

INITIAL STATEMENT OF REASONS

RULE 1503.5. CONTINUING EDUCATION FOR TRAINERS AND ASSISTANT TRAINERS

SPECIFIC PURPOSE OF THE REGULATION

The California Horse Racing Board (Board) proposes to add Board Rule 1503.5, Continuing Education for Trainers and Assistant Trainers. The proposed regulation provides that commencing June 1, 2021, applicants for renewal of license as trainer or assistant trainer shall certify that during the preceding 36-month period they completed a total of 12 hours of Board approved continuing education (ACE) coursework. Licensees are required to maintain records of completed course work for a period of four years from the date the courses were completed and shall provide such records to the Board upon request. The stewards may waive the ACE requirements for good cause predicated on the completion of ACE course work within 12 months of the date of renewal of license, or for applicants who are not domiciled in California, and who have had twelve or fewer starts in California, other than stakes races, during the previous 36-months. The proposed regulation defines trainers' continuing education as instruction intended to foster competence and knowledge in horsemanship, and which specifically promotes compliance with California's horse racing law and regulations; equine health, safety, and welfare in racing, and the promotion of human safety and welfare.

PROBLEM

Trainers' and assistant trainers' professional duties involve considerable responsibility, complexity and variety. They decide the day-to-day preparations needed to train a horse to run in a race. They manage the care, feeding and grooming regimen of the horse, as well as the horse's exercise and rest. In addition, trainers in large part make decisions regarding the medications and physical therapy treatments their horses receive. Ideally, trainers and assistant trainers work to run stables that are efficient, cost effective and successful, and they hire and train employees in the best practices. All of this requires that trainers and assistant trainers must be informed about such issues as changing theories in training methods, discoveries regarding the physiological effects of exercise, or research regarding medications and its effects on the horses in their care. They must also be aware of issues involving stable management and their employees. The Board requires first time applicants for license as trainer or assistant trainer to pass written, oral and practical examinations prior to issuance of a license. However, to renew a license as trainer or assistant trainer, an applicant is only required to submit a completed application and pay the prescribed fee. The Board currently does not ask trainers or assistant trainers who apply to renew a license to demonstrate that they have taken any actions to improve their level of horsemanship, or if they have kept abreast of equine medication, health and safety issues, or management and human resource topics. To ensure California's trainers and assistant trainers are familiar and current with issues affecting their profession, the Board proposes to add Board Rule 1503.5, Continuing Education for Trainers and Assistant Trainers.

NECESSITY

Subsection 1503.5(a) provides that commencing June 1, 2021, an applicant for renewal of licenses as trainer or assistant trainer shall certify that during the preceding 36-month period, he or she has completed a total of 12 hours of Board approved ACE course work. Continuing education for trainers is a new concept and the Board has determined that 12 hours of continuing education credit over a 3-year period, or four hours per year, was sufficient for the trainers to meet renewal requirements and further knowledge. This determination was based off the Association of Racing Commissioners International (ARCI) Model Rules, section ARCI-008-020 (A)(4) which states, "Beginning no later than January 31, 2012, in order to maintain a current license, trainers must complete at least four (4) hours per calendar year of continuing education courses approved by the ARCI or the commission in that jurisdiction." If more hours are indicated in the future, the Board could make adjustments after they evaluate effectiveness of the continuing education requirements.

The date at which applicants for renewal of license as trainer or assistant trainer must begin providing evidence of ACE course work has been set at June 1, 2021. The Board has determined it is necessary to provide a reasonable amount of time between the anticipated effective date of the proposed regulation (mid 2020) and the date renewal of license as trainer or assistant trainer will require ACE course work, so that they may be able to timely complete the course work without significant disruption to their usual schedules.

The proposed addition of Board Rule 1503.5 requires applicants for renewal of license as trainer or assistant trainer to demonstrate completion of at least 12 hours of Board approved ACE course work during the previous 36 months. Subsection 1503.5(a)(1) provides that the applicant shall provide such certification by submitting a completed form CHRB-59a Certification of Approved Continuing Education (ACE) Coursework (New 01/20) (CHRB-59a). The form shall be submitted with the licensee's application for renewal of license. The CHRB-59a requires the licensee to submit their current license number, to allow Board staff to identify the owner of the form with the license, should the two forms ever be separated, which will allow for researching and audits of licensing files in the future to ensure compliance. The CHRB-59a records how many hours of ACE coursework the applicant completed, as well as the period during which the coursework occurred. Additionally, the CHRB-59a requires the licensee to submit their information, date the form, and sign the form to certify that the requirements of the license renewal have been completed under penalty of perjury. This information is necessary for the licensing technician to process the renewal of license; the applicant is affirming that he or she completed the required ACE course work within the timeframe provided under Board Rule 1503.5. In submitting the signed form, the applicant certifies under penalty of perjury that he or she has completed the hours of continuing education necessary for renewal of license, and that the coursework occurred during the previous 36 months. The penalty of perjury is consistent with other Board forms associated with application for license, which are also completed under penalty of perjury. The applicant is affirming that the information he or she provides is true and correct. Additionally, the "penalty of perjury"

enhances the likelihood that the licensee will honestly report accurate information or face criminal penalties. The CHRB-59a does not require the applicant to list every ACE course taken, as the Board does not believe it is possible or necessary for its licensing technicians to verify each applicant's certification. The statement regarding the retention of records for four years on the CHRB-59a is to advise the licensee that the form will be retained for audit purposes or if there are questions regarding an applicant's ACE coursework. Subsection 1503.5(b) requires the licensee to maintain records of completed ACE coursework for a period of four years from the date the course was completed. The four-year period is necessary to ensure the records are available for audit, if required, for at least one year beyond the renewal of license. Additionally, this document is not exempt from public records act (PRA) requests, so it was notated on the form that it is subject to the PRA, which will provide transparency to the public and better promote the health and safety of horses and jockeys by ensuring compliance.

Subsection 1503.5(b) provides that the records of ACE coursework may be in a form provided by an ACE course or may be recorded on the form CHRB-242 Continuing Education Certificate of Attendance (New 01/20) (CHRB-242). The CHRB-242 is necessary, as not all ACE courses may provide evidence of completion. For example, courses may be online, such as the free online modules offered by The Jockey Club, or the University of California Davis education modules available on the Board website. If a certificate of completion is not issued, it will be the responsibility of the licensee to record his or her use of such online courses. As provided by subsections (b)(1) through (b)(3), any records of ACE coursework shall include at least the title of the course, meeting or conference, the date, location, presentation, topic, and provider of the ACE course, and the number of ACE hours earned. The recording of information regarding ACE course work is necessary if, for any reason, the Board wishes to conduct an audit. The Board may wish to conduct an audit for any reason, including randomly, but the information provided on the forms is essential in conducting an audit in order to confirm that the licensee has actually met the minimum requirements for renewal of licensure. In submitting the signed form, the applicant certifies under penalty of perjury that he or she has completed an ACE course necessary for renewal of license. The penalty of perjury is consistent with other Board forms associated with application for license, which are also completed under penalty of perjury. The applicant is affirming that the information he or she provides is true and correct. Subsection 1503.5(b) states the CHRB-242 will be available at all Board offices and on the Board's website. The online and paper distribution of the form is necessary to ensure trainers and assistant trainers have easy access to the document. Similarly to the CHRB-59a, the requirements for license number, name, hours completed, and information regarding where the hours were completed/obtained are for audit purposes and to ensure the correct form and application are processed, should the forms ever be separated. The certification of the form is to ensure compliance and that the licensee has adequately reported information to the Board. Additionally, the statement regarding the retention of records for four years on the CHRB- is to advise the licensee that the form will be retained for audit purposes or if there are questions regarding an applicant's ACE coursework. Subsection 1503.5(b) requires the licensee to maintain records of completed ACE coursework for a period of four years from the date the course was completed. The four-year period is necessary to ensure the records are available

for audit, if required, for at least one year beyond the renewal of license. Additionally, this document is not exempt from PRA requests, so it was notated on the form that it is subject to the PRA, which will provide transparency to the public and better promote the health and safety of horses and jockeys by ensuring compliance.

Subsection 1503.5(c) states that unless a waiver is granted under subsection (e), failure to maintain or produce records of completed ACE coursework shall result in the applicant's inability to renew a license as trainer or assistant trainer. Applicants for renewal of license as trainer or assistant trainer are required to certify that they have completed 12 hours of ACE coursework by completing the form CHRB-59a. CHRB-59a will be submitted with the application at the time of renewal, which will certify under penalty of perjury that the licensee has completed the required hours of continuing education, prior to renewing. CHRB-The CHRB-59a does not require the applicant to list each course; one merely certifies that one has completed twelve hours of ACE coursework. However, under subsection 1503.5(b), the Board may require the applicant to present a record of completion of ACE coursework. Applicants who certify they have completed the ACE course work, but who do not have complete records, may be referred to the stewards for a determination. The stewards, under Board Rule 1527, General Authority of Stewards, have general authority and supervision over all licensees and other persons attendant on horses. Certification that the licensee has completed at least 12 hours of continuing education is necessary to ensure that trainers are receiving the proper training and education needed to better protect the horses and jockeys. The Board anticipates that by requiring continuing education, that trainers will make more informed decisions before deciding to race or exercise a horse, which will lead to a decrease in the amount of injuries and deaths of both horses and riders. Continuing education is a requirement for many professional licenses and has shown to improve the knowledge base of licensees and keep individuals informed of up-to-date practices and information. If a licensee has failed to obtain the needed continuing education, then they are potentially missing crucial information that can help them make an informed decision about whether to run a horse in a race or not, which could ultimately lead to break downs. Because of this, the Board has determined, absent a waiver, if a trainer has not obtained the needed continuing education then they are less likely to make informed decisions which could lead to breakdowns of horses and their riders, and thus they cannot renew their license. An application for license renewal will be denied if form CHRB-59a is not submitted and/or for failure to produce records of completed ACE coursework should such records be requested by the Board at the time of renewal. Additionally, if a licensee is renewed and later determined that the licensee falsified CHRB-59a and did not complete the required continuing education, then the stewards shall fine, suspend, or revoke the license.

Subsection 1503.5(d) provides that the stewards shall fine and/or suspend or revoke the license of any applicant for license as assistant trainer or trainer who has provided false certification of completed ACE coursework or who fails to produce records of completed ACE coursework upon the Board's request. Board Rule 1405, Punishment by the Board, states that a violation of any provision of Division 4, whether or not a penalty is fixed therein, is punishable by revocation or suspension of any license, or by fine, or by any combination of these penalties. Board Rule 1900, Grounds for Suspension or Revocation,

states that any provision which is grounds for denial of license is grounds for suspension or revocation. Board Rule 1489, Grounds for Denial or Refusal of License, provides that the Board may refuse to issue a license or deny a license to any person who has made any material misrepresentation or false statement in his or her application for license. If a licensee has failed to obtain the needed continuing education, or falsified the information for continuing education hours completed, then this could ultimately lead to break downs of the horse. Because of this, the Board has determined, absent a waiver, if a trainer has not obtained the needed continuing education then they are less likely to make informed decisions which could lead to breakdowns of horses and their riders, and thus they cannot renew their license.

Subsection 1503.5(e) through (e)(1) provides a mechanism wherein the stewards shall waive the ACE requirements of any applicant for renewal of license who is not domiciled in California, and who has had twelve or fewer starts in races in California, other than stakes races¹, during the previous 36-month period. One reason to grant a waiver is to avoid duplication, as the applicant may be domiciled in a state that currently has trainer continuing education requirements, such as New York or Colorado. In addition, the Board does not wish to discourage trainers who may occasionally run horses in California. An applicant for renewal of license as trainer or assistant trainer, who runs horses no more than four times a year in California, may decide against returning. Stakes races are not included in the count. The Board has determined it is necessary to exclude stakes races to encourage out-of-state participation in California's highest quality races. Many of the top East Coast stables only participate in California to run in the Breeders Cup, and other major stakes races. If the applicant wishes to receive a waiver, subsection 1503.5(e)(1) states he or she must complete the form CHRB-59b, Request for Waiver of Approved Continuing Education (ACE) Requirements (New 01/20) (CHRB-59b). By Completing the CHRB-59b, the applicant names his or her city and state of residence and certifies that they have had fewer than twelve starts in California, other than stakes races, during the previous 36-month period. The applicant must also list all California starts, less stakes races, over the previous 36-months. After reviewing the form and talking to the applicant, the stewards shall approve request that meet the criteria of subsection 1503.5(e), and sign and date the form. If approved, the completed CHRB-59b would then be submitted to the Board's occupational licensing technician with the application for renewal.

Subsections (e)(2) through (e)(3) provide that the ACE requirements may be waived for good cause provided the ACE requirements are met within a timeframe not to exceed 12 months from the date of renewal of license. The Board has determined that there may be circumstances under which it is reasonable to allow a trainer or assistant trainer to renew a license despite not having completed the required ACE coursework. "Good cause" may include a change in the licensee's state of residence. An out-of-state trainer who holds a CHRB-issued license may move to California just prior to renewal of license, or for financial or medical reasons a trainer may not have participated in the industry for

¹ Stakes races are horse races in which the purse offered is made up at least in part of money (such as entry fees) put up by the owners of the horses entered to race. Stakes races are where the top horses compete. They carry the most prestige and have the biggest purses.

an extended period². If the stewards grant a waiver for good cause, the licensee must complete the ACE requirements within 12 months of the date of renewal of license. Subsections (e)(2) through (e)(3) are necessary to allow for flexibility in the renewal of trainer and assistant trainer licenses without relinquishing the requirement for completed ACE coursework. If the stewards grant a waiver for good cause, they shall provide the applicant with a signed recommendation card CHRB-59 (Rev. 12/15).

Subsection 1503.5(e)(4) provides that if a waiver is denied, the applicant will be ineligible for renewal of license until he or she has completed the ACE requirements. If a waiver is denied it is necessary to disallow renewal of license to ensure only qualified candidates hold a trainer or assistant trainer license. The purpose of the ACE requirements is to guarantee that California's trainers and assistant trainers demonstrate that they have taken actions to improve their level of horsemanship, and have kept abreast of equine medication, health and safety issues, and management and human resource topics.

Subsection 1503.5(f) provides that the Equine Medical Director (EMD), in consultation with the California Thoroughbred Trainers (CTT), shall make a presentation of the proposed ACE curriculum to the Board. Per Business and Professions Code (BPC) 19578 (e), the EDM is appointed by the Dean of the School of Veterinary Medicine and is "the primary advisor to the board on all matters relating to medication and drug testing, the practice of veterinary medicine within the areas regulated by the board, and the health and safety of horses within the inclosure." As such, the EDM would be the most qualified individual on Board staff to evaluate continuing education courses, and thus it is up to the EDM to present their findings to the Board about recommendations and the Board will ultimately vote and decide on what will be approved. Advanced approval of the ACE curriculum is necessary to ensure an adequate number of courses will be available, and that the curriculum is relevant and will contribute to licensees' learning and development as trainers and assistant trainers. This also provides the Board time provide their input regarding the coursework, before being approved, as well as to keep the Board informed. The CTT is the horsemen's organization representing California thoroughbred trainers. Its involvement with the presentation of ACE curriculum is necessary to ensure trainers' active support and participation in the concept of continuing education.

Subsections 1503.5(f)(1) through (f)(2) provides that subsequent to the yearly ACE curriculum presentation to the Board, the EMD may modify the course list to add or remove a course. A current list of Board approved ACE courses shall be available at all Board offices and on the Board's website. This will provide transparency and ease to trainers to find approved and relevant courses in order to renew their license. It is necessary to allow the EMD to modify the ACE course listing to provide new course materials as they become available, and to remove content that is discontinued. The Board maintains an office at each live race meeting. Different courses are assigned different hours, depending on the length of time needed to complete the course, the

² Rule 1509, Use of License Required, provides that to maintain the qualifications for any license, one must have been regularly engaged in the occupation for which the license was issued for no less than 21 working or racing days during the term of license. Under Rule 1486, Term of License, a trainer or assistant trainer license granted by the Board shall expire in its third year on the last day of the birth month of the licensee.

complexity of the course, or the relevance of the course. Depending the continuing education offerings, the actual hours of legitimate continuing education may be different from the meeting time indicated. An example would be a training advertised as a 3-hour trainer's organization meeting, but for of the two invited speakers one talks for an hour on lobbying strategies while the second speaker discusses identifying bone injuries. This would not truly be three hours of gained knowledge, so it is important that the EDM evaluates every potential course thoroughly before assigning hours. It is common practice for continuing education accreditation bodies, especially in veterinary medicine, to evaluate a continuing education program and assign relevant hours. Since the EDM is the most knowledgeable in this field, they are therefore the most qualified to make this determination. The proximity to trainers and assistant trainers at the racetrack, coupled with electronic access, will provide for wide distribution of the current listing of Board approved ACE courses. The maintenance of a current listing of ACE courses is necessary in order to inform trainers and assistant trainers of available educational opportunities. The listing will also serve to prevent licensees from attempting to take credit for courses or seminars that are not Board approved.

Subsection 1503.5(f)(2)(A) states the EDM shall assign the hours credited to an ACE course. In addition to the actual time necessary to complete the ACE course, the EDM shall consider the difficulty of the course and expected learning outcomes. The flexibility in assigning "hours" to an ACE course is necessary to encourage licensees to take courses that may be more difficult and/or beneficial. Two ACE courses may involve the same amount of time, but one may have a greater learning impact. Per BPC 19578 (e), the EDM is appointed by the Dean of the School of Veterinary Medicine and is "the primary advisor to the board on all matters relating to medication and drug testing, the practice of veterinary medicine within the areas regulated by the board, and the health and safety of horses within the inclosure." As such, the EDM would be the most qualified individual on Board staff to evaluate continuing education courses, and thus it is up to the EDM to assign hours credited to an ACE course.

Subsection 1503(f)(3) states that if a licensee completes ACE coursework, and the course is subsequently removed from the listing of Board approved ACE courses, the completed coursework will still satisfy the requirements of the regulation. The provision is necessary to ensure that "delisting" of ACE courses is not retroactive, and licensees are not forced to take additional ACE courses after a completed course is removed from the Board's curriculum.

Subsection 1503(g) provides a definition of ACE coursework. The definition is necessary to provide a common understanding of the concept of trainer continuing education and the subject areas the Board believes will educate trainers and assistant trainers in best business practices and human resources, and will advance the health, safety and welfare of horse and rider.

BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

The proposed addition of Board Rule 1503.5 benefits California's horse racing industry, horsemen and the public by ensuring that trainers and assistant trainers engage in a program of continuing education designed to improve horsemanship and best practices in stable operations. Trainers and assistant trainers who are aware of advances in training techniques and medication issues; changes in horse racing law and regulations; and issues related to the health, safety and welfare of backstretch personnel and jockeys, are assets who help maintain the integrity of California's horse racing industry. The proposed addition of Board Rule 1503.5 is consistent with current Board regulations in that the trainer is responsible for the condition of the horse entered to race. The proposed regulation will help to protect backstretch worker health and safety. The proposed regulation will not protect public health and safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, and the increase in openness and transparency in government, or business.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS OR DOCUMENTS.

The Board did not rely on any technical, theoretical, and/or empirical study, reports or documents in proposing the addition of Board Rule 1503.5.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

The results of the Board's Economic Impact Assessment as required by Government Code (GC) section 11346.3(b) are as follows:

- The proposed regulation will not impact the creation or eliminate jobs within the State of California, or the creation of new businesses or the elimination of existing business or the expansion of businesses in California.
- The proposed addition of Board Rule 1503.5 will not impact the creation of new businesses or eliminate existing businesses in California.
- Board Rule 1503.5 will not impact the expansion of businesses currently doing business in California.
- The proposed regulation will benefit the health and welfare of California's backstretch workers but will not benefit the health and welfare of California residents in general or benefit the State's environment.

The Board has made an initial determination that the proposed addition of Board Rule 1503.5 will not have a significant statewide adverse economic impact directly affecting business including the ability of California business to compete with businesses in other states. The proposed addition of Board Rule 1503.5 provides that commencing June 1, 2021, applicants for renewal of license as trainer or assistant trainer shall certify that during the previous 36-month period they have completed a total of 12 hours of ACE coursework. Licensees are required to maintain records of completed course work for a period four years from the date the course was completed and shall provide such records

to the Board upon request. The stewards may waive the ACE requirements for applicants who are not domiciled in California, and who have had twelve or fewer starts in California, other than stakes races, during the previous 36-months, or for good cause. The proposed regulation defines trainer's continuing education as instruction intended to foster competence and knowledge in horsemanship, and which specifically promotes compliance with California's horse racing law, and regulations; equine health, safety and welfare in racing and the promotion of human safety and welfare. The proposed amendment will not affect the elimination of existing businesses within the State of California, as it deals with the continuing education of California's licensed trainers and assistant trainers. Trainers who are well informed regarding issues affecting the performance of their stable operations will likely be more successful and will continue operating in California.

PURPOSE

The proposed addition of Board Rule 1503.5 provides that commencing June 1, 2021, applicants for renewal of license as trainer or assistant trainer shall certify that during the previous 36-month period they have completed a total of 12 hours of ACE coursework. The stewards may waive the ACE requirements for applicants who are not domiciled in California, and who have had twelve or fewer starts in California, other than stakes races, during the previous 36-months, or for good cause. The proposed regulation defines trainer's continuing education as instruction intended to foster competence and knowledge in horsemanship, and which specifically promotes compliance with California's horse racing law, and regulations; equine health, safety and welfare in racing and the promotion of human safety and welfare. The proposed addition of Board Rule 1503.5 is intended to ensure that trainers and assistant trainers engage in a program of continuing education designed to improve horsemanship and best practices in stable operations. Trainers and assistant trainers who are aware of advances in training techniques and medication issues; changes in horse racing law and regulations; and issues related to the health, safety and welfare of backstretch personnel and jockeys, are assets who help maintain the integrity of California's horse racing industry.

CREATION OR ELIMINATION OF JOBS WITHIN THE STATE OF CALIFORNIA

The proposed addition of Board Rule 1503.5 provides that commencing June 1, 2021, applicants for renewal of license as trainer or assistant trainer shall certify that during the previous 36-month period they have completed a total of 12 hours of ACE coursework. The stewards may waive the ACE requirements for applicants who are not domiciled in California, and who have had twelve or fewer starts in California, other than stakes races, during the previous 36-months, or for good cause. The proposed regulation defines trainer's continuing education as instruction intended to foster competence and knowledge in horsemanship, and which specifically promotes compliance with California's horse racing law, and regulations; equine health, safety and welfare in racing and the promotion of human safety and welfare. The proposed amendment will not affect the creation or elimination of jobs within the State of California, as it deals with the continuing education of persons licensed in California as trainers or assistant trainers.

CREATION OF NEW OR ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposed addition of Board Rule 1503.5 provides that commencing June 1, 2021, applicants for renewal of license as trainer or assistant trainer shall certify that during the previous 36-month period they have completed a total of 12 hours of ACE coursework. The stewards may waive the ACE requirements for applicants who are not domiciled in California, and who have had twelve or fewer starts in California, other than stakes races, during the previous 36-months, or for good cause. The proposed regulation defines trainer's continuing education as instruction intended to foster competence and knowledge in horsemanship, and which specifically promotes compliance with California's horse racing law, and regulations; equine health, safety and welfare in racing and the promotion of human safety and welfare. The proposed amendment will not affect the elimination of existing businesses within the State of California, as it deals with the continuing education of California's licensed trainers and assistant trainers. Trainers who are well informed regarding issues affecting the performance of their stable operations will likely be more successful and will continue operating in California.

EXPANSION OF BUSINESSES OR ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposed addition of Board Rule 1503.5 provides that commencing June 1, 2021, applicants for renewal of license as trainer or assistant trainer shall certify that during the previous 36-month period they have completed a total of 12 hours of ACE coursework. The stewards may waive the ACE requirements for applicants who are not domiciled in California, and who have had twelve or fewer starts in California, other than stakes races, during the previous 36-months, or for good cause. The proposed regulation defines trainer's continuing education as instruction intended to foster competence and knowledge in horsemanship, and which specifically promotes compliance with California's horse racing law, and regulations; equine health, safety and welfare in racing and the promotion of human safety and welfare. The proposed amendment will not affect the expansion of businesses or elimination of existing businesses within the State of California, as it deals with the continuing education of persons licensed in California as trainers or assistant trainers.

BENEFITS OF THE REGULATION TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS, WORKER SAFETY, AND THE STATE'S ENVIRONMENT

The proposed addition of Board Rule 1503.5 provides that commencing June 1, 2021, applicants for renewal of license as trainer or assistant trainer shall certify that during the previous 36-month period they have completed a total of 12 hours of ACE coursework. The stewards may waive the ACE requirements for applicants who are not domiciled in California, and who have had twelve or fewer starts in California, other than stakes races, during the previous 36-months. The proposed regulation defines trainer's continuing education as instruction intended to foster competence and knowledge in horsemanship,

and which specifically promotes compliance with California's horse racing law, and regulations; equine health, safety and welfare in racing and the promotion of human safety and welfare. The proposed regulation will benefit the health and welfare of California's backstretch workers but will not benefit the health and welfare of California residents in general. The proposed regulation will not benefit the state's environment.

ALTERNATIVE TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON AFFECTED PRIVATE PERSONS OR BUSINESSES

The Board has determined that there were no alternatives considered which would be more effective in carrying out the purposes of the proposed regulation or would be more effective and less burdensome to affected private persons or businesses than the proposed regulation.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION

The proposed addition of Board Rule 1503.5 was discussed at the April 19, 2018 regular Board meeting. The Board voted to instruct staff to prepare a Notice of Proposed Action. No subsequent alternative recommendations were made prior to the notice. The Board invites any interested party to submit comments which offer any alternative proposal.

California Horse Racing Board
May 15, 2020