

1 Minnesota Racing Commission

2

3 Adopted Permanent Rules Relating to the Regulation of Horse

4 Racing

5

6 Rules as Adopted

7 7869.0100 DEFINITIONS.

8 Subpart 1. to 50. [Unchanged.]

9 Subp. 51. Race. "Race" means a contest among horses for
10 purse, stakes, premium, or wager for money, run in the presence
11 of racing officials of the association and the commission. The
12 following are categories of races:

13 A. to J. [Unchanged.]

14 K. "Race on the flat" means a race over a course in
15 which no jumps or other obstacles are placed.

16 L. "Restricted race" means a race required pursuant
17 to Minnesota Statutes, section 240.29.

18 M. "Stakes race" or "sweepstakes race" means a race
19 to which nominators of the engaged entries contribute to a
20 purse, and to which money or any other award may be added. No
21 overnight race, regardless of its conditions, may be deemed a
22 stakes race.

23 N. "Time trial" means a race against time for the
24 purpose of establishing a performance record.

25 Subp. 52. to 69. [Unchanged.]

26 7870.0480 MEDICAL SERVICES.

27 A racetrack facility must provide the following medical
28 facilities, equipment, and personnel:

29 A. a fully equipped first aid room with at least two
30 beds;

31 B. a licensed physician and registered nurse on duty
32 in the first aid room on all days during which horse racing is
33 conducted; and

34 C. an ambulance for humans with necessary equipment
35 and staff whenever the facility is open for racing or exercising

1 horses.

2 7873.0130 PREVENTION TO START.

3 In a thoroughbred or quarter horse race, if the doors in
4 front of a stall in a mechanically or electronically operated
5 starting gate should fail to open simultaneously with the other
6 stall doors, thereby preventing a horse from obtaining a fair
7 start when the starter dispatches the field, the following shall
8 apply:

9 A. If any horse is so prevented from starting, the
10 entire amount in the win, place, and show pools wagered on that
11 horse shall be promptly refunded unless the horse finishes
12 first, second, or third, in which case the horse shall be
13 considered a starter for all straight pools in which the horse
14 earned a placing and a non-starter in all other straight pools.
15 However, there shall be no refund if the horse is part of a
16 coupled entry or field.

17 B. If any horse is so prevented from starting, the
18 entire amount in the exacta pool wagered on that horse shall be
19 promptly refunded unless the horse finishes first or second, in
20 which case the horse shall be considered a starter for the
21 exacta pool in which the horse earned a placing. However, there
22 shall be no refund if the horse is a part of a coupled entry or
23 field.

24 C. [Unchanged.]

25 7873.0190 PICK SIX.

26 Subpart 1. to 5. [Unchanged.]

27 Subp. 6. Calculation of pool. The pick six pari-mutuel
28 pool shall be calculated as follows:

29 A. and B. [Unchanged.]

30 C. Should no distribution be made pursuant to item A
31 on the last day of the association's meeting, then the entire
32 distributable pool and all money accumulated in the pool shall
33 be distributed to the holders of tickets correctly designating
34 the most winning selections of the six races comprising the pick
35 six for that day. If, for any reason, the final day of racing

1 is canceled or the pick six pool has not been distributed, the
2 pool shall be escrowed by the association, and the pool, as well
3 as all accrued interest, shall be carried over and included in
4 the pick six pari-mutuel pool for the next succeeding racing
5 date as an additional net amount to be distributed.

6 Subp. 7. and 8. [Unchanged.]

7 Subp. 9. **Cancellation of race comprising pick six.** In the
8 event one or more of the races comprising the pick six is
9 canceled for any reason, or in the event one or more of the
10 races comprising the pick six is declared as no contest by the
11 stewards, 75 percent of the pari-mutuel pool shall not be
12 distributed but shall be retained by the association as
13 distributable amounts and shall be carried over and included in
14 the pick six pari-mutuel pool for the next succeeding racing
15 date as an additional net amount to be distributed. The
16 remaining 25 percent shall be distributed among the holders of
17 pick six tickets which correctly designate the most official
18 winners of the remaining races comprising the pick six. In the
19 event of the cancellation of all six races comprising the pick
20 six pool after wagering has been accepted on that day, a full
21 and complete refund must be made of the pari-mutuel tickets sold
22 on the pick six on that day. One hundred percent of the
23 remaining amount in the pick six pari-mutuel pool shall be
24 carried over and included in the pick six pari-mutuel pool for
25 the next succeeding racing date as an additional net amount to
26 be distributed.

27 Subp. 10. [Unchanged.]

28 7873.0191 PICK THREE.

29 Subpart 1. **Scope.** The pick three pari-mutuel pool is not
30 a parlay and has no connection with or relation to any other
31 pari-mutuel pool conducted by the association, nor to any win,
32 place, and show pool shown on the totalizator board, nor to the
33 rules governing the distribution of such other pools.

34 Subp. 2. **Ticket is evidence of binding contract.** A pick
35 three ticket shall be evidence of a binding contract between the

1 holder of the ticket and the racing association and the ticket
2 shall constitute an acceptance of the pick three provisions and
3 rules.

4 Subp. 3. Pick three may be given a distinctive name. A
5 pick three may be given a distinctive name to be selected by the
6 association conducting these races, subject to the approval of
7 the commission.

8 Subp. 4. Pick three pool. The pick three pari-mutuel pool
9 consists of amounts contributed for a selection for win only in
10 each of three races designated by the association with the
11 approval of the commission. Each person purchasing a pick three
12 ticket shall designate the winning horse in each of the three
13 races comprising the pick three.

14 Subp. 5. Coupled entries and fields. Those horses
15 constituting an entry of coupled horses or those horses coupled
16 to constitute the mutuel field in a race comprising the pick
17 three, shall race as a single wagering interest for the purpose
18 of the pick three pari-mutuel pool calculations and payouts to
19 the public. However, if any part of either an entry or the
20 field racing as a single wagering interest is a starter in a
21 race, the entry or the field selection shall remain as the
22 designated selection to win in that race for the pick three
23 calculation, and the selection shall not be deemed a scratch.

24 Subp. 6. Calculation of pool. The pick three pari-mutuel
25 pool shall be calculated as follows:

26 A. One hundred percent of the net amount in the
27 pari-mutuel pool subject to distribution among winning ticket
28 holders shall be distributed among the holders of pari-mutuel
29 tickets which correctly designate the official winner in each of
30 the three races comprising the pick three.

31 B. In the event no pari-mutuel ticket is sold
32 combining the three winners of the pick three, 100 percent of
33 the net amount in the pari-mutuel pool shall be distributed
34 among the holders of pari-mutuel tickets which include the
35 winners of two of the three races comprising the pick three.

36 C. In the event no pari-mutuel ticket is sold

1 combining two winners of the pick three, 100 percent of the net
2 amount in the pari-mutuel pool shall be distributed among
3 holders of pari-mutuel tickets which include the winner of any
4 one race comprising the pick three.

5 D. In the event no pari-mutuel ticket is sold that
6 would require distribution of the pick three pool to a winner
7 under this part, 100 percent of the net amount in the pick three
8 pari-mutuel pool shall be carried over and included in the pick
9 three pari-mutuel pool for the next succeeding racing date as an
10 additional net amount to be distributed.

11 E. If, for any reason, the final day of racing is
12 canceled or the pick three pool has not been distributed, the
13 pool shall be escrowed by the association, and the pool, as well
14 as all accrued interest, shall be carried over and included in
15 the pick three pari-mutuel pool for the next succeeding racing
16 date as an additional net amount to be distributed.

17 Subp. 7. **Cancellation of races comprising pick three.** If
18 for any reason one or two of the races comprising the pick three
19 is canceled, the net amount of the pari-mutuel pool shall be
20 distributed as provided in subpart 6, items B, C, and D.

21 If for any reason all of the races comprising the pick
22 three are canceled, a full and complete refund must be made of
23 the pari-mutuel tickets sold on the pick three on that day. One
24 hundred percent of the remaining amount in the pick three
25 pari-mutuel pool shall be carried over and included in the pick
26 three pari-mutuel pool for the next succeeding racing date as an
27 additional net amount to be distributed.

28 Subp. 8. **Actual favorite substituted for scratched horse.**
29 In the event a pick three ticket designates a selection in any
30 one or more of the races comprising the pick three and that
31 selection is scratched, excused, or determined by the stewards
32 to be a nonstarter in the race, the actual favorite, as
33 evidenced by the amounts wagered in the win pool at the time of
34 the start of the race, will be substituted for the nonstarting
35 selection for all purposes, including pool calculations and
36 payoffs.

1 Subp. 9. **Dead heats.** In the event of a dead heat for win
2 between two or more horses in any pick three race, all the
3 horses in the dead heat for win shall be considered as winning
4 horses in the race for the purpose of calculating the pool.

5 Subp. 10. **No pick three ticket to be exchanged or**
6 **canceled.** No pari-mutuel ticket for the pick three pool shall
7 be sold, exchanged, or canceled after the time of the closing of
8 wagering in the first of the three races comprising the pick
9 three, except for refunds on pick three tickets as required by
10 subpart 7, item B, and no person shall disclose the number of
11 tickets sold in the pick three pool or the number or amount of
12 tickets selecting winners of pick three races until the stewards
13 have determined the last race comprising the pick three to be
14 official.

15 Subp. 11. **Announcement of payoff prices.** After the second
16 of the three races comprising the pick three has been declared
17 official, an association may, with the approval of the
18 commission, post possible payoff prices to the public before the
19 start of the third race of the pick three.

20 7873.0195 DISTRIBUTION OF PICK SIX AND PICK THREE POOLS.

21 The commission may authorize the distribution or carry over
22 of the pick six pool according to part 7873.0190, subpart 6 and
23 the pick three pool according to part 7873.0191, subpart 6 on
24 each final day of racing of a breed and on the final day of
25 mixed breed racing within a race meeting. In determining
26 whether to distribute or carry over the pick six and/or pick
27 three pools, the commission must consider the type of breed
28 racing, assignment of future racing days, and the best interest
29 of racing.

30 In cases where a carry over would occur, the commission
31 must designate what constitutes the next succeeding racing date
32 to which the escrowed funds are to be carried over.

33 7876.0100 ON-TRACK STABLING.

34 Subpart 1. to 8. [Unchanged.]

35 Subp. 9. **Secure area.** The on-track stabling site is

1 considered a secure area and only designated licensees are
2 permitted within the confines of this area.

3 7877.0135 DUAL LICENSING.

4 In determining whether to issue more than one Class C
5 license to an applicant, the commission shall consider the
6 nature of the licenses sought or already held, and whether
7 holding multiple licenses would be a conflict of interest.

8 A. A person licensed as a jockey, veterinarian, or
9 farrier may not be licensed in another capacity.

10 B. No racing official may serve or act in a
11 nonofficial capacity at a race meeting at which he or she is
12 licensed as an official.

13 C. In addition to the prohibitions of item B, a
14 person licensed as an owner may not be licensed as a jockey
15 agent, nor may any person licensed as a jockey agent be licensed
16 as an owner.

17 D. No Class C licensee shall act in any capacity
18 other than that for which he or she is licensed.

19 7877.0145 EMERGENCY LICENSE.

20 Subpart 1. [Unchanged.]

21 Subp. 2. Owners. If an owner is unable to complete an
22 application for an owner's license because of absence or
23 illness, the licensed trainer desiring to enter a horse in a
24 race shall be permitted to apply for an emergency owner's
25 license on behalf of the absent owner.

26 The trainer applying for an emergency owner's license on
27 behalf of an absent owner must submit a notarized affidavit with
28 the license application specifying the reasons the owner is
29 unable to complete the application.

30 The trainer must, at the time of submission for an
31 emergency owner's license, provide at least the following
32 information: the owner's full name, home or business address,
33 telephone number, and social security number. At the time of
34 application, the appropriate licensing fee must be paid to the
35 commission. Failure to provide all of the foregoing information

1 is grounds for denial of an emergency owner's license.

2 Within 21 days of the issuance of the emergency owner's
3 license, the owner must submit a properly completed owner's
4 application, fingerprint card, and fingerprint fee. Failure to
5 provide the foregoing information is grounds for suspension of
6 the emergency owner's license. In addition, if the required
7 information is not submitted due to an act or omission on the
8 part of the trainer, the trainer may also be subject to
9 disciplinary action.

10 7877.0155 CONDITIONS PRECEDENT TO LICENSING.

11 Acceptance of a Class C license, including a temporary or
12 emergency license, shall mean that the licensee consents and
13 agrees to the following conditions:

14 A. to E. [Unchanged.]

15 F. The licensee will, upon request of the commission,
16 the commission's director of security, or the stewards, provide
17 a blood, breath, or urine sample for analysis if the duties of
18 the licensee place him or her in a position of danger or he or
19 she commits an act that endangers a horse or human.

20 G. and H. [Unchanged.]

21 7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

22 Subpart 1. **Owners.** Horse owners shall have the following
23 responsibilities:

24 A. to D. [Unchanged.]

25 E. A stable name must be registered with the
26 commission by filing an application on a form prescribed by the
27 commission and paying a \$50 annual fee. No person may use the
28 real name of any owner of race horses as a stable name. A
29 stable name which has already been registered may not be
30 registered by another owner.

31 (1) to (3) [Unchanged.]

32 Subp. 2. to 7. [Unchanged.]

33 Subp. 8. **Horsepersons' bookkeeper.** The horsepersons'
34 bookkeeper shall:

35 A. be bonded;

1 B. receive all stakes, entrance money, jockeys' fees,
2 drivers' fees, and purchase money in claiming races;

3 C. keep a complete and accurate record of all money
4 received, and make those records available for inspection by the
5 commission; and

6 D. not distribute any purse money to an individual
7 with an emergency license.

8 Subp. 9. [Unchanged.]

9 7877.0180 CONFLICTS.

10 Subpart 1. and 2. [Unchanged.]

11 Subp. 3. **Owners, trainers, drivers, or jockeys.** No owner,
12 trainer, driver, or jockey shall wager to win on any horse
13 except his or her own in a race in which he or she competes.

14 7878.0100 DEFINITIONS.

15 Subpart 1. to 8. [Unchanged.]

16 Subp. 9. **First aid course.** "First aid course" means the
17 Red Cross Multi Media Course (Basic).

18 Subp. 10. and 11. [Unchanged.]

19 7878.0140 CONTINUING EDUCATION.

20 Subpart 1. **Licensee shall successfully complete refresher**
21 **training.** No security officer's license may be renewed unless
22 the licensee or his or her appointing authority furnishes the
23 commission proof that the licensee has successfully completed,
24 on an annual basis, at least eight hours of refresher training
25 in the areas of:

26 A. first aid;

27 B. security plan, policy, and procedure of the racing
28 association; and

29 C. cardiopulmonary resuscitation.

30 Subp. 2. [Unchanged.]

31 7879.0100 QUALIFICATIONS AND APPOINTMENT OF STEWARDS.

32 Subpart 1. [Unchanged.]

33 Subp. 2. **Appointment and approval of stewards.** The
34 following procedures must be observed in the appointment of

1 stewards:

2 A. There shall be three stewards for each race
3 meeting, at least two of whom shall be appointed by the
4 commissioner. The third steward may be nominated by the
5 association for approval by the commission if the commission
6 determines that nomination by the association will be in the
7 best interests of racing.

8 The commission must notify the association if it will
9 accept an association's nomination for a steward. The name of
10 the association nominee for steward must be submitted no later
11 than 30 days before commencement of a race meeting and must be
12 accompanied by biographical data setting forth the experience
13 and qualifications of the nominee. No steward may serve until
14 approved by the commission.

15 B. [Unchanged.]

16 7883.0100 ENTRIES AND SUBSCRIPTIONS.

17 Subpart 1. to 15. [Unchanged.]

18 Subp. 15a. **Approval for blinkers.** No horse, to which
19 blinkers will be added or removed, may be entered in any race
20 without the prior written authorization of the starter. This
21 authorization must accompany the entry. Error in this procedure
22 may be corrected with the permission of the stewards at no later
23 than scratch time.

24 Subp. 16. and 17. [Unchanged.]

25 7884.0230 RACING EQUIPMENT.

26 Subpart 1. and 2. [Unchanged.]

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

32 Subp. 4. to 7. [Unchanged.]

33 7890.0110 MEDICATIONS PROHIBITED.

34 No person shall administer or cause to be administered to a

1 horse within 48 hours of a race in which it is scheduled to run
2 any medication (except as permitted by part 7890.0100, subpart
3 13, items A to D) by injection, oral or topical administration,
4 rectal infusion or suppository, or by inhalation and no horse
5 participating in a race shall carry in its body any substance
6 foreign to the natural horse.

7 7890.0120 REPORTING PROCEDURES.

8 Subpart 1. [Unchanged.]

9 Subp. 2. **Administration of Bute to be reported.** If a
10 horse is to race with Bute in its system, the trainer shall be
11 responsible for marking the information on the entry blank for
12 each race in which the horse shall use Bute. Changes made after
13 the time of entry must be submitted on the prescribed form to
14 the commission veterinarian no later than scratch time.

15 7890.0150 DISCLOSURE OF APPROVED MEDICATIONS TO PUBLIC.

16 The names of all horses that have been approved for race
17 day use of Lasix® must be identified in the daily racing
18 program. The names of all horses that have been treated with
19 Bute shall be posted on the public information boards in the
20 grandstand by the association by one hour before post time of
21 the first race on the day such horses are to race. Horses that
22 are racing for the first time using Lasix®, must be so
23 identified in the daily racing program.

24 7895.0100 GENERAL PROVISIONS.

25 Subpart 1. to 6. [Unchanged.]

26 Subp. 7. **Horses leased from Minnesota residents ineligible.**
27 Horses that are leased by Minnesota residents from non-Minnesota
28 residents and are not Minnesota-bred or foaled, are ineligible
29 to race as Minnesota-owned horses.

30 7897.0110 USE OF DRUGS AND ALCOHOL.

31 Subpart 1. **Drugs.** The commission, the commission's
32 director of security, or the stewards may, at any time, require
33 any licensee whose duties place him or her in a position of
34 danger, or who commits an act that endangers a horse or human,

1 to provide blood or urine samples for chemical analysis. If
2 such a licensee fails to comply with this requirement, the
3 licensee shall be suspended and referred to the commission to
4 show cause for refusing to do so.

5 Should a licensee be found to have levels of any
6 nonprescription, prohibited, or illegal drug, the licensee shall
7 be subject to disciplinary action by the stewards and the
8 commission.

9 Subp. 2. [Unchanged.]

10 7897.0115 FAILURE TO APPEAR.

11 No licensee shall fail to appear in any court of competent
12 jurisdiction on any criminal complaint, indictment, tab charge,
13 citation, or bench warrant.

14 7897.0120 DISCIPLINARY SANCTIONS.

15 Subpart 1. Licenses. Any licensee engaging in any
16 prohibited act as provided in parts 7897.0100 to 7897.0115 is
17 subject to license suspension or revocation, and/or the levying
18 of a fine as provided in part 7897.0130.

19 Subp. 2. and 3. [Unchanged.]

20 7897.0130 SCHEDULE OF FINES.

21 Subpart 1. to 5. [Unchanged.]

22 Subp. 6. Timetable for paying fines. All fines imposed by
23 the stewards or commission must be paid within 72 hours of the
24 date of the ruling imposing the fine. Failure to pay the fine
25 within the required time is grounds for suspension.

26 7897.0150 DISCIPLINARY AND APPEAL PROCEDURES.

27 Subpart 1. ~~to-4-~~ [Unchanged.]

28 Subp. 2. Penalties imposed by stewards. The stewards may
29 suspend the license of the holder up to ~~30~~ 90 days, and/or
30 impose a fine of up to ~~\$500~~ \$2,000 in accordance with the
31 schedule of fines in part 7897.0120; or they may order any other
32 appropriate disciplinary or corrective action.

33 Subp. 3. and 4. [Unchanged.]

34 Subp. 5. Stays of stewards' decisions. An appeal of a

1 stewards' decision will not automatically stay the decision. A
2 party may request the executive director to stay the decision.
3 The executive director may order a stay unless he or she
4 determines that a stay would adversely affect the public welfare.

5 Subp. 6. Procedure for appeal of decision of stewards.

6 Any affected party may appeal a decision of the stewards by
7 filing with the executive director a written request for an
8 appeal within three days, excluding Saturday, Sunday, and
9 holidays, after the stewards have orally advised the affected
10 party of the decision. The written request shall contain the
11 following information:

12 A. to E. [Unchanged.]

13 Subp. 7. Deposit shall be required. The appellant shall

14 deposit with the commission at the time of filing his or her
15 written request for an appeal the sum of \$50. The sum will be
16 refunded by the commission upon the conclusion of the appeal
17 unless the commission finds that the appeal was frivolous, in
18 which case the \$50 will be forfeited. In addition, if the
19 commission determines that the appeal was commenced in bad faith
20 for purposed of delay or was unreasonable and without substance
21 or merit, the commission may impose a fine of not more than \$450.

22 Subp. 8. and 9. [Unchanged.]

23 7897.0190 DISCIPLINARY ACTION BY COMMISSION.

24 Subpart 1. Contested case hearings. The commission may

25 take the following disciplinary action only after a contested
26 case hearing held in accordance with the contested case
27 procedures in Minnesota Statutes, chapter 14 and rules adopted
28 pursuant thereto:

- 29 A. revoke a Class A, B, C, or D license;
- 30 B. suspend or fine a Class A, B, or D license; and
- 31 C. suspend a Class C license for more than ~~30~~ 90

32 days, and/or fine a Class C license in an amount
33 exceeding ~~\$500~~ \$2,000.

34 Subp. 2. [Unchanged.]

35

05/06/87

[REVISOR] PMM/MM AR01080B

1 REPEALER. Minnesota Rules, part 7878.0120, subpart 3, is
2 repealed.