

Minnesota Racing Commission**Proposed Permanent Rules Relating to Horse Racing; Definitions; Televised Racing Days; Races; Pari-mutuel; Facilities and Equipment; Class C Licenses; Security Officers; Harness Races****7869.0100 DEFINITIONS.**

[For text of subps 1 to 24, see M.R.]

Subp. 25. **Equipment.** "Equipment," as applied to a horse, means whips, riding crops, blinkers, tongue straps, muzzles, hoods, nasal strips, nose bands, shadow rolls, martingales, breast plates, bandages, boots, plates or toe grabs (shoes), sulkies, head poles, safety reins, cornell collars, and all other paraphernalia that is or might be used on or attached to a horse while racing.

[For text of subps 26 to 69, see M.R.]

7871.0080 TIP SHEETS.

Subpart 1. **Number of tip sheets.** Should the licensee elect to allow the availability of tip sheets, at least one independently handicapped tip sheet shall be available at a racetrack. Each handicapper must sign and deliver the sheet or submit an electronic version at least one hour before post time for the first race to the ~~presiding official~~ Racing Commission office at the licensee's racetrack.

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

7873.0188 SUPERFECTA.

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

Subp. 2a. **Ticket is evidence of binding contract.** A superfecta ticket shall be evidence of a binding contract between the holder of the ticket and the racing association and the ticket shall constitute an acceptance of the superfecta wager provisions and rules.

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

7873.0189 PENTAFACTA.

Subpart 1. **Scope.** The pentafecta is a form of pari-mutuel wagering combining five horses in a single race. Each bettor selects horses that will finish in exact order, first, second, third, fourth, and fifth, in a designated pentafecta race. Payment of the ticket must be made only to the purchasers who have selected the exact order of finish as officially posted, except as otherwise noted. All pentafecta wagers are calculated on a separate pentafecta pool, with no relation to any other pool.

Subp. 2. **Price of tickets.** Pentafecta tickets must be sold singly in not less than ten cent denominations.

Subp. 3. **Ticket is evidence of binding contract.** A pentafecta ticket shall be evidence of a binding contract between the holder of the ticket and the racing association and the ticket shall constitute an acceptance of the pentafecta wager provisions and rules.

Subp. 4. **Scratches.** If a horse is scratched or declared a nonstarter, no further pentafecta tickets may be issued designating the horse and all previously issued pentafecta tickets that include the scratched horse must be refunded at any time and the money deducted from the gross pool.

Subp. 5. **Pentafecta wager may be given a distinctive name.** A pentafecta wager may be given a distinctive name to be selected by the association conducting these races, subject to the approval of the commission.

Subp. 6. **Failure to select winning combination.** Items A to F govern payoffs in races where the winning combination has not been selected.

A. If no ticket is sold correctly selecting the first five finishers, "X" percent of the net pool shall be distributed to those pentafecta tickets selecting the horses finishing first, second, third, and fourth. The remaining "Y" percent of the net pool shall be carried over to the succeeding pentafecta race.

B. If no ticket is sold correctly selecting the first four finishers, "X" percent of the net pool shall be distributed to those pentafecta tickets selecting the horses finishing first, second, and third. The remaining "Y" percent of the net pool shall be carried over to the succeeding pentafecta race.

C. If no ticket is sold correctly selecting the first three finishers, "X" percent of the net pool shall be distributed to those pentafecta tickets selecting the horses finishing first and second. The remaining "Y" percent of the net pool shall be carried over to the succeeding pentafecta race.

D. If no ticket is sold correctly selecting the first two finishers, "X" percent of the net pool shall be distributed to those pentafecta tickets selecting the horse finishing first. The remaining "Y" percent of the net pool shall be carried over to the succeeding pentafecta race.

E. If no ticket is sold that would require distribution of the net pentafecta pool as described in items A to D, 100 percent of the net pool shall be carried over to the succeeding pentafecta race if the association is using a carryover provision. If the association is not using a carryover provision, all pentafecta tickets shall be refunded.

F. If less than five horses finish a pentafecta race, payoffs shall be made on tickets selecting the actual finishing horses in order, ignoring the balance of the selection.

Subp. 7. **Requirement to designate carryover percentages.** The association, in its pari-mutuel pools request, shall outline percentages to be used for "X" and "Y" in subpart 6. The association can choose to eliminate the carryover component of this wager by submitting "100 percent" for "X" and "0 percent" for "Y" in its pari-mutuel pools request.

Subp. 8. **Mandatory payout.** On the final pentafecta wager of the meet, items A to F govern payoffs in races where the winning combination has not been selected.

A. If no ticket is sold correctly selecting the first five finishers, 100 percent of the net pool shall be distributed to those pentafecta tickets selecting the horses finishing first, second, third, and fourth.

B. If no ticket is sold correctly selecting the first four finishers, 100 percent of the net pool shall be distributed to those pentafecta tickets selecting the horses finishing first, second, and third.

C. If no ticket is sold correctly selecting the first three finishers, 100 percent of the net pool shall be distributed to those pentafecta tickets selecting the horses finishing first and second.

D. If no ticket is sold correctly selecting the first two finishers, 100 percent of the net pool shall be distributed to those pentafecta tickets selecting the horse finishing first.

E. If no ticket is sold that would require distribution of the net pentafecta pool as described in items A to D, a full refund of all pentafecta tickets must be made.

F. If less than five horses finish a pentafecta race, payoff must be made on tickets selecting the actual finishing horses in order, ignoring the balance of the selection.

Subp. 9. **Cancellation of pentafecta race.** If a pentafecta race is canceled, a full refund of all pentafecta tickets must be made.

Subp. 10. **Cancellation of the final pentafecta race of a meet.** If, for any reason, the day of racing is canceled or the pentafecta pool has not been distributed, the pool shall be escrowed by the association, and the pool, as well as all accrued interest, shall be carried over and included in the pentafecta pool for the next succeeding racing date as an additional net amount to be distributed.

Subp. 11. **Dead heats.** Items A to G govern payoffs in dead heats.

A. In the even of a dead heat for first, the winning combinations must be the horses finishing in the dead heat for first and the horses finishing third, fourth, and fifth.

B. In the event of a dead heat for second, the winning combinations must be the horse finishing first, the horses finishing in the dead heat for second, and the horses finishing fourth and fifth.

C. In the event of a dead heat for third, the winning combinations must be the horse finishing first, the horse finishing second, the horses finishing in the dead heat for third, and the horse finishing fifth.

D. In the event of a dead heat for fourth, the winning combinations must be the horse finishing first, the horse finishing second, the horse finishing third, and the horses finishing in the dead heat for fourth.

E. In the event of a dead heat for fifth, the winning combinations must be the horse finishing first, the horse finishing second, the horse finishing third, the horse finishing fourth, and the horses finishing in the dead heat for fifth.

F. In the event of a dead heat for first, second, third, fourth, or fifth where there is no winning ticket on the one dead heat combination, the entire pool must be paid to the other winning combination.

G. In all instances of multiple dead heats, the winning combinations must be paid proportionately from the net pentafecta pool.

Subp. 12. **Restrictions on pentafecta races.** In no event shall pentafecta wagering be allowed with fewer than six betting interests. If for any reason pentafecta wagering is canceled, all pentafecta wagers must be refunded.

Subp. 13. **Displaying pentafecta rules.** Pentafecta rules must be prominently displayed at each track conducting pentafecta wagering. Printed copies of pentafecta rules must be provided to patrons upon request.

7873.0196 PICK (N) WAGERS.

Subpart 1. **Scope.** Pick (n) wagers requires selection of the first place finisher in each of a designated number of contests ranging from as few as three contests to as many as 16 contests. All contests subject to a specific Pick (n) wager must be held on a single racing day.

Subp. 2. **Price of tickets.** Pick (n) wager tickets must be sold singly in not less than ten cent denominations.

Subp. 3. **Ticket is evidence of binding contract.** A Pick (n) wager ticket shall be evidence of a binding contract between the holder of the ticket and the racing association and the ticket shall constitute an acceptance of the Pick (n) wager provisions and rules.

Subp. 4. **Pick (n) wagers may be given a specific name.** Any Pick (n) wager may be given a distinctive name to be selected by the association conducting these races, subject to the approval of the commission.

Subp. 5. **Specific requirements for commission approval.** In order to be considered for approval, the association must specifically outline each type of Pick (n) wager to be offered within its pari-mutuel pools request. The pari-mutuel pools request must contain each of the following for every Pick (n) wager that association desires to offer:

- A. the number of contests the Pick (n) wager will comprise;
- B. any specific name the association wishes to give the wager as allowed in subpart 3; and
- C. a designation of one of the methods of payment outlined within subpart 5, including a description of relevant percentages chosen by the association that are specific to the chosen method of calculation.

Subp. 6. **Pick (n) pool payout methods.** Pick (n) pools shall be paid under one of the following methods.

A. Method 1, Pick (n) with carryover: The net Pick (n) pool and carryover, if any, shall be distributed as a single-price pool to those who selected the first place finisher in each of the Pick (n) contests, based upon the official order of finish. If there are no such wagers, a designated percentage of the net pool shall be distributed as a single-price pool to those who selected the first place finisher in the greatest number of Pick (n) contests and the remainder shall be added to the carryover.

B. Method 2, Pick (n) with 100 percent carryover: The net Pick (n) pool and carryover, if any, shall be distributed as a single-price pool to those who selected the first place finisher in each of the Pick (n) contests, based upon the official order of finish. If there are no such wagers, 100 percent of that day's pool shall be added to the carryover.

C. Method 3, Pick (n) with minor pool and carryover: The major share of the net Pick (n) pool and the carryover, if any, shall be distributed to those who selected the first place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place finisher of all Pick (n) contests, the minor share of the net Pick (n) pool shall be distributed as a single-price pool to those who selected the first place finisher in the greatest number of Pick (n) contests and the major share shall be added to the carryover.

D. Method 4, Pick (n) with no minor pool and no carryover: The net Pick (n) pool shall be distributed as a single-price pool to those who selected the first place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

E. Method 5, Pick (n) with minor pool and no carryover: The major share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. The minor

share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place finisher in the second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single-price pool to those who selected the first place finisher in the greatest number of Pick (n) contests. If the greatest number of first place finishers selected is one, the major and minor shares are combined for distribution as a single-price pool. If there are no winning wagers, the pool is refunded.

F. Method 6, Pick (n) with minor pool and no carryover: The major share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place finisher in all Pick (n) contests, the entire net Pick (n) pool shall be distributed as a single-price pool to those who selected the first place finisher in the greatest number of Pick (n) contests. If there are no wagers selecting the first place finisher in the second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single-price pool to those who selected the first place finisher in each of the Pick (n) contests. If there are no winning wagers, the pool is refunded.

G. Method 7, Pick (n) with major and minor pool, jackpot pool, and jackpot carryover: Predetermined percentages of the net Pick (n) pool shall be set aside for a major pool, minor pool, and jackpot pool. The major share of the Pick (n) pool shall be distributed to those who selected the first place finisher in each of the Pick (n) contests, based on the official order of finish. If there are no tickets selecting the first place finisher in each of the Pick (n) contests, the major net pool shall be added to the jackpot carryover. If there is only one single ticket selecting the first place finisher of each of the Pick (n)

contests, based on the official order of finish, the jackpot share of the net Pick (n) pool and the jackpot carryover, if any, shall be distributed to the holder of that single ticket, along with the major net pool. If more than one ticket selects the first place finisher of each of the Pick (n) contests, the jackpot net pool shall be added to the jackpot carryover. The minor share of the net Pick (n) pool shall be distributed to those who selected the first place finisher of the second greatest number of Pick (n) contests, based on the official order of finish. If there are no wagers selecting the first place finisher of all Pick (n) contests, the minor net pool of the Pick (n) pool shall be distributed as a single-price pool to those who selected the first place finisher of the greatest number of Pick (n) contests.

Subp. 7. **Mandatory payouts.** On each respective final Pick (n) of the meet, all pools and carryovers shall be paid out in full as prescribed in subpart 6, item E. For purposes of mandatory payouts, jackpot pools and jackpot carryovers shall be considered part of the major pool.

Subp. 8. **Cancellation of the final Pick (n) of the meet.** If, for any reason, the final day of racing is canceled or any Pick (n) pool or carryover has not been distributed at the close of the meet, the pool or carryover shall be escrowed by the association, and the pool, as well as all accrued interest, shall be carried over and included in the appropriate Pick (n) pool for the next succeeding racing date as an additional net amount to be distributed.

Subp. 9. **Cancellation of races comprising Pick (n).** The Pick (n) pool shall be canceled and all Pick (n) wagers for the individual performance shall be refunded if:

A. at least two contests included as part of Pick 3 are canceled and declared "no contest";

B. at least three contests included as part of a Pick 4, Pick 5, or Pick 6 are canceled or declared "no contest";

C. at least four contests included as part of a Pick 7, Pick 8, or Pick 9 are canceled or declared "no contest"; or

D. at least five contests included as part of a Pick 10, Pick 11, Pick 12, Pick 13, Pick 14, Pick 15, or Pick 16 are canceled or declared "no contest."

If at least one contest included as part of a Pick (n) is canceled or declared "no contest," but not more than the number specified within this subpart, the net pool shall be distributed as a single-price pool to those whose selections finished first in the greatest number of Pick (n) contests for that performance. The distribution shall include the portion ordinarily retained for the Pick (n) carryover but not the carryover from previous performances.

Subp. 10. **Actual favorite substituted for scratched horse.** In the event a Pick (n) ticket designates a selection in any one or more of the races comprising the Pick (n) and that selection is scratched, excused, or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs.

The association may refund Pick (n) tickets that include the scratched selection prior to the beginning of wagering for the first race comprising the Pick 3 races.

Subp. 11. **Dead heats.** In the event of a dead heat for win between two or more horses in any Pick (n) race, all the horses in the dead heat for win shall be considered winning horses in the race for the purpose of calculating the pool.

Subp. 12. **Change of surface after Pick (n) sequence begins.** If the condition of the course warrants a change of racing surface in any of the legs of the Pick (n) races, and the change was not known to the public before the close of wagering for the Pick (n) pool, the stewards shall declare the changed legs an "All-Win" for Pick (n) wagering purposes only.

Subp. 13. **Association may contribute or guarantee pools.** With the approval of the commission, the association may guarantee a pool in any Pick (n) race. If the total

pool doesn't meet the guaranteed sum, the association must add the difference to the guaranteed pool.

Subp. 14. **No Pick (n) ticket to be exchanged or canceled.** No pari-mutuel ticket for a Pick (n) pool shall be sold, exchanged, or canceled after the time of the closing of wagering in the first of the races comprising that Pick (n), except for refunds on Pick (n) tickets as required by subpart 6.

Subp. 15. **Announcement of payoff prices.** After the second to last race comprising the Pick (n) has been declared official, an association may post possible payoff prices to the public before the start of the final race of the Pick (n).

Subp. 16. **Suspension of Pick (n) pool or separate Pick (n) pool.** The association may suspend previously approved Pick (n) wagering with the prior approval of the commission. Any carryover shall be held until the suspended Pick (n) wagering is reinstated. An association may request approval of a Pick (n) wager or separate wagering pool for specific performances.

7875.0100 FACILITIES.

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

Subp. 6. Jockey's and driver's rooms.

A. The use of public, portable, or cellular telephones, or transmitters, or other electronic communications devices is prohibited in the jockey's and driver's room for one-half hour prior to the first post and until the last race is official unless authorized limited use has been approved by the stewards.

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

Subp. 7. Posting of jockey insurance coverage.

A. An association shall have on file with the commission a copy of the actual policy and post in the jockeys' quarters a summary of the association's insurance coverage

for jockeys who are injured while on the grounds of the association and shall, upon the request of any licensed jockey who is participating in the race meeting, provide a copy of the policy of such insurance. Requests shall be made in writing to a racing official designated by the association in the notice to respond to such requests.

B. In the event that the insurance policy is changed during the race meeting, the association shall promptly notify the commission and post a notice of any changes.

7877.0120 FEES.

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

Subp. 2. **Fingerprinting and licensing reciprocity.** The commission shall license persons holding valid permanent licenses issued by other racing jurisdictions in North America if the persons meet the criteria specified in this subpart. The licensee must be in good standing, have cleared a Federal Bureau of Investigation (FBI) or Royal Canadian Mounted Police (RCMP) fingerprint check within the previous 60 months, file an application and/or affidavit as may be required by the commission, and pay the required applicable fees before participating in racing.

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

G. In the event the licensee is absent from Minnesota, and upon payment of the applicable fees, a receipt shall be mailed to the licensee's permanent address. The receipt may then be presented at the commission office by the licensee so that a commission representative may affix the proper validation sticker to the racing license badge. Any horse owner who does not make application in person must meet all requirements of this subpart, except that the owner may file a completed fingerprint card taken by a law enforcement agency.

All reference to fingerprinting in this subpart ~~does not apply to applications submitted by persons under the age of 18 or over the age of 70~~ applies to applications submitted by persons age 18 to 70 years.

Subp. 3. **Jockey mount fees.** Except as otherwise specially agreed by the parties, the fees to be paid jockeys shall be ~~according to~~ at least in an amount set forth in the following fee scale:

Purse	Winning Mount	Second Mount	Third Mount	Other Mounts
\$599 and Under	\$33	\$33	\$33	\$33
600-699	36	33	33	33
700-999	10% of win purse	33	33	33
1,000-1,499	10% of win purse	33	33	33
1,500-1,999	10% of win purse	35	33	33
2,000-3,499	10% of win purse	45	40	38
3,500-4,999	10% of win purse	55	45	40
5,000-9,999	10% of win purse	65	50	45
10,000-14,999	10% of win purse	5% of place purse	5% of show purse	50
15,000-24,999	10% of win purse	5% of place purse	5% of show purse	55
25,000-49,999	10% of win purse	5% of place purse	5% of show purse	65
50,000-99,999	10% of win purse	5% of place purse	5% of show purse	80
100,000 and up	10% of win purse	5% of place purse	5% of show purse	105
<u>\$0-12,499</u>	<u>10% of win purse</u>	<u>\$125</u>	<u>\$100</u>	<u>\$75</u>
<u>\$12,500-19,999</u>	<u>10% of win purse</u>	<u>5% of place purse</u>	<u>\$125</u>	<u>\$75</u>
<u>\$20,000-49,999</u>	<u>10% of win purse</u>	<u>5% of place purse</u>	<u>5% of show purse</u>	<u>\$75</u>
<u>\$50,000-99,999</u>	<u>10% of win purse</u>	<u>5% of place purse</u>	<u>5% of show purse</u>	<u>\$85</u>
<u>\$100,000 and up</u>	<u>10% of win purse</u>	<u>5% of place purse</u>	<u>5% of show purse</u>	<u>\$105</u>

For the purpose of this subpart, "purse" includes purse supplement money from the Minnesota Breeders' Fund pursuant to parts 7895.0110, subpart 4, item A, and 7895.0300, subpart 6.

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

7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.

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

Subp. 3. **Trainers and assistant trainers.** Applicants for a trainer's or assistant trainer's license must comply with the following requirements.

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

D. An applicant for a trainer's license shall provide proof of having complied with the workers' compensation laws; and maintain all applicable policies and requirements with Minnesota Statutes, chapter 176, and all pertinent rules adopted thereunder. The Minnesota Racing Commission shall be named as a certificate holder with the insurance company providing the workers' compensation coverage. The commission, as a certificate holder, must be notified of any changes in the policy within a reasonable time, not to exceed 30 days from the date of the policy change.

[For text of subps 4 to 16, see M.R.]

7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

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

Subp. 3. **Jockeys and apprentice jockeys.** Jockeys and apprentice jockeys shall have the following responsibilities.

A. An apprentice jockey must ride with a five-pound weight allowance beginning with his or her first mount and for one full year thereafter, unless the jockey is riding in stakes races, handicap races, or substituting for a journeyman jockey who is unable to fulfill a riding engagement. If after one full year from the date of his or her fifth winning mount the apprentice jockey has failed to ride 40 winners, he or she shall continue to ride with a five-pound weight allowance for up to two years from the date of his or her fifth winning mount or until he or she has ridden a total of 40 winners, whichever comes

first. Apprentice allowances may be waived with the stewards' permission at the time of entry by the trainer or the trainer's designee. If an apprentice jockey is unable to ride for a period of 14 consecutive days or more after the date of the jockey's fifth winning mount because of service in the United States armed forces, enrollment in an institution of secondary or postsecondary education, or because of physical disability, the commission may extend the time during which the apprentice weight allowance may be claimed for a period not to exceed the period the apprentice jockey was unable to ride.

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

G. ~~The jockey's weight shall include his or her clothing, boots, saddle, and saddle attachments. The jockey's weight excludes the helmet and safety vest.~~

(1) A jockey's weight shall include clothing, boots, saddle and its attachments, and any other equipment except the bridle, bit, blinkers, goggles, number cloth, and safety equipment including helmet, vest, overgirth, reins, and breast collar.

(2) Upon the steward's approval, jockeys may be allowed up to three pounds more than published weights to account for inclement weather clothing and equipment.

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

M. A jockey must wear a protective helmet with a buckled chin strap while mounted upon any horse at a licensed racetrack. ~~A jockey must wear a safety vest when riding in any official race. The safety vest shall weigh no more than two pounds and be designed to provide shock absorbing protection to the upper body of at least a rating of five, as defined by the British Equestrian Trade Association. A jockey must wear a safety vest when riding in any official race. The safety vest must comply with one of the following minimum standards or later revisions:~~

(1) British Equestrian Trade Association (BETA):2000 Level 1;

(2) Euro Norm (EN) 13158:2000 Level 1;

(3) American Society for Testing and Materials (ASTM) F2681-08 or F1937;

(4) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3; or

(5) Australian Racing Board (ARB) Standard 1, 1998.

[For text of items N and O, see M.R.]

P. A jockey must unsaddle his or her own horse before weighing in, ~~and shall weigh in with the equipment with which he or she weighed out.~~

(1) A jockey shall weigh in at no less than the same weight at which the jockey weighed out, and if under that weight, and after consideration of mitigating circumstances by the board of stewards, the jockey's mount may be disqualified from any portion of the purse money.

(2) In the event of a disqualification, all money wagered on the horse shall be refunded unless the race has been declared official.

(3) A jockey's weight shall include clothing, boots, saddle and its attachments, and any other equipment except the bridle, bit, blinkers, number cloth, overgirth, reins, and breast collar.

(4) Upon approval of the stewards, the jockeys may be allowed up to three pounds more than published weights to account for inclement weather clothing and equipment.

(5) The postrace weight of jockeys includes any sweat, dirt, and mud that have accumulated on the jockey, and the jockey's clothing, safety equipment, and overgirth. This accounts for additional weight, depending on specific equipment, as well as weather, track, and racing conditions.

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

X. No jockey shall willfully or purposely touch, strike, or jostle another jockey or horse, either with hands or ~~whip~~ riding crop, from the time they leave the paddock until after dismounting from a race.

Y. A jockey who is suspended for less than ten days for a riding infraction may be allowed to ride in a stakes or trial race that was designated by the stewards prior to the start of the race season. Permission to race will be granted at the stewards' discretion, based on the circumstances of the suspension.

[For text of subps 4 to 6, see M.R.]

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

No jockey agent shall be permitted to contract riding engagements for more than two jockeys and one apprentice jockey. No agent may arrange more than two calls for a jockey in any race and ~~shall designate one of the engagements~~ the first engagement shall be designated as a the first call and the other as a the second call. The jockey would have to fulfill the contract with the first call unless the horse is unable to start.

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

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

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

7878.0110 MINIMUM SELECTION STANDARDS.

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

~~A.~~ ~~be a citizen of the United States;~~

~~B.~~ A. complete a comprehensive written Minnesota Racing Commission license application;

~~C.~~ B. submit to a thorough background search by the A&GED to disclose the existence of any criminal record or conduct which would adversely affect the performance of the security officer's duties;

~~D.~~ C. not have been convicted of a felony in Minnesota (or in any other state or federal jurisdiction which would have been a felony if committed in Minnesota), or criminal theft, or a pari-mutuel horse racing or gambling crime;

~~E.~~ D. provide fingerprint cards to the commission; and

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

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

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

7883.0100 ENTRIES AND SUBSCRIPTIONS.

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

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

A. No trainer shall enter more than ~~two~~ four horses in an overnight event except in split races.

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

[For text of subps 8 to 18, see M.R.]

7883.0140 CLAIMING RACES.

[For text of subps 1 to 7, see M.R.]

Subp. 8. **Voided claims.** If a claim is voided by the stewards, the horse claimed shall be returned to the original owner who, in turn, shall refund all claim money to the unsuccessful claimant.

A. A claim made on a horse that suffers a fatality during the running of the race or is euthanized for a disarticulated joint, compound comminuted fracture, or fracture of the skull, spine, or pelvis, any of which occurred during or directly after the race, is automatically voided unless, prior to the race in which the horse is claimed, the claimant had elected to claim the horse regardless of the disposition of the horse.

B. An election made in item A shall be entered on the claim form in accordance with claiming rules.

[For text of subps 9 to 15, see M.R.]

Subp. 16. **Title to claimed horse.** Title to a horse which is claimed shall be vested in the successful claimant ~~from the time the horse has entered the race course for the race~~

~~in which the horse is scheduled to run, unless the race is canceled or the horse is excused by the stewards. The claimant shall then become the owner of the horse whether it be alive or dead, sound or unsound, or injured during the race or after it.~~ at the time the field has been dispatched from the starting gate and the horse becomes a starter, and the successful claimant becomes the owner of the horse whether it is sound or unsound, or injured during the race or after it, except as specified in subpart 8, item A. Only a horse that is officially a starter in the race may be claimed. A subsequent disqualification of the horse by order of the stewards or the commission shall have no effect upon the claim.

[For text of subp 17, see M.R.]

Subp. 18. [See repealer.]

Subp. 19. **Delivery and responsibility for postrace analysis.** A trainer whose horse has been claimed ~~and is designated for postrace testing remains~~ is responsible for the horse until after collection of the blood and/or urine specimens at the detention barn where delivery shall be made to the successful claimant.

[For text of subps 20 to 23, see M.R.]

Subp. 24. [See repealer.]

Subp. 25. [See repealer.]

[For text of subps 26 to 29, see M.R.]

Subp. 30. [See repealer.]

Subp. 31. **Waiver claiming rule.** At the time of entry into a claiming race, the owner may opt to declare a horse ineligible to be claimed provided:

A. the horse has been laid off and has not started for a minimum of 120 days since its last race;

B. the horse's last race as an official starter was a claiming race in which the horse was eligible to be claimed; and

C. the horse is entered for a claiming price equal to or greater than the price at which it last started.

Failure to declare the horse ineligible at the time of entry may not be remedied and the ineligibility shall apply only to the first start following each such layoff.

7883.0160 POST TO FINISH.

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

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

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

C. During a race no jockey shall willfully or carelessly strike or touch another jockey or another jockey's horse or equipment with the effect of interfering with that horse or jockey, nor shall a jockey strike the jockey's horse on or about the head area. A jockey shall use a ~~whip~~ riding crop in a manner consistent with using the jockey's best efforts to win. A jockey must not use the ~~whip~~ riding crop indiscriminately. A jockey must not strike a horse more than three consecutive times without pausing to only push on the horse giving it a chance to respond before using the riding crop again. Jockeys are prohibited from ~~whipping~~ striking a horse:

- (1) on the head, flanks, or on any part of its body other than the shoulders or hind quarters;
- (2) during the post parade except when necessary to control the horse;
- (3) excessively or brutally causing welts or breaks in the skin;
- (4) when the horse is clearly out of the race or has obtained its maximum placing;

(5) persistently even though the horse is showing no response under the ~~whip~~ riding crop; or

(6) after the race.

Correct uses of the ~~whip~~ riding crop are:

- (a) showing horses the ~~whip~~ riding crop before hitting them;
- (b) using the ~~whip~~ riding crop in rhythm with the horse's stride; and
- (c) using the ~~whip~~ riding crop as an aid to maintain a horse running straight.

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

[For text of subps 7 to 14, see M.R.]

7883.0170 RACING EQUIPMENT.

A. Equipment.

- (1) No bridle shall weigh more than two pounds.
- (2) All riding crops are subject to inspection and approval by the stewards and the clerk of scales.
 - (a) Riding crops shall have a shaft and a flap and will be allowed in flat racing including training, only as follows:
 - i. maximum weight of eight ounces;
 - ii. maximum length, including flap, of 30 inches;
 - iii. minimum diameter of the shaft of ~~one-half~~ three-eighths inch; and

iv. shaft contact area must be smooth, with no protrusions or raised surface, and covered by shock-absorbing material that gives a compression factor of at least one millimeter throughout its circumference.

[For text of unit (b), see M.R.]

[For text of subitem (3), see M.R.]

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

7884.0170 SCRATCHES.

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

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

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

Subp. 4. Scratched as unsound. Any horse that is scratched by the judges as unsound must compete in a qualifying race prior to reentry.

7884.0190 QUALIFYING RACES.

Subpart 1. **Scheduling of qualifying races.** Weather conditions permitting, qualifying races shall be scheduled at least once a week if the meet extends longer than two weeks and shall be conducted under the supervision of the stewards judges.

Subp. 2. **Horses required to compete in qualifying races for race meets longer than two weeks.** If the meet extends longer than two weeks, the following horses shall not be eligible to enter any race until they have competed in qualifying races:

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

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

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

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

E. A horse that is listed on the veterinarian's list as unsound.

F. A horse adding or removing hobbles regardless of gait.

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

A. A horse that is on the qualifying list.

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

C. ~~A horse that has made breaks in two consecutive races or which breaks in its first start following a qualifying race.~~ A horse finishing first, second, or third on a "fast" track and making a break in the race would not have that break counted against it in terms of eligibility for future entries. However, any horse making breaks in three consecutive races over fast tracks would still be required to qualify regardless of finishing position.

D. A horse that has been distanced.

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

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

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

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

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

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

7884.0210 CLAIMING RACES.

A. Claiming shall be conducted according to Rule ~~10~~ 11 from the current United States Trotting Association (USTA) Charter, Bylaws, Rules and Regulations but any conflict between the USTA Rule 11 and a Minnesota rule will be controlled by the Minnesota rule.

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

C. No claimed horse shall race at any other racetrack until after the close of the race meeting at which it was claimed, or for 60 days, whichever is shorter, except to fulfill one or more stakes engagements or to race at a county fair meet.

D. Voided claims.

(1) A claim made on a horse that suffers a fatality during the running of the race or is euthanized for a disarticulated joint, compound fracture, or fracture of the skull, spine, or pelvis, any of which occurred during or directly after the race, is automatically voided unless, prior to the race in which the horse is claimed, the claimant had elected to claim the horse regardless of the disposition of the horse.

(2) An election made in subitem (1) shall be entered on the claim form in accordance with claiming rules.

E. Postrace testing on claimed horses shall be performed using blood (serum, plasma, or heart blood) and urine (if available).

7884.0230 RACING EQUIPMENT.

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

Subp. 3a. **Safety vest.** A driver must wear a safety vest designed to provide shock absorbing protection to the upper body when participating in an official or qualifying race. The safety vest must equal or exceed a minimum shock absorption rating of five according to the specification established by the British Equestrian Trade Association (BETA).

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

7884.0240 POST TIME AND STARTING.

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

Subp. 10. **Helmets and safety vest to be worn.** No person shall ride a horse on the racing track surface without a properly fastened protective riding helmet and safety vest.

7884.0260 DRIVING RULES.

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

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

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

K. drive in a careless, reckless, or unsatisfactory manner or fail to maintain reasonable complete control of the horse at all times ~~during the race~~;

[For text of items L to S, see M.R.]

T. use a whip exceeding four feet in length or a snapper longer than six inches in length, ~~or use a whip in a brutal manner, or use the butt end of the whip, or whip under the arch or shaft of the sulky, or strike a wheel disc with the whip, or use a whip to interfere~~

with or cause disturbance to any other horse or driver in a race; or use unreasonable or unnecessary force in the whipping of a horse, nor whip any horse causing visible injury, nor whip any horse about the head including but not limited to trailing horses, nor whip any horse after the finish line has been crossed except when it has been deemed by the board of judges necessary to control the horse. The board of judges will notify the commission veterinarian to conduct any postrace examination on any horse deemed to have been subject to unreasonable or unnecessary force. The following actions shall be considered indiscriminate, unreasonable, or unnecessary uses of the whip:

(1) any blatant or exaggerated movements of the whipping arm which will result from raising the elbow above the driver's shoulder height or allowing the hand holding the whip to reach behind the driver during the use of the whip;

(2) the use of the whip other than the area inside and above the level of the shafts of the sulky and between the sulky shafts;

(3) whipping under the arch or shafts of the sulky, use of the whip as a goading or poking device, or placing the whip between the legs of the horse; or

(4) using the whip when it does not appear that the horse is advancing its position in the race and appears exhausted or not in contention;

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

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

W. keep one line, rein, or handhold in each hand at all times during the race except when the horse and driver reach the 7/8 pole marker during the race; and

X. a driver may not lay back at an angle greater than 45 degrees.

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

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

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

REPEALER. Minnesota Rules, parts 7873.0190; 7873.0191; 7873.0195; 7873.0199; and 7883.0140, subparts 18, 24, 25, and 30, are repealed.