



STATE OF WASHINGTON
GAMBLING COMMISSION

"Protect the Public by Ensuring that Gambling is Legal and Honest"

January 4, 2016

Mr. Pat Tompkins
3723 74th Ave. Ct. NW
Gig Harbor, WA 98335

Re: Pace-o-Matic Group 12 Amusement Games, version 501.01 WSH, and Console

Dear Mr. Tompkins,

Thank you for submitting the six amusement games and console created and designed by Pace-o-Matic, Inc., and owned by you, for us to review. We have completed our review.

The Pace-o-Matic console as currently configured only accepts cash for play and does not accept tickets, tokens, cards, or script. There are two different types of amusement games—nudge and 8 line touch wild—displayed on the console you submitted, and there are six different types of game themes titled: Cocktail Cove, Lucky Eddie, American Prize, Bombs & Bombshells, Classic Fruit and Clowning Around. According to the information we received from you and our own review of the games, the two different game types are played as follows:

The Nudge game (Lucky Eddie, American Prize, Classic Fruit, Clowning Around)

Players choose their play level and then press play. After the spin, players are allowed to move one reel up or down to make a winning combination before the time runs out. Players win by matching 3 of the same symbols on the center win line.

The 8 Line Touch Wild game (Cocktail Cove and Bombs & Bombshells):

Players choose their play level and then press play. Symbols appear in nine boxes ordered in three rows and three columns. Players touch any symbol to make it "Wild" to try and create a match. To "win", a player must match three like symbols in a row. It is possible for more than one match during some games and players must place the "Wild" matching all possible three symbol combinations to receive the highest value of points before the time runs out. Partial points are awarded for less than perfect play.

Each of these six amusement game themes include a preview function that allows players to view the game outcome before inserting the cost to play by pressing the next puzzle preview button. The preview will immediately let players know if they will lose or have the opportunity to be a winner. If players choose to play the game, they may insert payment and press play to display the pattern to be solved. Players are allowed one move to recognize and solve the pattern by raising or lowering one of the symbols or touching a wild symbol. In addition, players must solve the puzzles within a predetermined time period. If the puzzles are solved incorrectly or time expires, players do not win. When players



successfully solve a pattern and win, players will accrue "win points." When players are done playing or have run out of "play points," then players will press the "ticket" button and receive a printed receipt for the amount of tokens/points won. The receipt is redeemable for merchandise prizes offered at the licensed location.

During the review of this game, you were advised that only merchandise prizes may be awarded (RCW 9.46.0201). As discussed, the removal of the money sign "\$" from the tokens awarded display is necessary to ensure there is no confusion about what players are winning.

In addition, the reference to the free preview feature should be prominently displayed on either the cabinet or as part of the game display help screen instructions about how to play the game so amusement game players readily see and are aware of this function. Also, because the amusement game does not return change, you must clearly disclose to players before play that change is not returned and disclose to them where they may get change (WAC 230-13-080).

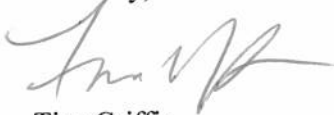
You are also advised that operators must not allow winners to forfeit a prize previously won in exchange for another play (WAC 230-13-130). Furthermore, Group 12 amusement games are only allowed to be played by adults over the age of twenty-one and the games may only be operated by licensees where persons under the age of twenty-one are prohibited from entering the business.

The Pace-o-Matic cannot be connected to an internal or external network.

The Pace-o-Matic console that only accepts cash for play is approved. Additionally, the Lucky Eddie, American Prize, Classic Fruit, Clowning Around, Cocktail Cove, and Bombs & Bombshells version 501.01 WSH are approved as amusement games. The console and each amusement game meet the requirements of WAC 230-13. However, any modifications or additions to the approved amusement game, their software, or any associated equipment, including the console, must be provided to us for additional testing, review, and approval.

Lastly, the approval of these games and equipment may be rescinded at any time if the Commission determines these amusement games and/or equipment violates Washington law or the Commission's rules. This includes any future changes to statutes or the Washington Administrative Code (WAC) regulating Group 12 amusement games.

Sincerely,



Tina Griffin
Assistant Director
Licensing, Regulation and Enforcement

Enclosures (4)

cc: Josh Stueckle, Acting Agent in Charge Regulation Unit
Cathy Harvey, Agent in Charge Tribal Gaming Unit

RCW 9.46.0201**"Amusement game."**

"Amusement game," as used in this chapter, means a game played for entertainment in which:

- (1) The contestant actively participates;
- (2) The outcome depends in a material degree upon the skill of the contestant;
- (3) Only merchandise prizes are awarded;
- (4) The outcome is not in the control of the operator;
- (5) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and
- (6) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

[1987 c 4 § 2. Formerly RCW 9.46.020(1), part.]

WAC 230-13-080**Operating coin or token activated amusement games.**

(1) Coin or token activated amusement games must have nonresetting coin-in meters, certified as accurate to within plus or minus one coin or token in one thousand plays, which stop play of the machine if the meter is removed or disconnected when operating at:

- (a) Amusement parks; or
- (b) Regional shopping malls; or
- (c) Movie theaters; or
- (d) Bowling alleys; or
- (e) Miniature golf course facilities; or
- (f) Skating facilities; or
- (g) Family sports complexes.

(i) A "family sports complex" is a facility, at a permanent location, to which people go to play sports. A family sports complex must offer multiple sports activities, such as indoor soccer, outdoor soccer, lacrosse, baseball, Frisbee, and lawn bowling and the gross receipts must be primarily from these sports activities.

(ii) A family sports complex does not include a facility owned or operated by a school or school district; or

- (h) Amusement centers; or
- (i) Restaurants; or

(j) Grocery or department stores. A "department or grocery store" means a business that offers the retail sale of a full line of clothing, accessories, and household goods, or a full line of dry grocery, canned goods, or nonfood items plus some perishable items, or a combination of these. A department or grocery store must have more than ten thousand square feet of retail and support space, not including the parking areas.

(2) All coin or token activated amusement games must have a coin acceptor capable of taking money for one play and may have an additional acceptor to include paper money.

(3) Operators using amusement games that do not return change must have a change-making bill acceptor or the ability to get change in the immediate vicinity of such games. All amusement games using paper money acceptors must either:

- (a) Return change; or

(b) Clearly disclose to players before play that change is not returned and disclose to them where at the location they may get change.

[Statutory Authority: RCW 9.46.070. WSR 09-15-067 (Order 650), § 230-13-080, filed 7/13/09, effective 8/13/09; WSR 08-11-036 (Order 625), § 230-13-080, filed 5/14/08, effective 7/1/08; WSR 07-21-116 (Order 617), § 230-13-080, filed 10/22/07, effective 1/1/08; WSR 07-15-064 (Order 612), § 230-13-080, filed 7/16/07, effective 1/1/08.]

WAC 230-13-130

Display and exchange of amusement game prizes.

(1) Amusement game operators must prominently display a sample of each type of prize available.

(2) Operators must only award prizes that are posted. However, after a player has won two or more prizes, operators may offer that player the opportunity to exchange those prizes for one or more other prizes, but only if that prize was on display during the play of the game.

(3) Operators must not allow winners to forfeit previously won prize(s) in exchange for another play.

(4) Operators may give winners tickets which winners may combine with other tickets won and redeem for a merchandise prize.

[Statutory Authority: RCW 9.46.070. WSR 07-15-064 (Order 612), § 230-13-130, filed 7/16/07, effective 1/1/08.]

WAC 230-13-067**Group 12—Electronic puzzle and pattern solving game standards.**

In Group 12 games, players must correctly solve a puzzle to win a prize, which is viewable by the player before each puzzle is presented.

(1) The game must allow the player to view the prize that is available before each play of the game without the insertion of money or any other thing of value; and

(2) Prizes are awarded based upon the player's skill in correctly discerning a pattern and completing that pattern; and

(3) When a game presents a potential winning pattern, the puzzle must be capable of completion within the predetermined time period; and

(4) Group 12 amusement games are for adults over the age of twenty-one only and may only be operated by licensees where persons under the age of twenty-one are prohibited from entering.

[Statutory Authority: RCW 9.46.070 and 9.46.0331. WSR 15-15-063 (Order 713), § 230-13-067, filed 7/10/15, effective 8/10/15.]