

## **HARNESS RACING LICENSING AND DUTIES OF LICENSEES – CHAPTER 22**

### ***ARCI-022-005 PURPOSE:***

To provide requirements and procedures for granting, refusing, suspending and revoking of licenses, as well as general duties and requirements for individuals holding specific occupational licenses.

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

### ***ARCI-022-010 GENERAL PROVISIONS:***

#### **A. Licenses Required**

- (1) A person shall not participate in pari-mutuel racing under the jurisdiction of the Commission without a valid license issued by the Commission. License categories shall include the following and others as may be established by the Commission:
  - (a) racing participants and personnel (including owner, authorized agent, trainer, assistant trainer, driver, veterinarian, veterinary assistant, horseshoer, and stable employees);
  - (b) racing officials (including a board of judges, racing secretary, paddock judge, horse identifier, clerk of the course/field representative, official starter, charter, timer, photo finish technician, patrol judge, official veterinarian, and racing veterinarian);
  - (c) persons employed by the association, or employed by a person or concern contracting with or approved by the association or Commission to provide a service or commodity, which requires their presence in a restricted area, or which requires their presence anywhere on association grounds while pari-mutuel wagering is being conducted; and
  - (d) all Commission employees where applicable.
- (2) Persons required to be licensed shall submit a completed application on forms furnished by the Commission and accompanied by the required fee.
- (3) License applicants may be required to furnish to the Commission a set(s) of fingerprints and a recent photograph and may be required to be re-fingerprinted or rephotographed periodically as determined by the Commission.

#### **B. Fingerprinting and Licensing Reciprocity**

The Commission may license persons holding a valid permanent (not temporary) licenses issued by racing jurisdictions in North America. A fingerprint check within the previous 36 months, or such other period as is required by this jurisdiction.

- (1) The Commission may recognize the issuance of racing licenses from jurisdictions in North America for the purpose of issuance of licenses in this jurisdiction.

- (2) Only permanent licenses in good standing shall be considered. Temporary or probationary licenses shall not be considered.
- (3) An applicant must be in good standing in each jurisdiction where they hold or have held a racing license.
- (4) The applicant must have submitted fingerprints within the past 36 months, or such other period as is required by this jurisdiction, for the purpose of a criminal records check by the Federal Bureau of Investigation (FBI) or Royal Canadian Mounted Police (RCMP). The applicant shall provide this jurisdiction with proof of licensure from another jurisdiction to which fingerprints were submitted.
- (5) The applicant shall submit the license application form and license fee required by this jurisdiction.
- (6) Provided the above requirements have been met, this jurisdiction may issue either a license and/or a validation sticker. The validation sticker shall be affixed to either a license issued by this jurisdiction or a valid license issued by another jurisdiction. The validation sticker shall be constructed of an approved tamper-resistant material. The affixing of the validation sticker shall constitute licensing. This Commission shall determine the period of time that such license shall be valid in this jurisdiction.
- (7) In the event the licensee is absent from this jurisdiction, and upon payment of the applicable fees, a receipt shall be mailed to the licensee's permanent address. The receipt may then be presented at the Commission office by the licensee so that a Commission representative may affix the proper validation sticker to the racing license badge.

#### C. Multi-State Licensing Information

In lieu of a license application from this jurisdiction, the Commission may accept a North American Pari-Mutuel Regulators Association (NAPRA) or an Association of Racing Commissioners International (RCI) Multi-State License Application.

#### D. Age Requirement

Applicants for licensing shall be a minimum of 16 years of age unless otherwise specified in these rules. An applicant may be required to submit a certified copy of the applicant's birth certificate. Persons under the age of 18 may be required to show evidence of active participation in a certified educational program or have a high school diploma or equivalent.

#### E. Consent to Investigation and Distribution of Information

The filing of an application for license shall authorize the Commission to investigate criminal, financial and employment records, to engage in interviews to determine applicant's character and qualifications and to verify information provided by the applicant and to distribute information to other racing jurisdictions and government entities.

#### F. Consent to Search and Seizure

By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents and to the seizure of any prohibited medication, drugs, paraphernalia or devices in accordance with state/provincial and federal law. Any drugs, medication or other materials seized may be forwarded by the Commission to the official chemist for analysis. Any seized material may be forfeited.

#### G. Protection of Horses

Each person licensed by the Commission shall do all that is reasonable and within the licensee's power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse declared or to be declared in a qualifying race or race, as prohibited by these rules.

#### H. Substance Abuse/Addiction

- (1) All licensees shall be deemed to be exercising the privileges of their license, and to be subject to the requirements of these rules, when engaged in activities that could affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.
- (2) It shall be a violation to exercise the privileges granted by a license from this Commission if the licensee:
  - (a) Is engaged in the illegal sale or distribution of alcohol or a controlled substance;
  - (b) Possesses, without a valid prescription, a controlled substance;
  - (c) Is intoxicated or under the influence of alcohol or a controlled substance;
  - (d) Is addicted, having been determined to be so by a professional evaluation, to alcohol or other drugs and not engaged in an abstinence-based program of recovery acceptable to the Commission;
  - (e) Has in his/her possession within the enclosure any equipment, products or materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled dangerous substance;
  - (f) Refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on reasonable suspicion that the person is using drugs or alcohol or is based on the licensee's acting as if in an impaired condition; or
  - (g) Presently has drugs (controlled substances) or alcohol in his or her body. With regard to alcohol, the results of a breathalyzer test showing a reading of more than .05 percent of alcohol in the blood shall be the criterion for a finding of alcohol present in the body. With regard to other controlled substances,

presence of the drug in any quantity measured by the testing instrument establishes the presence of the drug for purposes of this paragraph.

- (3) At its discretion, the Commission may conduct random or episodic random drug testing, as well as testing based on reasonable suspicion, in order to ensure safety on the racetrack.
- (4) When conducted, random drug testing shall apply, equally, to all licensees who are, at the time of the random testing, exercising the privileges of their license in such ways as may affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.
- (5) No notice need be given as to onset or cessation of random testing.
- (6) For licensees who are tested under the provisions in this chapter, and whose testing shows the presence of drugs (controlled substances) or alcohol, any field screening test results shall be confirmed by a laboratory acceptable to the Commission which shall include Gas Chromatography/ Mass Spectrometry (GC/MS) procedures.
- (7) When the sample quantity permits, each test sample shall be divided into portions so that one portion may be used for the confirmation procedure and another portion may be utilized by the licensee to obtain an independent analysis of the urine sample.
- (8) The Commission shall provide for a secure chain of custody for the sample to be made available to the licensee.
- (9) All costs for the transportation and testing for the sample portion made available for the licensee shall be the financial responsibility of the requesting person.
- (10) Payment shall be due from the requesting person within 30 days of receipt of notice of the costs.
- (11) A licensee penalized or restricted pursuant to this chapter shall retain rights of due process with respect to any determination of alleged violations which may adversely affect the right to hold a license.
- (12) If there has been a violation, under number 2 above, the following procedures will be followed:
- (13) The Commission may, at its discretion, order the licensee to obtain a professional assessment to determine whether there is a substantial probability that the licensee is dependent on, or abuses, alcohol or other drugs or the Commission may act on the information at hand.
- (14) Actions in the case of first violators may include revocation of the license, suspension of the license for up to six months, placing the violator on probation for up to 90 days or ordering formal assessment and treatment.
- (15) Treatment or assessment, if ordered, must meet the conditions given in numbers 16-18 below.
- (16) The license of the person may be revoked or suspended for a period of up to one year or a professional assessment of the person may be ordered by the Commission.

- (17) If a professional assessment indicates presence of a problem of alcohol or other drug abuse that is not treatable within the reasonably foreseeable future (360 days) the license may be suspended for a period of up to one year.
- (18) If a professional assessment indicates presence of a treatable problem of alcohol or other drug abuse or dependence, the Commission may order the licensee to undergo treatment as a condition of continuing licensure. Such treatment will be through a program or by a practitioner, acceptable to the licensee and the Commission. Required features of any program or practitioner acceptable to the Commission will be:
  - (a) Accreditation or licensure by an appropriate government agency, if required by state statute;
  - (b) A minimum of one year follow-up of formal treatment; and
  - (c) A formal contract indicating the elements of the treatment and follow up program that will be completed by the licensee and, upon completion, certified to the Commission as completed. To effect the contract, the licensee will authorize release of information by the treating agency, hospital or individual.
- (19) For third-time violators, the violator's license may be revoked and the violator may be deemed ineligible for licensure for up to five years.
- (20) Although relapse (failure to maintain abstinence) is not inevitable, it is common for relapse to occur in recovery from alcoholism or other substance dependence. Therefore, a licensee who is engaged in a formal program of recovery, and is compliant with all provisions other than abstinence, will not be regarded automatically as having committed a new violation.
- (21) When a licensee is determined to have failed in maintaining abstinence, the licensee shall furnish to the Commission an assessment by the treating agency, hospital or individual practitioner indicating whether the licensee was compliant with the agreed upon program of recovery, and an opinion as to whether a "new violation" occurred.
- (22) The Commission will determine whether a new violation has occurred in each instance. If a new violation has occurred, the Commission will proceed under numbers 13-15 above or numbers 16-18 above. Otherwise, the licensee shall continue in the agreed upon program of recovery.

#### I. Approval or Recommendations by Judges

The Commission may designate categories of licenses which shall require judges' prior approval or recommendation.

#### J. Employer Responsibility

- (1) The employment or harboring of any unlicensed person at facilities under the jurisdiction of the Commission is prohibited.

- (2) Every employer shall report the discharge of any licensed employee in writing to the Commission or its designee, including the person's name, occupation and reason for the discharge.

#### K. Employer Endorsement of License Applications

The license application of an employee shall be signed by the employer.

#### L. Workers' Compensation

Licensed employers shall carry workers' compensation insurance covering their employees as required by statute.

#### M. Financial Responsibility

Applicants for a license may be required to submit evidence of financial responsibility and shall maintain financial responsibility during the period for which the license is issued.

#### N. License Refusal

The Commission or its designee may refuse to issue a license. If an applicant is refused, the applicant may reapply for a license and as may be provided by the Commission.

#### O. License Denial

The Commission may formally deny an application in accordance with these rules. An application denied shall be reported in writing to the applicant stating the reasons for denial, the date when a reapplication may be submitted.

#### P. Grounds for Refusal, Denial, Suspension or Revocation of License

- (1) The Commission or its designee may refuse to issue or may deny a license to an applicant, or may suspend or revoke a license issued, or may order disciplinary measures, if the applicant:
- (a) has been convicted of a felony or indictable offense;
  - (b) has been convicted of violating any law regarding gambling, a controlled dangerous substance, moral turpitude, or cruelty to animals;
  - (c) has pending criminal charges; or
  - (d) is unqualified to perform the duties required of the applicant;
  - (e) has failed to disclose or states falsely any information required in the application;
  - (f) has been found in violation of statutes or rules governing racing in this jurisdiction or other jurisdictions;
  - (g) has racing disciplinary charges pending in this jurisdiction or other jurisdictions;
  - (h) has been or is currently excluded from association grounds by a recognized racing jurisdiction;

- (i) has had a license denied, suspended or revoked by any racing jurisdiction;
- (j) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting;
- (k) demonstrates financial irresponsibility by accumulating unpaid obligations, defaulting in obligations or issuing drafts or checks that are dishonored or payment refused;
- (l) is ineligible for employment pursuant to law because of age or citizenship;
- (m) has violated any of the alcohol or substance abuse provisions outlined in these rules; or
- (n) has been associated or consorted with an individual who has been convicted of a crime in any jurisdiction.
- (o) A license suspension or revocation shall be reported in writing to the applicant, the USTA/SC, NAPRA, and the RCI, whereby other racing jurisdictions shall be advised.

#### Q. License Restrictions, Limitations and Conditions

The Commission or its designee, for cause, may restrict, limit or place conditions on any license.

#### R. Duration of License

- (1) Licenses expire December 31 or are valid for such other period as permitted by the Commission.
- (2) A license is valid only under the condition that the licensee remains eligible to hold such license.

#### S. Changes in Application Information

During the period for which a license has been issued, the licensee shall report to the Commission changes in information provided on the license applications as to current legal name, marital status, permanent address, pending criminal charges, criminal convictions, license suspensions of \_\_\_\_ days or more or license revocations or fines of \$\_\_\_\_\_ or more in other jurisdictions.

#### T. Temporary Licenses

The Commission may establish provisions for temporary licenses or may permit applicants to participate in racing pending action on an application.

#### U. More Than One License

More than one license to participate in harness racing may be granted to a person except when prohibited by these rules due to a potential conflict of interest.

## V. Conflict of Interest

- (1) The Commission or its designee may refuse, deny, suspend or revoke the license of a person whose spouse holds a license and which the Commission or judges find to be a conflict of interest.
- (2) A commissioner or Commission employee or racing official shall not be an owner of a horse at a race meeting and shall not accept breeder awards at a race meeting where they have jurisdiction.
- (3) A racing official who is an owner of either the sire or dam of a horse declared to race shall not act as an official with respect to that race.
- (4) A person who is licensed as an owner or trainer, or has any financial interest in a horse registered for racing at a race meeting in this jurisdiction shall not be employed or licensed at that race meeting as a racing official; racetrack director, officer or managing employee; track maintenance supervisor or employee; racetrack security employee; horseshoer; veterinarian; photo finish operator; horsemen's bookkeeper; racing chemist, or testing laboratory employee.

## W. License Presentation

- (1) A person shall present an appropriate license to enter a restricted area.
- (2) The judges may require visible display of a license in a restricted area.
- (3) A license may only be used by the person to whom it is issued.

## X. Visitor's Pass

- (1) Licensed owners and trainers participating at that track may sign in guests, unless such are unacceptable to the Commission or association.
- (2) Track security may allow authorized unlicensed persons temporary access to restricted areas provided such persons shall be identified and their purpose and credentials verified and approved in writing by track security. A copy of the written approval shall be filed with the Commission or its designee within 48 hours. Such authorization or credential may only be used by the person to whom it is issued.

## Y. Safety Helmets

A protective helmet, race meeting the 1984 Standard for Protective Headgear (Snell Memorial Foundation), Laboratory Procedure for Motorcycle Helmet Testing (Federal Motor Vehicle Safety Standard No. 218, U.S. Department of Transportation) or Specification for Headgear Used in Horse Sports and Horse Back Riding (ASTM Standard F085.53, Draft #4, 1986) standards for protective harness racing headwear, securely fastened under the chin, must be worn at all times on association grounds when:

- (1) racing, parading, or warming up a horse prior to racing; or
- (2) jogging, training, or exercising a horse at any time.

## Z. Safety Vests

- (1) A safety vest shall be worn when:
  - (a) racing, parading or warming up a horse prior to racing; or
  - (b) jogging, training or exercising a horse at any time.
- (2) A safety vest shall:
  - (a) Cover the torso, front and back, from the collar bone to the hip bone;
  - (b) Be of uniform material and thickness over the whole of the vest except for localized:
    - (A) Variation due to pattern, for example, quilting.
    - (B) Thinner areas to aid fit, for example, under the arms, at fastenings and at edges, and
    - (C) Thicker areas in regard to particularly sensitive areas of the body, for example, the spine; and
  - (c) Equal or exceed a minimum shock absorbance rating of 5 according to the specifications established by the British Equestrian Trade Association (BETA) which are as follows:
    - (A) Use a critical height apparatus to measure the maximum deceleration on impact of a striker consisting of a spherical indentor weighing 5.9 (+/- 0.05) Kilograms with a diameter of 215 (+/- 2) millimeters,
    - (B) Condition the vest and the striker for a minimum of 3 hours at 23° (+/- 2°) Centigrade.
    - (C) With the vest lying on a smooth, flat massive concrete base with the inside of the vest facing the striker and positioned so that the striker will impact on an area of typical thickness, not reinforced by additional material, raise and release the striker starting at a height of 0.2 meter and increasing the height by increments of 0.2 meter to a height which will result in a deceleration of over 300 gravity units ( $1G=9.81 \text{ ms}^{-1}$ ) as measured by recording the signal from an accelerometer through the impact from the time before the striker impacts the vest until the accelerometer returns to the same level as before the impact.
    - (D) Record the gravity units measured at each height increment on a line graph which has the gravity units in ascending order as the vertical axis and the release height in meters in ascending meters as the horizontal axis.
    - (E) Plot the height in meters at which the deceleration reached 300 gravity units, and
    - (F) Multiply the height obtained in Section 3 Subsection (e) by 10 to calculate the shock absorbance rating.

## AA. Knowledge of Rules

- (1) A licensee shall be knowledgeable of the rules of the Commission; and by acceptance of the license, agrees to abide by the rules.
- (2) A licensee shall report to track security or the judges any knowledge the licensee has that a perceived violation of these rules has occurred, is occurring, or may occur.

## BB. Distribution of Rulings and Orders

All judges' rulings and orders of the Commission shall be distributed to NAPRA or RCI and made available to SC/USTA, and other regulatory bodies.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02  
Version 1.4 to 2.0 ARCI 4/26/03 NAPRA 4/14/03: Deleted rule language

## **ARCI-022-015 - OWNERS**

### A. Licensing Requirements for Owners

- (1) Each person who has a five percent or more ownership or beneficial interest in a horse is required to be licensed.
- (2) An applicant for an owner's license shall own or lease a horse which is eligible to race, registered with the racing secretary and under the care of a trainer licensed by the Commission. An owner shall notify the judges of a change in trainer. A horse shall not be transferred to a new trainer after entry.
- (3) The provisions of Rule 022-010, Sub-Title D notwithstanding, a horse owner of any age may apply for an owner's license. If younger than age of majority, an applicant for an owner's license shall submit a notarized affidavit from his/her parent or legal guardian stating that the parent or legal guardian assumes responsibility for the applicant's financial, contractual and other obligations relating to the applicant's participation in racing.
- (4) If the Commission or its designee has reason to doubt the financial responsibility of an applicant for an owner's license, the applicant may be required to complete a verified financial statement.
- (5) Horses not under lease must race in the name of the bona fide owner. Each owner shall comply with all licensing requirements.
- (6) The Commission or its designee may refuse, deny, suspend or revoke an owner's license for the spouse or member of the immediate family or household of a person ineligible to be licensed as an owner, unless there is a showing on the part of the applicant or licensed owner, and the Commission determines that participation in racing will not permit a person to serve as a substitute for an ineligible person. The transfer of a horse to circumvent the intent of a Commission rule or ruling is prohibited.

## B. Licensing Requirements for Multiple Owners

- (1) If the legal owner of any horse is a partnership, corporation, limited liability company, syndicate or other association or entity, each shareholder, member or partner shall be licensed as required in Sub-Title A, Section 1 of this Rule.
- (2) Each partnership, corporation, limited liability company, syndicate or other association or entity shall disclose to the Commission all owners holding a five percent or greater beneficial interest, unless otherwise required by the Commission.
- (3) Each partnership, corporation, limited liability company, syndicate or other association or entity which includes an owner with less than a five percent ownership or beneficial interest shall file with the Commission an affidavit which attests that, to the best of their knowledge, every owner, regardless of their ownership or beneficial interest, is not presently ineligible for licensing or suspended in any racing jurisdiction.
- (4) To obtain an owner's license, an owner with less than a five percent ownership or beneficial interest in a horse shall establish a bona fide need for the license and the issuance of such license shall be approved by the Commission.
- (5) Application for joint ownership shall include a designation of a managing owner and a business address. Receipt of any correspondence, notice or order at such address shall constitute official notice to all persons involved in the ownership of such horse.
- (6) The written appointment of a managing owner or authorized agent shall be filed with the USTA/SC and the Commission.

## C. Lease Agreements

A horse may be raced under lease provided the lease is in a form acceptable to the Commission and the lease is filed with the Commission and the USTA or SC. The lessor and lessee shall be licensed as horse owners.

## D. Stable Name Registration

Licensed owners and lessees may adopt a stable name subject to approval of the Commission.

- (1) The applicant shall identify all persons using the stable name. Changes shall be reported immediately to the Commission and a copy sent to the USTA/SC.
- (2) A person who has registered a stable name may cancel it upon written notice to the Commission.
- (3) The stable name shall be published in the program.
- (4) If there are more than four owners of a horse, the licensed owners must register as a stable name.

## E. Racing Colors

Drivers must wear distinguishing colors, and shall not be permitted to drive in a race or other public performance unless, in the opinion of the judges/judges, they are properly

dressed, their driving outfits are clean and they are well groomed. During inclement weather conditions, drivers must wear rain suits in either of their colors or made of a transparent material through which their colors can be distinguished.

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

### **ARCI-022-020 TRAINERS**

#### **A. Eligibility**

A person shall not train horses, or be programmed as trainer of record at race meetings, without being licensed by the Commission.

#### **B. Trainer Responsibility**

- (1) The trainer is responsible for the condition of horses declared in an official race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a Commission-approved laboratory, is prima facie evidence of a violation of this rule. In the absence of substantial evidence to the contrary, the trainer shall be responsible.
- (2) A trainer shall prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.
- (3) A trainer whose horse has been claimed remains responsible for any violation of rules regarding that horse's participation in the race in which the horse is claimed.

#### **C. Other Trainer Responsibilities**

A trainer is responsible for:

- (1) the condition and contents of stalls, tack rooms, feed rooms, sleeping rooms and other areas which have been assigned by the association;
- (2) maintaining the assigned stable area in a clean, neat and sanitary condition at all times;
- (3) ensuring that fire prevention rules are strictly observed in the assigned stable area;
- (4) providing a list to the Commission of the trainer's employees on association grounds and any other area under the jurisdiction of the Commission. The list shall include each employee's name, occupation, social security number and occupational license number. The Commission shall be notified by the trainer, in writing, within \_\_\_\_\_ hours of any change;
- (5) the proper identity, custody, care, health, condition and safety of horses in the trainer's charge;
- (6) disclosure of the true and entire ownership of each horse in the trainer's care, custody or control;

- (7) training all horses owned wholly or in part by the trainer which are participating at the race meeting;
- (8) registering with the racing secretary each horse in the trainer's charge within 24 hours of the horse's arrival on association grounds;
- (9) ensuring that, at the time of arrival at a licensed racetrack, each horse in the trainer's care is accompanied by a valid health certificate which shall be filed with the racing secretary;
- (10) having each horse in the trainer's care that is racing, or is stabled on association grounds, tested for Equine Infectious Anemia (EIA) in accordance with state/provincial law and for filing evidence of such negative test results with the racing secretary;
- (11) using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
- (12) immediately reporting the alteration of the sex of a horse in the trainer's care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration;
- (13) promptly reporting to the racing secretary and the official veterinarian any horse on which a posterior digital neurectomy (heel nerving) is performed;
- (14) promptly notifying the official veterinarian of any reportable disease and any unusual incidence of a communicable illness of any horse in the trainer's charge;
- (15) promptly reporting the death of any horse in the trainer's care on association grounds to the judges and the official veterinarian and compliance with the rules in chapter 25 governing post-mortem examinations;
- (16) maintaining a knowledge of the medication record and status of all horses in the trainer's care;
- (17) immediately reporting to the judges and the official veterinarian if the trainer knows, or has cause to believe, that a horse in the trainer's custody, care or control has received any prohibited drugs or medication;
- (18) representing an owner in making entries and scratches and in all other matters pertaining to racing;
- (19) horses declared as to eligibility;
- (20) ensuring the fitness of a horse to perform creditably at the distance declared;
- (21) ensuring that the trainer's horses are properly prepared and equipped;
- (22) presenting the horse in the paddock at least \_\_\_ minutes before post time or at a time otherwise appointed before the race in which the horse has been declared;
- (23) personally attending to the horse in the paddock and supervising the preparation thereof, unless excused by the judges;
- (24) attending the collection of a urine or blood sample from the horse or delegating a licensed employee or the owner of the horse to do so; and

- (25) notifying horse owners upon the revocation or suspension of the trainer's license. Upon application by the owner, the judges may approve the transfer of such horses to the care of another licensed trainer, and upon such approved transfer, such horses may be declared to race.

**D. Restrictions on Wagering**

A trainer shall only be allowed to wager on the trainer's horse or entries to win or finish first in combination with other horses.

**E. Substitute Trainers**

If any licensed trainer is to be absent from the association grounds where the trainer's horse is programmed to race the judges shall be immediately notified and at that time a licensed substitute trainer, acceptable to the judges, shall be appointed to assume responsibility for the horse(s) racing during the absence of the regular trainer. The name of the substitute trainer shall appear on the program if possible. The original trainer shall be responsible for all horses declared by that trainer and the substitute trainer shall be responsible for all horses declared by the substitute trainer.

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

**ARCI-022-025 OWNERS' AUTHORIZED AGENTS**

**A. Licenses Required**

- (1) An authorized agent shall obtain a license from the Commission.
- (2) Application for license may be required for each owner represented.
- (3) A written instrument signed by the owner shall accompany the application and shall clearly set forth the delegated powers of the authorized agent. The owner's signature on the written instrument shall be acknowledged before a notary public or Commissioner for Oath.
- (4) If the written instrument is a power of attorney it shall be filed with the Commission and attached to the application form.
- (5) Any changes shall be made in writing and filed as provided in 3 above.
- (6) The authorized agent's appointment may be terminated by the owner or authorized agent, in writing, and filed with the Commission.

**B. Powers and Duties**

- (1) A licensed authorized agent may perform on behalf of the licensed owner-principal all acts as relate to racing, as specified in the agency appointment, that could be performed by the principal if such principal were present.
- (2) In executing any document on behalf of the principal, the authorized agent shall clearly identify the authorized agent and the owner-principal.

- (3) When an authorized agent enters a claim for the account of a principal, the name of the licensed owner for whom the claim is being made and the name of the authorized agent shall appear on the claim slip or card.
- (4) Authorized Agents are responsible for disclosure of the true and entire ownership of each horse for which they have authority at a race meeting. Any change in ownership shall be reported immediately to, and approved by, the judges and recorded by the USTA/SC.

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

### **ARCI-022-030 DRIVERS**

- (1) A person shall not drive a horse in any race or performance against time, other than an exhibition race, without being licensed by the Commission.
- (2) The judges may review the performance of a driver at any time and may take the following actions:
  - (a) amend the license category in accordance with USTA/SC license classifications;
  - (b) revoke the license;
  - (c) apply conditions to the license; or
  - (d) require the driver to re-qualify for the driver's license.
- (3) Drivers must report to the paddock judge at least one hour prior to post time of any race in which they are programmed to drive, unless excused by the judges.
- (4) A driver cannot decline to be substituted by the judges.
- (5) Once a driver reports to the paddock the driver shall not enter the public stands or the betting area until the driver's driving duties for the day have been completed. A driver shall not enter the public stands or betting area while wearing colors.
- (6) The judges may remove a driver at any time and substitute an alternate driver.
- (7) A driver shall not drive for any other person in a race in which one of the horses the driver trains or owns has been declared into race, except where such horses are coupled as an entry.
- (8) Drivers shall fulfill all engagements, unless excused by the judges.

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

### **ARCI-022-033 EXERCISE DRIVERS**

(repealed at Spring 2003 meetings)

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02  
Version 1.4 to 2.0 ARCI 4/26/03 NAPRA 4/14/03: Deleted rule

## **ARCI-022-035 PRACTICING VETERINARIANS**

### **A. Eligibility**

An applicant for a license as practicing veterinarian shall be qualified and licensed to practice veterinary medicine in this jurisdiction and be otherwise qualified to be issued a license to participate in racing. An application for a practicing veterinarian license from the Commission must be accompanied by a copy of the applicant's current license to practice veterinary medicine and approved by the official veterinarian.

### **B. Responsibility**

- (1) All practicing veterinarians administering drugs, medications or other substances shall be responsible for ensuring that the drugs, medications or other substances and the veterinary treatment of horses are administered in accordance with these rules.
- (2) All practicing veterinarians shall promptly notify the official veterinarian of any reportable disease and any unusual incidence of a communicable illness of any horse on association grounds in the practicing veterinarian's care.

### **C. Restrictions on Wagering**

A practicing veterinarian shall not wager on the outcome of any race if the practicing veterinarian has treated a horse participating in that race within the past 30 days.

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

## **ARCI-022-040 HORSESHOERS**

### **Eligibility**

An applicant for a license as horseshoer shall:

- (1) be at least 18 years of age;
- (2) be qualified by reason of experience, background and knowledge of horseshoeing, as determined by the judges after consulting with a veterinarian, a licensed trainer and a horseshoer who is currently licensed by the Commission. A horseshoer's license from another jurisdiction, having been issued within \_\_\_\_\_ years, may be accepted as evidence of experience and qualifications.
- (3) Evidence of qualifications may require passing one or more of the following:
  - (a) a written examination;
  - (b) an interview or oral examination; and
  - (c) a demonstration of practical skills in horseshoeing.

Applicants not previously licensed as a horseshoer shall be required to pass a written/oral examination, demonstrate practical skills and submit at least two written statements as to the character and qualifications of the applicant.

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