.

(24) *Tote-to-tote network* means a wagering network in which each wagering location has a central processing unit.

(25) *Unusual occurrence* means any deviation from expected operations.

(26) *Uplink* means the portion and process of the communications link used to transmit simulcast signals from an earth-based station to a satellite or other platform. For purposes of this Chapter, the term uplink also includes the equipment utilized in the process.

(27) *User* means a totalisator company employee authorized to use the totalisator system in the normal course of business.

(28) *Wagering device* means a device enabling the placing of wagers.

(29) *Wagering device-to-tote network* means a wagering network consisting of a single central processing unit and the wagering devices at any number of remote sites.

(b) A reference in this chapter to the mutuel manager includes the mutuel manager's designee.

(c) A request required to be made in writing under this chapter may be transmitted via hand delivery, e-mail, facsimile, courier service, or U.S. mail.

### **§ 4300.2. Conduct of wagering.**

(a) An authorized pari-mutuel wagering entity shall conduct pari-mutuel wagering in accordance with the New York State Racing, Pari-Mutuel Wagering and Breeding Law and the rules of the commission.

(b) In conducting pari-mutuel wagering, an authorized pari-mutuel wagering entity shall use a totalisator system that:

(1) meets the requirements outlined in Subchapter E of this Chapter; and

(2) is approved by the commission and the New York State Department of Tax and Finance.

### **§ 4300.3. Cooperation with officials.**

If the commission determines a certain cashed or canceled ticket, cashed or canceled voucher, computer printout, mutuel report, or other totalisator or mutuel record is needed

to perform the official's regulatory duties, the official shall request the item from the mutuel manager and/or totalisator company representative. Upon receipt of a request under this section, the mutuel manager and/or totalisator company representative shall make the information available to the official no later than the deadline established by the official or provisions in this Subchapter.

#### **§ 4300.4. System failure.**

(a) During a live racing program, if the totalisator system is unable to record wagers received or to guarantee the integrity of the pari-mutuel pools, the totalisator operator shall verbally notify the authorized pari-mutuel wagering entity's mutuel manager. The totalisator operator shall state whether the problem can be corrected and if so, the estimated time needed to correct the problem. The mutuel manager must promptly notify the stewards or racing judges.

(b) If the totalisator operator determines that the problem cannot be corrected before the scheduled end of the racing program, the operator shall verbally notify the mutuel manager. The mutuel manager must promptly notify the stewards or racing judges of that determination.

(c) The stewards or racing judges, after consulting with the authorized pari-mutuel wagering entity and after considering the amount of purses and wagers involved and the time required to repair the totalisator system, may permit any of the remaining races in the program to be run as exhibitions without wagering. If a race is run as an exhibition under this subsection, the authorized pari-mutuel wagering entity shall pay the purses in accordance with the rules.

(d) If the totalisator at the authorized pari-mutuel wagering entity loses communication with one or more sites the totalisator operator shall make an assessment to determine if communication can be reestablished before the start and/or end of the race(s). If the totalisator operator determines communication may not be re-established within these time frames then the totalisator operator must ensure that stop betting has occurred at the start of the race and immediately notify the tote manager and stewards or racing judges. For New York State races, the commission or duly appointed representative(s) shall make a determination of whether to keep the wagering pools open until communication with the affected site(s) can be reestablished.

#### **§ 4300.5. Access to magnetic media.**

(a) An authorized pari-mutuel wagering entity shall submit a storage plan for all magnetic media storing computer logs to the commission for approval. This plan must include sufficient information for the commission to determine that the information will remain secure, including:

- (1) sufficient space for the totalisator vendor to store all magnetic media; and

(2) a storage cabinet that will protect the media from damage.

(b) An authorized pari-mutuel wagering entity shall include in its security plans a means by which access to the magnetic media is restricted.

(c) All such magnetic media shall be stored at least three years after the end of the calendar year or unless otherwise released by the commission.

**§ 4300.6. License to provide totalisator services.**

(a) A totalisator company must be licensed annually by the commission as a vendor to provide totalisator services to an authorized pari-mutuel wagering entity in New York. Each application must be accompanied by a nonrefundable application fee in the amount of \$500. In addition, the totalisator company shall pay the costs of the background investigation performed by the commission or the commission's designee. The commission may estimate these costs and require a deposit to be paid by the applicant in advance as a condition precedent to beginning or continuing an investigation. The license application shall be made on a form prescribed by the commission and must include at a minimum:

(1) a copy of a written contract to provide a totalisator system to authorized pari-mutuel wagering entities;

(2) lists of all officers, directors and shareholders / owners.

(3) a list of all totalisator personnel assigned to work in New York, or on behalf of an authorized pari-mutuel wagering entity operating in New York, as described in section 4300.27 of this Part (relating to Personnel Requirements);

(4) an affidavit stating that the totalisator company and its employees will comply with the rules regarding totalisator operations;

(5) information of sufficient detail for the commission to determine that the totalisator company is in compliance with sections 4300.22 through 4300.37 of this Part; and

(6) policies and procedures to ensure their employees, officers and directors are licensed in accordance with commission rules.

(b) No contract between the totalisator company and an authorized pari-mutuel wagering entity can be implemented without commission approval.

(c) The totalisator company shall submit yearly a Type II, SAS 70 report, or other report approved by the commission, that demonstrates the totalisator company's compliance with the tote standards.



(d) The application may be denied if the applicant has failed or refuses to pay all application and investigative fees and costs.

(e) In considering an application for a license, the application shall be reviewed and licenses shall be issued in accordance with the standards set forth in Racing, Pari-Mutuel Wagering and Breeding Law Section 307(5)(a) and (b), which standards shall be applicable to the applicant entity as well as to the enumerated categories of individuals and entities set forth. Pending final determination of any question, the commission may issue a temporary license upon such terms and conditions as it may deem necessary, desirable or proper to effectuate the provisions of the Racing, Pari-Mutuel Wagering and Breeding Law and these rules. A denial of or refusal to issue a license shall be subject to adjudication, in accordance with the provisions of Section 321 of the Racing, Pari-Mutuel Wagering and Breeding Law and the provisions of Part 4550 of this Chapter.

#### **§ 4300.7. License to provide other services.**

(a) A company providing uplink, downlink, simulcast and the gathering and dissemination of wagering information must be licensed annually by the commission as a vendor to provide totalisator services to an authorized pari-mutuel wagering entity in New York. Each application must be accompanied by a nonrefundable application fee in the amount of \$500. In addition, the company shall pay the costs of the background investigation performed by the commission or its designee. The commission may estimate these costs and require a deposit to be paid by the applicant in advance as a condition precedent to beginning or continuing an investigation. The license application shall be made on a form prescribed by the commission and must include at a minimum:

- (1) a copy of the written contract to provide services to authorized pari-mutuel wagering entities or totalisator companies, as the case may be;
- (2) lists of all officers, directors and shareholders;
- (3) a list of all personnel assigned to work in New York, or on behalf of an authorized pari-mutuel wagering entity operating in New York, as described in section 4300.27 of this Part (relating to Personnel Requirements);
- (4) an affidavit stating that the company and its employees will comply with the rules regarding totalisator operations;
- (5) information of sufficient detail for the commission to determine that the company is in compliance with this Subchapter;
- (6) policies and procedures to ensure their employees, officers and directors are licensed in accordance with commission rules; and
- (7) any other information that may be required.



(b) No contract between the company and an authorized pari-mutuel wagering entity or totalisator company can be implemented prior to the commission's approval.

(c) The application may be denied if the applicant has failed or refuses to pay all application and investigative fees and costs.

(d) In considering an application for a license, the application shall be reviewed and licenses shall be issued in accordance with the standards set forth in Racing, Pari-Mutuel Wagering and Breeding Law Section 307(5)(a) and (b), which standards shall be applicable to the applicant entity as well as to the enumerated categories of individuals and entities set forth. Pending final determination of any question, the commission may issue a temporary license upon such terms and conditions as it may deem necessary, desirable or proper to effectuate the provisions of the Racing, Pari-Mutuel Wagering and Breeding Law and these rules. The refusal to issue a license shall be subject to appeal in accordance with the provisions of Section 321 of the Racing, Pari-Mutuel Wagering and Breeding Law.

**§ 4300.8. [Reserved]**

**§ 4300.9. Wagering explanations.**

(a) An authorized pari-mutuel wagering entity shall include the following information in the official live programs and simulcast programs and post in conspicuous places on authorized pari-mutuel wagering entity grounds:

- (1) a general explanation of pari-mutuel wagering;
- (2) an explanation of each type of pari-mutuel wagering pool offered; and
- (3) the expiration date of mutuel tickets.

(b) Wagering explanations must be approved by the commission before publication.

**§ 4300.10. Wagering information.**

(a) An authorized pari-mutuel wagering entity shall provide accurate wagering information to the pari-mutuel patrons for handicapping purposes.

(b) If wagering information is inaccurate for a live or simulcast race and the error is discovered before wagering has opened on the race, the mutuel manager shall:

- (1) notify the stewards or racing judges of the host track of the error; and
- (2) not open wagering on the race until the correct information is obtained and verified.



**§ 4300.11. Posting of race results.**

(a) An authorized pari-mutuel wagering entity shall submit to the commission for approval a plan for providing live and simulcast race results to the wagering public. The plan must include:

- (1) methods by which the results will be provided;
- (2) types of results to be provided; and
- (3) the retention period for public availability of race results.

**§ 4300.12. Pari-mutuel tickets.**

(a) Each pari-mutuel ticket issued must have printed, using alpha-numeric characters, on its face:

- (1) the name of the authorized pari-mutuel wagering entity where the wager was placed;
- (2) the name of the authorized pari-mutuel wagering entity where the race was conducted;
- (3) the number of the race;
- (4) the unique computer-generated ticket number;
- (5) the date and time the ticket was issued;
- (6) the date of the race or performance number for which the ticket was issued;
- (7) the number of the wagering device;
- (8) the type of pool;
- (9) the number of each entry or range of entries on which the wager was placed;
- (10) the dollar amount of the wager; and
- (11) the total amount of the wager.

(b) For account wagers or any other wager with no paper or printed ticket the totalisator system shall create and maintain a record of the information found in subdivision (a) of this section. For those paperless transactions that are identified with a specific user identification, the totalisator system shall create and maintain a record of the history of all transactions associated with each specified user.

### **§ 4300.13. Vouchers.**

(a) Each voucher issued, except special promotional vouchers as approved by the commission, must have printed on its face:

- (1) the name of the authorized pari-mutuel wagering entity where the voucher was issued;
- (2) the unique computer-generated voucher number;
- (3) the date and time the voucher was issued;
- (4) the number of the ticket-issuing machine; and
- (5) the dollar amount of the voucher.

### **§ 4300.14. Expiration date of pari-mutuel tickets.**

(a) All winning pari-mutuel tickets must be presented for payment or refund before April 1 of the year following the year of their purchase; and failure to present any such ticket within the prescribed period of time shall constitute a waiver of the right to payment.

(b) The totalisator company shall cause the substance of this rule to be imprinted upon each pari-mutuel ticket in words approved by the commission.

### **§ 4300.15. Refusal to cash.**

(a) An authorized pari-mutuel wagering entity shall refuse to cash a pari-mutuel ticket if the authorized pari-mutuel wagering entity determines the ticket has been:

- (1) issued after the stop betting command was issued; or
- (2) directed by the New York State Department of Taxation and Finance or the commission.

### **§ 4300.16. Claim for payment.**

(a) An authorized pari-mutuel wagering entity shall accept a claim for payment if the authorized pari-mutuel wagering entity has withheld payment or has refused to cash a pari-mutuel ticket presented for payment. The claim must be made on a form prescribed by the authorized pari-mutuel wagering entity. The original of the claim shall be promptly forwarded to the New York State Department of Taxation and Finance.

(b) If a claim is made for payment of a mutilated ticket that does not contain the information required under section 4300.12 of this Part (relating to pari-mutuel tickets), the authorized pari-mutuel wagering entity shall make a recommendation to accompany

the claim forwarded to the New York State Department of Taxation and Finance. The recommendation must state whether or not the mutilated ticket has sufficient elements to be positively identified as a winning ticket.

(c) If a claim is made for the payment of a pari-mutuel ticket, the New York State Department of Taxation and Finance shall investigate the claim and may:

- (1) order the authorized pari-mutuel wagering entity to pay the claim;
- (2) deny the claim; or
- (3) enter any other order it determines appropriate.

(d) No claim for a lost or destroyed pari-mutuel ticket shall be accepted. No claim for payment shall be accepted unless accompanied by a ticket.

**§ 4300.17. Cashed pari-mutuel tickets and vouchers.**

(a) An authorized pari-mutuel wagering entity shall maintain facilities and use procedures that ensure the security of cashed tickets and vouchers and the integrity of records of outstanding tickets and vouchers. The authorized pari-mutuel wagering entity shall store cashed tickets and vouchers in a secure area.

(b) The authorized pari-mutuel wagering entity shall prohibit unauthorized individuals from having access to the cashed tickets and vouchers and related storage areas. A list of authorized individuals shall be filed with the commission.

**§ 4300.18. Altering cashed pari-mutuel tickets and cashed vouchers.**

An authorized pari-mutuel wagering entity shall ensure that each cashed or refunded mutuel ticket and cashed voucher is branded or marked in a manner that indicates the mutuel ticket or voucher has been cashed or refunded, but does not destroy the identity of the ticket or voucher.

**§ 4300.19. Cashing outstanding pari-mutuel tickets.**

(a) For purposes of this section, an outstanding pari-mutuel ticket is one that was purchased for a race held at least 10 days before the date the ticket is presented for payment and has a value of \$300 or more.

(b) An authorized pari-mutuel wagering entity shall designate no more than one pari-mutuel ticket window at a mutuel bay where an outstanding pari-mutuel ticket may be cashed. If the authorized pari-mutuel wagering entity needs more than one window, the authorized pari-mutuel wagering entity must submit a written request for approval from the commission for additional windows.



(c) The authorized pari-mutuel wagering entity may not permit an outstanding pari-mutuel ticket to be cashed at a ticket window other than a designated window.

(d) The authorized pari-mutuel wagering entity shall obtain name, address and date of birth of the individual cashing an outstanding ticket.

(e) At the end of each race day, the mutuel manager shall make available upon request to the commission:

(1) a list of the outstanding pari-mutuel tickets that were cashed on the previous race day;

(2) each outstanding pari-mutuel ticket or a photostatic copy of each outstanding pari-mutuel ticket cashed on the previous race day; and

(3) the information required in subdivision (d) of this section.

(f) Pari-mutuel tickets may be cashed via mail provided the information in subdivision (d) of this section is submitted to and maintained by the authorized pari-mutuel wagering entity.

#### **§ 4300.20. Cancellation of wagers.**

(a) A totalisator system must have the ability to restrict cancellations of tickets and vouchers electronically or by some other method at selected wagering devices in accordance with procedures prescribed by the commission.

(b) A totalisator system shall not permit the cancellation of a pari-mutuel ticket after the start of the race for which the pari-mutuel ticket was issued.

#### **§ 4300.21. Teller's records.**

On a daily basis each authorized pari-mutuel wagering entity shall retain and account for each pari-mutuel teller all pari-mutuel tickets or vouchers cashed, refunded or canceled and all draws and returns by the teller. Each authorized pari-mutuel wagering entity shall then retain these records at least three years after the end of the calendar year or until such time as released by the commission.

#### **§ 4300.22. Purpose.**

The commission adopts these rules for totalisator companies to ensure all totalisator operations are adequate to maintain the integrity of pari-mutuel wagering.

**§ 4300.23. Facility requirements.**

(a) *Totalisator Room.* An authorized pari-mutuel wagering entity shall provide a totalisator room to house the main computing and communications equipment and the operator's terminal at the authorized pari-mutuel wagering entity's facility. The room must include:

- (1) air conditioning with humidity control to maintain a stable environment that meets the specifications of the computer equipment manufacturer;
- (2) a master power switch that allows all or part of the equipment housed in the room to be turned off in an emergency;
- (3) a smoke/fire alarm system that sounds locally and is tied into the authorized pari-mutuel wagering entity's master alarm system;
- (4) fire extinguishers to deal with minor electrical fires;
- (5) a communication system connecting the totalisator operator with:
  - (i) the stewards or racing judges (for racetracks only);
  - (ii) the mutuel manager;
  - (iii) each betting line; and
  - (iv) the commission's office;
- (6) a dedicated line for communication with supervisors, programmers, or totalisator personnel at other sites; and
- (7) fire resistant, locking storage cabinets to hold removable data storage devices and documents necessary for operating the system.

(b) *Totalisator Room at a Central Processing Location.* An authorized pari-mutuel wagering entity may contract with a totalisator service that uses a central processing location off the authorized pari-mutuel wagering entity's grounds. The authorized pari-mutuel wagering entity shall:

- (1) provide an on-site totalisator room that satisfies the requirements in subdivision (a) of this section;
- (2) ensure the totalisator central processing location satisfies the requirements of this section; and
- (3) ensure the totalisator central processing location has a communications system connecting the central processing location operator with:

- (i) the totalisator operator at the authorized pari-mutuel wagering entity's facility;  
and
  - (ii) a private outside line for the communication with supervisors, programmers, or totalisator personnel at other sites.
- (c) If an authorized pari-mutuel wagering entity contracts with a totalisator service in accordance with subdivision (b) of this section, the requirements of subdivision (a) of this section shall be limited to the communications equipment and operators terminal, and any other equipment necessary to process transactions.
- (d) *Totalisator Room Security.*

(1) The totalisator room housing the computer processing unit (CPU) that processes wagers made at an authorized pari-mutuel wagering entity's facility must be secured at all times. Annually on a date established by the commission, the authorized pari-mutuel wagering entity shall submit to the commission for approval a security plan for the totalisator room housing the CPU that processes wagers made at the authorized pari-mutuel wagering entity's facility. The security plan must include:

- (i) a security system covering the totalisator room and any other related service room, electrical room, or equipment room that consists of locking closed doors and detecting unauthorized entry; and
- (ii) a system of controlled entry to the totalisator room and other related rooms, using:
  - (a) locking devices on all doors or entry points;
  - (b) control over distribution of keys or codes necessary to unlock the doors;
  - (c) a sign-in log for visitors escorted by authorized personnel; and
  - (d) a system that identifies and records each person entering and leaving the room.

#### **§ 4300.24. Hardware requirements.**

(a) *Cash/Sell System.*

(1) An authorized pari-mutuel wagering entity shall use a cash/sell totalisator system. The system must comply with these rules regardless of the location of the central processing unit for the system.

(2) A totalisator system must be a multi-computer or multi-processor system with varying degrees of independence in the transaction processing and system control



functions distributed among the computers. At least one computer shall be independent, sharing no loads or processing functions with the master computer. The computers must be configured so that if one computer actively tracking events fails, another computer will immediately take over all functions of the failed computer.

(3) The schematic chart, required pursuant to subdivision (b) of this section must be submitted to the commission at least two weeks before the scheduled date for system installation and testing.

(b) *Schematic Chart.*

(1) The totalisator company must provide to the commission an overview of the equipment in the totalisator systems in use at or by the New York facilities the company services. The overview must be a detailed schematic chart showing the interconnections of each piece of hardware.

(2) The chart must indicate, where appropriate, the part of the database each terminal can access as well as the amount and degree of access each terminal has to the application and operating system programs. User assignments must be determined by access, and the schematic chart must also reflect the usual and potential user types assigned to each terminal.

(3) If the totalisator company desires to change any component in the hardware layout, the company must revise the schematic chart and submit it to the commission within seven days of said changes.

(c) *Peripherals.* A totalisator system must include the following peripherals:

(1) a log printer for each computer if the system is unable to reproduce the logs upon request;

(2) a master control terminal(s) that allows the operator to execute routine maintenance and operational functions based on individual operator identification/authentication;

(3) user terminals that allow restricted system access to the stewards or racing judges allowing the order of finish to be input;

(4) wagering information screen displays that meet the requirements of section 4300.10 of this Part (relating to Wagering Information);

(5) data storage devices to record necessary system data; and

(6) backup devices capable of recording complete system information on removable media for storage and restoration.

(d) *Stop wagering devices.*

(1) The totalisator company shall install two separate devices that activate the stop wagering function of the totalisator system in a manner consistent with stop wagering procedures approved by the commission. This requirement is applicable only to a host racetrack.

(2) The primary device must be located near the stewards or racing judges, in a location approved by the commission, to issue the stop wagering command during normal operations and activate the “off bell.” This requirement is applicable only to a host racetrack.

(3) The secondary “back up” device must be installed in the totalisator room to allow the totalisator operator to issue the stop wagering command if a totalisator malfunction or human error prevents the totalisator system from activating the stop wagering function at the appropriate time.

(4) The totalisator company shall ensure that stop wagering occurs.

(5) The totalisator company, for good reason, may request from the commission additional or alternative stop wagering devices.

(e) *Tote Board.* The tote board must:

(1) update the odds on each betting interest in the win pool at intervals of not more than 60 seconds, or at intervals expressly directed by the commission, and

(2) allow the stewards or racing judges or a designee of the stewards or racing judges to post the order of finish, the official sign, inquiry sign, objection sign, or dead heat sign.

(f) *Uninterruptible Power Supply (UPS).*

(1) The computer system must be supported by an uninterruptible power supply (UPS) to allow for system shutdown if a power failure occurs. In a system shutdown, all wagering data in the computer at the time of the failure must remain intact and all race and end-of-day reports must be produced.

(2) The UPS must be able to supply even power to the totalisator system, within accepted limits, when a power surge or drop occurs.

(3) The alarm associated with the UPS must be readily recognizable by the totalisator operator from inside the totalisator room.

(g) *Wagering Devices.*

- (1) A local area network of wagering devices, also known as a cash/sell teller terminal, is not required to be intelligent, but must have an individual identity within the network.
- (2) The programming of intelligent local area and remote wagering devices must be limited to communication with the main computer, maintenance routines, and dynamic terminal configuration routines.
- (3) A program related to the production or verification of the wager identification number printed on a mutuel ticket or assigned by the main computer may not reside in a wagering device.
- (4) A wagering device may not access the wagering database except to conduct the wagering or cashing functions necessary for a teller to serve the public.
- (5) A wagering device may not be located in the totalisator room or in its immediate vicinity.

(h) *Maintenance.* A totalisator company shall provide preventative maintenance to a totalisator system to ensure the system hardware will provide a high degree of reliability. Maintenance must include, but is not limited to, physical cleaning of system components and peripherals and testing the UPS for battery life and power stability.

(i) *Common Pooling.*

- (1) An authorized pari-mutuel wagering entity shall use a totalisator system that operates in either a Tote-to-Tote network or a wagering device-to-Tote network. The totalisator system must, without regard to the location of the CPU:
  - (i) meet the requirements of this chapter;
  - (ii) comply with the rules;
  - (iii) use the inter-tote communication standard prescribed by the commission;  
and
  - (iv) use the current version of standardized track codes recognized by the Association of Racing Commissioners International ("ARCI") or other inter-tote communication standard prescribed by the commission.
- (2) An authorized pari-mutuel wagering entity may common pool if all equipment used is of an approved type and in an approved location.
- (3) The host racetrack for which a common pool is created must also provide a totalisator system that:

- (i) directs each totalisator system involved with the common pool regarding the pools offered, live and scratched betting interest, common pool totals, network odds and probable payout, start and stop wagering commands, official orders of finish, deduction and payout calculations; and
- (ii) produces reports showing the amount wagered on each betting interest and pool from each site, in accordance with the current inter-tote communication standard prescribed by the commission.

(4) A totalisator company must file with the commission the disaster recovery plan for the current operating year ensuring that the authorized pari-mutuel wagering entity it provides services to may continue to conduct pari-mutuel wagering within a reasonable period of time in the event of a disaster at the CPU's location.

(j) *Emergency Procedures.*

(1) The totalisator system must be supported by an uninterruptible power supply (UPS) as described in subdivision (f) of this section.

(2) A totalisator company must have emergency procedures to address a totalisator system failure. The procedures will apply whether the system is operating as a stand-alone wagering site for separate pool wagering or as a satellite in a common pool network.

(3) If a hardware problem occurs, the tote operator may make an emergency fix to the totalisator system. Immediately after the fix has been made to the totalisator system, the totalisator company shall file a written report with the commission that states:

- (i) the situation that caused the need for the fix; and
- (ii) the corrective changes the tote operator made.

(k) *Remote Access.* The totalisator company shall use a remote access server that records keystrokes for all users accessing the tote system.

(l) *Independent Monitoring System.* The totalisator company shall utilize an independent real time transaction monitoring system approved by the commission. This system is to provide information in a read only format. At a minimum the system shall:

- (1) Verify all transactions performed by the totalisator;
- (2) Provide access to the commission and the authorized pari-mutuel wagering entity for monitoring activity;
- (3) Notify the authorized pari-mutuel wagering entity's mutuel manager or duly appointed representative when the system detects a discrepancy in the totalisator

operation and/or with the independent monitoring system automatically. The mutuel manager shall determine the cause of the error and make any necessary repairs or adjustments pursuant to the rules and notify the commission immediately after each occurrence; and

(4) Perform other requirements deemed appropriate by the commission.

#### **§ 4300.25. Software requirements.**

(a) *General requirements.*

(1) The totalisator system program must be able to:

- (i) sell, calculate, and cash according to the pool profile, current rules, and number of races;
- (ii) produce the required reports and logs and other reports and logs the commission may prescribe;
- (iii) accept and store advanced wagers;
- (iv) network with the remote wagering sites;
- (v) offer simultaneous wagering cards;
- (vi) allow access to program functions and identification of each user based on the user IDs/passwords provided from the operating system or program login, in the case of administrative terminals, or by physical connection to the computer system, in the case of wagering devices;
- (vii) automatically maintain all carry-over data required for the next performance on a rotating basis, including system date and time, without operator intervention;
- (viii) be subject to modification only by authorized individuals holding specific user ID's that allow gateways to the operating system;
- (ix) document changes to programs, including who made the change and when the change was made (this log is to be made available to the commission upon request);
- (x) provide software or hardware restrictions that eliminate the capability of printing duplicate tickets;
- (xi) provide software or hardware restrictions that prevent invalid claims on unclaimed funds;



(xii) be able to detect abnormal system operation and the cause, such as a validation problem, communication difficulty, and computer downtime, and immediately notify the totalisator operator;

(xiii) generate within twenty-four hours data usable across two major revisions, and within all minor revisions or retrieve archived data reports as requested by the commission;

(xiv) contain a utility program that backs up the totalisator system and schedules these backups at regular intervals;

(xv) provide a utility/application that writes requested pari-mutuel wagering data on media readable by the commission. The totalisator company must also provide documentation about the structure of the data; and

(xvi) have the ability to close remote sites before post-time if the commission so determines.

(2) The operating system must be separated from the application program. The operating system must be based on identified individual users and maintain auditable records of those users.

(3) The totalisator company must upon request make available to the commission an inventory of all programs included in the system.

(4) A totalisator system must be able to produce a copy of all data necessary to recreate the wagering activity of any race performance that the commission requests.

(5) The totalisator company shall utilize a system that maintains an audio recording of all telephone wagering transactions and an independent record of all other paperless transactions for a period of at least 120 days.

(b) *Documentation.* Software documentation, using computer software industry accepted methods, must be available to the commission upon request and must provide at a minimum:

(1) documentation of modules/sections within the source code, detailing the function of the module/section, the definition of all variables used within the module/section, the source of all variables passed to the module, and the method of passing variables (i.e., passed by reference or by value).

(2) complete documentation of all program functions as seen by the end user of the program.

(3) complete inventory of all programs contained on the system, their purpose, the date and time of their last modification, and the size, in bytes, of each file.



(4) clarification of differences between major and minor revisions of the totalisator software. This clarification must include a complete history of all revisions, the intended reasons for and differences between major and minor revisions, the date of implementation, and a listing of the current revision number.

(5) any change in software requiring the assignment of either a new major or minor revision number.

(c) *Backup.* The totalisator system must be backed-up to removable media. Before beginning operations in this State, the totalisator company shall submit a backup procedure plan to the commission for approval and should include at a minimum:

(1) Full system backups made at weekly intervals. Full system backups must include all files contained on the totalisator system.

(2) Incremental system backups made at daily intervals. Incremental system backups must include all files that were changed since either the last full system or incremental backup.

(3) Backups stored at an off-site storage area in a disaster-resistant environment.

(d) *Changes to Totalisator Software.*

(1) All changes to the software on the central site computers, peripherals, or firmware changes downloaded to terminals may be subject to the approval of the commission and the New York State Department of Tax and Finance.

(2) The totalisator company is responsible to notify the commission and the New York State Department of Tax and Finance at least 30 days prior to any major revisions except as provided under paragraph (4) of this subdivision.

(3) A major revision to the software may not be initialized or operated during wagering until tested and approved by the commission and the New York State Department of Tax and Finance. The daily computer log must show:

- (i) when a change was loaded into the totalisator system;
- (ii) the time the work commenced and the time the work was completed; and
- (iii) when the old software was removed from the system.

(4) If a software problem occurs, the programmers may make an emergency fix to the totalisator software. Immediately after the fix has been made to the software, the totalisator company shall file a written report with the commission that states:

- (i) the situation that caused the need for the fix;

- (ii) the corrective changes the programmers made; and
- (iii) the new revision number.

**§ 4300.26. General management requirements.**

(a) *Programming.*

(1) A totalisator company shall develop and maintain written procedure manuals that outline structured programming methods used by the programmers. The manuals must give the programmers sufficient information to understand the programming methodologies, base operating systems, and maintenance procedures.

(2) The totalisator company shall develop and maintain a written Systems Development Life Cycle (SDLC) that requires sign-offs at pertinent checkpoints. The SDLC must address the following or the equivalent as acceptable to the commission:

- (i) a procedure for accepting written requests for systems design or major program changes from users and a method for handling and recording these requests;
- (ii) the feasibility study stage;
- (iii) the general systems design stage;
- (iv) detailed systems specification;
- (v) program testing;
- (vi) system testing;
- (vii) conversion; and
- (viii) systems acceptance by the totalisator company.

(3) A totalisator company must develop and follow procedures to manage all program changes without regard to the complexity of the modification. The procedures must at a minimum:

- (i) establish controls to prevent unauthorized and potentially inaccurate program changes from being incorporated into the production environment;
- (ii) regulate both scheduled and emergency changes to ensure the integrity of the computer system;



(iii) permit revisions of computer programs only after receiving a written or electronic request from a user, submitted on a sequentially numbered change request form, which is maintained;

(iv) require program changes to be developed, tested, and compiled only in a test environment that is not connected to an on-line totalisator network;

(v) require all program changes to be thoroughly tested, reviewed and approved by a totalisator company supervisor before being placed into operation; and

(vi) maintain a written or electronic log to be made available to the commission upon request when programmers have physical access to the totalisator room or electronic access to the operation environment.

(4) Before a totalisator company may place a major programming revision into production or transfer any data affected by the revision from the test environment to the production environment, the totalisator company must follow the procedures for Changes to Totalisator Software found in subdivision (d) of section 4300.25 of this Part.

(b) *Totalisator Operations.* A totalisator company shall maintain a written operations manual for each totalisator system. The manual must clarify the authority, duties, responsibilities, and lines of communication for totalisator operators and network managers. The manual must contain sufficient detail to ensure totalisator personnel understand their job duties. The operations manual must include complete documentation for operation of the totalisator system and its software, including at a minimum:

(1) the duties described in section 4300.27 of this Part (relating to Personnel Requirements);

(2) clearly defined restrictions for totalisator room access;

(3) general block diagrams of program options (menu tree) available to totalisator operators;

(4) a glossary of terms used in reports, including formulas for calculating the displayed results;

(5) the relationship, if any, between information contained in reports;

(6) start-up and shutdown procedures;

(7) general operating procedures;

(8) restart and recovery procedures; and

(9) emergency procedures, including a list of individuals to notify if a system requires an emergency revision.

### **§ 4300.27. Personnel requirements.**

#### *(a) General Requirements.*

(1) A totalisator company must provide necessary personnel to perform the duties described in the rules. The totalisator company shall employ a sufficient number of personnel to ensure an adequate segregation of duties between the personnel performing the network manager, programmer, totalisator operator, and technician duties. The totalisator company may use job titles different from those in the rules.

(2) All totalisator personnel and personnel working for entities referenced in section 4300.7 of this Part located in or outside of New York State assigned to work on totalisator operations for a licensed pari-mutuel wagering facility in New York State must be licensed by the commission. All officers and directors of the totalisator company and entities referenced in section 4300.7 of this Part must be licensed by the commission. The fee for each license shall be \$10.

(3) The totalisator company shall have procedures and documentation that show the verification of totalisator position applicants' experience and education as indicated on their job applications. The totalisator company must prescribe and maintain job descriptions containing the experience, education, and organization training requirements for each of the following totalisator positions:

- (i) network manager;
- (ii) programmer / software engineer;
- (iii) systems analyst;
- (iv) totalisator operator; and
- (v) technicians.

(4) The totalisator company must certify in writing annually that its personnel are properly trained to program, manage, operate, and maintain the totalisator system. The totalisator company must provide ongoing training to its personnel and document the training.

(5) The totalisator company is responsible for the actions of its personnel relating to the operations and use of the totalisator system. The totalisator company shall designate an individual to act as a point of contact for communications between the commission and the totalisator company.

(6) With each license application, a totalisator company must include a list of all certified totalisator personnel assigned to work on totalisator operations in New York. The list must indicate the position for which each person is qualified. If a new employee is assigned to work on totalisator operations in New York, the totalisator company must update the list of certified personnel and provide it to the commission and ensure that each employee is properly licensed.

(7) A totalisator company employee may not hold a position of programmer and totalisator operator simultaneously unless approved by the commission.

(8) A totalisator company employee is prohibited from wagering while on duty.

(9) The totalisator company shall have a policy of mandatory time away from the job for each totalisator personnel within each calendar year.

(b) *Network Manager.* A network manager shall:

(1) coordinate the totalisator company's totalisator systems operating in New York or at a specific site in New York;

(2) ensure each totalisator operator follows proper procedures when operating the totalisator system;

(3) determine the on-site and off-site storage locations for the back-up media;

(4) provide information and prepare any report requested by the authorized pari-mutuel wagering entity, the commission, or the New York State Department of Tax and Finance; and

(5) ensure a current list of personnel is maintained, all totalisator operators are qualified, and the appropriate pari-mutuel information is maintained within the operating system and application programs.

(c) *Totalisator operator.* A totalisator operator shall:

(1) maintain the communication links to the locations to and from which the authorized pari-mutuel wagering entity is simulcasting and ensure data is transmitted accurately;

(2) consult with the mutuel manager and the commission or duly appointed representative, if available, when a problem occurs in determining a pool or calculation and suggest alternatives for continued operation, including possible temporary restrictions on or suspension of the communication links;

(3) perform necessary daily performance testing, system initialization, monitoring of wagering operations, and system shutdown;

- (4) execute established procedures to shutdown system software and hardware in emergency situations including loss of communication between computers or peripheral devices, power surges or failures, operating with a partial system, and restarting the system during a performance;
- (5) perform necessary system maintenance;
- (6) perform daily back-ups as outlined in subdivision (c) of section 4300.24 of this Part (relating to Software Requirements);
- (7) ensure information is entered in the tote maintenance log detailing all repairs or modifications to the totalisator system;
- (8) provide to the commission an incident report of the incident detailing each unusual occurrence during totalisator system operations including a description of the probable cause of the occurrence and the corrective action taken;
- (9) maintain a copy of the incident report or enter information about each unusual occurrence in the system incident log; and
- (10) consult with the commission or duly appointed representative regarding any other operational issues encountered.

(d) *Technicians.* Technicians shall:

- (1) service and maintain the totalisator;
- (2) perform maintenance on wagering devices and the tote board; and
- (3) record in the Totalisator Maintenance Log all maintenance and repair activities performed.

(e) In the case of those individuals who participate at or in relation to a thoroughbred racetrack or off-track betting facility or office located in New York State, such applications shall be reviewed and licenses shall be issued in accordance with and subject to the provisions governing licenses for participants and employees in Article Two of the Racing, Pari-Mutuel Wagering and Breeding Law.

In the case of those individuals who participate at or in relation to a harness or quarterhorse racetrack located in New York State, such applications shall be reviewed and licenses shall be issued in accordance with and subject to the provisions governing licenses for participants and employees in Article Three of the Racing, Pari-Mutuel Wagering and Breeding Law.

(f) National Racing License. Interstate compact licenses in an applicable category shall be accepted according to the terms of Article XI of the Racing, Pari-Mutuel Wagering and



Breeding Law, and the state fee for the use of a compact license shall be waived where the background investigation for the issuance of that compact license was not performed by the commission.

**§ 4300.28. [Reserved]**

**§ 4300.29. Totalisator network.**

(a) Common pools must be merged and calculated at the site the totalisator company designates as the network-computing center. In a Tote-to-Tote network or at remote sites, the totalisator company providing totalisator services for the authorized pari-mutuel wagering entity must use the inter-tote communication protocol prescribed by the commission.

(b) A host racetrack shall not accept wagers transmitted by remote sites through a Tote-to-Tote-to-Tote network unless specifically required by law or regulation and approved by the commission.

**§ 4300.30. Data transmission protocols.**

(a) An authorized pari-mutuel wagering entity using a wagering device-to-Tote network may use whatever communications protocol it selects.

(b) A remote site is considered part of a Tote-to-Tote network and is subject to the requirements of section 4300.24 of this Part (relating to Hardware Requirements).

(c) If the failure to compile pools or payout winning prices is isolated to a remote site, the stopping of wagering or the manual cashing and accounting of tickets need only occur at the affected site. The relevant information must be transmitted between the CPU and the remote site through the established communication links or facsimile machine and must be verified. Such manual merges are prohibited unless required specifically by law or regulation and approved by the commission.

**§ 4300.31. General requirements.**

(a) *General Requirements.*

(1) A totalisator system must be able to produce hard copy reports and logs necessary to audit pari-mutuel activity and to recreate any given day of wagering in its entirety.

(2) A totalisator company shall retain the information needed to produce these reports and logs on storage devices for at least three years after the end of the calendar year, unless otherwise released by the commission.

(3) A totalisator company shall provide a report or log requested by the commission no later than 48 hours, unless required otherwise, after the totalisator company

receives the request. A printed report must have consecutively numbered pages. Each page of the report must be headed with:

- (i) the name of the racetrack;
- (ii) the date and time (in hours, minutes, and seconds) the report was produced;
- (iii) the performance number if applicable;
- (iv) the wagering site to which the report refers; and
- (v) the version of software in use.

**§ 4300.32. Pre-race reports.**

(a) Unless otherwise exempted by the commission, before starting wagering each day, the totalisator operator shall print at a minimum all of the following reports:

(1) System Initialization Report showing:

- (i) the date and time the system was initialized;
- (ii) the identity of the totalisator operator initializing the system; and
- (iii) the software version in use;

(2) Configuration Parameter Report showing:

- (i) the pools that may be offered as well as those are currently operational in the totalisator system;
- (ii) the display cycle frequency, pools, any minimum pool required, minimum wagers, and means of display of any approximate odds or will-pays produced;
- (iii) the minimum and maximum value of wagers for every pool that a wagering device may accept;
- (iv) which wagering devices are activated, including a listing of all terminal operational that session / day;
- (v) which remote sites may input into the totalisator system;
- (vi) the split percentages and payout parameters for each multi-leg pool offered;
- (vii) verification of all operational locking devices;



- (viii) the amount of delay between locking switch activation and actual stop betting or canceling;
- (ix) the canceling parameters for regular and supervisory wagering devices;
- (x) configurations placed on each wagering device;
- (xi) the method of breakage and rounding used in calculating the payout;
- (xii) takeout percentages for each host site and for the live races including takeout percentages for each association, state and other statutory takeouts used in price calculations; and
- (xiii) Federal tax withholding rates and parameters;

(3) Race Information Report showing for each live race and simulcast performance to be offered:

- (i) the pools to be opened, indicating totals starting at zero and totals starting with money from advance wagering;
- (ii) pool summaries of all advance wagering;
- (iii) money added;
- (iv) underpayments or money added due to carry-overs, miss pools or any other reason; and
- (v) the betting interest for each race, showing entries and scratches.

(4) Odds Report showing the opening line of odds for the win pool; and

(5) Wagering Device Report listing the teller's identity assigned to each wagering device for that session / day if applicable.

### **§ 4300.33. Race-by-race reports.**

(a) For each race offered, the totalisator system must be capable of printing the following reports and have them available for review by the mutuel manager and/or the commission:

- (1) Scratch Report showing the time each late scratch was entered into the totalisator system and the amount of money to be refunded in each pool;
- (2) Betting Report, produced immediately on activation of the stop betting command and final merge of wagering information from all sites showing:



(i) the amount wagered and to be refunded for each betting interest or combination in each pool offered, and the net amount for each pool to be used for calculating the payout;

(ii) the final dollar odds for the Win pool; and

(iii) time of stop betting and time of each pool transmission;

(3) Calculating Price Report, produced before each race is declared official, showing for each pool:

(i) the winning betting interests or combinations;

(ii) the winning monies;

(iii) the minimum payout prices;

(iv) the breakage;

(v) the amount paid to the public;

(vi) the total amount wagered;

(vii) the total amount refunded;

(viii) the amount added to the pool;

(ix) the actual pool total;

(x) the takeout in total dollars;

(4) Probable Payout Report showing the payouts for multiple and exotic pools, subject to scratches, cancellations and dead heats;

(5) Scan Report for multi-leg pools of four or more legs, showing:

(i) the total wagered in the pool;

(ii) the amounts of any carryover;

(iii) the winners of completed legs;

(iv) the amount of possible winning, based on paying the winner of completed legs combined with every betting interest entered in subsequent legs; and

(v) late scratches in each leg;



(6) Race Summary Report, produced before and after the race results are official, showing as the sum for all pools paid out in that race:

- (i) the amount wagered;
- (ii) the amount refunded;
- (iii) the net amount to be used for calculating the payout;
- (iv) any money added to the pool;
- (v) the actual pool total;
- (vi) the total commissions;
- (vii) the breakage;
- (viii) the amount paid to the public;
- (ix) the carryover balances; and
- (x) the liabilities (due to/due from);

(7) Daily Summary Report showing the cumulative totals, for each pool and for all pools combined, of the items listed under the Race Summary Report.

**§ 4300.34. End-of-day reports.**

(a) For each race offered, the totalisator system must be capable of printing the following reports and have them available for review by the mutuel manager, and/or the commission:

(1) Balance Report showing for every wagering device operated on that day including:

- (i) the teller's name or identification number, if applicable;
- (ii) the total value and number of tickets sold, canceled, and cashed, separating the outs from the current day's tickets;
- (iii) the total amount of money drawn from the money room, including the beginning draws;
- (iv) the total amount of money returned to the money room; and
- (v) a listing of adjustments made to each wagering device balance after each wagering device has been individually balanced;



(2) Wagering Summary Report showing:

- (i) by wagering site, the amount wagered, refunded, and added for every pool and for each race;
- (ii) the time of day each race's pools closed;
- (iii) the commissions deducted, breakage calculated, and amount paid out for every pool in each race;
- (iv) the total value of outstanding tickets before the pools were opened for the performance, the value of tickets cashed during the performance, the value of tickets to be added to the outstanding ticket total, and the new outstanding ticket total; and
- (v) the total value of outstanding vouchers before the pools were opened for the performance, the value of vouchers cashed during the performance, the value of vouchers to be added to the outstanding voucher total, and the new outstanding voucher total;

(3) System Balance Report comparing the pool and paid-out totals obtained by processing the transaction files with the pool and paid-out totals obtained from the actual calculations;

(4) Money Room Balance Report showing cash added and subtracted from the beginning day's balance resulting from the day's wagering and cashing transactions;

(5) IRS Report showing the winner's social security number, the ticket number, amount won, and taxes withheld for each transaction requiring a Form W2-G.

**§ 4300.35. Special reports.**

(a) A totalisator company shall produce any special report requested by the commission no later than 72 hours, unless otherwise directed, after receiving the request:

- (1) an Odds Progression Report showing each successive line of odds for the Win pool and the time it was displayed to the public;
- (2) a Ticket History Report showing the appropriate portion of the ticket history log for the requested ticket identification numbers;
- (3) a Terminal History Report showing the portion of the terminal log requested;
- (4) an Outstanding Ticket Report showing the following information for uncashed winning tickets retained in the totalisator system:

- (i) the ticket identification number;
  - (ii) the wagers on the ticket;
  - (iii) the date and performance for which the ticket is outstanding;
  - (iv) the value of the winning wagers; and
  - (v) the wagering device location and number;
- (5) an Outstanding Tickets Cashed Report, for a performance, race, or pool, showing each outstanding ticket cashed that day, in the form of the Outstanding Ticket Report, including the identity of the wagering device that cashed the ticket and an indication as to whether the ticket was cashed using a manual keyboard entry or an automatic machine read;
- (6) a Manually Cashed Tickets Report, for a performance, race, or pool, showing every ticket cashed that day in the form of the Ticket History Report, the identity of the wagering device that cashed the ticket, and an indication as to whether the ticket was cashed using a manual keyboard entry or an automatic machine read as well as a subtotal for each wagering device;
- (7) a Canceled Tickets Report, for a performance or race, showing each ticket canceled that day in the form of the Ticket History Report, the identity of the wagering device that cashed the ticket, and an indication as to whether the ticket was cashed using a manual keyboard entry or an automatic machine read as well as a subtotal for each wagering device;
- (8) a Network Balance Report summarizing the activity and liabilities for each site within a Tote-to-Tote network;
- (9) a Teller Inquiry Report showing the time of each cash balance inquiry made by each teller;
- (10) a Wagering Report required for multi-leg pools over four legs, showing the amount bet on every combination of the pool and total amount bet. This requirement is applicable only to a host racetrack;
- (11) An Account History Report showing all activity for each account.
- (12) Inter-Track Wagering Report for a card showing the separate or consolidated report for wagers made at participating tracks, including all money wagered on each runner or combination of runners in each pool for each race. Separate or consolidated reports for the host track and each satellite track and the combined totals are required and any additional reports, as determined by the commission;



(13) Ticket History Report and Terminal History Report, in the case of a wagering device to totalisator network failure, for specific location(s) and time period(s) in order to determine what wagers have been recorded in the totalisator from the remote site, including any advance bets; and

(14) Report listing time of each pool transmission by betting interest and type of wager.

(b) The totalisator system must be able to produce a special report that filters data by:

- (1) performance;
- (2) race;
- (3) pool;
- (4) betting interest;
- (5) wagering device;
- (6) sites; or
- (7) any combination of the indicia in this section.

**§ 4300.36. [Reserved]**

**§ 4300.37. Logs.**

(a) *On-Line Logs.* The totalisator operator shall provide a printed copy of a daily log to the commission on request. The totalisator system must produce at a minimum the following logs:

- (1) Teller/Machine History Log showing for every wagering device operated during a performance:
  - (i) each time the wagering device was opened and closed;
  - (ii) for each wagering transaction, the wagers made, pari-mutuel tickets issued, and total value of the transaction;
  - (iii) for each cashing, canceling, or refunding transaction, the identification numbers of the pari-mutuel tickets processed, the wagers paid out, and the value of the wagers paid out;
  - (iv) for each cashing transaction, an indication as to whether the pari-mutuel ticket was cashed using a manual keyboard entry or an automatic machine read;



- (v) the amount of each cash draw and return;
- (vi) any special function, including Teller Balance, accessed through the wagering device;
- (vii) the times of day each of the transactions listed in this subdivision were made; and
- (viii) pari-mutuel tickets include all paper and paperless tickets as defined in section 4300.12 of this Part.

(2) Ticket History Log showing for every pari-mutuel ticket issued:

- (i) the identification number of each cashed/canceled pari-mutuel ticket;
- (ii) the wagering device location and number;
- (iii) the wagers and their values;
- (iv) the cashing/canceling machine location and number;
- (v) the amount paid out;
- (vi) the time of day each transaction occurred;
- (vii) a designation that each transaction was manual or automatic; and
- (viii) pari-mutuel tickets include all paper and paperless tickets as defined in section 4300.12 of this Part.

(3) User Terminal Log showing the time of day of each entry for:

- (i) each terminal other than a wagering device operating during a day:
  - (a) each log-on/log-off and the operator's ID code;
  - (b) each command or transaction entered;
  - (c) each Stop Betting, Order of Finish, Official, and Sales Open command and the device that issued it;
  - (d) each occurrence of loss/restoration of communication between computers or sites; and
  - (e) each occurrence of discrepancy between computers or sites when comparing databases;

- (ii) each wagering device operated during a performance:
  - (a) each log-on/log-off and the teller's ID code, if applicable; and
  - (b) each instance of loss/restoration of communication and the wagering device;
- (4) System Error Log showing the date and time of each error;
- (5) System Journal Log, including date and time of each entry, including remote access, showing for every day the system is operated for wagering, maintenance or other purpose:
  - (i) System shutdown commands, the device from which they were issued, and the user ID of the individual issuing the commands;
  - (ii) The individual user ID used and the originating device for every attempt, successful or unsuccessful, to access the operating system;
  - (iii) The individual user ID used and the originating device for every attempt, successful or unsuccessful, to access the application programs;
  - (iv) All commands that affect the operating environments issued from the operating system command line;
  - (v) All commands issued from within the application program in an attempt to access the operating system; and
  - (vi) A listing of every operational or operating terminal during computer operation.
- (6) Account History Log showing for every account:
  - (i) the identification number of the account;
  - (ii) each time the account was accessed, the location and time of each access point;
  - (iii) for each wagering transaction, the amount, time, betting interest selected and type of wagers made, the wagering device used to make the wager, and total value of the transaction;
  - (iv) for each cashing, canceling, or refunding transaction, the identification numbers of the tickets processed, the wagers paid out, the location and time and the value of the wagers paid out; and
  - (v) for each withdraw and deposit the amount, the location and time.

(b) *Off-line Log*. In addition to the computer generated reports and logs, the totalisator personnel must maintain at a minimum the following logs for review by the commission or duly appointed representative:

(1) The totalisator operator must maintain a system incident log and make it available on request for review by the commission. The system incident log must include a description of each incident involving the totalisator system, including system failures, their causes, and corrective actions taken.

(2) Totalisator Room Access Log of all authorized persons entering and leaving the totalisator central computer room. This includes entries of date, time, and user ID of each person entering and leaving the room.

(3) Totalisator Maintenance Log of all maintenance work completed on wagering device and the main totalisator computers or printers showing:

- (i) The name of person performing the work;
- (ii) The date and time of day when the maintenance was performed; and
- (iii) The type of maintenance job(s) performed.