

## GENERAL DEFINITIONS - CHAPTER 1

### **ARCI-001-005 Purpose:**

To provide definitions for commonly used terms in the rules. These definitions are used in all of the rules adopted by the Commission.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

### **ARCI-001-010 Terms**

- (1) **Act** is the enabling legislation permitting pari-mutuel racing and wagering in this jurisdiction
- (2) **Added Money** is the amount exclusive of trophy added into a stakes by the association, or by sponsors, state-bred programs or other funds added to those monies gathered by nomination, entry, sustaining and other fees coming from the owners of racing animals.
- (3) **Appeal** is a request for the Commission or its designee to investigate, consider and review any decisions or rulings of stewards/judges of a meeting.
- (4) **Associated person** is the spouse of an inactive person, or a companion, family member, employer, employee, agent, partnership, partner, corporation, or other entity whose relationship, whether financial or otherwise, with an inactive person would give the appearance that such other person or entity would care for or train a racing animal or perform veterinarian service on a racing animal for the benefit, credit, reputation, or satisfaction of the inactive person.
- (5) **Association** is a person or business entity holding a license from the commission to conduct racing and/or pari-mutuel wagering.
- (6) **Authorized Agent** is a person licensed by the Commission and appointed by a written instrument, signed and acknowledged before a notary public by the owner in whose behalf the agent will act.
- (7) **Beneficial Interest** is profit, benefit or advantage resulting from a contract or the ownership of an estate as distinct from the legal ownership or control. When considered as designation of character of an estate, is such an interest as a devisee, legatee or donee takes solely for his own use or benefit and not as holder of title for use and benefit of another.
- (8) **Breakage** is the net pool minus payout.
- (9) **Business Day** is a day other than Saturday or Sunday or legal holiday.
- (10) **Carryover** is non-distributed pool monies which are retained and added to a corresponding pool in accordance with these rules.
- (11) **Commission** is the regulatory agency with the authority to regulate racing and/or pari-mutuel wagering.
- (12) **Complaint** is a written allegation of a violation of these rules.
- (13) **Contest** is a competitive racing event on which pari-mutuel wagering is conducted.

- (14) **Contestant** is an individual participant in a contest.
- (15) **Controlled Substance** is any substance included in the five classification schedules of the (U.S.) Controlled Substance Act of 1970.
- (16) **Course** is the track over which contestants race.
- (17) **Day** is a 24-hour period ending at midnight.
- (18) **Dark Day** - A day during a live or a simulcast race meeting when no pari-mutuel wagering is conducted.
- (19) **Race Day** - A day during a race meeting when pari-mutuel wagering is conducted on live racing.
- (20) **Simulcast Race Day** - A day during a race meeting when pari-mutuel wagering is conducted on simulcast racing.
- (21) **Ejection** - The removal of a person from the areas under the jurisdiction of the Commission.
- (22) **Episodic Random Testing** is a strategy of testing for alcohol or controlled substances, which provides for random testing for periods with varying durations. The periods of random testing ordinarily are related to circumstances, such as the beginning of a race meeting, when an influx of new licensees raises concern about increased probability of substance abuse. Episodic testing for alcohol or controlled substances may be started without notice and may be terminated as circumstances make it advisable to do so.
- (23) **Exclusion** -The act of preventing a person from entering or remaining on the grounds of any association and/or simulcast facility under the jurisdiction of the Commission.
- (24) **Exhibition Race** is a race on which no wagering is permitted.
- (25) **Expired Ticket** is an outstanding ticket which was not presented for redemption within the required time period for which it was issued.
- (26) **False Start** is when a horse(s) exits prematurely through the front of the gates prior to the starter officially dispatching the field regardless of cause. This does not include a horse which exits through the front of the gates and is subsequently reloaded.
- (27) **Financial Interest** is an interest that could result in directly or indirectly receiving a pecuniary gain or sustaining a pecuniary loss as a result of ownership or interest in a contestant or business entity; or as a result of salary, gratuity or other compensation or remuneration from any person. The lessee and lessor of a contestant have a financial interest.
- (28) **Forfeit** is money due from a licensee because of error, fault, neglect of duty, breach of contract or a penalty imposed by the stewards/judges or the Commission.
- (29) **Guest Association** is an association which offers licensed pari-mutuel wagering on contests conducted by another association (the host) in either the same jurisdiction or another jurisdiction.

- (30) **Handle** is the total amount of all pari-mutuel wagering sales excluding refunds and cancellations.
- (31) **Host Association** is the association conducting a licensed pari-mutuel meeting from which authorized contests or entire performances are simulcast.
- (32) **Inactive person** is any person whose license has been suspended for more than 30 days; whose license has expired or been revoked; or whose license application has been denied.
- (33) **Licensee** is any person or entity holding a license from the Commission to engage in racing or a regulated activity.
- (34) **Maiden Race** - A contest restricted to nonwinners.
- (35) **Match Race** -A race between two or more contestants under conditions agreed to by their owners.
- (36) **Measurement Uncertainty** – is a parameter associated with the results of a measurement that characterizes the dispersion of the values that could reasonably be attributed to the measurement.
- (37) **Meeting** is the specified period and dates each year during which an association is authorized to conduct racing and/or pari-mutuel wagering by approval of the Commission.
- (38) **Minus Pool** occurs when the payout is in excess of the net pool.
- (39) **Month** is a calendar month.
- (40) **Net Pool** is the amount of gross ticket sales less refundable wagers and statutory commissions.
- (41) **No Contest** is a race cancelled for any reason by the stewards/judges.
- (42) **Official Order of Finish** is the order of finish of the contestants in a contest as declared official by the stewards/judges.
- (43) **Outstanding Ticket** is a winning or refundable pari-mutuel ticket which was not cashed during the performance for which it was issued; also known as "Outs".
- (44) **Owner** is a person who holds any title, right or interest, whole or partial in a contestant, including the lessee and lessor of a contestant.
- (45) **Pari-Mutuel System** is the manual, electro-mechanical or computerized system and all software (including the totalisator, account betting system and off-site betting equipment) that is used to record bets and transmit wagering data.
- (46) **Pari-Mutuel Wagering** is a form of wagering on the outcome of an event in which all wagers are pooled and held by an association for distribution of the total amount, less the deductions authorized by law, to holders of tickets on the winning contestants.
- (47) **Patron** is a member of the public present on the grounds of a pari-mutuel association during a meeting for the purpose of wagering or to observe racing.
- (48) **Payout** is the amount of money payable to winning wagers.
- (49) **Performance** is a schedule of races run consecutively as one program.

- (50) **Person** is any individual, partnership, corporation or other association or entity.
- (51) **Place** - To finish second in a race. In wagering, to finish first or second in a race.
- (52) **Preponderance of Evidence** is greater weight of evidence, or evidence which is more credible.
- (53) **Prima Facie Evidence** is evidence that, until its effect is overcome by other evidence, will suffice as proof of fact in issue.
- (54) **Primary Laboratory** is a facility designated by the Commission for the testing of samples.
- (55) **Profit** is the net pool after deduction of the amount bet on the winners.
- (56) **Profit Split** is a division of profit amongst separate winning betting interests or winning betting combinations resulting in two or more payout prices.
- (57) **Program** is the published listing of all contests and contestants for a specific performance
- (58) **Purse** is the total dollar amount for which a race is contested.
- (59) **Race** is a contest between contestants at a licensed meeting.
- (60) **Random Testing** is a strategy for testing for alcohol or controlled substances not based on a reasonable belief that an individual has drugs or alcohol in his/ her system that assures that all affected individuals have an equal probability of being selected for testing.
- (61) **Reasonable Cause/Reasonable Suspicion Testing** is a strategy for testing for alcohol or controlled substances based on an official's having good reason to believe that a licensee has alcohol or controlled substances in his/her system.
- (62) **Restricted Area** is an enclosed portion of the association grounds to which access is limited to licensees whose occupation or participation requires access.
- (63) **Result** is that part of the official order of finish used to determine the pari-mutuel payout of pools for each individual contest.
- (64) **Show** - To finish third in a race. In wagering, to finish first, second or third in a race.
- (65) **Simulcast** is the live audio and visual transmission of a contest to another location for pari-mutuel wagering purposes.
- (66) **Single Price Pool** is an equal distribution of profit to winning betting interests or winning betting combinations through a single payout price.
- (67) **Split Sample Laboratory** is a facility approved by the Commission to test split samples.
- (68) **Substantial Evidence** is evidence which a reasoning mind would accept as sufficient to support a particular conclusion and consists of more than a mere scintilla of evidence but may be somewhat less than a preponderance.
- (69) **Takeout** is the total amount of money, excluding breakage, withheld from each pari-mutuel pool, as authorized by statute or rule.
- (70) **Week** is a calendar week.
- (71) **Win** - To finish first in a race.

(72) **Year** is a calendar year.

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Version 4.0 to 4.1 ARCI 4/26/07: Added new rule language

Version 4.4 to 4.5 ARCI 4/23/09: Added new definitions

Version 4.8 to 4.9 ARCI Board of Directors 7/27/11: Added False Start