

Notice of Proposed Rule

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Division of Pari-Mutuel Wagering**

RULE NO: RULE TITLE

61D-14.047: Facility Based Monitoring System and Computer Diagnostics

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 and requires a slot machine not be enabled to play following the detection of errors until the control program is authenticated.

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)(e), (g), (i), 551.104(4)(f) 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-14.047 follows. See Florida Administrative Code for present text.)

61D-14.047 Facility Based Monitoring System and Computer Diagnostics.

(1) The facility based monitoring system's slot machine communication protocol shall have the ability to immediately act upon commands received from the facility based monitoring system (FBMS), which provide:(a) The ability to suspend play on a slot machine;(b) Daily reports of events; and(c) Reports providing:1. All accounting data contained in the FBMS;2. Information on individual events and transactions contained in the FBMS; and3. The history of a specific slot machine transaction contained in the FBMS.(2) The FBMS shall:(a) Capture all information required for tickets enumerated in subsection 61D-14.040(2), F.A.C.;(b) Not permit a configuration setting change that causes an obstruction or interruption to the electronic accounting meters, affect the integrity of the slot machine, or communications without a RAM clear as provided in subsection 61D-14.044(8), F.A.C.(3) For the purposes of this rule, an interface element is any system component external to the operation of a slot machine that assists in the collection and processing of data sent to the FBMS. All interface elements shall:(a) Be installed in a locked area;(b) Maintain separate electronic meters that shall allow for review on demand at the interface element level;(c) Retain the required information after a power loss for at least 72 hours;(d) Provide a means to preserve all meter information required by Rule 61D-14.042, F.A.C., and event information required by Rule 61D-14.046, F.A.C., until it is communicated to the FBMS; and

(e) Allow for the association of a slot machine asset number used in conjunction with a slot machine file on the FBMS. The slot machine asset number shall be used by the FBMS to:

1. Track all information regarding an individual slot machine; and
2. Identify only one slot machine in the FBMS.

(4) An interface element that serves as a data collector for the FBMS shall:

(a) Provide an error detection and correction scheme to ensure an accuracy of 99 percent or better of messages received; and

(b) Encrypt all accounting data communications.

(5) Each system critical to the operation of the slot machine's interface element and the FBMS shall be tested to verify that it performs within its manufactured design specifications. Each system shall be tested:

(a) Under controlled laboratory conditions prior to installation at a slot machine licensed facility; and

(b) At the installation site (a slot machine licensed facility) upon the initial installation of the system to ensure proper configuration of the equipment and installation of the security applications.

(6) The FBMS shall maintain an internal master clock that reflects time in 24-hour format and data that shall be used to provide:

(a) Time stamp of events;

(b) Reference clock for reporting; and

(c) Updated clocks in the system servers, networked systems, or distributed systems.

(7) The FBMS shall:

(a) Not permit the alteration of any accounting or event log information without the approval of a supervisor;

(b) Create an audit log for any alterations of any accounting or event log information. The audit log must include at least:

1. The name of the data element altered;

2. The value of the data element:

a. Prior to data alteration; and

b. After data alteration.

3. The time and date of alteration for each data element alteration event; and

4. The identification of:

a. The individual who performed the alteration; and

b. The supervisor approving the alteration.

(8) The FBMS shall provide:

(a) Redundant copies of each log file or system database or both; and

(b) Open support for backups and restoration of each log file or system database.

(9) The data contained in the FBMS shall be backed-up or saved daily in some form of back-up data records maintained on removable computer storage media. The back-up data records shall be sufficient to reconstruct the entire day's activity.

(a) In addition to the requirements of Rule 61D-14.080, F.A.C., a ready copy of the back-up data records shall be stored for a minimum of 120 days secured in an industry standard two-hour fire and water resistant storage device either on-site or at an off-site location.

(b) The slot machine licensee shall provide the contact information, address, and telephone number of each off-site storage location to the division when:

1. The off-site location is first used for storage; and

2. Each time a new off-site location is used or an off-site location is changed.

(c) Off-site storage contact information should be sent to the Office of Slot Operations, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Boulevard, Suite 165, Ft. Lauderdale, Florida 33309-3787.

(10) The FBMS shall only be reloaded using data contained in the most recent complete back-up data records that contains at least:

(a) An events log;

(b) All accounting information;

(c) All auditing information; and

(d) Specific site information such as device file or employee file.

(11) The FBMS shall:

(a) Implement self-monitoring for all interface elements;

(b) Notify the system administrator of any error condition;

(c) Monitor the operation of each slot machine in real-time;

(d) Retrieve all financial accounting information for each slot machine on a daily basis;

- (e) Report all events in real-time; and
- (f) Employ security systems, support measures, or networks to ensure that there is no alteration of any information as it is being communicated from a slot machine to the FBMS.
- (12) A slot machine shall not be enabled to play following the receipt of any error listed in subsection 61D-14.044(14), F.A.C., until the control program is authenticated.
- (13) The FBMS shall collect and store the following information from each slot machine:
 - (a) Total credits-in;
 - (b) Total credits-out;
 - (c) Total value of all bills, tickets, and vouchers collected by the slot machine;
 - (d) Total value of all handpays;
 - (e) Cancelled unpaid credits;
 - (f) Total monetary value of all bills accepted;
 - (g) Total number of each type of bill accepted by denomination;
 - (h) Games played;
 - (i) Cabinet door openings;
 - (j) Drop door openings;
 - (k) Total monetary value of all tickets accepted; and
 - (l) Total monetary value of all tickets produced.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(~~b~~), (e), (g), (i), 551.104(4)(f) 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