

1.1 **Minnesota Racing Commission**1.2 **Proposed Permanent Rules Relating to Horse Racing**1.3 **7869.0100 DEFINITIONS.**1.4 [For text of subps 1 to 57a, see M.R.]1.5 Subp. 57b. **Stable area.** "Stable area" means that part of the grounds that contains
1.6 the barn area, tracks, and paddock.1.7 [For text of subps 58 to 69, see M.R.]1.8 **7870.0480 MEDICAL SERVICES.**1.9 A racetrack facility must provide at least, the following medical facilities, equipment,
1.10 and personnel:

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

1.12 B. a licensed physician or paramedic ~~and certified emergency medical~~
1.13 ~~technician on duty in the first aid room on all days during which horse racing is conducted~~
1.14 on the grounds during live racing hours; and1.15 C. ~~an ambulance for humans with necessary equipment and staff whenever~~
1.16 ~~the facility is open for racing or exercising horses.~~ an emergency response team of not
1.17 less than two emergency medical technicians must be on the grounds and equipped with
1.18 essential emergency equipment during qualifying and live racing, training, or horse
1.19 exercising hours.1.20 **7873.0188 SUPERFECTA.**1.21 [For text of subps 1 to 6, see M.R.]1.22 Subp. 7. **Restrictions on superfecta races.** In no event shall superfecta wagering be
1.23 allowed with fewer than ~~seven~~ six betting interests. If for any reason superfecta wagering
1.24 is canceled, all superfecta wagers must be refunded.

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

2.2 **7876.0100 ON-TRACK STABLING.**

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

2.4 Subp. 5. **Restrictions.** No action on a stall application shall be based upon:

2.5 A. the race, color, creed, religion, national origin, disability, marital status,
2.6 sexual orientation, or sex of the applicant;

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

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

2.9 **7876.0110 OFF-TRACK STABLING.**

2.10 [For text of subp 1, see M.R.]

2.11 Subp. 2. **Requirements of commission must be met at racetrack.** All workout,
2.12 tattooing, freeze branding, microchips, approval from the starting gate, and eligibility
2.13 requirements of the commission or stewards must be secured at a licensed racetrack at
2.14 which racing is being conducted. However, workouts may be obtained at sites approved by
2.15 the commission and which are staffed by a clocker or clockers licensed by the commission.

2.16 [For text of subp 3, see M.R.]

2.17 **7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.**

2.18 [For text of subp 1, see M.R.]

2.19 Subp. 2. **Trainers.** Trainers shall have the following responsibilities.

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

2.21 N. A trainer is responsible for notifying the racing secretary of any
2.22 circumstances that would necessitate changing a horse's registration or eligibility papers.
2.23 This includes notifying the racing secretary when a horse is "nerved" pursuant to part

3.1 7897.0100, subpart 11, and immediately reporting the alteration of the sex of a horse to
3.2 the horse identifier and racing secretary.

3.3 [For text of items O to T, see M.R.]

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

3.5 Subp. 9. **Veterinarians.** The following shall apply to veterinarians licensed by
3.6 the commission:

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

3.8 C. All drugs, substances, medication, venom, or biological product
3.9 administered, dispensed, or carried by a veterinarian on the grounds of an association
3.10 must be FDA or USDA approved. A veterinarian may possess substances that are FDA
3.11 or USDA approved, but not specifically for use on the horse, only by providing prior
3.12 notice to the commission's veterinarian and the Board of Stewards. Veterinarians shall not
3.13 possess medications or substances without a specific manufacturer's name, lot number,
3.14 and expiration date.

3.15 [For text of items D to H, see M.R.]

3.16 I. No veterinarian shall have contact with an entered horse on race day except
3.17 for administration of furosemide under the guidelines in part 7890.0100, subpart 13, and
3.18 medical emergencies under the guidelines in part 7890.0160.

3.19 [For text of subps 9a and 10, see M.R.]

3.20 **7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.**

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

3.22 Subp. 7. **Claims clerk (thoroughbred, quarterhorse, and arabian only).** The
3.23 claims clerk shall ensure that the claim slip for a horse is deposited in the claim box in
3.24 accordance with part 7883.0140, subpart 2.

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

4.4 The claims clerk shall ascertain whether:

4.5 A. errors exist in the form or deposit of the claim;

4.6 B. the claimant has established eligibility to claim;

4.7 C. the claimant has the amount of the claim to the claimant's credit; and

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

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

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

4.13 Subp. 13. **Outrider.** The outriders shall be responsible for the orderly conduct of
4.14 horses on the race course during training and racing hours.

4.15 The outriders shall be present on the race course, mounted and ready to assist in
4.16 the control of any unruly horse or to recapture any loose horse, at all times that horses
4.17 are permitted on the race course, for thoroughbred, quarterhorse, arabian racing, and
4.18 for harness racing during racing periods.

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

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

4.23 [For text of subps 14 and 15, see M.R.]

4.24 **7883.0140 CLAIMING RACES.**

5.1 Subpart 1. **Who may claim.** In claiming races any horse is subject to claim for its
5.2 entered price by any person who is eligible to claim or by his or her authorized agent. The
5.3 following persons shall be eligible to claim:

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

5.5 D. An applicant for an owner's license who has not previously had a horse
5.6 registered to race at the current meeting and who purchases a horse registered to race
5.7 by private sale, provided that ~~21 calendar days, not including the date of the sale, have~~
5.8 ~~elapsed between the date of the private sale and the date of the claim~~ the applicant is
5.9 eligible to be licensed pursuant to part 7877.0130, subparts 1 and 2.

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

5.11 **7883.0170 RACING EQUIPMENT.**

5.12 A. No bridle shall weigh more than two pounds, and no whip shall weigh more
5.13 than one pound. No whip shall be used unless it has affixed to its end a leather popper
5.14 not less than 1-1/4 inches in width, and not over three inches in length, and be feathered
5.15 above the popper with not less than three rows of leather feathers, each feather not less
5.16 than one inch in length. No whip shall exceed 31 inches in length. All whips are subject to
5.17 inspection and approval by the stewards. Toe grabs other than wear plates with a height no
5.18 greater than four two millimeters (0.15748 0.07874 inches), bends, jar caulks, stickers, and
5.19 any other traction device worn on the front shoes of horses while flat racing or training on
5.20 any track surface or condition all racing surfaces are prohibited.

5.21 B. Once inspected and approved by the stewards, no changes may be made in
5.22 the equipment covered by this part, without subsequent approval of the stewards.

5.23 **7884.0120 ELIGIBILITY AND ENTERING.**

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

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

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

6.4 C. if the horse is leased;

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

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

6.7 [For text of items D to G, see M.R.]

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

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

6.12 [For text of subps 14 and 15, see M.R.]

6.13 **7890.0100 DEFINITIONS.**

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

6.15 Subp. 3b. **Biological product.** "Biological product" means any virus, therapeutic
6.16 serum, toxin, antitoxin, or analogous product applicable to the prevention, treatment, or
6.17 cure of diseases or injuries.

6.18 [For text of subps 4 to 21, see M.R.]

6.19 **7890.0120 REPORTING PROCEDURES.**

6.20 Subpart 1. **Veterinarians must keep records.** Veterinarians must submit daily to the
6.21 commission veterinarian, in writing on a prescribed form, a report of all horses treated.
6.22 The form shall contain the date and time, name of horse treated, trainer of horse, any
6.23 medications, drugs, substances (as provided in part 7890.0100, subpart 13, items A to D),
7.1 or procedures prescribed, administered, dispensed, or performed for horses registered at a

7.2 current race meeting, and any other information requested by the commission veterinarian.
7.3 The form must be filed by the treating veterinarian not later than post time of the race for
7.4 which the horse is entered. The form shall be signed by the treating veterinarian. The
7.5 form is considered confidential and its content shall not be disclosed except in the course
7.6 of an investigation of a possible violation of chapters 7869 to 7899, or in a proceeding
7.7 before the stewards or commission, or to the trainer or owner of record at the time of
7.8 treatment. A timely and accurate filing of the form that is consistent with the analytical
7.9 results of a positive test may be used as a mitigating factor in determining the nature and
7.10 extent, if any, of a rules violation.

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

7.12 Subp. 3. Administration of furosemide to be reported. If a horse is to race with a
7.13 permitted level of furosemide in its system, the trainer is responsible for legibly and
7.14 clearly marking this information on the entry blank for each race in which the horse
7.15 shall use a permitted level of furosemide.

7.16 **7890.0160 RESPONSIBILITY OF VETERINARIAN.**

7.17 No veterinarian may administer a medication, alkalinizing agent, blood doping agent,
7.18 venom, or substance foreign to the natural horse to any horse that is scheduled to race
7.19 within 48 hours, except as permitted in part 7890.0100, subpart 13, or in the case of a
7.20 medical emergency requiring immediate treatment, without the prior permission of the
7.21 commission veterinarian. No veterinarian may place a nasogastric tube in a horse that is
7.22 scheduled to race within 48 hours, except in the case of a medical emergency requiring
7.23 immediate treatment. No veterinarian may enter the stall of or otherwise handle a horse
7.24 that is scheduled to race ~~within four hours~~ on race day, except in the case of a medical
7.25 emergency requiring immediate treatment without the prior permission of the commission
7.26 veterinarian. In emergency cases it is the responsibility of the attending veterinarian to
8.1 notify the commission veterinarian of the nature of the emergency and the exact treatment

8.2 provided. The notification must be made as soon as practical (within one-half hour
8.3 of an emergency that occurs during training or racing hours or by 8:00 a.m. on the
8.4 morning following an emergency which occurred during evening or night hours) and on a
8.5 form prescribed by the commission. At the request of the commission veterinarian, the
8.6 veterinarian must provide radiographs, laboratory tests, and results of other diagnostic
8.7 procedures within 24 hours.

8.8 **7892.0120 TAKING OF SAMPLES.**

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

8.10 Subp. 3. **Witnesses.** The taking and sealing of any test sample must be witnessed
8.11 or acknowledged by the signature of the trainer of the horse or ~~his or her~~ the trainer's
8.12 designee or in the event of an emergency involving an entered horse on race day in the
8.13 stable area of a Class A licensee by another licensee present at the scene. The owner
8.14 ~~and/or~~ or trainer of a horse, or ~~their designees~~ a designee, may be present at all times
8.15 during the taking and sealing of the test samples.

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

8.17 Subp. 5. **Split samples.**

8.18 A. A portion of the sample from each horse tested, after a sufficient amount has
8.19 been sent to the official laboratory, must be preserved by the commission. In the absence
8.20 of urine for split sample testing, urine from the original testing laboratory, if available,
8.21 may be sent to the designated split sample laboratory for analysis. It must be available for
8.22 testing at the request of a person accused of a violation of chapter 7890. The commission
8.23 shall approve a list of laboratories which may provide split sample testing. From this
8.24 list, a person accused of a violation of chapter 7890 shall designate the laboratories in
8.25 descending order of preference. The sample must be sent to the laboratory given the
8.26 highest preference and that is capable of testing for the substance within 14 days. The
9.1 commission veterinarian shall have overall responsibility for the storage, safeguarding,

9.2 and shipment of the split sample and for the receipt of results from the drug testing
9.3 laboratory to which the sample was sent.

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

9.5 [For text of subp 6, see M.R.]

9.6 **7897.0100 PROHIBITED ACTS.**

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

9.8 Subp. 15. **Removing a horse without permission.** No person shall remove from the
9.9 stable area of a licensed racetrack any horse without the written permission of the racing
9.10 secretary or the stewards. No person shall remove from the stable area of a licensed
9.11 racetrack any horse that is in the entries without written permission of the stewards.

9.12 [For text of subps 16 to 19, see M.R.]

9.13 Subp. 20. **Possession or use of a drug, substance, medication, biological product,**
9.14 **or venom.**

9.15 A. No person may possess or use a drug, substance, medication, biological
9.16 product, or venom on the premises of a facility under the jurisdiction of the commission:

9.17 (1) for which a recognized analytical method has not been developed to
9.18 detect and confirm the administration of such substance;

9.19 (2) the use of which may endanger the health and welfare of the horse or
9.20 endanger the safety of the rider; or

9.21 (3) the use of which may adversely affect the integrity of racing.

9.22 B. No person may possess or use a drug, substance, medication, biological
9.23 product, or venom on the premises of a facility under the jurisdiction of the commission
9.24 that has not been approved by the United States Department of Agriculture (USDA) or

10.1 the FDA for any use in human or animal without prior permission of the stewards and
 10.2 commission veterinarian.

10.3 C. No person may possess or use venom or blood doping agents, including but
 10.4 not limited to those listed in subitems (1) to (4) on the premises of a facility under the
 10.5 jurisdiction of the commission.

10.6 (1) Hemopure®;

10.7 (2) Erythropoietin;

10.8 (3) Darbepoetin; or

10.9 (4) Oxyglobin®.

10.10 **7897.0150 DISCIPLINARY AND APPEAL PROCEDURES.**

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

10.12 Subp. 4. ~~Review or complaint~~ Appeal by director or motion of commission or
 10.13 deputy director. Nothing in this chapter precludes the ~~commission~~ director or deputy
 10.14 director from instituting proceedings to review appeal a stewards' decision ~~on its own~~
 10.15 ~~motion or complaint of the director.~~

10.16 [For text of subps 5 to 9, see M.R.]

10.17 **7899.0100 VARIANCES.**

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

10.19 Subp. 4. **Standards for granting and denying variance requests.** The commission
 10.20 shall grant a variance to the application of any of its rules except those in subpart 1 only if
 10.21 it determines that all of the following criteria have been met:

10.22 [For text of items A to E, see M.R.]

11.1 F. with respect to variances concerning part 7870.0500, ~~subparts~~ subpart 5 to 9,
 11.2 demographic or geographic evidence supports the variance request.

11.3

[For text of subp 5, see M.R.]