

California Entertainment Machine Association

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California Entertainment Machine Association (CEMA) member businesses own and operate a variety of amusement type kiosk machines in thousands of restaurants, bars, stores, and malls across California. Juke boxes, video games, pinball machines, claw and other arcade type machines are not exclusive to Family Entertainment Center venues. These machines are largely owned and operated by our members, rather than the locations themselves. Frequently, these amusement kiosks are located adjacent to other nonessential kiosks, such as State Lottery machines, DVD rental machines (RedBox), and change redemption machines. Because there is no clear delineation of what machines can operate during the pandemic, and which cannot, CEMA members have experienced local health officials and store managers determining that their machines must close while the adjacent machines remain open. We ask that guidelines be issued providing statewide uniformity on this issue.

As our industry and machines are not currently specifically addressed by state guidelines, we are subject to interpretation by location management and local health officials. Often, our members equipment is tagged to be turned off as it sits right alongside a lottery kiosk or a DVD machine that is permitted to operate. Our operators are voluntarily taking all appropriate safety measures per CDC guidelines including: sterilizing our machines, placing signage discouraging gathering, physical barriers, disabling every other machine in arcade set-ups to encourage social distancing, and treating our machines with long-lasting bacteria and virus killing products that have been approved for contact areas. Additionally, dwell time at amusement kiosks is overwhelmingly below 1 minute where other kiosks such as DVD rental machines average 2.5 minutes, transactions average roughly 50 minutes between occurrences and players are nearly always with family if accompanied. CEMA members are more than willing to cooperate with sensible regulation, but uniformity is essential to the continued viability of these businesses.

The current lack of guidance is costing our members significant revenue and may signal an end to the viability of the industry as a whole. We ask for regulation so that this industry does not become another victim of the pandemic.

We request guidelines addressing amusement type machines that allow operation under the same tier and guidelines as other kiosks. We ask that all non-essential kiosks receive the same protections and requirements under the law. There is no reasonable scientific explanation, or any governmental reasoning that is not arbitrary and capricious, that allows disparate treatment between a lottery machine and another amusement machine located right next to each other.

Thank you for your consideration of this matter. While we understand this is not an immediate life or death issue, it is a serious issue to the hundreds of CEMA members and their continued livelihoods.

Sincerely,

Jim Wyatt

President, CEMA