

## STAFF ANALYSIS

### DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1588, HORSES INELIGIBLE TO START IN A RACE, TO ESTABLISH A MAXIMUM AGE FOR RACING

Board Meeting  
June 19, 2025

#### ISSUE:

In California, there is a statutory minimum age requirement for a horse to compete in a race, but no maximum age limit exists in either statute or regulation. Age restrictions promote animal safety and welfare protections and serve to improve public perception. Furthermore, establishing a maximum age for racing increases the likelihood that horses will have second careers after retiring from racing. Therefore, the California Horse Racing Board (Board) seeks to amend Rule 1588, Horses Ineligible to Start in a Race, to address establish a maximum age for racing.

#### BACKGROUND:

In September of 2024, a 12-year-old quarter horse suffered a catastrophic injury at the Humboldt County Fair. This incident drew criticism from the media and animal welfare advocates who contend that horses of that age should not be racing. In response, CHRB staff requested a survey be conducted by the Association of Racing Commissioners International (ARCI), which canvassed states and provinces to determine whether maximum age restrictions were in place in their respective jurisdictions.

The results of the ARCI survey indicate that jurisdictions have varied approaches to this issue. Of the states and provinces who responded:

- New York, Pennsylvania, Illinois, Indiana, Ontario, New Jersey, and Oregon have no maximum age for thoroughbreds to race;
- New York, Illinois, Indiana, New Jersey, and Oregon have no maximum age for standardbreds to race;
- States with a maximum age for thoroughbreds to race (years of age noted parenthetically): Saskatchewan (14); North Dakota (13); Delaware, South Dakota, Montana, Wyoming, and West Virginia (12); Minnesota (11);
- States with a maximum age for standardbreds to race (years of age noted parenthetically): Saskatchewan, Pennsylvania, Minnesota, and Ontario (14); North Dakota (13); Delaware, South Dakota, Montana, Wyoming and West Virginia (12);
- Texas and New Jersey both reported racetrack specific maximums;
- Two states reported maximum ages for maidens (i.e., horses who have never started a race) (years of age noted parenthetically): Wyoming (5) and Delaware (8).

It is important to note that neither the Horseracing Integrity and Safety Authority (HISA), the Jockey Club, nor the American Quarter Horse Association, have rules in place setting a maximum age for racing nor a maximum age for maidens. Additionally, the ARCI model rules do not delineate a maximum age for racing nor a maximum age for maidens to start. Conversely, the United States Trotting Association sets a maximum age of 14 years old for racing. Lastly, Santa Anita Park, Del Mar and Los Alamitos Racecourse (thoroughbred racing) have house rules setting the maximum age for racing at 10 years old. Los Alamitos (thoroughbred racing) and Del Mar have house rules not allowing maidens older than 6 years old to race and Santa Anita Park has a similar rule for maidens over 5 years old. Los Alamitos quarter horse racing has not established a house rule for either.

CONTROLLING LAW:

**Business & Professions Code (BPC) § 19440 (in part):**

(a) The board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the board shall include, but not be limited to, all of the following:

(1) Adopting rules and regulations that protect and advance the health, safety, welfare, and aftercare of racehorses.

(2) Adopting rules and regulations for the protection of the public and the control of horse racing and parimutuel wagering.

(3) Administration and enforcement of all laws, rules, and regulations affecting horse racing and parimutuel wagering.

(4) Adjudication of controversies arising from the enforcement of those laws and regulations dealing with horse racing and parimutuel wagering.

(5) Licensing of each racing association and all persons, other than the public at large, who participate in a horse racing meeting with parimutuel wagering.

(6) Allocation of racing dates to qualified associations in accordance with law.

**BPC § 19668**

(a) On and after July 1, 1995, it shall be unlawful for any person to enter or accept the entry of a horse in a race upon which there is parimutuel wagering until two years after the horse's foaling date.

(b) Every person who violates this section is guilty of a misdemeanor. The board may suspend the license of any person who violates this section for a period of not more than one year.

ANALYSIS:

Given that both public perception and animal welfare are important to the CHRB and the continuance of racing in the state, the CHRB finds it necessary to establish a maximum age for racing and a maximum age for racing maidens in the state rather than relying solely on house rules to accomplish this task. Furthermore, since there is no consensus around the country or amongst breed registries for age maximums (except for the United States Trotting Association), using the lowest ages in existing rules is the appropriate course for animal welfare. Therefore, CHRB staff, in consultation with CHRB's Equine Medical Director, recommends that regulations be amended to reflect the United States Trotting Association's maximum age for racing of 14 years old for standardbreds and 10 years old for all other breeds. Additionally, CHRB staff recommend that no maiden over the age of 5 years old be permitted to race in California across all breeds. To accomplish this, CHRB staff recommend amending Rule 1588, Horse Ineligible to Start in a Race.

RECOMMENDATION:

The item is presented to the Board for action and discussion. Staff recommend that the Board approve the proposed amendments as presented.

CALIFORNIA CODE OF REGULATIONS  
TITLE 4. BUSINESS REGULATIONS  
DIVISION 4. CALIFORNIA HORSE RACING BOARD  
ARTICLE 6. ENTRIES AND DECLARATIONS  
RULE 1588. HORSE INELIGIBLE TO START IN A RACE

- (a) In addition to any other valid ground or reason, a horse is ineligible to start in any race:
  - (1) if such horse is not registered by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;
  - (2) if the parentage verification to both the sire and the dam of all horses foaled in 1992 and thereafter has not been certified by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;
  - (3) if, unless the stewards permit otherwise, the certificate of foal registration, eligibility papers, or other registration issued by the official registry for such horse is not on file with the racing secretary at the time of entry;
  - (4) if such horse has been entered or raced at any recognized race meeting under any name or designation other than the name or designation duly assigned by and registered with the official registry;
  - (5) if the certificate of foal registration, eligibility papers or other registration issued by the official registry has been altered, erased, or forged;
  - (6) if the identification markings of the horse do not agree with the identification markings as set forth in the registration of such horse;
  - (7) unless he is eligible to enter said race and is duly entered for such race;
  - (8) when such horse is owned in whole or in part by an unlicensed person or is in the care of an unlicensed trainer;
  - (9) when such horse is on the Steward's List, the Starter's List or the Veterinarian's List;
  - (10) when, except with prior approval of the stewards for good cause, such horse is on the Veterinarian's List in another racing jurisdiction. Good cause includes:

- (A) unforeseen administrative issues in removing the horse from the Veterinarian's List of another racing jurisdiction;
  - (B) the location of the horse prevents it from being evaluated by the official veterinarian of another racing jurisdiction and cleared from that jurisdiction's Veterinarian's List, and the horse is approved to race by a California official veterinarian; or
  - (C) any other unforeseen event or reason that would prevent a horse that would otherwise not be on a Veterinarian's List from being cleared from the Veterinarian's List of another racing jurisdiction.
- (11) when, except with prior approval of the stewards:
- (A) such horse has not been on the grounds of the association or its approved auxiliary stable area for at least 24 hours prior to the time the race is to be run, or
  - (B) such horse has not been in the care of a trainer licensed by the Board and stabled within a CHRB inclosure, including auxiliary stabling areas, for seven consecutive days prior to the race, except for horses being shipped directly from another racing jurisdiction.
- (12) when such horse does not carry a microchip or has not received a waiver from the stewards in accordance with Rule 1597.5.
- (13) when such horse has received an intra-articular injection within the previous fourteen days prior to the scheduled post-time for the race in which it is entered.
- (14) when such horse has not raced at a recognized race meeting within 12 consecutive months since its previous start, until the horse has performed satisfactorily in a workout or standardbred qualifying race as provided in Rule 1866(h) and (i).
- (15) when such horse is a first-time starter four (4) years of age or older, until the horse has performed satisfactorily in a workout or standardbred qualifying race as provided in Rule 1866(h) and (i).
- (16) when such horse is fifteen (15) years of age or older if a standardbred or eleven (11) years of age or older if any other breed.
- (17) when such horse is a maiden, as defined by rule 1420(k), and six (6) years of age or older.

NOTE:

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

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