Notice of Proposed Rule

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Pari-Mutuel Wagering
RULE NO: RULE TITLE
61D-14.044: Identification of Program Storage Media, and Slot Machine Technical Requirements
PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.
SUMMARY: The rule has been substantially reworded to improve clarity. It has also been updated to specify that programs used are not rewritable; removes the external check in favor of type III game internal check algorithm using Internal Checksum or Cyclic Redundancy Check (CRC); specifies the requirement that before a slot machine may be cleared after a failed authentication has occurred, the supervising attendant must enter the time and date of the failure in a permanent record; specifies the requirement of and the procedures to be enacted if "complete and continuous" access to the facility based computer system is lost for a period of 90 minutes or longer, and removes the requirement for slot machines to maintain an internal record of RAM and ROM errors; specifies that authentication errors or RAM or ROM errors will require the game to cease play and illuminate the tower light.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
LAW IMPLEMENTED: 551.103(1) (c), (d), (e), (f), (g) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE,TIME AND PLACE SHOWN BELOW(IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
DATE AND TIME: June 24, 2009, 9:00 a.m. – 5:00 p.m.
PLACE: Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Blvd., Suite 195, Ft. Lauderdale, Florida 33309
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61D-14.044 follows. See Florida Administrative Code for present text.)

61D-14.044 Identification of Program Storage Media, and Slot Machine Technical Requirements.

(1) All program storage media, both writable or non-writable, including EPROMs, Digital Versatile Disc (DVD), Compact Disk – Read Only Memory (CD-ROM), and any other type of program storage devices shall:

(a) Be marked with information to identify the software and revision level of the information stored in the devices;

(b) Only be accessible with access to the locked logic compartment; and

(c) Have a method that shall require display of the program storage media identification information on the slot machine if the program is copied to and executed from Random Access Memory (RAM).

(2) Read Only Memory (ROM) program storage media shall not be re-writable and shall be finalized and closed to prevent further writing.

(3) For non-EPROM based media, the control program shall authenticate all files that are critical to the accurate operation of the slot machine ("critical files") by employing a hashing algorithm which produces a "message digest" output of a minimum of 128 bits.

(4) For EPROM based media, the control program shall test for possible corruption. The control program may use a Checksum or a Cyclic Redundancy Check (CRC) minimum of 16-bit or equivalent for that test.

(5) The slot machine shall authenticate all critical files against the stored message digest(s), as required in subsection (3), above. In the event of a failed authentication after the slot machine has been powered up, the slot machine shall:

(a) Immediately enter an error condition;

(b) Illuminate its tower light when one is present; and

(c) Cease operation.

(6) Slot machine authentication failure shall:

(a) Require a supervisor's intervention and authorization to correct;

(b) Be recorded in an error correction log that shall:

1. Be maintained in each slot machine;

2. Be maintained as a permanent record of program changes and error corrections for the specifically numbered slot machine;

3. Include the details of each failed authentication and corrective action; and

4. Include the date and time of a failure, and date and time of the corrective action.

(7) For writable program storage the following requirements apply to the programs residing in the slot machine that are capable of being erased and reprogrammed without being removed from the slot machine, bill changer, or other equipment or related devices:

(a) Re-writable program storage shall only be written to in cases where the media contains only data, files, and programs that are not critical to the basic operation of the game, such as marketing information.

(b) Notwithstanding the foregoing, such device may write to media containing critical data, files, and programs provided that the gaming equipment:

1. Properly maintains a log of all information added, deleted, and modified that is stored on the media;

2. Maintains a control program that verifies the validity of all data, files, and programs which reside on the media using the methods listed in subsection (3), non-EPROM specific requirements;

3. Contains appropriate security to prevent unauthorized modifications; and

4. Prohibits game play while the media containing the critical data, files, and programs are in a modifiable state.

(8) Slot machine component integrity checks shall:

(a) Occur:

1. The first time program files are loaded for use; and

2. During the use of components critical to the slot machine's operation.

(b) Not occur:

1. For RAM; and

2. Program storage device space that is not critical to the slot machine security.

(9) Critical files shall be authenticated during each slot machine start-up and restart.

(10) The authentication methodology shall detect 99.99 percent of all possible failures. All critical memory shall:

(a) Have the ability to retain data for a minimum of thirty (30) days after power is removed from the slot machine. If a rechargeable battery is used, the battery used to retain power shall recharge itself to its full potential in a maximum of twenty-four (24) hours. The shelf life of the battery used shall be at least five (5) years;

(b) Be cleared only in accordance with the slot machine licensee's internal controls;

(c) Provide a RAM error message, if the control program detects an unrecoverable memory error; and

(d) Not be cleared automatically, but shall require division approval of and presence for a full RAM clear that is performed by a slot machine lead technician or a more senior employee.

(11) A RAM clear shall only be authorized for the following:

(a) A slot machine malfunction that results in an unrecoverable memory error;

(b) An EPROM chip failure;

(c) A modification to the slot machine's program; and

(d) Troubleshooting the system for possible RAM failure.

(12) No RAM clear procedure shall be performed without prior division approval and division presence for the RAM clear procedure.

(13) Following the initiation of a RAM clear procedure, the slot machine's control program shall execute a routine that initializes all data in RAM to the default state, except those portions of RAM that are critical to the operation of the slot machine. The default reel position or game display after a RAM clear shall not indicate the top award on any selectable line. The default game display, upon entering game play mode, shall also not display the top award.

(14) Slot machines shall be capable of detecting and displaying error conditions and illuminating the tower light for each slot machine in those cases where such a light is available. Upon detection of error conditions, a slot

machine shall disable play, and the slot machine and/or the facility based monitoring system (FBMS) shall maintain an internal record if the error is for:

(a) Loss of communication with the FBMS for longer than 90 minutes;

(b) Low RAM battery, for batteries external to the RAM itself, or low power source;

(c) Currency-in jam;

(d) Program error or authentication mismatch;

(e) Door open, including bill acceptor;

(f) Reel spin errors:

1. The specific reel number shall be identified in the error code;

2. The final positioning of the reel, if the final indexed position error exceeds one-half of the width of the smallest symbol on the reel strip; and

3. Malfunctions such as a reel which is jammed, or is not spinning freely, or any attempt to manipulate their final resting position;

(g) Power reset;

(h) Out-of-paper;

(i) Printer jam;

(j) Printer failure; and

(k) Printer disconnected.

(15) The slot machine licensee shall:

(a) Establish procedures within its internal controls to ensure that:

1. The FBMS shall alert the FBMS supervisor when communication has been lost between a slot machine and the FBMS.

2. If communication to a slot machine is lost:

a. The FBMS supervisor is responsible for monitoring the play of the slot machine with which communication has been lost;

b. Within 90 minutes of the loss of communication:

(I) The facility shall restore communication between the slot machine and the FBMS; or

(II) The FBMS supervisor shall terminate play on each slot machine with which communication has not been restored no later than 90 minutes from the time communication was originally lost.

(b) Maintain either a manual or FBMS record of all communication failures, which contains the date and time of the communication failure and resolution of that failure.

(16) A slot machine that has authentication or RAM or ROM errors shall:

(a) Cease operation;

(b) Automatically set to the disabled mode of operation; and

(c) Automatically light its tower or similar light, if the machine has such.

(17) A description of slot machine error codes and their meanings shall be affixed inside the slot machine. However, this subsection does not apply to video-based games that shall display text messages for error conditions on the game console.

(18) The software shall be able to recover to the state it was in immediately prior to the occurrence of a program interruption. Communications to an external device shall not begin until the program resumption routine is completed, and:

(a) Upon restoration of power to the slot machine:

1. The previous error message shall be displayed and the slot machine shall remain locked-up if a slot machine is powered down while in an error condition; or

2. The previous error message shall not be displayed if:

a. The power down is used as part of the error reset procedure; or

b. Upon power up or door closure, the slot machine checks for the error condition and detects that the error condition no longer exists.

(b) Upon resumption of the slot machine's control program, the following procedures shall be performed:

1. Slot machine control programs shall test themselves for possible corruption due to failure of the program storage media; and

2. Mechanical displays shall re-spin automatically to display the last valid game's result when the play mode is re-entered, and the reel positions have been altered.

(19) The slot machine's main door shall affect game play in the following ways:

(a) When the slot machine's main door is opened, the slot machine shall:

1. Cease game play;

2. Enter an error condition;

3. Display an error message;
4. Disable bill acceptance; and
5. Illuminate the tower light when one is available.
(b) When the slot machine's main door is closed, the slot machine shall:
1. Return to its original state in the game; and
2. Display an error message, until the next game has ended.
(c) The software shall detect any access to the following doors or secure areas:
1. External doors;
2. Drop box door; and
3. Bill acceptor door.
(20) Each slot machine and/or bill acceptor shall detect and display an error condition and the bill acceptor shall be disabled for the following conditions:
(a) Bill stacker full;
(b) Bill jams;
(c) Bill acceptor door open; and
(d) Bill stacker door open or bill stacker removed.

Rulemaking ~~Specific~~ Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (f), (g) FS. History–New 8-13-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David J. Roberts, Director, Division of Pari-Mutuel Wagering
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles W. Drago, Secretary, Department of Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 5, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2007