

**481—105.2(99B) Registered amusement devices.** Each registered amusement device shall only be located on premises as described in Iowa Code section 99B.53.

**105.2(1)** Any change in the registered amusement device constitutes a new registered amusement device for which registration is required. The word “change” does not include repairs or replacement of parts that do not change or alter the operation of the device as originally registered.

**105.2(2)** If the amusement device needs to be repaired, the owner may repair it without losing the registration position or buying a new registration tag. A repair constitutes any change to a device as long as the type of game and the number of devices in a location is not changed. If the repairs or replacement parts alter the operation of the device as originally registered, the device must be reregistered before being made available for operation. If an amusement device needs to be replaced because it is defective, it must be replaced with the same game in order to keep the registration position.

**105.2(3)** Reserved.

**105.2(4)** An amusement device registration position becomes available under the following circumstances:

- a. When a distributor or owner:
  - (1) Is going out of business,
  - (2) Fails to renew a registration by the renewal due date, or
  - (3) Has an electrical or mechanical device seized by law enforcement and the seizure is upheld through a forfeiture hearing.
- b. When an amusement device is replaced with a new amusement device that has a different game.
- c. When any other legal order has been issued that pertains to violations of Iowa Code chapter 99B, 123, or 123A.

**105.2(5)** Premises with a Class “B” or Class “E” retail alcohol license shall post a sign near a registered amusement device stating that a person must be 21 years of age or older to operate the registered amusement device and the premises shall ask for ID prior to disengaging the security mechanism.

**105.2(6)** Reserved.

**105.2(7)** If the department, or the department’s designee, determines that a registered amusement device is not in compliance with the requirements of this chapter or any other provision of Iowa law, the device may be subject to seizure, and any registration associated with the device, including the registration of the manufacturer, distributor, or owner, may be revoked or suspended.

**105.2(8)** Situations that constitute advertising and promoting as restricted by Iowa Code section 99B.53(12) include but are not limited to posted signs, newspaper/magazine advertisements, radio and television advertisements, word of mouth and Internet posting.

**105.2(9)** If there is no amusement device registration availability, a person may be included on a waiting list for an amusement device registration position.

- a. A person shall appear on the waiting list only once for a single registration position.
- b. A person may be added to the waiting list by sending an email to [gmms@dia.iowa.gov](mailto:gmms@dia.iowa.gov); by writing the department at Department of Inspections, Appeals, and Licensing, Social and Charitable Gambling Unit, 6200 Park Avenue, Des Moines, Iowa 50319-0083; or by calling 515.281.6840.
- c. The department will maintain the waiting list in chronological order.
- d. When a registration position becomes available, the department will notify the first person on the waiting list of the amusement device registration availability by mail or email. If multiple positions become available, the department may notify as many persons on the waiting list as there are available positions.
- e. The person on the waiting list shall have ten days from the time the notification was sent to submit a registered amusement device application and the fee.
- f. If the person does not submit the registration application, fee and proof of purchase within ten days, the person shall forfeit the position on the waiting list and be removed from the waiting list.

**105.2(10)** An initial amusement device registration shall only be allowed at a location that has a Class “C,” special Class “C,” Class “D,” or Class “F” retail alcohol license issued pursuant to Iowa Code chapter 123.

**105.2(11)** If a person purchases an amusement device that is registered with the department, the registration tag, if available, must be removed from the purchased amusement device and returned to the

department or the department notified in writing within ten calendar days of the change in ownership. The purchased device will be removed from the inventory of the original owner, thus creating a registration position on the waiting list. The purchaser must apply for a registration position on the waiting list for the device.

**105.2(12)** An amusement device that is registered with the department and located in a warehouse may be placed in a location that has a Class “C,” special Class “C,” Class “D,” or Class “F” retail alcohol license issued pursuant to Iowa Code chapter 123. Such a device may also be used as a replacement device.

**105.2(13)** The registration application for all new amusement devices must be accompanied by the receipt, invoice, or bill of sale containing the seller’s name, company name, and address, transaction date, motherboard serial number, and name of the game.

**105.2(14)** Devices shall not allow for more than one player. Each playing position constitutes one amusement device.

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