

**481—105.6(99B) Registration of registered amusement devices.** Each owner of an amusement device subject to registration by the department pursuant to Iowa Code section 99B.53 shall obtain a registration. A registration issued pursuant to Iowa Code chapter 99B is required to offer a registered amusement device for use.

**105.6(1)** Each owner of an amusement device subject to the registration requirements imposed by this chapter shall register the device before it is made available for operation.

**105.6(2)** In the event a registration position is not open, the distributor's or owner's name may be placed on the department's waiting list. The distributor or owner will be notified by the department when a position is available and the distributor's name or owner's name reaches the top of the waiting list. Upon the distributor's or owner's completion of the application form and payment of the required fee, the department shall issue a registration tag valid for one year from the date of issuance.

*a.* Application forms are available from the Department of Inspections and Appeals, Amusement Devices, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0083. The application form shall contain all information required by the department.

*b.* Prior to placement of the amusement device for public use, the registration tag shall be prominently displayed on the front of the registered amusement device in such a manner as to be clearly visible to the general public.

*c.* Any changes to the information provided on the application, including but not limited to changes in ownership, registered amusement device location, and the cessation of business in this state, shall be reported to the department in writing or electronically within ten calendar days of the occurrence of any of the above events.

*d.* Registration fees are nonrefundable.

**105.6(3)** A new registered amusement device must be obtained from a manufacturer that is registered with the department pursuant to Iowa Code section 99B.56. A registered amusement device that has been placed on location and used may be obtained from a manufacturer, distributor or owner that is registered with the department pursuant to Iowa Code section 99B.56. A distributor or owner that ceases, for any reason, to be registered pursuant to Iowa Code section 99B.56 may sell any registered amusement devices in the distributor's or owner's possession within 12 months from the date registration ceases. For all amusement devices new to the purchaser, proof of purchase, which includes the seller's name, company name, and address, must accompany the application for registration of the machine.

**105.6(4)** No more than four registered amusement devices shall be permitted or offered for use at any single premises.

*a.* A registered amusement device may be located on premises for which a Class "C," special Class "C," Class "D," or Class "F" retail alcohol license has been issued pursuant to Iowa Code chapter 123.

*b.* A registered amusement device may be located on the premises for which a Class "B" or Class "E" retail alcohol license has been issued pursuant to Iowa Code chapter 123, but new registrations shall not be issued to devices to be located at premises with a Class "B" or Class "E" retail alcohol license.

(1) A registered amusement device at a location for which only a Class "B" or Class "E" retail alcohol license has been issued pursuant to Iowa Code chapter 123 may only be relocated to a location for which a Class "C," special Class "C," Class "D," or Class "F" retail alcohol license has been issued and shall not be transferred, assigned, sold or leased to another person for which only a Class "B" or Class "E" retail alcohol license has been issued pursuant to Iowa Code chapter 123.

(2) If ownership of the location changes, the Class "B" or Class "E" retail alcohol license does not lapse and the registered amusement device is not removed from the location, the device may remain at the location.

**105.6(5)** Each electrical or mechanical amusement device required to be registered pursuant to Iowa Code section 99B.53 shall include on the amusement device a counting mechanism.

*a.* The department of inspections and appeals and the department of public safety shall notify the distributor, owner, or qualified organization in advance to have access to the information provided by the counting mechanism.

*b.* The counting mechanism shall be at least six digits in length and shall cumulatively count the total amounts inserted in the device during game play. If the mechanism being used tallies in dollars and cents, at least six digits must be used for the dollar amount. The counting mechanism shall not be able to be reset.

*c.* The counting mechanism shall be equipped with a battery backup, or an equivalent, and shall be capable of accurately maintaining all required information for 30 days after power is discontinued from the device.

**105.6(6)** The owner of the registered amusement device shall exercise due diligence in ensuring that the amusement device is in compliance with these rules and all laws governing such devices. Upon request by the department or the department's designee, any manufacturer or distributor registered with the department, or any owner of a registered device, shall permit the inspection of any amusement device and shall make available for inspection all records, documents, and agreements pertaining to the amusement device.

[**ARC 1930C**, IAB 4/1/15, effective 5/6/15; **ARC 4015C**, IAB 9/26/18, effective 10/31/18; **ARC 6976C**, IAB 4/5/23, effective 5/10/23]