

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

19 **Section 12370.**

20 **Emergency Preparedness and Evacuation Plan: ~~General~~**
21

22 (a) As used in this section:
23

24 (1) “Critical Incident” means a crisis situation involving the threat of
25 serious injury or death and includes not only natural disasters, but also
26 human-caused events, such as terrorist acts.
27

28 (a)(2) “Plan” means an emergency preparedness and evacuation plan. ~~Except~~
29 as provided in subsection (b), the definitions in Business and
30 Professions Code section 19805 shall govern the construction of this
31 Chapter.
32

33 (b) For the purpose of ensuring the physical safety of patrons, employees, and
34 any other person while in the gambling establishment, each gambling
35 establishment licensed for five or fewer tables shall promptly develop and
36 implement a plan for the gambling establishment which includes, but is not
37 limited to, the following:
38

39 (1) Response plan for fire and other critical incidents.
40

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

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

5
6 (4) Facility evacuation routes and procedures.

7
8 (5) A diagram of the establishment showing the exits.

9
10 (6) A description of how exits are marked.

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

15
16 ~~(c) As used in this Chapter:~~

17
18 ~~(1) "Critical Incident" means: a crisis situation involving the threat~~
19 ~~of serious injury or death and includes not only natural~~
20 ~~disasters, but also human-caused events, such as terrorist acts.~~

21
22 ~~(2) "Plan" means an emergency preparedness and evacuation plan.~~

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

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

34 (2) Procedures addressing:

35 (A) Fires,

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

37 (C) Bomb Threats,

38 (D) Hazardous Spills or Toxic Exposure,

39 (E) Criminal Incidents,

- 1 (F) Other Critical Incidents, and
2 (G) Provisions for first aid and for obtaining emergency medical
3 assistance for patrons, employees, and other persons while in
4 the gambling establishment;
5 (3) Specific instructions for stopping business activities;
6 (4) Facility evacuation procedures, including a designated meeting site
7 outside the facility, a process to account for employees after an
8 evacuation, and a process to ensure that all patrons have been
9 evacuated; and
10 (5) Specific training and practice schedules.
11 ~~(1) Fires~~
12 ~~(2) Earthquakes, Floods and other Natural Disasters~~
13 ~~(3) Bomb Threats~~
14 ~~(4) Hazardous Spills or Toxic Exposure~~
15 ~~(5) Criminal Incidents~~
16 ~~(6) Other Critical Incidents~~
17 ~~(7) Provisions for first aid and for obtaining emergency medical~~
18 ~~assistance for patrons, employees, and other persons while in the~~
19 ~~gambling establishment.~~

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

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

1 (2) If the responsible local authority does not provide reviews, the
2 licensee shall send the plan to the State Fire Marshall, and shall send
3 the Commission documentation of whether or not the State Fire
4 Marshall has approved the plan's fire and panic safety provisions.
5 The Commission shall send one copy of the plan to the Division to
6 review either subsection (b)(3) or subsections (c)(1), (c)(2)(E) and
7 (c)(3), depending on the number of tables for which the gambling
8 establishment is licensed.

9
10 ~~(1) Clear, written policies listing the job titles of the personnel who are~~
11 ~~responsible for making decisions, monitoring emergency response~~
12 ~~actions, and securing or protecting the gambling establishment's cash or~~
13 ~~equivalent assets and records.~~

14
15 ~~(2) Procedures addressing each of the items in subsection (d)(1) to (7),~~
16 ~~inclusive.~~

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

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

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

23
24 ~~(f) No later than March 1, 2004, each owner licensee shall submit a copy of a~~
25 ~~Plan to the Commission, and the Commission shall immediately forward a~~
26 ~~copy of the Plan to the Division. Beginning November 1, 2004, each owner~~
27 ~~licensee shall submit a copy of its current Plan as part of its annual renewal~~
28 ~~application.~~

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

1 position and understands his or her specific duties under the plan and the
2 appropriate exit or exits to be used, where applicable.

3
4 ~~(hf)~~ If the Commission determines that the licensee's ~~plan~~Plan does not address
5 the elements set forth in ~~this regulation, subsections (d) and (e), inclusive,~~
6 then the Commission may issue a determination identifying the deficiencies
7 and specifying a time certain within which those deficiencies shall be cured.

8
9 ~~(ig)~~ Failure by a ~~licensed gambling establishment licensee~~ licensee to develop and
10 implement a ~~Plan~~plan, or to cure a deficiency identified pursuant to
11 subsection ~~(hf)~~, constitutes an unsuitable method of operation and also may
12 result in denial of an application for license renewal or in suspension or
13 revocation of its existing license.

14
15 ~~(jh)~~ In addition to any other remedy under this section, the Commission may
16 assess a civil penalty of at least \$500 but no more than \$5000 for each
17 violation of this section.

18
19 ~~(ki)~~ This section shall become operative and its provisions shall apply on or after
20 September 1, 2003.

21
22 **Authority:** Sections 19811, 19823, 19824, 19840, 19920, Business and
23 Professions Code

24 **Reference:** Sections 19801, 19860, 19920, Business and Professions Code

25
26
27 **Section 12371. Emergency Preparedness and Evacuation Plan;**
28 **Smaller Establishments**

29
30 ~~(a) — Gambling establishments licensed for five or fewer tables shall promptly develop and~~
31 ~~implement a Plan for the gambling establishment, to include, but not be limited to, the~~
32 ~~following:~~

33
34 ~~(1) — Response plan for fire and other “critical incidents,” as that term is defined in~~
35 ~~Section 12370(b).~~

36
37 ~~(2) — Location of a telephone available for placing a 911 emergency call.~~

38
39 ~~(3) — Procedure for securing or protecting the gambling establishment's cash or~~
40 ~~equivalent assets and records.~~

41
42 ~~(4) — Facility evacuation routes and procedures.~~

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

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

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

Reference: Sections 19801, 19920, Business and Professions Code