

TITLE 15 GAMBLING AND LIQUOR CONTROL
CHAPTER 4 BINGO AND RAFFLES
PART 6 EQUIPMENT; BINGO, RAFFLE, PULL-TABS

15.4.6.1 ISSUING AGENCY: New Mexico Gaming Control Board.
[15.4.6.1 NMAC - Rp, 15.4.6.1 NMAC, 2/23/2021]

15.4.6.2 SCOPE: This rule applies to all persons subject to regulations promulgated under the New Mexico Bingo and Raffle Act by the New Mexico gaming control board.
[15.4.6.2 NMAC - Rp, 15.4.6.2 NMAC, 2/23/2021]

15.4.6.3 STATUTORY AUTHORITY: Authority for this rule derives from the New Mexico Bingo and Raffle Act Section 60-2F-3 NMSA 1978. Subsection H of 60-2F-6 NMSA 1978 authorizes the board to adopt rules to implement the New Mexico Bingo and Raffle Act and to ensure that games of chance conducted in New Mexico are conducted with fairness and that the participants and patrons are protected against illegal practices on any premises.
[15.4.6.3 NMAC - Rp, 15.4.6.3 NMAC, 2/23/2021]

15.4.6.4 DURATION: Permanent.
[15.4.6.4 NMAC - Rp, 15.4.6.4 NMAC, 2/23/2021]

15.4.6.5 EFFECTIVE DATE: February 23, 2021, unless a later date is cited at the end of a section.
[15.4.6.5 NMAC - Rp, 15.4.6.5 NMAC, 2/23/2021]

15.4.6.6 OBJECTIVE: This rule establishes standards for the evaluation, testing, approval, modification, maintenance, and disposition of bingo, raffle and pull-tab equipment.
[15.4.6.6 NMAC - Rp, 15.4.6.6 NMAC, 2/23/2021]

15.4.6.7 DEFINITIONS: See 15.4.1.7 NMAC for applicable definitions.
[15.4.6.7 NMAC - Rp, 15.4.6.7 NMAC, 2/23/2021]

15.4.6.8 BINGO EQUIPMENT:

A. Authorized equipment and cards, including all bingo related items used in the conduct of bingo, shall be maintained in good repair and sound working condition. The board or its agents may order that any equipment, cards or related items immediately be repaired or replaced, if after examination, they are found to be defective.

B. All 75 balls of equal weight and diameter shall be present for bingo games and free of creases, holes or other damage.

C. The master board is the only official scorer. A lighted display board may be used, but it is not official.

D. Disposable bingo cards shall be used in all bingo games.

E. Each pack of bingo cards sold wholesale shall be consecutively numbered from the first card to the last and each card shall contain, on its face, both its individual consecutive serial number and the identification number assigned by the manufacturer.

F. Hard cards are prohibited.

G. If a wholesale of bingo cards to a non-licensee in the amount of \$100 or greater is conducted then the seller shall report to the board the buyer's name, address and phone number within three business days.

H. When bingo equipment is sold to a non-licensee the seller shall report the buyer's name, address and phone number to the board within three business days.

I. When a wholesale of bingo cards to a licensee is conducted the seller shall record and maintain an itemized invoice and the buyer's organization's name, license number and contact information.

[15.4.6.8 NMAC - Rp, 15.4.6.8 NMAC, 2/23/2021]

15.4.6.9 RAFFLE TICKETS:

A. Raffle ticket requirements:

- (1) all tickets sold in any raffle shall have the state license number, the word "raffle" and the date, time, and place of drawing printed on each ticket;
- (2) all tickets shall be consecutively numbered;
- (3) all major cash or merchandise prizes conspicuously printed on the ticket;
- (4) the cost of each ticket shall be printed on the front of each ticket; and
- (5) with the exception of a split raffle, the expiration date by which a prize must be claimed shall be printed on each ticket.

B. If the ticket holder is required to be present at the drawing to be eligible for the prize, a statement setting forth this condition shall be conspicuously printed on each ticket and on all promotional material concerning the raffle.

C. When a prize exceeds \$75,000 the licensee shall submit a valid copy of a raffle ticket to the board prior to selling any tickets.

[15.4.6.9 NMAC - Rp, 15.4.6.9 NMAC, 2/23/2021]

15.4.6.10 PULL-TAB EQUIPMENT:

A. No licensee shall permit the display or operation of any pull-tabs which may have in any manner been marked, defaced, tampered with or otherwise placed in a condition, or operated in a manner which may deceive the public.

B. Electronic and video pull-tab machines are prohibited.

C. Pull-tab dispensers shall be maintained in good repair and sound working condition.

D. All pull-tabs in a deal shall be sold at the same price.

E. A deal shall not exceed 25,000 tickets.

F. The seller or lessor of pull-tab dispensers shall report to the board the sale or lease of the device prior to the delivery or placement of the device on a licensed premise.

G. Deals intended for use in a pull-tab dispenser comprised of multiple rolls shall have all rolls indistinguishable from every roll in the deal.

H. The bingo operator licensee shall keep a dispenser access entry log inside the main cabinet access area of each pull-tab dispenser. Every person who gains entry into any internal space of a dispenser shall sign the access entry log, indicate the date and time of entry and list all areas inspected, repaired or serviced. The bingo operator licensee shall retain the dispenser log for a period of three years and shall make the dispenser log available to the board or its authorized agents upon request.

I. A pull-tab dispenser leased by more than one licensee shall not be used by another licensee unless and until the licensee has removed its pull-tab deals from play prior to use by the next licensee.

J. The keys to pull-tab dispensers must be on the premises and in the possession and control of the bingo licensee.

K. The board or its agents may examine and inspect any individual pull-tab dispenser and shall have immediate access to the dispenser and unlimited inspection of all parts of the dispenser.

L. All pull-tabs in any one column or sleeve of the dispenser must be of the same deal.

M. No licensee may display, use or otherwise furnish a dispenser which has in any manner been marked, defaced, tampered with, or which otherwise may deceive the public or affect a person's chances of winning.

N. No person shall initiate transport of any pull-tab equipment other than a licensed manufacturer or distributor. Equipment is shipped or transported into the state when the starting point for shipping or transporting begins:

(1) outside the state and terminates in the state;

(2) in state and terminates in the state; and

(3) between distributors / manufacturers and bingo operator licensees.

O. Notice for transport of pull-tab equipment shall be made on transport request tracking (TRT) forms approved by the board for transportation of the type of equipment to be transported.

P. A manufacturer or distributor licensee shipping or transporting one or more pieces of equipment into the state shall notify the board's operations division of the shipment prior to the time the shipment is made so the board's operations division can assign a control number to the transport request tracking (TRT) form and notify the manufacturer or distributor licensee shipping the device(s) of the assigned control number within three business days of receipt of the completed TRT form prior to shipping.

Q. The transport request tracking (TRT) form, shall at a minimum include the following information:

(1) the full name, address, and license number of the person making the shipment;

(2) the method of shipment and the name of the carrier, if any;

- (3) the full name, address, and license number of the person to whom the equipment is being sent and the destination of the shipment, if different from the address;
- (4) the number of pieces of equipment in the shipment;
- (5) the serial number of each piece of equipment;
- (6) the model number and description of each piece of equipment;
- (7) the expected arrival date of the equipment at its destination within the state; and
- (8) such other information as required by the board.

R. Transport request tracking (TRT) forms shall be filled out completely and legibly, signed by the person completing the form and notarized. The completed forms shall be transmitted to the board's operations division by emailing a copy of the form to the operations division.

S. The board's operations division shall assign a control number to the transport request tracking (TRT) form and notify the manufacturer or distributor licensee shipping the equipment of the assigned control number within three business days of receipt of the completed TRT form.

T. The manufacturer or distributor shipping the equipment to a licensee, may ship it to the receiving licensee upon receipt of the control number by the board. The shipping licensee shall note the assigned control number on the transport request tracking (TRT) form for the equipment and shall include the original TRT form in the shipment. The original TRT form shall have the control number on it and accompany the equipment coming into or being moved around New Mexico.

U. A licensee receiving shipment of equipment shall notify the board's enforcement division of the receipt of the shipment. Following notification an agent of the board's enforcement division shall inspect the shipment, and the transport request tracking (TRT) form included with the shipment to ensure that the TRT form accurately identifies the equipment included in the shipment.

V. A licensee receiving a shipment of pull-tab equipment shall not remove the packaging in which it was shipped until an agent of the board has inspected the shipment and released it to the receiving licensee. Equipment transported into the state shall not be made available for play until an agent of the board has inspected it and released it for play.

W. Any and all removable media requires a separate transport request tracking (TRT) form. For purpose of conduct of the pull-tab deal, the network connection to a manufacturer central system shall be used to facilitate point of sale system, manufacturer central system or ticket in ticket out functions.

[15.4.6.10 NMAC - Rp, 15.4.6.10 NMAC, 2/23/2021; A, 9/9/2025]

15.4.6.11 DISALLOWANCE OF BINGO, RAFFLE AND PULL-TAB EQUIPMENT:

A. The board may disallow the use of bingo, raffle or pull-tab equipment when in the interest of the public.

B. If the board or its agents discover any problem with a pull-tab dispenser that affects the security or integrity of the game, the board may direct the manufacturer, distributor or the bingo licensee to cease the sale, lease or use of the dispenser.

C. The board shall advise the manufacturer or distributor of the disallowed equipment of the date on which use of the disallowed equipment shall cease.

D. The board shall advise the licensees or applicants of the date on which the use of the disallowed equipment shall cease.

E. A licensee shall cease using the disallowed equipment by the date established by the board.

F. Licensee shall obtain written approval from the board prior to making any equipment modifications that may affect the outcome of a game of chance.

[15.4.6.11 NMAC - Rp, 15.4.6.11 NMAC, 2/23/2021]

15.4.6.12 LOSS, THEFT, MECHANICAL FAILURE, INOPERATION, DESTRUCTION OR

MALFUNCTION: The bingo manager shall report to the enforcement division each instance that a pull-tab dispenser with or without video display of the paper pull-tab gaming piece, in play malfunctions and each instance when play is disrupted or ceases operation regardless of the reason or length of time of disruption or malfunction or whether or not there is a monetary loss.

15.4.6.13 MAINTENANCE, REPAIR AND SERVICING OF PULL-TAB EQUIPMENT:

A. A licensee shall not alter the operation of approved pull-tab dispensers or associated equipment and shall ensure that the pull-tab dispensers and associated equipment are maintained in proper condition.

B. Only the following persons shall service or repair a pull-tab dispenser or associated equipment:

- (1) a licensed manufacturer;
- (2) a licensed employee of a licensed manufacturer, distributor;
- (3) a technician approved by the board and employed by a distributor; or
- (4) a bingo operator licensee.

C. A licensed manufacturer shall maintain a program, video or in person, for the purpose of training technicians, and bingo employees to operate, service and repair pull-tab dispensers manufactured by the licensed manufacturer. Upon request, the licensed manufacturer shall provide evidence of such program to the board, including a full description of the program, models of pull-tab dispensers for which training is provided, and copies of training materials and tests. Any program deemed insufficient by the board shall be modified at the board's request.

D. The licensed manufacturer shall ensure that its technicians and bingo operator employees have received sufficient and appropriate training in the service and repair of each of its approved pull-tab dispenser models before the pull-tab dispensers may be placed in operation in the state.

(1) In order to be approved to service a pull-tab dispenser, a person shall submit an application for a staff permit and shall submit documentation of their qualifications.

(2) Notification of approval of the application for staff permit shall be done by the normal process as set out in parts 15.4.2 NMAC and 15.4.3 NMAC.

E. The bingo operator licensee shall ensure that all service and repairs on pull-tab dispensers, including the installation or repairs of component parts such as bill acceptors, monitoring systems, or other parts that would significantly alter the current or subsequent operation of a pull-tab dispenser, are made correctly and in compliance with board requirements.

F. Except for qualified technicians, no employee of the bingo operator licensee shall perform service or repairs on the licensee's pull-tab dispensers other than incidental repairs and tasks, including but not limited to changing deals/wheels, TITO paper and dispenser drops, unless such service or repairs are performed under the direct supervision of a qualified technician as part of an in-house training program approved by the board.

G. The bingo operator licensee shall keep a dispenser access entry log inside the main cabinet area of each pull-tab dispenser. Every Person who gains entry into any internal space of a pull-tab dispenser shall sign the dispenser access entry log, indicate the date and time of entry and list all areas inspected, repaired or serviced. The bingo operator licensee shall retain the maintenance log for a period of five years and shall make the maintenance log available to the board or its authorized agents upon request.

H. In addition to the dispenser access entry log required by Subsection H of 15.4.6.10 NMAC, a bingo operator licensee shall maintain a written log in a form acceptable to the board for recording service or repairs performed on the licensee's pull-tab dispensers by qualified technicians employed by a manufacturer or distributor licensee whose principal place of business is outside the state. Any qualified technician employed by such a manufacturer or distributor who performs service or repairs on the pull-tab dispensers of a bingo operator shall make a complete entry on the log at the time of the service or repairs, recording, at a minimum, the name and staff permit number of the qualified technician performing the service or repairs, the dates and times of the service or repairs and a brief description of the service or repairs performed.

I. Except for the purpose of servicing the pull-tab dispenser, no technician shall play any pull-tab dispenser located at a bingo establishment that is operated by the technician's employer or by any licensee for which the technician or the technician's employer provides services.

[15.4.6.12 NMAC - Rp, 15.4.6.12 NMAC, 2/23/2021]

HISTORY OF 15.4.6 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the state records center and archives by department of alcohol and beverage control under: Regulation No. 2B-4(F), Penalties for Violations of Bingo & Raffle Act or Regulations, Interpreting and Exemplifying Subsection F of Section 60-2B-4 NMSA 1978, filed 3/21/1984.

History of Repealed Material:

15.4.6 NMAC, Bingo - Penalties, filed 9/16/2005, Repealed, effective 4/15/2013.

15.4.6 NMAC, Bingo - Equipment; Bingo, Raffle, Pull-Tabs, filed 3/27/2013 Repealed effective 2/23/2021.

Other History:

15.4.6 NMAC, Bingo - Penalties, filed 9/16/2005 replaced by 15.4.6 NMAC, Bingo - Equipment; Bingo, Raffle, Pull-Tabs effective 4/15/2013.

15.4.6 NMAC, Bingo - Equipment; Bingo, Raffle, Pull-Tabs, filed 3/27/2013 replaced by 15.4.6 NMAC, Bingo - Equipment; Bingo, Raffle, Pull-Tabs, filed 2/23/2021.