

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-14.054, F.A.C., follows. See Florida Administrative Code for present text.)

61D-14.054 Surveillance Equipment.

(1) Each slot machine licensee shall install, maintain and continuously operate an on-site closed circuit television surveillance system (surveillance system) at each licensed slot machine facility.

(a) Slot machine licensees shall:

1. Provide a written policy outlining surveillance operations approved pursuant to 61D-14.058, F.A.C., within its system of internal controls. The policy shall address:

a. Facility surveillance operations and describe acceptable surveillance operations conduct for surveillance personnel assigned those responsibilities.

b. The intended use of the facility surveillance system and identify those areas where patrons shall have a reasonable expectation of privacy;

2. Establish procedures to assure Personnel shall not be authorized to operate the facility surveillance system until trained pursuant to this rule. Such training shall include supervised on-the-job training.

3. Train its facility surveillance system personnel and create formal documentation of that training in the proper use and operation of the facility surveillance system. Training shall also include a complete classroom explanation of the facility surveillance policy and shall be provided to:

a. All personnel authorized to operate surveillance equipment; and

b. Supervisors of personnel authorized to operate surveillance equipment;

4. Establish policies and procedures that assure the use and operation of the facility surveillance system is limited to only trained, authorized users;

5. Create individual documentation signed by the employee and slot machine licensee employee responsible for providing training, attesting to the fact that facility surveillance system training has been completed:

a. For each authorized surveillance employee;

b. Within the employee's first 60 days of employment with either classroom, on-the-job training or a combination of both;

c. Using the slot machine licensee's surveillance equipment;

d. And the individual document is maintained in the employee personnel records, and retained pursuant to 61D-14.080, F.A.C.

6. Provide the division and FDLE with the necessary software and hardware to review a downloaded surveillance record, image or recording of any description produced by the slot machine licensee's surveillance equipment;

(b) Authorized users shall:

1. Receive training regarding the slot machine licensee's internal control procedures for the proper use of the surveillance system equipment, rules regulating privacy, and the slot machine licensee's surveillance policy governing surveillance operations;

2. Be trained in the technical use of the surveillance system cameras and how to use the surveillance system controls to maximize efficiency and clarity of surveillance focus and recorded records;

3. Be trained in the storage and use of surveillance images, and surveillance operations, documentation of surveillance activity and image record keeping;

4. Restrict the surveillance system use to that for which the facility surveillance system is intended as stated in the slot machine licensee's system of internal controls;

5. Assure that surveillance observations are consistent with the slot machine licensee's surveillance policy and that surveillance is not conducted where there is a reasonable expectation of privacy and consistent with the slot machine licensee's surveillance policy;

6. Sign a certificate that the individual has read and understands the slot machine licensee's policy regarding surveillance operations and acknowledge they understand that administrative action shall be taken against any individual should it be proven that that individual engaged in or supervised the unauthorized use or misuse of the facility surveillance system. The signed certificate shall be maintained as

part of the documentation showing that facility surveillance system training required in this rule has been completed. The record shall be retained pursuant to the requirements of rule 61D-14.080, F.A.C.

(c) Authorized users shall not:

1. Target and or observe individuals solely because of their race, gender, ethnicity, sexual orientation, disability or other classification protected by law;

2. Misuse or inappropriately target surveillance equipment for purposes other than that for which the facility surveillance equipment was intended as outlined in the slot machine licensee's surveillance policy and system of internal controls.

(d) Slot machine facility management shall post notices informing the public that electronic surveillance equipment is in use throughout the slot machine facility. The notices shall be placed in visible locations within the slot machine facility.

(e) Anyone who engages in or directs the unauthorized use or misuse of surveillance systems in violation of this rule and/or the facility surveillance policy shall be subject to administrative disciplinary action and may be liable for criminal sanctions.

(2) The surveillance system shall:

(a) Employ digital electronic technology with the acuity and clarity that is no less than that provided by magnetic tape systems. To insure that all movements are discernible upon review of recorded activity, the digital equipment shall include a camera and recorder that shall:

1. Record to a quality of 4 Common Intermediate Format (CIF); and

2. Be capable of observing and recording at no less than 30 frames per second.

(b) Use 30 frames per second in light sensitive color cameras with pan, zoom, and tilt capabilities for the areas designated in this portion of the rule. The cameras shall be capable of being placed behind domes or one-way mirrors that conceal the cameras from view and permit clear, unobstructed views of a designated surveillance area. The system shall have sufficient video monitors to simultaneously cover the following various vantage points:

1. Patrons, spectators, slot machine employees with an assigned work station and other persons in the slot machine gaming area with sufficient clarity to permit identification of such person;

2. The movement of cash, tickets or vouchers used for play, drop boxes, drop buckets, tip boxes and other gaming equipment within the slot machine licensee's facility;

3. All areas and activities occurring within the count rooms, with audio-capability when the rooms are occupied;

4. All slot change booths, with sufficient clarity to permit identification of all transactions conducted, cash and paperwork displayed anywhere in the change booth;

5. Each slot machine with sufficient clarity to determine the content of the display on the slot machine screen, the denomination of any bill, voucher or ticket used in the slot machine or any information printed on a player card inserted into a slot machine and the identification numbers affixed to each slot machine; and

6. All areas where slot machines are repaired;

(c) Use less than 30 frames per second, but no less than 15 frames per second in light sensitive color cameras with pan, zoom, tilt capabilities and/or fixed cameras for the areas designated in this portion of the rule. The cameras shall be capable of being placed behind domes or one-way mirrors that conceal the cameras from view and permit clear, unobstructed views. The system shall have sufficient video monitors to simultaneously cover the areas not listed above in paragraph (b) to specifically include the following:

1. All entrance and exit doors to the slot machine licensee's facility including the armored car bay, and any man trap located in the facility; and

2. All parking areas for which the slot machine licensee is responsible. All such parking areas shall have sufficient lighting to provide for clear viewing and recording;

(d) Use video-printers that possess the capability to generate instantaneously upon command, a clear, still copy of the image depicted on the video recording using a minimum of four colors at 720 x 480 dots per inch on photo quality paper;

(e) Digitally record and store all images and audio on a system with backup and retrieval capabilities. That system shall also possess a recording duplication capability to allow for the play-back of suspected illegal activity while the master tape or primary recording media continues to record activities in the designated slot machine gaming area;

(f) Provide uninterrupted recording while the playback or copy function is used. If the slot machine licensee chooses to use a network for the digital recording equipment, it shall be a closed network with limited access.

(g) Be locked by the manufacturer to disable the erase and reformat functions and to prevent access to the system data files. The facility shall:

1. Not be permitted to delete the names of individuals granted access to the system once the access has been recorded in the surveillance system;

2. Have the ability to remove system operational access permissions for any individual at any time;

3. Not be permitted to delete the surveillance or recording system's audit trail record of activity in which that individual was involved while using the surveillance system for any recorded purpose.

(h) Have a failure notification capability that provides an audible alarm, as well as a visual alert of any failure in the surveillance system or the media storage system. The alarm and alert capability shall advise the division and FDLE as well as the facility surveillance department of the failure;

(i) Have a media storage system that is configured so that a failure of any single component shall not result in the loss of any data residing within the media storage system;

(j) Superimpose the time and date of each recorded image to provide images with a video verification encryption code on all digital video disks or other storage media. The slot machine licensee shall submit the video verification encryption code, to the division and FDLE, as part of the division and FDLE inspection and approval of the facility surveillance system;

(k) Not have more than eight cameras required in the first stage of concentration unless the slot machine licensee has a fault tolerant or redundant system. If a fault tolerant or redundant system is employed it must be configured so there is no loss of data in the event of a failure of a single first stage of concentration.

(3) A dedicated surveillance camera shall be required for:

(a) All slot machines with a minimum wager for play equal to or greater than twenty-five dollars (\$25). Such a slot machine shall not be offered to the public for play without the surveillance coverage required by this rule.

(b) All ATM machines outside the designated slot machine gaming area but positioned within the slot machine licensee's facility.

(4) Surveillance system remote access is defined as access to the slot machine licensee's surveillance system from any location other than the facility surveillance room. Remote access to a slot machine licensee's surveillance system:

(a) Shall not be granted until approved by the division and FDLE.

(b) Shall meet the following requirements for division and FDLE approval:

1. The remote location from which access is granted is an operational location which:

a. Is approved by the division and FDLE in writing based on the requirements of this rule;

b. Meets the physical and operational security requirements of this rule for a licensee surveillance room;

c. Each room designated for remote surveillance operations shall be used exclusively to monitor the activities within the slot machine licensee's entire facility addressed within this rule;

d. The interior of the remote surveillance room shall not be visible or accessible to the public and shall be continuously monitored and recorded by surveillance equipment.

(c) The division and FDLE shall have immediate access to each surveillance room and other areas designated for surveillance operations to include those areas designated for remote surveillance access.

2. The individual or entity granted remote access possessess a valid slot machine occupational license issued by the divicion and has also been seperately approved by the division and FDLE for remote access operations by meeting the following requirements:

- a. Possession of a valid slot machine occupational license;
- b. Assigned no other gaming duties;
- c. Access to the surveillance system, surveillance system plan, and any related information as a result of the grant of surveillance system remote access shall be limited to surveillance employees, the division and FDLE;

Slot machine licensee employees assigned to duties in the surveillance room shall:

- (a) Have no other gaming related duties;
- (b) Not be permitted to transfer from a slot machine licensee's surveillance department to another department within the slot machine licensee's facility, until a period of one year has passed since the employee worked within that surveillance department.

d. No surveillance department employee shall be permitted to transfer from a slot machine licensee's surveillance department to another department within the slot machine licensee's facility, until a period of one year has passed since the employee worked within that surveillance department unless the employee is being transferred or promoted into a position that requires knowledge of the surveillance system and procedures.

- 3. Surveillance system transmissions shall be encrypted;
- 4. Access to the transmissions shall be strictly controlled through the use of mandatory password protection;

5. Passwords used to access the surveillance system shall contain a minium of six alpha and numeric characters;

6. A written procedure is included in the slot machine licensee's system of internal controls to assure that each password granted to an employee is disabled when that employee is transferred from surveillance duties or is no longer employed at the facility; and

- (c) Shall be reported quarterly to the division and FDLE. Each quarterly report shall disclose:
 - 1. The remote location from which access is granted;
 - 2. The identity of the entity or individual to whom remote access is granted; and
 - 3. Documentation that:
 - a. The surveillance system transmission is encrypted and requires a password for access;
 - b. All passwords used to access the surveillance system contain a minimum of six alpha and numeric characters;

c. Each password granted to an employee granted access to the surveillance equipment has been disabled upon the employee's employment termination or transferr from surveillance duties.

(5) Access to the surveillance room, system, surveillance system plan and any related information, shall be limited to:

- (a) Slot machine licensee surveillance employees of that facility;
- (b) The division and FDLE;
- (c) Emergency responding services; and
- (d) That required maintenance activity which shall be visually and constantly supervised by surveillance personnel.

(6) The Slot machine licensee surveillance department shall:

(a) Establish a visitor record log to record the name, date and time of use for each individual entering the surveillance room;

(b) Maintain a record log according to the requirements of rule 61D-14.056(a), F.A.C.

(7) All parties not designated in paragraph (5), above, shall review surveillance coverage materials in a viewing room approved by the division and FDLE once found in compliance with Chapter 551, F.S. and Chapter 61D-14, F.A.C. The slot machine licensee shall:

(a) Designate a viewing room for the purpose of reviewing surveillance coverage materials for whatever purpose;

(b) Establish a visitor record log to record the name, date and time of use for each individual entering the designated viewing room;

(c) Maintain the visitor record log according to the requirements of rule 61D-14.056(a), F.A.C.

(8) Slot machine licensee employees assigned to duties in the surveillance room shall:

(a) Have no other gaming related duties;

(b) Not be permitted to transfer from a slot machine licensee's surveillance department to another department within the slot machine licensee's facility, until a period of one year has passed since the employee worked within that surveillance department.

(9) The surveillance room shall be:

(a) Maintained at all times by a sufficient number of trained surveillance operators as required by this rule. The division, after consultation with FDLE, shall require additional surveillance personnel should it be determined that an inadequacy of surveillance monitoring exists.

(b) Staffed for monitoring 24 hours a day by at least:

1. One surveillance supervisor or equivalent according to surveillance internal controls; and

2. One surveillance operator or employee subordinate to a supervisor who is trained in the use of the equipment; and has training in or has completed certified training in:

a. Slot machine operations; and

b. The slot machine licensee's approved internal control procedures for security and surveillance.

(10) Proposed changes to a surveillance system, video or audio format or surveillance system configuration or room assignment or configuration shall:

(a) Be submitted to the division and FDLE for approval setting forth what the change will be, when the change will occur, and how the change will affect their surveillance system as a whole. The division and FDLE shall evaluate the proposed changes consistent with the requirements of this rule;

(b) Not be implemented until the slot machine licensee receives written approval from the division and FDLE designating what requested changes are approved. No change in surveillance system, configuration or room may be executed unless expressly approved in writing.

(11) A slot machine licensee shall:

(a) Notify the division and FDLE immediately of any failure of the surveillance system to continuously monitor the eligible facility or to otherwise operate properly.

(b) Suspend play of slot machines in any area for which there is inadequate monitoring until the surveillance system is restored.

(c) Be responsible to ensure that any surveillance equipment that malfunctions shall be immediately repaired or replaced with a working unit. If immediate replacement is not possible, the slot machine licensee shall:

1. Provide alternative live monitoring of the designated coverage area for the malfunctioning equipment; or

2. Immediately suspend play of slot machines in the designated coverage area for the malfunctioning equipment that is unmonitored due to the failure of the equipment.

(d) Repair any video or audio recording storage system failure or replace the storage system within 8 hours of the failure.

(e) Operate a surveillance system that shall provide back-up for video or audio recording during the repair and replacement time. If after 8 hours, activity in the affected area cannot be recorded, the slot machines in that area shall be closed for play until recording is restored. The slot machine licensee shall:

1. Maintain a record of all surveillance and recording equipment malfunctions;

2. Retain the record of all surveillance and recording equipment malfunctions pursuant to Rule 61D-14.080, F.A.C.; and

3. Report all surveillance system malfunctions to the division and FDLE daily at the start of the first shift for that day of operation.

(12) All surveillance equipment shall:

(a) Remain accessible solely to surveillance personnel except when such equipment is being

repaired or replaced;

(b) Be repaired only under the direct and visual supervision of surveillance department personnel when the equipment is repaired on-site.

(c) Be located in the surveillance room or similarly secure area of the slot machine licensee's facility;

(d) Be the sole responsibility of the surveillance department which shall be responsible for the proper operation and maintenance of all slot machine licensee's surveillance equipment of any description;

(e) Be immediately accessible to the division and FDLE; and

(f) Be configured so that the division and FDLE are able to direct the surveillance of a particular area or person at the slot machine licensee's facility to include all areas addressed within this rule.

(13) Each slot machine licensee facility shall have at least one surveillance room.

(a) Each room designated for surveillance operations shall be used exclusively to monitor the activities within the slot machine licensee's entire facility addressed within this rule.

(b) The interior of the surveillance room shall not be visible or accessible to the public and shall be continuously monitored and recorded by surveillance equipment.

(c) The division and FDLE shall have immediate access to each surveillance room and other areas designated for surveillance operations to include those areas designated for remote surveillance access.

(14) The slot machine licensee shall provide the division and FDLE, upon request, copies of digital recorded media of activities as well as copies of any images produced on a video printer and all associated surveillance report records.

(15) Each slot licensee's Security and Surveillance department shall report all observed violations of Chapter 551, F.S., Chapter 61D-14, F.A.C., or the slot machine licensee's system of internal controls as they relate to the slot operations, to the division and FDLE. The knowing failure to report incidents observed to the division or FDLE on the part of the slot machine licensee or a slot machine occupational licensee shall constitute a separate violation of this rule in addition to the original observed violation.

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(g), (i), 551.104(4)(h) FS. History--New 6-25-06.