



ADMINISTRATIVE RULES OF MONTANA



23.16.1904 PROCEDURE ON DISCOVERY OF SUSPECTED OR CONFIRMED VGM MALFUNCTION

- (1) A gambling operator who has a good faith belief a ticket voucher is the result of a VGM malfunction may refuse payment of the ticket voucher but must follow these steps:
 - (a) the gambling operator must immediately:
 - (i) print an audit ticket from the VGM;
 - (ii) suspend play of the VGM; and
 - (iii) contact and consult with the VGM owner if the gambling operator is not also the VGM owner;
 - (b) after consulting with the VGM owner, a gambling operator:
 - (i) who no longer believes the ticket voucher resulted from a VGM malfunction shall immediately pay the ticket voucher as provided in ARM 23.16.1903 and the VGM may be returned to active play; or
 - (ii) who continues to believe the ticket voucher resulted from a VGM malfunction shall within 24 hours submit a completed Form 50 to the department, together with all required documents.
- (2) The department upon receipt of the completed Form 50, together with all required documents, shall inspect and evaluate the suspended VGM or its subparts and determine whether the ticket voucher resulted from a VGM malfunction. The department shall notify the player, the VGM owner, and the gambling operator of its determination:
 - (a) if the department determines the ticket voucher did not result from a VGM malfunction, the gambling operator shall immediately pay the ticket voucher, and the VGM may be returned to active play; or
 - (b) if the department determines that a VGM malfunction occurred, the ticket voucher is invalid and the gambling operator need not pay the ticket voucher, but the department's determination may include compensation due the player. The department may continue to suspend play of the VGM or a game title until all necessary software or hardware corrections are completed and approved.
- (3) VGM owners and gambling operators must report suspected or confirmed software or hardware malfunctions on a completed Form 50 supported by all required documents. The VGM owner or gambling operator must submit the Form 50 and supporting documents to the department within 24 hours of the suspected or confirmed malfunction.

- (4) VGM manufacturers must report software or hardware malfunctions on a completed Form 50A supported by all required documents. The Form 50A and supporting documents must be submitted to the department within 24 hours of the malfunction being confirmed by the VGM manufacturer.
- (5) For purposes of this rule, the following definitions apply:
 - (a) a software malfunction means an obvious deviation from the ordinary and expected play of a game that interrupts play, or an event resulting in a player losing credits or additional play earned before the malfunction. Such deviations include, but are not limited to:
 - (i) repeated game lock-ups or freezes whether or not the VGM can be manipulated to resume play without loss of credits or games earned;
 - (ii) inability to print an accurate ticket voucher;
 - (iii) play or VGM behavior inconsistent with the general rules of the game or inconsistent with the particular game description found on help screens;
 - (iv) any recurrent play anomalies or irregularities; and
 - (v) any irregular play that can be replicated;
 - (b) a hardware malfunction means repeated failures or breakdowns of the same VGM component. Such failures or breakdowns include, but are not limited to:
 - (i) power supplies;
 - (ii) memory storage devices; and
 - (iii) logic board integrated circuits.
- (6) The following are not software or hardware malfunctions that must be reported under this rule:
 - (a) a single unexpected VGM event or behavior that cannot be replicated and is not expected to recur;
 - (b) routine maintenance or repairs commonly reported under ARM 23.16.1929; and
 - (c) routine maintenance or repairs necessary due to ordinary wear and breakdowns.

Authorizing statute(s): 23-5-115, 23-5-608, 23-5-621, MCA

Implementing statute(s): 23-5-602, 23-5-607, 23-5-608, 23-5-616, 23-5-621, MCA

History: NEW, 2018 MAR p. 1958, Eff. 10/6/18; AMD, 2022 MAR p. 48, Eff. 1/15/22.