

FLAT RACING LICENSING AND DUTIES OF LICENSEES - CHAPTER 8

ARCI-008-005 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-008-010 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, jockey, apprentice jockey, jockey agent, exercise rider, pony rider, veterinarian, veterinary assistant, horseshoer and stable employees);
 - (b) racing officials (including steward, racing secretary, starter, horsemen's bookkeeper, timer/clocker, clerk of scales, jockey room custodian, paddock judge, patrol judge, placing judge, official veterinarian, racing veterinarian and horse identifier);
 - (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.
- (2) Members of the media, including chart callers, while not required to be licensed, may at the commission's discretion be subject to background investigation, fingerprinting, be required to carry credentials, and pay all required fees.
- (3) Persons required to be licensed shall submit a completed application on forms furnished by the Commission and accompanied by the required fee.
- (4) 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 valid permanent (not temporary) licenses issued by racing jurisdictions in North America. The licensee must be in good standing; have cleared a Federal Bureau of Investigation (FBI) or Royal Canadian Mounted Police (RCMP) fingerprint check within the previous 36 months, or such other period as is required by this jurisdiction; file an application and/or affidavit as may be required by the Commission; and pay the required applicable fees prior to participating in racing.

- (1) The Commission may recognize the issuance of racing licenses from jurisdictions in North America for purposes 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 FBI or 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 measure a maximum of one-half inch vertically by one and one-half inches horizontally and shall contain this jurisdiction's two-letter postal service abbreviation, the year of validation and the audit trail code or serial number (where applicable). 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-Jurisdictional Licensing Information

In lieu of a license application from this jurisdiction, the Commission shall accept a NAPRA or RCI Multi-Jurisdictional License Form.

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 his/her 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

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

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.

G. Protection of Horses

- (1) Each person licensed by the Commission shall do all that is reasonable and within his/her 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 entered or to be entered in an official workout or race, as prohibited by these rules.

- (2) No licensee or other person under the jurisdiction of the Commission shall subject or permit any animal under his/her control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care.

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 Stewards

The Commission may designate categories of licenses which shall require stewards' 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 and give the applicant the option of withdrawal of an application without prejudice. If an applicant is refused, the applicant may reapply for a license.

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, and shall be reported to or the Association of

Racing Commissioners International, Inc whereby other member racing jurisdictions shall be advised.

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;
 - (b) has been convicted of violating any law regarding gambling or a controlled dangerous substance;
 - (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 state or other jurisdictions;
 - (g) has racing disciplinary charges pending in this state 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 federal or state law because of age or citizenship; or
 - (m) has violated any of the alcohol or substance abuse provisions outlined in Sec. H of this rule.
- (2) A license suspension or revocation shall be reported in writing to the applicant and the Association of Racing Commissioners International, Inc. whereby other member racing jurisdictions shall be advised.

Q. Relationships with Inactive Persons, Prohibited

- (1) A person shall not train a horse or practice veterinary medicine for the benefit, credit, reputation, or satisfaction of an inactive person. This prohibition shall not prevent the partners in a veterinary practice from providing services to horses as long as the inactive person does not receive a pecuniary benefit from those services.
- (2) An associated person of an inactive person shall not:
 - (a) Assume the inactive person's responsibilities at a location under the jurisdiction of the commission;
 - (b) Complete an entry form for a race on behalf of or for the inactive person or an owner or customer for whom the inactive person has worked; or
 - (c) Pay or advance an entry fee for on behalf of the inactive person or owner or customer for whom the inactive person has worked.

- (3) An associated person who assumes the responsibility for the care, custody, or control of an unsuspended horse owned (fully or partially), leased, or trained by an inactive person shall not:
 - (a) Be paid a salary directly or indirectly by or on behalf of the inactive person;
 - (b) Receive a bonus or any other form of compensation in cash, property, or other remuneration or consideration from the inactive person;
 - (c) Make a payment or give remuneration or other compensation or consideration to the inactive person or associated person; or
 - (d) Train or perform veterinarian work for the inactive person or an owner or customer of the inactive person at a location under the jurisdiction of the Authority.
- (4) A person who is responsible for the care, training, or veterinarian services provided to a horse formerly under the care, training, or veterinarian services of an inactive person shall:
 - (a) Bill customers directly on his or her bill form for any services rendered at or in connection with any race meeting;
 - (b) Maintain a personal checking account totally separate from and independent of that of the inactive person to be used to pay expenses of and deposit income from an owner or client of the inactive person;
 - (c) Not use the services, directly or indirectly, of current employees of the inactive person; and
 - (d) Pay bills related to the care, training, and racing of the horse from a separate and independent checking account. Copies of the invoices for such expenses shall be retained for not less than six (6) months after the date of the reinstatement of the license of the inactive person or the expiration of the suspension of the inactive person's license.

R. License Restrictions, Limitations and Conditions

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

S. 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.

T. 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, criminal convictions, license suspensions of 10 days or more or license revocations or fines of \$500 or more in other jurisdictions.

U. Temporary Licenses

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

V. More Than One License

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

W. Conflict of Interest

- (1) The Commission or its designee shall refuse, deny, suspend or revoke the license of a person whose spouse holds a license and which the Commission or stewards find to be a conflict of interest.
- (2) A commissioner or Commission employee or racing official shall not be an owner of a horse 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 entered 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 jockey; apprentice jockey; jockey agent; racing official; assistant starter; practicing veterinarian; veterinary assistant; racetrack director, officer or managing employee; track maintenance supervisor or employee; jockey room custodian; valet; outrider; racetrack security employee; horseshoer; photo finish operator; horsemen's bookkeeper; racing chemist or testing laboratory employee.

X. License Presentation

- (1) A person shall present an appropriate license to enter a restricted area.
- (2) The stewards 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.

Y. Visitor's Pass

Track security may authorize unlicensed persons temporary access to restricted areas. 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.

Z. Safety Equipment

(1) Helmets

Any licensee mounted on a horse or stable pony on association grounds must wear a properly secured safety helmet at all times. The licensee is responsible for providing sufficient evidence that his/her helmet meets one of the following safety standards: American Society for Testing and Materials (ASTM 1163); UK Standards (EN-1384 and PAS-015); or, Australian/New Zealand Standard (AS/NZ 3838).

(2) Vests

Any person mounted on a horse or stable pony on the association racing surface, all assistant starters and anyone handling a horse in a starting gate must wear a safety vest at all times. The safety vest must comply with one of the following minimum standards:

- (a) British Equestrian Trade Association (BETA):2000 Level 1
- (b) Euro Norm (EN) 13158:2000 Level 1

- (c) American Society for Testing and Materials (ASTM) F2681-08
- (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3
- (e) Australian Racing Board (ARB) Standard 1.1998

(3) A safety helmet or a safety vest shall not be altered in any manner nor shall the product marking be removed or defaced.

(4) Reins

All horses with a jockey or exercise rider mounted that are racing, parading or warming up prior to racing; or jogging or exercising at any time must be equipped with a type of safety reins approved by the commission. Reins to be approved must be originally designed and constructed to provide a secure secondary attachment to the bit that is secured to a reinforcement material to prevent failure due to breakage of the rein, or breakage or inadvertent loss of the primary connection to the bit.

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 stewards any knowledge he/she has that a violation of these rules has occurred or may occur.

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

Version 3.1 to 3.2 ARCI 12/9/04 NAPRA 12/9/04: Amended new rule and language added

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

Version 4.3 to 4.4 ARCI 12/10/08: Updated helmet standards

Version 4.4 to 4.5 ARCI 4/23/09 Amended language Relationships with Inactive Persons Prohibited

Version 4.5 to 4.6 ARCI 7/31/09 Amended language Safety Vest Standards

Version 4.8 to 4.9 ARCI Board 7/27/11 Added language prohibiting altering safety helmets and vests

ARCI-008-015 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 stewards of a change in trainer of his/her horse. A horse shall not be transferred to a new trainer after entry.
- (3) The provisions of ARCI-008-010 Section D notwithstanding, a horse owner of any age may apply for an owner's license. If younger than 18 years of age, 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) Each licensed owner is responsible for disclosure to the Commission or its designee of the true and entire ownership of each of his/her horses registered with the racing secretary.

Any change in ownership or trainer of a horse registered with the racing secretary shall be approved by the stewards. 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 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 stewards.
- (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 Commission.

C. Lease Agreements

A horse may be raced under lease provided a completed breed registry or other lease form acceptable to the Commission is attached to the certificate of registration and on file with the Commission. 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 the approval of the Commission.

- (1) The applicant shall identify all persons using the stable name. Changes shall be reported immediately to the Commission.
- (2) A person who has registered a stable name may cancel it upon written notice to the Commission.
- (3) A stable name may be changed by registering a new stable name.
- (4) A stable name which has been registered by any other person will not be approved by the Commission.

- (5) A stable name shall be clearly distinguishable from other registered stable names.
- (6) The stable name and the name of the owner shall be published in the program. If the stable name consists of more than one person, the program shall list the name of the managing owner along with the phrase "et al."
- (7) All persons using a stable name shall comply with all rules regarding licensing of owners.

E. Racing Colors

- (1) Owners or trainers shall provide racing colors which may be subject to the approval of the Commission except at racetracks where colors are furnished by the association. Racing colors shall be registered with the racing secretary. The stewards may authorize a temporary substitution of racing colors when necessary.
- (2) The racing colors to be worn by each jockey in a race shall be described in program, and any change shall be announced to the public prior to the commencement of the race.

F. Transfer of Ownership

Once a horse has been registered with the racing secretary of any race track association, no horse may be transferred to a new owner, unless claimed, without permission of a board of stewards who may require a bill of sale signed by both buyer(s) and sellers(s) and the transfer of ownership must be timely reported to the appropriate breed registry

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

Version 4.4 to 4.5 ARCI 4/23/09 Amended language added Transfer of Ownership

ARCI-008-020 Trainers

A. Eligibility

- (1) An applicant for a license as trainer:
 - (a) be at least 18 years of age.
 - (b) shall, in the case of not being previously licensed, be qualified, as determined by the stewards or other commission designee, by reason of:
 - (A) at least 2 years experience as a licensed assistant trainer, or comparable experience in other equine disciplines, or college-level education in equine science and/or horsemanship.
 - (B) submission of two written statements from trainers currently licensed in that jurisdiction as to character and qualifications of the applicant, and one written statement from a currently licensed owner stating intent to place one or more horses with the applicant, when licensed.
 - (C) shall be required to pass a written examination, oral interviews with the stewards and regulatory veterinarian; and demonstrate practical skills.
- (2) A trainer licensed and in good standing in another jurisdiction, having been issued within a prior period as determined by the commission, may be accepted if evidence of experience and qualifications are provided. Evidence of qualifications shall require passing on e or more of the following:
 - (a) A written examination;
 - (b) A demonstration of practical skills;
 - (c) An interview with the stewards.

- (3) Upon timely request to the stewards do to disability or other factors affecting the applicant's ability to effectively complete the trainer's test (such as illiteracy or language barriers), reasonable accommodations may be made for the applicant including, but not limited to oral administration of the examination, use of a pre-approved translator, and aid from pre-approved assistant where deemed appropriate by the Stewards administering the examination.
- (4) Beginning no later than January 31, 2012, in order to maintain a current license, trainers must complete at least four (4) hours per calendar year of continuing education courses approved by the ARCI or the commission in that jurisdiction

B. Trainer Responsibility

- (1) The trainer is responsible for the condition of horses entered in an official workout or 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 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 24 hours of any change;
- (5) the proper identity, custody, care, health, condition and safety of horses in his/her charge;
- (6) disclosure of the true and entire ownership of each horse in his/her care, custody or control. Any change in ownership shall be reported immediately to, and approved by, the stewards and recorded by the racing secretary;
- (7) training all horses owned wholly or in part by him/her which are participating at the race meeting;
- (8) registering with the racing secretary each horse in his/her 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 his/her care is accompanied by a valid health certificate which shall be filed with the racing secretary;

- (10) having each horse in his/her 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 his/her 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 and ensuring that such fact is designated on its certificate of registration;
- (14) promptly reporting any errors with regard to the registrations papers as to sex alterations, of sex noted, digital neurectomy (heel nerving) and any known inaccuracy in the ownership, racing record or description of the horse.
- (15) promptly notifying the official veterinarian of any reportable disease and any unusual incidence of a communicable illness in any horse in his/her charge;
- (16) promptly reporting the death of any horse in his/her care on association grounds to the stewards and the official veterinarian and compliance with the rules in chapter eight governing post-mortem examinations;
- (17) maintaining a knowledge of the medication record and status of all horses in his/her care;
- (18) immediately reporting to the stewards and the official veterinarian if he/she knows, or has cause to believe, that a horse in his/her custody, care or control has received any prohibited drugs or medication;
- (19) representing an owner in making entries and scratches and in all other matters pertaining to racing;
- (20) horses entered as to eligibility and weight or other allowances claimed;
- (21) ensuring the fitness of a horse to perform creditably at the distance entered;
- (22) ensuring that his/her horses are properly shod, bandaged and equipped; and that horses with a jockey or exercise rider mounted that are racing, parading or warming up prior to racing; or jogging or exercising at any time with a type of safety reins that are approved by the commission that are originally designed and constructed to insure a secure secondary connection to the bit and reinforcement to prevent breakage.
- (23) presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;
- (24) personally attending to his/her horses in the paddock and supervising the saddling thereof, unless excused by the stewards;
- (25) instructing the jockey to give his/her best effort during a race and that each horse shall be ridden to win;
- (26) attending the collection of a urine or blood sample from the horse in his/her charge or delegating a licensed employee or the owner of the horse to do so; and
- (27) notifying horse owners upon the revocation or suspension of his/her trainer's license. A trainer whose license has been suspended for more than 30 days; or license has expired or been revoked; or license application has been denied, must inform the horse owners that

until the license is restored the trainer can no longer be involved with the training, care, custody or control of their horses, nor receive any compensation from them for the training, care, custody or control of their horses. Upon application by the owner, the stewards may approve the transfer of such horses to the care of another licensed trainer, and upon such approved transfer, such horses may be entered to race. Upon transfer of the horse(s), the inactive trainer shall not be involved in any arrangements related to the care, custody or control of the horse(s) and shall not benefit financially or in any other way from the training of the horse(s).

D. Restrictions on Wagering

A trainer shall only be allowed to wager on his/her horse or entries to win or finish first in combination with other horses.

E. Assistant Trainers

- (1) Upon the demonstration of a valid need, a trainer may employ an assistant trainer as approved by the stewards. The assistant trainer shall be licensed prior to acting in such capacity on behalf of the trainer.
- (2) Qualifications for obtaining an assistant trainer's license shall be prescribed by the stewards and the Commission and may include those requirements prescribed in Section A of this rule.
- (3) An assistant trainer may substitute for and shall assume the same duties, responsibilities and restrictions as imposed on the licensed trainer. In which case, the trainer shall be jointly responsible for the assistant trainer's compliance with the rules governing racing.

F. Substitute Trainers

- (1) A trainer absent for more than five days from his/her responsibility as a licensed trainer, or on a day in which the trainer has a horse in a race, shall obtain another licensed trainer to substitute.
- (2) A substitute trainer shall accept responsibility for the horses in writing and be approved by the stewards.
- (3) A substitute trainer and the absent trainer shall be jointly responsible as absolute insurers of the condition of their horses entered in an official workout or race pursuant to rules Section B of the rule.

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

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

Version 4.1 to 4.2 ARCI 3/26/08: Added new rule language

Version 4.2 to 4.3 ARCI Board 8/2/08: Added CE language for Trainers

Version 4.4 to 4.5 ARCI 4/23/09 Amended language Suspension and Inactive status

Version 4.5 to 4.6 ARCI 7/31/09 Amended Language Changed CE effective date

ARCI-008-025 Owners' Authorized Agents

A. Licenses Required

- (1) An authorized agent shall obtain a license from the Commission.
- (2) Application for license shall be filed 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.

- (4) If the written instrument is a power of attorney it shall be filed with the Commission and attached to the regular 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, in writing, acknowledged before a notary public and filed with the Commission whereupon the license shall not be valid.

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. Any change in ownership shall be reported immediately to, and approved by, the stewards and recorded by the racing secretary.

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

ARCI-008-030 Jockeys

A. Eligibility

- (1) No person under 18 years of age shall be licensed by the Commission as a jockey, except persons who have been licensed by this Commission prior to the date of adoption of this rule.
- (2) A jockey shall pass a physical examination given within the previous twelve months by a licensed physician affirming fitness to participate as a jockey. The stewards may require that any jockey be reexamined and may refuse to allow any jockey to ride pending completion of such examination.
- (3) An applicant shall show competence by prior licensing and the demonstration of riding ability, which may include participation in up to five races with the prior approval of the stewards with the consideration of the recommendations from the starter, the head outrider, and the designated representatives of the jockeys and the horsemen at the track. The demonstration of riding ability is defined at a minimum of:
 - (a) Breaking with a horse in company from the starting gate;
 - (b) Working a horse in company around the turn and down the stretch;
 - (c) Switching the riding crop from one hand to the other while maintaining control of the horse in a stretch drive;
 - (d) Causing a horse to switch leads coming out of the turn.
- (4) A jockey shall not be an owner or trainer of any horse competing at the race meeting where the jockey is riding.
- (5) A person whose weight exceeds 130 pounds at the time of application shall not be licensed as a jockey.

B. Apprentice Jockeys

- (1) An applicant may be prohibited from riding until the stewards or the Commission has sufficient opportunity (not to exceed 14 days) to verify the applicant's previous riding experience.
- (2) The conditions of an apprentice jockey license do not apply to quarter horse racing. A jockey's performances in quarter horse racing do not apply to the conditions of an apprentice jockey license.
- (3) An applicant with an approved apprentice certificate may be licensed as an apprentice jockey.
- (4) An apprentice certificate may be obtained from the stewards on a form provided by the Commission. A person shall not receive more than one apprentice certificate. In case of emergencies, a copy of the original may be obtained from the Commission where it was issued.
- (5) An apprentice jockey shall ride with a five pound weight allowance beginning with his/her first mount and for one full year from the date of his/her fifth winning mount. If after riding one year from the date of his/her fifth winning mount, the apprentice jockey has failed to ride a total of forty winners from the date of his/her first winning mount, he/she shall continue to ride with a five pound weight allowance for one more year from the date of his/her fifth winning mount or until he/she has ridden forty winners, whichever comes first. If an apprentice jockey is unable to ride for a period of fourteen consecutive days or more after the date of his/her fifth winning mount because of service in national armed forces, enrollment in an institution of secondary or higher education, or because of physical disablement, the Commission may extend the time during which such apprentice weight allowance may be claimed for a period not to exceed the period such apprentice jockey was unable to ride (see APPRENTICE JOCKEY EXTENSION FORM). The Commission will take jurisdiction only on certificates which it has issued. All other requests for extensions shall be directed to the Commission that approved the apprentice certificate.
- (6) The conditions set forth in Section A or this rule shall also apply.

**APPRENTICE JOCKEY
EXTENSION FORM**

Date: _____

To: _____
(Name of Racing Commission)

Gentlemen and/or Ladies:

I hereby request an extension of my apprentice allowance for the following reason(s):

_____ physical disability or illness.
_____ military service.
_____ Attendance in an institution of secondary or higher learning.
_____ other reasons which would be acceptable to the Commission. (explain
below) _____

My apprentice allowance expires on _____
(date)

My apprentice contract expires on _____
(date)

Incident occurred at _____ on _____
(Track & location) (date)

Name(s) of steward(s) at track: _____

I was examined at the time by _____ on _____
(Name of physician) (date)

(Address of examining physician)

I was examined and declared fit to ride by _____ on _____
(Name of physician) (date)

(Address of examining physician)

(Attached is a letter from my physician verifying above facts.)

Total number of calendar days I was unable to ride requested as an extension in this
application _____

Name of contract holder at time of incident _____

Present contract holder, if other than above _____

Signed: _____
(apprentice signature)

Note to applicant: No request will be considered by the Commission without a confirming report from your doctor. Be sure to secure letters from attending physicians stating nature & extent of injury, date, etc. and names of stewards presiding at meeting where you were injured.

C. Foreign Jockeys

Upon making an application for a license in this jurisdiction, a jockey from a foreign country shall declare that he/she is a holder of a valid license in his/her country and currently not under suspension. To facilitate this process, the jockey shall present a declaration sheet in a language recognized in this jurisdiction to the Commission.

D. Jockey Responsibility

- (1) A jockey shall give a best effort during a race, and each horse shall be ridden to win. A jockey shall not ease up on or coast to the finish, without reasonable cause, even if the horse has no apparent chance to win prize money.
- (2) A jockey shall not have a valet attendant except one provided and compensated by the association.
- (3) No person other than the licensed contract employer or a licensed jockey agent, may make riding engagements for a rider, except that a jockey not represented by a jockey agent may make his own riding engagements.
- (4) A jockey shall have no more than one jockey agent.
- (5) No revocation of a jockey agent's authority is effective until the jockey notifies the stewards in writing of the revocation of the jockey agent's authority.

E. Jockey Betting

A jockey shall only be allowed to wager on a race in which he/she is riding. A jockey shall only be allowed to wager if:

- (1) the owner or trainer of the horse which the jockey is riding makes the wager for the jockey;
- (2) the jockey only wagers on his/her own mount to win or finish first in combination with other horses in multiple type wagers; and
- (3) records of such wagers are kept and available for presentation upon request by the stewards.

F. Jockey's Spouse

A jockey shall not compete in any race against a horse which is trained by the jockey's spouse.

G. Jockey Mount Fees

The organizations representing the majority of horse owners and jockeys should reach and present an agreement to the commission 30 days prior to the start of a race meet. In the absence of a contract or special agreement, and taking into consideration local conditions and total purses paid at their racing facility, the commission shall use the following as a guideline for establishing jockey mount fees.

PURSE	WINNING MOUNT	SECOND MOUNT	THIRD MOUNT	FOURTH MOUNT	OTHER MOUNTS
0 to \$2,499	10% of Win Purse	\$55	\$50	\$45	\$40
\$2,500 to \$4,999	10% of Win Purse	\$60 - \$75	\$55 - \$70	\$50 - \$65	\$45 - \$60
\$5,000 to	10% of Win	\$65 - \$85	\$60 - \$80	\$55 - \$75	\$50 - \$65

\$9,999	Purse				
\$10,000 to \$24,999	10% of Win Purse	5% of Place Purse	\$90 - \$100	\$70 - \$90	\$65 - \$80
\$25,000 to \$49,999	10% of Win Purse	5% of Place Purse	5% of Show Purse	\$80 - \$100	\$75 - \$95
\$50,000 to \$99,999	10% of Win Purse	5% of Place Purse	5% of Show Purse	5% of Fourth Place Purse	\$80 - \$100
\$100,000 and up	10% of Win Purse	5% of Place Purse	5% of Show Purse	5% of Fourth Place Purse	\$105 - \$115

Using a base year of 2010 commissions should adjust this table based on an average of the following indexes: US Social Security Administration's Cost of Living Adjustment (COLA), US Department of Labor's CPA inflation calculator ([HTTP://BLS.GOV](http://BLS.GOV)), and Consumer Price Index (CPI), local percent change in pari-mutuel handle. As a guideline, taking into account local circumstances, tracks paying purses in excess of \$250,000 per day should move to the higher range in each category and tracks paying below \$125,000 per day in purses should be considered at the lower of the range.

H. Jockey Fee Earned

A jockey's fee shall be considered earned when the jockey is weighed out by the clerk of scales. In the event an owner or trainer elects to remove a jockey from his or her mount after naming a rider at the time of the draw, the stewards may require a double jockey fee to be paid. The fee to be paid is equal to that earned by the jockey who rode the horse. The fee shall not be considered earned when a jockey(s), of their own free will, take themselves off their mounts, where injury to the horse or rider is not involved. Any conditions or considerations not covered by the above rule shall be at the discretion of the stewards. All jockey protests must be filed prior to the race.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02
Version 4.3 to 4.4 ARCI Board 12/10/08: Amended jockey eligibility language
Version 4.7 to 4.8 ARCI Board 10/22/10 Added H. Jockey Fee Earned language

ARCI-008-035 Jockey Agents

A. Eligibility

An applicant for a license as a jockey agent shall:

- (1) provide written proof of agency with at least one jockey licensed by the Commission;
- (2) demonstrate to the stewards that he/she has a contract for agency with at least one jockey who has been licensed by the Commission; and
- (3) be qualified, as determined by the stewards or other Commission designee, by reason of experience, background and knowledge. A jockey agent's license from another jurisdiction may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one or both of the following:
 - (a) a written examination or
 - (b) an interview or oral examination.
- (4) Applicants not previously licensed as a jockey agent shall be required to pass a written and oral examination.

B. Limit on Contracts

A jockey agent may serve as agent for no more than two jockeys and one apprentice jockey.

C. Responsibilities

- (1) A jockey agent shall not make or assist in making engagements for a jockey other than those the agent is licensed to represent.
- (2) A jockey agent shall file written proof of all agencies and changes of agencies with the stewards.
- (3) A jockey agent shall notify the stewards, in writing, prior to withdrawing from representation of a jockey and shall submit to the stewards a list of any unfulfilled engagements made for the jockey.
- (4) All persons permitted to make riding engagements shall maintain current and accurate records of all engagements made, such records being subject to examination by the stewards at any time.

D. Prohibited Areas

A jockey agent is prohibited from entering the jockey room, winner's circle, racing strip, paddock or saddling enclosure during the hours of racing, unless permitted by the stewards.

E. Agent Withdrawal

- (1) When any jockey agent withdraws from representation of a jockey, the jockey agent shall immediately notify the stewards and shall submit to the stewards a list of any unfulfilled engagements made for the jockey.
- (2) A jockey agent shall not be permitted to withdraw from the representation of any jockey unless written notice to the stewards has been provided.

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

ARCI-008-040 Horseshoers

Eligibility

An applicant for a license as horseshoer shall:

- (1) be at least 18 years of age;
- (2) be qualified, as determined by the stewards and horseshoer consultant, by reason of experience, background and knowledge of horseshoing. A horseshoer's license from another jurisdiction, having been issued within a prior period as determined by the Commission, 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 horseshoing.
- (3) 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

ARCI-008-045 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.

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 rules in Chapter 11.
- (2) All practicing veterinarians shall promptly notify the official veterinarian of any reportable disease and any unusual incidence of a communicable illness in any horse in his/her charge.

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