

DIVISION 140

DUTIES General

462-140-0040

Veterinarian

(1) No one shall practice veterinary medicine on a racecourse unless licensed by the Oregon Board of Veterinary Medical Examiners, with a current copy annually of said license on file with the Oregon Racing Commission, as well as licensed with the Oregon Racing Commission. Veterinary assistants shall only perform their duties under the direct supervision of a licensed veterinarian.

(2) Veterinarians performing services on a racecourse shall report all animals nerved, all treatments and all medicines given and prescribed each day on forms provided by the commission. These reports shall be mailed, hand delivered to a commission veterinarian or designee or placed daily in the locked receptacle provided by the commission veterinarian. In the case of lasix, treatments shall be recorded on a program, overnight, or other form approved by the commission veterinarian.

(3) Veterinarians on a racecourse shall use one-time disposable needles and shall dispose of all medical waste, i.e., needles, syringes, used bottles and/or other medication containers, etc., off the racecourse.

(4) No person, other than a veterinarian licensed by the Oregon Racing Commission, shall dispense, sell or furnish any feed supplement, veterinary preparation, medication or any other substance containing a prohibited drug or prescription medication to any person within the licensed enclosure. Any such products must be properly labeled as required by state law specifying the name, address and phone number of the dispensing veterinarian, the name of the trainer or owner of the animal, the name of the animal for which the product is prescribed, the name and strength of drug/medication, complete directions for use of the medication, and the minimum expected withdrawal time of the medication prior to a race. The label shall also have the words; "Caution, contains medication that is prohibited in racing animals. Use of this medication could result in violation of medication rules."

(5) Every racing animal which suffers a breakdown on the race track in training or in competition and is destroyed, and every other racing animal which expires while on a racecourse under the jurisdiction of the commission, shall undergo an examination to the extent that satisfies a commission veterinarian and that is reasonably necessary to determine the injury or sickness which resulted in euthanasia or natural death:

(a) The examination required under this rule will be conducted by a licensed veterinarian employed by the owner or trainer in consultation with the commission veterinarian, who may be present at such examination.

(b) A commission veterinarian has the ultimate decision, with or without the consent of the owner or trainer, to require further examination and testing on any expired horse for reasons including but not limited to those that would impact or be a threat to humans or animals. Should the commission veterinarian require such an examination or testing, the Oregon Racing Commission shall be responsible for the cost incurred.

(c) Test samples must be obtained from the carcass as directed by the commission veterinarian during the postmortem examination and sent to a laboratory approved by the commission for testing for foreign substances or their metabolites and natural substances at abnormal levels. When practical, samples shall be taken from the racing animal prior to euthanasia.

(d) The cost of laboratory testing of postmortem samples shall be borne by the commission.

(6) All veterinarians must conform their practice, at the least, to the minimum standards of the Oregon Veterinary Practice Act.

(7) Maintain security of controlled substances as required by law.

(8) All veterinarians shall provide the commission veterinarian and track security with current office and emergency telephone numbers five (5) days before the opening of each race meet at which they intend to practice.

Board of Stewards; Commission Staff

462-140-0060

Commission Board of Steward(s)/Judge(s); Authority

(1) Accreditation: To qualify for appointment as a steward/judge, the appointee may be required by the commission to be accredited and current with the Racing Officials Accreditation Program in association with the Universities of Arizona and Louisville and be in good standing with all racing jurisdictions.

~~(1)~~(2) Except for small fair meets, the board of stewards/judges shall consist of the presiding state steward/judge, deputy state steward/judge, and a race meet licensee steward/judge, approved by the commission. The board of stewards/judges is responsible for the proper conduct of the race meet and for the enforcement of the statutes and rules of racing. During the temporary absence of one or more stewards/judges, the remaining steward/judge(s) or the executive director of the commission may appoint a deputy or deputies to act temporarily for those absent. All decisions, rulings, and orders of the board of stewards/judges must be made by a majority of the stewards/judges. The stewards'/judges' authority begins 30 days before, and extends 30 days after the conclusion of the race meet unless shortened, extended, or re-instituted by the executive director of the commission.

~~(2)~~(3) The board of stewards/judges has the authority to take any action expressly authorized by ORS chapter 462 or the rules of racing. The board of stewards/judges also has the authority to take any appropriate action not expressly authorized by these rules in order to ensure a fair race and to protect the best interests of racing.

~~(3)~~(4) The stewards/judges have authority over licensees of the commission and all persons on a racecourse. Persons entering racing animals or allowing racing animals to be entered to run at licensed Oregon racecourses agree in so doing to accept the decision of the stewards/judges on any questions relating to a race or racing, subject to their right to hearings and right of appeal as provided in these rules. The board of stewards/judges may override the decision of any racing official with regard to the rules of racing, subject to review by the commission.

~~(4)~~(5) The stewards/judges may suspend on an emergency basis the license of any person whose actions are detrimental to the best interests of racing and which are seriously dangerous to the health or safety of the person, the public or another person involved in racing. An emergency suspension or a penalty suspension following a hearing may include ruling off of the licensee. When based upon evidence that the person is currently ruled off by an official body of another racing jurisdiction, the person may be ruled off whether the person is licensed or not. If an emergency suspension is imposed under this rule, the person is entitled to a post-suspension hearing. The suspension may not exceed 365 days unless so ordered by the commission.

~~(5)~~(6) The stewards/judges have the authority to investigate any matter relating to racing. The stewards/judges shall have control over and be granted immediate access to all areas of the racecourse.

(a) Judges shall be given prompt access for inspection of kennels and/or Oregon greyhound farms owned/operated by licensees.

(b) At least two members of the board of judges shall inspect all booked kennels at least once during each race meet and shall issue their findings to the commission and to the race meet licensee.

~~(6)~~(7) The stewards/judges have the authority to order a prompt examination of any racing animal which has been entered or which has run a race, and may disqualify any racing animal which appears to have been the subject of corrupt or illegal practices, which has interfered with another

racing animal during an official race or official schooling race, or whose jockey has interfered with another horse or jockey.

(a) The stewards may examine or have examined any horse registered for racing. The stewards may scratch any ineligible horse.

(b) The judges may by written order permanently rule off any greyhound that has quit or interfered twice during its official racing career in Oregon, subject to the right of appeal by the licensed owner, kennel owner, or trainer.

~~(7)~~(8) The stewards/judges have the authority to impose penalties and sanctions under the procedures set forth in these rules, but only for specific violations of ORS chapter 462 or these rules. They may not impose sanctions against commission employees, but may investigate and recommend disciplinary action to the executive director or commission.

(9) The stewards have the authority to review license applications and corresponding results of their subsequent background investigations, and based on those reviews, to either approve or deny licensure. Any applicant that is ineligible to apply due to a commission order, such as a previous denial or revocation, shall have his/her application automatically denied.

~~(8)~~(10) The stewards/judges may, at their discretion, hold informal hearings on matters other than violations, using the same procedures set forth in these rules for violations.

~~(9)~~(11) In the event of an emergency which prevents an owner or trainer from performing his/her necessary duties, the stewards/judges may appoint a qualified person to temporarily perform those duties. For good cause, the stewards may substitute a jockey of their choice on any horse or place a horse temporarily in charge of a trainer of their choice.

~~(10)~~(12) When a racing official other than a steward/judge or commission employee is absent, the race meet licensee may appoint a temporary or permanent replacement, subject to approval by the stewards/judges, or, in exigent circumstances, the stewards/judges may appoint a temporary replacement. All appointments are subject to confirmation by the commission, but appointees may exercise their appointed duties pending confirmation.

~~(11)~~(13) The stewards/judges shall investigate promptly and render a decision on every objection and on every complaint made to them. The stewards/judges shall report all objections and complaints to the commission as soon as received by them, and shall make prompt written report of their investigation and decision to the commission's executive director.

~~(12)~~(14) The judges/stewards, being duly notified in writing of financial irresponsibility by a licensee, shall conduct an investigation into the matter, including but not limited to a hearing. If the result of such investigation or hearing clearly shows a licensee to be financially irresponsible and remiss concerning his/her just debts as provided in this section of this rule, the judges/stewards may impose such ruling as may be consistent with the circumstances in conformity with the best interests of racing.

~~(13)~~(15) One steward must be on duty each morning from scratch time until conclusion of the draw.

~~(14)~~(16) During each racing day at least one of the judges shall be on the racecourse not later than weigh-in time.

~~(15)~~(17) No person other than the commissioners or executive director shall be allowed in the stewards/judges stand unless previous permission is obtained from the stewards/judges.

~~(16)~~(18) The presiding state steward/judge or deputy state steward/judge or appointee shall sound the bell closing the pari-mutuel machines no later than the opening of the starting gate/box.

(a) In the event of a mishap at the start, ~~¶~~the stewards/judges shall make a final decision as to whether a start was fair after consultation with the starter. Also, after consulting with the starter, the stewards/judges shall make the final decision as to whether any racing animal was prevented from starting in a race through failure of the starting gate/box to open.

(b) The judges shall closely observe the operation of the lure and the conduct of the greyhounds in a race.

~~(17)~~(19) The stewards/judges have final authority to decide the order of finish of any race. They shall promptly display the numbers of the first three racing animals in each race in the order of

finish and shall not declare the race official until they have made a final determination as to which racing animal finished first, second and third.

~~(18)~~(20) The stewards may place any horse on the "Stewards' List" or suspend any horse for poor performance or other good cause. The stewards may at any time require proof that a horse is qualified for a particular race or proof that a horse is owned only by qualified persons. If satisfactory proof is not offered, the stewards may disqualify the horse.

~~(19)~~(21) The board of stewards/judges shall determine the condition of the track's running surface.

~~(20)~~(22) The presiding state steward/judge shall immediately report to the commission any "No-Race" declared by the stewards/judges, with a detailed explanation as to its cause.

~~(21)~~(23) The stewards/judges shall maintain a daily log of all infractions of the rules and of all rulings of the stewards/judges upon matters coming before them during the race meet.

~~(22)~~(24) The presiding state steward/judge is responsible for making sure that all reports required by this rule are promptly submitted to the commission.

~~(23)~~(25) When placing judges are not appointed, the stewards shall perform the placing judge functions.

~~(24)~~(26) The board of stewards/judges shall establish post times; however, post times may be established by the race meet licensee subject to approval by the board of stewards/judges.

~~(25)~~(27) Rules for Small Meets:

(a) These rules shall apply for all small fair meets of 10 days or less except as otherwise directed by the commission, or unless circumstances require a change and the state steward approves the change.

(b) The board of stewards are granted jurisdiction for a period of 90 days after the conclusion of a small fair meet to hold hearings and take action with regard to any aspect of racing at the meet.

(c) Hearings may be conducted by a single knowledgeable person designated by the commission if it is deemed by the commission to be more practical or convenient for the parties concerned. Any person acting in lieu of the board of stewards under this rule shall have all of the authority granted to the board of stewards under OAR 462-130-0030 and 462-130-0040 or any other applicable rule. A party may appeal any action taken in the same manner as an appeal may be submitted as a result of action taken at a stewards' hearing.

462-140-0070

Commission Veterinarian

(1) A commission veterinarian is responsible, to the extent possible, for ensuring that horses/greyhounds coming upon the race course do not pose a health or safety problem to themselves or other racing animals. A commission veterinarian is authorized to check all animals coming on to the racecourse and to exclude and/or scratch any animal that may pose a health or safety problem in his/her opinion.

(2) A commission veterinarian shall be granted immediate access to any racing animal on or off the racecourse which has recently run a race or has been entered in a race. A commission veterinarian may examine or cause to be examined any racing animal on the racecourse and may take or cause to be taken blood, urine, saliva or other body fluids or samples for examination.

(3) A commission veterinarian shall observe all racing animals to ensure that all racing animals allowed to participate are, in his/her opinion, in sound racing condition and that its participation in a race is not contrary to the best interest of the racing animal.

(4) A commission veterinarian is authorized to scratch a racing animal from a race if, in the commission veterinarian's opinion, the animal is not in sound racing condition, may pose a health or safety problem to ~~it's~~itself or others, or that its participation in a race is contrary to the best interest of the racing animal. The commission veterinarian shall immediately notify the judges/stewards of the scratch.

(5) A commission veterinarian shall maintain a list, to be known as the "Vet's List", of racing animals that the commission veterinarian has reason to believe are uncontrollable, sick, injured,

illegally medicated, are a danger to themselves or other racing animals, or are not in sound racing condition. Racing animals may only be removed from the "Vet's List" with the approval of a commission veterinarian.

(6) When necessary, a commission veterinarian is authorized to take immediate steps without approval of a racing animal's owner or trainer to protect the health and safety of the racing animal or other racing animals. This includes administering drugs and/or medications for treatment and/or humane euthanasia. In any other situation in which a commission veterinarian determines that a racing animal should be removed from the racecourse or scratched from a race, a commission veterinarian may order the racing animal removed or scratched.

(7) Except in the case of an emergency, a commission veterinarian, while employed by the commission, may not prescribe any medication for or treat any animal which will race on a racecourse in Oregon, with or without compensation. When emergency treatment is given a commission veterinarian shall make a complete written report to the stewards/judges.

(8) A commission veterinarian or designated assistant shall secure blood, urine or other samples, as specified by the commission, of winning racing animals and of other racing animals designated by the stewards/judges or commission veterinarian. Unused sealed containers furnished by the official laboratory designated by the state must be used for collecting specimens for analysis.

(9) A commission veterinarian will not conduct searches but may be involved in searches conducted by the commission investigators.

(10) Horses only.

(a) A commission veterinarian shall verify the conditions of all horses reported to be nerved prior to the horse's first entry in a race meet or continuous race meet.

(b) A commission veterinarian shall be available, by telephone, radio or in person, to the stewards and racing secretary at scratch time, until the close of entries, and at least one hour prior to the first post. A commission veterinarian shall leave the paddock as the last horse leaves the paddock, or as a commission veterinarian deems practical, for each race and shall observe the horses during the post parade, warm up, and at the starting gate.

(11) Greyhounds only.

(a) When a commission veterinarian determines that a greyhound on the race track is coming in season or in milk, the veterinarian shall place the greyhound on the "Vet's List", order the greyhound removed from the race track, order the greyhound restricted from starting for fourteen (14) days, and notify the judges. In any other situation in which a commission veterinarian determines that a greyhound should be removed from the race track or scratched from a race, the veterinarian shall notify the judges.

(b) A commission veterinarian (or designee) shall be on the racecourse at weigh-in time and examine the physical condition of each greyhound at weigh-in time. For maiden graduation races a commission veterinarian (or designee) shall examine the physical condition of each greyhound at weigh-in time.

(c) A commission veterinarian (or designee) shall periodically inspect the lock-out kennels to ensure that the lock-out kennels are clean, sanitary, and in good repair, and that they contain nothing for the greyhounds to consume.

(d) A commission veterinarian, along with the paddock judge, shall establish a list of greyhounds whose performance in the paddock or during a race demonstrates that the best interests of racing would be served by scheduling the greyhounds in early races. The list shall be known as the "Weight-Loser's List". Except for "special" and "stake" races greyhounds on the "Weight Loser's List" may be drawn only into the first six pari-mutuel races for which it's weighed in. A commission veterinarian, however, may authorize a greyhound in a later race in order to determine whether the greyhound should be taken off the list. A commission veterinarian may take a greyhound off the list whenever he/she determines that the reason(s) for placing the greyhound on the list no longer exist. A commission veterinarian may place greyhounds on the "Weight Loser's List" under the following circumstances;

- (A) The greyhound has lost three or more pounds between weigh-in and weigh-out; or
- (B) The greyhound has a history of poor performance during late races (seventh race or later).
- (e) At the end of each race day a commission veterinarian shall notify the racing secretary, board of judges and the paddock judge in writing of all additions to and the deletions from the "Weight Loser's List" and the "Vet's List".
- (f) A commission veterinarian shall view the running of each race, whenever possible.

Horseracing Licensees

462-140-0130

Race Meet Licensee

(1) License Application. Applications for racing dates must be in the office of the commission when required by the commission.

(2) Race Meet Licensee Employees. The race meet licensee shall be responsible for ensuring that all employees are properly licensed and current. The race meet licensee shall provide the licensing department with a complete list of employees at the start of each race meet and thereafter shall maintain and provide the licensing department with any subsequent changes.

~~(2)~~(3) Racing Officials. The race meet licensee shall hire all necessary racing officials and shall submit to the commission for approval the names of all proposed racing officials and their assistants, except commission employees, at least 45 days prior to the proposed race meet. This deadline may be waived by the commission for good cause. Substitutions of racing officials may be made from time to time as provided in OAR 462-140-0060(10). The race meet licensee shall provide the commission, for confirmation, timely updates of the list of officials and their assistants when changes are made. The commission may appoint an employee of the commission to serve as a racing official for any race meet and may require the race meet licensee to pay the employee's compensation.

~~(3)~~(4) Safe and Clean Facilities. The race meet licensee shall provide all facilities necessary for the proper conduct of the race meet and shall take every reasonable precaution to make all areas of the racecourse safe and shall ensure that the paddocks, starting gate, test barn and other equipment with which racing animals may come in contact are kept in a clean condition and free of dangerous surfaces. The race meet licensee shall keep the grounds of the racecourse in a clean condition.

~~(4)~~(5) Commission Offices. The race meet licensee shall provide adequate office space properly equipped and maintained for the use of the commission and its designated representatives. Office space includes, but is not limited to, general offices and stewards' office. Upon request, the race meet licensee shall furnish suitable space and accommodations for fingerprinting and photographing license applicants.

~~(5)~~(6) First Aid. During racing hours the race meet licensee shall provide and equip a first aid room within the racecourse and shall have present on the premises a licensed physician or registered nurse unless otherwise authorized by the board of stewards. :

~~(6)~~(7) Equine Ambulance.

(a) The race meet licensee shall provide an equine ambulance attached to a tractor or vehicle for the immediate removal of an injured animal from the racecourse. The ambulance shall be available during racing and training hours and the period preceding the official opening of the race meet.

(b) The race meet licensee shall require a licensed veterinarian to be on the grounds during racing hours for the immediate treatment of an injured animal on the racecourse.

(c) The race meet licensee shall have available either a licensed veterinarian on the grounds and/or a list of available veterinary clinics with emergency contacts and phone numbers for timely treatment of an injured animal on the racecourse during training hours.

~~(7)~~(8) Every race meet licensee shall operate its own pari-mutuel department, and in no event shall subcontract or let to concessionaires the operation of the pari-mutuel department or any part thereof without commission approval.

~~(8)~~(9) Totalizator. The race meet licensee shall maintain a satisfactory totalizator system, including a tote board.

~~(9)~~(10) Post-Race Test Area. The race meet licensee shall furnish a post-race receiving area approved by the commission veterinarian, with sufficient facilities to safely collect, store and secure saliva, urine, and/or blood samples from racing animals.

~~(10)~~(11) The race meet licensee shall provide adequate racing silks, saddlecloths, head numbers, lead weights, and other standard equipment.

~~(11)~~(12) Photofinish; Timing Devices. The race meet licensee shall provide a sufficient amount of light at the finish line for nighttime and twilight racing and shall install two automatic timing devices approved by the commission, and shall provide a photofinish booth meeting standards set by the commission. (The cost of photofinish services for pari-mutuel races shall be an expense of the commission)

~~(12)~~(13) Tip Sheets. The race meet licensee may contract with no more than two persons to sell tip sheets on the racecourse during a race meet. Tip sheets obtained from out-of-state host tracks which are part of the race meet licensee's simulcast program shall not count against the limit of two tip sheets. The race meet licensee shall provide booths and utilities for the tip sheet sellers, and may charge a reasonable fee for their use. The race meet licensee shall not allow anyone to sell tip sheets who is not licensed by the commission and shall not allow tip sheets to be sold in wagering areas. Tip sheets must be sold from a booth, and the previous day's sheets and outcomes must be displayed on the front of each booth. Tip sheets must be independently handicapped, and each handicapper must sign and deliver such sheet at least one hour before post time to the commission office located on the racecourse.

~~(13)~~(14) Security. The race meet licensee shall provide a sufficient number of security personnel to provide adequate security for all areas of the racecourse, including parking lots, test barn, and stable areas, and shall ensure that unlicensed individuals do not enter restricted areas. The race meet licensee and its security personnel shall cooperate with local authorities and with commission personnel in enforcing the rules of racing and the laws of this state, and shall promptly inform commission stewards of all violations of ORS chapter 462 and the rules of racing. All security reports and records will be made available in a timely manner to commission investigators, the board of stewards and/or the executive director.

~~(14)~~(15) Commission Access. Members, employees, and representatives of the commission shall be given full and complete access to any and all areas of the racecourse at which a race meet is being held.

~~(15)~~(16) Transmission. Any person desiring to broadcast, televise or transmit from the track by press wire pertinent information relating to any feature race run at the track shall first file with the commission, for its approval, an application stating the particular feature races and dates that it desires to broadcast, televise or transmit, together with the name and address of the representative of the public press, radio, or television authorized to broadcast, televise or transmit the requested information. Other than at approved off-track wagering facilities, shall the exact odds be announced, nor shall pay off of winners be given until the result of the race has been declared "official".

~~(16)~~(17) Attendance Report. The race meet licensee may make a daily attendance report to the commission, unless otherwise authorized by the commission.

~~(17)~~(18) Conflict of Interest. No employee, officer, or director of a race meet licensee shall be permitted to own, lease, or have any other interest in any racing animal entered for racing on the race meet licensee's racecourse, unless approved by the commission.

~~(18)~~(19) Waste Disposal. The race meet licensee shall provide, secure and maintain medical waste containers as approved by the commission or commission designee.

~~(19)~~(20) Parking Permits. When requested by the commission, the race meet licensee shall designate a parking area for commission members, employees, and special guests who are in possession of parking permits issued by the commission. Parking in the designated area shall be free.

~~(20)~~(21) Communication System. The race meet licensee shall provide an adequate on track/outside communication system as required by the commission.

~~(21)~~(22) Stalls. The race meet licensee shall attempt to be fair and equitable in assigning stall space, and shall provide receiving stalls for horses which are brought onto the racecourse from outside stable space for a race.

~~(22)~~(23) Records of Horse Movements. The race meet licensee shall maintain a record of arrival and departure of all horses from the stable area.

~~(23)~~(24) Numbered Buildings. All stables, barns and stalls shall be numbered or otherwise clearly identified.

~~(24)~~(25) Track Kitchen. The race meet licensee, or other person approved by the race meet licensee, may maintain and supervise a kitchen in the stable area and shall supervise any other area where food or drink is dispensed. All food service facilities shall comply with state and local health and sanitation requirements.

~~(25)~~(26) Distance Pole Markers. Distance pole markers must be 10 feet from the rail and shall be painted as follows:

- (a) 1/4 poles -- red and white;
- (b) 1/8 poles -- green and white;
- (c) 1/16 poles -- black and white.

~~(26)~~(27) Horseman's Accounts. Unless otherwise authorized by the commission, the race meet licensee shall keep a separate account, to be known as the "horseman's account", with sufficient funds to cover all monies due horsemen in regard to purses, stakes, rewards, claims, and deposits. Only those persons in whose name the account is established, or their duly authorized agent, may make withdrawals from the account.

~~(27)~~(28) Race Track Safety Standards. Any racetrack on which a licensed race meet is conducted must meet the following standards unless otherwise authorized by the commission for good cause:

(a) Rails. All racing surfaces must have inner and outer rails of a design and construction approved by the commission:

(A) Permanent rails must be made of a material which will take the impact of a horse without breaking away. All rail posts must be set in concrete at least 6 inches below the surface and at least 24 inches deep. The height of the rail must be 40 inches plus or minus 2 inches from the top of the cushion to the top of the rail. The top rail must be bolted or welded to the posts and should be smooth with no jagged edges.

(B) For race meets or continuous race meets that are licensed to run 25 days or more per fiscal year, the inside rail shall be permanent of gooseneck design and have no less than 24-inch overhang with a continuous smooth elevated cover which entirely covers the overhang.

(C) For race meets or continuous race meets which are licensed to run for 24 days or less during a fiscal year, the design of the rail is subject to the approval of the commission during the licensing hearing, with consultation from the executive director, the stewards, the race meet licensee(s), and the jockeys riding at the meet or their representative. In order to facilitate this provision the executive director, the director or racing for the race meet(s), the stewards and the jockeys or their representative shall discuss needed improvements for the next year's race meet during or at the conclusion of each meet.

(b) Gates (Gaps). No gate openings in a rail may be over 10 feet long without a center support. The top rail of the gate must be secured to the top of the rail. Gate openings should not look any different from the rest of the rail. All gates, other than the "On" and the "Off" gates during training, must be closed during racing and training. "On" and "Off" gates for horse access during training should be placed at least 50 feet apart.

(c) Morning Starting Gate. The starting gate used for morning schooling shall be placed far enough from the "On" and "Off" gates (gaps) so that horses coming on and going off the track will not interfere with or distract morning schooling or breaking from the gate.

(d) Obstacles. No obstacle or device, such as distance pole markers, electrical boxes, timers, starter's stands, patrol judge's stands, etc. shall be placed within 10 feet of the back of the bottom of the rail post unless made flexible or break-away.

(e) Drainage Ditches or Holes. Any drainage ditch or hole behind the inside rail must be covered with soft material level with the ground surface.

(f) Lighting. All race track lighting systems for nighttime racing must have an operational emergency generator or battery back-up system which is serviced and tested at least once a month during the track's racing season. Servicing and testing of the emergency lighting system must be documented in writing and available to the commission staff upon request.

(g) Ambulance.

(A) The race meet licensee shall provide an ambulance with standard medical equipment and certified paramedics or Emergency Medical Technicians (EMT) for protection of patrons and racing personnel during the conduct of a race meet, including workouts, and during the training period preceding the official opening of the race meet.

(B) During racing, the ambulance and/or a certified paramedic or EMT must be at the starting gate before horses are loaded. If the ambulance is being used to transport an individual, the race meet licensee may not conduct a race until the ambulance is replaced.

(C) During racing the ambulance shall follow the field either on the track or in the infield unless otherwise directed by the stewards. The ambulance must be staffed by certified paramedics or EMTs, be properly equipped and otherwise be suitable for transporting an injured person from the track to a roadworthy ambulance for transport to a hospital. A back-up ambulance is to be in attendance during the absence of the main ambulance.

(h) Safety Committee. Any race track location which has 15 or more race days per year, regardless of the number of race meet licensees, will have a safety committee. The safety committee will be made up of two (2) representatives from the management of the race meet licensee, two (2) representatives from the jockeys riding at the track, two (2) representatives from the horsemen with papers in the race office at the track, and at least one (1) of the state stewards. This committee will be responsible for addressing unsafe conditions on the racecourse including the racing surface and recommending solutions to the conditions to the race meet licensee management, the racing commission executive director and/or the commission.

~~(28)~~(29) Assistant Starters. The race meet licensee shall ensure that there is one assistant starter per horse in the race plus at least one assistant starter to shut the tailgates.

~~(29)~~(30) Valets. There shall be at least one valet for every three horses in the maximum field size approved by the commission. ~~-(Assistant starters may also work as valets, if so licensed.)~~

~~(30)~~(31) Fire Safety in Stable Areas:

(a) Every race meet licensee shall cause to be posted in the stable area of its premises the fire regulations applicable on its grounds and such posted notice shall also state the location of the nearest fire alarm box and the telephone number of the fire department or other pertinent instructions as to the method for reporting a fire in the area. Such notices shall be posted no more than one hundred (100) feet apart or as approved by the local fire authority. No race meet licensee, management or person shall violate the posted fire regulations specified by the commission.

(b) All trainers or their assistants and all concessionaires or their assistants shall acquaint themselves with and brief their employees as to the following:

(A) Smoking regulations.

(B) Location of fire notification system in immediate area of assigned barn.

(C) Location of all fire extinguishers and extinguishing equipment in assigned barn area.

(D) Regulations regarding occupancy, use of extension cords for extending electrical circuits, and use of electrical appliances.

- (E) Regulations regarding storage and use of feed, straw, tack, and supplies.
- (F) Track regulations with regard to fire and security, copies of which shall be provided to all trainers or their assistants and concessionaires or their assistants. These regulations shall be used in instructing members of the trainers' and concessionaires' staffs assigned to the barn area.
- (c) Signs shall be posted in every barn and associated buildings dealing with the following information:
- (A) Location of manual fire alarm stations, emergency telephones, or other methods of fire alert.
 - (B) Location of fire protection first-aid appliances.
 - (C) Emergency procedures specific to the particular track facilities.
 - (D) Location of nearest medical waste disposal containers.
- (d) No open burning shall be permitted in the barn area.
- (e) Smoking shall be prohibited except in designated safe areas. Proper warning signs shall be posted.
- (f) Use of any portable electrical appliance shall be restricted to the following conditions:
- (A) Multiple-outlet adapters shall be prohibited.
 - (B) Not more than one continuous extension cord shall be used to connect one appliance to the fixed receptacle, and such cord shall be listed for hard service and properly sized for the intended application.
 - (g) Extension cords shall not be supported by any metal object such as nails, screws, hooks, and pipes.
 - (h) Portable cooking and heating appliances shall be used only in spaces designated for such use provided they are separated from the stabling and storage areas of the barn.
 - (i) Portable electrical heating and cooking appliances shall be of a type that automatically interrupts electrical current to the heating element when the appliance is not in the normal operating position (tip-over disconnect).
 - (j) Use of exposed element heating appliances such as immersion heaters shall be prohibited.
 - (k) The storage of flammable and combustible liquids, except those used for medicinal purposes, shall be prohibited.
 - (l) The water supply shall be capable of providing pressure and discharge capacity required for automatically supplying sprinklers, hydrants, and hose lines.
 - (m) Fire protection must meet the local fire regulations.
- ~~(31)~~(32) The race meet licensee shall have available current telephone numbers for twenty-four (24) hour emergency veterinarian care. The race meet licensee shall post an established procedure, approved by the commission veterinarian, for providing emergency veterinarian care five (5) days prior to until five (5) days past their race meet.
- ~~(32)~~(33) Any race meet licensee failing to enforce these rules may be subject to fine or revocation of license.

462-140-0150

Racing Secretary

- (1) The racing secretary is responsible for maintaining a file of all registration papers and foal certificates on horses participating in the race meet. The racing secretary shall inspect all ownership and lease documents to be sure they are accurate, complete, and up-to-date. The racing secretary has the authority to demand the production of any documents or other evidence necessary in order to perform this responsibility. The racing secretary shall verify each racing animal's ownership and shall not allow any racing animal to run unless the racing animal is entered in the name of the legal owner as shown on the back of the registration/ownership papers, or on a legal lease attached to the registration/ownership papers, and unless the stable name is licensed, where the papers show a stable name.
- (2) The racing secretary is responsible for receiving all entry forms for official racing, all scratch requests, and all subscriptions, nominations, and entrance monies. The racing secretary shall

assure, to the extent possible, that all entry requirements have been met and continue to be met until the entry is withdrawn.

(3) The racing secretary shall be responsible for forming each race, and may provide assistance to the trainers in for ensuring that only racing animals which are eligible to start or race and which meet any special entry requirements are drawn into the race. The racing secretary shall make every effort to ensure fairness and equal opportunity for all racing animal owners and stable owners in the forming of all races.

(4) As soon as the entries have closed for each racing program, the racing secretary shall compile and post in a conspicuous place a list of entries, minus any subsequent withdrawals. Names of horses on the "Also Eligible" list shall also be compiled and promptly posted in a conspicuous place.

(5) The racing secretary shall keep a complete record of all races and shall immediately report to the stewards conditions which may require a scratch, and any violations of ORS chapter 462 or the rules of racing.

(6) The racing secretary is responsible for publishing the racing program and for the accuracy of the information in it.

(a) The racing secretary shall compile and cause to be printed for each racing day a program which shall legibly set forth for each race the amount of the purse, distance, conditions, names of racing animal which are to be run, their color, sex, age, breeding, state in which foaled, the name of their owner, lessee (if any), trainer, assistant trainer (if any), and jockey, the weight carried, order of their post positions, and such other information and notices to the public as the commission may direct.

(b) Once the official program is printed and placed for sale to the public, there shall be no changes in the program (except to correct printer's errors) unless a horse is legally scratched from a race. No program shall contain a loose insert, unless approved by the board of stewards.

(c) The racing secretary is responsible for the accuracy of all racing related material provided for the program.

(d) All daily programs sold at the racecourse must contain a prominent notice that there is an information window and/or complaint window in the clubhouse and grandstand where complaints may be made or filed in writing. The exact locations of these windows shall be set forth in the notice.

(e) All daily programs sold at the racecourse must clearly contain the following:

NOTICE: This race meet is licensed for 20__, License No. ____ by the Oregon Racing Commission and operates under its rules and regulations. The commission office is located at the Portland State Office Building, 800 NE Oregon Street, Suite 310, Portland, Oregon 97232.

(7) The racing secretary is responsible for writing a condition book and shall assign stalls in an equitable manner and shall maintain a record of arrival and departure of horses stabled on the racecourse.

(8) The racing secretary is responsible for custody and safekeeping of registration papers and foal certificates for all horses participating in the race meet, and for recording required information on them including all wins in Oregon. The racing secretary shall permit access to the registration papers and foal certificates only to authorized personnel, and shall allow them to be removed only by the trainer. If the racing secretary is aware that a trainer has been fired by an owner, the racing secretary shall not release any papers to either except with consent of both, or pursuant to court or arbitration order, or with the consent of the commission.

(9) The racing secretary shall place on the racing secretary's bulletin board the names of heel nerved horses, mares in foal and any other information requested to be posted by the stewards or the commission. Horses that have had an alcohol blocking of the nerve or nerves shall be considered to be nerved.

(10) The racing secretary shall promptly make available to the media records of workouts.

(11) Chart Books:

- (a) The Quarter Horse Chart Book shall be the official chart form for Quarter Horse racing.
- (b) The Appaloosa Chart Book shall be the official chart form for Appaloosa horse racing.
- (c) The Arabian Jockey Club Charts shall be the official chart form for Arabian horse racing.

462-140-0250

Starter

- (1) The starter is responsible for the horses from the moment they enter the designated racing surface from the paddock until dispatched from the starting gate, and may scratch a horse for good cause. The starter shall immediately notify the stewards of any scratch.
- (2) The starter shall give order to secure a fair start. If a horse is prevented from obtaining a fair start or a gate malfunctions, the starter shall immediately notify the stewards who will notify the mutuel department.
- (3) The starter shall supervise the schooling of horses which are first time starters or horses which require further schooling out of the gate. If a horse is unmanageable at the starting gate or refuses to break properly, the starter may disqualify the horse from starting again by placing the horse on the starter's list until the horse has had satisfactory schooling. The starter shall notify the racing secretary in writing when horses are placed on or removed from the starter's list. The starter shall also notify the racing secretary in writing of the names of each horse that has been schooled sufficiently to participate in a race and its approved equipment. The starter shall establish and publish schooling procedures.
- (4) The starter may appoint assistants, must verify that they are licensed by the commission, and shall assign their positions at the starting gate. The positions of the assistant starters shall be changed daily by the starter, but without notice to them until the horses have appeared on the track for the first race. ~~The starter shall leave the paddock as the last horses leaves the paddock for each race and shall observe the horses during the post parade, warm up, and at the gate.~~
- (5) No starter or assistant starter shall wager, directly or indirectly, on any race in which they perform official duties.
- (6) The starter shall ensure that the starting gate is functioning properly at least three days before the beginning of the race meet, and shall make sure the gate is properly maintained throughout the race meet.
- (7) Horses shall take their positions in the starting gate in post position order (beginning at the inside rail) unless the starter has reasonable cause to alter the order of loading.
- (8) No person shall give to any starter or assistant starter, nor shall any starter or assistant starter receive, money, or other compensation, gratuity or reward, in connection with the running of any race or races; except such compensation as salaries received from race meet licensees.

462-140-0340

Jockey

- (1) Jockeys shall fulfill all engagements.
- (2) A jockey who is engaged to ride shall report to the scale room 1 hour before 1st post time to report any overweight his/her weight to the scale clerk, unless excused by the board of stewards or a person designated by the board of stewards.
 - (a) No jockey shall leave the jockey room, other than to ride in a race, until all engagements of the day have been fulfilled, except with express authorization of the stewards.
 - (b) After fulfilling all riding engagements, a jockey may leave, but may not re-enter the jockey room without permission of the stewards.
 - (c) A jockey who is not riding on any given day may not enter the jockey room during the time of pari-mutuel or qualifying trial races, except with permission of the stewards.
 - (d) Jockeys must be neat in appearance and must wear the colors of the race meet licensee.
 - (e) Jockeys must wear an approved safety helmet which must be properly secured upon entering the track.

- (f) Only safety helmets that meet ASTM standards will be approved for use by jockeys.
- (g) Jockeys must wear an approved safety vest weighing no more than two pounds, which is 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 (BETA).
- (h) Jockeys in a race shall wear a number on the right arm, and this number shall correspond to the saddle cloth number of the horse in the official program.
- (3) No jockey shall own any racehorse racing in Oregon.
- (4) No jockey shall wager on any race or accept the promise or token of any wager with respect to a race in a race meet in which he or she is participating, except from the owner or trainer of the horse the jockey is riding, and only on that horse.
- (5) Jockeys shall report to the paddock immediately when summoned by the paddock judge.
- (6) A jockey may have one jockey agent. All engagements to ride shall be made by the jockey agent.
- (7) No jockey shall have an attendant other than a licensed valet. No jockey attendant shall wager on any race or place a wager for anyone else.
- (8) A jockey who is under suspension for a riding infraction will not be permitted to fulfill any engagements, including stakes races, other than designated races. During the period of suspension, a jockey may be permitted to exercise or gallop horses during the morning hours at the discretion of the stewards.
- (9) No jockey shall name him/herself on a horse without first having a call from the owner, trainer, or authorized agent.

462-140-0350

Apprentice Jockey

- (1) Apprentice jockeys are bound by all rules for jockeys, except when the rules for jockeys are in conflict with the rules for apprentices.
- (2) An apprentice jockey 16 years of age or older who has the equivalent of at least one full year of experience exercising race horses and who has never been licensed as a jockey to ride in race meets which are reported in the Daily Racing Form or other official racing publications is eligible to apply for an "Apprentice Jockey Certificate," subject to approval of the stewards. The conditions of an apprentice jockey license, however, do not apply to quarter horse racing, and a jockey's performances in quarter horse racing do not apply to the conditions of an apprentice jockey license.
- (3) The racing commission may extend the weight allowance of an apprentice jockey when, at the discretion of the commission, an apprentice jockey is unable to continue riding due to:
 - (a) Physical disablement or illness;
 - (b) Military service;
 - (c) Attendance in an institution of secondary or higher education;
 - (d) Restriction on racing;
 - (e) Other valid reasons.In order to qualify for an extension an apprentice jockey shall have been rendered unable to ride for a period of not less than seven (7) consecutive days during the period in which the apprentice was entitled to an apprentice weight allowance. Under exceptional circumstances total days lost collectively will be given consideration. The racing commission currently licensing the apprentice jockey shall have the authority to grant an extension to an eligible applicant, but only after the apprentice has produced documentation verifying time lost as defined by this regulation. An apprentice may petition one of the jurisdictions in which he or she is licensed and riding for an extension of the time for claiming apprentice weight allowances, and the apprentice shall be bound by the decision of the jurisdiction so petitioned.
- (4) No person may be licensed as an apprentice jockey after losing his or her entitlement to apprentice jockey weight allowance as determined in OAR 462-150-0050(16)(g).

(5) In all overnight races four furlongs or over, except stakes and handicaps, an apprentice jockey ~~may shall ride with a five pound weight allowance beginning with his/her first mount and for one full year from the date of his/her fifth winning mount. If after riding one year from the date of his/her fifth winning mount the apprentice jockey has failed to ride a total of forty winners from the date of his/her first wining mount, he/she shall continue to ride with a five pound weight allowance for one more year from the date of his/her fifth winning mount or until he/she has ridden forty winners, whichever comes first.~~claim the following allowances:

~~(a) Ten (10) pound allowance beginning with the first mount and continuing until the apprentice has ridden five (5) winners.~~

~~(b) Seven (7) pound allowance until the apprentice has ridden an additional thirty-five (35) winners.~~

~~(c) If an apprentice has ridden a total of forty (40) winners prior to the end of one year from the date of riding his/her fifth winner, he/she shall have an allowance of five (5) pounds for one year to the date of his/her fifth winner.~~

~~(d) If after one year from the date of the fifth winning mount the apprentice jockey has not ridden forty (40) winners, the applicable weight allowance shall continue for one more year or until the fortieth (40th) winner, whichever comes first. But in no event may a weight allowance be claimed for more than two years from the date of the fifth winning mount, unless an extension has been granted under this regulation.~~

(e) An apprentice allowance may be waived with the consent of the stewards.