

CHAPTER 99-01.3-16 MANUFACTURERS

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99-01.3-16-01. License.

1. A manufacturer of deals of pull tabs, electronic deals of pull tabs, paper bingo cards, site systems with bingo card-marking devices, electronic quick shot bingo site operating systems with card-marking devices, pull tab dispensing devices, fifty-fifty raffle systems, electronic pull tab devices with operating systems, or any other person may not sell, lease, solicit business, or provide these items to a distributor without a license. If two or more manufacturers are affiliated, each manufacturer shall apply for a license. A license is not transferable. The annual licensing period is April first through March thirty-first. An application must include information prescribed by the attorney general. The license fee for a manufacturer of pull tabs, electronic pull tabs, bingo cards, site systems with bingo card-marking devices, electronic quick shot bingo site operating systems with card-marking devices, or electronic pull tab devices with operating systems, is four thousand dollars. The license fee for a manufacturer of only pull tab dispensing devices is one thousand dollars. The license fee for a manufacturer of a fifty-fifty raffle system is five hundred dollars. If a person manufactures pull tabs and paper bingo cards, or, pull tab dispensing devices and either pull tabs or paper bingo cards, or both, only one license fee is required.
2. In addition to the annual license fee of four thousand dollars, manufacturers of electronic pull tab devices with operating systems are required to procure, at its own cost, and submit to the attorney general, a bond payable to the state of North Dakota in the amount of two million dollars for the term of their manufacturer's license plus seven subsequent years thereafter, conditioned on their faithful performance as a licensee and their subsequent support of existing electronic pull tab devices in the state at the expiration or termination of their manufacturer's license. If the manufacturer fails to faithfully perform their duties as a licensed manufacturer or support existing electronic pull tab devices in the state at the expiration or termination of their manufacturer's license, the bond may be forfeited to the state of North Dakota.

History: Effective May 1, 1998; amended effective July 1, 2000; July 1, 2002; July 1, 2004; July 1, 2010; April 1, 2016; July 1, 2018.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1, 53-06.1-14

99-01.3-16-02. Background investigation and notification of complaint in another state.

1. The attorney general may conduct a background investigation of a manufacturer and request information on each partner of a partnership, and each stockholder owning ten percent or more of the outstanding voting common stock of a corporation, including the corporation's parent or subsidiary corporation, if any.
2. A manufacturer shall provide all documentation, assurances, consents, waivers, or other information requested by the attorney general.
3. If a manufacturer receives an administrative or criminal complaint or a citation from another state, it shall notify the attorney general in writing within thirty days of the date of the complaint or citation.

History: Effective May 1, 1998; amended effective October 1, 2006.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1, 53-06.1-06

99-01.3-16-03. Restrictions and requirements.

1. A manufacturer that sells, or provides, paper bingo cards to a distributor shall print its name or distinctive logo and the assigned serial number and series number (card number) on each card. A manufacturer shall have available for sale or provide to a distributor a master checkbook covering all card serial numbers. A manufacturer may not ship paper bingo cards directly to a licensed organization or organization that has a permit.
2. A manufacturer may only sell or provide gaming equipment to a licensed distributor. A manufacturer shall maintain accounting records of all sales of gaming equipment and retain them for three years. The records may be in electronic form.
3. A manufacturer shall not offer or provide anything of value to any licensed organization or gaming location site, lessor, agent, or representative as an incentive or inducement to locate, keep or maintain any gaming equipment, which includes electronic gaming systems or devices, at the gaming site.
4. An officer, director, shareholder, agent, or employee of a manufacturer may not:
 - a. Play a game of pull tabs, including electronic pull tabs, club special, tip board, prize board, seal board, sports-pool board, punchboard, or electronic quick shot bingo, of that manufacturer, at any site;
 - b. Conduct games of pull tabs, prize boards, pull-tab and prize board dispensing devices, electronic pull tabs, club specials, seal boards, raffle boards, tip boards, sports-pool boards, or punchboards at an organization's site;
 - c. Interfere with or attempt to influence a lessor's relationship with an organization involving a lease agreement, interfere with or attempt to influence an organization's management, employment practices, policy, gaming operation, disbursement of net proceeds, or procure a site for an organization; or
 - d. Provide bookkeeping services, including summarizing or auditing games for an organization.
5. A manufacturer may not share an office or warehouse facility with an organization.

6. A manufacturer may not give a gift, trip, prize, or other gratuity valued singly or in the aggregate in excess of one hundred dollars per employee per calendar year related to a licensed distributor or organization.
7. A manufacturer may not modify the assembly or operational functions of an approved pull-tab dispensing device model unless requested by the attorney general or a written request is approved by the attorney general. The attorney general may apply section 99-01.3-16-10 for approving a modification to a device model.
8. A manufacturer may not modify pay table, bonus features, games, or current methods of operation of an approved site system with bingo card-marking devices, and electronic quick shot bingo site operating system with card-marking devices and related equipment unless requested or authorized by the attorney general. The attorney general may apply section 99-01.3-16-10 for approving a modification to a device.
9. A manufacturer may not modify the software, pay table, extended play features, games, or current methods of operation of an approved electronic pull-tab device with operating system and related equipment unless requested or authorized by the attorney general. The attorney general may apply section 99-01.3-16-10 for approving a modification to a device or operating system.
10. A manufacturer may not modify operating software or methods of operation of an approved fifty-fifty raffle system and related equipment unless requested or authorized by the attorney general. The attorney general may apply section 99-01.3-16-10 for approving a modification to a system.
11. A manufacturer may service a fifty-fifty raffle system, site system with bingo card-marking devices or electronic quick shot bingo site operating system with card-marking devices and related equipment used by an organization.
12. A manufacturer of a dispensing device, fifty-fifty raffle system, site system with bingo card-marking devices, or electronic quick shot bingo site operating system with card-marking devices and related equipment shall provide an operations manual to a distributor.
13. A manufacturer shall report a malfunction of a fifty-fifty raffle system, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking devices, or electronic pull-tab device with operating system which affects the security or integrity of the system or the outcome of a game to the attorney general by the next business day of the date of occurrence.
14. A manufacturer shall provide on the front of a master flare for a deal of jar tickets or pull tabs and on the flare display of an electronic pull-tab device, that contain:
 - a. Name of game;
 - b. Manufacturer's form number;
 - c. Cost per play;
 - d. Value and number of winning prizes;
 - e. Number of pull tabs or jar tickets; and
 - f. The phrase, "prizes above are combinations of single prizes below" or a similar phrase when combinations of winning pull tabs are displayed on the flare.

The number of prizes may be designated by a number or by a quantity of symbols that represent the number of winning prizes and the winning number or symbol. A symbol must be pictured on a flare, not described. A master flare for a game involving deals of jar tickets that contain winning tickets of the same prize value printed in differently colored numbers or symbols must have the flare's number and symbols printed in matching colors.

If an extended play feature is used for electronic pull tabs, a notification must be provided to the player explaining that an extended play feature is used on the game and that "Extended play features prolong the play of an electronic pull-tab ticket but do not award a prize in addition to the predetermined prize for that ticket."

15. A manufacturer, its agents and employees, members of a manufacturer's immediate family, or persons residing in a manufacturer's household may not make any loan directly or indirectly to any organization or officer, director, game manager, or entity involved in the management, operation, or conduct of charitable gaming in the state of North Dakota.

History: Effective May 1, 1998; amended effective July 1, 2000; July 1, 2002; July 1, 2010; July 1, 2012; April 1, 2016; July 1, 2018; January 1, 2023.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-04. Quality standards for pull tabs.

A manufacturer shall manufacture paper pull tabs according to these standards:

1. Construction.
 - a. A deal must be designed, constructed, glued, and assembled to prevent the determination of a winning pull tab or numbers or symbols without first removing the tabs or other covering.
 - b. All the pull tabs of a deal must have the same game serial number which cannot be repeated on the same form number for three years.
 - c. When a tab or other covering is removed, the numbers or symbols must be fully visible in the window. The numbers or symbols can be displaced to the left or right in a window for increased security.
 - d. The window slits on a pull tab must be perforated on three sides. A pull tab must be glued on all four edges and between each window. The glue must be of sufficient strength and type to prevent any separation.
2. Opacity. Concealed numbers, symbols, or winner protection features cannot be viewed or determined from the outside of a pull tab using a high-intensity lamp.
3. Color. It must not be possible to detect or pick out winning from losing pull tabs through a variation in printing graphics or colors.
4. Printed information. The minimum information printed on a pull tab must be as follows, except that subdivisions b, c, and d are not required for a folded or banded jar ticket or to a two-ply or three-ply card with only one perforated break-open tab which measures one and one-quarter inches by two and one-quarter inches or less in size, subdivisions a, c, d, and e are not required for pull tabs used with a tip board, and subdivisions b, c, and e are not required for a pull tab used with a prize board:
 - a. Name of manufacturer or its logo;

- b. Name of game;
 - c. Cost per pull tab;
 - d. Manufacturer's form number;
 - e. Number of winning pull tabs and winning numbers or symbols, and prize amounts, or a flare must be included with the game providing that information; and
 - f. Unique minimum five-character game serial number, printed on the game information side of the pull tab.
5. Winner protection. A unique symbol or printed security device, such as a specific number keyed to a particular winning pull tab, or the name of the symbol or some of the symbol colors changed for a winning pull tab, or other similar protection must be placed in the winning windows of winning pull tabs. Also, a winning pull tab that has a prize greater than twenty dollars must have a secondary form of winner verification.
6. Randomization. The winning pull tabs must be intermixed among all other pull tabs in a deal to eliminate any pattern between deals, or portions of deals, from which the location or approximate location of any winning pull tab may be determined. A deal must be assembled so that no placement of winning or losing pull tabs exists that allows prize manipulation or pick out. Banded jar tickets packaged in a bag must be randomized.
7. Guillotine cutting. It must not be possible to isolate winning or potential winning pull tabs of a deal by variations in size or the appearance of a cut edge of the pull tabs.
8. Packaging.
- a. A deal must contain a seal warning the purchaser that the deal may have been tampered with if the container was received with the seal broken. A seal must ensure that a deal's pull tabs are not accessible from outside the container when sealed. A manufacturer shall seal or tape every entry point into the container. The seal or tape must be tamper-resistant and be designed so that should a container be opened or tampered with, it would be easily noticed. For jar tickets packaged in a bag, the glue used to seal the flap of the bag must be permanent adhesive glue. The required seal cannot be a manufacturer's cellophane shrink wrap.
 - b. A manufacturer shall print, in bold letters, "Pull tabs must be removed from this packaging container and thoroughly mixed before sale to the public" or similar language on the outside of a container.
 - c. A deal's game serial number must be legibly placed on or be able to be viewed from the outside of the deal's container.
 - d. For a deal shipped to North Dakota, a flare for a pull tab or jar ticket deal must be located on the outside of the deal's sealed container so that the manufacturer's security seal will not be broken to access the flare.
9. Number of top tier winners. A deal must have at least two top tier winning pull tabs, except for a deal for a prize board and a last sale prize feature.
10. A manufacturer may not duplicate (print) a winning number, symbol, or set of symbols of any nonpromotional jar ticket or pull tab on any promotional jar ticket or pull tab.

History: Effective May 1, 1998; amended effective July 1, 2000; July 1, 2002; July 1, 2004; October 1, 2006; April 1, 2016; July 1, 2018.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-05. Quality standards for punchboards.

A manufacturer of punchboards shall print a game serial number on all punches and manufacture, assemble, and package a punchboard so that winning punches, or approximate location of winning punches, cannot be determined in advance of punching the punchboard, including any patterns in manufacture, assembly, packaging, or markings. Winning punches must be randomly mixed among all other punches in a punchboard and between all other punchboards.

History: Effective May 1, 1998; amended effective April 1, 2016.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-06. Quality standards for bingo cards used in a dispensing device.

Repealed effective July 1, 2010.

99-01.3-16-07. Ban or recall of defective pull tabs or punchboards.

1. If the attorney general determines that deals of pull tabs, electronic pull tabs, or punchboards for sale in North Dakota do not meet the quality standards, the attorney general may order all defective deals and all similarly constructed or printed deals in North Dakota to be immediately recalled by the manufacturer or banned or prohibit a manufacturer from transacting business in North Dakota. If the attorney general orders a ban or recall, the manufacturer of the deal must first be notified of the reason, effective date, and specific requirements. Upon notification, a manufacturer shall cease sale of that deal and initiate compliance with a ban or recall. A manufacturer shall notify, in writing, all distributors within seventy-two hours of the notice, the effective date, and arrange for the prompt return of all the defective deals.
2. A distributor, when notified by a manufacturer or attorney general, shall immediately stop sales or delivery of the deals. Within seventy-two hours, a distributor shall notify the organizations that have bought the deal during the last ninety days, the effective date, and arrange for the prompt return of all the defective deals.
3. Before any reintroduction in North Dakota of a banned or recalled deal, a manufacturer shall submit the revised deal to the attorney general for approval. The attorney general shall notify the manufacturer of the approval or disapproval and the manufacturer shall send a copy of an approving letter to the distributor with the next shipment of the revised deal.
4. If a manufacturer initiates a recall of deals of pull tabs, electronic pull tabs, or punchboards in any state regarding products that were sold in North Dakota, it shall immediately notify the attorney general and comply with this section.

History: Effective May 1, 1998; amended effective July 1, 2000; July 1, 2010; July 1, 2018.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-08. Manufacturing specifications - Dispensing device.

A pull tab dispensing device must meet these specifications:

1. If a device is designed to accommodate two or more different games of pull tabs, each compartment must independently meet the specifications of this section;

2. Electrical and mechanical components and design principles may not subject a person to any physical hazard or cause electrical interference. The power cord must be ten feet in length and have a three-prong ground. A surge protector or in-line power filter must be installed in-line on the main power line to a device. A device must safely and operatively withstand a static test of twenty thousand volts of electricity and maintain proper voltage during a low electrical current (brownout);
3. A pull tab device must have at least four columns for stacking pull tabs and have capacity for two thousand four hundred pull tabs. A dispensing device for prize board tickets may have less than four columns for stacking pull tabs;
4. A stacking column must be adjustable for varying lengths of pull tabs. However, as an option, a device may use replaceable stacking columns that accommodate varying lengths of pull tabs. The device must accommodate a minimum pull tab size of one and seven-eighths inches in width by two and five-eighths inches in length, a maximum pull tab size of one and seven-eighths inches in width by four and one-fourth inches in length, or both sizes;
5. A device must be adjustable for varying thicknesses of pull tabs;
6. Glass must be placed in the front of the device enabling an employee to see whether a device is low on pull tabs;
7. A device must have a dispensing outlet or tray to catch a dispensed pull tab;
8. A device must have one currency validator. A coin acceptor is not allowed;
9. A pull tab device must accommodate pricing of twenty-five cents, fifty cents, one dollar, and two dollars per pull tab and dispense the correct number of pull tabs based on the amount of credit played. The standard price per pull tab must apply to all columns;
10. An exterior door must have at least one keyed lock. The key must be different from all other keys used on other devices manufactured by the manufacturer;
11. A pull tab device may have an optional "all" player button that activates the device to dispense pull tabs equal to the value of the unplayed credits and randomly selected by a random number generator or player button sequencing concept. Devices that dispense pull tabs involving a prize board are not required to select tickets by use of a random number generator;
12. A device must have an interior mode switch, interior dipswitch, or an exterior mode switch activated by a key which enables a person to:
 - a. Set the price per pull tab; and
 - b. Unless a device prints reports prescribed by subsection 15, access the accounting information required by subsection 13 and, if the device has nonresettable electronic accounting meters, subsection 14;
13. Unless a device prints reports prescribed by subsection 15, there must be at least two independent resettable electronic or mechanical accounting meters. The meters must maintain accounting information of at least four digits in length and be capable of maintaining the accounting information for six months after electrical power to a device is disconnected or the electrical current used to operate a device is switched off. The meters must record the:
 - a. Total value of currency validated; and
 - b. Total number of pull tabs dispensed;

14. Unless a device prints reports prescribed by subsection 15, there must be at least two independent nonresettable electronic or mechanical accounting meters. The meters must maintain accounting information of at least six digits in length and be capable of maintaining the accounting information for six months after electrical power to a device is disconnected or the electrical current used to operate a device is switched off. The meters must record the:
 - a. Cumulative value of currency validated; and
 - b. Cumulative number of pull tabs dispensed;
15. Unless a device has resettable and nonresettable accounting meters prescribed by subsections 13 and 14, the device must print a cash pickup and a lifetime activity report.
 - a. A cash pickup and a lifetime activity report must:
 - (1) Be printed and accessible only from the interior of a device;
 - (2) State the time and date of the present report and of the preceding report. The time must be expressed in numeric hours and minutes. The hour must be expressed as a.m. or p.m.;
 - (3) State the unique device number; and
 - (4) State a sequential report number, which must be at least three digits in length, starting with number one.
 - b. A cash pickup report, based on resettable electronic accounting meters, must include this information for activity since the preceding report:
 - (1) For a pull tab device, number and value of pull tabs dispensed from all columns; and
 - (2) Value of currency validated.
 - c. A lifetime activity report, based on nonresettable electronic accounting meters, must include this information for activity since a device was manufactured:
 - (1) For a pull tab device, cumulative number and value of pull tabs dispensed from all columns; and
 - (2) Cumulative value of currency validated;
16. To ensure a commingling of pull tabs, a random number generator or player button sequencing concept must be used to select a particular column from which a pull tab will be dispensed. A selection process is random if it does not produce a significant statistic of recurring patterns. A player button sequencing concept must field each button at least one hundred times a second. This subsection does not apply to a dispensing device used in the conduct of a prize board;
17. Instructions for player operation must be permanently affixed or placed under glass or other transparent material on the front of a device;
18. A pull tab device must have one or more player buttons located on the front to activate the dispensing of a pull tab. However, excluding an "all" player button, the number of player buttons may not exceed the number of columns. Regardless of which player button is pressed, the selection of a particular column from which a pull tab is dispensed must be done by a random number generator or player button sequencing concept. This subsection does not apply to a dispensing device used in the conduct of a prize board;

19. A device must have an LED or LCD display screen of at least four digits in length. However, if a device uses two independent nonresettable electronic accounting meters, the device must have an LED or LCD display screen of at least six digits in length. The digits must be one-quarter of one inch in height. The value of currency validated must be displayed on the LED or LCD screen as a monetary credit which is reduced as a device vends a pull tab. Unless a device prints reports prescribed by subsection 15, the LED or LCD display screen must also display the accounting information required by subsection 13 and pricing information required by subdivision a of subsection 12;
20. A device must record every vend, including a test vend, of a pull tab when the door of the dispensing device is closed and every currency validation on the accounting meters required by subsections 13 and 14 or subsection 15;
21. If a device malfunction occurs or electrical power is interrupted, the value of credits previously displayed on an LED or LCD display screen must be correctly redisplayed immediately after the malfunction is cleared or electrical power is restored. However, this rule does not apply if a device is totally inoperable;
22. In a pull tab device a column of pull tabs must automatically discontinue operation, triggered by a micro, optical, or software controlled switch, when the column has fewer than fifty pull tabs remaining. However, this rule does not apply when an organization is closing a game at which time a micro, optical, or software controlled switch may be circumvented;
23. A device must automatically stop operating when there is only one column of pull tabs functioning. However, if this occurs and there are unplayed credits on the device, the device may dispense pull tabs equal to the value of the unplayed credits from the remaining column before the device automatically stops operating. This subsection does not apply to a dispensing device used in the conduct of a prize board;
24. An identification plate must be affixed to an exterior side panel and contain the device's:
 - a. Manufacturer;
 - b. Name of device;
 - c. Serial and model numbers; and
 - d. Date of manufacture which may be part of the model or serial number;
25. No device may have an auxiliary remote control unit for posting credits;
26. A device must automatically stop operating when a nonresettable meter is disconnected; and
27. A device must have a maintenance and operations manual.

History: Effective May 1, 1998; amended effective July 1, 2002; October 1, 2006; July 1, 2010; April 1, 2016; July 1, 2018.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-09. Standards for a currency validator - Dispensing device.

A currency validator must:

1. Validate only United States currency up to values of one hundred dollars;
2. Have an antipullback mechanism and other anticheat devices that prevent cheating of the bill acceptor by mechanical means;

3. Reject invalid and all known manipulations of United States currency;
4. Have a currency stacker box or drop box; and
5. If a malfunction occurs, automatically discontinue accepting or validating currency.

History: Effective May 1, 1998; amended effective July 1, 2002; April 1, 2016.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-09.1. Manufacturing specifications - Site system with bingo card-marking devices.

A site system with bingo card marking devices which display a facsimile of a bingo card and allows a player to electronically mark the card in the conduct of bingo according to chapter 99-01.3-04, must meet these specifications:

1. A site system is computer hardware and software used at a site by an organization which establishes server-based player accounts containing electronic card images or credits accessed by a player with a bingo card-marking device or generates and downloads electronic bingo card images to bingo card-marking devices, accounts for gross proceeds, and provides accounting information on all activity for three years from the end of the quarter in which the activity occurred. Server-based accounts must be assigned a minimum five digit randomly selected account number, which cannot be reused during a business day. Transaction numbers for server-based accounts must be a minimum six digit nonresettable consecutive number, which do not reset at the end of each session. An account or bingo card-marking device can only be used for the purchase and play of bingo cards. A site system must:
 - a. Record a nonresettable electronic consecutive six-digit receipt number for each transaction;
 - b. Issue a receipt for each transaction containing:
 - (1) Name of a site and organization;
 - (2) Date and time of the transaction;
 - (3) Receipt number;
 - (4) Selling price of each card or package, credits purchased, and rental fee of a device, if applicable;
 - (5) Unplayed credits cashed out;
 - (6) Receipt total;
 - (7) For server-based accounts, account number; and
 - (8) For downloaded devices, serial number of the device issued to a player.
 - c. Print a summary report for each session containing the date and time of the report, name of site, date of the session, consecutive session number, total number of accounts established, total number of transactions, total number and dollar value of voided transactions, number of devices used, the number of and total value for each type of card or package sold, discounts applied to each type of card or package sold, total dollar value of credits sold, total dollar value of unused credits cashed out, total gross proceeds, and, for each transaction, list:

- (1) For server-based accounts, transaction and account number;
 - (2) For downloaded devices, nonresettable consecutive transaction number starting with one for each device and device serial number;
 - (3) Type of transaction (sale or void);
 - (4) Time of transaction;
 - (5) Receipt number;
 - (6) For voided transactions, dollar value of the void; and
 - (7) Selling price of each card or package, discounts applied to each card or package sold, dollar value of credits sold, dollar value of unused credits cashed out, and gross proceeds.
- d. The site system must be capable of producing and exporting through electronic means (e.g. comma delimited, excel, etc.) all required reports.
 - e. Must be remote-accessible by the manufacturer of the site system and devices and attorney general for monitoring the system operation and accounting information in real time; and
 - f. Must be capable of printing an electronic card image of any card.
2. A bingo card-marking device can be a portable hand-held unit, table top, or counter device. A bingo card-marking device cannot be wired directly to a site system.
 3. A bingo card-marking device must be programmed for use at only the site where the site system is located and only used to purchase and play bingo cards or play electronic quick shot bingo.
 4. No bingo card-marking device can allow more than seventy-two single-faced cards per game. A player may not choose or reject cards.
 5. A bingo card-marking device may require a player to manually enter each bingo number by using an input function key or may use a radio frequency or Wi-Fi transmission to automatically daub the bingo numbers called.
 6. A bingo card-marking device can display a player's best card or a winning card and alert the player through an audio or video method, or both, that the player has a winning card.
 7. All server-based accounts must be closed at the end of each bingo session. An account cannot be carried forward to another session.
 8. All downloaded devices, must:
 - a. Have a unique serial number permanently encoded in the system;
 - b. Be downloaded with new cards at the time of the sales transaction;
 - c. Be deactivated and all stored cards erased when a device is exchanged or returned; and
 - d. Automatically erase all stored cards at the end of the last game of a bingo session or when the device is deactivated or turned off.

History: Effective July 1, 2000; amended effective July 1, 2002; October 1, 2006; July 1, 2010; July 1, 2012; April 1, 2016; July 1, 2018.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-09.2. Manufacturing specifications - Bar code credit device.

A bar code credit device must:

1. Limit redemption of winning pull tabs for credit to only pull tabs that have a prize value equal to or less than ten dollars;
2. Reject a winning pull tab that is not coded with the same game serial number or other protective code related to the deal in the dispensing device, or a pull tab ticket not properly defaced that has been inserted into the device for credit;
3. Reject a photocopy and any other type of reproduction of an actual winning pull tab;
4. Reject a nonwinning pull tab and provide a message regarding "nonwinning pull tab", "invalid pull tab", or similar phrase visible to a player; and
5. Have resettable and nonresettable meters to separately account for:
 - a. Interim period and cumulative values of winning pull tabs validated for credit;
 - b. Interim period and cumulative values of currency validated for credit; and
 - c. Interim period and cumulative values of the total of winning pull tabs and currency validated for credit.

History: Effective July 1, 2004.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-09.3. Manufacturing specifications - Card shuffling devices.

A card shuffling device must:

1. Provide a completely random shuffle of the cards; and
2. Have been tested by an independent testing laboratory indicating that a prototype was tested with satisfactory random shuffling results.

History: Effective October 1, 2006.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-09.4. Manufacturing specifications - Electronic quick shot bingo site operating systems with card-marking devices.

An electronic quick shot bingo site operating system with card-marking devices and related equipment used in the conduct of electronic quick shot bingo according to chapter 99-01.3-04.1 must meet these specifications:

1. The card-marking device must not display any other graphic representations other than the game of bingo, except for advertising. The card-marking device must not accept cash, currency, or tokens for play. The card-marking device must be rendered unplayable if communications from the electronic quick shot bingo site operating system are lost.
2. The card-marking device must display:

- a. The player's credit balance;
 - b. The player's wins balance;
 - c. The current bet amount;
 - d. The denomination being played;
 - e. All possible winning patterns, or be made available as a menu item;
 - f. The amount won for the last completed game until the next game starts;
 - g. The player options selected, including amount and number of cards purchased, for the last completed game until the next game starts or a new selection is made; and
 - h. The phrase "malfunction voids all pays and plays" on the game selection screen, game screen, or on a decal affixed to the front of the device.
3. A card-marking device must be a portable hand-held unit and cannot be wired directly to a site operating system.
 4. A card-marking device can only be used at the site where the electronic quick shot bingo site operating system is located and only used to play electronic quick shot bingo or to purchase and play bingo cards.
 5. No card-marking device can allow more than sixteen single-faced cards per game. The cost per play cannot exceed five dollars per card.
 6. Each card must have a unique series (card) number which will have an unduplicated face.
 7. Electronic cards must contain a five-by-five grid of space and must contain one square labeled "free" space. A bingo number cannot be repeated in more than one square on the same card. The same series (card) number may not appear more than once on each game.
 8. A card-marking device can display a player's best card or a winning card and alert the player through an audio or video method, or both, that the player has a winning card.
 9. When a number is covered, the covering must be indicated on the electronic card by a change in the color of the space or some other readily apparent visual means.
 10. A card-marking device must use a radio frequency or Wi-Fi transmission to automatically daub the bingo numbers called.
 11. "Electronic quick shot bingo site operating system" means computer hardware, software, and peripheral equipment, that is located at the bingo premise, is operated by the organization conducting bingo, and interfaces with, connects with, controls, or defines the operational parameters of the card-marking devices. Electronic quick shot bingo site operating systems must include the following: central database server, portable hand-held card-marking devices, point of sale, required printers, remote access capability, proprietary executable software, report generation software, and an accounting system and database. Player accounts are established on the site operating system's central database server and are accessed by a player with a hand-held card-marking device. Server-based accounts must be assigned a minimum five digit randomly selected account number, which cannot be reused during a business day. Transaction numbers must be assigned to all transactions, including sales, voids, redemptions, plays, and wins. Transaction numbers must be a minimum six digit nonresettable consecutive number, which do not reset at the end of each session. An account or card-marking device can only be used for the purchase and play of bingo cards.

12. An electronic quick shot bingo site operating system must account for and provide accounting information on all activity for three years from the end of the quarter in which the activity occurred. It must:
- a. For each session, archive all electronic transactions of sales, voids, redemptions, plays, wins, balls called, winning bingo patterns, and the winning cards for prizes greater than five hundred dollars.
 - b. Include a printer with a paper-sensing device that upon sensing a "paper low" condition will allow the system to finish printing the receipt and then prevent further receipt writing. Each system must recognize a printer power loss occurrence and cease transactions until power has been restored to the printer and the system is capable of producing a valid receipt.
 - c. Be remote-accessible by the manufacturer of the system and attorney general for monitoring the system operation and accounting information in real time.
 - d. Not allow date, time, credit balance, or other source information to be changed.
 - e. Not allow automatic transfer, by a player or employee, of any winnings balance to the credit (deposit) balance on a card-marking device.
 - f. Account for each session with a nonresettable electronic consecutive session number.
 - g. Account for each transaction on the system with a nonresettable electronic consecutive receipt number at least six digits in length.
 - h. Be capable of printing an electronic card image of any card.
 - i. Issue a receipt for each cashier transaction containing:
 - (1) Name of a site and organization;
 - (2) Receipt number;
 - (3) Date and time of the transaction;
 - (4) Account number;
 - (5) Dollar value of credits purchased;
 - (6) Dollar value of credits cashed out;
 - (7) Dollar value of winnings cashed out; and
 - (8) Dollar value of credit balance.
 - j. Print a summary report for each session containing:
 - (1) Name of site and organization;
 - (2) Date of the session;
 - (3) Session number;
 - (4) Date and time of the report;
 - (5) Total number of accounts established;

- (6) Total number of transactions;
 - (7) Range of transaction numbers;
 - (8) Total number and dollar value of voided transactions;
 - (9) Total dollar value of credits sold;
 - (10) Total dollar value of unplayed credits cashed out;
 - (11) Total gross proceeds;
 - (12) Total prizes won;
 - (13) Total unclaimed prizes;
 - (14) Total prizes paid; and
 - (15) Adjusted gross proceeds.
- k. Have the ability to print a transaction report for each session which includes for each transaction:
- (1) Transaction number;
 - (2) Time of transaction;
 - (3) Type of transaction (sale, redemption, void, plays, or wins);
 - (4) Account number;
 - (5) Receipt number(s);
 - (6) For voided transactions, dollar value of the void;
 - (7) Dollar value of credit amount;
 - (8) Wagered amount;
 - (9) Wins amount;
 - (10) Redemption amount;
 - (11) Bonus accrual amount, if applicable; and
 - (12) User ID of employee conducting transaction.
- l. Print a report of single prizes exceeding five hundred dollars, including:
- (1) Date of the session;
 - (2) Session number;
 - (3) Account number;
 - (4) Winning series (card) number; and
 - (5) Prize amount.

- m. Print a report of the bingo balls entered or numbers generated for each session, including bonus balls or numbers, which includes:
 - (1) Date of the session;
 - (2) Session number;
 - (3) Time entered or generated; and
 - (4) User ID of employee conducting transaction.
 - n. The electronic quick shot bingo site operating system must be capable of producing and exporting through electronic means (e.g. comma delimited, excel, etc.) all required reports.
- 13. All server-based accounts must be closed at the end of each bingo session. An account cannot be carried forward to another session or reused after a player has turned in a card-marking device.
 - 14. All communications between the card-marking devices and the site operating system must be encrypted for security reasons. The wireless deployment must employ a secure gateway to isolate the wireless environment from any other environment. The secure gateway must be configured in a manner that prevents any wireless network component from gaining access to the internal network without first being scrutinized.
 - 15. Electrical and mechanical components and design principles of the system may not subject a person to any physical hazard or cause electrical interference.
 - 16. A surge protector that feeds all power to the equipment must be installed to ensure the equipment must not be adversely affected by surges or dips of plus or minus twenty percent of the supply voltage.
 - 17. A battery backup must be installed on the electronic quick shot bingo site operating system and must be capable of maintaining the accuracy of all information required by this section for ninety days after power is discontinued from the system.
 - 18. The operation of the electronic quick shot bingo site operating system must be impervious to influences from the outside of the system, including electromagnetic interference, electrostatic interference, and radio frequency interference.
 - 19. The electronic quick shot bingo site operating system must not have any switches, jumpers, wire posts, or other means of manipulation that could affect the operation or outcome of a game.
 - 20. Logical access to the electronic quick shot bingo site operating system must be restricted by user identifications and passwords.
 - 21. A manufacturer of an electronic quick shot bingo site operating system shall employ sufficient security safeguards in designing and manufacturing the system such that it may be verified that all proprietary software components are authentic copies of the approved software components and all functioning components of the system are operating with identical copies of approved software programs. The card-marking devices must also have sufficient security safeguards so that any approved proprietary software are protected from alteration by unauthorized personnel. Security measures that may be employed to comply with these provisions are the use of dongles, digital signature comparison hardware and software, secure boot loaders, encryption, and password systems.

22. An electronic quick shot bingo site operating system may not have a mechanism whereby an error will cause the game data to automatically clear. Game data must be maintained at all times regardless of whether the system is being supplied with power. Game data must be stored in such a way as to prevent loss of the data when replacing parts or modules during normal maintenance.
23. The electronic quick shot bingo site operating system must have a backup and archive utility to allow the operator to save critical data should a system failure occur. This backup must automatically run after the end of each session or may be a manual process to be run at the operator's command after the end of each session.
24. The use of a random number generator may be used in the selection of bingo balls. The selection must be statistically independent, pass recognized statistical tests, and be unpredictable.
25. A card-marking device must automatically stop operating when a winning bingo pattern exceeding five hundred dollars is won by the player and must display a notification to the player to contact an employee. However, this rule does not apply when an electronic quick shot bingo site operating system displays the prize amounts greater than five hundred dollars when a player redeems the prize winnings from the player's account.

History: Effective July 1, 2012; amended effective April 1, 2016; July 1, 2018.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-09.5. Manufacturing specifications - Electronic raffle systems.

An electronic raffle system and related equipment used in the conduct of raffles according to chapter 99-01.3-05.1 for electronic fifty-fifty raffles and chapter 99-01.3-05-01.1 for online raffle ticket sales, must meet the specifications of the most current version of gaming laboratories international, LLC's standard for electronic raffle systems, GLI-31. Online raffle ticket sale systems may not use a random number generator to determine the winner of the raffle event. All online raffle ticket sale systems must print a barrel ticket for manual draw of a winner. In addition, the following specifications must be met:

1. In the use of handheld raffle sales units outside of a wireless network area, the units must have the ability to transfer the sold draw numbers and corresponding validation numbers to the fifty-fifty raffle system should a raffle sales unit become inoperable.
2. For each single event electronic fifty-fifty raffle and online raffle ticket sales event, an electronic raffle system must account for and provide accounting information on all activity for three years from the end of the quarter in which the activity occurred. It must:
 - a. Record all raffle sales transactions electronically as they occur;
 - b. Account for each single event electronic fifty-fifty raffle and online raffle ticket sales event with a nonresettable electronic consecutive event number;
 - c. Record and account for each draw number downloaded from the server in continuous consecutive order;
 - d. Generate a summary report for each single event raffle which includes:
 - (1) Name of organization and license number;
 - (2) Name of site;

- (3) Date;
 - (4) Event number;
 - (5) Range of draw numbers and total number of draw numbers available for sale;
 - (6) Selling prices of each differently priced bearer ticket, including the number of draw numbers on each differently priced ticket;
 - (7) Number of tickets sold for each differently priced bearer ticket and total receipts for each;
 - (8) Total number of sold draw numbers;
 - (9) Total number of voided bearer tickets and draw numbers;
 - (10) Total number of unsold draw numbers; and
 - (11) Total gross proceeds;
- e. Generate a raffle sales unit report for each single event raffle which includes:
- (1) Name of organization and license number;
 - (2) Name of site;
 - (3) Date;
 - (4) Event number;
 - (5) For each raffle sales unit, unit ID, the number of sold bearer tickets for each differently priced ticket and total receipts for each;
 - (6) Total receipts for each sales unit;
 - (7) For each raffle sales unit, total number of sold draw numbers, total number of voided bearer tickets and draw numbers, and total number of unsold draw numbers; and
 - (8) Total gross proceeds;
- f. Have the ability to generate general accounting and operating reports, containing the date and time reports are printed, for each raffle drawing to include:
- (1) System exception report, including changes to system parameters, corrections, overrides, and voids;
 - (2) Bearer ticket report that includes a list of all bearer tickets sold, including all associated draw numbers, selling price, and raffle sales unit ID;
 - (3) Voided draw number report that includes a list of all voided draw numbers;
 - (4) Unsold draw number report that includes a list of all unsold draw numbers; and
 - (5) Raffle sales unit corruption report that lists all raffle sales units that were unable to be reconciled to the system, including the raffle sales unit ID, seller, and money collected; and

- g. The electronic raffle system must be capable of producing and exporting through electronic means (e.g. comma delimited, excel, etc.) all required reports.
- 3. The electronic raffle system must be remote-accessible by the manufacturer of the system and attorney general for monitoring the system operation and accounting information in real time.
- 4. The wireless deployment of communications between the raffle sales units and the system must employ a secure gateway to isolate the wireless environment from any other environment. The secure gateway must be configured in a manner that prevents any wireless network component from gaining access to the internal network without first being scrutinized.
- 5. A surge protector that feeds all power to the equipment must be installed to ensure the equipment must not be adversely affected by surges or dips of plus or minus twenty percent of the supply voltage.
- 6. An electronic raffle system must be capable of maintaining the accuracy of all information required by this section for ninety days after power is discontinued from the system.
- 7. The electronic raffle system must be impervious to influences from the outside of the system, including electromagnetic interference, electrostatic interference, and radio frequency interference.
- 8. The electronic raffle system must not have any switches, jumpers, wire posts, or other means of manipulation that could affect the operation or outcome of a game.
- 9. A manufacturer of an electronic raffle system and related equipment shall employ sufficient security safeguards in designing and manufacturing the system such that it may be verified that all proprietary software components are authentic copies of the approved software components and all functioning components of the system are operating with identical copies of approved software programs. The system must also have sufficient security safeguards so that any approved proprietary software is protected from alteration by unauthorized personnel. Security measures to comply with these provisions may consist of the use of dongles, digital signature comparison hardware and software, secure boot loaders, encryption, and password systems.
- 10. The backup and archive utility that allows the operator to save critical data if a system failure occurs should automatically run after the end of each raffle or may be a manual process to be run at the operator's command after the end of each raffle.
- 11. An online raffle ticket sales system must utilize a geofence system to reasonably detect the physical location of a patron attempting to access the raffle ticket sales system to purchase a raffle ticket, and to monitor and block unauthorized attempts to purchase a raffle ticket when a patron is not within the state of North Dakota. All online raffle ticket sales must be made by a patron located in the authorized geographic boundaries within North Dakota. The authorized geographic boundaries must exclude Indian lands located in North Dakota.
- 12. An online raffle ticket sales system must use age verification methods to ensure that a patron is eighteen years of age or older.

History: Effective April 1, 2016; amended effective July 1, 2018; January 1, 2023.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-09.6. Manufacturing specifications - Electronic pull-tab device with operating system.

An electronic pull-tab device is part of an electronic pull-tab device operating system approved by the attorney general. An electronic pull-tab device operating system must be dedicated primarily to electronic accounting, reporting, and the presentation, randomization, and transmission of electronic pull tabs to the electronic pull-tab device. It also must be capable of generating the data necessary to provide the reports required within this section or otherwise specified by the attorney general. A manufacturer of an electronic pull-tab device with operating system must have the device and system tested by an approved independent testing laboratory as required in section 99-01.3-16-10. All game themes, sounds, and music also must be approved by the attorney general prior to being available for play on an electronic pull-tab device in North Dakota. An electronic pull-tab device and operating system and related equipment used in the conduct of electronic pull tabs according to chapter 99-01.3-06.1 must meet these specifications:

1. All equipment used to facilitate the distribution, play, or redemption of electronic pull tabs must be physically located within the boundaries of the state of North Dakota. Electronic pull-tab device operating systems and all secondary components must be located on the licensed premises.
2. At least seven calendar days before an electronic pull-tab device and operating system enter the state of North Dakota, a manufacturer shall report the following information to the attorney general in writing:
 - a. Serial number of the electronic pull-tab device;
 - b. How the electronic pull-tab device will be transported into the state and name and address of the common carrier or person that will be transporting the electronic pull-tab device;
 - c. Gaming distributor and site where the pull-tab device will be placed;
 - d. Identification number of software components;
 - e. Certification; and
 - f. Date of delivery.
3. At least seven calendar days before removal of an electronic pull-tab device and operating system from the state of North Dakota, the manufacturer shall report the following information to the attorney general in writing:
 - a. Serial number of the electronic pull-tab device;
 - b. Date on which it was removed;
 - c. Destination of the electronic pull-tab device; and
 - d. Name of the person to whom the electronic pull-tab device is to be transferred to, including the person's street address, business and home telephone numbers, how the electronic pull-tab device is to be transported, and name and address of the common carrier or person transporting the electronic pull-tab device.
4. A manufacturer's central computer system must include a central server located in North Dakota which is accessible to the attorney general. The attorney general shall have the ability to remotely verify the operation, compliance, and internal accounting systems of the electronic

pull-tab operating system at any time. The attorney general shall have real time and complete access to all data and reports for all systems and devices.

5. Manufacturers shall provide technical assistance and training in the service and repair of its electronic pull-tab devices and operating systems and associated equipment to distributors and organizations to ensure the continued, approved operation, and play of its devices and systems placed in the state. Manufacturers shall assist distributors according to subsection 26 of section 99-01.3-15-02 and a manufacturer representative shall sign and attest to the training provided on the required training document.
6. An electronic pull-tab device site operating system must have a dedicated system site server. All electronic pull-tab games and game information must be stored on the site server. The site server must back up all game and accounting information automatically to the manufacturer's central server, at a minimum, immediately after the close of electronic pull-tab activity at a site each business day. All electronic pull-tab deals are considered in play when starting an electronic pull-tab game or when an electronic pull-tab deal is added to a game and all deals are considered in play until the game is closed.
7. An electronic pull-tab device is only used as a means to communicate with a system site server and play electronic pull tabs. A device may not communicate game information directly to a manufacturer's central server. No electronic pull-tab game information may be stored on a device. All games and game information must be stored on the dedicated system site server. An electronic pull-tab device must allow a player to purchase an opportunity to play an electronic pull tab by insertion of United States paper currency or by insertion of the manufacturer's credit ticket voucher. A player wins if the player's electronic pull tab contains a combination of numbers, letters, or symbols that were designated in advance of the game as a winning combination. Each winning line or pattern on a winning pull tab constitutes an individual win. There may be multiple winning lines or patterns on each pull tab. Electronic pull-tab devices must only allow players to purchase and play electronic pull tabs. No other game may be played or represented that is a currently authorized North Dakota gaming activity. Authorized games for electronic pull-tab devices must conform to the following standards:
 - a. The available games, master flare for each game, and rules of play must be displayed on the electronic pull-tab device's video screen. Rules of play must include all winning combinations. The display clearly must indicate prizes in United States currency amounts.
 - b. All prize structure information for a deal must be accessible by a player, prior to purchase of an electronic pull-tab ticket.
 - c. The electronic pull-tab device must have one or more buttons, electromechanical or touchscreen, to facilitate the following functions:
 - (1) Viewing of the game "help" screens;
 - (2) Viewing of the game rules, including the flare and prize structure information for a deal of a game, which includes the number of winners for each prize denomination;
 - (3) Initiating game play;
 - (4) Cash out; and
 - (5) One or more buttons designated to reveal the pull tab windows.
 - d. Each electronic pull tab initially must be displayed so that the numbers, letters, or symbols on the pull tab are concealed. Each electronic pull-tab game must require the

player to press a "play", "purchase", "open", or equivalent button to initiate the play of an electronic pull tab. A player may have the option of opening each individual line, row, or column of each electronic pull tab or may choose to "open all".

- e. An electronic pull-tab game may not have any bonus features or have or be part of a progressive system. No level of player skill may be involved. An extended play feature may be used in which a player may play without additional consideration. The extended play feature must not interfere with or in any way affect the outcome of any finite game being played.
 - f. No more than twelve electronic pull-tab game titles may be selectable for play on any given electronic pull-tab device operating system. Only one of the game titles can be played on an electronic pull-tab device at any given time.
 - g. Game themes may not contain offensive or obscene graphics, animations, or references. The attorney general shall determine what constitutes obscene or offensive graphics, animations, or references.
 - h. An electronic pull-tab device may not be capable of displaying any enticing animation while in an idle state. A device not in play may not display flashing lights or illuminations, bells, whistles, or other sounds, solely intended to entice players to play. Only game information or licensed gaming organization promotion, or both, may be displayed while not in play. An electronic pull-tab device may use simple display elements or screen savers that promote the licensed charitable organization to prevent monitor damage.
 - i. Following play on an electronic pull-tab device, the result must be clearly shown on the video display along with any prizes that may have been awarded. Prizes must be dispensed in the form of a credit ticket voucher or added to the credit balance meter.
 - j. The results of the electronic pull tab must be shown to the player using a video display. No rolling, flashing, or spinning animations are permitted. No rotating reels marked into horizontal segments by varying symbols are permitted.
 - k. The default electronic pull-tab device display, upon entering game play mode, may not be the top prize.
8. An available balance may be collected from the electronic pull-tab device by the player by pressing the "cash out" button and receiving a credit ticket voucher at any time other than during:
- a. A game being played;
 - b. While in an audit mode;
 - c. Any door open;
 - d. Test mode;
 - e. A credit meter or win meter incrementation, unless the entire amount is placed on the meters when the "cash out" button is pressed; or
 - f. An error condition.
9. An electronic pull-tab device may not have hardware or software that determines the outcome of any electronic pull tab, produces its own outcome, or affects the order of electronic pull tabs as dispensed from the electronic pull-tab operating system. The game outcome must be determined by the electronic pull-tab operating system as outlined within these rules.

10. An electronic pull-tab device may not be capable of displaying the number of electronic pull tabs that remain in the game or the number of winners or losers that have been awarded or still remain in the game while the game is still being played.
11. Each electronic pull-tab deal must meet the following minimum requirements:
 - a. Each deal must be made up of a fixed number of electronic pull tabs not to exceed a maximum of fifteen thousand and no less than two thousand electronic pull tabs;
 - b. All electronic pull tabs in a particular deal must be of the same purchase price and may not exceed the maximum two dollar sales price per pull tab set forth by North Dakota Century Code section 53-06.1-08;
 - c. The maximum prize amount awarded for a winning combination of numbers, letters, or symbols on each electronic pull tab may not exceed five hundred dollars as set forth for pull tabs by North Dakota Century Code section 53-06.1-08;
 - d. A deal must have at least two top tier winning pull tabs;
 - e. Each deal may not payout more than ninety percent of gross proceeds;
 - f. Each deal must be assigned a unique serial number; and
 - g. Each deal must be assigned a unique state gaming stamp number by the distributor prior to delivery to the organization site server.
12. The following electronic pull-tab deal information must be available prior to the opening of a deal for distribution and must be maintained and be viewable both electronically and, if requested, by printed report:
 - a. Game identification;
 - b. Deal version;
 - c. Manufacturer;
 - d. Game name;
 - e. Prize structure identification;
 - f. The state gaming stamp number assigned by the distributor for each deal;
 - g. A unique serial number identifying each deal;
 - h. The total number of electronic pull tabs in the deal;
 - i. The purchase price per electronic pull tab assigned to the deal;
 - j. Prize structure, including each prize value included in the deal and the number of each; and
 - k. The payout percentage of the deal.
13. At the beginning of a quarter, at least two, and no more than two electronic pull-tab deals must be downloaded and commingled on the site server for each game. The games deal must be identical, which includes game identification, deal version, manufacturer, game name, total number of electronic pull tabs, purchase price per electronic pull-tab ticket, and prize structure.

14. For each game, when the unsold tickets of the original starting identical two deals reach two thousand pull-tab tickets remaining, at least one full deal, but no more than one additional identical deal of the same game, must be automatically downloaded onto the site server and commingled with the remaining two thousand tickets of that game. Each time the two thousand ticket threshold is reached, an additional deal must automatically be downloaded and commingled with the remaining electronic pull-tab tickets in the game continuously throughout the entire quarter.
15. All games must be played by drawing from commingled finite deals. The site server must dispense, upon request from an electronic pull-tab device, an electronic pull tab. All finite games must be played without replacement. Once dispensed, a pull tab cannot be reused.
16. No game may be closed during a quarter unless approved by the attorney general and all games must be closed at the same time within fourteen calendar days from the end of a quarter. Once closed, a game and its deals for a manufacturer cannot be reopened. Quarter beginning and end dates are:
 - a. January first through March thirty-first;
 - b. April first through June thirtieth;
 - c. July first through September thirtieth; and
 - d. October first through December thirty-first.
17. Electronic pull-tab games or deals must be closed and archived at the end of each quarter. No closed electronic pull-tab game or ticket can be sold after the electronic pull-tab game is closed.
18. One or more electronic accounting systems must be required to perform reporting and other functions in support of the electronic pull-tab operating system activities described in this section. These systems may communicate with the other computers described elsewhere in this document, utilizing the protocol standards agreed upon by the participating suppliers. The electronic accounting system must not interfere with the outcome of any gaming functions.
19. An organization must have the capability to access an electronic pull-tab device operating system to generate and print all required system reports, close a set of electronic pull-tab games, and download a set of electronic pull-tab games without assistance from a manufacturer or distributor.
20. An organization must have the capability to access an electronic pull-tab device operating system to select the individual games and cost per play they want to download and play each quarter without assistance from a manufacturer or distributor. A manufacturer or distributor may not require that a certain game and cost per play, or group of games and cost per play, or particular set of games and cost per play be required to be downloaded and played.
21. If an electronic pull-tab device operating system is taken down and made nonoperational during an active session, the system must send a notification to all pull-tab devices and display the notification on the display screen. In addition, if credits remain on any device when a system is taken down and made nonoperational, the system must immediately have the devices issue credit ticket vouchers to the players that have credits remaining on a device's credit meter.
22. An electronic pull-tab device operating system site server along with the manufacturer's central computer system's central server must account for and provide accounting information on all electronic pull-tab activity for three years from the end of the quarter in which the activity occurred. An electronic pull-tab device operating system site server along with the

manufacturer's central computer system's central server must have the capabilities that allow an organization to generate and print the following records and reports:

- a. Interim period electronic pull-tab device activity report - accounts for electronic pull-tab activity for an interim period by device and total. An interim period is the accounting period for electronic pull-tab activity since the last time activity was accounted for.

(1) The following information is required on the report:

- (a) Organization name;
- (b) Site name;
- (c) Name of manufacturer;
- (d) Beginning and ending date and time of the interim period;
- (e) Date and time the report is generated by the organization. This must be the same as the ending date and time of the interim period. If included on the report, the print date and time may be different;
- (f) For each device, a separate section on the report that includes:
 - [1] Device identification or serial number;
 - [2] Total cash in;
 - [3] Total dollar value of credit ticket vouchers in;
 - [4] Total dollar value of cash in plus total dollar value of credit ticket vouchers in;
 - [5] Total dollar value of credit ticket vouchers issued out; and
 - [6] For each game and cost per play;
 - [a] Total dollar value of gross proceeds (plays);
 - [b] Total dollar value of prizes awarded; and
 - [c] Total dollar value of adjusted gross proceeds (gross proceeds less prizes awarded); and
- (g) A summary section, which includes:
 - [1] Total cash in for all devices for the interim period;
 - [2] Total dollar value of credit ticket vouchers in for all devices for the interim period;
 - [3] Total dollar value of cash in plus total dollar value of credit ticket vouchers in for all devices for the interim period;
 - [4] Total dollar value of credit ticket vouchers issued out by all devices for the interim period;
 - [5] For each game and cost per play:

- [a] Total dollar value of gross proceeds (plays) for all devices;
 - [b] Total dollar value of prizes awarded for all devices; and
 - [c] Total dollar value of adjusted gross proceeds (gross proceeds less prizes awarded) for all devices; and
- [6] Totals for all games and cost per play:
 - [a] Total dollar value of gross proceeds (plays) for all games and cost per play;
 - [b] Total dollar value of prizes awarded for all games and cost per play; and
 - [c] Total dollar value of adjusted gross proceeds (gross proceeds less prizes awarded) for all games and cost per play.
- (2) All devices must be accounted for on the interim period electronic pull-tab device activity report even if there was no activity or play on a device.
- (3) A manufacturer's electronic pull-tab device site operating system must be capable of identifying the beginning date and time of an interim period, which must be the ending date and time of the previous interim period electronic pull-tab device activity report that was generated for the site electronic pull-tab activity.
- (4) The site operating system may not allow for the overlap of reporting between two or more interim periods nor may the site operating system allow for unaccounted activity between interim periods. An interim period electronic pull-tab device activity report may not include electronic pull-tab activity from electronic pull-tab games that have been closed.
- (5) The site operating system must ensure that the game information, total gross proceeds (total dollar value of plays), total dollar value of prizes awarded, and total adjusted gross proceeds, for each game and cost per play, from all interim period electronic pull-tab device activity reports generated for a quarter of electronic pull-tab activity at a site, equals the game information for each game and cost per play accounted for on the electronic pull-tab closed game summary report, generated when all electronic pull-tab games are closed at a site at the end of each quarter.
- b. Deals in play report - accounts for all electronic deals of pull tabs currently in play for each game and cost per play at a site.
 - (1) The following information is required on the report:
 - (a) Organization name;
 - (b) Site name;
 - (c) Name of manufacturer;
 - (d) Date and time the report is generated by the organization; and
 - (e) For each game and cost per play, a separate section on the report that includes:
 - [1] Game name;

- [2] Cost per pull tab;
 - [3] Number of pull tabs per deal;
 - [4] Ideal gross proceeds per deal;
 - [5] Payout percentage per deal;
 - [6] Total number of deals put into play for the game; and
 - [7] For each deal put into play for the game:
 - [a] State gaming stamp number of each deal;
 - [b] Serial number of each deal; and
 - [c] Date and time each deal was put into play.
- (2) A manufacturer's electronic pull-tab device site operating system must allow an organization to generate and print this report whenever the organization deems necessary during a quarter.
- (3) This report when generated must account for all electronic deals of pull tabs for a game and cost per play at a site from the time the game was first put into play through the date and time the report is generated by the organization. This includes deals that may have had all of its tickets sold before the report generation date and time. All electronic deals that have been downloaded onto the system for play for each game and cost per play must be accounted for on this report.
- (4) This report may not include any information as it relates to the number of pull tabs sold, number of unsold pull tabs, or prizes awarded for each deal or game.
- c. Monthly interim audit report - accounts for electronic pull-tab game information for each game and cost per play conducted at a site from the date and time the electronic pull-tab games were first put into play through the date and time that the report is generated.
 - (1) The following information is required on the report:
 - (a) Organization name;
 - (b) Site name;
 - (c) Name of manufacturer;
 - (d) Beginning and ending date and time of the interim audit period;
 - (e) Date and time the report is generated by the organization;
 - (f) Game name and cost per play;
 - (g) For each game and cost per play:
 - [1] Total dollar value of gross proceeds (plays);
 - [2] Total dollar value of prizes awarded; and
 - [3] Total dollar value of adjusted gross proceeds (gross proceeds less prizes awarded); and

- (h) Totals for all games and cost per play for gross proceeds, prizes, and adjusted gross proceeds.
 - (2) A manufacturer must ensure that each time a monthly interim audit report is generated that its electronic pull-tab device site operating system is accounting for gross proceeds (the total dollar value of plays), prizes awarded, and adjusted gross proceeds for each electronic pull-tab game and cost per play on a site system from the time the games were first put into play at a site through the date and time the organization generates the report.
 - (3) An organization is required to generate and print this report at the end of the first and second months of a quarter and retain the reports with all other accounting records and reports for the electronic pull-tab activity conducted at a site each quarter. An independent audit person of the organization is required to reconcile the totals for all games and cost per play information from the monthly interim audit report to the game summary report for all games conducted at the site at the end of the first and second months of a quarter. However, a manufacturer's electronic pull-tab device site operating system must allow an organization to generate and print this report whenever the organization deems necessary during a quarter.
 - (4) The manufacturer's electronic pull-tab device site operating system must ensure that a monthly interim audit report only may be generated after an organization has completed an interim period visit to a site and has generated the interim period electronic pull-tab device activity report.
 - (5) This report may not include any information as it relates to the number of unsold pull tabs remaining in the game or a breakdown of prizes awarded, including prize values and quantity of each.
- d. Electronic pull tab closed game summary report - accounts for the activity of each electronic pull-tab game and cost per play conducted on an electronic pull-tab device site operating system at the end of each quarter.
- (1) The following information is required on the report:
 - (a) Organization name;
 - (b) Site name;
 - (c) Name of manufacturer;
 - (d) Date and time the report is generated by the organization;
 - (e) For each game and cost per play, a separate section on the report that includes:
 - [1] Game name;
 - [2] Cost per pull tab;
 - [3] Number of pull tabs per deal;
 - [4] Ideal gross proceeds per deal;
 - [5] Ideal prizes per deal;
 - [6] Ideal payout percentage per deal;

- [7] Total number of deals played in the game;
- [8] For each deal played in the game:
 - [a] State gaming stamp number of each deal;
 - [b] Serial number of each deal; and
 - [c] Date and time each deal was put into play;
- [9] Ideal gross proceeds for game;
- [10] Total number of unsold pull tabs;
- [11] Dollar value of unsold pull tabs;
- [12] Total dollar value of gross proceeds (plays) for the game;
- [13] Total dollar value of prizes awarded for the game, including a breakdown of prizes by individual prize value and quantity of each awarded. For electronic pull tabs with multiple winners, each winning line or pattern must be accounted for separately by individual prize denomination;
- [14] Total dollar value of adjusted gross proceeds (gross proceeds less prizes awarded) for the game;
- [15] Final payout percentage for the game; and
- [16] Date and time the game was closed; and
- (f) Summary section, totals for all games and cost per play, that includes:
 - [1] Total dollar value of gross proceeds (plays) for all games and cost per play;
 - [2] Total dollar value of prizes awarded for all games and cost per play;
 - [3] Total dollar value of adjusted gross proceeds (gross proceeds less prizes awarded) for all games and cost per play; and
 - [4] Total number of deals played including a list of all gaming stamp numbers.
- (2) A manufacturer's electronic pull-tab device site operating system must ensure that the final interim period electronic pull-tab device activity report is generated for the site immediately before the site operating system allows the organization to close all electronic pull-tab games at the site and generate the electronic pull-tab closed game summary report.
- (3) The site operating system must ensure that the game information, total gross proceeds (total dollar value of plays), total dollar value of prizes awarded, and total adjusted gross proceeds, for each game and cost per play, from all interim period electronic pull-tab device activity reports generated for a quarter of electronic pull-tab activity at a site, equals the game information for each game and cost per play accounted for on the electronic pull-tab closed game summary report, generated when all electronic pull-tab games are closed at a site at the end of each quarter.
- (4) The electronic pull-tab device site operating system may not allow this report to be generated before all electronic pull-tab games have been closed at a site. Only

upon the close of the games at the end of the quarter can the finite details of the games be made available. Generating this report before the games being closed must cause immediate and automatic termination of all games.

23. All four electronic pull-tab system reports required by subdivisions a through d of subsection 22 of section 99-01.3-16-09.6 must be formatted as prescribed by the attorney general and approved by the office.
24. A manufacturer must ensure that exact copies of all electronic pull-tab system reports required by North Dakota Administrative Code, which are generated by the organization, are readily and easily accessible for viewing and printing by the attorney general. The game information terminology (e.g. gross proceeds, prizes, adjusted gross proceeds) used on the required system generated reports for electronic pull-tab games must be identical to the terminology used by North Dakota Administrative Code for the game type. The reports must be retained by report type and include the date and time the report was generated and listed by the organization's name and then by site name. The reports must be retained for three years from the end of the quarter in which the electronic pull-tab activity occurred. In addition, the attorney general shall have the ability to generate and print, at any time, the deals in play report and monthly interim audit report for electronic pull-tab activity conducted at any site in the state of North Dakota.
25. The only reports that an organization shall have access to and generate as it relates to the actual accounting and specific details of electronic pull-tab activity conducted at a site using an electronic pull-tab device operating system are the four reports prescribed by subdivision a through d of subsection 22 of section 99-01.3-16-09.6. No other additional reports that a manufacturer may have developed, which detail the actual accounting information and specific details relating to electronic pull-tab activity conducted at a site using an electronic pull-tab device operating system may be accessible to an organization while the electronic pull-tab games are actively in play.
26. An organization is responsible for generating all required electronic pull-tab system reports and the closing of all electronic pull-tab games at a site. The manufacturer may not complete these functions for the organization.
27. A manufacturer, at the request of an organization, distributor, or for any reason, may not change data on an electronic pull-tab device site operating system that affects the reporting and accounting of electronic pull-tab activity. A manufacturer must immediately notify the attorney general if the manufacturer identifies a problem with an electronic pull-tab device site operating system that relates to the collection, storing, or reporting of electronic pull-tab activity at a site.
28. A manufacturer must ensure that the attorney general has access to an electronic pull-tab activity report that includes game and accounting information for all sites that conduct electronic pull-tab activity in the state of North Dakota. The attorney general must have the capabilities to generate and print the report for any date range, for any organization and site, and for all sites in total. The following information is required to be included on the report:
 - a. Total cash in;
 - b. Total gross proceeds (plays);
 - c. Total prizes awarded;
 - d. Total adjusted gross proceeds;
 - e. Payout percentage; and

- f. Total dollar value of credit ticket vouchers issued.
29. An organization's electronic pull-tab device operating system must be programmed for hours of operation based on when alcoholic beverages may be dispensed according to applicable regulations of the state, county, or city.
30. Electronic pull-tab devices must be a stand-alone cabinet style device. No device may be a hand-held portable device or affixed to a bar, counter, or table top. Electronic pull-tab devices must conform to the following minimum standards:
- a. An electronic pull-tab device must be labeled clearly so as to inform the public that no one under twenty-one years of age is allowed to play;
 - b. No more than ten devices may be installed at a site;
 - c. An electronic pull-tab device must only be used to play electronic pull tabs. No other game type may be played or be simulated on the device and no level of skill must be involved;
 - d. An electronic pull-tab device may not be part of a progressive system or employ any other features, such as bonus plays, promotions, or other gaming management or marketing functions. An extended play feature may be used in which a player may play without additional consideration. An extended play feature must not interfere with or in any way affect the outcome of any finite game being played. If an extended play feature is used, a notification must be provided to the player explaining that an extended play feature is used on the game and that "Extended play features prolong the play of an electronic pull-tab ticket but do not award a prize in addition to the predetermined prize for that ticket";
 - e. In addition to a video or touchscreen, each electronic pull-tab device must include a currency acceptor and validator, printer, and buttons for activating the game and providing player input, including a means for the player making selections and choices in games;
 - f. Each electronic pull-tab device must have a nonvolatile backup memory or its equivalent, which must be maintained in a secure compartment on each electronic pull-tab device for the purpose of storing and preserving a redundant set of critical data which has been error-checked in accordance with the critical memory requirements of this regulation and which data must include, at a minimum, the following information:
 - (1) Electronic meters as required by subsection 45;
 - (2) Recall of all ticket purchases and electronic ticket numbers and serial numbers associated with the last ten plays; and
 - (3) Error conditions that may have occurred on the electronic pull-tab device which include:
 - (a) Nonvolatile memory error control program error;
 - (b) Low nonvolatile memory battery, for batteries external to the nonvolatile memory itself, or low power source;
 - (c) Program error or authentication mismatch; and
 - (d) Power reset;

- g. An on/off switch that controls the electrical current that supplies power to the electronic pull-tab device, which must be located in a secure place;
 - h. An electronic pull-tab operating system must support a mechanism to manually disable play on electronic pull-tab devices. Additionally, a mechanism to disable or enable each electronic pull-tab device must be made available to appropriate individuals to disable play during nonbusiness hours or as otherwise required;
 - i. An electronic pull-tab device may not have any spinning or mechanical reels, pull handle, sounds or music solely intended to enticing a player to play, flashing lights, tower light, coin tray, hopper, coin acceptor, enhanced animation, cabinet or pay glass artwork, or any other attribute identified by the attorney general; and
 - j. All hardware switches and jumpers must be fully documented for evaluation by the test laboratory. Hardware switches, jumpers, and system configurations that may alter the jurisdictional-specific configuration settings, prize structure, game denomination, or payout percentages must meet configuration settings specified in subdivision e of subsection 12 and must be housed within a logic compartment of the electronic pull-tab device. This includes top prize changes, selectable settings, or any other option that would affect payout percentage.
31. An electronic pull-tab device must be robust enough to withstand forced entry that would leave behind physical evidence of the attempted entry, or such entry causes an error code that is displayed and transmitted to the central computer system, and which inhibits game play until cleared, and which does not affect the subsequent play or any other play, prize, or aspect of the game.
 32. An electronic pull-tab device must be designed so that power and data cables into and out of the electronic pull-tab device can be routed so that they are not accessible to the general public. Security related wires and cables that are routed into a logic compartment must be securely fastened within the interior of the device.
 33. Proof of UL or equivalent certification must be required for all submitted electronic pull-tab devices.
 34. An electronic pull-tab device must have an identification tag affixed to the exterior of the device by the manufacturer, which is not removable without leaving evidence of tampering, and this tag must include the following information:
 - a. The manufacturer;
 - b. A unique serial number;
 - c. The electronic pull-tab device model number; and
 - d. The date manufactured.
 35. An electronic pull-tab device may not be adversely affected, other than resets, by surges or dips of greater than twenty percent of the supply voltage.
 36. An electronic pull-tab device must have a locked external front door in which the interior of the terminal must not be readily accessible when such door is in the closed, locked position. The following rules apply:
 - a. Doors must be manufactured of materials that are suitable for allowing only legitimate access to the inside of the cabinet and must leave evidence of tampering if such an entry is made;

- b. All external doors must be locked and monitored by door access sensors, which must detect and report all external door openings to the electronic pull-tab device and trigger an audible alarm and on-screen display;
 - c. The electronic pull-tab device must cease play when any external door is opened;
 - d. It must not be possible to insert a device into the electronic pull-tab device which will disable a door open sensor when the electronic pull-tab device's door is closed, without leaving evidence of tampering;
 - e. The sensor system must register a door as being open when the door is moved from its fully closed and locked position, provided power is supplied to the terminal; and
 - f. Door open conditions must be recorded in an electronic log that includes a date and time stamp.
37. Electronic pull-tab devices that contain control programs located within an accessible area must have a separate internal locked logic compartment which must be keyed differently than the front door access lock. The logic compartment must be a locked cabinet area with its own locked door, which houses critical electronic components that have the potential to significantly influence the operation of the electronic pull-tab device. There may be more than one such logic area in an electronic pull-tab device. The logic door must be monitored. Electronic components that are required to be housed in one or more logic areas are:
- a. Central processing units and any program storage device that contains software that may affect the integrity of gaming, including the game accounting, system communication, and peripheral firmware devices involved in, or which significantly influence, the operation and calculation of game play, game display, game result determination, or game accounting, revenue, or security;
 - b. The nonvolatile memory backup device, if applicable, must be kept within a locked logic area; and
 - c. Logic compartment door open conditions must be recorded in a log that includes a date and time stamp.
38. All electronic pull-tab devices must accept United States paper currency or a credit ticket voucher only through a currency validator. All currency validators must be able to detect the entry of valid currency or credit ticket vouchers and provide a method to enable the electronic pull-tab device software to interpret and act appropriately upon a valid or invalid input. The currency validator must be electronically based and be configured to ensure that they only accept valid currencies of legal tender or valid credit ticket vouchers and must reject all other items. Rejected currencies or rejected credit ticket vouchers should be returned to the player. The currency validator must be constructed in a manner that protects against vandalism, abuse, or fraudulent activity. In addition a currency validator must meet the following rules:
- a. Each valid currency or valid credit ticket voucher must register the actual monetary value received for the denomination or credit ticket voucher being used on the player's credit meter;
 - b. Credits must only be registered when:
 - (1) The currency or valid credit ticket voucher has passed the point where it is accepted and stacked; and
 - (2) The validator has sent the "irrevocably stacked" message to the electronic pull-tab device;

- c. Each currency validator must be designed to prevent the use of cheating methods, such as stringing, the insertion of foreign objects, and any other manipulation that may be deemed as a cheating technique. A method for detection of counterfeit currencies must be implemented;
- d. Acceptance of any currencies or valid credit ticket voucher for crediting to the credit meter must only be possible when the electronic pull-tab device is enabled for play. Other states, such as error conditions, including door opens, audit mode, and game play, must cause the disabling of the currency validator system;
- e. Each electronic pull-tab device and currency validator must have the capability of detecting and displaying the following error conditions, and must cause the electronic pull-tab device and currency validator to lock up and require authorized intervention to clear:
 - (1) Stacker full;
 - (2) Currency or credit ticket voucher jams;
 - (3) Stacker door open;
 - (4) Stacker removed; and
 - (5) Any currency validator malfunction not specified above;
- f. All currency validators must communicate to the electronic pull-tab device using a bidirectional protocol;
- g. If a currency validator for an electronic pull-tab device is designed to be factory set only, it must not be possible to access or conduct maintenance or adjustments to those currency validators in the field, other than:
 - (1) The selection of currencies;
 - (2) Changing of certified control program media or downloading of certified software;
 - (3) Adjustment of the currency validator for the tolerance level for accepting currencies of varying quality should not be allowed externally to the electronic pull-tab device;
 - (4) Maintenance, adjustment, and repair per approved factory procedures; or
 - (5) Options that set the direction or orientation of currency acceptance.
- h. The electronic pull-tab device must maintain sufficient electronic metering to be able to display the following:
 - (1) Total monetary value of all currencies accepted;
 - (2) Total number of all currencies accepted; and
 - (3) A breakdown of the currencies accepted and the number of currencies accepted for each currency denomination;
- i. The information in subdivision h must be retained in the electronic pull-tab device memory and display the above required information of the last five currencies accepted by the currency validator. The currency validator recall log may be combined or maintained separately by currency type. If combined, the type of currency accepted must be recorded with the respective time and date stamp;

- j. Each currency validator must have a secure stacker and all accepted currencies must be deposited into the secure stacker. The secure stacker and its receptacle are to be attached to the electronic pull-tab device in such a manner so that they cannot be easily removed by physical force and must meet the following rules:
 - (1) The currency validator device must have the ability to detect a stacker full condition; and
 - (2) There must be a separate keyed lock to access the stacker area. This keyed lock must be separate from the main door; and
 - k. A currency validator must be located in a locked area of the terminal but not in the logic area. Only the currency insertion area will be accessible by the player.
39. All electronic pull-tab devices must have a printer to issue the player a printed credit ticket voucher for any unused game plays and winnings or both. The printer must print on a voucher or other ticket stock meeting the criteria outlined in this section. The electronic pull-tab device must support the transmission of voucher out data to the electronic pull-tab system that records the following information regarding each credit ticket voucher printed:
- a. Value of cash out which may include remaining credits, unused game plays, or winnings, or any combination, in United States currency amounts in numerical form;
 - b. Time of day the voucher was printed in twenty-four hour format showing hours and minutes;
 - c. Date the voucher was printed, including the day, month, and year;
 - d. The name of the organization and site name;
 - e. Serial number of the electronic pull-tab device which printed the voucher;
 - f. Validation number which can be used to uniquely identify each voucher issued;
 - g. The phrase that the credit ticket voucher must be redeemed on the same business day; and
 - h. If the electronic pull-tab device is capable of printing a duplicate voucher, the duplicate voucher must clearly state the word "DUPLICATE" or similar approved language on its face.
40. To further meet the requirements of subdivisions a through h of subsection 27, the electronic pull-tab device must have the ability to retain a log of the last twenty-five voucher-out events. The voucher-out log must contain sufficient information to reconstruct the voucher-out event in order to resolve potential player disputes.
41. A printer must be located in a locked area of the electronic pull-tab device but may not be housed within the logic area. The printer may be locked in the currency validator area provided the validator has a secure, separately keyed lock securing the access to its stacker.
42. A printer must have mechanisms to allow control program software to interpret and place the electronic pull-tab device inoperable upon the following conditions:
- a. Out of paper;
 - b. Printer jam, failure; and
 - c. Printer disconnected.

43. The printer must use printer paper containing security features, such as a watermark as approved by the attorney general.
44. Video monitors and or touchscreens must meet the following rules:
 - a. Touchscreens must be accurate once calibrated and must maintain that accuracy for at least the manufacturer's recommended maintenance period;
 - b. A touchscreen should be able to be recalibrated without access to the electronic pull-tab device cabinet other than opening the main door; and
 - c. There may not be any hidden or undocumented buttons or touch points anywhere on the touchscreen which affect game play or which impact the outcome of the game.
45. The credit meter must be maintained in cash value and must at all times indicate all cash available for the player to purchase tickets or cash out with the exception of when the player is viewing an informational screen, such as a menu or help screen item. This should be displayed to the player unless a tilt condition or malfunction exists.
 - a. The dollar value of every prize at the end of a play must be added to the player's credit meter, unless a winning prize amount is immediately dispensed in the form of a credit ticket voucher to the player.
 - b. There must be a collect meter, which shows the amount of cash collected by the player upon a cash out. This should be displayed to the player unless a tilt condition or malfunction exists. The amount of cash collected must be subtracted from the player's credit meter and added to the collect meter.
 - c. The software meter information must only be accessible by an authorized person and must have the ability to be displayed on demand using a secure means.
 - d. Electronic accounting meters must be at least ten digits in length. These meters must be maintained in credit units equal to the dollars and cents. Eight digits must be used for the dollar amount and two digits used for the cents amount. The meter must roll over to zero upon the next occurrence, and any time the meter exceeds ten digits and after 9,999,999,999 has been reached or any other value that is logical. Occurrence meters must be at least eight digits in length; however, are not required to automatically roll over. Meters must be labeled so they can be clearly understood in accordance with their function. All electronic pull-tab devices must be equipped with a device, mechanism, or method for retaining the value of all meter information specified in these rules which must be preserved in the event of power loss to the device. The required electronic meters are as follows:
 - (1) Total cash in;
 - (2) Total credit ticket vouchers in;
 - (3) Total cash played;
 - (4) Total cash, prizes won;
 - (5) Total cash removed from the electronic pull-tab device;
 - (6) Total count of electronic pull tabs played; and
 - (7) Total count of electronic pull tabs won.

- e. In addition to the one set of master electronic accounting meters required above, each individual game available for play must have the prize structure meters "credits played" and "prizes won" in dollars and cents.
46. An electronic pull-tab device may not have software that determines the outcome of any electronic pull-tab game. All application software must be owned or licensed by the manufacturer. All game outcomes are determined at the time of deal creation by the electronic pull-tab operating system software as outlined within this section of the administrative rules.
- a. Electronic pull-tab game software must be developed by the manufacturer if the manufacturer designs the electronic pull-tab system, database, user interface, the program architecture, and associated software.
 - b. Any application software to be used by the manufacturer must be owned wholly or properly licensed from an application software provider and evidence of the license must be provided to the attorney general.
 - c. The electronic pull-tab system manufacturer must provide documentation establishing ownership of the intellectual property rights to the entire game application software and system to the attorney general.
47. The electronic pull-tab operating system must be dedicated primarily to functions related to the creation of electronic pull tabs and their creation, randomization, storage, and transmittal to the electronic pull-tab devices. It also must be capable of generating the data necessary to provide the reports required within this section. The operating system must be operationally independent from the electronic pull-tab device. The electronic pull-tab operating system, logic components, and site server must be in a locked, secure enclosure with key controls in place.
48. The electronic pull-tab operating system must provide a secure physical and electronic means, for securing the electronic deals against alteration, tampering, or unauthorized access. The electronic pull-tab operating system must provide a means for terminating the electronic pull-tab game if unopened pull-tab information has been accessed or at the discretion of the attorney general.
49. Progressives, cashless gaming, bonus plays, promotions, or other gaming management or marketing functions are not allowed. An extended play feature may be used if there is no additional consideration required from the player and the features do not alter the predetermined prize to be awarded for the pull-tab ticket. No player skill may be required with the extended play feature.
50. As used in this section, unless the context requires a different meaning:
- a. "Card position" means the first electronic pull tab dealt, second electronic pull tab dealt in sequential order.
 - b. "Number position" means the first number drawn in sequential order.
51. Any random number generation used in connection with the central computer system must be by use of a microprocessor and random number generation program that meets the following random selection tests:
- a. Chi-square analysis. Each card, symbol, number, or position which is wholly or partially determinative of the outcome of the game satisfies the ninety-nine percent confidence limit using the standard chi-square analysis.
 - b. Runs test. Each card, symbol, number, or position does not, as a significant statistic, produce predictable patterns of game elements or occurrences. Each card symbol,

number, or position will be considered random if it meets the ninety-nine percent confidence level with regard to the "runs test" or any generally accepted pattern testing statistic.

- c. Correlation analysis. Each card, symbol, number, or position is independently chosen without regard to any other card, symbol, number, or position drawn within that game play. Each card, symbol, number, or position is considered random if it meets the ninety-nine percent confidence level using standard correlation analysis.
 - d. Serial correlation analysis. Each card, symbol, number, or position is independently chosen without reference to the same card, number, or position in the previous game. Each card, number, or position is considered random if it meets the ninety-nine percent confidence level using standard serial correlation analysis.
52. The central computer system may not permit the alteration of any accounting or significant event log information that was properly communicated from the electronic pull-tab operating system site server without supervised access controls. If financial data is changed, an automated audit log must be capable of being produced to document:
- a. Data element altered;
 - b. Data element value prior to alteration;
 - c. Data element value after alteration;
 - d. Time and date of alteration; and
 - e. Personnel that performed alteration (user login).
53. The electronic pull-tab operating system must have a medium for securely storing electronic pull-tab deals on the site server which must be mirrored in real time by a backup medium. The manufacturer's central computer system server also must provide a means for storing duplicates of the electronic deals, already transmitted to the electronic pull-tab operating system site server, so as to reflect, on an ongoing basis, changes in the transmitted electronic deals as they occur.
54. All storage must be through an error checking, nonvolatile physical medium, or an equivalent architectural implementation, so if the primary storage medium fails, the functions of the central computer system and the process of auditing those functions can continue with no critical data loss.
55. The database must be stored on redundant media so that no single failure of any portion of the system would cause the loss or corruption of data.
56. In the event of a catastrophic failure when the central computer system cannot be restarted in any other way, it must be possible to reload the central computer system from the last viable backup point and fully recover the contents of that backup, recommended to consist of at least the following information:
- a. Significant events;
 - b. Accounting information;
 - c. Auditing information; and
 - d. Specific site information, such as employee files with access levels.

57. Connections between all components of the central computer system only must be through the use of secure communication protocols that are designed to prevent unauthorized access or tampering, employing advanced encryption standards or equivalent encryption with changeable seeds or algorithms. More specifically, secure connections and encryption must be utilized between the interface component and the system.
58. All data communication must incorporate an error detection and correction scheme to ensure the data is transmitted and received accurately.
59. The system must be capable of detection and displaying certain conditions. These conditions must be recorded on an error log that may be displayed or printed on demand and must archive the conditions for a minimum of ninety days. The conditions include:
 - a. Power reset or failure of an electronic pull-tab device or any component of the online data system; and
 - b. Communication loss between an electronic pull-tab device and any component of the online data system.
60. A firewall or equivalent hardware device configured to block all inbound and outbound traffic that has not been expressly permitted and is not required for continued use of the electronic pull-tab operating system must exist between the electronic pull-tab operating system and any external point of access.
61. The minimum width for encryption keys is one hundred twelve bits for symmetric algorithms and one thousand twenty-four bits for public keys.
 - a. There must be a secure method implemented for changing the current encryption key set. It is not acceptable to only use the current key set to "encrypt" the next set.
 - b. There must be a secure method in place for the storage of any encryption keys. Encryption keys must not be stored without being encrypted themselves.
62. The following significant events, if applicable, must be collected from the electronic pull-tab device and communicated to the central computer system for storage and a report of the occurrence of the significant event must be made available upon request:
 - a. Power resets or power failure;
 - b. Communication loss between an electronic pull-tab device and any component of the electronic pull-tab site operating system;
 - c. Door openings;
 - d. Currency validator errors;
 - (1) Stacker full; and
 - (2) Currency jam;
 - e. Printer errors;
 - (1) Printer empty or paper low; and
 - (2) Printer disconnect or failure;
 - f. Corruption of the electronic pull-tab device RAM or program storage device; and

- g. Any other significant events as defined by the protocol employed by the electronic pull-tab site operating system.
63. The electronic pull-tab device operating system must not permit the alteration of any accounting or event log information that was properly communicated from the electronic pull-tab device to the dedicated site server unless documented, secure access controls are provided.
64. The operating system of the electronic pull-tab system must provide comprehensive password security or other secure means of ensuring data integrity and enforcing user permissions for all system components through the following means:
- a. All programs and data files must be accessible only via the entry of a password that will be known only to authorized personnel;
 - b. The electronic pull-tab operating system must have multiple security access levels to control and restrict different classes;
 - c. The electronic pull-tab operating system access accounts must be unique when assigned to the authorized personnel and shared accounts amongst authorized personnel must not be allowed;
 - d. The storage of passwords and personal identification numbers must be in an encrypted, nonreversible form; and
 - e. A program or report must be available which lists all registered users on the electronic pull-tab operating system, including their privilege level. This report must include all user accounts that have access to system configurations, data, or other sensitive areas.
65. All components of an electronic pull-tab operating system that allows access to users, other than end-users for game play, must have a password signon with two-level codes comprising the personal identification code and a personal password:
- a. The personal identification code must have a length of at least six ASCII characters; and
 - b. The personal password must have a minimum length of six alphanumeric characters, which should include at least one nonalphabetic character.
66. An electronic pull-tab operating system must have the capability to control potential data corruption that can be created by multiple simultaneous log on by system management personnel.
- a. An electronic pull-tab operating system must specify which of the access levels allow for multiple simultaneous sign on by different users and which of the access levels do not allow for multiple sign on, and if multiple sign on are possible, what restrictions, if any, exist; or
 - b. If an electronic pull-tab operating system does not provide adequate control, a comprehensive procedural control document must be drafted for the attorney general's review and approval.
67. Where the site operating system or components are linked with one another in a local network for function sharing or other purposes, communication protocols must be used which ensure erroneous data or signals will not adversely affect the operations of any such system or components.

68. Dedicated and protected network connections prohibiting unauthorized access, may allow two or more central computer systems to share information. Deal details and other information prohibited from being viewed, as outlined in other sections of these rules, must not be available or transmitted between the connected systems or facilities.
69. The central computer system may be used to record the data used to verify game play and to configure and perform security checks on electronic pull-tab devices provided such functions do not affect the security, integrity, or outcome of such games.
70. Central computer system software components and modules must be verifiable by a secure means at the system level denoting program identification and version. The central computer system must have the ability to allow for an independent integrity check of the components and modules from an outside source and is required for all control programs that may affect the integrity of the central computer system. This must be accomplished by being authenticated by a third-party device, which may be embedded within the central computer system software or having an interface port for a third-party device to authenticate the media. This integrity check will provide a means for field verification of the central computer system components/modules to identify and validate the programs and files. The test laboratory, prior to system approval, must approve the integrity check method.
71. Following the initiation of an nonvolatile memory reset procedure, the game program must execute a routine, which initializes all bits in critical nonvolatile memory to the default state. All memory locations intended to be cleared as per the nonvolatile memory clear process must be fully reset in all cases. For electronic pull-tab devices that allow for partial nonvolatile memory clears, the methodology in doing so must be accurate.
72. The default game display immediately after a nonvolatile memory reset must not be the advertised top prize on any selectable line. The default game display, upon entering game play mode, must also not be the advertised top prize.
73. It must not be possible to change a configuration setting that causes an obstruction to the electronic accounting meters without a nonvolatile memory clear. Notwithstanding, a change to the denomination must be performed by a secure means, which includes access to the locked logic compartment or other secure method provided that the method can be controlled by the attorney general.
74. Critical memory is used to store all data that is considered vital to the continued operation of the electronic pull-tab device. This includes:
 - a. All electronic meters required in subsection 45, including last currency data and power up and door open metering;
 - b. Current credits;
 - c. Electronic pull-tab device game configuration data;
 - d. Information pertaining to the last ten plays with the play outcome;
 - e. Software state;
 - f. Any prize structure configuration information residing in memory; and
 - g. A log of the last one hundred significant events.
75. Critical memory storage must be maintained by a methodology that enables errors to be identified. This methodology may involve signatures, checksums, partial checksums, multiple copies, timestamps, or effective use of validity codes, or any combination.

76. Comprehensive checks of critical memory must be made following game initiation but prior to display of game outcome to the player. Critical memory must be continuously monitored for corruption. The methodology must detect failures with an extremely high level of accuracy.
77. An unrecoverable corruption of critical memory must result in an error. The memory error should not be cleared automatically and should result in a tilt condition, which facilitates the identification of the error and causes the electronic pull-tab device to cease further function. The critical memory error should also cause any communication external to the electronic pull-tab device to immediately cease. An unrecoverable critical memory error must require a full nonvolatile memory clear performed by a licensed distributor.
78. Nonvolatile memory space that is not critical to the security of the electronic pull-tab device is not required to be validated.
79. Program storage device means the media or an electronic device that contains the critical control program components. Device types include EPROMs, compact flash cards, optical disks, hard drives, solid state drives, USB drives, etc. All program storage devices must:
 - a. Be housed within a fully enclosed and locked logic compartment;
 - b. Be clearly marked with sufficient information to identify the software and revision level of the information stored in the device. In the case of media types on which multiple programs may reside it is acceptable to display this information via the attendant menu;
 - c. Validate themselves during each processor reset;
 - d. Validate themselves the first time they are used; and
 - e. CD-ROM, DVD, and other optical disk-based program storage must:
 - (1) Not be a rewritable disk; and
 - (2) The "session" must be closed to prevent any further writing.
80. Electronic pull-tab devices that have control programs residing in one or more PROMs must employ a mechanism to verify control programs and data. The mechanism must use a cyclic redundancy check of at least sixteen bits.
81. Non-EPROM program storage must meet the following rules:
 - a. The software must provide a mechanism for the detection of unauthorized and corrupt software elements, upon any access, and subsequently prevent the execution or usage of those elements by the electronic pull-tab device. The mechanism must employ a hashing algorithm which produces a message digest output of at least one hundred twenty-eight bits;
 - b. In the event of a failed authentication, after the electronic pull-tab device has been powered up, the terminal immediately should enter an error condition and display an appropriate error. This error must require operator intervention to clear and must not clear until the data authenticates properly, following the operator intervention or the media is replaced or corrected, and the electronic pull-tab device's memory is cleared.
82. Alterable media must meet the following and additional rules:
 - a. Employ a mechanism that tests unused or unallocated areas of the alterable media or unintended programs or data and tests the structure of the media for integrity. The mechanism must prevent further play of the electronic pull-tab device if unexpected data or structural inconsistencies are found;

- b. Employ a mechanism for keeping a record any time a control program component is added, removed, or altered on any alterable media. The record must contain a minimum of the last ten modifications to the media and each record must contain that date and time of the action, identification of the component that affected the reason for the modification, and any pertinent validation information.
83. Program storage devices that do not have the ability to be modified while installed in the electronic pull-tab device during normal operation must be marked clearly with sufficient information to identify the software and revision level of the information stored in the devices.

History: Effective July 1, 2018; amended effective January 1, 2023.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-10. Testing, approval, and recall.

1. A manufacturer of a pull tab dispensing device, fifty-fifty raffle system, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking devices, or electronic pull tab device with operating system, and related equipment shall not sell or provide a device or system to a distributor unless a model of the device or system has been approved by the attorney general.
2. A manufacturer of a dispensing device shall provide a device model, a copy of its construction blueprint, wiring schematics, circuit analysis, technical and operation manuals, random number generator or player button sequencing concept source and object code computer programs, proprietary operating software source and object code computer programs, and other information requested by the attorney general. A manufacturer of a fifty-fifty raffle system, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking devices, electronic pull tab device with operating system, and related equipment shall provide a fifty-fifty raffle system and sales unit, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking devices, electronic pull tab device with operating system, technical and operations manual, proprietary operating software source and object code computer programs, random number generator, and other information requested by the attorney general. A manufacturer of a currency validator for pull tab dispensing devices and electronic pull tab devices or credit redemption device for pull tab dispensing devices shall provide a copy of the source and object code computer programs and other information requested by the attorney general. A manufacturer shall provide a copy of letters of approval and test reports of the dispensing device, fifty-fifty raffle system, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking devices, electronic pull tab device with operating system, and related equipment, or currency validator from other states, federal jurisdictions, or independent testing laboratories.
3. The attorney general may require a manufacturer of a dispensing device, fifty-fifty raffle system, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking devices, electronic pull tab device with operating system, and related equipment, or currency validator to transport a working model, and the information required by subsection 2 to the attorney general or designee for analysis, testing, and evaluation. A manufacturer shall pay all the costs and provide special equipment for the testing. The attorney general may require a manufacturer to pay the estimated costs, in advance. After the analysis, testing, and evaluation is done, the designee shall provide the results to the attorney general. An overpayment of costs must be refunded to a manufacturer or the manufacturer shall pay any underpayment of costs. The attorney general shall provide the manufacturer with the results. Before approving a device's model, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking

devices, electronic pull tab device with operating system, and related equipment, the attorney general may require a trial period.

4. If a manufacturer of a dispensing device, fifty-fifty raffle system, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking devices, electronic pull tab device with operating system, and related equipment, knows or determines that a model of a device or system is defective or can be manipulated, the manufacturer shall immediately notify the attorney general and cease selling the device or system. The attorney general may require the manufacturer to recall or modify the device or system. Upon notification, a manufacturer shall initiate compliance with a recall or modification at the manufacturer's expense.
5. A fifty-fifty raffle system, electronic quick shot bingo site operating system with card-marking devices, electronic pull tab device with operating system, and related equipment must have the ability to allow for an independent integrity check of the device's software from an outside source and is required for all control programs that may affect the integrity of the game.

History: Effective May 1, 1998; amended effective July 1, 2000; July 1, 2002; July 1, 2004; July 1, 2010; July 1, 2012; April 1, 2016; July 1, 2018.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1

99-01.3-16-11. Sales invoice.

1. A manufacturer may not sell or provide to or accept from a distributor deals of pull tabs, paper bingo cards, fifty-fifty raffle system, site system with bingo card-marking devices, electronic quick shot bingo site operating system with card-marking devices and related equipment, electronic pull-tab device with operating system, and related equipment, or pull-tab dispensing devices without recording the transaction on a sales or credit invoice. The invoice must include:
 - a. License number, business name, and address of the distributor;
 - b. Business name and address to which the gaming equipment is shipped;
 - c. Invoice number and date;
 - d. Date shipped;
 - e. Indication for a credit invoice;
 - f. Quantity of deals of pull tabs and paper bingo cards;
 - g. Description of each deal of pull tabs and paper bingo cards sold, including the name of the game and game serial number which may be listed on an addendum to a sales invoice. For a deal of pull tabs involving two-ply or three-ply cards with perforated break-open tabs, the description must include the manufacturer's form number;
 - h. For paper bingo cards, quantity, primary color, type of collated booklet, serial number, size of series, and number of faces on a card;
 - i. Name, model, and serial number of a pull-tab dispensing device;
 - j. Name, model, and serial number of an electronic pull-tab dispensing device;
 - k. Name, model, and serial number of a site system for bingo card-marking devices and number of bingo card-marking devices provided;

- l. Name, model, serial number, and control program code of an electronic quick shot bingo site operating system and number of card-marking devices provided;
 - m. For electronic bingo cards, quantity of bingo cards played; and
 - n. Name, model, serial number, and control program code of a fifty-fifty raffle system.
- 2. A manufacturer shall file a copy of each sales invoice issued to an organization on behalf of a distributor for rent of a bingo card-marking device, by the fifth business day following the month of the transaction.

History: Effective May 1, 1998; amended effective July 1, 2000; October 1, 2006; July 1, 2010; July 1, 2012; April 1, 2016; July 1, 2018; January 1, 2023.

General Authority: NDCC 53-06.1-01.1

Law Implemented: NDCC 53-06.1-01.1