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ADMINISTRATIVE
HEARINGS

1 Minnesota Racing Commission

2

3 Adopted Permanent Rules Governing Horse Racing

4

5 Rules as Adopted

6 7870.0450 CONSTRUCTION, EXPANSION, EXTENSION, ALTERATION, OR
7 REMODELING OF FACILITIES.

8 No Class A or B licensee may construct, expand, extend,
9 alter, or remodel a racetrack facility at a cost in excess of
10 \$20,000 without the approval of the commission. Failure to
11 obtain approval is cause for revocation or suspension of a
12 license or imposition of a fine.

13 7870.0490 CARE OF HORSES.

14 A racetrack facility must provide the following facilities,
15 equipment, and personnel for horses:

16 [For text of items A and B, see M.R.]

17 C. stabling and training facilities available at
18 least two weeks before the start of the first race meeting for a
19 breed of horse in any year unless a different time period is
20 determined by contract between the association and the
21 horseperson's organization representing a majority of the
22 horsepersons;

23 [For text of items D and E, see M.R.]

24 7871.0070 INFORMATION WINDOW.

25 Each association shall provide at least one information or
26 complaint window where complaints may be made by members of the
27 public. Complaint forms must include the name, address, and
28 telephone number of the complainant, the date and nature of the
29 complaint, and the department or persons with whom the complaint
30 was made. When a patron makes a complaint, the association
31 shall forward a copy of the complaint along with the action or
32 proposed action taken, if any, to the commission staff within 48
33 hours of the complaint. A current set of all Minnesota
34 commission rules and all administrative rules of the state in

1 which the host racetrack is located regarding pari-mutuel
2 wagering shall be available for public inspection during racing
3 hours at every such window.

4 7871.0120 APPOINTMENT OF PRESIDING OFFICIAL.

5 Subpart 1. Requirement. All races on which pari-mutuel
6 betting is conducted on televised racing days may be presided
7 over by an official of the commission appointed by the director
8 of pari-mutuel racing.

9 [For text of subp 2, see M.R.]

10 7871.0150 EMERGENCY PROCEDURES FOR THE TOTALIZATOR SYSTEMS WHEN
11 POOLS ARE COMMINGLED.

12 Subpart 1. Interruption of the audio/visual satellite
13 signal from host racetrack. In the event of an interruption of
14 both the audio and video satellite signal from the host
15 racetrack, the guest track's mutuel manager must:

16 A. notify the host track of the loss of the signal;

17 B. notify the presiding official or designated
18 commission representative of the interruption;

19 C. establish telephone linkup with the host track
20 announcer to the PA system at the guest racetrack. The licensee
21 may continue to accept wagering on the balance of the program
22 and subsequent programs until the satellite downlink has been
23 reestablished. In the event this telephone link cannot be
24 established after the initial start-up audio or visual signal
25 had been established, the licensee may continue to accept
26 wagering for a period of two races. The guest track must inform
27 the public of the interruption, order of finish, and winning
28 payoffs by announcements made over the public address system
29 until the signal has been reestablished. In the event that the
30 initial audio or visual signal is not established, the guest
31 track must make an announcement to the public and refund any
32 advanced wagers, until the signals are established.

33 Subp. 2. Computer interface interruption.

34 A. In the event the guest totalizator system fails to
35 transfer the data to the host system, the guest mutuel manager

1 must notify either the host mutuel department or the host tote
2 system representatives and the designated commission
3 representative of the interruption. If necessary, the guest
4 mutuel manager will make a request to the host track for
5 additional time to attempt a retransmission of the data or a
6 manual merge before going official.

7 B. If the attempted retransfer of data fails, the
8 tote or mutuel representatives shall notify the stewards or the
9 designated commission representative that the transfer has
10 failed and that the pools must be merged manually. In the event
11 of a manual merge:

12 [For text of subitems (1) to (3), see M.R.]

13 [For text of items C and D, see M.R.]

14 Subp. 3. **Complete totalizator system failure at the guest**
15 **track.**

16 [For text of item A, see M.R.]

17 B. The host racetrack's mutuel manager and host tote
18 representatives must be notified of the system failure and all
19 wagers at the guest track on the race in which the system
20 failure occurred, and all advance wagers shall be taken out of
21 the pools at the host racetrack.

22 Subp. 4. **Complete totalizator system failure at the host**
23 **racetrack.**

24 [For text of items A and B, see M.R.]

25 C. In the event that separate pools are calculated,
26 the guest track must make an announcement to that effect.
27 On-track winning payoffs must also be announced or displayed.
28 The mutuel department and/or tote representative must submit to
29 the commission reports supporting the separate calculated
30 payoffs within 24 hours of the failure.

31 Subp. 5. **Notification and reporting.** In the event of an
32 emergency in connection with the pari-mutuels and/or tote system
33 covered in subparts 1 to 4 or in any situation not covered in
34 subparts 1 to 4, the pari-mutuel representative from the
35 association will notify the stewards or designated commission
36 representative of the interruption as soon as possible and

1 render a written report to the commission within 48 hours.

2 7872.0100 APPLICATION FOR RACING DAYS.

3 [For text of subps 1 to 6, see M.R.]

4 Subp. 7. **Variations to televised racing days within dates**
5 **previously approved by commission.** The director of pari-mutuel
6 racing may approve variations and changes in racing programs and
7 host racetracks if requested by the licensee provided that the
8 changes meet the criteria in part 7872.0110, subpart 2, and that
9 the association representative requesting the variations submit
10 documentation of the variations to the director of pari-mutuel
11 racing within 24 hours following the request.

12 7873.0120 PARI-MUTUEL BETTING.

13 Subpart 1. **Deficiencies.** In the event there is
14 insufficient money available in a net pari-mutuel pool to return
15 \$2.10 on each winning \$2 wager or \$1.05 on each winning \$1
16 wager, the association conducting the pari-mutuel betting shall
17 pay the deficiency from the gross breakage amount of the pools
18 involved in the race.

19 [For text of subp 2, see M.R.]

20 7873.0125 CALCULATION OF PAYOFFS.

21 [For text of subps 1 to 8, see M.R.]

22 Subp. 9. **Underpayments or overpayments.** In the event that
23 an error occurs in the calculation of payoff amounts for
24 pari-mutuel wagers which are cashed or entitled to be cashed
25 and, as a result causes overpayments or underpayments to occur,
26 the mutuel department will notify the commission and follow up
27 the notification with the appropriate reports. Underpayments
28 shall be moved to a special mutuel account the morning following
29 the day on which the underpayment occurred. Effort must be made
30 to notify the public of the underpayment. Unless a claim is
31 filed, the underpayments will remain in the special mutuel
32 account until such time that the meet or live racing season
33 during which the underpayment occurred is due to be purged and
34 will then be included as outs.

1 7873.0185 TRIFECTA.

2 [For text of subps 1 to 6, see M.R.]

3 Subp. 7. Restrictions on trifecta races. The restrictions
4 in items A and B apply to trifecta races.

5 A. Coupled or uncoupled entries and mutuel fields are
6 prohibited from starting in trifecta races.

7 B. At least eight betting interests must remain after
8 scratch time. However, should a scratch occur after the horses
9 leave the paddock, trifecta wagering shall be allowed. In no
10 event shall trifecta wagering be allowed on a race with fewer
11 than seven betting interests and all trifecta wagering must be
12 refunded. If time permits, the association may schedule exacta
13 wagering in place of trifecta wagering.

14 [For text of subp 8, see M.R.]

15 7873.0186 TWIN TRIFECTA.

16 [For text of subps 1 to 8, see M.R.]

17 Subp. 9. Restrictions on twin trifecta races. The
18 restrictions in items A and B apply to twin trifecta races.

19 A. All restrictions on trifecta races apply.

20 B. If fewer than seven horses are declared starters
21 for the first race of the twin trifecta, twin trifecta wagering
22 shall be canceled for that day and all twin trifecta wagers
23 shall be refunded. However, any accumulated second race twin
24 trifecta carryover will not be affected and will carry over to
25 the next consecutive race day. In the event this occurs on the
26 final program, the accumulated net pool of the second twin
27 trifecta race will be deposited in a trust account by the
28 association, and the pool, as well as all accrued interest,
29 shall be carried over and included in the second race twin
30 trifecta net pool for the next consecutive racing date as an
31 additional net amount to be distributed.

32 If fewer than seven horses are declared starters for the
33 second race of the twin trifecta, all holders of exchange
34 tickets to the second race of the twin trifecta will share
35 equally in that part of the second race net pool added in that

1 day. The amount carried over from previous days will not be
2 distributed and will be carried over to the next consecutive
3 race day. In the event this occurs on the final program, the
4 accumulated net pool of the second twin trifecta race will be
5 deposited in a trust account by the association, and the pool,
6 as well as all accrued interest, shall be carried over and
7 included in the second race twin trifecta net pool for the next
8 consecutive racing date as an additional net amount to be
9 distributed.

10 [For text of subp 10, see M.R.]

11 7873.0192 SUPER-TRI WAGERING AND POOLS.

12 [For text of subps 1 to 4, see M.R.]

13 Subp. 5. **Scratches.**

14 A. If fewer than seven horses are declared starters
15 for the first race of the super-tri, super-tri wagering shall be
16 canceled for that day and all super-tri wagers shall be
17 refunded. However, any accumulated second race super-tri
18 carryover will not be affected and will carry over to the next
19 consecutive race day.

20 If fewer than seven horses are declared starters for the
21 second race of the super-tri, all holders of exchange tickets to
22 the second race of the super-tri will share equally in that part
23 of the second race net pool added in that day. The amount
24 carried over from previous days will not be distributed and will
25 be carried over to the next consecutive race day.

26 [For text of items B and C, see M.R.]

27 [For text of subps 6 to 8, see M.R.]

28 Subp. 9. **Restrictions on super-tri races.**

29 A. All restrictions on super-tri races shall apply.

30 B. If fewer than seven horses are declared starters
31 for the first race of the super-tri, super-tri wagering shall be
32 canceled for that day and all super-tri wagers shall be
33 refunded. However, any accumulated second race super-tri
34 carryover will not be affected and will carryover to the next
35 consecutive race day, including mandatory distribution days. In

1 the event this occurs on the final program, the accumulated net
2 pool of the second race super-tri race will be deposited in a
3 trust account by the association, and the pool, as well as all
4 accrued interest, shall be carried over and included in the
5 second race super-tri net pool for the next consecutive racing
6 date as an additional net amount to be distributed.

7 If fewer than seven horses are declared starters for the
8 second race of the super-tri, all holders of exchange tickets to
9 the second race of the super-tri will share equally in that part
10 of the second race net pool added on that day. The amount
11 carried over from previous days will not be distributed and will
12 be carried over to the next consecutive race day, including
13 mandatory distribution days. In the event this occurs on the
14 final program, the accumulated net pool of the second super-tri
15 race will be deposited in a trust account by the association,
16 and the pool, as well as all accrued interest, shall be carried
17 over and included in the second race super-tri net pool for the
18 next consecutive racing date as an additional net amount to be
19 distributed.

20 [For text of subp 10, see M.R.]

21 7873.0230 INFORMATION WINDOW.

22 Each association shall provide at least one information or
23 complaint window where complaints may be made by members of the
24 public. Complaint forms must include the name, address, and
25 telephone number of the complainant, the date and nature of the
26 complaint, and the department or persons with whom the complaint
27 was made. When a patron makes a complaint, the association
28 shall forward a copy of the complaint along with the action or
29 proposed action taken, if any, to the commission staff within 48
30 hours of the complaint. A current set of all commission rules
31 regarding the conduct of pari-mutuel wagering shall be available
32 for public inspection during racing hours at every such window.

33 7874.0100 GENERAL PROVISIONS.

34 [For text of subps 1 and 2, see M.R.]

35 Subp. 3. Payment of unredeemed tickets. After reporting

1 to the commission, pursuant to Minnesota Statutes, section
2 240.13, and not later than 100 days after the end of a race
3 meeting, a Class B licensee must remit to the commission an
4 amount equal to the total value of unredeemed tickets from the
5 race meeting in the same manner as in subpart 2. Within ten
6 days after the end of a race meeting, excluding Saturdays,
7 Sundays, and holidays, a Class D licensee must remit to the
8 commission an amount equal to the value of unredeemed tickets
9 from the race meeting.

10 [For text of subp 4, see M.R.]

11 7877.0120 FEES.

12 Subpart 1. License fees. Each application for a Class C
13 license, or its renewal, shall be accompanied by the payment of
14 an annual fee according to the following schedule:

15 [For text of items A to O, see M.R.]

16 P. owner, multiple, corporate, partnership, or
17 stable, \$35;

18 [For text of items Q to Z, see M.R.]

19 AA. association staff, permanent, \$35;

20 BB. owner/trainer/driver, \$25; and

21 CC. with the exception of owner/trainer/driver, all
22 applicants to participate at a Class D licensed facility, \$10.

23 [For text of subps 2 to 4, see M.R.]

24 7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.

25 [For text of subpart 1, see M.R.]

26 Subp. 2. Multiple owners. Applicants for a multiple
27 owner's license must comply with subpart 1 and the following
28 requirements.

29 [For text of items A to G, see M.R.]

30 H. A stable is defined as any ownership operating
31 under a name other than their own name and must be registered
32 with the commission by filing an application on a form
33 prescribed by the commission. No person may use the real name
34 of another owner of race horses as a stable name. A stable name
35 which has already been registered may not be registered by

1 another owner. The granting of a stable name registration by
2 the commission shall not relieve any person from the obligation
3 to file or register a fictitious name as provided by the laws of
4 Minnesota. The registration of a stable name must reflect all
5 actual ownership interests.

6 [For text of subps 3 to 16, see M.R.]

7 7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

8 Subpart 1. **Owners.** Horse owners shall have the following
9 responsibilities:

10 [For text of items A to D, see M.R.]

11 [For text of subps 2 to 6, see M.R.]

12 Subp. 7. **Jockey's agent.** A jockey's agent shall keep a
13 written record of all engagements made for jockeys he or she
14 represents. The record shall be accurate and up-to-date, and
15 shall be available at all times for inspection by the stewards.

16 No jockey agent shall be permitted to contract riding
17 engagements for more than two jockeys and one apprentice
18 jockey. No agent may arrange more than two calls for a jockey
19 in any race and shall designate one of the engagements as a
20 first call and the other as a second call.

21 A jockey's agent shall be in the racing secretary's office,
22 or shall check-in with the racing secretary's office, at scratch
23 time to confirm a jockey's commitments for the day's program.

24 A jockey's agent shall notify the stewards in writing if he
25 or she no longer intends to serve as agent for any jockey. When
26 so notifying the stewards, the agent also shall turn over to the
27 stewards a list of any unfulfilled engagements that he or she
28 has made for the jockey.

29 [For text of subps 8 to 10, see M.R.]

30 7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

31 [For text of subps 1 and 2, see M.R.]

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

35 [For text of items A to C, see M.R.]

1 D. The following starter's duties and
2 responsibilities are applicable only to thoroughbred or quarter
3 horse racing:

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

7 [For text of subitems (2) to (6), see M.R.]

8 [For text of subps 4 to 7, see M.R.]

9 Subp. 8. **Commission veterinarian.** The commission
10 veterinarian shall maintain a list of the following:

11 A. horses that are scratched because of illness or
12 injury;

13 B. horses that are pulled up because of lameness or
14 other injury during a race;

15 C. horses that are bleeders, pursuant to part
16 7890.0140, subpart 1; and

17 D. horses otherwise considered unfit to race in the
18 professional judgment of the commission veterinarian or the
19 association veterinarian.

20 The veterinarian's list shall be posted in the racing
21 secretary's office, and any horse whose name is on the list
22 shall be ineligible to start in a race for five calendar days,
23 or until the commission veterinarian or association veterinarian
24 removes it from the list, whichever is later. For purposes of
25 this subpart, the five-day period during which a horse is
26 ineligible to start begins to run on the first day the horse is
27 placed on the list. The veterinarian's list is binding on all
28 racetracks under the jurisdiction of the commission.

29 The commission veterinarian shall conduct racing soundness
30 examinations pursuant to part 7891.0100. If the veterinarian
31 finds that any horse is unfit to race he or she shall notify the
32 stewards immediately.

33 The commission veterinarian shall supervise the operation
34 of a barn for the detention and testing of horses after each
35 race pursuant to chapter 7890.

36 The commission veterinarian shall have the authority to

1 draw blood from any horse or pony on the grounds of an
2 association for the purpose of conducting an Agar-Gel
3 immunodiffusion (Coggins) test, and shall supervise the removal
4 from the racetrack of any horse or pony having positive Coggins
5 test results.

6 In the event of a veterinary emergency where the owner's
7 veterinarian is not on racetrack grounds, the commission
8 veterinarian or association veterinarian may administer
9 emergency treatment on the request of the owner or the owner's
10 agent. In such cases the owner is responsible for any costs
11 incurred.

12 [For text of subps 8a to 15, see M.R.]

13 7878.0100 DEFINITIONS.

14 [For text of subps 1 to 8, see M.R.]

15 Subp. 9. **First aid course.** "First aid course" means the
16 Red Cross or American Heart Association basic course.

17 [For text of subps 10 and 11, see M.R.]

18 7878.0110 MINIMUM SELECTION STANDARDS.

19 Subpart 1. **Applicant must meet selection standards.** A
20 person eligible to be licensed by the commission as a security
21 officer must be an employee of a Class A, B, or D licensee and
22 shall meet the following minimum selection standards prior to
23 being appointed a security officer. The appointing authority
24 may certify that the applicant has already completed certain of
25 these standards and provide documentation to that effect
26 pursuant to subpart 2. In all cases, the security officer must:

27 A. be a citizen of the United States;

28 B. complete a comprehensive written Minnesota racing
29 commission license application;

30 C. submit to a thorough background search by the BCA
31 to disclose the existence of any criminal record or conduct
32 which would adversely affect the performance of the security
33 officer's duties;

34 D. not have been convicted of a felony in Minnesota
35 (or in any other state or federal jurisdiction which would have

1 been a felony if committed in Minnesota), or criminal theft, or
2 a pari-mutuel horse racing or gambling crime;

3 E. provide fingerprint cards to the commission;

4 F. undergo a thorough medical examination conducted
5 by a licensed physician to determine that the individual is free
6 from any physical defect which might adversely affect his or her
7 performance as a security officer; and

8 G. pass an oral examination conducted by the
9 appointing authority to demonstrate the existence of
10 communication skills necessary to perform the duties and
11 functions of a security officer.

12 [For text of subp 2, see M.R.]

13 7878.0130 BASIC COURSE.

14 Subpart 1. Applicant shall successfully complete basic
15 course. No security officer may be licensed unless the officer
16 or his or her appointing authority furnishes proof to the
17 commission that the prospective licensee has successfully
18 completed a basic course which includes at least 16 hours of
19 instruction in the following subject areas:

20 A. Minnesota criminal statutes;

21 B. Minnesota horse racing statutes;

22 C. criminal procedure;

23 D. rights of individuals (constitutional law);

24 E. Minnesota Racing Commission rules;

25 F. security operations and procedures;

26 G. first aid;

27 H. cardio pulmonary resuscitation (CPR); and

28 I. report writing.

29 [For text of subps 2 and 3, see M.R.]

30 7879.0100 QUALIFICATIONS AND APPOINTMENT OF STEWARDS.

31 Subpart 1. Qualifications for stewards. No person may
32 qualify for commission appointment or approval as a steward
33 unless:

34 A. he or she has served as a steward, director of
35 racing, racing secretary, assistant racing secretary, starter,

1 placing judge, patrol judge, paddock judge, identifier, clerk of
2 scales, or other racing officials' position at one or more
3 recognized race meetings for a period of not less than 60 days
4 per year during at least three of the five preceding calendar
5 years or has had at least five years experience as a trainer or
6 a jockey. In the case of racing at a Class B facility, other
7 than in an emergency situation, all candidates must be formally
8 accredited by the Association of Racing Commissioners
9 International;

10 [For text of items B and C, see M.R.]

11 Subp. 2. **Appointment and approval of stewards.** The
12 following procedures must be observed in the appointment of
13 stewards:

14 A. There shall be three stewards for each race
15 meeting, at least two of whom shall be appointed by the
16 commission. The third steward may be nominated by the
17 association for approval by the commission.

18 The commission must notify the association if it will
19 accept an association's nomination for a steward. The name of
20 the association nominee for steward must be submitted no later
21 than 30 days before commencement of a race meeting and must be
22 accompanied by biographical data setting forth the experience
23 and qualifications of the nominee. No steward may serve until
24 approved by the commission.

25 [For text of item B, see M.R.]

26 7883.0100 ENTRIES AND SUBSCRIPTIONS.

27 [For text of subps 1 to 6, see M.R.]

28 Subp. 7. **Coupled entries.** Except in stakes races and
29 races which are conditioned for horses eligible for specified
30 stakes, not more than two horses of the same licensed ownership
31 or interest shall be entered and started in a race.

32 [For text of items A and B, see M.R.]

33 C. All horses owned wholly or in part by the same
34 person, or his or her spouse, shall be coupled and run as an
35 entry.

1 [For text of subps 8 to 15a, see M.R.]

2 Subp. 16. **Workout requirements.** In order to be eligible:

3 A. A horse which has not started for a period of 30
4 days or more shall not be eligible to start until it has
5 completed one timed workout no less than 48 hours prior to the
6 race in which it is entered. Any day of entry workout following
7 the entry of a horse shall appear on the official daily racing
8 program or shall be posted for the public.

9 B. A horse which has not started for a period of 60
10 days or more shall not be eligible to start until it has
11 completed two timed workouts no less than 48 hours prior to the
12 race in which it is entered.

13 C. First-time starters must have gate approval and a
14 minimum of two timed workouts, one of which must be out of the
15 gate within 60 days prior to the race in which it is entered.

16 D. A horse, other than a first-time starter, which
17 has not started for a period of one year or more shall not be
18 eligible to start until it has completed three timed workouts,
19 at least one of which must be before the commission veterinarian
20 or the association veterinarian not less than 72 hours prior to
21 the race in which it is entered.

22 [For text of item E, see M.R.]

23 [For text of subps 17 and 18, see M.R.]

24 7883.0130 **PENALTIES AND ALLOWANCES.**

25 Subpart 1. **Determining penalties and allowances.**

26 Penalties and allowances shall be determined as follows.

27 [For text of items A to D, see M.R.]

28 E. Eligibility, penalties, and allowances of weight
29 for all races will be determined from the reports, records, and
30 statistics published by the Daily Racing Form, Equibase, or
31 furnished by the Arabian Jockey Club (Colorado), and from
32 information contained on Jockey Club (Lexington) foal
33 certificates, and from certificates issued by the American
34 Quarter Horse Association (AQHA), and the Arabian Horse Registry
35 of America, Inc. (AHRA). Information contained on these

1 certificates that is not published by the Daily Racing Form, or
2 certified by the AQHA, or certified by the Arabian Jockey Club
3 (AJC), will not be considered. Responsibility for weight
4 carried and eligibility still remains with the owner and trainer
5 as provided in part 7883.0100, subpart 15.

6 [For text of items F and G, see M.R.]

7 [For text of subps 2 to 4, see M.R.]

8 7883.0140 CLAIMING RACES.

9 [For text of subps 1 to 6, see M.R.]

10 Subp. 7. **Invalid claims.** A claim is invalid if:

11 A. the name of the horse to be claimed is erroneously
12 spelled or is not specified in the space provided on the claim
13 form;

14 B. the claimant does not have at least the amount of
15 the claim and any applicable tax on deposit or credited with the
16 horsepersons' bookkeeper;

17 C. the claim form does not specify the designated
18 price as printed in the program, or is not signed, or does not
19 fully indicate the name of the party making the claim, or is
20 otherwise incorrectly completed; or

21 D. the claim envelope is inaccurate.

22 [For text of subps 8 to 20, see M.R.]

23 Subp. 21. [See repealer.]

24 [For text of subps 22 to 30, see M.R.]

25 7883.0160 POST TO FINISH.

26 [For text of subps 1 to 5, see M.R.]

27 Subp. 6. **Interference and willful fouling.** The following
28 rules shall apply with respect to the running of a race.

29 [For text of items A and B, see M.R.]

30 C. During a race no jockey shall willfully strike or
31 touch another jockey or another jockey's horse or equipment for
32 the purpose of interfering with that horse or jockey, nor shall
33 a jockey strike his or her horse on or about the head area. A
34 jockey shall use a whip in a manner consistent with using his or
35 her best efforts to win. This does not mean that a jockey must

1 use the whip indiscriminately. Jockeys are prohibited from
2 whipping a horse:

3 (1) on the head, flanks, or on any part of its
4 body other than the shoulders or hind quarters;

5 (2) during the post parade except when necessary
6 to control the horse;

7 (3) excessively or brutally causing welts or
8 breaks in the skin;

9 (4) when the horse is clearly out of the race or
10 has obtained its maximum placing;

11 (5) persistently even though the horse is showing
12 no response under the whip; or

13 (6) after the race.

14 Correct uses of the whip are:

15 (a) showing horses the whip before hitting
16 them;

17 (b) using the whip in rhythm with the
18 horse's stride; and

19 (c) using the whip as an aid to maintain a
20 horse running straight.

21 [For text of items D and E, see M.R.]

22 Subp. 7. Determination of disqualifications. The stewards
23 are vested with sole and complete power and authority to
24 determine when a disqualification is proper, its extent, and
25 whether it applies to any other part of an entry. Their
26 decision shall be final.

27 [For text of items A and B, see M.R.]

28 C. In the event of a disqualification, the stewards,
29 at the request of the owner of the disqualified horse, shall
30 review the race with that owner within 72 hours of the race.

31 [For text of subps 8 to 14, see M.R.]

32 7890.0140 BLEEDERS.

33 [For text of subps 1 and 2, see M.R.]

34 Subp. 3. Bleeders imported from other jurisdictions. A
35 horse shipped into Minnesota from another jurisdiction shall be

1 allowed to race on Lasix® provided it raced on Lasix® in its
 2 last start, and documentation to that effect is submitted to and
 3 accepted by the commission veterinarian at the Minnesota
 4 racetrack to which it is shipped; and that this transmission
 5 occurs prior to the initial entry of the horse into a race at
 6 the current race meeting.

7 [For text of subp 4, see M.R.]

8 Subp. 5. **Restrictions on confirmed bleeders.** Confirmed
 9 bleeders shall be subject to the following restrictions:

10 A. For the first observed bleeding in Minnesota, the
 11 horse shall be placed on the bleeder list and the veterinarian's
 12 list and shall not be removed from the veterinarian's list
 13 without the approval of the commission veterinarian. Such a
 14 horse shall be ineligible to race for at least 12 days following
 15 the observed bleeding.

16 B. When a horse has been observed bleeding for the
 17 second time in Minnesota, the horse shall be placed on the
 18 veterinarian's list and shall not be removed from the list
 19 without the approval of the commission veterinarian. Such a
 20 horse shall be ineligible to race for at least 21 days following
 21 the observed bleeding.

22 [For text of items C to E, see M.R.]

23 [For text of subps 6 to 10, see M.R.]

24 7892.0120 **TAKING OF SAMPLES.**

25 Subpart 1. **Horses tested.**

26 A. Blood and/or urine test samples shall be taken
 27 from at least two horses, one of which must be the winning horse
 28 in every race.

29 [For text of items B to D, see M.R.]

30 [For text of subps 2 to 6, see M.R.]

31 7895.0110 **THOROUGHBRED BREEDERS' FUND.**

32 Subpart 1. **Definitions.** For purposes of this part, the
 33 following terms have the meaning given them unless another
 34 intention clearly appears.

35 A. "Minnesota-foaled" or "Minnesota-bred" means a

1 horse foaled in Minnesota by a Minnesota registered broodmare.

2 [For text of item B, see M.R.]

3 [For text of subps 2 to 8, see M.R.]

4 7895.0125 THOROUGHBRED REGISTRATION.

5 [For text of subps 1 and 2, see M.R.]

6 Subp. 3. Foal registration and certification. For a horse
7 foaled by a Minnesota registered broodmare in Minnesota to be
8 registered and subsequently certified as a Minnesota-bred, the
9 following requirements must be met:

10 A. Within 30 days of the date a horse is foaled in
11 Minnesota, the foal must be registered with the racing
12 commission or official registering agency. The registration
13 form must contain the following information: the date, the name
14 of the owner of the foaling dam, the jockey club registration
15 number of the foaling broodmare, the date that the foal was
16 born, an owner's statement that the foal was born in Minnesota,
17 and the signature and veterinary license number of the
18 veterinarian submitting the report. Failure to submit the
19 veterinarian's report will disqualify any subsequent claim to
20 register the foal as Minnesota-bred.

21 [For text of items B to E, see M.R.]

22 REPEALER. Minnesota Rules, part 7883.0140, subpart 21, is
23 repealed.