

CHAPTER 9
TRANSPORTATION OF GAMING EQUIPMENT
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CHAPTER 9

TRANSPORTATION OF GAMING EQUIPMENT

1. PURPOSE. This chapter provides guidance and direction to officers regarding the transportation of gaming devices, such as slot machines and video poker machines, originating or terminating within California. With the implementation of Proposition 5, the Tribal-State Gaming Compacts Initiative (1998), there has been an increase in the number of these devices transported to and from licensed casinos located within sovereign Indian tribal lands. As a result, the likelihood of departmental personnel encountering these devices being transported upon the highways has also increased. Proposition 5 requires the State of California to enter into an agreement with each tribe involved in gaming activities that wishes to transport gaming devices. The Department of Justice (DOJ), Bureau of Gambling Control (BGC), will enter into a Gaming Device Transportation Agreement with these tribes. This agreement details the provisions under which the gaming devices may be transported from one point to another upon California highways.

2. GENERAL. Per the Gaming Device Transportation Agreement (Annex A), the following are key requirements for transporting gaming devices:

- a. The final destination of the devices must be a legally licensed gaming, storage, or repair facility, either in California or another state or country in which the device is legal.
- b. A tribe must provide at least 10 days notice of transportation intent to the sheriff's department of the county in which the tribal land is located.
- c. The devices must be transported in a locked compartment or sealed container within the transporting vehicle, and must be inaccessible during transport.
- d. The carrier must have a copy of both the transportation permit and the shipment notice provided to the Sheriff's Department, as issued by the applicable Tribal Gaming Agency, in possession at all times while transporting the devices. Refer to Annex B for a sample Transportation Permit and Annex C for a sample Shipment Notice. A shipment notification (Annex D) should be included with the Transportation Permit and Shipment Notice as an attachment to describe the items being shipped.

3. PROCEDURE.

a. If departmental personnel encounter gaming devices under transport, they should request the above-mentioned Transportation Permit and Shipment Notice to ensure the devices are being transported legally. If all the requested documentation is in the driver's possession, no further enforcement action relating to the gaming devices is necessary.

b. In the event no Transportation Permit and/or Shipment Notice is available, or if any questions arise, personnel are to record all information of the driver, transportation vehicle, date, and time of the enforcement stop, along with any other applicable information related to the contact, and release the driver and vehicle without further enforcement action related to the gaming devices.

c. The above information should be forwarded to BGC, at (916) 830-1700, Monday through Friday, between the hours of 8 a.m. and 5 p.m., or to DOJ's Command Center at (916) 263-3408, 24 hours a day, to confirm the legality of the shipment. While the agreements between the state and gaming-involved tribes allow for the seizure of illegal gaming devices by peace officers, personnel should not seize this equipment if encountered, but may assist BGC if they wish to effect a seizure themselves.

ANNEX A

SAMPLE TRANSPORTATION AGREEMENT

GAMING DEVICE TRANSPORTATION AGREEMENT

The Tribal Gaming Agency for the [Name of Tribe] and the State Gaming Agency hereby enter into this Agreement, pursuant to section 7.4.5 of the Tribal-State Gaming Compact entered into between the State of California and the [Name of Tribe] on [date], in order to facilitate the transportation of Gaming Devices,¹ onto and from the Tribe's lands.

1. The Tribal Gaming Agency and the State Gaming Agency agree that Gaming Device(s) will be transported onto or from a Tribe's land only pursuant to a permit issued by the Tribal Gaming Agency, such as the Class III Gaming Device Transportation Permit ("Transportation Permit," attached hereto), or a substantially similar type permit containing the same information, to those responsible for the transportation of the Gaming Device(s); and only after notice of an intent to transport such Gaming Device(s) has been provided at least ten (10) calendar days prior to the date of transportation to the Sheriff's Department for the county in which the Tribe's land is located in the form substantially similar to the Shipment Notice attached hereto.
2. A Transportation Permit shall issue only upon the receipt by the Tribal Gaming Agency of written and verifiable representations from those responsible for transporting the Gaming Device(s) that:
 - (a) The final destination of the Gaming Device(s) is a California Tribe's gaming facility that has been authorized to operate the Gaming Device(s) pursuant to a tribal-state gaming compact; or
 - (b) The final destination of the Gaming Device(s) is any other state in which possession of the Gaming Device(s) is made lawful by state law or by a tribal-state gaming compact; or
 - (c) The final destination of the Gaming Device(s) is another country, or any state or province of another country, wherein possession of the Gaming Device(s) is lawful; or
 - (d) The final destination of the Gaming Device(s) is a location within California for testing, repair, maintenance, or storage of the Gaming Device(s) by a person or entity that has been licensed by the Tribal Gaming Agency and has been found suitable for licensure by the State Gaming Agency.

¹ "Gaming Device" is defined in Section 2.6 of the Compact.

ANNEX A

SAMPLE TRANSPORTATION AGREEMENT (continued)

3. A Transportation Permit shall issue only upon the receipt by the Tribal Gaming Agency of written and verifiable representations from those responsible for transporting the Gaming Device(s) that:
- (a) The Gaming Device(s) shall be transported in a conveyance which is regularly operated and engaged in interstate commerce, in foreign commerce or in shipping to and from the Tribe's land;
 - (b) The Gaming Device(s) shall be located in a locked compartment or sealed container within the conveyance while being transported;
 - (c) The Gaming Device(s) shall not be accessible for use while being transported; and
 - (d) The Gaming Device(s) shall not be operated except on the Tribe's lands.
4. The Tribal Gaming Agency will ensure that copies of the Transportation Permit, the Shipment Notice, and any information provided to the Tribal Gaming Agency pursuant to paragraphs 1 through 3 above, are provided to the State Gaming Agency at least seven (7) calendar days prior to the transportation of the Gaming Device(s). The State Gaming Agency may disclose copies of those documents and/or the information contained therein, to law enforcement agencies, including, but not limited to, each of those Sheriffs' Departments for the counties through which the Gaming Device(s) are to be transported, and shall transmit a copy of any and all such information disclosed to the Tribal Gaming Agency.

The undersigned have the authority to, and do, sign this Agreement on behalf of the Tribal Gaming Agency and the State Gaming Agency.

Date: _____, 2000

[name]
[position]
Tribal Gaming Agency
[name of the Tribe]

Date: _____, 2000

[name]
[position]
Division of Gambling
Department of Justice
State of California
State Gaming Agency

ANNEX B

SAMPLE TRANSPORTATION PERMIT

GAMING DEVICE
TRANSPORTATION PERMIT

To: *[Name and Address of Shipping Co]*

The *[Name of Tribe]* is a federally recognized Tribe of Indians, which has been authorized by an approved Tribal-State Gaming Compact with the state of California to ship and operate gaming devices.

You are hereby authorized to ship the gaming devices listed on the attached manufacturers list.

From: *[Location shipped from]*

To: *[Shipment Destination]*

You must transport the gaming devices in the following manner:

1. The gaming devices must be transported in a conveyance which is regularly operated and engaged in interstate commerce, in foreign commerce or in shipping to and from the Tribe's land;
2. The gaming devices must be located in a locked compartment or sealed container within the conveyance while being transported;
3. The gaming devices must not be accessible for use while being transported;
4. The gaming devices must not be operated except on the Tribe's lands; and
5. The carrier must have in its possession at all times a copy of this transportation permit while transporting gaming devices.

Chairman, *[Tribal Gaming Agency]*

Date:

Notice

Both the California Department of Justice and the office of the Sheriff of _____ County, California have received advanced written notice of this shipment in the form attached.

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ANNEX D

SAMPLE SHIPMENT NOTIFICATION

KONAMI

585 Konami Circle, Las Vegas, Nevada 89119
Phone: (702) 616-1416 Fax: (702) 952-1595

Fax

To: State of California Gambling Control Commission	From: Tabitha Vera, Compliance Department
Fax: 916-732-7996 (New)	Date: April 18, 2017
Phone: 916-274-5877	Pages: 4 Pages Including cover page
Re: Machine Shipment Notification for the San Manuel Casino – 248562	CC: Mr. Angel Garcia – San Manuel Tribal Gaming Commission

Urgent For Review Please Comment Please Reply Please Recycle

Hello,

Attached is the Machine Shipment Notification for the eight (8) machines Konami Gaming, Inc. is planning to ship on May 2, 2017 for the San Manuel Indian Bingo & Casino. The machines will be arriving on May 3, 2017. If you have any questions please let me know.

Thank you,
Tabitha

ANNEX D

SAMPLE SHIPMENT NOTIFICATION (continued)

SHIPMENT NOTIFICATION
PERMIT / SHIPMENT NOTICE FOR TRANSPORTATION OF CLASS III GAMING DEVICES WITHIN THE STATE OF CALIFORNIA

This form when fully executed represents a permit to transport items associated with class III gaming within the State of California. To be considered a legal transportation; this form must be complete and be signed by the San Manuel Gaming Commission.
The signed and completed document (or a copy thereof) must be kept with the Manifest or Bill of Lading at all times until delivery has been completed.

The below listed items are to be transported as follows:

Point of Origin: Name: Konami Gaming, Inc. Phone No.: 702-952-1584
Address: 585 Konami Circle
City: Las Vegas State: NV Zip Code: 89119

Destination: Name: San Manuel Indian Bingo & Casino Phone No.: 800-359-2464
Address: 777 San Manuel Boulevard
City: Highland State: CA Zip Code: 92346

Carrier: Name: West End Trucking, Inc. Phone No.: 702-617-6443
Address: PO Box 698
City: Donnelly State: ID Zip Code: 83615

Truck Seal No.: UL-9940919


Bill of Lading No.: 248562 Number of Devices: 8

Transportation between date: May 2, 2017 and May 3, 2017

Attach Bill of Lading or Manifest, or Complete List of Gaming Devices Serial Numbers.

I understand that all gaming devices transported must be in a locked compartment or sealed container within the carrier, and such devices cannot be accessible for use while being transported to the San Manuel tribal lands.

On behalf of the Manufacturer / Supplier, I hereby declare that the gaming devices being shipped in to the State of California for the San Manuel tribal gaming facility, and the components of those devices, conform to the specifications established under applicable tribal standards as certified by an approved gaming test laboratory and operate and play in accordance with such requirements. I / we agree to all terms of this permit.

Signed:  Title: Tech. Compliance Administrator II Date: April 18, 2017

Company: Konami Gaming, Inc. Tribal Gaming Agency License: 04-02-1159V

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By the authority of the San Manuel Gaming Commission, the items specified in this document are approved for transportation to the above location. The San Manuel Band of Mission Indians is located in San Bernardino County, California. The County Sheriff and the State of California Division of Gambling Control will receive a copy of this notice at least 10 days prior to transportation of these gaming devices within the State of California.

Date: _____ Approved by San Manuel Gaming Commission: _____

ANNEX D

SAMPLE SHIPMENT NOTIFICATION (continued)

SHIPMENT NOTIFICATION
 PERMIT / SHIPMENT NOTICE FOR TRANSPORTATION OF CLASS III GAMING
 DEVICES WITHIN THE STATE OF CALIFORNIA
 Page 2 of 3

Machine Details: Eight (8) Machines

Mfg.	Year	Game Theme	Version Number	Serial Number	Model Number	Denom
Konami	2017	Chili Chili Fire (SF)	KGI M511MLB031WD01	129441	Concerto	0.01
Konami	2017	Chili Chili Fire (SF)	KGI M511MLB031WD01	129442	Concerto	0.01
Konami	2017	Chili Chili Fire (SF)	KGI M511MLB031WD01	129443	Concerto	0.01
Konami	2017	Chili Chili Fire (SF)	KGI M511MLB031WD01	129444	Concerto	0.01
Konami	2017	Flamenco Flare (SF)	KGI M546MLB015WD00	129445	Concerto	0.01
Konami	2017	Flamenco Flare (SF)	KGI M546MLB015WD00	129446	Concerto	0.01
Konami	2017	Flamenco Flare (SF)	KGI M546MLB015WD00	129447	Concerto	0.01
Konami	2017	Flamenco Flare (SF)	KGI M546MLB015WD00	129448	Concerto	0.01

Software Details: The software will be shipped on April 28, 2017 to the Gaming Commission.

Main Program	Version number	Compact Flash (CF3)
Chili Chili Fire	KGI M511MLB031WD01	4 Pieces
Flamenco Flare	KGI M546MLB015WD00	4 Pieces
Modules are Part of each CF3 Flash Card Noted Above		
KP3.5 Windows MBR	KGI MW4KP3C020XX	Module
KP3.5 Windows OS	KGI MWPSYSC040XX	Module
KP3.5 Game Common	KGI MWPGCMC062WD07	Module

KP3 Platform	Version Number	Compact Flash (CF1)	Compact Flash (CF2)	Eprom (Ram 1)	Eprom (Ram 3)
KP3 Platform	KGI LLPSYSC100XX	8 Pieces			
Run Time	KGI LLWRTVC010XX			8 Pieces	
Power Up	KGI LBMRTVC006XX				8 Pieces
Ram Clear Flash Card	LRAMCLC013G2		1 Piece		

Extended Feature	Version number	Compact Flash (CF4)
Smash Smash Festival Extended Game	KGI M540LPA012WD00*	8 Pieces
Module is Part of the CF4 Flash Card		
Extended Game Master Boot Record	KGI LWKCP3C001XX	Module

ANNEX D

SAMPLE SHIPMENT NOTIFICATION (continued)

SHIPMENT NOTIFICATION
 PERMIT / SHIPMENT NOTICE FOR TRANSPORTATION OF CLASS III GAMING
 DEVICES WITHIN THE STATE OF CALIFORNIA
 Page 3 of 3

Smash Smash Festival Controller <i>(All components are installed in the controller and not shipped separately)</i>							
Description	Serial Number	Version Number	Compact Flash (CF3)	Compact Flash (CF2)	Compact Flash (CF1)	Eprom (Rom 1)	Eprom (Rom 3)
Controller	KF000113	KGI L806JDA010WD00	1 Piece				
KP3 Platform		KGI LLPSYSJ031WD*			1 Piece		
Run-Time		KGI LLWRTVC010XX				1 Piece	
Power-Up		KGI LBMRTVC006XX					1 Piece
KPS Ram Clear		LRAMCLJ001US		1 Piece			
Modules are Part of the CF3 Flash Card Noted Above							
Windows Master Boot Record		KGI_LWPKP3C002XX				Module	
KP3 Windows OS		KGI_LWPSYSJ013XX				Module	
Game Common		KGI_LWPGCMJ007WD*				Module	

**The game themes listed above are currently being Submitted for approval in California. The approval will be received prior to the order shipping.*

The below referenced software is installed in the machine:

Bill Validator Firmware	MEI SC Advance 6NY420008404 V4.20/V4.04
Ticket Printer Firmware	PSA-66-ST2RU GUR001109 (single)