

ADDENDUM TO THE INITIAL STATEMENT OF REASONS

California Horse Racing Board (Board) Rule 1503. Qualifications for License as Trainer or Assistant Trainer

UPDATE TO NECESSITY.

Subsection 1503(a)(2) of the proposed regulation has been amended to provide that, if a trainer examination applicant fails any portion of the examination, they will be required to retake the examination in its entirety and not just the failed portion. This additional provision is necessary to clarify that the entire exam must be retaken if an applicant fails an attempt and applies for reexamination. This is a change from the original language that allowed for reexamination on only the failed portion of the examination. The proposed amendment disallows this such that the entire examination must be retaken and is only passable with a minimum score of 80 percent on each portion of the examination.

Subsection (b)(2) provides that an applicant for an original license as trainer shall have worked in California as a licensed assistant trainer in the employment of a Board licensed trainer for at least one year. A licensed assistant trainer working under a Board-licensed trainer as an employee is working under the supervision of that Board-licensed trainer while gaining valuable knowledge and skills to become a full-fledged trainer. In a larger stable, the lead trainer may employ many trainers who may also supervise the applicant while they are employed in the stable as a licensed assistant trainer, but ultimately, if the applicant is an employee of the lead trainer, they are supervised by that trainer. This supervision is necessary for both the supervising trainer to be able to observe the applicant, teach them the applicable skills necessary to carry out the operations of a race horse stable, and correct any mistakes made while carrying out the duties of an assistant trainer, but also for the supervising trainer to be able to certify that the applicant has satisfactorily performed the duties of a licensed assistant trainer for a minimum of one year, as required in the Board Trainer Recommendation Card, Form CHRB-59C.

Subsections (b)(2) and (b)(3) have been modified for clarity to change the phrase “an assistant trainer” to “a licensed assistant trainer”. This phrasing is necessary to more accurately reflect the type of employment that is the subject of the Board’s regulation, namely employment as a Board licensee who holds an assistant trainer license. Additionally, subsection (b)(3) has been modified to add the language “a licensed assistant trainer” to the sentence “The CHRB-59C shall be signed by a steward and a CHRB-licensed trainer who is in good standing, and who has employed the applicant as...”. This additional language is necessary to clarify that the type of employment necessary is as a licensed assistant trainer.

Subsection (b)(3)(i) has been amended to read (b)(3)(A) for consistency with existing Board numbering conventions in the California Code of Regulations (CCR).

Subsection (b)(3)(A) has been modified to provide that the phrase “assistant trainer” is now “licensed assistant trainer”. The modification is necessary to clearly identify the type

of employment that is the subject of the Board's regulation. That is employment as a licensee who holds an assistant trainer license granted by the Board.

Subsection (b)(3)(A) provides that by signing the California Horse Racing Board Trainer Recommendation Card, Form CHRB-59C (Rev. 05/20)(CHRB-59C), the trainer certifies that the applicant for license as trainer worked for the certifying trainer and satisfactorily performed the duties of a licensed assistant trainer while under his or her employ. This provision is necessary to ensure that an applicant who has worked as a licensed assistant trainer for the minimum one year, but who may need more than the minimum one year to fully develop their horsemanship and operational skills to safely and effectively carry out the duties of a licensed trainer, can be prevented from prematurely taking on the duties of a licensed trainer. It is necessary to prevent a licensed assistant trainer from prematurely taking on the duties of a licensed trainer because trainers have more responsibility and authority in the operations of a racing stable than licensed assistant trainers. Trainers make decisions regarding the workout schedules, treatments administered to a horse, and the cleaning and care regimen for the racehorses under their care. These decisions impact the safety and wellbeing of the racehorse, and therefore, it is important that only qualified and prepared individuals hold this responsibility. The certifying trainer is tasked with assessing the abilities of the licensed assistant trainer in their employ and recommending those who can satisfactorily carry out the duties of a licensed assistant trainer and have served the minimum one year of employment for license as a licensed assistant trainer. If the certifying trainer determines that a licensed assistant trainer in their employ is not satisfactorily carrying out the duties of a licensed assistant trainer, even after one year of employment, it is necessary for that certifying trainer to require the licensed assistant trainer to continue to develop their abilities as a licensed assistant trainer until the certifying trainer believes that the licensed assistant trainer has improved to the level of being able to satisfactorily carry out their duties.

The California Horse Racing Board Trainer Recommendation Card, Form CHRB-59C (Rev. 05/20)(CHRB-59C), incorporated by reference in subsection (b)(3), has been amended to provide that separate certifications exist for licensed trainers certifying that the applicant for license as trainer has worked in their employ and performed all of the tasks and duties of a licensed assistant trainer satisfactorily, and for Board stewards certifying that the applicant has maintained a Board assistant trainer license in good standing for a minimum of one year and successfully completed all portions of the trainer examination. This modification is necessary to provide clarity for the signatories about what each of them is individually certifying. The qualifications that each is certifying by signing the CHRB-59C are different, and separate certifications reflect this difference more clearly.

Subsection (b)(3)(ii) has been modified to read (b)(3)(B) for consistency with existing Board numbering conventions in the CCR.

Subsection (c) has been amended to provide that the applicant shall appear before the Board of Stewards and they may subject the applicant to any portion of the trainer examination described in subsection (a)(1). This amendment is necessary to accurately reflect the subsection from which the description of the trainer examination comes, which is subsection (a)(1), not subsection (a).

Subsection (c)(1) has been modified to remove the phrase “of this regulation”. This modification is necessary for consistency because such a phrase is not used throughout existing Board regulations.

Subsection (d) has been amended to provide that an individual currently licensed as a trainer or assistant trainer who wishes to change their license from harness to other types of flat racing, or from other types of flat racing to harness, is subject to the requirement under subsection (a). This change is necessary for clarity. Subsection (a) encompasses subsections (a)(1) through (a)(3), so it is clearer and more parsimonious to state subsection (a).

All other changes are for spelling, grammar, consistency and clarity.