

**WAC 230-13-010 Approval of new amusement games.** (1) Operators may introduce new games that meet the standards of an authorized group 1 through 11 amusement game without approval of the director as long as they provide the director or his or her designee with a description of the game, the rules of play, and the group number of the game with an explanation of why that group was chosen at least sixty days before introducing the game.

The game cannot be introduced during this sixty day period unless approved sooner by us. The sixty day period stops when we request additional information.

(2) The following procedures apply to all group 12 amusement games. Games approved before the effective date of this rule must be submitted for testing, including the application and deposit, by May 1, 2016:

(a) An application and deposit must be submitted requesting approval of new group 12 amusement games and the applicant will provide all requested information;

(b) All amusement game equipment, programs, and games must be submitted for our review to verify compliance with chapter 9.46 RCW and Title 230 WAC.

(i) The equipment, programs, and/or games submitted must be fully functional/operational and capable of being tested once our review begins.

(ii) If the equipment is not fully functional/operational and ready for testing and review, we may require additional equipment or information before we start our review process.

(c) Amusement game equipment, programs, and games submitted for review must be identical to what will be marketed, distributed, and deployed in Washington;

(d) Group 12 amusement games must allow for a means of identifying and validating approved software that will demonstrate the authenticity of any software or game by a third-party verification program or tool;

(e) We will have sixty days to finish our review once your application is complete;

(f) We will notify you if we require additional information or if your equipment, program, or game malfunctions or is otherwise inoperable.

(i) You will have fourteen days to provide any additional information or correct any equipment, program, or game malfunction and the sixty day review period stops when this occurs. The review period will restart when we receive the requested additional information or when the problem is corrected. You will be responsible for any additional cost needed to review the additional information provided or review of any equipment, program, or game malfunction;

(ii) Review of your application may be terminated if you do not respond within fourteen days. You will be required to reapply under this rule if your application is terminated.

(g) You can only begin selling, leasing, distributing, or operating these amusement games once all entities or individuals are licensed under chapter 230-03 WAC and the amusement game equipment, program, and/or game(s) are approved by the director or director's designee;

(h) All licensed amusement games must operate as approved by the director or director's designee; and

(i) We may keep equipment, software, and/or games submitted for review to allow for continued testing and training as long as the

equipment remains in play in Washington. We are not liable for any damage to equipment while in our possession.

(3) If the director or director's designee notifies the operator that the proposed game does not meet the standards or otherwise violates the gambling laws or rules, the operator:

(a) May not introduce the game;

(b) If already introduced, must remove it from play until the operator brings it into compliance with the authorized group; and

(c) If you do not agree with the director or director's designee's decision, you may file a petition for declaratory order with the commission according to RCW 34.05.240 and chapter 230-17 WAC.

[Statutory Authority: RCW 9.46.070, 9.46.0201. WSR 16-08-033 (Order 718), § 230-13-010, filed 3/30/16, effective 4/30/16. Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-010, filed 7/16/07, effective 1/1/08.]