

**LOUISIANA
ADMINISTRATIVE CODE**

**TITLE 42
LOUISIANA GAMING**

**DECEMBER 2018
UPDATE**

Reporting of Gaming Positions

This amended LAC 42:III.1701 and LAC 42:III.2704

Riverboat Economic Development

This created LAC 42:III.Chapter 24 and amended LAC 42:III.110, 2110, 2113, 2117, 2124, and 2910

RULE

Department of Public Safety and Corrections Gaming Control Board

Reporting of Gaming Positions (LAC 42:III.1701 and 2704)

The Department of Public Safety and Corrections, Louisiana Gaming Control Board, in accordance with R.S. 27:15, R.S. 27:24, and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., has amended LAC 42:III.1701, Definitions, and has adopted LAC 42:III.2704, Reporting of Gaming Positions. These Rule changes clarify practices already required to take place in the industry and create uniformity with the amended statutes and the newly enacted statutes as a result of Acts 469 and 575 of the 2018 Regular Legislative Session. This Rule is hereby adopted on the day of promulgation.

Title 42

LOUISIANA GAMING

Part III. Gaming Control Board

Chapter 17. General Provisions

§1701. Definitions

A. - B. ...

Designated Gaming Area—

a. for the licensed eligible facility, the contiguous area of the eligible facility at which slot machine gaming may be conducted in accordance with the Act. Such designated gaming area shall not contain more than 1,632 gaming positions;

b. for the casino operator, those portions of the official gaming establishment in which gaming activities may be conducted. The designated gaming area shall not be less than 100,000 square feet of usable space;

c. for riverboats, that portion or portions of a riverboat in which gaming activities may be conducted. Such designated gaming area shall not exceed 2,365 gaming positions, subject to the rules and regulations of the board. Plans shall be submitted to and approved by the board or division, as applicable.

Gaming Position—a seat at an electronic gaming device or slot machine or a space beside a dice or other table game whereat patrons may game. For electronic gaming devices or slot machines that do not have seats or that have multiple seats, the number of gaming positions shall be determined by the number of persons that may wager during the game. For card tables, one gaming position shall be counted for each betting location indicated on the table layout. For roulette tables, one gaming position shall be counted for the number of different color of non-value table chips used at a table. For craps tables, a half table shall count as eight gaming positions and a full table shall count as sixteen gaming positions. For all other table games, the number of gaming positions shall be determined by the division. In accordance with R.S. 27:65(B)(15), licensees may conduct no more than four tournaments, each no more than 14 days in length, per year in which the gaming positions utilized for tournament play are not considered part of the licensee's total number of gaming positions.

Riverboat—a vessel or facility as defined in the Act where gaming may be conducted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1601 (July 2012), amended LR 41:1496 (August 2015), amended LR 44:2215 (December 2018).

Chapter 27. Accounting Regulations

§2704. Reporting of Gaming Positions

A. On a quarterly basis, a licensee and casino operator shall provide a report to the division, no later than the 10th day following the reported quarter, containing the number of slot machines and table games along with a total number of gaming positions in its designated gaming area, which shall be certified by its general manager. In accordance with R.S. 27:65(B)(15), licensees may conduct no more than four tournaments, each no more than 14 days in length, per year in which the gaming positions utilized for tournament play are not considered part of the licensee's total number of gaming positions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 44:2215 (December 2018).

Ronnie Jones
Chairman

1812#007

RULE

Department of Public Safety and Corrections Gaming Control Board

Riverboat Economic Development (LAC 42:III.110, Chapter 21, 2401 and 2910)

The Department of Public Safety and Corrections, Louisiana Gaming Control Board, in accordance with R.S. 27:15, R.S. 27:24, and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., has adopted Chapter 24 of Part III of Title 42 of the Administrative Code and has amended Sections 110, 2110, 2113, 2117, 2124, and 2910 of Part III of Title 42 of the Administrative Code. These rule changes clarify practices already required to take place in the industry and creates uniformity with the amended statutes and the newly enacted statutes as a result of Act 469 of the 2018 Regular Legislative Session. This Rule is hereby adopted on the day of promulgation.

Title 42

LOUISIANA GAMING

Part III. Gaming Control Board

Chapter 1. General Provisions

§110. Quarterly Submissions

A. - C. ...

D. Riverboat licensees shall submit quarterly reports to the board, the Senate Committee on Judiciary B and the House Committee on the Administration of Criminal Justice in accordance with R.S. 27:46. Each riverboat licensee shall certify to the board that it has timely submitted the required

report in accordance with R.S. 27:46. Failure to timely submit the quarterly reports may result in administrative action being taken by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 23:304 (March 1997), amended LR 30:1703 (August 2004), LR 44:2215 (December 2018).

Chapter 21. Licenses and Permits

§2110. Plans and Specifications

A. Riverboat

1. Vessel. The applicant or licensee shall submit all plans and specifications of the vessel and its qualifications to operate a riverboat, including a statement of maritime experience as a riverboat operator, to the board and division. The applicant or licensee shall have an ongoing duty to update the division of changes in the vessel plans, specifying layout and design as they become available. Such changes are subject to prior approval by the board or division.

2. Facility. The applicant or licensee shall submit all plans and specifications of the facility to the board and the division at the time of application. The applicant or licensee shall have an ongoing duty to inform the division of changes in the facility plans, specifying layout and design as they become available. Such changes are subject to prior approval by the board or division.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1610 (July 2012), amended LR 44:2216 (December 2018).

§2113. Licensing Criteria

A. - F. ...

G. Riverboat Applicants

1. The applicant shall demonstrate a proven ability to operate a vessel of comparable size, capacity, and complexity so as to ensure the safety of its passengers as set forth in these regulations.

2. The applicant shall submit a detailed plan of design of the riverboat.

3. The applicant shall show adequate financial ability to construct and maintain a riverboat.

4. The applicant shall designate the docking facilities to be used by the riverboat.

5. The applicant shall have a good-faith plan to recruit, train, and upgrade minorities in all employment classifications.

6. The applicant shall have a plan to provide the maximum practical opportunities for participation by the broadest number of minority-owned businesses.

H. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1611 (July 2012), amended LR 44:2216 (December 2018).

§2117. Certification Required, Riverboat Only

A. Before any riverboat may be operated or may continue to operate under the authority of the Act, the applicant or, if the application has been approved, the licensee, shall provide to the division evidence as follows.

1. If operating on a certificated vessel, that the vessel has a valid certificate of inspection from the United States Coast Guard for carriage of passengers on navigable rivers, lakes, and bayous as provided by the Act and for the carriage of a minimum total of 600 passengers and crew; or

2. If operating on a non-certificated vessel as defined in R.S. 27:44, evidence that the riverboat has a valid certificate of compliance issued by the board based on the recommendation of an approved third-party inspector.

a. The sole inspection standard for non-certificated vessels is the guide for alternative inspection of riverboat gaming vessels as adopted and amended by the board.

b. A non-certificated vessel shall be inspected by the third-party inspector annually in accordance with R.S. 27:44.1. Non-compliant items identified by the third-party inspector will be remedied within the time period given. Failure to remedy any discrepancy timely shall be reported to the division by the third-party inspector and may result in sanctions including a civil penalty.

c. A non-certificated vessel shall be inspected quarterly by the licensee. The results of the inspection will be documented and made available to the division.

3. If operating in a facility, that the facility has a valid certificate of compliance as required by R.S. 27:44(24)(e) and 27:44.1(D)(1)(b).

B. The licensee shall submit a copy of all required certificates of compliance to the Senate Committee on Judiciary Section "B" and the House Committee on the Administration of Criminal Justice of the Louisiana Legislature within 25 days of receiving the certificate from the board. The licensee shall provide proof to the board of compliance with this Subsection. Failure to timely submit a certificate of compliance shall result in a civil penalty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1612 (July 2012), amended LR 40:1380 (July 2014), LR 44:2216 (December 2018).

§2124. Additional Application Information Required, Riverboat Only

A. Every application for a riverboat license shall contain the following additional information, as applicable:

1. a statement that the vessel has or will obtain a valid certificate of inspection from the United States Coast Guard or valid certificate of compliance from a board-approved third party inspector;

2. if required to cruise and conduct excursions by the Act, the proposed route to be followed identifying the designated waterways; and a description of proposed excursions including frequency and approximate schedule of excursions, projected passenger load, admission charges, and a proposed berth site;

3. a statement that the facility has or will maintain a certification of compliance in accordance with R.S. 27:44.1(D)(1)(b).

B. Failure to comply with the provisions of this Section may constitute grounds for delaying consideration or for denial of the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1614 (July 2012), amended LR 44:2216 (December 2018).

Chapter 24. Relocation of Gaming Operations

§2401. Relocation of Gaming Operations to a Facility, Procedure

A. Prior Approval

1. Prior written approval of the board is required to relocate gaming operations to a facility in accordance with R.S. 27:44(24)(e) and R.S. 27:67.

2. Failure to obtain approval from the board prior to relocating gaming operations to a facility may be grounds for administrative action against a licensee.

B. Application

1. A licensee desiring to relocate its gaming operations to a facility in accordance with R.S. 27:44(24)(e) and 27:67 shall file an application with the board, which application shall include the following:

a. a petition requesting approval to relocate all or a portion of its gaming operations to a facility as provided for in R.S. 27:44(24)(e) and 27:67;

b. a site plan designating the licensee's current approved berth site and the location of the proposed facility;

c. a legal property description of the land owned or leased by the licensee on which the facility is to be located;

d. a detailed capital improvement and reinvestment plan;

e. a plan for financing the proposed relocation, including any financing commitments;

f. a schedule for the commencement and completion of construction;

g. a comprehensive relocation plan, which shall include plans for staffing the facility, the moving and installation of gaming devices and equipment into the facility, security and surveillance for the facility, and a date for the commencement of gaming activities at the facility; and

h. any other information, documentation, plan, or description deemed relevant and requested by the board or division.

C. No licensee shall be allowed to commence gaming activities at a facility until the division has determined that all necessary staffing, training, security and surveillance, technical, accounting, and internal control procedures are acceptable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 44:2217 (December 2018).

Chapter 29. Operating Standards

§2910. Passenger Embarkation and Disembarkation, Riverboat Only

A. Except in the case of emergencies, passengers and crew may embark and disembark from a vessel only at its authorized berth.

B.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1657 (July 2012), amended LR 44:2217 (December 2018).

Ronnie Jones
Chairman

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RULE

Department of Public Safety and Corrections Office of Motor Vehicles

Military Surplus Motor Vehicles (LAC 55:III.337)

Under the authority of R.S. 32: 299.5 and 47:471, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Public Safety and Corrections, Public Safety Services, Office of Motor Vehicles (department), adopts a Rule regarding military surplus motor vehicles. This §337 is new and implements the provisions of Act 675 of the 2018 Regular Session of the Louisiana Legislature which provide for titling and registration of military surplus motor vehicles. This Section is adopted and effective on December 20, 2018.

Title 55

PUBLIC SAFETY

Part III. Motor Vehicles

Chapter 3. License Plates and Removal of Plates, Registrations, and Title Transactions

Subchapter A. Types of License Plates and Removal of Plates

§337. Military Surplus Motor Vehicles

A. Eligibility. Applicants for the military surplus motor vehicles specialty plate must be at least 21 years of age and possess a valid driver's license.

B. Requirements. To obtain a military surplus motor vehicles specialty plate, the applicant shall submit a certification form that the vehicle is capable of being safely operated on the highways of this state. Any military surplus motor vehicle found to be non-compliant to the requirements in R.S. 47:471, or otherwise deemed unsafe to be operated on the highways of this state are subject to the registration being suspended. A military surplus license plate shall be issued to military surplus vehicles. Military surplus vehicles registered to a public entity shall be issued a public plate. Military surplus plates used in a commercial capacity shall be issued the appropriate plate for the class as defined in R.S. 47:462. An affidavit of physical inspection will be required when there is an invalid character in the vehicle identification number or if the vehicle identification number fails the edit check. Any military surplus motor vehicle operated upon the highway of this state shall have liability insurance with the same minimum limits as required by the provisions of R.S. 32:900(B). A photocopy of the registration certificate of the vehicle on which the plate will be placed if the vehicle is currently registered. If the vehicle is not registered, proper title documentation and fees must be submitted along with the request for the military surplus motor vehicles specialty license plate.