



ADMINISTRATIVE RULES OF MONTANA

23.16.1828 GENERAL REQUIREMENTS OF OPERATORS, MANUFACTURERS, MANUFACTURERS OF ILLEGAL DEVICES, DISTRIBUTORS, AND ROUTE OPERATORS OF VIDEO GAMBLING MACHINES OR PRODUCERS OF ASSOCIATED EQUIPMENT

- (1) Every operator, manufacturer, manufacturer of illegal devices, distributor, or route operator must retain for a period of three years all records relating to the possession, destruction, purchase, lease, rental, or sale of any gambling device. For purpose of this rule, three years means a minimum of 12 full quarters from the previous quarterly tax return due date. The information detailed in (2)(a), (b), (c), and (d) must be retained on each individual machine.
- (2) An operator, manufacturer, manufacturer of illegal devices, distributor, or route operator must provide the division with a current list of all video gambling machines owned at the times of application and licensure and provide status reports as required by the department. These reports must include the following information:
 - (a) manufacturer;
 - (b) model;
 - (c) serial number;
 - (d) location machine is stored.
- (3) Every operator, manufacturer, distributor, route operator, or producer of associated equipment desiring to sell, distribute, lease, or rent video gambling machines or associated equipment in this state or ship video gambling machines to a final destination within the state must:
 - (a) be issued and maintain all required federal, state, county, and municipal licenses and registrations;
 - (b) furnish to the department monthly reports identifying the quantities, serial number, manufacturer and model number of each machine such person destroys, purchases, or sells, and such other information the department may determine is necessary to regulate and control video gambling machines in accordance with the act and these rules. All such monthly reports must be filed with the department within 15 days after the end of each required monthly reporting period. The department shall not approve a permit without prior notification of shipment by the machine's manufacturer.
- (4) Every manufacturer or distributor proposing to import video gambling machines not approved under ARM 23.16.1901 for research and development or proposing to export legal gambling machines from the state must:
 - (a) comply with the applicable requirements of ARM 23.16.2001(5) and report such shipments to the department on form 22; and

- (b) receive prior approval. If the department has taken no action within five working days of receipt of form 22, the application for approval is deemed granted.

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

Implementing statute(s): 23-5-115, 23-5-611, 23-5-614, 23-5-621, 23-5-625, 23-5-631, MCA

History: NEW, 1987 MAR p. 1972, Eff. 10/30/87; TRANS, from Dept. of Commerce, Ch. 642, L. 1989, Eff. 7/1/89; AMD, 1990 MAR p. 828, Eff. 4/27/90; AMD, 1993 MAR p. 2786, Eff. 11/25/93; AMD, 1994 MAR p. 2834, Eff. 10/28/94; TRANS & AMD, from ARM 23.16.1917, 1997 MAR p. 404, Eff. 2/25/97; AMD, 1998 MAR p. 1176, Eff. 5/1/98; AMD, 2009 MAR p. 2480, Eff. 12/25/09.).