

STAFF ANALYSIS  
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED  
AMENDMENT OF CHRB RULE 1693, CONTROL OF HORSES AND JOCKEYS ON  
ENTERING THE TRACK

Board Meeting  
April 17, 2025

**ISSUE:**

An assistant starter may at times employ the practice of manipulating a horse's ears in order to gain control over the horse. Although the practice may be effective, the California Horse Racing Board (Board) deems this practice as potentially harmful to the horse's health and welfare. Therefore, the Board seeks to amend Board Rule 1693, Control of Horses and Jockeys on Entering the Track, to address the issue.

**BACKGROUND:**

Business and Professions Code (BPC) section 19420 provides that jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. BPC section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of Horse Racing Law, whereby the responsibilities of the Board shall include, but not be limited to, adopting rules and regulations that protect and advance the health, safety, welfare, and aftercare of racehorses. BPC section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with the provisions of Horse Racing Law, under which all horse races with wagering on their results shall be conducted in California.

**ANALYSIS:**

The proposed regulatory action would amend Board Rule 1693 to define manipulation of the ear as biting, twisting, folding, or applying ear tongs to a horse's ear; prohibit manipulation of a horse's ears for purposes of controlling the horse; and subject the practice to a fine and/or suspension. This would promote the health and welfare of the horse by helping prevent any harm that could potentially be caused by the aforementioned practice.

**UPDATE:**

The originally proposed text was noticed to the public on September 27, 2024, and the extended public comment period ended on November 18, 2024. No comments were received during the comment period, and no public hearing was requested. The final rulemaking package was submitted to the Office of Administrative Law (OAL) on December 23, 2024. On January 28, 2025, OAL informed the Board of clarity issues

that required revision to the regulatory text. The proposed text has been modified to address these issues. Additionally, for further clarity, the previously proposed numbering of subsections has been revised, and non-substantive, technical edits were made to the proposed subsection (a).

The proposed amendment requires Board approval, and the modified regulatory text must, thereafter, be made available for public comment for a period of 15 days. A copy of the full text of the regulation with the proposed changes indicated is attached. Additions to the originally proposed text appear in double underline, while deletions are shown in ~~double strikethrough~~.

RECOMMENDATION:

This item is presented for Board discussion and action.

CALIFORNIA CODE OF REGULATIONS  
TITLE 4. BUSINESS REGULATIONS  
DIVISION 4. CALIFORNIA HORSE RACING BOARD  
ARTICLE 8. RUNNING THE RACE  
PROPOSED AMENDMENT OF RULE 1693,  
CONTROL OF HORSES AND JOCKEYS ON ENTERING THE TRACK

1693. Control of Horses and Jockeys on Entering the Track.

(a) The horses are under the control of the starter from the time they enter the track until dispatched at the start of the race. After entry on the track or race course, the horses are not entitled to further care from their attendants, except in case of accident. In case of accident, the starter may permit the jockeys to dismount and the horses to be cared for during the delay; ~~otherwise~~ Otherwise, no jockey shall dismount until after the finish of the race. The horse must be started by the jockey, ~~but~~ or with the sanction of the starter. ~~if a horse~~ may be led to its position in the gate by an assistant starter. With the sanction of the starter, an assistant starter may enter the gate to handle a fractious horse.

(1) No assistant starter shall in any way impede, whether intentionally or otherwise, a fair start.

~~(b2) Manipulation of the ear for purposes of controlling a horse shall be considered a prohibited practice and shall be subject to a fine and/or suspension. No assistant starter shall manipulate a horse's ear for purposes of controlling a horse while the horse is on the track or in the starting gate.~~

~~(4A) For purposes of this regulation, manipulation of the ear shall be defined as biting, twisting, folding, or applying tongs to the horse's ear.~~

Authority: Sections 19420, 19440, and 19562,  
Business and Professions Code.

Reference: Sections 19440 and 19562,  
Business and Professions Code.