



Notice of Permanent Rule Changes Related to Trade Shows

Changes to the below identified rules were made to clarify what types of gambling equipment can be brought into the state, for what purpose, and in what manner they can be displayed at trade shows.

This explanatory statement concerns the Washington State Gambling Commission's amendment of:

- WAC 230-16-005 – Transporting, displaying, and selling gambling equipment at trade shows
- WAC 230-06-050 – Review of electronic or mechanical gambling equipment

The Administrative Procedure Act ([RCW 34.05.325\(6\)](#)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. This statement must be provided to anyone who provided comments regarding the proposed rule-making.

Once persons who provided comments during this rulemaking have had an opportunity to receive this document, the Washington State Gambling Commission will file the amended rules with the Office of the Code Reviser. These changes will become effective on June 10, 2019.

The Washington State Gambling Commission appreciates your involvement in the rule-making process. If you have any questions, please contact Ashlie Laydon, Rules Coordinator, at ashlie.laydon@wsgc.wa.gov or (360) 486-3473.

What are the agency's reasons for adopting this rule?

Rule changes to WAC 230-16-005 where necessary to clarify what types of gambling equipment can be brought into the state, for what purpose, and in what manner they can be displayed at trade shows. Specific changes include:

- Defining the terms "trade show", "gambling equipment", and "demonstration mode"
- Clarifying what equipment can be displayed at trade shows and the manner in which it is displayed
- Providing parameters for how long unapproved equipment can remain in the state
- Establishing a method of notifying the Gambling Commission
- Allowing for onsite inspection of equipment by the Commission at trade shows

Rule changes to WAC 230-06-050 were necessary in order to be consistent with WAC 230-16-005.

Summary of all public comments received on this rule proposal and consideration of the comments. If we responded to comments, add our response and how the final rule reflects consideration of the comments or why it fails to do so.

Public Comment:

Marcus Prater, Executive Director of Association of Gaming Equipment Manufacturers, sent an email on December 30, 2018, in support of updating the trade show rules to allow for unapproved equipment to be displayed at trade shows.

No response was issued by the Washington State Gambling Commission.

Steve Bolz, Audit Manager at Suquamish Tribal Gaming Commission, sent a letter on January 22, 2019, requesting the elimination of the use of terms “authorized” and “approved” and added that it would be in the best interest of the tribes and vendors for the state to allow new technology to be demonstrated at trade shows.

No response was issued by the Washington State Gambling Commission.

Lance Ledford, Director of Tulalip Gaming Agency, sent an email on January 22, 2019, in support of updating the rules to allow unapproved equipment to be displayed at trade shows.

No response was issued by the Washington State Gambling Commission.

Paul Dasaro, Executive Director of Cowlitz Tribal Gaming Agency, testified at March 2019 Commission Meeting with concerns regarding Class II gaming equipment being subject to onsite inspection.

Response. The proposed language uses “gambling equipment” which is defined in WAC 230-03-200 and does not include Class II gambling equipment. Therefore, Class II gambling equipment is not subject to onsite inspection under the proposed language.

If there are variances from the proposed rule and final adopted rule, state the reasons for the differences (RCW 34.05.325(6)(a)(ii)).

No changes were made.