

1 *Changes to the emergency regulations currently printed in the*
2 *California Code of Regulations are shown in **strikeout/underline**.*
3

4 **Title 4, California Code of Regulations, Division 18**

5 **Chapter 7. Conditions of Operation for Gambling Establishments**

6 **Article 1. General Provisions**
7

8 **Section 12360. Chapter Definitions**

9 The definitions in Business and Professions Code section 19805 govern the
10 construction of this chapter. As used in this chapter:

11 (a) “Licensee” means “owner licensee” as defined in Business and
12 Professions Code section 19805(y).
13
14

15 **5. Emergency Preparedness and Evacuation Plan**

16 **Article 2. Emergency Preparedness and Evacuation Plan**
17

18 **Section 12370. Emergency Preparedness and Evacuation Plan: General**

19 (a) As used in this section:
20

21 (1) “Critical Incident” means a crisis situation involving the threat of
22 serious injury or death and includes not only natural disasters, but also
23 human-caused events, such as terrorist acts.
24

25 ~~(a)(2) “Plan” means an emergency preparedness and evacuation plan. Except~~
26 ~~as provided in subsection (b), the definitions in Business and~~
27 ~~Professions Code section 19805 shall govern the construction of this~~
28 ~~Chapter.~~
29

30 (b) For the purpose of ensuring the physical safety of patrons, employees, and
31 any other person while in the gambling establishment, each gambling
32 establishment licensed for five or fewer tables shall promptly develop and
33 implement a plan for the gambling establishment which includes, but is not
34 limited to, the following:
35

36 (1) Response plan for fire and other critical incidents.
37

38 (2) Location of a telephone available for placing a 911 emergency call.
39

1 (3) Procedure for securing or protecting the gambling establishment's
2 cash or equivalent assets and records.

3
4 (4) Facility evacuation routes and procedures.

5
6 (5) A diagram of the establishment showing the exits.

7
8 (6) A description of how exits are marked.

9
10 ~~(b) Except as provided in Section 12371, each gambling establishment shall~~
11 ~~prepare and submit for review a plan containing the elements specified in~~
12 ~~this section.~~

13 ~~(c) As used in this Chapter:~~

14 ~~(1) "Critical Incident" means: a crisis situation involving the threat~~
15 ~~of serious injury or death and includes not only natural~~
16 ~~disasters, but also human caused events, such as terrorist acts.~~

17 ~~(2) "Plan" means an emergency preparedness and evacuation plan.~~

18
19 ~~(d)~~ For the purpose of ensuring the physical safety of patrons, and
20 employees, and any other person while in the gambling establishment,
21 each gambling establishment licensed for more than five tables each
22 owner licensee shall promptly develop and implement a Plan plan
23 which for the gambling establishment, to include, but not be limited
24 to, the following: includes, but is not limited to, the following:

25 (1) Clear, written policies listing the job titles of the personnel who are
26 responsible for making decisions, monitoring emergency response
27 actions, and securing or protecting the gambling establishment's cash
28 or equivalent assets and records;

29 (2) Procedures addressing:

30 (A) Fires,

31 (B) Earthquakes, Floods and other Natural Disasters,

32 (C) Bomb Threats,

33 (D) Hazardous Spills or Toxic Exposure,

34 (E) Criminal Incidents,

35 (F) Other Critical Incidents, and

36 (G) Provisions for first aid and for obtaining emergency medical
37 assistance for patrons, employees, and other persons while in
38 the gambling establishment;

39 (3) Specific instructions for stopping business activities;

1 (4) Facility evacuation procedures, including a designated meeting site
2 outside the facility, a process to account for employees after an
3 evacuation, and a process to ensure that all patrons have been
4 evacuated; and

5 (5) Specific training and practice schedules.

6 (1) — Fires

7 (2) — Earthquakes, Floods and other Natural Disasters

8 (3) — Bomb Threats

9 (4) — Hazardous Spills or Toxic Exposure

10 (5) — Criminal Incidents

11 (6) — Other Critical Incidents

12 (7) — Provisions for first aid and for obtaining emergency medical
13 assistance for patrons, employees, and other persons while in the
14 gambling establishment.

15
16 (ed) Each Plan plan shall be consistent with occupational safety and health
17 standards and orders, adopted by the Occupational Safety and Health
18 Standards Board pursuant to Labor Code section 142.3state and local
19 requirements, including but not limited to local ordinances referred to in
20 Business and Professions Code section 19860, and shall include the
21 following: Beginning November 1, 2004, each licensee shall submit two
22 copies of its current plan as part of its annual renewal application.
23 Beginning January 1, 2005, as part of its annual renewal application, each
24 licensee shall submit two copies of its current plan, and:

25 (1) If the responsible local authority provides reviews, the licensee shall
26 send documentation of the areas reviewed by the responsible local
27 authority and whether or not the responsible local authority approved
28 those areas of the plan under the responsible local authority's
29 jurisdiction, pursuant to Health and Safety Code section 13143.5,
30 subdivision (f). Reasonable fees to review and approve the plan may
31 be charged by the responsible local authority to the gambling
32 establishment. The Commission may send one copy of the plan to the
33 Division to review those areas of the plan not under the responsible
34 local authority's jurisdiction.

35 (2) If the responsible local authority does not provide reviews, the
36 licensee shall send the plan to the State Fire Marshall, and shall send
37 the Commission documentation of whether or not the State Fire
38 Marshall has approved the plan's fire and panic safety provisions.
39 The Commission shall send one copy of the plan to the Division to

1 review either subsection (b)(3) or subsections (c)(1), (c)(2)(E) and
2 (c)(3), depending on the number of tables for which the gambling
3 establishment is licensed.

4
5 ~~(1) Clear, written policies listing the job titles of the personnel who are~~
6 ~~responsible for making decisions, monitoring emergency response~~
7 ~~actions, and securing or protecting the gambling establishment's cash or~~
8 ~~equivalent assets and records.~~

9 ~~(2) Procedures addressing each of the items in subsection (d)(1) to (7),~~
10 ~~inclusive.~~

11 ~~(3) Specific instructions for stopping business activities.~~

12 ~~(4) Facility evacuation procedures, including a designated meeting site~~
13 ~~outside the facility, a process to account for employees after an~~
14 ~~evacuation, and a process to ensure that all patrons have been~~
15 ~~evacuated.~~

16 ~~(5) Specific training and practice schedules~~

17
18 ~~(f) No later than March 1, 2004, each owner licensee shall submit a copy of a~~
19 ~~Plan to the Commission, and the Commission shall immediately forward a~~
20 ~~copy of the Plan to the Division. Beginning November 1, 2004, each owner~~
21 ~~licensee shall submit a copy of its current Plan as part of its annual renewal~~
22 ~~application.~~

23
24 ~~(ge)~~ Each ~~licensed gambling establishment~~ licensee shall, at least annually,
25 provide for the review of the requirements of the plan with employees,
26 ensuring that each employee has a general understanding of the provisions of
27 the plan applicable to his or her position and understands his or her specific
28 duties under the plan and the appropriate exit or exits to be used, where
29 applicable. This annual review shall be documented, including signatures by
30 the employee and the licensee or key employee who provided the review, as
31 part of the licensee's application for renewal. When a new employee begins
32 work, ~~an owner~~ licensee or key employee shall review the requirements of
33 the plan with the new employee, ensuring that each new employee has a
34 general understanding of the provisions of the plan applicable to his or her
35 position and understands his or her specific duties under the plan and the
36 appropriate exit or exits to be used, where applicable.

37
38 ~~(hf)~~ If the Commission determines that the licensee's ~~plan~~ Plan does not address
39 the elements set forth in this regulation, subsections (d) and (e), inclusive,
40 then the Commission may issue a determination identifying the deficiencies

1 and specifying a time certain within which those deficiencies shall be cured.

2
3 (ig) Failure by a ~~licensed gambling establishment licensee~~ to develop and
4 implement a ~~Planplan~~, or to cure a deficiency identified pursuant to
5 subsection (hf), constitutes an unsuitable method of operation and also may
6 result in denial of an application for license renewal or in suspension or
7 revocation of its existing license.

8
9 (jh) In addition to any other remedy under this section, the Commission may
10 assess a civil penalty of at least \$500 but no more than \$5000 for each
11 violation of this section.

12
13 (ki) This section shall become operative and its provisions shall apply on or after
14 September 1, 2003.

15
16 **Authority:** Sections 19811, 19823, 19824, 19840, 19920, Business and Professions Code

17 **Reference:** Sections 19801, 19860, 19920, Business and Professions Code
18
19

20 **Section 12371. Emergency Preparedness and Evacuation Plan;** 21 **Smaller Establishments**

22
23 ~~(a) — Gambling establishments licensed for five or fewer tables shall promptly develop and~~
24 ~~implement a Plan for the gambling establishment, to include, but not be limited to, the~~
25 ~~following:~~

26 ~~(1) — Response plan for fire and other “critical incidents,” as that term is defined in~~
27 ~~Section 12370(b).~~

28 ~~(2) — Location of a telephone available for placing a 911 emergency call.~~

29 ~~(3) — Procedure for securing or protecting the gambling establishment’s cash or~~
30 ~~equivalent assets and records.~~

31 ~~(4) — Facility evacuation routes and procedures.~~

32 ~~— (5) — A diagram of the establishment showing the exits.~~

33 ~~— (6) — A description of how exits are marked.~~
34

35 **Authority:** Sections 19811, 19823, 19824, 19840, 19920, Business and Professions Code

36 **Reference:** Sections 19801, 19920, Business and Professions Code