

**Minnesota Racing Commission****Proposed Permanent Rules Relating to Horse Racing****7869.0100 DEFINITIONS.**

*[For text of subparts 1 to 54, see Minnesota Rules]*

Subp. 54a. **Score.** "Score" means the preliminary practice given to horses after the post parade and prior to being called to line up for the start of a race by the official starter.

*[For text of subparts 55 to 67, see Minnesota Rules]*

Subp. 67a. **Traction device.** "Traction device" means inserts, wear plates, rims, toe grabs, bends, jar calks, stickers, ice nails, frost nails, mud nails, or any other device that extends beyond the ground surface of the horseshoe.

Subp. 68. **USTA.** "USTA" means the United States Trotting Association.

Subp. 68a. **Wager.** "Wager" means a bet placed on the outcome of a pari-mutuel race or races.

Subp. 69. **Walkover.** "Walkover" means a race in which there are not two or more horses of separate interest sent postward.

**7870.0480 MEDICAL SERVICES.**

Subpart 1. **Medical facilities, equipment, and personnel.** A licensed racetrack must provide at least the following medical facilities, equipment, and personnel:

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

~~B.~~ A. a licensed physician or paramedic, who has been trained in assessing concussions, on the grounds during live racing hours; and

~~€. B.~~ an emergency response team of not less than two emergency medical technicians must be on the grounds and equipped with essential emergency equipment during qualifying and live racing, training, or horse exercising hours.

*[For text of subpart 2, see Minnesota Rules]*

**7873.0193 PLACE PICK ~~ALL~~ (N).**

Subpart 1. **Scope.**

A. The place pick ~~all~~ (n) pari-mutuel pool is not a parlay and has no connection with or relation to any other pari-mutuel pool conducted by the association.

B. Place pick (n) wagers require selection of the first place or second place finisher in each of a designated number (n) of contests ranging from as few as three contests to as many as 16 contests.

C. All contests subject to a specific place pick (n) wager must be held on a single racing day.

Subp. 2. **Ticket is evidence of binding contract.** A place pick ~~all~~ (n) 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 place pick ~~all~~ (n) provisions and rules.

Subp. 3. **Place pick ~~all~~ (n) may be given a distinctive name.** A place pick ~~all~~ (n) may be given a distinctive name to be selected by the association conducting these races, subject to the approval of the commission.

Subp. 3a. **Specific requirements for commission approval.** To be considered for approval, the association must specifically outline each type of place 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 place pick (n) wager that the association desires to offer:

A. the number of contests the place 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 distribution provided in subpart 6. This includes a description of the relevant percentages chosen by the association specific to the chosen method of calculation.

Subp. 4. **Place pick ~~all~~ (n) pool.** The place pick ~~all~~ (n) pari-mutuel pool consists of amounts contributed for a selection finishing first or second in each of the races designated by the association with the approval of the commission. Each person purchasing a place pick ~~all~~ (n) ticket shall designate a horse that officially finishes first or second in each of the races comprising ~~that day's racing program~~ the wager.

Subp. 5. **Coupled entries and fields.** Horses constituting an entry of coupled horses or horses coupled to constitute the mutuel field in a race comprising the place pick ~~all~~ (n), shall race as a single wagering interest for the purpose of the place pick ~~all~~ (n) pari-mutuel pool calculations and payouts to the public. However, if any part of either an entry or the field racing as a single wagering interest is a starter in a race, the entry or the field selection shall remain as the designated selection to win in that race for the place pick ~~all~~ (n) calculation, and the selection shall not be deemed a scratch.

Subp. 6. **Calculation of pool.**

A. The place pick ~~all~~ (n) pari-mutuel pool must be calculated according to one of the two methods provided in item B or C, as approved by the commission.

B. One hundred percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the most winning selections officially finishing first or second in each of the races comprising ~~that day's racing program~~ the place pick (n) wager.

C. (1) One hundred percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate a horse that officially finishes first or second in each of the races comprising ~~that day's racing program~~ the wager.

(2) In the event there is no pari-mutuel ticket properly issued ~~which~~ that correctly designates a horse ~~that~~ officially ~~finishes~~ finishing first or second in each of the races comprising ~~that day's racing program~~ the wager, 75 percent of the pari-mutuel pool ~~shall~~ must not be distributed but ~~shall~~ must be retained by the association as a distributable amount ~~and shall~~. This distributable amount must be carried over and included in the place pick ~~all~~ (n) pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed among the holders of pari-mutuel tickets which correctly designate the official ~~winner in each of the four~~ first or second place finisher in each of the races comprising the place pick ~~four~~ (n) pool that day. The remaining 25 percent shall be distributed among the holders of place pick ~~all~~ (n) tickets that correctly designate the most horses officially finishing first or second in each of the races comprising ~~that day's racing program~~ the wager.

*[For text of item D, see Minnesota Rules]*

E. Should no distribution be made pursuant to item B or C on the last day of the association's meeting, then the entire distributable pool and all money accumulated in the pool shall be distributed to the holders of tickets correctly designating the most winning selections of the races comprising the place pick ~~all~~ (n) for that day. If, for any reason, the final day of racing is canceled or the place pick ~~all~~ (n) 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 place pick ~~all~~ (n) pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed.

F. With the permission of the director, a licensee may declare a mandatory payout:

(1) on the next consecutive race day after the place pick ~~all~~ (n) carryover pool has reached a previously approved amount; or

(2) on a day during which a special event has been scheduled.

G. Should no distribution be made pursuant to item B or C, then the entire distributable pool and all money accumulated in the pool must be distributed to the holders of the tickets correctly designating the most winning selections of the races comprising the place pick ~~all~~ (n) for that day.

H. If, for any reason, the day of racing is canceled, or the place pick ~~all~~ (n) pool has not been distributed, the pool must be carried over and included in the place pick ~~all~~ (n) pari-mutuel pool for the next succeeding racing day as an additional net amount to be distributed.

Subp. 7. **Actual favorite substituted for scratched horse.** In the event a place pick ~~all~~ (n) pari-mutuel ticket designates a selection in any one or more of the races comprising the place pick ~~all~~ (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.

#### **7875.0100 FACILITIES.**

*[For text of subparts 1 to 3, see Minnesota Rules]*

Subp. 4. **Racing surfaces.** Within seven days after a race meeting commences, the association must submit to the commission evidence that the construction, elevation, and composition of racing and training surfaces have received engineering and veterinarian approval as safe and humane. A class D licensee must make the submission seven days before the race meeting. For a racetrack under the jurisdiction of HISA, the racing surfaces report must be submitted to the commission as soon as it is received by the association.

[For text of subparts 5 to 7, see Minnesota Rules]

**7875.0200 EQUIPMENT.**

[For text of subparts 1 to 8, see Minnesota Rules]

Subp. 9. **External communications.**

[For text of items A and B, see Minnesota Rules]

~~C. At least one of the public telephones allowed at an association shall be equipped with a TDD device.~~

**7877.0120 FEES.**

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

[For text of items A to FF, see Minnesota Rules]

GG. tip sheet provider, \$100; ~~and~~

HH. commission staff or contractor, no charge; and

II. veterinary student extern, no charge.

[For text of subparts 2 to 4, see Minnesota Rules]

**7877.0125 CRITERIA FOR DETERMINING ELIGIBILITY.**

[For text of subparts 1 to 3, see Minnesota Rules]

Subp. 4. Access to backside of racetrack. A person deemed ineligible for a license is denied access to the backside of the racetrack and cannot receive a 72-hour pass or be signed in by a trainer, assistant trainer, or any other commission licensee as a guest.

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

[For text of subparts 1 to 8a, see Minnesota Rules]

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

*[For text of items A and B, see Minnesota Rules]*

C. All workouts required by a commission veterinarian for the purpose of potentially removing a horse from the veterinarian's list must be conducted under the same medication requirements as those for race days. Horses requiring an official timed workout must have documentation from the attending veterinarian that the horse is sound to work as provided in part 7877.0170, subpart 9, item N, have a published workout observed by a commission veterinarian, and pass a post-workout assessment of racing condition by a commission veterinarian, and complete medical testing. Thoroughbred horses are eligible to enter but cannot race before a negative post-workout drug test is obtained under chapter 7892.

*[For text of items D and E, see Minnesota Rules]*

*[For text of subparts 8c to 15, see Minnesota Rules]*

**7878.0130 BASIC COURSE.**

Subpart 1. **Applicant shall successfully complete basic course.** No security officer may work in that capacity, except under the continuous direct supervision of an experienced security officer, until the association furnishes proof to the commission that the security officer has successfully completed a basic course that includes at least 16 hours of instruction in the following subject areas:

*[For text of items A to G, see Minnesota Rules]*

H. cardio pulmonary resuscitation (CPR) to be completed within 30 days of the first scheduled training; and

I. report writing.

*[For text of subparts 2 and 3, see Minnesota Rules]*

**7878.0160 SECURITY COOPERATION.**

*[For text of subpart 1, see Minnesota Rules]*

Subp. 2. **Notification of searches.** Within 24 hours of any searches conducted by an association or its security personnel, the Racing Commission director of racing security or his or her designee must be notified of the searches and any relative circumstances involved. A copy of the inventory sheet of all items confiscated during the searches must accompany the notification. All illegal contraband seized as a result of a search ~~must be immediately delivered to the local law enforcement agency~~ must be secured by the association until contact is made with commission investigators. After consultation with commission investigators, all contraband must be transferred or disposed of according to applicable law. Under no circumstances shall the association or its security personnel destroy or otherwise dispose of any illegal contraband.

**7879.0200 AUTHORITY AND DUTIES OF STEWARDS.**

Subpart 1. **General authority of stewards.** The stewards shall exercise immediate supervision, control, and regulation of racing at each licensed race meeting on behalf of the commission and shall be responsible only to the commission. The powers of the stewards shall include:

*[For text of items A to J, see Minnesota Rules]*

K. for all county fair meets in which the average daily handle for the preceding year was less than \$150,000, the rules of horse racing and pari-mutuel rules shall apply unless waived by the commission after a determination by the commission that the integrity of the race meet and safety to humans or animals would not be affected. In the event circumstances during a race meet require an immediate change so as to expedite the completion of the race day, the board of stewards, after consultation with the director of security, commission veterinarian, or director of pari-mutuels, as determined appropriate under the circumstance, shall thereafter approve the change. In the event the board of

stewards is unable to consult with the appropriate commission staff member after a reasonable time, the board of stewards shall approve the change without such consultation; ~~and~~

L. for a period of 90 days after the conclusion of a race meeting at a licensed facility or a county fair meet, jurisdiction to hold hearings and take action with regard to any aspect of racing at the meet shall continue with the board of stewards or, if considered by the commission to be more practical or convenient for the parties concerned, may be exercised by a single knowledgeable person designated by the commission. Any person acting in lieu of the board of stewards under this part shall have all of the authority granted to the board of stewards under this part or any other applicable rule. A person may appeal from any action taken, in the same manner as an appeal may be taken from a steward's hearing; and

M. the authority to summarily suspend a commission license pending a hearing, should the stewards determine that a licensee's actions constitute an immediate danger to the public health, safety, or welfare; are not in the best interest of racing; or compromise the integrity of operations at a track or satellite facility. A licensee whose commission license has been summarily suspended by the stewards is entitled to a hearing within 48 hours following a written request for a hearing by the licensee. The stewards must conduct a hearing on the summary suspension in the same manner as other disciplinary hearings. At a summary suspension hearing, the sole issue is whether the licensee's commission license should remain suspended pending a final disciplinary hearing and ruling.

*[For text of subparts 2 and 3, see Minnesota Rules]*

#### **7883.0100 ENTRIES AND SUBSCRIPTIONS.**

*[For text of subparts 1 to 15a, see Minnesota Rules]*

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

*[For text of items A to H, see Minnesota Rules]*

I. For the purpose of removing a horse from the ~~stewards'~~ veterinarian's list, all workouts must be conducted under the same medication requirements as those for race days.

*[For text of item J, see Minnesota Rules]*

*[For text of subparts 17 to 19, see Minnesota Rules]*

Subp. 20. [See repealer.]

#### **7883.0110 PREFERENCE SYSTEM.**

*[For text of subpart 1, see Minnesota Rules]*

Subp. 2. **In-today horses.** When a horse is entered on one day and has an opportunity to start other than in a stakes race or as a main-track-only entry and is also entered for ~~the following~~ a subsequent race day, the second entry will be an "in-today" and will not be considered unless the race underfills, nor will such horse be considered on the preferred list.

*[For text of subparts 3 and 4, see Minnesota Rules]*

#### **7883.0120 SCRATCHES AND NONSTARTERS.**

*[For text of subparts 1 and 1a, see Minnesota Rules]*

Subp. 1b. **Procedure for scratching horses.**

*[For text of items A and B, see Minnesota Rules]*

C. Horses may be scratched down to a field of ~~seven~~ eight without penalty. Any horse that scratches below a field of ~~seven~~ eight horses without a reason allowed by this part must be placed on the stewards' list for a minimum of seven days and may not start until they are off the list.

D. Any racing office request for a scratch must not be allowed unless the horse is coming out of a race to make a race of equal or lesser field size.

E. With the exception of stakes races, a scratch requested by the trainer, owner, or authorized agent on race day is not final until all scratches requested by a commission veterinarian have been submitted and approved by the stewards. Every entered horse must be examined by a commission veterinarian regardless of a potential scratch.

*[For text of subpart 1c, see Minnesota Rules]*

Subp. 1d. **Horse drawn into two races.** A horse drawn into the body of a race that has drawn into the body of another race to be run within seven days or fewer shall be scratched from the first race. Main-track-only and stakes horses are excluded.

*[For text of subparts 2 to 7, see Minnesota Rules]*

#### **7883.0150 Paddock to Post.**

*[For text of subparts 1 to 14, see Minnesota Rules]*

Subp. 15. **Tongue ties.** Tongue ties tied so tightly that the tongue appears blue or purple when the horse reaches the saddling paddock must be loosened before the horse may be saddled. The paddock veterinarian is responsible for determining if a tongue is tied too tightly.

Subp. 16. **Questionable weather events.** For the purposes of tracking the following weather events, the Air Quality Index (AQI) must be monitored via <https://www.airnow.gov> or via the AirNow application. The heat index must be monitored via <https://www.osha.gov/heat/> or via the Occupational Safety and Health Administration (OSHA) heat index application. The My Lightning Tracker Pro application must be used to measure lightning strikes within a set number of miles from the racetrack. National Oceanic and Atmospheric Administration (NOAA) weather reports and the National Weather Service RADAR must be used to confirm weather patterns and directions.

A. When the AQI for the racetrack's zip code is elevated due to an extreme air pollutant event, including when smoke from wildfires is forecasted or detected, the following procedures must be followed:

(1) when the AQI for the racetrack's zip code reaches a level of 150 degrees Fahrenheit, both equine and human participants must be provided the option to withdraw from competition without penalty; and

(2) when the AQI for the racetrack's zip code is at or above 175 degrees Fahrenheit, no horse racing or training may be conducted.

B. When the heat index for the racetrack's zip code is projected to reach 105 degrees Fahrenheit or higher for more than two consecutive hours, the chief commission veterinarian must recommend to the association that horse racing be postponed or canceled.

C. When lightning first strikes within an eight-mile radius of the racetrack, the following procedures must be followed:

(1) the racetrack must suspend or cancel racing, in coordination with the commission stewards. Racing activity may resume after 30 minutes from the last lightning strike within eight miles of the racetrack, or earlier if an all-clear is established; and

(2) if the suspension lasts longer than one hour, the commission chief veterinarian must discuss with the association canceling a partial amount of the remaining card or implement a plan to cancel the remainder of the race card.

#### **7883.0160 POST TO FINISH.**

*[For text of subparts 1 to 13, see Minnesota Rules]*

Subp. 14. **Horse becomes disabled or otherwise unable to finish.** Items A to E apply if a horse during the running of a race becomes disabled or otherwise obviously unable to finish.

A. The horse shall be dismounted, unsaddled by the jockey or another ~~MRC~~ commission licensee, and removed from the course by horse ambulance. A horse observed by a regulatory veterinarian to be bleeding excessively during or immediately after a race must be transported by horse ambulance to the detention barn for further examination.

*[For text of items B to E, see Minnesota Rules]*

#### **7883.0170 RACING EQUIPMENT.**

A. Equipment.

*[For text of subitems (1) and (2), see Minnesota Rules]*

(3) Horseshoes are subject to the following specifications:

~~(a) For Thoroughbreds, toe grabs, other than wear plates with a height no greater than two millimeters (0.07874 inches), bends, jar caulks, stickers, and any other traction device worn on the front shoes of Thoroughbred horses while racing or training on all racing surfaces are prohibited.~~

(a) For Thoroughbreds:

i. on dirt surfaces, traction devices, other than full rims two millimeters or less in height from the ground surface of the horseshoe, are prohibited on forelimb horseshoes while racing or training. Traction devices, other than full rims four millimeters or less in height from the ground surface of the horseshoe or toe grabs four millimeters or less in height from the ground surface of the horseshoe, are prohibited on hindlimb horseshoes while racing or training;

ii. on turf surfaces, traction devices are prohibited on forelimb and hindlimb horseshoes; and

iii. on synthetic surfaces, traction devices other than full rims that are two millimeters or less in height from the ground surface of the horseshoes are prohibited on forelimb or hindlimb horseshoes.

*[For text of unit (b), see Minnesota Rules]*

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

#### **7884.0120 ELIGIBILITY AND ENTERING.**

*[For text of subparts 1 to 12, see Minnesota Rules]*

Subp. 13. **Horses denied entry.**

*[For text of items A to C, see Minnesota Rules]*

D. A horse with no documented physiological abnormalities having two consecutive TCO<sub>2</sub> concentrations as defined in part 7890.0100, subpart 16b, greater than 35 mmol/L must be placed on a TCO<sub>2</sub> restricted list and be unable to enter for seven days. Each subsequent concentration greater than 35 mmol/L must result in the horse being placed on the TCO<sub>2</sub> restricted list and unable to enter for 14 days.

*[For text of subparts 14 to 18, see Minnesota Rules]*

Subp. 19. **Races with a purse less than \$30,000.** All races with a purse less than \$30,000 must be drawn electronically unless the association requests an exception to this subpart from the executive director. The executive director shall approve the association's request if it is jointly made with the organization representing the majority of horsepersons racing at that race meeting.

#### **7884.0130 PREFERENCE SYSTEM.**

Subpart 1. [Repealed, 49 SR 1123]

Subp. 1a. **Preference date.** Preference dates shall be given to horses in all overnight events at extended pari-mutuel tracks in accordance with the following:

A. The date of the horse's last previous start in a purse race during the current year is the horse's preference date with the following exceptions:

*[For text of subitems (1) and (2), see Minnesota Rules]*

(3) Wherever horses have equal preference in a race, the actual preference of said horses in relation to one another shall be determined ~~from the most recent previous starts that do not result in equal preference,~~ when matching dates occur for two consecutive dates, by giving preference to state-bred horses over non-state-bred horses.

*[For text of subitem (4), see Minnesota Rules]*

*[For text of items B to D, see Minnesota Rules]*

Subp. 2. [Repealed, 11 SR 543]

Subp. 3. [Repealed, 11 SR 543]

#### **7884.0230 RACING EQUIPMENT.**

*[For text of subparts 1 to 8, see Minnesota Rules]*

Subp. 9. **Tongue ties.** Tongue ties tied so tightly that the tongue appears blue or purple when the horse comes onto the track must be loosened before the horse may continue to race. The track veterinarian is responsible for determining if a tongue is tied too tightly.

#### **7884.0240 POST TIME AND STARTING.**

*[For text of subpart 1, see Minnesota Rules]*

Subp. 1a. **Cancellation and postponement.** In the case of questionable racetrack or racing conditions due to weather, the presiding judge shall call a meeting consisting of an agent of the track member, a representative of the ~~horseman~~ horsepersons, and the chief

commission veterinarian to determine if cancellation or postponement of races is necessary. The presiding judge has the final authority to cancel or postpone races. For the purposes of tracking the following weather events, the Air Quality Index (AQI) must be monitored via <https://www.airnow.gov> or via the AirNow application. The heat index must be monitored via <https://www.osha.gov/heat/> or via the Occupational Safety and Health Administration (OSHA) heat index application. The My Lightning Tracker Pro application must be used to measure lightning strikes within a set number of miles from the racetrack. National Oceanic and Atmospheric Administration (NOAA) weather reports and the National Weather Service RADAR must be used to confirm weather patterns and directions.

A. When the AQI for the racetrack's zip code is elevated due to an extreme air pollutant event, including when smoke from wildfires is forecasted or detected, the following procedures must be followed:

(1) when the AQI for the racetrack's zip code reaches a level of 150, both equine and human participants must be provided the option to withdraw from competition without penalty; and

(2) when the AQI for the racetrack's zip code is at or above 175, no horseracing, training, or jogging may be conducted.

B. When the heat index for the racetrack's zip code is projected to reach 105 degrees Fahrenheit or higher for more than two consecutive hours, the chief commission veterinarian must recommend to the association that horseracing be postponed or canceled.

C. When lightning first strikes within an eight-mile radius of the racetrack, the following procedures must be followed:

(1) the racetrack must suspend or cancel racing, in coordination with the commission stewards. Racing activity may resume after 30 minutes from the last lightning strike within eight miles of the racetrack, or earlier if an all-clear is established; and

(2) if the suspension lasts longer than one hour, the commission chief veterinarian must discuss with the association canceling a partial amount of the remaining card or implement a plan to cancel the remainder of the race card.

*[For text of subparts 2 to 10, see Minnesota Rules]*

#### **7884.0260 DRIVING RULES.**

*[For text of subpart 1, see Minnesota Rules]*

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

*[For text of items A to S, see Minnesota Rules]*

~~T. use a whip exceeding 36 inches in length, including a built-in popper no longer than three inches in length, 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 stewards necessary to control the horse. The board of stewards must notify a 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 one-handed whipping;~~

~~(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;~~

~~(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; or~~

~~(5) any whipping other than by wrist action only or where the whipping arm is raised above the driver's shoulder height;~~

T. violate the whip requirements of subpart 13;

U. punch, jab, or kick a horse;

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

W. fail to keep a line in each hand, with both hands in front of the driver, until the finish of the race; ~~and~~

X. lay back at an angle greater than 45 degrees; and

Y. use any exaggerated movement of either arm while urging the horse. Arms must stay below shoulder level at all times while urging a horse during the race.

Subp. 3. **Breaks.** When a horse breaks from its gait the driver shall:

A. take the horse to either the inside or outside of other horses ~~or~~ where clearance exists;

B. properly attempt to pull the horse to its gait; and

C. drop back from the field while on the break.

*[For text of subparts 4 to 10, see Minnesota Rules]*

Subp. 11. **Pylon violations.**

*[For text of item A, see Minnesota Rules]*

B. For purposes of placing, the following apply:

*[For text of subitem (1), see Minnesota Rules]*

(2) if a horse while on stride, or any part of the horse's sulky, goes inside three or more consecutive pylons, the offending horse shall be placed last; ~~or~~

(3) if in the opinion of the ~~judges~~ stewards a horse while on stride, or part of the horse's sulky, goes inside a pylon or pylons and that action gave the horse an unfair advantage over other horses in the race or the action helped improve its position in the race, the horse may be placed at the discretion of the ~~judges~~ stewards; or

(4) if a driver takes a horse to the inside of the pylons, the horse must continuously lose ground and reenter the racing surface as soon as possible without causing interference to other horses. If the driver complies with this subitem and the stewards determine that no unfair advantage has been gained, the horse may remain in its position without a disqualification. The steward's decision on the matter is final.

Subp. 12. **Double riders on sulky.** At no time may there be more than one individual on a single-seat sulky.

Subp. 13. Use of the whip.

A. A driver must not:

(1) use a whip exceeding 48 inches (four feet) in length, plus a snapper no longer than three inches in length,

(2) use unreasonable or unnecessary force in the whipping of a horse;

(3) whip any horse causing visible injury;

(4) whip any horse about the head, including a trailing horse; or

(5) whip any horse after the finish line has been crossed except when it has been deemed by the board of stewards necessary to control the horse.

B. No leather or unusual materials may be used.

C. The snapper must not be knotted, and tape is only permitted on the handle of the whip.

D. All other modifications of the whip are prohibited.

E. The board of stewards must notify a commission veterinarian to conduct any postrace examination on any horse deemed to have been subject to unreasonable or unnecessary force.

F. The following actions are considered indiscriminate, unreasonable, or unnecessary uses of the whip:

(1) any one-handed whipping;

(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;

(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; or

(5) any whipping other than by wrist action only or where the whipping arm is raised above the driver's shoulder height.

G. A driver's penalty is based on the number of whipping offenses that the driver has had over the 90-day period that includes and immediately precedes the date of the most recent offense.

(1) For penalties associated with welts, the fine schedule starts at \$500 and a three-day driving suspension per offense.

(2) For penalties not associated with welts, the fine schedule below is used.

<u>Offense</u>	<u>Fine</u>	<u>Driving Day Suspension</u>
<u>1<sup>st</sup></u>	<u>\$250</u>	<u>0</u>
<u>2<sup>nd</sup></u>	<u>\$500</u>	<u>3</u>
<u>3<sup>rd</sup></u>	<u>\$1,000</u>	<u>6</u>
<u>4<sup>th</sup></u>	<u>\$2,000</u>	<u>12</u>

#### **7890.0100 DEFINITIONS.**

*[For text of subparts 1 to 13, see Minnesota Rules]*

Subp. 13a. **Medication.** "Medication" is a substance, compound, or element, or combination thereof, which is or can be administered to a horse for the purpose of preventing, curing, or alleviating the effects of any disease, condition, ailment, or infirmity, or symptom thereof, or for altering in any way the behavior, attitude, temperament, or performance of a horse, including athletic performance. Medication includes all alkalizing agents, analgesics, anesthetics, depressants, narcotics, stimulants, tranquilizers, and other classifications of medications. Nothing herein shall be deemed to include:

*[For text of items A to D, see Minnesota Rules]*

E. Omeprazole, provided that the medication has not been administered within 24 hours of racing. The concentration of omeprazole in the test sample must not exceed more than 10ng/mL plasma or serum.

*[For text of subparts 13b to 21, see Minnesota Rules]*

#### **7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.**

*[For text of subparts 1 to 8, see Minnesota Rules]*

##### **Subp. 8a. Intra-articular injections.**

A. For Thoroughbreds and Quarter Horses, the use of any intra-articular injection within 14 days of the race in which the horse is entered is prohibited.

B. For Thoroughbreds, the use of a corticosteroid injection in the fetlock joint is prohibited within 30 days of the race in which the horse is entered. X-rays of the fetlock must be taken for any horse receiving a corticosteroid injection in the same fetlock joint within a 60-day period.

C. For Standardbreds, the use of any intra-articular injection within seven days of the race in which the horse is entered is prohibited.

*[For text of subparts 9 to 13, see Minnesota Rules]*

#### **7890.0160 RESPONSIBILITY OF VETERINARIAN.**

*[For text of items A to E, see Minnesota Rules]*

F. For emergency cases not requiring treatment where a race day scratch is requested, the attending veterinarian must perform a physical examination on the horse and report the results, including temperature, pulse, and respiratory rate, to a commission veterinarian.

#### **7891.0101 ENTRY EXAMINATION BY ATTENDING VETERINARIAN.**

A. A Thoroughbred or Quarter Horse must only start if:

(1) the horse has been examined by an attending veterinarian licensed by the Racing Commission in the jurisdiction where the examination occurs within three days after the close of entries and no later than two days before the start of the race; and

(2) the attending veterinarian certifies and electronically submits a report to the chief commission veterinarian or designee that the horse is in serviceable and sound racing condition.

B. The examination required under this part shall include, at a minimum, examination of the legs and observation of the horse at rest and while jogging.

C. If the attending veterinarian examining the horse prescribes a diagnostic test as part of the soundness examination, the test results shall be provided to the commission veterinarian no later than one day before the horse is set to start.

#### **7891.0110 POSTMORTEM EXAMINATION.**

*[For text of subpart 1, see Minnesota Rules]*

##### **Subp. 2. Test samples to be taken for analysis.**

*[For text of items A and B, see Minnesota Rules]*

C. Blood, urine, and cerebral spinal fluid samples from a horse with a suspected or known neurological disease must be obtained prior to or directly after euthanasia and submitted to the appropriate laboratory for analysis.

*[For text of subparts 3 to 5, see Minnesota Rules]*

#### **7895.0300 QUARTER HORSE BREEDERS' FUND.**

*[For text of subparts 1 and 2, see Minnesota Rules]*

Subp. 3. **Distribution of money.** The award money available from the Quarter Horse breeders' fund shall be distributed as follows:

*[For text of item A, see Minnesota Rules]*

B. "Stallion awards" shall be paid to the stallion owner or recorded lessee (at the time of breeding) of a Minnesota-bred and sired horse that earns purse earnings in any North American pari-mutuel race. The amount of award shall be a percentage of the total amount available for all awards. Purse earnings earned in any North American race that is conducted outside of Minnesota ~~during the~~ on or after the first scheduled Minnesota Quarter Horse racing meeting live race and on or before the last scheduled Minnesota Quarter Horse live race shall not count toward qualified earnings. A horse's earnings in any single race must

not be worth more than the winner's share of the largest purse offered during the Minnesota Thoroughbred racing meeting.

*[For text of subparts 4 to 7, see Minnesota Rules]*

#### **7895.0350 QUARTER HORSE REGISTRATION.**

*[For text of subparts 1 to 2, see Minnesota Rules]*

Subp. 3. **Foal registration.** For a horse foaled in Minnesota to be registered as a ~~Minnesota-sired~~ Minnesota-bred horse, the following requirements must be met:

*[For text of items A to E, see Minnesota Rules]*

*[For text of subparts 4 to 6, see Minnesota Rules]*

#### **7897.0100 PROHIBITED ACTS.**

*[For text of subparts 1 to 6a, see Minnesota Rules]*

Subp. 7. **Cooperation with security officers and racing officials.** No person shall fail to comply with orders of security officers or racing officials, including regulatory veterinarians, or interfere with security officers or racing officials, including regulatory veterinarians, in the performance of their official duties. No racing official shall fail to comply with orders of a steward while in the performance of the steward's duties.

*[For text of subparts 8 to 25, see Minnesota Rules]*

Subp. 26. **Furosemide and oral diuretic supplementation.** Unless prescribed for a horse with a documented medical condition and approved by the chief commission veterinarian, the possession of furosemide and other diuretic oral solutions, tablets, paste, or other forms is prohibited.

**REPEALER.** Minnesota Rules, part 7883.0100, subpart 20, is repealed.