

AMENDMENTS TO
NEVADA GAMING COMMISSION REGULATION 14

Nevada Gaming Commission Adopted Draft

Adopted: 02/26/2026

Effective: 02/26/2026

PURPOSE STATEMENT: To amend Nevada Gaming Commission (“NGC”) Regulation 14 to revise, remove, or add various requirements and standards relating to the approval and modification of games, gaming devices, and associated equipment, and to the revocation of such approvals; To amend NGC Regulation 14.010 to add new definitions or to modify existing definitions relevant to the amendments set forth herein; To amend NGC Regulations 14.100 and 14.250 to allow for administrative approval of new gaming devices and new games as provided in section 6 of Assembly Bill 58 adopted during the 2025 session of the Nevada Legislature; To amend NGC Regulations 14.180 and 14.190 to revise the requirements relating to the distribution of gaming devices; To amend NGC Regulation 14.400 to modify what information and items must be provided by an independent testing lab in association with the licensed manufacturer of a gaming device; To amend NGC Regulation 14 to make non-substantive changes to standardize terminology and cross references; And to take such additional actions as may be necessary and proper to effectuate this stated purpose.

EFFECTIVE DATE: February 26, 2026.

EXPLANATION: Matter in *blue italics* is new language; matter between ~~red brackets with single strikethrough~~ is material to be omitted.

REGULATION 14

**MANUFACTURERS, DISTRIBUTORS, OPERATORS OF INTER-CASINO
LINKED SYSTEMS, GAMING DEVICES, NEW GAMES, INTER-CASINO
LINKED SYSTEMS, ON-LINE SLOT METERING SYSTEMS, CASHLESS
WAGERING SYSTEMS, MOBILE GAMING SYSTEMS, INTERACTIVE
GAMING SYSTEMS AND ASSOCIATED EQUIPMENT; INDEPENDENT
TESTING LABORATORIES**

14.010 Definitions. As used in this regulation, unless the context otherwise requires:

1. “Board” has the meaning ascribed to it in NRS 463.0137.

2. “Cashless wagering system” means the collective hardware, software, communications technology, and other associated equipment used to facilitate wagering on any game or gaming device including mobile gaming systems and interactive gaming systems with other than chips, tokens or legal tender of the United States. The term does not include any race and sports computerized bookmaking system that accepts pari-mutuel wagers, or any other race and sports book systems that do not accept wagering instruments, wagering credits or process electronic transfers. This type of associated equipment is further defined in NRS 463.014.

3. “Chair” means, except where otherwise provided, the Chair of the Nevada Gaming Control Board or the Chair’s designee.

4. “Commission” has the meaning ascribed to it at NRS 463.0145.

5. “Control program” means any software, source language or executable code which affects the result of a wager by determining win or loss. The term includes, ~~but is not limited to~~ *without limitation*, software, source language or executable code associated with the:

(a) Random number generation process;

(b) Mapping of random numbers to game elements to determine game outcome;

(c) Evaluation of the randomly selected game elements to determine win or loss;

(d) Payment of winning wagers;

(e) Game recall;

(f) Game accounting including the reporting of meter and log information to on-line slot metering system;

(g) Monetary transactions conducted with associated equipment;

(h) Software verification and authentication functions which are specifically designed and intended for use in a gaming device;

(i) Monitoring and generation of game tilts or error conditions; and

(j) Game operating systems which are specifically designed and intended for use in a gaming device.

↪ The term does not include software used for artistic attributes of a game including graphics, sound and animation providing entertainment unless such elements are material to game play because they are necessary for the player to understand the game or game outcome.

6. “Distribution” or “distribute” means the sale, offering for sale, lease, offering for lease, licensing or other offer of any gaming device, associated equipment, cashless wagering system, mobile gaming system, or interactive gaming system for use or play in Nevada.

7. “Distributor” means a person who operates, carries on, conducts or maintains any form of distribution.

8. “Distributor of associated equipment” is any person that sells, offers to sell, leases, offers to lease, licenses, markets, offers, or otherwise offers associated equipment in Nevada for use by licensees.

9. *“Game” and “gambling game” have the meaning ascribed to them in NRS 463.0152.*

10. “Game of chance” means a game in which randomness determines all outcomes of the game as determined over a period of continuous play.

~~{10.}~~ 11. “Game of skill” means a game in which the skill of the player, rather than chance, is the dominant factor in affecting the outcome of the game as determined over a period of continuous play.

~~{11.}~~ 12. “Game outcome” is the final result of the wager.

~~{12.}~~ 13. “Game variation” means a change or alteration in a game or gambling game that affects the manner or mode of play of an approved game. This includes, ~~{but is not limited to}~~ *without limitation*, the addition or removal of wagering opportunities or a change in the theoretical hold percentage of the game. ~~{The term game or gambling game is defined in NRS 463.0152.}~~

~~{13.}~~ 14. “Gaming session” means the period of time commencing when a player initiates a game or series of games on a gaming device by committing a wager and ending at the time of a final game outcome for that game or series of games.

~~{14.}~~ 15. “Hybrid game” means a game in which a combination of the skill of the player and chance affects the outcome of the game as determined over a period of continuous play.

~~{15.}~~ 16. “Identifier” means any specific and verifiable fact concerning a player or group of players which is based upon objective criteria relating to the player or group of players, including, without limitation:

- (a) The frequency, value or extent of predefined commercial activity;
- (b) The subscription to or enrollment in particular services;
- (c) The use of a particular technology concurrent with the play of a gaming device;
- (d) The skill of the player;
- (e) The skill of the player relative to the skill of any other player participating in the same game;
- (f) The degree of skill required by the game; or
- (g) Any combination of (a) to (f), inclusive.

~~{16.}~~ 17. “Independent contractor” has the meaning ascribed to it in paragraph (b) of subsection 2 of NRS 463.01715.

~~{17.}~~ 18. “Independent testing laboratory” means a private laboratory that is registered by the Commission to inspect and certify games, gaming devices, associated equipment, cashless wagering systems, inter-casino linked systems,

mobile gaming systems or interactive gaming systems, and any components thereof and modifications thereto, and to perform such other services as the Board and Commission may request.

~~[18.]~~ 19. “Inter-casino linked system” ~~{means:~~

~~(a) A network of electronically interfaced similar games which are located at two or more licensed gaming establishments that are linked to:~~

~~(1) Conduct gaming activities, contests or tournaments; or~~

~~(2) Facilitate participation in a common progressive prize system,}~~ *has the meaning ascribed to it in NRS 463.01643.*

(a) The term includes, without limitation:

(1) A network of electronically interfaced similar games located at two or more licensed gaming establishments that are linked to facilitate participation in a common progressive prize system; and

~~{→and the}~~ *(2) The* collective hardware, software, communications technology and other associated equipment used in such system to link and monitor games or devices located at two or more licensed gaming establishments, including any associated equipment used to operate a multi-jurisdictional progressive prize system.

(b) Systems that solely record a patron’s wagering activity among affiliated properties are not inter-casino linked systems.

(c) The term “multi-jurisdictional progressive prize system” means the collection of hardware, software, communications technology and other associated equipment used to link and monitor progressive slot machines or other games among licensed gaming establishments in this state participating in an inter-casino linked system and one or more lawfully operated gaming locations in other jurisdictions that participate in a similar system for the purpose of participation in a common progressive prize system.

~~[19.]~~ 20. “Interactive gaming system” is a gaming device and means the collective hardware, software, communications technology, and proprietary hardware and software specifically designed or modified for, and intended for use in, the conduct of interactive gaming. The core components of an interactive gaming system, including servers and databases running the games on the interactive gaming system and storing game and interactive gaming account information, must be located in the State of Nevada except as otherwise permitted by the Chair.

~~[20.]~~ 21. “Manufacture” has the meaning ascribed to it in NRS 463.01715.

~~[21.]~~ 22. “Manufacturer” has the meaning ascribed to it in NRS 463.0172.

~~[22.]~~ 23. “Manufacturer of associated equipment” ~~{is}~~ *means* any person ~~{that}~~ *who* manufactures, assembles, or produces any associated equipment, including inter-casino linked systems, for use in Nevada by licensees.

~~[23.]~~ 24. “Mobile gaming system” ~~{or “system”}~~ means a system that allows for the conduct of games through mobile communications devices operated solely within a

licensed gaming establishment by the use of communications technology that allows a patron to bet or wager, and corresponding information related to the display of the game, gaming outcomes or other similar information. A mobile gaming system is a gaming device.

~~{24.}~~ 25. “Modification” means, except as otherwise provided, a change or alteration in a gaming device previously approved by the Commission for use or play in Nevada that affects the manner or mode of play of the device. The term includes a change to control programs and, except as provided in paragraphs (c) and (d) of this subsection, in the theoretical hold percentage. The term does not include:

- (a) Replacement of one component with another, pre-approved component;
- (b) The rebuilding of a previously approved device with pre-approved components;
- (c) A change in the theoretical hold percentage of a mechanical or electro-mechanical device, provided that the device as changed meets the standards of subsection 1 of section 14.040;
- (d) A change in the theoretical hold percentage of an electronic device which is the result of a top award jackpot or bonus jackpot payment which is paid directly by an attendant and which is not accounted for by the device; or
- (e) A change to software used for artistic attributes of a game, including graphics, sound and animation providing entertainment unless such elements are material to game play because they are necessary for the player to understand the game or game outcome.

~~{25.}~~ 26. *“New game” means a game, other than a gaming device, that has not previously been approved for play in Nevada, and that is materially different in function, design, or operation from any game previously approved for play in Nevada.*

27. “On-line slot metering system” is associated equipment and means the collective hardware, software and other associated equipment used to monitor, accumulate, and record meter information from gaming devices within a licensed establishment.

~~{26.}~~ 28. ~~“Operator”~~ *“Operator of an inter-casino linked system”* means, except as otherwise provided, any person or entity holding a license or approval to operate:

- (a) An inter-casino linked system ~~{or mobile gaming system}~~ in Nevada;
- (b) A slot machine route that operates an inter-casino linked system for slot machines only;
- (c) *A mobile gaming system interfaced across two or more licensed gaming establishments;*
- (d) A nonrestricted gaming operation that operates an inter-casino linked system of ~~{affiliates}~~ *an affiliate*; or

~~{(d)}~~ (e) An inter-casino linked system under the preceding paragraphs (a) ~~{or (b)}~~ *to (c), inclusive*, of this subsection which system also is linked to or otherwise incorporates a multi-jurisdictional progressive prize system.

~~{27.}~~ 29. “Private residence” means a noncommercial structure used by a natural person as a place of abode and which is not used for a commercial purpose.

~~{28.}~~ 30. “Proprietary hardware and software” means hardware or software specifically designed for use in a gaming device including a mobile gaming system and interactive gaming system.

~~{29.}~~ 31. “Randomness” is the observed unpredictability and absence of pattern in a set of elements or events that have definite probabilities of occurrence.

~~{30.}~~ 32. “Rules of play” means those features of a game necessary for a reasonable person to understand how a game is played including, ~~{but not limited to}~~ *without limitation*, the following:

- (a) Help screens;
- (b) Award cards; and
- (c) Pay-line information.

↪ The term does not include those inherent features of a game that a reasonable person should know or understand prior to initiating the game.

~~{31.}~~ 33. “Skill” means the knowledge, dexterity or any other ability or expertise of a natural person.

~~{32.}~~ 34. “Theme” means a concept, subject matter and methodology of design.

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14.020 License required; applications; investigative fees; registration of a manufacturer or distributor of associated equipment.

1. Except as provided for in subsections 2 to 7 of NRS 463.650, *inclusive*, a person may only act as a manufacturer or distributor if that person holds a license specifically permitting the person to act as such.

2. An application for a manufacturer’s or distributor’s license shall be made, processed, and determined in the same manner as an application for a nonrestricted gaming license, using such forms as the Chair may require or approve.

3. An application for a manufacturer’s or distributor’s license shall be subject to the application and investigative fees established pursuant to section 4.070 of these regulations.

4. Any manufacturer or distributor of associated equipment for use in this State, other than a licensee as defined under NRS 463.0171, and any person having significant control over the operations of such manufacturer or distributor of associated equipment, as determined by the Chair, that may include, without limitation, controlling shareholders, officer, directors, or other principals, must register with the Board pursuant to NRS 463.665 if such associated equipment:

- (a) Is used directly in gaming;
- (b) Has the ability to add or subtract cash, cash equivalents or wagering credits to a game, gaming device or cashless wagering system;

(c) Interfaces with and affects the operation of a game, gaming device, cashless wagering system or other associated equipment;

(d) Is used directly or indirectly in the reporting of gross revenue;

(e) Is otherwise determined by the ~~{Commission}~~ *Board* to create a risk to the integrity of gaming and protection of the public if not inspected.

5. A person required to register under subsection 4~~{.7}~~ shall be subject to the provisions set forth in ~~{Regulation}~~ *section 4.200 of these regulations*.

14.0205 Operators of inter-casino linked systems.

1. Only a person licensed as a manufacturer; licensed to operate a nonrestricted gaming operation; or holding an active license to operate an inter-casino linked system may be approved to operate an ~~{intercasino}~~ *inter-casino* linked system.

2. A person holding an active license to operate an inter-casino linked system shall be considered approved to operate an inter-casino linked system.

3. A person licensed as a manufacturer or licensed to operate a nonrestricted gaming operation may submit a written request to the Chair for approval to operate an inter-casino linked system. Such request shall be made, processed, and determined using such forms as the Chair may require or approve and must be accompanied and supplemented by such documents and information as may be specified or required.

(a) The Chair may reject the request for approval for any cause the Chair deems reasonable. If the Chair rejects the request, the Chair shall send written notice of the decision to the person who made the request.

(b) A rejection of a request for approval by the Chair shall be considered an administrative approval decision and is subject to the procedures set forth in sections 4.185, 4.190, and 4.195 of these regulations.

4. A person seeking approval to operate an inter-casino linked system does not have a right to the granting of the request. Any approval as an operator of an ~~{intercasino}~~ *inter-casino* linked system is a revocable privilege, and no holder acquires any vested right therein or thereunder. Judicial review is not available for decisions of the Board or Commission regarding a request for approval as an operator of an inter-casino linked system.

5. An operator *of an inter-casino linked system* may only receive, either directly or indirectly, compensation for placing and operating an inter-casino linked system based on a percentage or share of the money or property played from the linked games if the operator *of the inter-casino linked system* is a licensed manufacturer, is a licensed operator of a slot machine route, or is approved to share in revenue pursuant to NRS 463.162 or NRS 463.167.

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14.025 Certain themes prohibited in association with gaming devices.

~~1.1~~ A gaming device or gaming device modification submitted for approval by a manufacturer or made available for play by a licensee must not use a theme that:

~~(a)~~ 1. Is derived from or based on a product that is currently and primarily intended or marketed for use by persons under 21 years of age~~1.1~~; or

~~(b)~~ 2. Depicts a subject or material that:

~~(1)~~ (a) Is obscene;

~~(2)~~ (b) Offensively portrays persons based on race, religion, national origin, gender, or sexual ~~preference~~ *orientation*; or

~~(3)~~ (c) Is otherwise contrary to the public policy of this state as set forth in NRS 463.0129.

~~2. [A manufacturer, licensee or other person currently holding or who presents in writing a good faith intention to acquire within a six month period the intellectual property rights to a theme may, concurrent with or independent of an application for approval of or modification to a gaming device, file a request with the Chair, in such manner and using such forms as the Chair may prescribe, for a determination as to whether subsection 1 prohibits use of the theme in connection with a gaming device.~~

~~(a) The request for determination must be accompanied by a nonrefundable fee of \$500 for each separate theme.~~

~~(b) The requesting party shall articulate the reasons that the theme is not prohibited by subsection 1 along with any additional information it deems relevant to the determination. Information submitted pursuant to this section is confidential and subject to the provisions of NRS 463.120 and NRS 463.3407;~~

~~3. Within 30 days of the submission of the request for determination pursuant to subsection 2, the Chair shall administratively approve, approve with modification or condition, or deny the request for determination.~~

~~4. A written request for withdrawal of the request for determination may be made by the requesting party at any time prior to the Chair's final action on such request. A request for withdrawal is effective upon delivery to the Chair and is without prejudice. For purposes of this subsection, "final action" means the Chair's administrative approval, with or without modification or condition, or denial of the request for determination made pursuant to subsection 3.~~

~~5. The requesting party may appeal to the Commission the administrative decision of the Chair. The appeal shall be made and processed pursuant to section 4.195 of these regulations, except such an appeal may be taken without first submitting the matter to the Board for review of such administrative decision in accordance with section 4.190 of these regulations.~~

~~6.1~~ This section does not apply to any themes that were used in connection with gaming devices that were approved for play prior to January 27, 2000.

14.030 Approval of gaming devices and the operation of new inter-casino linked systems; applications and procedures.

1. A manufacturer or distributor shall not distribute a gaming device in Nevada and a licensee shall not offer a gaming device for play unless it has received ~~{a recommendation for}~~ *administrative* approval from the *Chair* ~~{Board subject to final disposition by the Commission}~~, ~~{been approved}~~, *an approval* by the Commission, or is offered for play pursuant to a field test ordered by the Chair.

2. An operator of an inter-casino linked system shall not install and operate a new inter-casino linked system in Nevada and a licensee shall not offer any gaming device or game for play that is part of such a system unless operation of the inter-casino linked system and all gaming devices or games that are part of or connected to the inter-casino linked system have been approved by the Commission, Board, or Chair, as appropriate, or are offered for play pursuant to a field test ordered by the Chair.

3. Applications for approval of a new gaming device or to operate a new inter-casino linked system shall be made and processed in such manner and using such forms as the Chair may prescribe. Only *a* licensed ~~{manufacturers}~~ *manufacturer* may apply for approval of a new gaming device. Only ~~{operators}~~ *an operator of an inter-casino linked system* may apply for approval to operate a new inter-casino linked system.

4. At the Chair's request an applicant for a manufacturer's license or inter-casino linked system operator's approval shall apply for a preliminary determination that a new gaming device or new inter-casino linked system meets the standards required by this regulation. Such an applicant may also seek a preliminary determination by requesting the Chair's approval to apply for such a determination.

~~{5. Each application shall include, in addition to other items or information as the Chair may require:~~

~~(a) A complete, comprehensive, and technically accurate description and explanation in both technical and lay language of the manner in which the gaming device or inter-casino linked system operates and complies with all applicable statutes, regulations and technical standards, signed under penalty of perjury;~~

~~(b) A statement under penalty of perjury that, to the best of the manufacturer's knowledge, the gaming device meets the standards of section 14.040 or, in the case of an inter-casino linked system, that, to the best of the operator's knowledge, the system meets the standards of section 14.045;~~

~~(c) In the case of a gaming device, a copy of all executable software, including data and graphic information, and a copy of all source code for programs that cannot be reasonably demonstrated to have any use other than in a gaming device, submitted using a method acceptable to the Chair;~~

~~(d) In the case of a gaming device, a copy of all graphical images displayed on the gaming device including, but not limited to, reel strips, rules, instructions and paytables;~~

~~(e) In the case of an inter-casino linked system:~~

~~(1) An operator's manual;~~

~~(2) A network topology diagram;~~

~~(3) An internal control system;~~

~~(4) A hold harmless agreement;~~

~~(5) A graphical representation of the system theme and all related signage;~~

~~(6) Information sufficient to calculate a theoretical payoff schedule amount including, but not limited to, the base and reset amounts, the total contribution percentage and a breakdown of that percentage including contribution rates to all progressive payoff schedules and all reset funds, the odds of winning the progressive payoff schedule and the amount of the wager required to win the progressive payoff schedule; and~~

~~(7) The form of any agreement or written specifications permitted or required of an operator by any other state or tribal government and affecting a multi-jurisdictional progressive prize system;~~

~~(f) In the case of a mobile gaming system:~~

~~(1) An operator's manual;~~

~~(2) A network topology diagram; and~~

~~(3) An internal control system; and~~

~~(g) All materials relating to the results of the registered independent testing laboratory's inspection and certification process that are required under section 14.400.]~~

14.040 Minimum standards for gaming devices.

1. All gaming devices must:

(a) Theoretically pay out a mathematically demonstrable percentage of all amounts wagered, which must not be less than 75 percent for each wager available for play on the device.

(b) Determine game outcome solely by the application of:

(1) Chance;

(2) The skill of the player; or

(3) A combination of the skill of the player and chance.

(c) Display in an accurate and non-misleading manner:

(1) The rules of play;

(2) The amount required to wager on the game or series of games in a gaming session;

(3) The amount to be paid on winning wagers;

(4) Any rake-off percentage or any fee charged to play the game or series of games in a gaming session;

(5) Any monetary wagering limits for games representative of live gambling games;

(6) The total amount wagered by the player;

(7) The game outcome; and

(8) Such additional information sufficient for the player to reasonably understand the game outcome.

(d) Satisfy the technical standards adopted pursuant to section 14.050.

~~2. [Once a game is initiated by a player on a gaming device, the rules of play for that game, including the probability and award of a game outcome, cannot be changed. In the event the game or rules of play for the game, including probability and award of a game outcome, change between games during a gaming session, notice of the change must be prominently displayed to the player.]~~

~~[3.]~~ Gaming devices connected to a common payoff schedule shall:

(a) All be of the same denomination and have equivalent odds of winning the common payoff schedule/common award based as applicable on either or both of the combined influence of the attributes of chance and skill; or

(b) If of different denominations, equalize the expected value of winning the payoff schedule/common award on the various denominations by setting the odds of winning the payoff schedule in proportion to the amount wagered based as applicable on either or both the combined influence of the attributes of chance and skill, or by requiring the same wager to win the payoff schedule/award regardless of the device's denomination. The method of equalizing the expected value of winning the common payoff schedule/common award shall be conspicuously displayed on each device connected to the common payoff schedule/common award. For the purposes of this requirement, equivalent is defined as within a five percent tolerance for expected value and no more than a one percent tolerance on return to player or payback.

~~[4.]~~ 3. All possible game outcomes must be available upon the initiation of each play of a game upon which a player commits a wager on a gaming device.

~~[5.]~~ 4. For gaming devices that are representative of live gambling games, the mathematical probability of a symbol or other element appearing in a game outcome must be equal to the mathematical probability of that symbol or element occurring in the live gambling game. *If the mathematical probability of a symbol or other element is different from the live game, the difference must be disclosed to the player in the area of play or in posted game rules.*

~~[6.]~~ 5. Gaming devices that offer games of skill or hybrid games must indicate prominently on the gaming device that the outcome of the game is affected by player skill.

~~[7.]~~ 6. Gaming devices must not alter any function of the device based on the actual hold percentage.

~~[8.]~~ 7. Gaming devices may use an identifier to determine which games are presented to or available for selection by a player.

14.045 Minimum standards for inter-casino linked systems. All inter-casino linked systems submitted for approval *shall*:

1. ~~[Shall, in]~~ *In* the case of an inter-casino linked system featuring a progressive payoff schedule that increases as the inter-casino linked system is played, have a minimum rate of progression for the primary jackpot meter of not less than .4 of one percent of amounts wagered. In the case of an inter-casino linked system featuring a progressive payoff schedule that increases over time, have a minimum rate of progression for the primary jackpot meter of not less than one hundred dollars per day. The provisions of this subsection do not prevent an operator *of an inter-casino linked system* from limiting a progressive payoff schedule as allowed by subsection 5 of section 5.112 of these regulations.

2. ~~[Shall have]~~ *Have* a method to secure data transmissions between the games and devices and the main computer of the operator *of an inter-casino linked system*, as approved by the Board.

3. ~~[Shall display]~~ *Display* the rules of play and the payoff schedule.

4. ~~[Shall meet]~~ *Meet* the applicable minimum standards for internal control that have been adopted pursuant to section 6.090 of these regulations.

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14.100 Final approval of new gaming devices.

1. After completing ~~[its]~~ *an* evaluation of the new gaming device, the ~~[Board shall]~~ *Chair may administratively approve or deny the application for approval of the new gaming device. Alternatively, the Chair may place the application for approval of the new gaming device on the Board's agenda for the entire Board to* recommend to the Commission whether the application ~~[for approval of the new gaming device]~~ should be granted.

2. *The Chair or Commission shall not grant an application for approval of a new gaming device unless the new gaming device complies with all applicable requirements and standards set forth in the Nevada Gaming Control Act, these regulations, the technical standards adopted pursuant to section 14.050, and any waiver or modification thereof granted by the Chair.*

3. In ~~[considering]~~ *addition to the requirement set forth in subsection 2, when determining* whether a new gaming device will be given final approval, the *Chair, or the* Board and Commission, shall consider whether approval of the new gaming device is consistent with the public policy of this state.

~~[3.]~~ 4. ~~[Commission approval]~~ *Approval* of a gaming device does not constitute certification of the device's safety.

5. *The Chair or Commission may, in their sole and absolute discretion, limit or condition any approval granted pursuant to this section.*

~~[4.]~~ 6. A manufacturer or distributor who becomes aware that a gaming device approved ~~[by the Commission or the Board]~~ *pursuant to this section* no longer complies with the ~~[regulations of the Commission or the technical standards adopted pursuant to section 14.050]~~ *applicable requirements or standards set forth in subsection 2* shall notify the Board *of the noncompliance* in writing within three business days.

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14.110 Approval to modify gaming devices; applications and procedures.

1. Modifications to gaming devices may only be made by *a* licensed ~~[manufacturers]~~ *manufacturer* who ~~[have]~~ *has* received prior written approval ~~[of]~~ *from* the Chair.

↪ In an emergency when a modification is necessary to prevent cheating or malfunction, the Chair may, in the Chair's sole and absolute discretion, orally approve a modification to be made by a manufacturer. Within 15 days of the emergency modification, the manufacturer making such modification shall submit a written request for approval of the modification that shall ~~[contain the information required by]~~ *be made and processed as described in* subsection 3 and *include* such other information as required by the Chair.

2. A manufacturer shall not modify a gaming device unless the device, as modified, meets the standards of section 14.040. The Chair may, in the Chair's sole and absolute discretion, waive all or some of the standards of section 14.040 if the modification is necessary to prevent cheating or malfunction. A waiver shall be effective when the manufacturer or operator receives a written notification from the Chair that all or some of the standards will be waived pursuant to this subsection. A waiver of all or some of the standards pursuant to this subsection is not an approval of the modification.

3. Applications for approval to modify a gaming device shall be made by a manufacturer and processed in such manner and using such forms as the Chair may prescribe. ~~[Each application shall include, in addition to such other items or information as the Chair may require:~~

~~(a) A complete, comprehensive, and technically accurate description and explanation of the modification in both technical and lay language signed under penalty of perjury;~~

~~(b) Unless the standards of section 14.040 have been waived pursuant to subsection 2, a statement under penalty of perjury that to the best of the~~

~~manufacturer's knowledge, the gaming device, as modified, meets the standards of section 14.040;~~

~~(e) In the case of a gaming device:~~

~~(1) A copy of all executable software, including data and graphic information, and a copy of all source code for programs that cannot be reasonably demonstrated to have any use other than in a gaming device, submitted using a method acceptable to the Chair;~~

~~(2) A copy of all graphical images displayed on the gaming device including, but not limited to, reel strips, rules, instructions and paytables;~~

~~(d) In the case of a modification to the control program of a gaming device that includes software, source language or executable code designed or developed by an independent contractor:~~

~~(1) The name of the independent contractor; and~~

~~(2) A general subject matter description of such software, source language or executable code compiled into the control program as part of the submission to the Board;~~

~~(e) All materials relating to the results of the registered independent testing laboratory's inspection and certification process that are required under section 14.400.]~~

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14.180 ~~[Approval for category I licensees]~~ *Requirements* to distribute gaming devices out of Nevada; ~~[applications and procedure];~~ recordkeeping requirements ~~[for category II licensees; extraterritorial distribution compliance];~~ inspection of facilities and devices.

~~1. [Subject to the exemption set forth in subsection 4, category I manufacturers and distributors shall not distribute gaming devices out of this state without applying for and receiving the prior written approval of the Chair. Applications for such approval to distribute gaming devices out of this state must be made, processed, and determined in such manner and using such forms as the Chair may prescribe. Each application must include, in addition to such other items or information as the Chair may require:~~

~~(a) The full name, state of residence, address, telephone number, social security number, and driver's license number of both the purchaser and the person to whom the shipment is being made, if neither is currently licensed by the Commission. If the purchaser or person to whom the shipment is being made does not have a social security number or driver's license number, the birth date of the purchaser or person to whom the shipment is being made may be substituted;~~

~~(b) The name and permanent address of the purchaser or person to whom the shipment is being made if either is currently licensed by the Commission;~~

~~(c) The destination, including the port of exit if the destination is outside the continental United States;~~

~~(d) The number of devices to be shipped;~~

~~(e) The serial number of each device;~~

~~(f) The model number of each device and year each device was manufactured, if known;~~

~~(g) The denomination of each device;~~

~~(h) The expected date and time of shipment; and~~

~~(i) The method of shipment and name and address of carrier.~~

~~2. Except as provided in paragraph (e) of this subsection, category II manufacturers and distributors are exempt from subsection 1, and] A manufacturer or distributor shall:~~

(a) Prepare and maintain records of the information required by the Gaming Devices Act of 1962, 15 U.S.C. 1173. The records and documentation required by this paragraph shall be retained for a period of five years and must be produced for inspection upon request by the Board. The failure to prepare and maintain such records and documentation will be an unsuitable method of operation.

(b) Submit to the Board *annually*, on ~~[or before the 15th day of January and July of each calendar year]~~ *a date determined by the Chair*, an electronic record of the name and address of all current customers ~~[which shall be]~~ in a searchable format. The record required by this paragraph shall be received and retained by the Board as confidential pursuant to NRS 463.120.

~~[(c) A category II manufacturer and distributor may by written notice to the Chair elect to be treated as and comply with the requirements of this section applicable to a category I manufacturer and distributor.]~~

~~[3.] 2. [Manufacturers and distributors] A manufacturer or distributor shall not ship gaming devices to a destination where possession of a gaming device is unlawful.~~

~~[4. Category I manufacturers and distributors are exempt from the requirements of subsection 1 for shipments of gaming devices provided:~~

~~(a) The gaming devices are only distributed to:~~

~~(1) Persons licensed to expose such devices for play or for further distribution, in the jurisdiction of destination or by a tribal gaming authority in the jurisdiction of destination;~~

~~(2) A federal, state or tribal gaming regulatory authority or law enforcement agency; or~~

~~(3) A testing laboratory authorized by an entity identified within subparagraph (2) of this paragraph.~~

~~(b) The category I manufacturer and distributor files the information required by subsection 1 on or before the 15th of the month following the month of distribution.~~

~~→ The Chair may publish a list of jurisdictions or licensees to which this exemption does not apply and where category I manufacturers and distributors may not ship gaming devices without prior approval as required by subsection 1.~~

~~5. Category I manufacturers and distributors shall obtain and thereafter maintain, a statement by the purchaser under penalty of perjury that each device will be used only for lawful purposes, unless the purchaser is currently licensed by the Commission or comparable agency of another state or tribal gaming agency or the destination is outside the United States.]~~

~~[6.] 3. An agent of the Board may inspect[:~~

~~(a) The] *the* premises of [manufacturers and distributors] *a manufacturer or distributor* and all gaming devices located therein.~~

~~(b) All gaming devices for which an application has been filed by a category I manufacturer or distributor pursuant to subsection 1 prior to distribution out of this state. Category I manufacturers and distributors shall make the gaming devices subject to such applications available for such inspection.~~

~~7. If the Chair does not deny an application filed by a category I manufacturer or distributor for approval to distribute gaming devices out of this state pursuant to subsection 1 within five business days of receipt of a complete application, the application will be deemed to be approved.]~~

~~[8.] 4. A [category I] manufacturer or distributor shall keep a record of all shipments made out of state of parts specifically designed for use in a gaming device. [The record must include the information set forth in subsection 1, if applicable.] A manufacturer or distributor shall not ship parts specifically designed for use in a gaming device to a destination where possession of a gaming device is unlawful.~~

9. The Chair may, in the Chair's discretion, waive one or more of the requirements of this section upon good cause shown.

10. As used in this section[:

~~(a) "Category I manufacturer or distributor" means any manufacturer or distributor licensed by the Commission that does not qualify as a category II manufacturer or distributor.~~

~~(b) "Category II manufacturer or distributor" means any manufacturer or distributor that:~~

~~(1) Is and has been licensed in good standing by the Commission for the preceding five years;~~

~~(2) Is and has been licensed, registered, approved or qualified in at least ten other domestic United States or tribal jurisdictions for the preceding three years~~

~~(3) Maintains pursuant to or consistent with the requirements of section 5.045 of these regulations a compliance review and reporting system;~~

~~(4) Has annual gross sales exceeding \$5 million dollars for such licensee's preceding fiscal year;~~

~~(5) Maintains an office or other facility in the state of Nevada at which the records required by this section are stored and may be inspected and copied by the Board; and~~

~~(6) Did not during the preceding year exclusively distribute used gaming devices.~~

~~As used in this paragraph, “used gaming devices” means gaming devices previously used or played in a gaming operation in Nevada, including such devices that have been in any way modified or refurbished since original manufacture.~~

~~(e)~~, “[~~Current~~] *current* customer” means a person to whom the applicable manufacturer or distributor has shipped or delivered a gaming device within the preceding six months pursuant to a contract, agreement or other arrangement with such manufacturer or distributor, or its affiliate, for the purchase, lease, license or other right to use such gaming device.

14.190 Approval for certain licensees to sell or dispose of gaming devices.

1. A licensee, other than a manufacturer ~~[and]~~ *or* distributor, shall not dispose of *a* gaming ~~[devices]~~ *device* without the prior written approval of the Chair, unless the ~~[devices are]~~ *device is* sold or delivered to ~~[its affiliated companies]~~ *an affiliate of the licensee* or a licensed manufacturer or distributor, in which case approval is deemed granted.

2. A licensee, other than a manufacturer ~~[and]~~ *or* distributor, shall not request approval to sell or deliver *a* gaming ~~[devices]~~ *device* to a person other than ~~[its affiliated companies]~~ *an affiliate of the licensee* or a licensed manufacturer or distributor unless the devices have been marked pursuant to subsection 1 of section 14.170.

3. Applications for approval to sell *or dispose of a* gaming ~~[devices]~~ *device* under this section must be made, processed, and determined in such manner and using such forms as the Chair may prescribe. ~~[Each application must include the information required by subsection 1 of section 14.180, in addition to such other items or information as the Chair may require.]~~

~~4. Applications for approval to dispose of gaming devices under this section must be made, processed, and determined in such manner and using such forms as the Chair may prescribe.]~~

....

14.220 Revocation of approval of *a* gaming ~~[devices]~~ *device or gaming device modification*.

1. The Chair may revoke the approval of a gaming device *or gaming device modification* if the Chair determines that the *gaming device or gaming device modification*:

(a) Does not operate in the manner certified by the manufacturer pursuant to section 14.090;

(b) Does not operate as ~~recommended by the Board or as~~ approved by the *Chair or Commission*;

(c) ~~Does not operate as approved by the Chair, if the device has been modified since initial approval of the device;~~

~~(d)~~ Does not accurately record or report transactions;

~~(e)~~ (d) Does not comply with current regulatory or other legal requirements; or

~~(f)~~ (e) ~~Contains hardware or software which could~~ *Could* negatively impact the public policy of this State concerning gaming.

2. The Chair shall provide notice of revocation of the approval of a gaming device *or gaming device modification* to the manufacturer of the gaming device immediately. The notice shall state the reason or reasons for the revocation. The notice shall provide the effective date of the revocation.

3. A manufacturer affected by a revocation of approval of a gaming device ~~decision made~~ *or gaming device modification* by the Chair may submit the matter to the Board for review.

(a) A request for review of the ~~decision~~ *Chair's revocation of approval* must be submitted within 20 days after *issuance of the* notice ~~of the Chair's revocation of approval decision~~ *described in subsection 2* and shall state specific reasons why the approval of the ~~game~~ *gaming device or gaming device modification* should not be revoked.

(b) A majority of the Board may affirm or rescind ~~such decision~~ *the Chair's revocation of approval*.

4. If the Board affirms a revocation of approval ~~decision~~ made by the Chair, the manufacturer ~~that~~ *who* submitted the decision to the Board may submit the matter to the Commission within 20 days of the ~~Board~~ *Board's final* decision for review of the ~~Board~~ decision and may obtain a hearing and written decision and order pursuant to NRS 463.3125 to 463.3145, inclusive. Such hearing shall be considered a disciplinary hearing concerning the approval of the gaming device *or gaming device modification*. A final written decision and order of the Commission concerning the revocation decision is subject to judicial review pursuant to NRS 463.315 to 463.318, inclusive.

5. Any review of the Chair's decision to revoke the approval of a gaming device *or gaming device modification* shall not stay the revocation.

6. A revocation of the approval of a gaming device *or gaming device modification* only pertains to the approval of the gaming device *or gaming device modification* and shall not be considered a denial or revocation under the *Gaming Control Act* of the approval of a person.

7. The Chair may publish a list on the Board's website ~~[which includes all]~~ of the gaming devices *and gaming device modifications* for which the Chair has revoked approval.

14.230 Approval of *a new* ~~[games and]~~ game ~~[variations]~~ or game *variation*; applications and procedures.

1. A licensee shall not offer a new game for play unless the new game has received ~~[a recommendation for]~~ *administrative* approval from the ~~[Board subject to final disposition by the Commission or been approved]~~ *Chair, an approval* by the Commission, *or is offered for play pursuant to a field trial authorized by the Chair*. A licensee shall not offer a game variation for play unless the game variation has been approved in writing by the Chair.

2. Applications for approval of a new game or game variation ~~[must]~~ *shall* be made and processed in such manner and using such forms as the Chair may prescribe. The applicant seeking approval of the new game or game variation shall pay the cost of the investigation. ~~[Each application must include, in addition to such other items or information as the Chair may require:~~

~~(a) The name, permanent address, social security number, and driver's license number of the person developing the new game or game variation. If the person developing the new game or game variation does not have a social security number or a driver's license number, the person's birthdate may be substituted;~~

~~(b) The name of the game which must be different than the name of a game currently approved by the Commission;~~

~~(c) Written documentation of any current, expired, or pending copyrights, trademarks, or patents involving the new game or game variation;~~

~~(d) A description of the new game or game variation, including the rules of play, the proposed schedule of payouts, and a statistical evaluation of the theoretical percentages of the game; and~~

~~(e) All materials relating to the results of the registered independent testing laboratory's inspection and certification process that are required under section 14.400.]~~

3. The Chair may, in the Chair's sole and absolute discretion, waive the requirement to obtain Chair approval of a game variation related to Bingo. The Chair may condition, limit, or revoke a waiver granted under this subsection.

4. *Any approval from the Board or Commission regarding a new game or game variation is an approval to expose such new game or game variation for play in Nevada. The Board and Commission do not resolve patent, copyright, trademark, or other intellectual property issues and do not intend that any infringement thereon should be committed by approval of a new game or game variation. Any approval of*

a new game or game variation is not intended to encourage or induce infringement of a valid patent, copyright, trademark, or other form of intellectual property.

14.235 Minimum standards for new games and game variations. *New games and game variations must:*

1. *Theoretically pay out a mathematically demonstrable percentage of all amounts wagered, which must not be less than 75 percent for each wager available for play on the new game or game variation.*

2. *Determine game outcome solely by the application of:*

(a) Chance;

(b) The skill of the player; or

(c) A combination of the skill of the player and chance.

3. *Display, or make reasonably available to each player, in an accurate and non-misleading manner:*

(a) The rules of play;

(b) The amount required to wager on the game or series of games in a gaming session;

(c) The amount to be paid on winning wagers;

(d) Any rake-off percentage or any fee charged to play the game or series of games in a gaming session;

(e) Any monetary wagering limits;

(f) The game outcome; and

(g) Such additional information sufficient for the player to reasonably understand the game outcome.

14.240 Field trials of new games and game variations.

1. The Chair may allow or require that a new game or game variation to be tested at a licensed gaming establishment for not more than 180 days under terms and conditions that the Chair may approve or require.

2. The Chair may order termination of the test period, if the Chair determines, in the Chair's sole and absolute discretion, that the developer of the new game or *game variation*, or the licensed gaming establishment has not complied with the terms and conditions of the order allowing or requiring a test period.

14.250 Final approval of new games *or game variation*.

1. ~~[The Board shall]~~ *After completing an evaluation of the new game or game variation, the Chair may administratively approve or deny the application for approval of the new game or game variation. Alternatively, the Chair may place the application for approval of the new game or game variation on the Board's agenda for*

the entire Board to recommend to the Commission whether the application ~~for approval of the new game~~ should be granted.

2. The Chair or Commission shall not grant an application for approval of a new game or game variation unless the new game complies with all applicable requirements and standards set forth in the Nevada Gaming Control Act, these regulations, and any waiver or modification thereof granted by the Chair.

3. In ~~considering~~ addition to the requirement set forth in subsection 2, when determining whether a new game or game variation will be given final approval, the Chair, or the Board and Commission, shall consider whether approval is consistent with the public policy of this state.

4. The Chair or Commission may, in their sole and absolute discretion, limit or condition any approval granted pursuant to this section.

5. A developer who becomes aware that a new game or game variation approved pursuant to this section no longer complies with the applicable requirements or standards set forth in subsection 2 shall notify the Board of the noncompliance in writing within three business days.

14.255 Revocation of approval of a new game or game variation.

1. The Chair may revoke the approval of a new game or game variation if the Chair determines that the new game or game variation:

- (a) Does not operate as approved by the Chair or Commission;*
- (b) Does not comply with current regulatory or other legal requirements; or*
- (c) Could negatively impact the public policy of this State concerning gaming.*

2. The Chair shall provide notice of revocation of the approval of a new game or game variation to the developer of the new game or game variation immediately. The notice shall state the reason or reasons for the revocation. The notice shall provide the effective date of the revocation.

3. A developer affected by a revocation of approval of a new game or game variation by the Chair may submit the matter to the Board for review.

(a) A request for review of the Chair's revocation of approval must be submitted within 20 days after issuance of the notice described in subsection 2 and shall state specific reasons why the approval of the new game or game variation should not be revoked.

(b) A majority of the Board may affirm or rescind the Chair's revocation of approval.

4. If the Board affirms a revocation of approval made by the Chair, the developer who submitted the decision to the Board may submit the matter to the Commission within 20 days of the Board's final decision for review of the decision and may obtain a hearing and written decision and order pursuant to NRS 463.3125 to 463.3145, inclusive. Such hearing shall be considered a disciplinary hearing concerning the

approval of the new game or game variation. A final written decision and order of the Commission concerning the revocation decision is subject to judicial review pursuant to NRS 463.315 to 463.318, inclusive.

5. Any review of the Chair's decision to revoke the approval of a new game or game variation shall not stay the revocation.

6. A revocation of the approval of a new game or game variation only pertains to the approval of the new game or game variation and shall not be considered a denial or revocation under the Gaming Control Act of the approval of a person.

7. The Chair may publish a list on the Board's website of the new games or game variations for which the Chair has revoked approval.

14.260 Approval of associated equipment; applications and procedures.

1. Unless otherwise waived pursuant to subsection 4, a manufacturer or distributor of associated equipment shall not distribute, and a licensee shall not operate or offer, associated equipment unless it has been approved by the Chair. Applications for approval of associated equipment shall be made and processed in such manner and using such forms as the Chair may prescribe. ~~Each application shall include, in addition to such other items or information as the Chair may require:~~

~~(a) A complete, comprehensive and technically accurate description and explanation in both technical and lay language of the associated equipment or a modification to previously approved associated equipment and its intended usage, signed under penalty of perjury;~~

~~(b) Detailed operating procedures for the associated equipment;~~

~~(c) The standards under which such tests were performed, including Technical Standards 2 and 3 if applicable and the results of such testing that confirms the associated equipment is functioning as represented, signed under penalty of perjury; and~~

~~(d) All materials relating to the results of the registered independent testing laboratory's inspection and certification process that are required under section 14.400.]~~

2. The Chair shall not grant an application for approval of associated equipment unless the associated equipment complies with all applicable requirements and standards set forth in the Nevada Gaming Control Act, these regulations, the technical standards adopted pursuant to section 14.050, minimum internal controls adopted pursuant to section 6.090 of these regulations, internal control procedures adopted pursuant to section 6.100 of these regulations, and any waiver or modification thereof granted by the Chair.

3. Prior to approving an inter-casino linked system, the Chair shall consider whether:

(a) The terms of any agreement or written specifications permitted or required of an operator *of an inter-casino system* by any other state or tribal government and affecting a multi-jurisdictional progressive prize system:

- (1) Comply with the provisions of these regulations; and
- (2) Include procedures satisfactory to the Commission for:

(I) Ensuring compliance with the requirements of subsection 3 of section 14.040;

(II) Resolution of patron disputes under procedural and substantive requirements equal to or greater than the standards applied by the Board;

(III) Surveillance and security of gaming devices connected to such system;

(IV) Record-keeping and record-retention;

(V) Control of access to any internal mechanism of gaming devices connected to such system;

(VI) Prior administrative approval of the Chair for any adjustments to progressive meters;

(VII) Access by the Board to audit compliance with the requirements of this subparagraph; and

(VIII) Any special procedures necessary for a multi-jurisdictional progressive prize system with lawfully operated gaming locations participating outside the United States, including without limitation matters of currency conversion and the availability of English translations of all relevant and material documentation and information.

(b) For an inter-casino linked system of games of skill or hybrid games:

(1) The types of games that will be connected to such a system are compatible;

(2) The communications technology used to connect participating gaming devices is adequate for the operating environment for such a system; and

(3) The progressive payoff schedules used for such systems are accurately described for players and comply with subsection 3 of section 14.040. Notwithstanding the provisions of sections 5.110 and 5.112 of these regulations, such schedules may provide for partial prize awards and prize awards for games with different themes or based on the use of identifiers.

~~§~~ 4. Chair approval of a multijurisdictional progressive prize system shall include approval of any agreement or written specifications permitted or required by any other state or tribal government and affecting such system. The Chair will complete any written acknowledgement necessary to document the Chair's approval of any such agreement or written specifications. The prior administrative approval of the Chair is required of any modification to such agreement or written specifications.

~~§~~ 5. *Prior to approving any associated equipment that facilitates the transfer of funds from a financial institution to a game or gaming device, the Chair shall consider*

whether the associated equipment supports responsible gambling features, including, without limitation:

(a) The ability to select responsible gambling options limiting the total amount of monetary transfers allowed within a specified period of time; and

(b) Display of the responsible gambling message set forth in paragraph (b) of subsection 18 of section 5.225 of these regulations or other message approved by the Chair.

6. The Chair may, in the Chair's sole and absolute discretion, limit or condition any approval granted pursuant to this section.

~~[4.]~~ 7. Upon written request from the manufacturer or distributor of associated equipment, or as the Chair otherwise deems reasonable, the Chair may, in the Chair's sole and absolute discretion, waive the approval requirement for associated equipment upon such terms and conditions that the Chair may approve or require or refer the associated equipment to the full Board and Commission for consideration of approval.

8. The Chair may, for good cause shown, waive a requirement of the technical standards that apply to associated equipment. The Chair has full and absolute authority to condition or limit any waiver granted under this subsection for any cause the Chair deems reasonable.

~~[5.]~~ 9. A manufacturer or distributor of associated equipment who becomes aware that associated equipment approved by the ~~[Board]~~ *Chair* no longer complies with the ~~[regulations of the Commission or the technical standards adopted pursuant to section 14.050]~~ *requirements and standards set forth in subsection 2* shall notify the Board in writing within three business days.

....

14.400 Independent testing laboratories; inspection and certification results. Each registered independent testing laboratory shall provide the person seeking inspection and certification with the results of the testing and certification process that is to be submitted to the Board in such manner and using such forms as the Chair may prescribe. The results shall include, in addition to such other items or information as the Chair may require, the following:

1. A statement, signed under penalty of perjury, that the certification process was conducted in accordance with Board requirements and that the product being certified meets the requirements of the Nevada Gaming Control Act and the regulations adopted thereunder, and all technical standards, control standards, control procedures, policies, and industry notices implemented or issued by the Board to the best of the registered independent testing laboratory's knowledge and belief.

2. The name of the registered independent testing laboratory that performed the testing;

3. The registration number of the registered independent testing laboratory that performed the testing;
4. The location or locations of the facility or facilities the registered independent testing laboratory used to perform the testing;
5. The internal reference number for the registered independent testing laboratory;
6. ~~{The date the product was submitted to the registered independent testing laboratory for regulatory certification;~~
7. ~~The start and end dates of the product testing performed;~~
8. ~~{7. An attestation statement that the product source code ~~{was reproduced}~~ that was reviewed as part of the certification successfully produced materially identical software to the production software tested;~~
9. ~~{8. The part and version number or numbers of the product submitted for certification;~~
10. ~~{9. The ~~{unseeded HMAC-SHA1}~~ *SHA1* signature of all applicable files *as they would appear post-installation*, or other method as approved by the Chair;~~
11. ~~{10. A description of the configuration of the product as tested;~~
12. ~~{11. ~~{A description of the scope of testing performed}~~ *Deviations from standard testing approaches or protocols*;~~
13. ~~{12. Identification of the Nevada approved testing document(s) by name and version number;~~
14. ~~{13. A description of any issues found during the testing process and the resolution thereof;~~
15. ~~{14. Identification of any modification that was not identified by the manufacturer;~~
16. ~~{15. A complete description of the testing that was conducted as part of the certification of the product that was not covered by a Board approved checklist; and~~
17. ~~{16. Any additional information regarding the testing of the product that the registered independent testing laboratory considers appropriate for the Board to consider as part of the approval process.~~