

7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

Subpart 1. **Racing secretary.** The racing secretary shall have the responsibilities in items A to I.

A. The racing secretary shall be responsible for scheduling races during a meeting; compiling and publishing condition books or sheets; assigning weights or making allowances for handicap races; processing all entries and nominations; compiling a registry of all horses and owners participating at the race meeting, plus their corresponding colors and, when applicable, stable names; and establishing a purse structure for the race meeting.

B. The racing secretary shall maintain a record of the arrival and departure of all horses stabled on the grounds of an association.

C. The racing secretary shall be responsible for publication of the official daily program, if the association does not employ a program director.

D. The racing secretary shall be responsible for the daily posting of entries.

E. The racing secretary shall be responsible for the safekeeping of registration certificates, eligibility certificates, and racing permits for horses; for recording required information on such documents; and for returning the documents to the owners, trainers, or authorized agents at the conclusion of the race meeting. However, an association employing a clerk of the course may assign these duties to the clerk of the course.

F. The racing secretary's office shall keep up-to-date performance records on all horses registered to race at a race meeting. Such files shall be kept current and furnished intact to the racing secretary of the succeeding race meeting.

G. The racing secretary shall establish a preference system for horses that have been excluded from races due to overfilling and shall maintain the system for the duration of a meeting. The racing secretary shall be allowed broad discretion with regard to the preference system but shall act in the best interest of racing and the meeting.

H. In the event that a race is declared off due to an insufficient number of entries, the racing secretary must post in a conspicuous place the names of all trainers that entered horses in each race that was declared off.

I. Effective January 1, 2020, the racing secretary shall ensure that the foal certificates for all Thoroughbred horses entered to race at a licensed racetrack that were foaled in 2018 or thereafter have a digital tattoo as defined in part 7869.0100, subpart 20a.

Subp. 2. **Clerk of scales.** The clerk of scales shall have the responsibilities in items A to H.

A. The clerk of scales shall be responsible for the security, regulation, and control of the jockeys' room.

B. The clerk of scales shall supervise all valets and the issuance of numbered saddle cloths and equipment for each jockey.

C. The clerk of scales shall be jointly responsible, with each jockey's valet, for the proper attire and neat appearance of the jockey.

D. The clerk of scales shall be responsible for having changes in colors or jockeys posted and announced to the public before any race if the colors or jockeys differ from those listed in the daily program.

E. The clerk of scales shall weigh-out every jockey riding in the first race not more than 30 minutes before post time for the race. The clerk of scales shall weigh-out jockeys riding in any other race no sooner than the preceding race. In weighing-out each jockey, the clerk of scales shall record any overweight, which shall be posted and announced to the public at the time specified by the association.

F. The clerk of scales shall weigh-in in public view immediately after the finish of each race the following jockeys:

- (1) for nonstakes races, those jockeys finishing first through fourth places and, if designated by the stewards during or immediately after the race, any other jockey in the race; and
- (2) for stakes races, every jockey finishing the race.

G. The clerk of scales shall notify the stewards immediately if:

- (1) a jockey fails to arrive in the jockeys' room at the designated time;
- (2) a jockey does not present himself or herself to be weighed in;
- (3) a jockey is underweight or more than two pounds overweight, or if the jockey is guilty of any fraudulent practice with respect to weight or weighing;
- (4) a jockey dismounts before reaching the scales, unless the jockey or the horse is ill or disabled; and
- (5) the clerk of scales receives any complaint, objection, or protest from an owner, trainer, or jockey.

H. The clerk of scales shall be responsible for maintaining and keeping up-to-date apprentice jockey's certificates.

Subp. 3. **Starter.** The starter shall have primary supervision over horses entered in any race from the moment they leave the paddock until the time that the start is effected.

A. The starter shall have radio or telephone communication with the stewards immediately available from the time the horses leave the paddock until the start is effected. The starter shall report to the stewards any disobedience of his or her orders or attempts to take unfair advantage at the starting gate.

B. The starter shall be responsible for providing a fair and equal start of all horses in a race by means of a starting gate. Whenever a horse is prevented from obtaining a fair start, the starter shall immediately notify the stewards.

C. The starter shall require and supervise schooling in the starting gate for any horse not sufficiently trained in starting gate procedures to ensure a fair and safe start. The starter shall maintain a list of any horses so ordered, and those horses shall be ineligible to start until they are sufficiently schooled in starting gate procedures and until the starter has removed their names from the schooling list.

D. The following starter's duties and responsibilities are applicable only to Thoroughbred or Quarter Horse racing:

(1) The starter, with the consent of the stewards, shall determine the procedures for loading horses into the starting gate.

(2) The starter shall appoint and use the services of assistant starters as necessary, and shall daily change the gate position of each assistant starter without notice to the assistant starters until the field for the first race comes onto the course.

(3) The starter shall honor the written request of the trainer not to allow an assistant starter to "tail" or "tong" a horse, insofar as practical. However, the starter shall instruct assistants to handle any horse when he or she deems such handling necessary for a safe, orderly start.

(4) The starter shall report the cause of any delayed start to the stewards. If a delay occurs at the post, the starter may permit the jockeys to dismount and the horses to be cared for during the delay; otherwise, jockeys shall not be permitted to dismount.

(5) The starter shall maintain a daily written record showing the names of all horses starting, the assistant starter who handled each horse, and any equipment other than a lead strap used for each horse. The record shall be kept for at least 90 days after the last day of the race meet and shall be made available to the stewards or the commission upon request.

(6) The starter shall observe anyone seeking an apprentice jockey's license breaking a horse from a starting gate in company with other horses. The starter shall report his or her observations to the stewards.

Subp. 4. **Paddock judge.** The paddock judge shall have the responsibilities in items A to L.

A. The paddock judge shall be in charge of the paddock, and shall notify the stewards of any apparent rule violation occurring in the paddock.

B. The paddock judge shall see that only authorized persons are in the paddock.

C. The paddock judge shall be responsible for the orderly saddling and equipping of all horses in any race. The saddling and equipping shall, in the case of Thoroughbred, Quarter Horse, or Arabian racing, be open to public viewing and free from interference whenever possible. Horses shall leave the paddock for post in order of their program numbers.

D. The paddock judge shall assemble the horses in the paddock no later than 15 minutes before the scheduled post time for each Thoroughbred, Quarter Horse, or Arabian race, and at least one hour before the scheduled post time for each harness race.

E. The paddock judge shall immediately report to the stewards the absence of, ineligibility of, or any other irregularity with respect to a horse or its equipment.

F. The paddock judge shall inspect and maintain a written record of all equipment worn by each horse in a race, and shall approve all equipment changes. The paddock judge shall immediately notify the stewards of any change, violation, or defect relating to equipment.

G. The paddock judge shall inspect the bandages worn by all horses arriving in the paddock and may order the bandages removed or replaced if he or she has reason to believe that a violation of statute or rule has occurred, is occurring, or will occur.

(1) The paddock judge shall not allow a horse in the paddock if it is wearing bandages at knee level or higher.

(2) Paddock boots and all bandages, except those bandages that will be worn during a race, must be removed immediately after saddling in the paddock so that a satisfactory examination may be assured.

H. The paddock judge shall immediately report to the commission veterinarian or the association veterinarian the suspected infirmity or unsoundness of any horse.

I. The paddock judge shall immediately notify the stewards of the reason for any horse returning to the paddock after having entered the course for the post parade and before the start of the race.

J. The paddock judge shall inspect and supervise the maintenance of emergency equipment kept in the paddock.

K. The paddock judge shall notify the stewards of any trainer or groom who leaves the paddock before the horse in his or her charge has left the paddock.

L. The paddock judge shall compile a schooling list comprised of horses that are fractious or unruly in the paddock or that exhibit poor or inconsistent behavior in the paddock that could endanger the safety of other participants in racing. The schooling list shall be provided to the stewards at the end of each race day and posted in the race office. No horse on the schooling list may be eligible to race until removed from the list by the paddock judge. To be removed from the schooling list, a horse must be schooled in the paddock and demonstrate to the satisfaction of the paddock judge and the stewards that the horse is capable of performing safely in the paddock.

Subp. 4a. **Paddock judge responsibilities for harness races.** Under the direction and supervision of the stewards, the paddock judge will have complete charge of the paddock activities. The paddock judge is responsible for:

A. getting the field on the track for post parades in accordance with the schedule given by the stewards;

B. inspection of horses for changes in equipment, nonrecognized racing equipment, broken or faulty equipment, head numbers, or saddle pads and reporting any equipment changes to the presiding steward;

- C. supervision of paddock gate persons;
- D. directing the activities of the paddock blacksmith;
- E. immediately notifying the stewards of anything that could in any way change, delay, or otherwise affect the racing program. The paddock judge will report to the stewards any cruelty to any horse that the paddock judge observes;
- F. ensuring that only authorized persons are permitted in the paddock and notifying the stewards of any apparent rule violation occurring in the paddock; and
- G. immediately reporting to the commission veterinarian the suspected infirmity or unsoundness of any horse.

Subp. 5. **Identifier.** The identifier shall have the responsibilities in items A and B.

A. The identifier is responsible for checking the identification of all horses entering the paddock by checking the microchip, tattoo, freeze branding, or other identification method approved by the appropriate breed registry, as well as the sex, color, and markings, and comparing those with documents of registration, eligibility, or breeding, as necessary to ascertain a horse's identity.

The identifier shall notify the stewards immediately upon detecting any discrepancy in a horse's microchip, tattoo, freeze brand, other approved identification method, markings, or other identifying characteristics.

The identifier is responsible for supervising the identification of any horse on the grounds of an association before approving the horse for microchipping, tattooing, freeze branding, or other approved identification method.

B. The identifier shall be responsible to the paddock judge for maintaining a card that will list all equipment worn, including shoes, and the microchip, tattoo, freeze brand, or other approved identification method for each horse racing at the meeting. The identifier shall compare the equipment actually being used on the horse with the approved equipment listed on the card.

Subp. 6. [Repealed, 31 SR 1277]

Subp. 7. **Claims clerk (Thoroughbred, Quarter Horse, and Arabian only).** The claims clerk shall ensure that the claim slip for a horse is deposited in the claim box in accordance with part 7883.0140, subpart 2.

The claims clerk shall open the claim box, search for claim envelopes according to designated race numbers, open any envelopes found, and examine the claim slip inside no sooner than 15 minutes before post time for each race.

The claims clerk shall ascertain whether:

- A. errors exist in the form or deposit of the claim;
- B. the claimant has established eligibility to claim;
- C. the claimant has the amount of the claim to the claimant's credit; and

D. persons acting on behalf of a claimant are authorized to do so.

The claims clerk shall immediately report all findings to the stewards, and shall issue a written authorization on behalf of the stewards for delivery of a horse to any claimant who is successful.

Subp. 8. [Repealed, 46 SR 1210]

Subp. 8a. [Repealed, 42 SR 1258]

Subp. 8b. **Veterinarian's list.**

A. A commission veterinarian shall maintain a list of horses that:

- (1) are scratched because of illness, injury, or unsoundness;
- (2) are pulled up because of lameness or other injury during a race;
- (3) are bleeders, pursuant to part 7890.0140, subpart 1;
- (4) test positive for a prohibited substance or medication overage;
- (5) have received a medication or treatment invoking a mandatory stand-down time;

and

(6) are otherwise considered unfit to race in the professional judgment of a commission veterinarian.

B. The veterinarian's list must be posted in a conspicuous and accessible place outside a commission veterinarian's office, and any horse whose name is on the list shall be ineligible to start in a race for ten calendar days or until a commission veterinarian removes it from the list, whichever is later.

C. All workouts required by a commission veterinarian for the purpose of potentially removing a horse from the veterinarian's list must be conducted under the same medication requirements as those for race days. Horses requiring an official timed workout must have a published workout observed by a commission veterinarian, must pass a post-workout assessment of racing condition by a commission veterinarian, and are subject to testing under chapter 7892.

D. Any horse with a positive test in violation of chapter 7890 shall not be released from the veterinarian's list until another official timed workout is completed and a negative post-workout test is obtained. The biological sample, such as blood, urine, hair, saliva, or other body specimen, used for removal from the veterinarian's list must be the same as the biological sample identified in the positive test.

E. For purposes of this subpart, the ten-day period during which a horse is ineligible to start begins on the first day the horse is placed on the list. The veterinarian's list is binding on all racetracks under the jurisdiction of the commission and shall include horses on the veterinarian's list in other racing jurisdictions.

Subp. 8c. **Racing soundness examinations.** A commission veterinarian shall conduct racing soundness examinations pursuant to part 7891.0100. If the veterinarian finds that any horse is unfit

to race, the veterinarian shall notify the stewards immediately in writing and place the horse on the veterinarian's list.

Subp. 8d. **Monitoring horses during a race.** A commission veterinarian shall monitor horses in the paddock, post parade, and starting gate for signs of illness or injury and shall tend to disabled horses pursuant to part 7883.0160, subpart 14.

Subp. 8e. **Supervision of the detention barn.** A commission veterinarian shall supervise the operation of a barn for the detention and testing of horses after each race pursuant to chapter 7890.

Subp. 8f. **Nerved horses.** A commission veterinarian must post in a location accessible to all trainers a list of all horses registered as nerved pursuant to part 7897.0100, subpart 11.

Subp. 8g. **Pregnant mares and fillies.** A commission veterinarian must post in a location accessible to all trainers a list of all mares and fillies registered as pregnant or "in foal."

Subp. 8h. **Infectious diseases.** A commission veterinarian shall have the authority to draw and submit blood to the official testing laboratory under part 7892.0130 from any horse or pony on the grounds of a licensed racetrack for the purpose of testing for equine infectious anemia (EIA) and other reportable infectious diseases as determined by the Minnesota Board of Animal Health, and shall supervise the removal from the racetrack of any horse or pony having positive EIA or reportable infectious disease test results.

Subp. 8i. **Veterinary emergencies.** In the event of a veterinary emergency where the owner's veterinarian is not on racetrack grounds, a commission veterinarian may administer emergency treatment to a horse after consulting with the owner or the owner's agent if they are present on racetrack grounds. In all cases, the owner's veterinarian must be notified and the case transferred to the owner's veterinarian as soon as the owner's veterinarian is present.

Subp. 8j. **Application review.** A commission veterinarian must review and consult with the applicants and the stewards regarding commission license applications of practicing veterinarians, veterinary technicians or assistants, animal chiropractors, equine masseuses, feed vendors, pharmaceutical representatives, and vendors of veterinary medical supplies and equipment.

Subp. 9. **Patrol judge.** Patrol judges may observe the running of each race. In the case of harness racing, a patrol judge may serve as a roving patrol judge by riding in the starting gate and observing activity on the race course at all times during a race program.

Patrol judges shall be in communication with the stewards during every race, and shall immediately notify the stewards of:

- A. every apparent violation of commission rules;
- B. any action on the race course that could improperly affect the result of a race;
- C. any indication of a forthcoming claim of foul or other complaint of violation of the commission's rules;
- D. any lack of or broken racing equipment; and

E. any unusual or illegal behavior of horses, jockeys, or drivers.

When instructed by the stewards, patrol judges shall be present at video reviews of races to confirm or to clarify reported observations.

Subp. 10. **Placing judge.** At least two placing judges shall view each race from a stand directly above the finish line, and shall determine the order of horses as they cross the finish line. In making that determination, the placing judges shall take note of the horses' numbers, racing colors, and distinguishing equipment, and shall determine the order of finish by considering only the noses of the horses.

The placing judges shall be responsible for having the numbers of the first four horses to cross the finish line displayed on the result board.

The placing judges shall announce their decisions promptly, and those decisions shall be final unless an objection to any horse placed within the purse is made and sustained. However, this rule shall not prevent the judges from correcting any mistakes, subject to the stewards' confirmation.

The placing judges shall use photographs from the racetrack's photo-finish camera as an aid in determining the order of horses as they cross the finish line. The placing judges shall use the photographs of all finishes in which the winning margin is less than half a length, or in which the horses are widely spaced across the race course. Copies of those photographs shall be posted in convenient locations for public inspection.

Subp. 11. **Timer.** A timer shall determine the official time of each race, which shall be the period from the time the first horse crosses the timing beam or track marker at the start of the race until the first horse crosses the finish line.

The timer shall verify the race time recorded by the racetrack's electric timing device. Should the timing device malfunction, the time shown on the watch of the timer shall be the official time of the race.

Subp. 12. **Clocker (Thoroughbred, Quarter Horse, Arabian, or other breeds).** A clocker shall accurately record all workouts on any race course at which a race meeting is being conducted.

Upon order of the stewards, a clocker shall be able to demonstrate knowledge and proficiency in accurately recording times of horses working out.

A clocker shall present daily records to the racing secretary and the stewards, post for the benefit of the public daily records of all timed workouts, and make a record of daily workout times available to the news media.

Subp. 13. **Outrider.** Outriders shall be responsible for the orderly conduct of horses on the race course during training and racing hours, as specified in the following paragraph.

At the Thoroughbred/Quarter Horse track, the outriders shall be present on the race course, mounted and ready to assist in the control of any unruly horse or to recapture any loose horse, at all times that horses are permitted on the race course. Outriders are required for harness racing during racing periods but are not required during training hours.

The outriders shall escort to the post all horses starting in any race, and shall remain on duty until all horses on that program have been returned to their handlers.

Each outrider must comply with part 7877.0170, subpart 10, for each pony horse in his or her care.

Subp. 14. **Jockeys' room custodian.** The jockeys' or drivers' room custodian shall:

- A. supervise the orderly conduct of business in the jockeys' or drivers' room;
- B. maintain cleanliness and neatness in the jockeys' or drivers' room; and
- C. be responsible for the care and storage of racing colors.

Subp. 15. **Clerk of the course (harness).** The clerk of the course shall keep the stewards' sheets on which he or she shall record the following information:

- A. names of all horses entered and their eligibility numbers;
- B. names of owners and drivers;
- C. drivers' license numbers;
- D. a record of each race, noting positions of horses at the finish;
- E. names of scratched or ruled out horses;
- F. recorded times; and
- G. all protests, penalties, and appeals.

The clerk of the course shall see that the stewards' sheets are signed, and shall forward copies of them to the commission not later than the next day.

The clerk of the course shall check eligibility certificates before and after each race, and shall keep the certificates up-to-date.

When requested by an owner or owner's authorized agent, the clerk of the course shall return a horse's eligibility certificate after a race.

Statutory Authority: *MSs 240.03; 240.08; 240.10; 240.13; 240.15; 240.16; 240.19; 240.23; 240.24*

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