

CHAPTER 7884

MINNESOTA RACING COMMISSION

HARNESS RACES

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7884.0100 SCOPE.

In addition to all other applicable rules of the commission, the provisions of this chapter shall apply to harness races.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527

7884.0110 TYPES OF RACES.

Subpart 1. **Overnight events.** Each association shall schedule the following types of overnight events:

- A. conditioned races;
- B. claiming races;
- C. preferred races;
- D. invitational races;
- E. handicap races;
- F. open or free-for-all races;
- G. schooling races; and
- H. matinee races.

Subp. 2. **Stakes races.** In addition to overnight events, the association must schedule stakes races.

Subp. 3. **Substitute races.** Substitute races may be provided for each race program and shall be so designated in condition sheets and may be used when a regularly scheduled race is not run because of lack of entries.

Subp. 4. **Divided races.** Regularly scheduled races or substitutes may, if necessary, be divided. When a race is divided, all horses shall, unless otherwise specified in the conditions of the race, be determined by lot after preference has been applied.

Subp. 5. **Postponed races.** All races that are not contested within two days of being postponed shall be canceled.

Subp. 6. **Also eligible conditions.** Not more than three also eligible conditions shall be used in writing conditions for overnight events.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527

7884.0120 ELIGIBILITY AND ENTERING.

Subpart 1. **Time bars.** No time records or bars shall be used as an element of eligibility.

Subp. 2. **Horses to remain eligible.** Horses eligible at the time of entry shall remain eligible for that race regardless of earnings accrued after such entry.

Subp. 3. **Mixed race eligibility.** To participate in mixed races, trotting and pacing, a horse must be eligible under the conditions for the gait stated for it in its entry.

Subp. 4. **Only purse races considered starts.** The word "start" in a condition includes only those performances in a purse race.

Subp. 5. **Races limited to fastest horses.** Eligibility to enter preferred, invitation, junior invitation, handicap, open, or free-for-all races is limited to the fastest horses competing at the meeting. The races shall be subject to the following provisions.

A. Horses shall be posted in the office of the racing secretary and listed with the stewards prior to closing entries.

B. Horses so posted shall not be eligible to enter conditioned races unless the conditions specifically include horses posted to any or all such races.

C. No two-year-old horse is eligible to be placed on the lists to race against older horses until it has won seven races, unless specifically requested by the owner or authorized agent, but the owner or authorized agent may withdraw a request after it has been made.

Subp. 6. **Maximum number in field.** The maximum size of fields for all races shall be determined as follows:

A. For overnight events, the maximum number of horses shall be ten on a one-mile track.

B. For stakes races, the maximum number of horses shall be 14 on a one-mile track. If the number of horses declared to start exceeds 14 on a one-mile track, unless a lesser number of horses is specified in the conditions of the race, the race shall be run in two divisions or elimination heats.

Subp. 7. **Conditions precedent to entering.** No horse shall be permitted to enter to race unless:

A. a valid eligibility certificate has been granted or validated for that horse by the USTA, and the eligibility certificate has been filed with the racing secretary;

B. the current ownership of the horse has been registered with the USTA, and the registration papers have been filed with the racing secretary. For purposes of this subpart, a photocopy of the current registration papers will be accepted to the same extent as the original unless:

(1) a genuine question is raised as to the authenticity of the original registration papers; or

(2) the horse is entered in a claiming race;

C. if the horse is leased,

(1) a copy of the lease is on file with the association and the USTA; and

(2) the horse races in the name of the lessee;

D. the horse has qualified as provided in part 7884.0190;

E. the horse has been lip tattooed;

F. the horse is at least two years old but not older than 14 years old; and

G. if it is a spayed mare, that fact is noted on the program, registration certificate, eligibility certificate, and the list of such horses is posted in the office of the racing secretary.

Subp. 8. **Time for closing of entries.** An association shall publish the time for closing of entries on the condition sheets.

Subp. 9. **Entries received after closing time not accepted.** An entry received after the specified time of closing shall not be accepted, except if it was omitted in error or because of an inadvertent mistake by an official or employee of the association.

Subp. 10. **Horse shall be entered at only one racetrack.** The same horse shall not be entered to compete in races scheduled for the same day at different racetracks.

Subp. 11. **Entered horse may not be sold or transferred.** After having been drawn to start, a horse shall not be sold or transferred prior to the particular race.

Subp. 12. **Change of trainer.** Trainers may be changed only with prior approval of the stewards.

Subp. 13. **Horses denied entry.** A horse that is on the qualifying list, starter's schooling list, stewards' list, veterinarian's list, or bleeder list, and not removed from that list, shall not be entered.

Subp. 14. **Rejection of entries.** The association may reject the entry into an overnight event of any horse whose past performance indicates that it would be below the competitive level of other horses entered in the particular race.

Subp. 15. **Naming of drivers.** Drivers shall be named no later than the time necessary to permit their names to be published in the official racetrack program. The deadline for naming of drivers shall be set by the association, and no driver may be changed after the deadline without the permission of the stewards.

Statutory Authority: *MS s 240.23; 240.29*

History: *9 SR 2527; 11 SR 543*

7884.0125 ENTERING AND DRAWING OF HORSES AT CLASS D FACILITIES.

The entering and drawing of horses at Class D licensed facilities shall be governed by the following:

A. Each Class D licensee must provide a locked entry box with an aperture through which all entries shall be deposited.

B. At the time specified by the licensee, the chief steward, or an official designated by the chief steward, shall unlock the entry box, sort the entries contained in it, and immediately draw the post positions in the presence of owners or an owner's representative as may be present.

C. At all Class D race meets the entry box shall be opened by the chief steward, or an official designated by the chief steward, at the advertised time. The chief steward or official conducting the draw will be responsible to assure that at least one owner or an official representative of the owner is present. No owner or agent for a horse with an entry in the entry box shall be denied the privilege of being present. Under the supervision of the chief steward, or an official designated by the chief steward, all entries shall be listed, the eligibility verified, preference ascertained, starters selected, and post positions drawn. If it is necessary to reopen any race as determined by the chief steward, a public announcement indicating such shall be made no fewer than two times and the entry box reopened at a specific time.

D. Drawing of post positions for the second heat in races of more than one dash or heat at pari-mutuel meetings, may be conducted by the stewards from the stand for succeeding dashes or heats.

E. Entries by mail, telegraph, or telephone actually received and evidence of which is deposited in the entry box before the time specified to enter, shall be drawn in the same manner as the others. Such drawings shall be final. Mail, telephone, and telegraph entries must state the name, age, color, sex, sire, and dam of the horse; the name of the driver and driver's colors; the date and place of last start; a current summary, including the number of starts, firsts, seconds, thirds, earnings, and best winning time for current year; and the event in which the horse is to be entered. It shall state any relevant medication information. It shall be the responsibility of the racing secretary to assure that such entries are signed by the person receiving same.

F. When a Class D licensee requires a horse to be entered at a stated time, failure to enter as required shall be considered a withdrawal from the event.

G. After entries have been made, no horse shall be withdrawn from the race except by permission of the stewards. A fine and/or a suspension shall be imposed for drawing a horse without permission and the penalty shall apply to both the horse and the party who violated this item.

H. Drawings shall be final unless there is conclusive evidence that a horse properly entered was omitted from the race through the error of a track or its agent or employee in which event the horse shall be added to the race but given the last post position, provided the error is discovered prior to either scratch time or the printing of the program; however, in the case of early closers of more than \$10,000 and stake and futurity races, the race shall be redrawn. This shall not apply at commercial pari-mutuel meetings in overnight events.

I. Entries shall state who shall drive the horse and give the driver's colors. Drivers may be changed until the time prescribed by the stewards, of the day preceding the race, after which no driver may be changed without permission of the stewards and for good-cause. When a nominator starts two or more horses, the stewards shall approve or disapprove the second or third driver.

J. Entries shall state when a horse is to be raced with furosemide (Lasix®) and, if it is the first time the horse is to race with furosemide, that information is to be included on the entry.

Statutory Authority: *MS s 240.23*

History: *19 SR 2307*

7884.0130 PREFERENCE SYSTEM.

Subpart 1. **Association to establish preference system.** Each association shall establish a preference system giving preference dates to horses in all overnight events in accordance with the date of the horse's last previous start in a purse race during the current year as its preference date with the following exceptions:

A. The preference date on a horse that has drawn to race and has been scratched is the date of the race from which scratched.

B. When a horse is racing for the first time in the current year, the date of the first declaration into a purse race shall be considered its preference race.

C. Wherever horses have equal preference in a race, the actual preference of the horses in relation to one another shall be determined from the most recent previous starts which do not result in equal preference.

D. When an overnight race has been reopened because it did not fill, all eligible horses declared into the race prior to the reopening shall receive preference over other horses subsequently declared, irrespective of the actual preference dates.

Subp. 2. [Repealed, 11 SR 543]

Subp. 3. [Repealed, 11 SR 543]

Statutory Authority: *MS s 240.23; 240.29*

History: *9 SR 2527; 11 SR 543*

7884.0140 COUPLED ENTRIES.

Subpart 1. **Horses to be coupled as an entry.** Horses shall be coupled as an entry if:

A. one person is the owner of two or more horses in a race;

B. the spouse of a person who is the owner of one horse in a race is the owner of another horse in that race;

C. the spouse of the driver of one of the horses in a race is the owner, trainer, or driver of another horse in that race; or

D. the trainer of one of the horses in a race is the owner, trainer, or driver of another horse in that race.

Subp. 2. **Stewards may designate a coupled entry.** Any two or more horses may be coupled as an entry by the stewards when they consider it in the public interest to do so.

Subp. 3. **Split races.** If a race is split into divisions or elimination heats, horses coupled as an entry shall be, insofar as possible, seeded in separate divisions or elimination heats in the following order:

A. owners;

B. trainers; and

C. stables.

The divisions or elimination heats in which such horses are to compete, and their post positions, shall be determined by lot.

Statutory Authority: *MS s 240.23; 240.29*

History: *9 SR 2527*

7884.0150 LOST ENTRIES.

Subpart 1. **Addition to overnight event.** When there is conclusive evidence prior to the printing of the overnight sheets that a horse was properly entered in a race, but was inadvertently omitted from the drawing for post positions due to error of an official or employee of the association, the horse so omitted may be added to the race and the race redrawn. If the overnight sheet has been printed such horse shall not be permitted to start.

Subp. 2. **Addition to stakes race.** A horse that was nominated or entered in a stakes race, but was inadvertently omitted, shall be added to the race and the race redrawn. Should the addition result in more than the maximum number of starters allowed in a single field, the event shall be divided and the starters in each division and their post positions shall be redrawn by lot.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527

7884.0160 ALSO ELIGIBLES.

Subpart 1. **Also eligibles to replace excused horses.** If a horse is excused from a race by the stewards, an also eligible horse shall take the post position drawn for the excused horse, except as provided in subpart 5.

Subp. 2. **Trainer to be notified.** Also eligibles moved into races shall be posted in the office of the racing secretary and their trainers shall immediately be so notified by the racing secretary.

Subp. 3. **Also eligibles released.** Also eligibles not moved into a race by scratch time shall be released.

Subp. 4. **Horses drawn in to be scratched from other races.** If an also eligible is moved into a race it shall be scratched from any subsequent race for which it has been drawn, unless preference otherwise allows.

Subp. 5. **Handicap races.** In handicap races an also eligible horse shall take the place of the excused horse so long as the handicap is the same. However, if the handicap is different:

A. the also eligible horse shall take the position on the outside of horses with a similar handicap; or

B. when a trailing horse is scratched, the also eligible horse shall take the trailing position, regardless of the handicap.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527; 11 SR 543

7884.0170 SCRATCHES.

Subpart 1. **Stewards to approve scratches.** A horse entered to race shall not be scratched from a race without permission of the stewards.

Subp. 2. **Scratches are irrevocable.** A horse that is scratched from a race shall not be reinstated in that race.

Subp. 3. **On advice of veterinarian.** A horse scratched by the stewards on the advice of the commission veterinarian or the association veterinarian shall not be allowed to enter for a minimum of five days as determined by part 7877.0175, subpart 8, or until approved for entry by the commission veterinarian or the association veterinarian.

Statutory Authority: *MS s 240.23; 240.24; 240.29*

History: 9 SR 2527; 13 SR 38

7884.0180 TIME TRIALS.

Time trial performances are permitted provided:

- A. urine tests are required for all horses;
- B. an approved electric timer is used, however, if a timing device fails during a time trial, no time trial performance record will be obtained;
- C. they are held during the course of a race meeting and are officiated by stewards;
- D. they are limited to two-year-olds who equal or beat 2:10, and three-year-olds and older who equal or beat 2:05;
- E. they are designated on a horse's record and in the official racing program by preceding the time with "TT";
- F. that when a horse has other horses accompanying it in a time trial performance, they may not precede it, be harnessed with it, or in any way be attached to it; and

G. a break during a time trial performance results in no time being given to the breaking horse.

Statutory Authority: *MS s 240.23; 240.29*

History: *9 SR 2527*

7884.0190 QUALIFYING RACES.

Subpart 1. **Scheduling of qualifying races.** Qualifying races shall be scheduled at least once a week, weather conditions permitting, and shall be conducted under the supervision of the stewards.

Subp. 2. **Horses required to compete in qualifying races.** The following horses shall not be eligible to enter any race until they have competed in qualifying races:

A. A horse that does not have a charted race at the gait chosen.

B. A horse that does not show a charted line within the last six starts. For that purpose an uncharted race contested in heats or more than one dash and consolidated shall be considered to be a start.

C. A horse that has not started for a period of 45 days or more.

D. A horse which has raced at a meeting at which races were not charted.

E. A horse that is on the qualifying list.

F. A horse that chokes, bleeds, or falls during a warmup or a race.

G. A horse that has made breaks in two consecutive races or which breaks in its first start following a qualifying race.

H. A horse that has been distanced.

Subp. 3. **Preferred or invitational horses.** The stewards may permit a preferred or invitational horse to qualify by means of a timed workout consistent with the time of preferred or invitational races that have been completed at the race meeting.

Subp. 4. **Stewards may set standards.** The stewards may establish a qualifying time for an individual horse consistent with that horse's past performance.

Subp. 5. **Qualifying drivers.** If a race is conducted for the purpose of qualifying drivers and not horses, the race need not be charted, timed, or recorded, but this clause does not apply to races qualifying both horses and drivers.

Subp. 6. **Qualifying times shall be posted.** Qualifying times shall be established by the association and those times and any subsequent changes to them shall be approved by the stewards and posted so that they are available for inspection by participants.

Subp. 7. **Trainers to be notified.** Trainers of horses placed on the qualifying list shall be advised by the stewards or their designee of that fact by written notice which must also be posted in the racing office.

Statutory Authority: *MS s 240.23; 240.29*

History: *9 SR 2527*

7884.0195 QUALIFYING RACES AT CLASS D LICENSED FACILITIES.

Horses may qualify under part 7869.0100, subpart 51, item C, "conditioned race," if they have a current race line not to exceed 60 days before entry. Entries for overnight events shall be governed by the following:

A. Within two weeks of being entered, a horse that has not raced previously at the gait chosen must compete in a qualifying race under the supervision of a judge and acquire at least one charted line by a licensed charter. In order to provide complete and accurate chart information on time and beaten lengths, a standard photo finish shall be used.

B. A horse that does not show a charted line for the previous season, or a charted line within its last six starts must compete in a qualifying race as set forth in item A. Uncharted races contested in heats or more than one dash and consolidated according to item D will be considered one start.

C. A horse that has not started at a charted meeting by August first of a season must compete in a qualifying race as set forth in item A.

D. When a horse has raced at a charted meeting during the current season and subsequently started at meetings where the races are not charted, the information from the un-

charted races may be summarized including each start, and consolidated in favor of charted lines. The requirements of item B would then not apply.

E. The consolidated line shall carry date, place, time, driver, finish, track condition, and distance if the race is not at one mile.

F. The judges may require any horse that has been on the stewards' list to compete in a qualifying race. If a horse has raced in individual time not meeting the qualifying standards for that class of horses, the horse may be required to compete in a qualifying race. During a season, after starting, if a horse has not started in the last 30 days, the horse must compete in a qualifying race as set forth in item A.

G. The judges may permit a fast-class horse to qualify by means of a timed workout consistent with the time of the races in which the horse will compete in the event adequate competition is not available for a qualifying race. These shall be limited to free-for-all preferred or invitational class horses as defined by the rules of the USTA.

H. To enable a horse to qualify, qualifying races should be held at least one full week prior to the opening of any meeting that opens before the first of July of a season and shall be scheduled at least once a week. Qualifying races shall also be scheduled once a week during the meeting.

I. Where a race is conducted for the purpose of qualifying drivers and not horses, the race need not be charted, timed, or recorded. This item is not applicable to races qualifying both drivers and horses.

If a horse takes a win race record in a qualifying race, the record must be prefaced with the letter "Q" wherever it appears, except in a case where, immediately prior to or following the race, the horse taking the record has been given an approved urine or blood test. It will be the responsibility of the presiding judge to report the test on the judges' sheet.

Statutory Authority: *MS s 240.23*

History: *19 SR 2307*

7884.0200 STAKES RACES.

Subpart 1. **Conditions.** Conditions for stakes races which are vague, inconsistent, or which conflict with the rules of the commission shall not be published. Conditions shall state whether the race will be:

A. raced in divisions; or

B. conducted in elimination heats if more horses than the maximum allowed to compete in one division are entered.

Subp. 2. **Conditions shall not be changed.** Published conditions shall not be changed after nominations have been received, nor shall the date and place of the event be changed after being advertised without the prior consent of the commission.

Subp. 3. **Stakes nomination fees.** All nominations to stakes races must be:

A. made in writing;

B. signed by the owner, trainer, or the owner's authorized agent; and

C. made at least five days prior to the race for which the nomination is made.

Subp. 4. **Fees are due on business days.** If the day for closing of nomination or sustaining payments falls on a Sunday or legal holiday, the day of closing shall be the next business day.

Subp. 5. **Entry fees.** Entry fees shall become due and payable when a horse is properly entered, and the fees are nonrefundable.

Subp. 6. **Nominations not affected by sale.** The eligibility of a nominated horse is not affected by the sale of the horse after its nomination has been accepted unless the contrary is specified in the conditions.

Subp. 7. **Nomination lists to be provided.** An association shall provide a list of all stakes nominations to each nominator and to the commission within 30 days after the date on which payments were due. The list must be accompanied by a report indicating the current financial status of the race and listing the number of horses remaining eligible and the amounts of nomination and sustaining payments received by the association.

Subp. 8. **Minimum number of starters may be required.** An association may require at least five separate interests to start in a stakes race. If fewer horses than the number re-

quired are properly entered, the race may be canceled. In that case, the total of nomination and sustaining payments received shall be divided equally among the horses entered without being credited as purse winnings. If no entries are made, the total nomination and sustaining payments shall be divided equally and awarded among the horses remaining eligible after the last sustaining payment, without being credited as purse winnings.

Subp. 9. Restrictions against entering or starting. Any horse that is on the qualifying, veterinarian, starter's schooling, or stewards' list may be nominated but shall not be eligible to enter or start in a stakes race unless it is removed from those lists before the time of entry.

Subp. 10. Overfilled stakes to be run in divisions. If more horses than allowed in one field are entered to start a race, the race shall be conducted in divisions or eliminations, as specified in the conditions.

Subp. 11. Stakes races conducted in divisions. Stakes races conducted in divisions shall be subject to the following:

A. Starters shall be divided by lot with all nomination and sustaining payments divided in equal proportion to the number of entered horses that are drawn to each division.

B. The amount of the additional purse added to each division shall be approved by the stewards.

C. All divisions shall be raced on the same day.

Subp. 12. Stakes races conducted in eliminations. For stakes races conducted in eliminations:

A. The stewards shall draw by lot the post positions of the horses that have qualified for the final heat.

B. Elimination heats and the final heat shall be raced on the same day, unless the conditions provide otherwise, and in that case, elimination heats shall be contested not more than seven days prior to the date of the final heat.

C. The winner of the final heat shall be the winner of the stakes race, unless the conditions provide otherwise.

D. If there are two elimination heats, the first five finishers in each heat shall qualify for the final heat.

E. If there are three or more elimination heats, three horses from each elimination heat shall qualify for the final heat, in addition to the fastest time of all the fourth place finishers.

F. In all cases, the number of horses allowed to qualify for any final heat shall not exceed ten.

G. The stewards shall draw by lot the post positions for the final heat to determine which of the elimination heat winners shall have the pole position, and shall in that manner determine all of the other positions for the final heat.

Subp. 13. Canceled stakes races. The following procedures shall be followed when stakes races are canceled.

A. In stakes races that have not been contested before being canceled, all nomination and sustaining fees shall be divided equally among the owners of horses remaining eligible at the time of cancellation.

B. In stakes that have been started but remain unfinished before being canceled, the allotted shares of the remaining nominating, sustaining, and starting fees shall be distributed equally to the owners of all horses remaining eligible at the time of cancellation.

C. Unless otherwise provided in the conditions, canceled stakes races shall not be transferred to another race meeting.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527; 11 SR 543

7884.0210 CLAIMING RACES.

Claiming shall be conducted in accordance with part 7883.0140.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527

7884.0220 Paddock Procedures.

Subpart 1. **Horse to be in paddock.** Horses must be in the harness paddock at least one hour prior to post time of the race in which they are to compete and, except for warmup trips, no horse shall leave the paddock until called to post.

Subp. 2. **Driver to register.** Drivers shall report to the paddock judge and sign the drivers' register at least one hour before post time of any race in which they are programmed to drive. After signing the drivers' register, no driver shall leave the drivers' room, except to drive in a race or to view the races from a point approved by the stewards, until all his or her driving engagements for the day have been fulfilled.

Subp. 3. **Persons restricted from paddock.** No person, except an official or an owner who has a horse racing, shall be allowed in the paddock until all races of that program have been completed, and not more than two members of a registered stable may be in the paddock on any race day.

Subp. 4. **Blacksmith to be in paddock.** Each association must during racing hours provide the services of a blacksmith within the paddock.

Subp. 5. **Extra racing equipment to be in paddock.** Each association must during racing hours provide to the equipment inspector all extra equipment in the paddock that may be necessary in emergencies to prevent unnecessary delay during the conduct of racing.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527

7884.0230 RACING EQUIPMENT.

Subpart 1. **Sulkies.** Sulkies will be permitted only if they are of the conventional dual-shaft and dual-hitch type as follows:

A. they have two shafts that are parallel to, and securely hitched on each side of the horse;

B. no point of a hitch and no part of a shaft of the sulky is above a horizontal level equal to the lowest point of the horse's back;

C. they are equipped with mud guards when so required by the stewards; and

D. they are equipped with plastic wheel discs on the inside and outside of each wheel with such discs being either clear or of a solid pastel color.

Subp. 2. **Head poles.** No horse may wear a head pole protruding beyond its nose.

Subp. 3. **Helmets must be worn.** All persons must wear a protective helmet approved by the Snell Foundation or the United States Department of Transportation with the chin strap properly fastened at all times when racing, jogging, training, or when warming up a horse on the grounds of an association.

Subp. 4. **Time limit for equipment changes.** No major equipment change may be allowed after 10:00 a.m. on the day of the race without the consent of the stewards, and all such changes must be posted and announced.

Subp. 5. **Broken equipment.** All broken equipment must be reported by the driver, in the first instance, to the starter, and then to the paddock judge who shall make an examination to verify the allegation.

Subp. 6. **Warmup equipment.** All persons driving a horse must wear silks and white pants when warming-up a horse prior to a race. Such horse shall have the proper head number and saddle cloth for the race in which it will be racing.

Subp. 7. **Drivers' colors.** Drivers must wear distinguishing colors and shall not be permitted to drive in a race or other public performances unless they are properly dressed, their driving outfits are clean, and they are well-groomed. During inclement weather conditions, drivers must wear rain suits or winter suits either of distinguishing colors or made of transparent material through which their colors may be distinguished.

Statutory Authority: *MS s 240.23*

History: 9 SR 2527; 11 SR 2201

7884.0240 POST TIME AND STARTING.

Subpart 1. **Post time.** The association shall establish the post time for each race and the stewards shall call the horses on the course at a time to prevent delay after the completion of one or two scores.

Subp. 2. **Time between single race heats.** The time between separate heats of a single race shall not be less than 40 minutes.

Subp. 3. **Horses called to post have exclusive right.** Horses called for a race have the exclusive right to occupy the course, and all the other horses shall vacate the course immediately.

Subp. 4. **Scoring.** Horses are permitted to take one or two scores before going to the post, and upon completion of the last score, the horses shall be gathered by the starter and immediately moved to their appropriate starting positions behind the gate.

Subp. 5. **Post positions.** The following procedures shall apply to post positions:

A. When a horse is withdrawn from the front tier, horses on the outside shall move in to fill the vacancy.

B. If there is only one trailing horse it may start from any trailing position.

C. If there is more than one trailing horse it shall start from inside the horse with a higher post position.

D. The withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the trailing horses, except as provided for in handicap claiming races.

Subp. 6. **Starting gate.** All races shall be started with a mobile starting gate of a design consistent with part 7875.0200, subpart 4, and approved by the commission, and shall be equipped with two-way communications to the stewards and a mechanical loudspeaker for communicating instructions to drivers. No person except the starter, his or her driver, and a patrol judge, shall ride in a starting gate without the permission of the stewards.

Subp. 7. **Starter has control of horses.** The starter shall have control of the horses from the formation of the parade until a fair start has been determined.

Subp. 8. **Determination of a fair start.** The determination of a fair start is signified by the word "go" announced by the starter at the starting point. The starting point is a point that shall be marked on the inside rail at a distance of not less than 200 feet from the first turn.

Subp. 9. **Conduct of start.** The following procedures shall be observed during the start of a race.

A. The horses shall be brought to the starting gate as near one-quarter of a mile before the start as the course will permit.

B. The starter shall cause the gate to move towards the starting point, gradually increasing speed of the gate to maximum speed.

C. When maximum speed has been reached in the course of a start there shall be no decrease, except in the case of a recall.

D. After the determination by the starter of a fair start all the horses shall race the course, except in the case of an occurrence that in the opinion of the stewards makes it impossible for the horses to race the course.

E. During the start of a race, if a horse is unmanageable or liable to cause an accident or injury to another horse or to a driver, it shall be scratched by the stewards.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527

7884.0250 RECALLS.

Subpart 1. **Starter may at any time order a recall.** The starter may, at any time before the word "go" is given, order a recall and restart the race. If a second recall is sounded because of the same horse, that horse shall be scratched.

Subp. 2. **Reasons for recall.** The starter shall sound a recall for the following reasons:

A. a horse scores ahead of the starting gate;

B. there is interference before the word "go" is given;

- C. a horse has broken equipment observed by the starter; or
- D. a horse falls before the word "go" is given.

Subp. 3. **Recall procedures.** In case of a recall:

- A. a light, plainly visible to the drivers, shall be flashed and a recall sounded;
- B. if possible, the starter shall leave the wings of the starting gate open and gradually slow the speed of the gate to assist in stopping and turning the field; and

C. drivers shall take up their horses and return, without delay, to the point where the field is gathered for starts.

Subp. 4. **Inquiry into failure to sound recall.** If the starter fails to sound a recall when required, the stewards shall immediately cause the "Inquiry" sign to be displayed.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527

7884.0260 DRIVING RULES.

Subpart 1. **Conduct before word "go" is given.** Before the word "go" is given no driver shall:

- A. delay a start;
- B. pass the inside or the outside wing of the gate;
- C. come to the starting gate in the wrong position;
- D. cross over before reaching the starting point;
- E. interfere with another horse or driver during the start; or
- F. fail to come up into position and on the gate.

Subp. 2. **Conduct after word "go" is given.** After the word "go" is given no driver shall:

A. change course or position, swerve in or out, or bear in or out, during any part of the race in a manner that will compel another horse to shorten its stride or cause another driver to change course;

- B. take his or her horse back or pull his or her horse out of its stride;
- C. impede the progress of another horse or cause it to break from its gait;
- D. cross over too sharply in front of another horse;
- E. crowd another horse by "putting a wheel under it";
- F. carry another horse out;

G. strike or hook wheels with another sulky;

H. allow another horse to pass needlessly on the inside, or commit any other act that helps another horse to improve its position;

I. take up or slow abruptly in front of other horses as to cause confusion or interference among the trailing horses;

J. lay off a normal pace and leave a hole when it is well within his or her horse's capacity to keep the hole closed;

K. drive in a careless, reckless, or unsatisfactory manner;

L. fail to set or maintain a pace comparable to the class in which he or she is racing, considering track conditions, weather, and circumstances of the race;

M. fail to properly contest an excessively slow pace;

N. back off from any position and subsequently come on when challenged;

O. fail to report any interference or any other infraction that occurred during a race and was observed by him or her;

P. lodge a claim of foul, violation of the rules, objection, or complaint which the stewards consider frivolous;

Q. drive a horse in a manner that prevents it from winning a race;

R. drive a horse to perpetrate or aid in a fraud or corrupt practice;

S. drive a horse in an inconsistent manner;

T. use a whip exceeding four feet in length or a snapper longer than eight inches in length, or use a whip in a brutal manner, or use the butt end of the whip, or whip under the arch

or shaft of the sulky, or strike a wheel disc with his or her whip, or use a whip to interfere with or cause disturbance to any other horse or driver in a race;

U. punch, jab, or kick a horse; and

V. allow his or her horse to break from its gait for the purpose of losing a race.

Subp. 3. **Breaks.** When a horse breaks from its gait the driver shall:

A. take the horse to the outside of other horses or where clearance exists;

B. properly attempt to pull the horse to its gait; and

C. drop back from the field while on the break.

Subp. 4. **Lapped on break.** If there has been no violation of subpart 3, the stewards shall not set back the horse unless a competing horse on its gait is lapped on the hind quarter of the breaking horse at the finish.

Subp. 5. **Breaks to be reported.** Stewards shall record each break in the official race reports.

Subp. 6. **Drivers must remain mounted.** A driver must be mounted in his or her sulky from the start to the finish of the race or the horse he or she is driving shall be disqualified.

Subp. 7. **Use of stirrups.** After the word "go" is given, barring mishap, both of the driver's feet must be kept in the stirrups until the race has been completed.

Subp. 8. **Claim of foul.** A driver who desires to enter a claim of foul, violation of the rules, or other complaint shall notify the nearest patrol judge and shall proceed forthwith to the paddock telephone to communicate immediately with the stewards, unless the driver is prevented from doing so by an accident or injury or other reasonable excuse.

Subp. 9. **Stewards shall view complaint.** The stewards shall not cause the "Official" sign to be posted until the circumstances surrounding a claim of foul, violation of the rules, or other complaint has been viewed and decided.

Subp. 10. **Stewards to determine extent of violation.** The stewards shall determine the extent of the alleged violation and may place the offending horse either behind the horses that in their judgment were interfered with, or last in the field.

Statutory Authority: *MS s 240.23; 240.29*

History: 9 SR 2527

7884.0270 EXPANDED HOMESTRETCH RACING.

Subpart 1. **Authority.** With the approval of the commission, a Class D licensee may expand the width of its homestretch by no less than ten feet nor more than 14 feet inward in relation to the width of the remainder of the racetrack.

Subp. 2. **Rules.** In the event the homestretch is expanded pursuant to subpart 1, the following shall apply:

A. When entering or while going through the homestretch for the first time in a race, no horse shall use the expanded inside lane in an attempt to pass other horses or improve its position. Any horse which does so shall be disqualified and placed last in the order of finish.

B. The lead horse in the homestretch shall maintain its position giving the trailing horses full access to the expanded inside lane. If, in the opinion of the stewards, the lead horse changes course in the homestretch in an attempt to prevent a trailing horse from passing, said horse shall be placed accordingly.

C. Horses using the expanded inside lane, during the homestretch drive for the finish of the race must first have complete clearance of the pylons marking the inside boundary of the race course. Any horse or sulky running over one or more of the pylons or going inside the pylons, while attempting to use the expanded inside lane, may be disqualified and placed last in the order of finish.

D. During the final one-eighth mile of a race, a horse may only be driven into the expanded homestretch lane for the purpose of passing another horse and shall not be driven into the expanded homestretch lane for the purpose of blocking a trailing horse. It shall be presumed that any horse driven into the expanded homestretch lane which blocks a trailing horse, without advancing on the horse it was allegedly attempting to pass, was being driven

for the purpose of blocking a trailing horse. If, in the opinion of a majority of the stewards, a horse is driven into the expanded homestretch lane for the purpose of blocking a trailing horse, the driver of the blocking horse may be fined and/or suspended and the horse may be placed accordingly.

Statutory Authority: *MS s 240.23*

History: *19 SR 2307*