

2000 RACETRACK SAFETY PROGRAM.

2010 DEFINITIONS.

When used in the Rule 2000 Series:

Act means the Horseracing Integrity and Safety Act of 2020.

Association Veterinarian means a Veterinarian employed by a Racetrack.

Attending Veterinarian means a Veterinarian hired by the Trainer or Owner.

Authority means the Horseracing Integrity and Safety Authority.

Bled means that blood from one or both nostrils of a Horse has been observed after exercise.

Claim means, in the context of a Claiming Race, the purchase of a Covered Horse for a designated amount.

Claiming Race means a Race in which a Horse after leaving the starting gate may be claimed in accordance with the rules and regulations of the applicable State Racing Commission.

Concussion means an injury to the brain that results in temporary loss of normal brain function.

Covered Horse means any thoroughbred horse, or any other horse made subject to the Act by election of the applicable State Racing Commission or the breed governing organization for such horse, beginning on the earlier of:

(01) the date of the Horse's first timed and reported workout at a Racetrack;

(02) the date of the Horse's first timed and reported workout at a Training Facility;

(03) the date of the Horse's entry in a Covered Horserace; or

(04) the date of the Horse's nomination for a Covered Horserace, and ending on the date on which the Agency receives written notice that the Horse has been retired in accordance with the Protocol.

Unless the context otherwise requires, Horse and Covered Horse shall have correlative meanings for purposes of this Rule 2000 Series.

Covered Horserace or Race means any horserace involving Covered Horses that has a substantial relation to interstate commerce, including any Thoroughbred horserace that is the subject of interstate off-track or advance deposit wagers.

Covered Persons means all Trainers, Owners, breeders, Jockeys, Racetracks, Veterinarians, and Persons licensed by a State Racing Commission, and the agents, assigns, and employees of such persons and other Horse support personnel who are engaged in the care, training, or racing of Covered Horses.

Groom means a Covered Person who is not an Owner, Veterinarian, Trainer, or assistant Trainer but is involved in the care of a Covered Horse.

Jockey means a rider of a Covered Horse in a Covered Horserace.

Lead Veterinarian means any Veterinarian appointed pursuant to Rule 2134(b).

Medical Director means an individual designated as Medical Director in accordance with the provisions of Rule 2132.

Out-of-Competition means any period which is not during race day.

Owner means a Person or entity who holds an ownership or property interest in one or more Covered Horses.

Person means a natural person or an organization or other entity.

Program Effective Date means July 1, 2022.

Prohibited List means the Equine Prohibited List identifying the Prohibited Substances and Prohibited Methods as set forth in the Rule 4000 Series.

Prohibited Substance means any substance, or class of substances, so described on the Prohibited List.

Protocol means the Equine Anti-Doping and Medication Control Protocol set forth in the Rule 3000 Series.

Race Meet means the entire period granted by the State Racing Commission to a Racetrack for the conduct of Covered Horseraces on the Racetrack's premises.

Racetrack means an organization licensed by a State Racing Commission to conduct Covered Horseraces.

Racetrack Safety Accreditation or Accreditation means the process for achieving, and the issuance of, safety Accreditation to a Racetrack in accordance with the Rule 2100 Series.

Racetrack Safety Committee means the committee established pursuant to 15 USC 3052(c)(2).

Racetrack Safety and Welfare Committee means the committee established pursuant to Rule 2121.

Regulatory Veterinarian means a Veterinarian employed, contracted, or appointed by a State Racing Commission, Racetrack, or the Agency, who in addition to other duties, is responsible for monitoring the health and welfare of Covered Horses during Covered Horseraces.

Responsible Person means the individual designated in the registration with the Authority as the Responsible Person in accordance with the following:

- (01) For a Covered Horse that has not yet performed its first Workout (or competed in a Race, whichever is earlier), the Responsible Person shall be the Owner of the Covered Horse unless the Horse is in training in another country.
- (02) Once in training, the Responsible Person shall be the licensed Trainer for the Covered Horse. The licensed Trainer's designation as the Responsible Person shall be filed with the Authority. The Trainer designation must be kept current with the Authority. Designation transfers must be in writing and on record with the Authority prior to the effective date of the transfer, except for claiming Races in which transfers must be recorded the same day.
- (03) If a Covered Horse ceases training for a period of time, the designation may be transferred to the Owner prior to the effective date.
- (04) If the Owner is an entity, the managing Owner shall be named.

ROAP means the Racing Officials Accreditation Program.

Safety Director means an individual designated as, and having the responsibilities of, a Safety Director as set forth in Rule 2131.

Safety Officer means an individual designated as, and having the responsibilities of, a Safety Officer as set forth in Rule 2136.

Shock Wave Therapy means extracorporeal shock wave therapy or radial pulse wave therapy.

Starting Gate Person means any individual licensed as an assistant starter or any individual who handles Horses in the starting gate.

State Racing Commission means the regulatory body established or recognized by a state or the federal government with authority to regulate, approve, or license Covered Persons and Covered Horses.

Trainer means a Person engaged in the training of Covered Horses.

Training Facility means a location that is not a Racetrack that operates primarily to house Covered Horses and conduct Workouts.

Veterinarian means a licensed veterinarian who provides veterinarian services to Covered Horses and who, as a prerequisite to providing veterinarian services to Covered Horses, has registered with the

Authority.

Workout means an official timed running of a Covered Horse over a predetermined distance not associated with a Race.

2100 RACETRACK ACCREDITATION.

2101 GENERAL.

(a) The Racetrack Safety Committee and the Authority shall oversee Racetrack Safety Accreditation in accordance with provisions of this Rule 2100 Series. The Racetrack Safety Committee may also adopt best practices and guidance in accordance with the Act and the rules and regulations promulgated thereunder to provide further guidance to the Racetracks in the Accreditation Process.

(b) All Racetracks are required to seek and meet the requirements of Racetrack Safety Accreditation with the Racetrack Safety Committee in accordance with the provisions of this Rule 2100 Series.

2110 ACCREDITATION PROCESS.

2111 INTERIM AND PROVISIONAL ACCREDITATION.

(a) Interim Accreditation.

(01) A Racetrack that is accredited by the National Thoroughbred Racing Association as of the Program Effective Date shall be granted interim Racetrack Safety Accreditation, which shall be effective until the later of:

(i) such time as the Racetrack Safety Committee completes an Accreditation assessment under Rule 2112 with respect to such Racetrack; or

(ii) the time period established by the Authority under Rule 2114(a).

(b) Provisional Accreditation.

(01) A Racetrack that is not accredited by the National Thoroughbred Racing Association as of the Program Effective Date shall be granted provisional Racetrack Safety Accreditation, which shall be effective until the later of:

(i) such time as the Racetrack Safety Committee completes an Accreditation assessment under Rule 2112 with respect to such Racetrack; or

(ii) the time period established by the Authority under Rule 2114(b).

(02) The Authority may at any time upon reasonable notice require a Racetrack with provisional Racetrack Safety Accreditation to report on its progress in achieving Accreditation. The Authority may request any additional information from the Racetrack necessary to make its determination and may conduct unannounced on-site inspections at any time.

2112 ACCREDITATION ASSESSMENT.

(a) Upon the initiation of an Accreditation assessment by the Racetrack Safety Committee, the subject Racetrack shall submit or provide access to any relevant information and documentation requested by the Racetrack Safety Committee. The Racetrack Safety Committee may request any additional information and documentation required for the assessment and may propound additional written questions or inquiries to the Racetrack. The Racetrack shall respond in writing to

all additional questions and inquiries within sixty (60) days of receipt of any additional questions and inquiries.

(b) After review of all information submitted by the Racetrack under paragraph (a), the Racetrack Safety Committee shall conduct an on-site inspection of the Racetrack. The Racetrack Safety Committee shall then prepare a post-inspection report identifying any aspects of the Racetrack's operations that are not in compliance with the requirements of this Rule 2100 Series.

(c) Within sixty (60) days of the Racetrack's receipt of the post-inspection report under paragraph (b), the Racetrack shall respond in writing to the Racetrack Safety Committee setting forth all actions to be taken by the Racetrack to remedy the areas of non-compliance identified in the post-inspection report, and the timeframes necessary for implementation of such remedial actions.

(d) The Racetrack Safety Committee shall assess the Racetrack's response and make a written recommendation to the Authority whether to issue or deny Accreditation or provisional Accreditation of the Racetrack.

2113 ISSUANCE OF ACCREDITATION.

(a) The Authority shall determine whether a Racetrack is entitled to Accreditation by evaluating compliance with the requirements set forth in this Rule 2100 Series.

(b) In determining whether to grant, renew or deny Accreditation to a Racetrack, the Authority shall review all information submitted by the Racetrack and the Racing Safety Committee's recommendation.

2114 EFFECTIVE PERIODS OF ACCREDITATION.

(a) Accreditation.

(01) Accreditation shall be effective for a period of three (3) years.

(02) The Authority may modify the Accreditation period to a period of one (1) to seven (7) years if the Authority determines that such modified period will be consistent with the requirements of Accreditation outlined in this Rule 2100 Series.

(b) Provisional Accreditation.

(01) Provisional Accreditation shall be effective for an initial period of one (1) year.

(02) Upon the expiration of the initial one (1) year period referenced in paragraph (1) above, provisional Accreditation may be extended for additional one (1) year periods if the Authority determines that the subject Racetrack is continuing to undertake good faith efforts to comply with the requirements of this Rule 2100 series and achieve Accreditation.

2115 ANNUAL REPORTING.

All Racetracks granted Accreditation under these Rules shall participate in ongoing reporting and review to the Racetrack Safety Committee. All accredited Racetracks shall, by December 31st of each calendar year, submit satisfactory annual reports to the Racetrack Safety Committee demonstrating compliance with all Accreditation requirements.

2116 SUSPENSION AND REVOCATION OF ACCREDITATION.

(a) An accredited Racetrack that is in material noncompliance with the Accreditation requirements, after having received notice of the noncompliance and been given a reasonable opportunity to remedy the noncompliance, may have its Accreditation suspended by the Authority.

(b) A provisionally accredited Racetrack that is in material noncompliance with the provisional Accreditation requirements, after having received notice of the noncompliance and been given a

reasonable opportunity to remedy the noncompliance, may have its provisional Accreditation suspended by the Authority.

(c) A Racetrack under suspension shall not conduct any Covered Horserace.

(d) A suspended Racetrack that fails to remedy the noncompliance in a reasonable time may have its Accreditation or provisional Accreditation revoked by the Authority.

2120 ACCREDITATION REQUIREMENTS.

2121 RACETRACK SAFETY AND WELFARE COMMITTEE.

(a) General. The Racetracks in each state shall form a Racetrack Safety and Welfare Committee to review the circumstances around fatalities, injuries, and racetrack safety issues with the goal of identifying possible contributing risk factors that can be mitigated.

(b) Composition. The composition of the Racetrack Safety and Welfare Committee may vary among jurisdictions, provided that each Racetrack Safety and Welfare Committee shall include, at a minimum, the following:

(01) Regulatory Veterinarian;

(02) Association Veterinarian;

(03) Medical Director;

(04) Safety Officer or steward, subject to the applicable State Racing Commission electing to enter into an agreement with the Authority if such individual is employed by the State Racing Commission;

(05) Horsemen's representative;

(06) Jockey;

(07) Trainer;

(08) racing secretary, and

(09) racetrack superintendent.

(c) The Regulatory Veterinarian shall chair the Racetrack Safety and Welfare Committee.

(d) If the Safety Director is not a committee member, the Safety Director shall be an ad hoc member of the Racetrack Safety and Welfare Committee.

(e) Responsibilities. The Racetrack Safety and Welfare Committee shall be responsible for:

(01) Review of all equine catastrophic injuries and the circumstances surrounding those injuries, including, at a minimum:

(i) interviews with Trainers, Jockeys, exercise riders, and Attending Veterinarians, and when appropriate, a qualified human health provider;

(ii) examination of past performances, Workouts, pre-race inspection findings, necropsy examination findings, and Trainer and Veterinary treatment records;

(iii) review of Race or training video footage, if applicable;

(iv) review of racetrack surface conditions and weather information;

(v) convening a meeting with connections of the Covered Horse and other interested Persons, including, at a minimum, the Regulatory Veterinarian, Trainer, and Attending Veterinarian, and if applicable, the Jockey, exercise rider, and racetrack superintendent to:

(A) convey the findings of the review;

(B) acquire additional information useful for developing strategies for injury prevention; and

(C) provide continuing education or continuing education recommendations related to cause of equine injury, if available, to persons related to the applicable Covered Horse.

(vi) evaluation of factors that may have contributed to injuries;

(vii) evaluation of the effectiveness of protocols and procedures for managing the equine injury scenario; and

(viii) developing strategies to mitigate identified factors that may have contributed to the injury.

(02) Review of all environmental factors related to racing and training that may have contributed to human injury occurrences including:

(i) evaluation of external factors that may have contributed to injuries;

(ii) development of strategies to mitigate identified factors that may have contributed to the injury;

(iii) evaluation of the effectiveness of protocols and procedures for managing human injury occurrences;

(03) Consideration of Racetrack safety issues brought to the Racetrack Safety and Welfare Committee's attention;

(04) Summary review of all injuries and considerations to review existing practices,

(05) Development of strategies to reduce or mitigate injury occurrences,

(06) Enhancement of the identification of Horses or conditions for which intervention is warranted; and

(07) Enhancement of racetrack safety for equine and human participants.

(08) Preparation and submission of a report that summarizes the findings of the Racetrack Safety and Welfare Committee under this paragraph (c) to the Authority within sixty (60) days of the end of the applicable Race Meet, unless the Racetrack Safety Committee requires earlier submission.

2130 REQUIRED SAFETY PERSONNEL.

2131 SAFETY DIRECTOR.

(a) The Safety Director shall oversee equine safety, racetrack safety, and risk management and injury prevention at each Racetrack in accordance with the provisions of this Rule. The Safety Director may at the same time serve in the applicable jurisdiction as a Regulatory Veterinarian or Safety Officer. Subject to the approval of the Racetrack Safety Committee, the Safety Director may be shared within and among jurisdictions.

(b) If the applicable State Racing Commission does not enter into an agreement with the Authority, then the Racetracks in such jurisdiction shall implement the requirements set forth in this Rule, subject to the Racetrack Safety Committee's approval of the individual named as Safety Director.

(c) The Safety Director shall be responsible for:

- (01) Creating a culture of safety for Horses, riders, and Racetrack personnel;
- (02) Overseeing all aspects of equine safety, racetrack safety, and safety of personnel working with Horses by ensuring that all activities and practices involving the training and racing of Horses at the track meet required safety standards;
- (03) Implementing a risk management and injury prevention program under the oversight of the Racetrack Safety Committee;
- (04) Providing guidance to Attending Veterinarians on safety issues;
- (05) Maintaining and annually reviewing standard operating procedures and protocols;
- (06) Coordinating and overseeing emergency drills that include equine injury and starting gate malfunction;
- (07) Reporting all equine injuries and fatalities to the Authority within seventy-two (72) hours of injury; and
- (08) Interacting with the Authority concerning Racetrack Safety Accreditation compliance.

2132 MEDICAL DIRECTOR.

(a) The Medical Director shall oversee the care and organization of the medical needs of Jockeys. The Medical Director shall be either a licensed physician or a board-certified athletic trainer. Subject to the approval of the Racetrack Safety Committee, the Medical Director may be shared within and among jurisdictions.

(b) In any jurisdiction where the applicable State Racing Commission does not elect to enter into an agreement with the Authority to establish a Medical Director consistent with this Rule, the Authority shall appoint and employ a Medical Director to serve as Medical Director in that jurisdiction. The Racetracks in the applicable jurisdiction shall reimburse the Authority for all costs associated with the employment of the Medical Director. Such reimbursement shall be shared by the Racetracks in such jurisdiction proportionally by total handle wagered in the applicable state in the prior calendar year.

(c) The Medical Director shall:

- (01) Identify professional medical providers and referral networks that are licensed and certified to oversee racetrack emergency services, which may include, hospital affiliations, nursing staff, EMT service and paramedics, internists, surgeons, family practitioners, dentists, athletic trainers, or psychiatrists;
- (02) Make medical provider contact information readily available for ease of communication and immediate coordination of care for any medical event;
- (03) Report all human injuries to the Authority within seventy-two (72) hours of injury;
- (04) Coordinate and oversee a plan for on-site medical care, including provisions for emergency medical facilities and staffing;
- (05) Implement an emergency drill for a rider injury;
- (06) Coordinate and oversee a comprehensive plan for transportation of an injured rider to the nearest Trauma Level One or Two facility;
- (07) Coordinate and oversee a plan for transportation of an injured rider to the Racetrack's first aid facility;
- (08) Ensure compliance with mandatory annual rider physical examination requirements to indicate readiness to ride for Jockeys, and document compliance to the Authority;
- (09) Exercise oversight of medical standards, including the minimum criteria for riding fitness;
- (10) Certify a rider's fitness to resume riding after any on-track incident that may impair the rider's reflexes, decision-making or ability to maintain control of his or her Horse in a race;

- (11) Implement the program for Concussion evaluation, rider exclusion and clearance, and return to ride protocol;
- (12) Develop in writing, subject to annual review and revision as necessary, the Racetrack's Emergency Action Plan, which shall include readiness for medical needs of racing participants, workers, and spectators; and
- (13) Work with local, state, and federal regulators to standardize the approach and response to pandemic-related issues among riders, workers, and spectators.

2133 STEWARDS.

- (a) In states where the applicable State Racing Commission elects to enter into an agreement with the Authority, the stewards, in addition to their duties under state law, shall enforce the safety regulations set forth in the Rule 2200 Series.
- (b) To qualify for appointment as a steward, the appointee shall meet the experience, education, and examination requirements necessary to be accredited by the ROAP and be in good standing with all racing jurisdictions.
- (c) The requirements of this Rule for any steward employed by a State Racing Commission are subject to the applicable State Racing Commission electing to enter into an agreement with the Authority. If the applicable State Racing Commission does not enter into such an agreement, the Racetracks in the jurisdiction shall implement the requirements set forth in this Rule, subject to the Racetrack Safety Committee's approval of the individuals named as stewards by the Racetracks. The stewards named by the Racetracks shall enforce only the safety regulations set forth in the Rule 2200 Series.

2134 REGULATORY VETERINARIAN.

- (a) The Regulatory Veterinarian shall:
 - (01) Subject to the provisions of paragraph (b) below, be employed by the State Racing Commission or similar agency having jurisdictional authority;
 - (02) be licensed to practice in the applicable jurisdiction;
 - (03) refuse employment or payment, directly or indirectly, from any Owner or Trainer of a Horse racing or intending to race in the jurisdiction while employed as a Regulatory Veterinarian;
 - (04) refrain from directly treating or prescribing for any Horse within the applicable jurisdiction except in cases of emergency, accident, or injury; and
 - (05) Regulatory Veterinarians must be trained, and their proficiency verified, in identifying and stabilizing common musculoskeletal injuries.
- (b) In any jurisdiction where the applicable State Racing Commission does not elect to enter into an agreement with the Authority to establish a Regulatory Veterinarian consistent with this Rule, the Authority shall employ a Veterinarian to serve as the Lead Veterinarian in such jurisdiction. The Lead Veterinarian shall perform all of the duties, obligations and responsibilities of the Regulatory Veterinarian in these regulations. The Racetracks in the applicable jurisdiction shall reimburse the Authority for all costs associated with the employment of the Lead Veterinarian. The reimbursement shall be shared by the Racetracks in the jurisdiction proportionally by total handle wagered in the applicable state in the prior calendar year.

2135 RESPONSIBILITIES AND DUTIES OF REGULATORY VETERINARIAN.

- (a) The Regulatory Veterinarian shall have the following responsibilities and duties:
 - (01) notify the stewards of any Horse deemed unsafe to be raced, or a Horse that it would be inhumane to allow to race;

- (02) conduct pre-race inspections on all potential starters on race day;
- (03) inspect any Horse when there is a question as to the physical condition of such Horse independent of the Horse's entry status;
- (04) be present in the paddock during saddling, on the racetrack during the post parade, and present at the starting gate until the Horses are dispatched from the starting gate for the Race;
- (05) scratch any Horse that is, in the opinion of the Regulatory Veterinarian, injured, ill, or otherwise unable to compete due to a medical or health-related condition;
- (06) inspect any Horse which appears to be in physical distress during the Race or at the finish of the Race;
- (07) provide emergency medical care to Horses injured while racing and effect case transfer to the Attending Veterinarian;
- (08) be authorized to euthanize, consistent with the current version of the AVMA Guidelines for the Euthanasia of Animals, any Horse deemed to be so seriously injured that it is in the best interests of the Horse to so act;
- (09) report to the Safety Director the names of all Horses euthanized or which otherwise die at the meeting and the reasons therefor;
- (10) maintain the Veterinarians' List of Horses ineligible to race and notify the stewards of the identities of all Horses placed on the Veterinarians' List; and
- (11) collaborate with the Safety Director, Chief Veterinarian of the State Department of Agriculture, and other regulatory agencies to take measures to control communicable or reportable equine diseases.

(b) If the Regulatory Veterinarian and his or her staff are unable to fulfill any of the duties described in paragraph (a) of this Rule, such duties may, at the request of the Regulatory Veterinarian, be performed by an Association Veterinarian. In such case, the Association Veterinarian shall be responsible for adhering to and upholding the rules and regulations of the Authority and the State Racing Commission.

(c) The Regulatory Veterinarian, and any Association Veterinarian exercising duties of the Regulatory Veterinarian as provided in paragraph (b) above, are authorized to:

- (01) access any and all Horses housed on Racetrack grounds regardless of entry status;
- (02) perform inspections of any Horse at any time;
- (03) observe Horses during training activities and Workouts;
- (04) perform pre-Race veterinary inspections and post-Race observations; and
- (05) Place a Horse on the Veterinarians' List.

(d) The Regulatory Veterinarian shall have jurisdiction over the Attending Veterinarians within the grounds of the Racetrack and shall review and consult with the stewards, and State Racing Commission regarding the State Racing Commission license applications of Attending Veterinarians, veterinary technicians or assistants, vendors of medical supplies and equipment, and non-Veterinarian health care providers. The authority and responsibilities of the Regulatory Veterinarian under this paragraph (d) shall not be performed by an Association Veterinarian pursuant to paragraph (b) of this Rule.

2136 RACETRACK SAFETY OFFICER.

(a) Each Racetrack shall have a Safety Officer to ensure that all activities and practices involving the training and racing of Horses at the Racetrack meet required safety standards and regulatory guidelines. The Safety Officer may also be a steward.

(b) The Safety Officer shall:

- (01) Monitor daily stable area activities and practices in the barn area and on the racetrack for compliance with the applicable State Racing Commission safety regulations and the Rules of the Authority;
- (02) Conduct pre-Race Meet racetrack safety inspections;
- (03) Monitor outrider compliance with Racetrack rules during morning workouts;
- (04) Monitor starting gate procedures;
- (05) Monitor ambulance and medical personnel protocols for Horses and riders;
- (06) Assist Regulatory Veterinarians with follow-up on Horses barred from training or vanned off during training and racing;
- (07) Review ship-in and ship-out lists and undertake appropriate investigations;
- (08) Conduct random license checks in the stable area;
- (09) Conduct random barn inspections to monitor safety and regulatory compliance, including fire safety regulations;
- (10) Conduct random inspections to verify acceptable management, equine husbandry, and veterinary practices;
- (11) Advise stewards of all planned and random inspections;
- (12) Enforce fire safety rules in the stable area;
- (13) Serve as a member or ad hoc member of the Racetrack Safety and Welfare Committee; and
- (14) Make recommendations to Racetrack management and racing officials to ensure the welfare of Horses and riders, the integrity of racing, and compliance with applicable horse racing laws and regulations.

2140 RACEHORSE INSPECTIONS AND MONITORING.

2141 VETERINARY INSPECTIONS.

- (a) Veterinary inspections shall be performed by the Regulatory Veterinarians on all Horses entered in a Race. Such inspections shall include the items listed in Rule 2142.
- (b) If, prior to starting a Race, a Horse is determined to be unfit for competition, or if the Regulatory Veterinarian is unable to make a determination of racing soundness, the Regulatory Veterinarian shall notify the stewards that the Horse is scratched. Regulatory Veterinarians shall have the unconditional authority to scratch a Covered Horse from a Race.

2142 ASSESSMENT OF RACING SOUNDNESS.

- (a) Post-entry screening. The Regulatory Veterinarian shall perform post-entry screenings of previous pre-Race inspection findings of entered Horses to identify Horses that may be at increased risk for injury. The Regulatory Veterinarian shall review past performances, lay-ups (more than sixty (60) days without a timed Workout or Race), last thirty (30) days medical history, previous injury and lameness diagnostics, intra-articular corticosteroid injections, previous surgery, and individual Horse risk factors.
- (b) Pre-race veterinary inspection. Every Horse entered to participate in a Covered Horserace shall be subjected to inspection by a Regulatory Veterinarian prior to starting in the Race for which it is entered on race day not later than one (1) hour prior to scratch time for the Race in which the Horse is to compete.

(01) The Trainer of each Horse or a representative of the Trainer who is knowledgeable about the Horse and able to communicate with the Regulatory Veterinarian must present the Horse for inspection. Horses presented for inspection must have bandages removed, and the legs must be clean and dry. Prior to inspection, Horses may not be placed in ice and no device or substance shall be applied to the Horse that impedes veterinary clinical assessment.

(02) The Regulatory Veterinarian's inspection of each Horse prior to participating in a Race shall include, at a minimum, the following:

(i) Identification of the Horse.

(ii) Ascertainment of the sex of the Horse.

(iii) Performance of an overall inspection of the entire Horse, assessing general appearance, behavior, disposition, posture, and body condition.

(iv) Observation of the Horse jogging in hand, moving towards and away from the Veterinarian so that both hind-end and front-end motion can be evaluated.

(v) Performance of a digital palpation on both distal forelimbs.

(vi) Placement of the Horse on the Veterinarian's List if the Horse does not jog sound or warm up to the Regulatory Veterinarian's satisfaction

(vii) Visual observation in the paddock and saddling area, during the parade to post, and at the starting gate.

(viii) Any other inspection deemed necessary by the Regulatory Veterinarian, including Jockey consultation for the Jockey's mount.

(03) A report summarizing the results of a pre-Race inspection under this paragraph (a) shall be submitted to the Authority on the day of the inspection.

(c) Post-race assessment. Post-Race visual observations shall be performed by a Regulatory Veterinarian on all Horses leaving the racetrack at the conclusion of every Race.

(01) If a Horse is determined to have Bled or to be physically distressed, medically compromised, injured, or unsound at any time before exiting the racetrack or leaving the test barn, the Horse shall be placed on the Veterinarians' List and the Regulatory Veterinarian shall document post-race inspection findings to the Authority.

(02) If a Horse is determined to have skin lacerations, swellings, or welts that resulted from crop use, the stewards and Attending Veterinarian shall be notified, and the information documented to the Authority.

(d) Training. Regulatory Veterinarians may observe Horses during training activities. Horses deemed physically distressed, medically compromised, injured, or unsound may be placed on the Veterinarians' List and reported to the Authority.

2143 RACEHORSE MONITORING.

(a) All Horses, including stable ponies, entering the Racetrack grounds must have proof of health certificate and required vaccinations, which shall include:

(01) Certificate of veterinary inspection within the prior five (5) days or fewer days if high risk situations dictate;

(02) Verification of EEE/WEE/WNV (encephalitides), rabies, and tetanus vaccinations within the prior twelve (12) months;

(03) Verification of Influenza and Rhinopneumonitis vaccinations within the prior 180 days or fewer days if high risk situations dictate; and

(04) Verification of Negative Equine Infectious Anemia (Coggins) Test within the calendar year or in a shorter period of time if high risk situations dictate.

(b) Each Racetrack shall submit the following information to the Authority with respect to each Horse on its grounds:

- (01) Horse identification;
- (02) Origin of Horse;
- (03) Date of entry;
- (04) Verification of certificate of veterinary inspection; and
- (05) Verification of vaccinations.

(c) Each Racetrack shall submit the following information to the Authority with respect to each Horse leaving its grounds:

- (01) Horse identification;
- (02) Intended destination;
- (03) Reason for departure;
- (04) Date of exit;
- (05) Vehicle license plate; and
- (06) Transporter.

(d) Horses moving interstate must meet the entry requirements of the destination state, the State Racing Commission in the destination state, and the individual Racetracks or Training Facilities to which the horse is being shipped in the destination state.

2150 RACETRACK AND RACING SURFACE MONITORING AND MAINTENANCE.

2151 DATA COLLECTION, RECORDKEEPING AND SUBMISSION.

(a) Racetracks shall have data collection protocols in place to assist in the proper and consistent maintenance of all racing and training surfaces. Racing and training surface testing and maintenance should be performed based on the Racetrack's written standard operating procedures which are reviewed annually and updated as needed. The Racetrack Safety Committee, or its designees, shall develop and annually update a Racetrack Surface Standard Practices Document.

(b) All Racetrack design records, racing and training surface maintenance records, surface material tests, and daily tests data shall be recorded in a format acceptable to the Authority and shall be submitted to the Authority. Any test results shall be submitted to the Authority within one (1) week of the test results.

2152 TESTING METHODS.

(a) Surface test methods and surface material test methods must be documented and consistent with testing standards from internationally recognized standards organizations including ASTM International, American Society of Agricultural and Biological Engineers or other relevant international standards, and when possible for unpublished standards, methods consistent with those documented by the Racing Surfaces Testing Laboratory.

2153 RACETRACK FACILITIES.

The Racetrack facilities must be designed, constructed and maintained as provided in this Rule to provide for the safety of Covered Persons and Covered Horses.

(a) Rails.

(01) Racetracks shall have inside, outside, and gap rails designed, constructed, and maintained to provide for the safety of Jockeys and Horses.

(02) Objects within 10 feet of the inside rail shall be flexible enough to collapse upon impact of a Horse or rider, or sufficiently padded as to prevent injury.

(03) Rails shall be inspected prior to each Race Meet and daily during training and racing events.

(b) Gaps.

(01) All gaps must be clearly marked, must have protective padding covering any sharp edges or unique angles, and have proper mechanisms to allow for secure closure when needed.

(02) Main gaps and on-gaps should include signage with safety rules, Racetrack hours and other applicable rules.

(03) For Races breaking from a chute there should be sufficient temporary rail extension to prevent Horses from ducking in or out.

(c) Starting gate.

(01) All gates, and the vehicle that moves the gates, must be inspected pre-Race Meet and documented to be in proper working condition.

(02) All gates must have protective padding to ensure the safety of the Horse, Jockey, and gate personnel. Protective padding shall protect the riders and gate personnel from contact with sharp edges and help to distribute impact loads. All padding shall be designed to ensure durability for outdoor use and shall be capable of maintaining safety and physical integrity during all weather conditions.

(03) Gates and the vehicle that moves the gates shall be inspected and tested each race day before the Races and each morning before schooling to ensure proper functioning.

(04) No personnel, other than those required for steering the gate, shall ride on the gate while the gate is in motion or being transported.

(05) Racetracks shall have in place annually reviewed and documented standard operating procedures for the removal of the starting gate after the start of each Race as needed in a safe and timely manner. This plan shall also include procedures for gate removal if the primary removal mechanism fails.

(06) Every Starting Gate Person shall wear protective gear when working on or around the starting gate, including approved helmets and safety vests.

(07) If the starting gate becomes inoperable during racing hours, racing may not continue until the starting gate is brought back to safe operating standards or the inoperable gate is replaced with a properly functioning alternate gate.

(08) During racing hours, a Racetrack should ensure that sufficient assistant starters are available to safely handle each Horse entered in a Race.

(09) A Racetrack shall make at least one starting gate and one Starting Gate Person available for racehorse schooling during designated gate training hours.

(d) Emergency warning system.

(01) Each Racetrack shall have an operational emergency warning system on all racing and training tracks. The emergency warning system shall be approved by the State Racing Commission, subject to the applicable State Racing Commission electing to enter into an agreement with the Authority. If such agreement does not exist, the emergency warning system shall be approved by the Authority.

(02) The emergency warning system shall be tested bi-weekly before training or racing.

(03) During training, when the emergency warning system is activated, all persons on horseback shall slow to a walk and no one on horseback shall enter the racetrack.

(04) The Racetrack announcer shall be trained to utilize the public address system to:

- (i) Warn riders of potentially dangerous situations and provide direction; and
- (ii) Warn patrons of potentially dangerous situations and provide direction.

2154 RACETRACK SURFACE MONITORING.

(a) Racetracks shall provide equipment and personnel necessary to maintain the racetrack surface in a safe and consistent condition.

(b) Pre-meet inspection shall be performed on all surfaces prior to the start of each Race Meet with sufficient time allotted to facilitate corrections of any issues prior to racing. For Race (1) Meets spanning periods with significant weather variation, inspections shall be performed seasonally prior to anticipated weather changes.

(01) Inspections for dirt and synthetic surfaces shall include the following elements:

- (i) Determine and document race and training track configurations and geometries, including:
 - (A) Geometry and slopes of straights and turns and slopes at each distance marker pole;
 - (B) The accuracy of distances from the finish line to the marker poles; and
 - (C) cushion and base geometries.
- (ii) Base inspection, including windrowing and base survey, surface survey, ground penetrating radar, or other method;
- (iii) Mechanical properties of racing and training tracks using a biomechanical surface tester shall be determined and documented;
- (iv) Surface material samples of racing and training tracks shall be analyzed for material composition pursuant to the Racetrack Surface Standard Practices Document; and
- (v) Corrective measures to address issues under paragraphs (i) through (iv) above.

(02) Inspections for turf surfaces shall include the following elements:

- (i) Determine and document racetrack configuration and geometry, including:
 - (A) Geometry and slopes of straights and turns and slopes at each distance marker pole;
 - (B) irrigation systems;
 - (C) turf profile; and

(D) ensure distances from the finish line to the marker poles are correct.

(ii) Document turf species;

(iii) Mechanical properties of racing and training tracks using a surface tester should be determined and documented;

(iv) Surface material samples of racing and training tracks shall be analyzed for material composition pursuant to the Racetrack Surface Standard Practices Document;

(v) The irrigation system must be tested to evaluate function of all components and water coverage including gaps and overlap; and

(vi) Corrective measures to address issues under paragraphs (i) through (iv) above.

(c) Daily measurements shall be taken at the beginning of all daily training and racing sessions for racing and training tracks taken at each ¼ mile marker pole at locations 5 and 15 feet outside the inside rail.

(01) For dirt and synthetic surfaces, such daily measurements shall include:

(i) Moisture content;

(ii) Cushion depth; and

(iii) Weather conditions and precipitation at 15-minute intervals from a national or local weather service.

(02) For turf surfaces, such daily measurements shall include:

(i) Moisture content; and

(ii) Penetration and shear properties.

(d) Surface equipment inventory, surface maintenance logs, and surface material addition or renovation logs shall be maintained and submitted to the Authority.

(01) Daily surface maintenance logs should include equipment used, direction of travel, water administration.

(02) Documentation of the source, timing, quantity, and method of all additions to the surfaces shall be submitted to the Authority.

2160 EMERGENCY PREPAREDNESS.

2161 EMERGENCY DRILLS.

Emergency protocols shall be reviewed, and drills shall be conducted, prior to the beginning of each Race Meet for purposes of demonstrating the Racetrack's proficiency in managing the following emergencies:

(a) Starting gate malfunction;

- (b) Paddock emergencies;
- (c) Equine injury;
- (d) Jockey injury;
- (e) Loose Horse;
- (f) Fire;
- (g) Hazardous weather condition; and
- (h) Multiple injury scenarios for both Horses and Jockeys;

2162 CATASTROPHIC INJURY.

Racetracks and Training Facilities under the jurisdiction of a State Racing Commission shall have protocols in place for instances of catastrophic injury to Horses during racing and training. Protocols should include, but not be limited to requiring collection of biological samples in sufficient volume, to permit comprehensive drug testing. Planning shall include appropriate means of communication to the public

2163 FIRE SAFETY.

Racetracks and Training Facilities under the jurisdiction of a State Racing Commission shall plan for and have protocols in place for instances of fire within their enclosures. Fire and life safety inspections shall be performed in accordance with the local authority and appropriate National Fire Protection Association standards and shall be conducted at the required frequency. Racetracks shall document adherence to the applicable local fire protection authority.

2164 HAZARDOUS WEATHER.

Each Racetrack shall develop, implement, and annually review a hazardous weather protocol which shall include:

- (a) Designation of the personnel responsible for monitoring weather conditions, immediately investigating any known impending threat of dangerous weather conditions and determining if conditions exist which warrant delay or cancellation of training or racing and the notification to the public of such dangerous weather conditions.
- (b) Use of a designated weather watcher and a reliable source for monitoring the weather, including lightning strike distance/radius notifications.
- (c) Implementation of a dangerous weather protocol, which includes for extreme heat and chill factors and air quality.
- (d) Designation by the Racetrack of an official responsible for monitoring weather conditions during training and racing hours.
- (e) Consideration by the Racetrack of lightning safety guidelines such as the National Athletic Trainers' Association Position Statement, or more recent evidence-based recommendations.
- (f) Requirements that the stewards shall contact Racetrack management when weather conditions may become hazardous, and that the stewards shall commence a racing and training delay when weather conditions pose risks to human and equine welfare.
- (g) Designation by the Racetrack of an official responsible for enforcing any weather associated training delay.

2165 INFECTIOUS DISEASE MANAGEMENT.

- (a) Plans and protocols shall be put in place by each Racetrack to manage an infectious disease outbreak. Such protocols shall be based on guidelines recommended by the AAEP General Biosecurity Guidelines and AAEP Healthy Horse Protocols: Biosecurity Guidelines for Racetrack

Entry and Stabling or more recent versions or developed in consultation with the appropriate State agency or official.

(b) The Regulatory Veterinarian shall maintain written biosecurity guidelines and standard operating procedures and train Racetrack safety personnel in basic biosecurity protocols. All Covered Persons must report any symptoms that may be attributed to an infectious disease to the Regulatory Veterinarian and Safety Director.

(c) During an infectious disease outbreak, the above requirements may be revised as dictated by the circumstances, and all Covered Persons shall adhere to disease control measures implemented by State Racing Commissions or applicable state veterinary authorities.

(d) The Safety Director, or Regulatory Veterinarian if the Safety Director is not a licensed veterinarian, must notify the Chief Veterinarian of the relevant State Department of Agriculture (or comparable state government official) to enable timely and accurate reporting of disease outbreaks at the racetrack to the Equine Disease Communication Center.

2166 HUMAN AMBULANCE SUPPORT.

(a) A Racetrack shall provide a properly staffed and equipped Advanced Life Support ambulance during training and racing hours. If the ambulance is being used to transport an individual, the Racetrack may not conduct a race, or allow Horses with riders on the racetrack, until the ambulance is replaced or available for service.

(b) Racetracks shall ensure the Advanced Life Support ambulance staff has been trained in Concussion management. Any Jockey who falls or is thrown from a Horse during a race must be examined by the Advanced Life Support staff. Advanced Life Support staff shall report their findings to the stewards who will determine if the Jockey may continue riding.

(c) Unless otherwise approved by the State Racing Commission or the stewards, an ambulance shall follow the field at a safe distance during the running of races.

(d) The ambulance must be parked at an entrance to the racing strip except when the ambulance is being used to transport an individual or when it is following the field during the running of a race.

2167 ACCIDENT REPORTING SYSTEM.

(a) Racetracks shall develop standard operating procedures for the collection of data associated with all incidents resulting in Jockey or exercise rider injuries sustained at the racetrack and submit such information to the Authority within ten (10) days of the injury occurrence. Covered Persons involved in, or witnesses to, the circumstances surrounding the injury shall make themselves available to and cooperate with those individuals collecting data for the database.

(b) Data collected shall include:

- (01) name of person injured;
- (02) nature of the injury;
- (03) date and time of day of injury;
- (04) occupation of person;
- (05) cause of the incident;
- (06) weather;
- (07) location of the incident; and
- (08) witness statements.

2168 EQUINE AMBULANCE.

A dedicated Horse ambulance with personnel trained to operate the ambulance shall at all times

be available for rapid deployment during racing and training periods. It is recommended that a second ambulance be available in the case of multiple equine injuries or failure of the primary Horse ambulance.

2169 PADDOCK SAFETY.

Racetracks shall have protocols in place to manage the safety of their saddling paddocks and walking rings. Such protocols should include crowd management policies as well as emergency response procedures for human and equine injuries. An emergency medical technician or paramedic shall be present during saddling.

2170 NECROPSIES.

- (a) All Horses that die or are euthanized on Racetrack grounds shall have an autopsy (necropsy) examination performed.
- (b) Necropsies should be performed at facilities and by personnel with capabilities and expertise to perform necropsy examination of racehorses. Relationships and contact information shall be included in the necropsy standard operating procedure. The Veterinarian performing the necropsy shall not be an Attending Veterinarian of the affected Horse.
- (c) Field necropsy is strongly discouraged. When a field necropsy is the only practical option available, necropsy examinations shall be performed under direct or indirect supervision of a board-certified pathologist including phone call guidance or video conferencing. Necropsies shall be performed in a secure area on all Horses that die or are euthanized on Racetrack premises, isolated from the general public. Whenever possible, the Veterinarian performing the necropsy shall not be an Attending Veterinarian of the affected Horse.
- (d) Transportation options for necropsy cases and invoicing for the transportation and necropsy shall be identified prior to need and included in a standard operating procedure. Secure storage, pending transport, and transportation of the body should be managed in such a way that tissue degradation and the development of post-mortem artifacts are minimized. Care shall also be taken to implement sound infection control practices with respect to equine infectious or zoonotic disease.
- (e) Gross necropsy examination findings must be submitted by the Regulatory Veterinarian to the Authority within seventy-two (72) hours of receiving the necropsy report, and updates submitted to the Authority within seventy-two (72) hours as the results of ancillary tests and the final report are received. This workflow shall be included in the necropsy standard operating procedures.

2180 SAFETY TRAINING AND CONTINUING EDUCATION.

2181 UNIFORM NATIONAL TRAINERS TEST.

Subject to the applicable State Racing Commission electing to enter into an agreement with the Authority, the State Racing Commission shall require the use of a uniform National Trainers Test in addition to any State licensing requirements. This test shall have a written component and include practical interviews that demonstrate knowledge and proficiency in basic horsemanship skills, knowledge of racing office protocols, state specific information, and basic equine health care.

2182 CONTINUING EDUCATION.

- (a) Subject to the applicable State Racing Commission electing to enter into an agreement with the Authority, the State Racing Commission shall identify existing, or provide locally, training opportunities for all Racetrack employees having roles in Racetrack safety or direct contact with Covered Horses.
- (b) Required annual continuing education shall include:
 - (01) Regulatory Veterinarians must complete, on an annual basis, at least eight (8) hours continuing education specific to racetrack regulatory medicine;

- (02) Attending Veterinarians must complete, on an annual basis, at least eight (8) hours continuing education specifically applicable to racetrack practice;
- (03) Medical Directors must complete, on an annual basis, at least eight (8) hours continuing education;
- (04) stewards shall be either accredited or actively participating in gaining accreditation through the ROAP and Certification Programs. Maintenance of the ROAP Accreditation requires at least sixteen (16) hours of continuing education every two (2) calendar years.
- (05) Trainers must complete, on an annual basis, at least four (4) hours annual continuing education;
- (06) assistant trainers must complete, on an annual basis, at least four (4) hours annual continuing education;
- (07) Owners must complete, on an annual basis, at least two (2) hours annually;
- (08) Racetrack surface managers must complete at least eight (8) hours of continuing education every two (2) years;
- (09) Grooms must complete, on an annual basis, at least two (2) hours annual continuing education offered in English and Spanish;
- (10) outriders must complete, on an annual basis, at least two (2) hours safety and outrider protocol training delivered locally prior to the beginning of a Race Meet.
- (11) Jockeys and exercise riders must complete at least two (2) hours safety and rider protocols delivered locally in English and Spanish prior to the beginning of a Race Meet;
- (12) starters and assistant starters must complete, on an annual basis, at least two (2) hours safety training either delivered locally prior to the beginning of a Race Meet or through the ROAP certification; and
- (13) Equipment operators must complete, on an annual basis, at least two (2) hours safety training either delivered locally prior to the beginning of a Race Meet or through a continuing education program.

2190 JOCKEY HEALTH.

2191 JOCKEY DRUG AND ALCOHOL TESTING.

Subject to the applicable State Racing Commission electing to enter into an agreement with the Authority, the State Racing Commission shall develop and implement a testing program for drugs and alcohol for Jockeys. The program shall include provisions for medications prescribed by licensed medical doctors that do not affect mental and physical abilities. In the event that a State Racing Commission does not elect to enter into an agreement with the Authority, the Racetracks in such states shall develop and implement a testing program for drugs and alcohol for Jockeys, subject to the approval of the Authority.

2192 CONCUSSION MANAGEMENT.

State Racing Commissions, or Racetracks if the applicable State Racing Commission does not enter into an agreement with the Authority, shall implement a Concussion management program for Jockeys containing the following elements:

- (a) Each Jockey shall acknowledge in writing that they have been made aware of the Concussion protocols in place for the facility at which they are riding;
- (b) A minimum assessment shall include a current Concussion assessment tool examination;
- (c) A return-to-ride guideline shall be established in order to clear a Jockey who has been concussed, or is believed to have been concussed, once the Jockey is declared fit-to-ride; and

(d) The stewards shall be notified when a Jockey is not permitted to ride and when the Jockey has been authorized to return to riding.

2193 INSURANCE.

In states where workers compensation benefits are not afforded to Jockeys by state statute or regulation, Racetracks shall maintain a minimum standard of One Million Dollars (\$1,000,000) per incident worth of accident medical expense coverage for all Jockeys.

2200 SPECIFIC RULES AND REQUIREMENTS OF RACETRACK SAFETY PROGRAM.

2210 PURPOSE AND SCOPE.

- (a) The purpose of Rule Series 2200 is to establish specific safety rules and requirements designed to enhance equine and Jockey safety in Horse racing.
- (b) Violation of, or failure to comply with, the requirements of this Rule 220 Series shall result in disciplinary action by racing officials and the Authority.
- (c) Safety rules arising under State laws or regulations not preempted by 15 USC 3054(b) shall be governed by applicable State laws and regulations.

2220 ATTENDING VETERINARIAN.

- (a) Only Veterinarians licensed by the State Racing Commission may attend to Covered Horses at any location under the jurisdiction of a State Racing Commission.
- (b) Veterinarians attending at any location under the jurisdiction of a State Racing Commission are under the authority of the Regulatory Veterinarian and the stewards.

2221 TREATMENTS BY ATTENDING VETERINARIAN.

The following limitations apply to drug treatments by Attending Veterinarians of Covered Horses that are engaged in activities related to racing, including training:

(a) No drug shall be prescribed, dispensed, or administered except in the context of a valid Veterinarian-client patient relationship between a Veterinarian, the Owner (who may be represented by the Trainer) and the Covered Horse. The Owner is not required to follow the Veterinarian's instructions, but no drug may be administered without a Veterinarian having examined the Horse and provided the treatment recommendation. Such relationship requires the following:

- (01) the Veterinarian, with the consent of the Trainer (on behalf of the Owner), has accepted responsibility for making medical judgments about the health of the Horse;
- (02) the Veterinarian has sufficient knowledge of the Horse to make a preliminary diagnosis of its medical condition;
- (03) the Veterinarian has performed an examination of the Horse and is acquainted with the keeping and care of the Horse;
- (04) the Veterinarian is available to evaluate and oversee treatment outcomes, or has made appropriate arrangements for continuing care and treatment;
- (05) the relationship is maintained by veterinary visits as needed; and
- (06) the medical judgments of the Veterinarian are independent and are not dictated by the Trainer or Owner of the Horse.

- (b) The Trainer and Veterinarian are both responsible for ensuring compliance with this Rule,

except that the medical judgment to recommend a drug treatment or to prescribe a drug is the responsibility of the Veterinarian, and the decision to proceed with a drug treatment that has been so recommended is the responsibility of the Owner (who may be represented by the Trainer or other agent).

2230 TREATMENT RESTRICTIONS.

- (a) Only Trainers or their designees shall be permitted to authorize veterinary medical treatment of Covered Horses under their care, custody, and control at locations under the jurisdiction of the State Racing Commission.
- (b) No person other than a Veterinarian licensed to practice veterinary medicine in the State and licensed by the State Racing Commission may prescribe medication with instructions for administration by a Responsible Person for a Covered Horse.
- (c) Attending Veterinarians shall not have contact with an entered Horse within twenty-four (24) hours before the scheduled post time of the race in which the Horse is scheduled to compete unless approved by the Regulatory Veterinarian, or an emergency. Any unauthorized contact may result in the Horse being scratched from the race in which it was scheduled to compete and may result in further disciplinary action by the stewards.
- (d) The Regulatory Veterinarian may administer emergency treatment to Horses on Racetrack grounds when the Attending Veterinarian is not present.
- (e) Except as set forth in paragraph (f) below, no person shall possess a hypodermic needle, syringe capable of accepting a needle or injectable of any kind on racetrack grounds or any facility under the jurisdiction of the Regulatory Authority, unless otherwise approved in writing by the State Racing Commission.
- (f) At any location under the jurisdiction of the State Racing Commission, Veterinarians may use only one-time disposable syringes, needles, IV infusion sets; and shall dispose of items in a manner approved by the State Racing Commission and applicable state and governmental regulations.
- (g) If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the State Racing Commission, that person may request permission of the stewards or the State Racing Commissioning in writing, shall furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and shall comply with any conditions and restrictions set by the stewards and the State Racing Commission.

2240 VETERINARIANS' LIST.

- (a) A Veterinarians' List shall be maintained by the Authority of all Horses that are determined to be ineligible to compete in a Covered Horserace in any jurisdiction until released by a Regulatory Veterinarian.
- (b) The following Horses shall be placed on the Veterinarian's List until removed in accordance with Rules 2241 and 2242:
 - (i) Horses affected by illness, physical distress, medical compromise, unsoundness, injury, infirmity, heat exhaustion, positive test or overage, administration of a medication invoking a mandatory stand down time, administration of Shock Wave Therapy, positive Out-of-Competition test or any other assessment or determination by Regulatory Veterinarians that such Horse is unfit to race.
 - (ii) Horses which have not started in more than 365 days; and
 - (iii) Horses which have not made a start prior to January 1 of their 4-year-old year.
- (c) Trainers and Owners shall be notified in writing within twenty-four (24) hours that their Horse has been placed on the Veterinarians' List.
- (d) Diagnostic testing may be required for any Horse placed on the Veterinarians' List, at the discretion of the Safety Director, Regulatory Veterinarian, or Association Veterinarian.

2241 DURATION OF STAY ON THE VETERINARIANS' LIST.

Horses placed on the Veterinarian's List in accordance with Rule 2240 shall remain on the Veterinarian's List as follows:

- (a) Horses placed on the Veterinarians' List for unsoundness or Epistaxis shall remain on the list for fourteen (14) days;
- (b) Horses placed on the Veterinarians' List multiple times for unsoundness within the previous 365 days shall remain on the Veterinarians' List for forty-five (45) days for the 2nd time, seventy-five (75) days for the 3rd time, and shall be barred from further racing after the 4th time;
- (c) Horses placed on the Veterinarians' List multiple times for Epistaxis within the previous 365 days shall remain on the Veterinarians' List for thirty (30) days for the 2nd time, one-hundred and eighty (180) days for the 3rd time, and shall be barred from further racing after the 4th time;
- (d) Horses placed on the Veterinarians' List for illness shall remain on the list for seven (7) days;
- (e) Horses treated with Shock Wave Therapy shall be placed on the Veterinarians' List for thirty (30) days; and
- (f) If before, during, or after the workout for removal from the Veterinarians' List, the Horse is deemed to be unsound or to have Bled, the stay on the Veterinarians' List shall be extended an additional fourteen (14) days and further diagnostic testing may be required as determined by the Regulatory Veterinarian.

2242 REMOVAL OF HORSES FROM THE VETERINARIANS' LIST.

Regulatory Veterinarians may remove Horses from the Veterinarians' List in accordance with this Rule and shall document such removal to the Authority.

- (a) A Horse placed on the Veterinarian's List as unsound or suffering from Epistaxis may be removed from the Veterinarian's List upon satisfaction of paragraphs (1) through (3) below.

(01) A trainer must apply to the Regulatory Veterinarian for permission to work the Horse for removal from Veterinarian's List. Upon receiving such approval, the Trainer and Attending Veterinarian must observe the Horse jog and submit to the Regulatory Veterinarian a co-signed statement that the Horse is fit to perform a Workout.

(02) The Horse must perform a Workout under the supervision of the Regulatory Veterinarian and demonstrate to the satisfaction of the Regulatory Veterinarian that the Horse is sound to race.

(03) The Regulatory Veterinarian determines there is no evidence or signs of Epistaxis, physical distress, medical compromise, unsoundness, or lameness within one (1) hour after the Workout conducted pursuant to paragraph (a)(2) above.

- (b) A Horse placed on the Veterinarians' List as physically distressed or medically compromised may be removed from the Veterinarians' List provided sound health has been declared by the Attending Veterinarian or demonstrated to the Regulatory Veterinarian and documented to the Authority.

- (c) In addition to the requirements set forth herein and any requirements of the Protocol, if a Horse is placed on the Veterinarians' List for a positive test or overage of a primary substance invoking a mandatory stand down time, a positive Out-of-Competition test, or any other veterinary administrative withdrawal, the Horse shall be prohibited from entering a Race and may be released from the Veterinarians' List only after also undergoing a post-Workout inspection by the Regulatory Veterinarian.

2250 RACEHORSE TREATMENT HISTORY AND RECORDS.

2251 VETERINARY REPORTS.

- (a) All Veterinarians shall provide treatment records pursuant to Rules Series 3000. In addition to

the uses set forth therein, these records may be used by Regulatory Veterinarians in the performance of their duties at the racetrack, for transfer of sixty (60) day medical records to the new trainer of a claimed Horse, and for purposes of research to enhance the safety and welfare of racehorses.

(b) In addition to the information required to be submitted by Veterinarians pursuant to Rules Series 3000, every Veterinarian who examines or treats a Covered Horse shall, within 24 hours of such examination or treatment, submit the following information in an electronic format designated by the Authority:

- (01) the identity of the Horse treated;
- (02) the name of the Trainer of the Horse;
- (03) the name of the Veterinarian;
- (04) contact information for the Veterinarian (phone, email address);
- (05) any information concerning the presence of unsoundness and responses to diagnostic tests;
- (06) diagnosis;
- (07) condition treated;
- (08) any medication, drug, substance, or procedure administered or prescribed, including date and time of administration, dose, route of administration (including structure treated if local administration), frequency, and duration (where applicable) of treatment;
- (09) any non-surgical procedure performed (including but not limited to diagnostic tests, imaging, and shockwave treatment) including the structures examined/treated and the date and time of the procedure;
- (10) any surgical procedure performed including the date and time of the procedure; and
- (11) any other information necessary to maintain and improve the health and welfare of the Horse.

2252 RESPONSIBLE PERSONS' RECORDS.

(a) In addition to the information required to be submitted by Responsible Persons under Rule Series 3000, a Responsible Person is responsible for maintaining a record of medical, therapeutic, and surgical treatments and procedures for every Covered Horse in his or her control.

(b) For purposes of this Rule, the term treatment:

- (01) means the administration of any medication or substance containing a medication to a Horse by a Responsible Person or his or her designee;
- (02) includes the administration of medications that are prescribed by a Veterinarian but administered by the Responsible Person or his or her designee, or medications prescribed or administered by a Veterinarian not licensed by the State Racing Commission; and
- (03) specifically excludes medications or procedures directly administered by a Veterinarian licensed by the State Racing Commission or that Veterinarian's employees.

(c) Records must include the information outlined in paragraphs (1) and (2) below.

(01) For medical treatments:

- (i) name of the Horse (or, if unnamed, the registered name of the dam and year of foaling);
- (ii) name of Trainer;
- (iii) generic name of the drug, or brand name if a non-generic drug is used;

- (iv) name of the prescribing Veterinarian;
- (ix) full name and contact information of the individual that administered the treatment.
- (v) date of the treatment;
- (vi) route of administration;
- (vii) dosage administered;
- (viii) approximate time (to the nearest hour) of each treatment; and

(02) For medical procedures, including but not limited to, physiotherapy, acupuncture, chiropractic, and surgeries:

- (i) name of the Horse, or, if unnamed, the registered name of the dam and year of foaling;
- (ii) name of Trainer;
- (iii) diagnosis and condition being treated;
- (iv) name of procedure or surgery;
- (v) date of the procedure;
- (vi) first and last name of the individual that administered or performed the procedure; and
- (vii) any other information necessary to maintain and improve the health and welfare of the Horse.

(d) In addition to the uses of records set forth in the Rules Series 3000, records may be used by Regulatory Veterinarians in the performance of their duties at the Racetrack, for transfer of sixty (60) day medical records to the new Owner of a claimed Horse, and for purposes of research to enhance the safety and welfare of racehorses. Records may also be accessed by the State Racing Commission or the stewards.

2253 RECORDS FOR HORSES SHIPPING TO THE RACETRACK.

(a) If a Horse is not stabled at a facility under the Authority's jurisdiction for the full thirty (30) days prior to a Race or Workout for purposes of removal from the Veterinarians' List, the Responsible Person shall obtain and maintain the following information for the previous thirty (30) days:

- (01) name of the Horse or, if unnamed, the registered name of the dam and year of foaling;
- (02) generic name of the drug, or brand name of the drug if a non-generic drug is used;
- (03) date and duration of the treatment;
- (04) route of administration;
- (05) dosage administered;
- (06) surgical procedures;
- (07) non-surgical therapies and procedures; and
- (08) any other information necessary to maintain and improve the health and welfare of the Horse.

(b) If a Horse is not stabled at a facility under the Authority's jurisdiction for sixty (60) days prior to a Race or Workout for purposes of removal from the Veterinarians' List, the Responsible Person shall obtain and maintain the following information:

(01) the last thirty (30) days of exercise activity at the facility;

(02) the last thirty (30) days of treatments and procedures at the facility; and

(03) any other information necessary to maintain and improve the health and welfare of the Horse.

2260 CLAIMING RACES.

2261 TRANSFER OF CLAIMED HORSE RECORDS.

(a) Entry of Horses subject to being claimed in a Claiming Race implies Owner (Trainer as the agent of the Owner) consent for transfer of all Trainer and veterinary examination and treatment records for the last sixty (60) days to the new Trainer of the claimed Horse.

(b) If a Horse is successfully claimed by a new Trainer, the previous Trainer must transfer Trainer records and authorize transfer of veterinary records to the new Trainer within three (3) days of transfer of the Horse to the new Trainer.

2262 VOID CLAIM.

(a) Title to a Horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the Horse becomes a starter.

(b) All claimed Horses shall go to the test barn for observation by the Regulatory Veterinarian.

(c) The claim shall be voided, and ownership of the Horse retained by the original Owner if:

(01) the Horse dies on the racing track;

(02) the Horse is euthanized before leaving the racing track;

(03) the Horse is vanned off of the racing track by discretion of the Regulatory Veterinarian;

(04) the Regulatory Veterinarian determines within one (1) hour of the race that the Horse will be placed on the Veterinarians' List as Bled, physically distressed, medically compromised, unsound, or lame before the Horse is released to the successful claimant; or

(05) the Horse has a positive test for a Prohibited Substance.

(d) The claim shall not be voided if, prior to the Race in which the Horse is claimed, the claimant elects to claim the Horse regardless of whether the Regulatory Veterinarian determines the Horse will be placed on the Veterinarians' List as Bled or unsound or the Horse tests positive for a Prohibited Substance.

2263 WAIVER CLAIMING OPTION.

(a) At time of entry into a Claiming Race an Owner or Trainer may opt to declare a Horse ineligible to be claimed provided:

(01) the Horse has not started in 120 days;

(02) the Horse's last start must have been for a claiming price; and

(03) the Horse is entered for a claiming price equal or greater than the price it last started for.

2270 PROHIBITED PRACTICES AND REQUIREMENTS FOR SAFETY AND HEALTH OF JOCKEYS.

2271 PROHIBITED PRACTICES.

The following are prohibited practices:

- (a) Use of physical or veterinary procedures to mask the effects or signs of injury so as to allow training or racing to the detriment of the Horse's health and welfare.
- (b) Use of extracorporeal shock wave therapy in a manner that may desensitize any limb structures during racing or training.
- (c) Surgical or chemical neurectomy to cause desensitization of musculoskeletal structures associated with the limbs.
- (d) Thermocautery including but not limited to pin firing and freeze firing, or application of any substance to cause vesiculation or blistering of the skin, or a counter-irritant effect.
- (e) Use of a device to deliver an electrical shock to the Horse including but not limited to cattle prods and batteries.
- (f) Use of electrical medical therapeutic devices including magnetic wave therapy, laser, electro-magnetic blankets, boots, electro-shock, or any other electrical devices that may produce an analgesic effect within forty-eight (48) hours of a training activity or of the start of the published post time for which a Horse is scheduled to race.

2272 SHOCK WAVE THERAPY.

(a) The use of Shock Wave Therapy shall be disclosed to the Regulatory Veterinarian no less than forty-eight (48) hours prior to use and shall not be permitted unless the following conditions are met:

(01) Any Shock Wave Therapy may only be performed with machines that are:

- (i) registered and approved for use by the State Racing Commission; and
- (iii) used at a previously disclosed location that is approved by the State Racing Commission.

(02) The use of Shock Wave Therapy shall be limited to licensed Veterinarians and must be reported to the Regulatory Veterinarian within forty-eight (48) hours of treatment to the Authority.

(03) Any treated Horse shall be placed on the Veterinarians' List and shall not be permitted to Race or breeze for thirty (30) days following treatment.

(b) The Veterinarian and Trainer shall be suspended from the Racetrack for a period of five (5) days if Shock Wave Therapy has not been reported within forty-eight (48) hours of any treatment or procedure administered to a Covered Horse. For each subsequent omission of reporting, an additional five (5) days suspension shall be added. If there are three (3) violations in a calendar year, the Veterinarian and Trainer shall be suspended for six (6) months in the subsequent calendar year.

2273 OTHER DEVICES.

No electrical or mechanical device or other expedient designed to increase or retard the speed of Covered Horse, other than the riding crop permitted under these regulations, shall be possessed

by anyone, or applied by anyone to a Covered Horse at any time on Racetrack grounds or during a Workout.

2274 OTHER DEVICE PENALTIES.

Penalties for violations of Rule 2273 shall be as follows:

- (a) The penalty for a first offense shall be loss of eligibility to obtain a racing license in all racing jurisdictions for ten (10) years.
- (b) For any subsequent violation, the penalty shall be loss of eligibility to obtain a racing license in all racing jurisdictions for the life of the Covered Person.

2275 COMMUNICATION DEVICES.

The use of a hand-held communication device by a rider is prohibited while the rider is on the racing track.

2276 HORSESHOES.

- (a) Except for full rims 2 mm or less from the ground surface of the Horseshoe, traction devices are prohibited on forelimb and hindlimb Horseshoes during racing and training on dirt or synthetic racing tracks.
- (b) Traction devices are prohibited on forelimb and hindlimb Horseshoes during training and racing on the turf.
- (c) Traction devices include but are not limited to rims, toe grabs, bends, jar calks and stickers.

2280 USE OF RIDING CROP.

(a) A Jockey or exercise rider who uses a crop during a Race or Workout shall do so only in a professional manner consistent with maintaining focus and concentration of the Horse for safety of Horses and riders, or for encouragement to achieve optimal performance.

(b) A rider may:

- (01) Use the crop on the hindquarters to activate and focus the Horse a maximum of six (6) times during a race. The six (6) permitted uses shall be in increments of two (2) or less strikes. The rider must allow at least two (2) strides for the Horse to respond before using the crop again.
- (02) Tap the Horse on the shoulder with the crop while both hands are holding on to the reins and both hands are touching the neck of the Horse.
- (03) Show or wave the crop to the Horse without physically contacting the Horse.
- (04) Use the crop to preserve the safety of Horses and riders.

(c) A rider may not:

- (01) Raise the crop with the rider's wrist above the rider's helmet when using the crop.
- (02) Injure the Horse with the crop or leave any physical marks, such as welts, bruises, lacerations.
- (03) Use the crop on any part of the Horse's body other than the shoulders or hindquarters.
- (04) Use the crop during the post parade or after the finish of the race other than to avoid a dangerous situation or preserve the safety of Horses and riders.
- (05) Use the crop if the Horse has obtained its maximum placing.

(06) Use the crop persistently even though the Horse is showing no response.

(07) Use a crop on a two (2) year-old Horse in races before April 1st of each year other than to avoid a dangerous situation or preserve the safety of Horses and riders.

(08) Strike another Horse or person with the crop.

(d) In any Race in which a Jockey will ride without a crop that fact shall be declared at entry, included in the official program, and an announcement of that fact shall be made over the public address system.

2281 RIDING CROP SPECIFICATIONS.

(a) Riding crops are subject to inspection by the Safety Officer, stewards, and the clerk of the scales.

(b) All riding crops must be soft-padded.

(c) Riding crops shall have a shaft and a smooth foam cylinder and must conform to the following dimensions and construction:

(01) The maximum allowable weight shall be eight (8) ounces;

(02) The maximum allowable length, including the smooth foam cylinder attachment, shall be thirty (30) inches;

(03) The minimum diameter of the shaft shall be three-eighths of one inch; and

(04) The shaft, beyond the grip, must be smooth, with no protrusions or raised surface, and covered by shock absorbing material that gives a compression factor of at least one millimeter throughout its circumference.

(05) There shall be no binding within seven (7) inches of the end of the shaft.

(06) The smooth foam cylinder is the only allowable attachment to the shaft and must meet the following specifications:

(i) Shall have no reinforcements;

(ii) Shall have a maximum length beyond the shaft of one inch;

(iii) Shall have a minimum diameter of 0.8 inches and a maximum width of 1.6 inches;

(iv) There shall be no other reinforcements or additions beyond the end of the shaft;

(v) Shall be made of shock absorbing material with a compression factor of at least five millimeters throughout its circumference;

(vi) Shall be made of a waterproof, ultraviolet, and chemical resistant foam material that is durable and preserves its shock absorption in use under all conditions; and

(vii) Shall be replaced after reasonable wear and tear is visibly evident.

(07) Riding crops shall not be altered and shall have an appropriate label or marking designating that the riding crop meets the required standards as established by the Authority

2282 RIDING CROP VIOLATIONS AND PENALTIES.

(a) Violations of Rule 2280 shall be categorized as follows, with the exception that use of the crop for the safety of Horse and rider shall not count towards the total crop uses:

(01) Class 3 Violation – one (1) to three (3) strikes over the limit.

(02) Class 2 Violation – four (4) to nine (9) strikes over the limit.

(03) Class 1 Violation – ten (10) or more strikes over the limit.

(b) Unless the stewards determine the merits of an individual case warrant consideration of an aggravating or mitigating factor, the penalties for violations are as follows:

(01) Class 3 Violation –

- (i) \$250 or 10% of Jockey's portion of the purse, whichever is greater;
- (ii) Minimum 1-day suspension for the Jockey; and
- (iii) 3 points;

(02) Class 2 Violation –

- (i) \$500 or 20% of Jockey's portion of the purse, whichever is greater;
- (ii) Horse disqualified from purse earnings,
- (iii) Minimum 3-day suspension for the Jockey; and
- (iv) 5 points;

(03) Class 1 Violation –

- (i) \$750 fine or 30% of Jockey's portion of the purse, whichever is greater,
- (ii) Horse disqualified from purse earnings,
- (iii) Minimum 5-day suspension for the Jockey;
- (iv) 10 points.

2283 MULTIPLE VIOLATIONS.

(a) Stewards shall submit violations of Rule 2282 to the Authority to identify when multiple violations warrant additional suspensions consistent with the following schedule:

- (01) 11- 15 points – 7 days;
- (02) 16-20 points – 15 days; and
- (03) 21 or more points – 30 days.

(b) Points assigned under Rule 2282 shall expire according to the following schedule:

- (01) Class 3 Violation - 6 months;
- (02) Class 2 Violation – 9 months; and
- (03) Class 1 Violation - 1 year.

(c) For purposes of paragraph (b), points are expunged from the date of final adjudication of the violation and not from the date of the violation. Mandatory suspensions are based on points accumulated for multiple violations and do not apply to single violations.

2290 REQUIREMENTS FOR SAFETY AND HEALTH OF JOCKEYS.

2291 JOCKEY ELIGIBILITY.

- (a) A Jockey shall pass a physical examination given within the previous twelve (12) months by a licensed physician affirming the Jockey's fitness to participate as a Jockey, as well as a baseline Concussion test using a current Concussion testing protocol. The results of the physical examination and the baseline Concussion test shall be submitted to the State Racing Commission and the Authority.
- (b) The stewards may require that any Jockey be reexamined and may refuse to allow any Jockey to ride in a race or Workout pending completion of such examination.

2292 JOCKEY AND EXERCISE RIDER MEDICAL HISTORY INFORMATION.

- (a) At all times while mounted on a Horse at a Racetrack, a Jockey or exercise rider shall securely attach to his or her safety vest one or more medical information cards describing his or her medical history and any conditions pertinent to emergent care, including a listing of any previous injuries, drug allergies and current medications.
- (b) The stewards shall confirm compliance during their safety vest inspections at the beginning of the season and with random inspections throughout the Race Meet.
- (c) The stewards may, in their discretion, take disciplinary action against, suspend, make ineligible to race, or fine any Jockey or exercise rider found in violation of this Rule.

2293 EQUIPMENT.

(a) Helmets.

- (01) Any person mounted on a Horse or stable pony anywhere on racetrack grounds shall wear a properly secured safety helmet at all times.
- (02) All starting gate personnel shall wear a properly secured safety helmet at all times while performing their duties or handling a Horse.
- (03) The safety helmet may not be altered in any manner and the product marking shall not be removed or defaced.
- (04) The stewards, or their designee, shall inspect safety helmets at the beginning of a Race Meet and randomly throughout the Race Meet.
- (05) The Clerk of Scales shall report to the stewards any variances of safety helmets seen during the course of their work.
- (06) The helmet must comply with one of the following minimum safety standards or later revisions:
 - (i) American Society for Testing and Materials (ASTM 1163);
 - (ii) European Standards (EN-1384 or PAS-015 or VG1);
 - (iii) Australian/New Zealand Standards (AS/NZ 3838 or ARB HS 2012); or
 - (iv) Snell Equestrian Standard 2001.

(b) Vests.

- (01) Any person mounted on a Horse or stable pony on the racetrack grounds must wear a

properly secured safety vest at all times.

(02) All starting gate personnel must wear a properly secured safety vest at all times while performing their duties or handling a Horse.

(03) The safety vest may not be altered in any manner and the product marking shall not be removed or defaced.

(04) The stewards shall inspect safety vests at the beginning of a Race Meet and randomly throughout the Race Meet.

(05) The clerk of scales shall report to the stewards any variances of safety vests seen during their course of work.

(06) The safety vest must comply with one of the following minimum standards, as the same may be from time to time amended or revised:

(i) British Equestrian Trade Association (BETA):2000 Level 1;

(ii) iEuro Norm (EN) 13158:2000 Level 1;

(iii) American Society for Testing and Materials (ASTM) F1781-08 or F1937;

(iv) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6-3; or

(v) Australian Racing Board (ARB) Standard 1.1998.

8000 Enforcement Rules

8100 Violations

Violations under this Rule shall include:

(a) Failure to cooperate with the Authority or an agent of the Authority during any investigation;

(b) Failure to respond truthfully, to the best of a Covered Person's knowledge, to a question of the Authority or an agent of the Authority with respect to any matter under the jurisdiction of the Authority;

(c) Tampering or attempted tampering with the application of the safety, performance, or anti-doping and medication control rules or process adopted by the Authority, including:

(01) Intentional interference, or an attempt to interfere, with an official or agent of the Authority;

(02) Procurement or the provision of knowingly false information to the Authority or agent of the Authority; and

(03) The intimidation of, or an attempt to intimidate, a potential witness;

(d) Assisting, encouraging, aiding, abetting, conspiring, covering up, or any other type of intentional complicity involving a safety violation, or the violation of a period of suspension or ineligibility;

(e) Threatening or seeking to intimidate a person with the intent of discouraging the person from the good faith reporting to the Authority, an agent of the Authority or the Commission, of information that relates to:

(01) a suspected or alleged violation of a rule in the Rule 2200 Series; or

(02) a suspected or alleged noncompliance with a rule in the Rule 2200 Series;

- (f) Failure to comply with a written order or ruling of the Authority or an agent of the Authority pertaining to a racing matter or investigation;
- (g) Failure to register with the Authority, making a knowingly false statement or omission of information in an application for registration with the Authority, or failure to advise the Authority of material changes in the application information as required under any provision in Authority regulations;
- (h) Perpetrating or attempting to perpetrate a fraud or misrepresentation in connection with the care or racing of a Covered Horse;
- (i) Failure to remit fees as required under 15 USC 3052(f)(3); and
- (j) Failure by a Racetrack to collect equitable allocation amounts among Covered Persons in conformity with the funding provisions of 15 USC 3052(f)(3) and any rules pertaining thereto.

8200 Schedule of Sanctions for Violations; Consent Decrees; Notice of Suspected or Actual Violation

- (a) Application. This Schedule shall apply to any violation of, or failure to comply with, the Act or regulations promulgated by the Authority by a Covered Person, except for:
 - (01) anti-doping and medication control rule violations as established in the Rule 3000 Series; and
 - (02) State laws or regulations not pre-empted by 15 USC Section 3054(b).
- (b) Imposition of Sanction. The Authority, the Racetrack Safety Committee, the stewards, any steward or body of stewards selected from the National Stewards Panel, or an Arbitral Body, after any hearing required to be conducted in accordance with the Rule 7000 Series and upon finding a violation or failure to comply with the regulations of the Authority with the exceptions identified in paragraph (a), may impose one or more of the following sanctions on a Covered Person for each violation of the rules of the Authority:
 - (01) for a violation of Rule 2271(b) or 2272 relating to the use of Shock Wave Therapy, a violation of Rule 2280 relating to the use of the riding crop, or a violation of Rule 2273 relating to the use of other electrical or mechanical devices, impose the penalties set forth in those Sections;
 - (02) impose a fine upon a Covered Person in the following amounts:
 - (i) up to \$50,000.00 for a first violation, or
 - (ii) from \$50,000.00 to \$100,000.00 for a second violation of the same or similar nature to a prior violation, or any violation that due to its nature, chronicity or severity poses an actual or potential threat of harm to the safety, health and welfare of Covered Persons, Covered Horses, or the integrity of Covered Horseraces,
 - (03) deny or suspend the registration of a Covered Person for a definite period, probationary period, or a period contingent on the performance of a particular act;
 - (04) revoke the registration of a Covered Person subject to reapplication at a specified date;
 - (05) impose a lifetime ban from registration with the Authority;
 - (06) bar a Covered Person from associating with all Covered Persons concerning any matter under the jurisdiction of the Commission and the Authority during the period of a suspension;
 - (07) impose a temporary or permanent cease and desist order against a Covered Person;
 - (08) require a Covered Person as a condition of participation in horse racing to take any remedial or other action that is consistent with the safety, welfare, and integrity of Covered Horses, Covered Persons, and Covered Horseraces;
 - (09) deny or require the forfeiture of purse money, disqualify a horse, or make changes to the order of finish in Covered Races as consistent with the safety, welfare, and integrity of Covered Horses, Covered

Persons, and Covered Horseraces;

(10) censure a Covered Person;

(11) prohibit a Racetrack from conducting any Covered Horserace; or

(12) impose any other sanction as a condition of participation in horse racing as deemed appropriate by the Authority in keeping with the seriousness of the violation and the facts of the case, and that is consistent with the safety, welfare, and integrity of Covered Horses, Covered Persons, and Covered Horseraces.

(c) Consent Decrees. The Authority shall have the discretion to enter into a consent decree or other similar agreement with a Covered Person as necessary to promote the safety, welfare, and integrity of Covered Horses, Covered Persons, and Covered Horseraces.

(d) Notice of Suspected or Actual Violation.

(01) The Authority or the Racetrack Safety Committee may issue a Notice of Suspected or Actual Violation to a Covered Person in any case in which the Authority has reason to believe that the Covered Person has violated or has failed to comply any provision of regulations of the Authority. The notice shall:

(i) identify the provision or provisions which the Covered Person is believed to have violated;

(ii) specify with reasonably particularity the factual basis of the Authority's belief that the provision has been violated; and

(iii) provide the Covered Person at least seven (7) days to respond, or a longer period as deemed appropriate and specified in the Notice by the Authority based upon the seriousness of the violation or the imminence of risk.

(02) Upon receipt of the Notice of Suspected or Actual Violation, the Covered Person shall respond in writing to the Authority within the time period specified in the notice. The Covered Person shall include in the response:

(i) a statement by the Covered Person admitting the violation, or explaining the reasons why the Covered Person believes that a violation has not occurred;

(ii) all relevant details concerning the circumstances of the suspected or actual violation, including the results of any investigation undertaken by the Covered Person of the circumstances, and identification of any persons responsible for the circumstances; and

(iii) a detailed explanation of any remedial plan the Covered Person proposes to undertake to cure the suspected or actual violation, and the date of the expected completion of the remedial plan.

8300 Disciplinary Hearings and Accreditation Procedures

8310 Application

An alleged violation or failure to comply with the provisions of the Rule 2200 Series and any alleged violation of the rules set forth in Rule 8100 shall be adjudicated in accordance with this Rule 8300 Series, except that:

(a) An alleged violation of the anti-doping and medication control rule provisions in the Rule 3000 Series shall be adjudicated in accordance with the procedures set forth therein.

(b) This regulation shall not apply to the adjudication of violations arising under state laws, racing rules and regulations not preempted under 15 USC Section 3054(b).

8320 Adjudication of Violations of Established in the Rule 2200 Series

(a) Any ruling by the stewards finding a violation of Rule 2271(b) or 2272 relating to the use of Shock Wave Therapy, a violation of Rule 2280 relating to the use of the riding crop, or a violation of Rule 2273 relating to the use of other electrical or mechanical devices, may be appealed to the Board of the Authority under the procedures described in Rule 8330. An appeal shall be filed in writing within ten (10) days of the issuance of the ruling by the stewards.

(b) With regard to any matter involving an alleged violation of a rule in the Rule 2200 Series other than those set forth in paragraph (a) above, the Racetrack Safety Committee may, at its discretion and taking into account the seriousness of the alleged violation and the facts of the case:

(01) Refer the matter to the National Stewards Panel for adjudication in conformity with the procedures established in the Rule 7000 Series;

(02) Refer the matter to an independent Arbitral Body for adjudication in conformity with the procedures established in the Rule 7000 Series;

(03) Refer the matter to the stewards for adjudication in accordance with the procedures of the applicable state jurisdiction; or

(04) Conduct a hearing upon the matter itself, under the procedures set forth in Rule 8340.

8330 Adjudication of Rule 8100 Violations

With regard to any matter involving an alleged violation of a rule established in Rule 8100, the Board of the Authority may at its discretion and taking into account the seriousness of the violation and the facts of the case:

(a) Refer the matter to the National Stewards Panel for adjudication in conformity with the procedures established in the Rule 7000 Series;

(b) Refer the matter to an independent Arbitral Body for adjudication in conformity with the procedures established in the Rule 7000 Series;

(c) Refer the matter to the stewards for adjudication in accordance with the procedures of the applicable state jurisdiction; or

(d) Conduct a hearing upon the matter itself, under the procedures set forth in Rule 8340.

8340 Initial Hearings Conducted Before the Racetrack Safety Committee or the Board of the Authority

(a) An initial hearing before the Board shall be conducted by a panel of three Board members. The Board chair shall appoint the panel members and shall also designate one of them as the chair of the panel.

(b) An initial hearing before the Racetrack Safety Committee shall be heard by a quorum of the Racetrack Safety Committee. The Racetrack Safety Committee chair shall act as the chair of the hearing panel unless the Chair is unavailable, in which case the Racetrack Safety Committee chair shall designate a member of the quorum to act as the chair of the panel.

(c) Persons entitled to notice of a hearing before the Board or the Racetrack Safety Committee shall be informed not less than twenty (20) days prior to the hearing of:

(01) the time, place, and nature of the hearing;

(02) the legal authority and jurisdiction under which the hearing is to be held;

(03) a description of the alleged violation, specifying by number the rule allegedly violated; and

(04) a statement of the factual basis of the alleged violation in sufficient detail to provide adequate opportunity to prepare for the hearing.

(d) At any time prior to, during, or after the hearing, the Board or the Racetrack Safety Committee in its discretion may require the submission of written briefs or other information as will assist in the hearing of the matter.

(e) All testimony in proceedings before the Board or the Racetrack Safety Committee shall be given under oath.

(f) The burden of proof shall be on the party alleging the violation to show, by a preponderance of the evidence, that the Covered Person has violated or failed to comply with a provision of or is responsible for a violation of a provision of the Authority's regulations.

(g) The Board or the Racetrack Safety Committee shall allow a full presentation of evidence and shall not be bound by the technical rules of evidence. However, the Board or the Racetrack Safety Committee may disallow evidence that is irrelevant or unduly repetitive of other evidence. The Board or the Racetrack Safety Committee shall have the authority to determine, in its sole discretion, the weight and credibility of any evidence or testimony. The Board or the Racetrack Safety Committee may admit hearsay evidence if it determines the evidence is of a type that is commonly relied on by reasonably prudent people. Any applicable rule of privilege shall apply in hearings before the Board or the Committee.

(h) A party is entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such limited cross-examination as may be required for a full and true disclosure of the facts.

(i) The Board or the Racetrack Safety Committee shall issue to all parties within thirty days (30) of the close of the hearing a written decision setting forth findings of fact, conclusions of law and the disposition of the matter including any penalty imposed. If the thirtieth day falls on a Saturday, Sunday, or holiday, then the written decision shall be issued on the next working day immediately following the Saturday, Sunday, or holiday.

8350 Appeal to the Board

(a) Any decision rendered by the Racetrack Safety Committee, the stewards, the National Stewards Panel, or an Arbitral Body, may be appealed on the record to the Board. The decision may be appealed by a party to the decision, or the decision may be reviewed upon the Board's own initiative and at its discretion.

(b) Any decision rendered by an initial Board hearing panel may be appealed on the record to the Board, to be heard by a quorum of the Board which shall not include the Board members who were on the panel in the initial hearing. The decision may be appealed by a party to the decision, or the decision may be reviewed upon the Board's own initiative and at its discretion.

(c) An appeal shall not automatically stay the decision. A party may request the Board to stay the decision. The Board shall order a stay for good cause shown.

(d) A party to the decision may appeal to the Board by filing with the Board a written request for an appeal within ten days after receiving a written order. The appeal request shall contain the following information:

(01) the name, address, and telephone number, if any, of the appellant;

(02) a description of the objections to the decision;

(03) a statement of the relief sought; and

(04) whether the appellant desires to be present in person at the hearing of the appeal.

(e) The Board shall set a date, time, and place for the hearing. Notice shall be given to the appellant in writing and shall set out the date, time, and place of the hearing, and shall be served personally or sent by electronic or U.S. mail to the last known address of the appellant. If the appellant objects to the date of the hearing, the appellant may obtain a continuance, but the continuance shall not automatically stay imposition of a sanction or prolong a stay issued by the Board.

(f) Upon review of the decision which is the subject of the appeal, the Board shall uphold the decision unless it is clearly erroneous or not supported by the evidence or applicable law.

(g) Upon completing its review, the Board may:

(01) Accept the decision;

(02) Reject or modify the decision, in whole or in part;

(03) Remand the matter, in whole or in part, to the stewards, Racetrack Safety Committee, the National Stewards Panel, or an Arbitral Body, as the case may be, for further proceedings as appropriate; or

(04) Conduct further proceedings on the matter as appropriate, including but not limited to requiring the submission of written briefs or, in extraordinary circumstances and at the Board's discretion, the taking of additional testimony before the Board under oath.

(h) The Board shall issue its written decision based on the record and any further proceedings or testimony. A copy of the Board's decision shall be served upon all parties by first class mail, electronic mail, or personal service.

(i) The decision of the Board shall be the final decision of the Authority agency decision.

8360 Accreditation Procedures

(a) Any decision issued by the Authority denying or revoking racetrack accreditation may:

(01) Be appealed within ten (10) days by the Racetrack to the Authority for a de novo hearing reviewing the Authority's decision; or

(02) Reviewed by the Authority on its own initiative.

(b) The Authority's order revoking accreditation shall be stayed automatically pending review of the decision by the Authority.

(c) At its discretion, the Authority may request and consider any additional information from any source that may assist in the review.

(d) The Racetrack may request to make a presentation before the Authority concerning racetrack safety and any remedial efforts proposed to be undertaken by the Racetrack. At its discretion, the Authority may permit the Racetrack to make such presentation.

(e) In conducting its review, that Authority may consider all factors that it deems appropriate, including but not limited to:

(01) The extent and magnitude of any deficiencies in racetrack operations conducted at the Racetrack;

(02) The threat posed by the deficiencies to the safety and integrity of horse racing conducted at the Racetrack;

(03) The adequacy of the efforts the Racetrack proposes to undertake or has undertaken to remedy all deficiencies at the Racetrack;

(04) The likelihood and timeframe within which compliance will be achieved by the Racetrack, given the resources available to the Racetrack and the past record of the Racetrack in achieving and maintaining compliance with the rules of the Authority; and

(05) Any other factors the Authority deems relevant to its review.

(f) Upon completing its review, the Authority may take one or more of the following actions:

(01) Order that the Racetrack's accreditation be denied or revoked, upon a vote in favor of denial or revocation by two-thirds (2/3) of a quorum of the members of the Authority;

(02) Reinstate accreditation subject to any requirements the Authority deems necessary to ensure that horse racing will be conducted in a manner consistent with racetrack safety and integrity. The Authority may also impose a fine upon reinstatement in amount not to exceed \$50,000.00. The

Authority may require the Racetrack to report at prescribed intervals on the status of racetrack safety operations and remedial efforts to improve safety pursuant to the Authority's racetrack safety rules; or

(03) Prohibit a Racetrack from conducting any Covered Horserace.

8370 Final Civil Sanction

Any decision rendered by the Board of the Authority under Rule 8350, or the Authority under Rule 8360, shall constitute a final civil sanction subject to appeal and review in accordance with the provisions of 15 USC 3058.

8400 Investigatory Powers

(a) The Commission, the Authority or their designees:

(01) Shall have free access to the books, records, offices, racetrack facilities, and other places of business of Covered Persons that are used in the care, treatment, training, and racing of Covered Horses, and to the books, records, offices, facilities, and other places of business of any person who owns a Covered Horse or performs services on a Covered Horse; and

(02) May seize any medication, drug, substance, paraphernalia, object, or device in violation or suspected violation of any provision of 15 USC Chapter 57A or the regulations of the Authority.

(b) A Covered Person shall:

(01) Cooperate with the Commission, the Authority or their designees during any investigation; and

(02) Respond truthfully to the best of the Covered Person's knowledge if questioned by the Commission, the Authority, or their designees about a racing matter.

(c) A Covered Person or any officer, employee or agent of a Covered Person shall not hinder a person who is conducting an investigation under or attempting to enforce or administer any provision of 15 USC Chapter 57A or the regulations of the Authority.

(d) The Commission or the Authority may issue subpoenas for the attendance of witnesses in proceedings within their jurisdiction, and for the production of documents, records, papers, books, supplies, devices, equipment, and all other instrumentalities related to matters within the jurisdiction of the Commission or the Authority.

(e) Failure to comply with a subpoena or with the other provisions of this Rule may be penalized by the imposition of one or more penalties set forth in Rule 8200.

(f) The Commission or the Authority may administer oaths to witnesses and require witnesses to testify under oath in matters within the jurisdiction of the Commission or the Authority.

8500 Methodology for Determining Assessments.

8510 Definitions.

For purposes of this Rule 8500 Series:

(a) Annual Covered Racing Starts means, for the following calendar year, the sum of: (i) fifty percent (50%) of the number of Projected Starts; plus (ii) fifty percent (50%) of the number of Projected Purse Starts.

(b) Covered Horseraces has the meaning set forth in 15 USC 3051(5).

(c) Projected Starts means the number of starters in covered horseraces in the previous twelve (12) months as reported by Equibase, after taking into consideration alterations in the racing calendar of the relevant State(s) for the following calendar year.

(d) Projected Purse Starts means: (i) the total amount of purses for covered horseraces as reported by Equibase, after taking into consideration alterations in purses for the relevant State(s) for the following calendar year; divided by (ii) the Projected Starts for the following calendar year.

(e) Racetrack has the meaning set forth in 15 USC 3051(15).

8520 Annual Calculation of Amounts Required.

(a) If a State racing commission elects to remit fees pursuant to 15 USC 3052(f)(2), the State Racing Commission shall notify the Authority in writing on or before May 2, 2022 of its decision to elect to remit fees.

(b) Not later than April 1, 2022 and not later than November 1 of each year thereafter, the Authority shall determine and provide to each State Racing Commission the estimated amount required from each State pursuant to the calculation set forth in Rule 8520(c) below.

(c) Upon the approval of the budget for the following calendar year by the Board of the Authority, and after taking into account other sources of Authority revenue, the Authority shall allocate the calculation due from each State pursuant to 15 USC 3052(C)(i) proportionally by each State's respective percentage of the Annual Covered Racing Starts. Provided however, that no State's allocation shall exceed ten percent (10%) of the total amount of purses for covered horseraces as reported by Equibase in the State. All amounts in excess of the ten percent (10%) maximum shall be allocated proportionally to all States that do not exceed the maximum, based on each State's respective percentage of the Annual Covered Racing Starts.

(d) Pursuant to 15 USC 3052(f)(2)(B), a State racing commission that elects to remit fees, shall remit fees on a monthly basis and each payment shall equal one-twelfth (1/12) of the estimated annual amount required from the State for the following year.

(e) If a State racing commission does not elect to remit fees pursuant to 15 USC 3052(f)(2):

(01) The Authority shall on a monthly basis calculate and notify each Racetrack in the State of the applicable fee per racing start for the next month based upon the following calculations:

(i) Calculate the amount due from the State as if the State had elected to remit fees pursuant to 15 USC 3052(f)(2) (the "Annual Calculation").

(ii) Calculate the number of starters in covered horseraces in the previous twelve months as reported by Equibase (the "Total Starts").

(iii) Calculate the number of starters in covered horseraces in the previous month as reported by Equibase (the "Monthly Starts").

(iv) The applicable fee per racing start shall equal (i) the quotient of Monthly Starts divided by Total Starts; (ii) multiplied by the Annual Calculation.

(02) The Authority shall on a monthly basis calculate and notify each Racetrack in the jurisdiction of the following calculations:

(i) Multiply the number of starters in covered horseraces in the previous month by the applicable fee per racing start calculated pursuant to paragraph (e)(1)(iv) above.

(ii) The calculation set forth in 15 USC 3052(f)(3)(A) shall be equal to the amount calculated pursuant to paragraph (e)(2)(i) (the "Assessment Calculation").

(03) The Authority shall allocate the monthly Assessment Calculation proportionally based on each Racetrack's proportionate share in the total purses in covered horseraces in the State over the next month and shall notify each Racetrack in the jurisdiction of the amount required from the Racetrack. Each Racetrack shall pay its share of the Assessment Calculation to the Authority within thirty (30) days of the end of the monthly period.

(04) Not later than May 1, 2022 and not later than November 1 each year thereafter, each Racetrack in the State shall submit to the Authority its proposal for the allocation of the Assessment Calculation

among covered persons involved with covered horseraces (the "Covered Persons Allocation"). On or before thirty (30) days from the receipt of the Covered Persons Allocation from the Racetrack, the Authority shall determine whether the Covered Persons Allocation has been allocated equitably in accordance with 15 USC 3052(f)(3)(B) and if so, the Authority shall notify the Racetrack that the Covered Persons Allocation is approved. If a Racetrack fails to submit its proposed Covered Person Allocation in accordance with the deadlines set forth in this paragraph, or if the Authority has not approved the Covered Persons Allocation in accordance with this paragraph, the Authority shall determine the Covered Persons Allocation for the Racetrack. Upon the approval of or the determination by the Authority of the Covered Persons Allocation, the Racetrack shall collect the Covered Person Allocation from the covered persons involved with covered horseraces.

(f) All notices required to be given to the Authority pursuant to the Act and these regulations shall be in writing and shall be mailed to 401 West Main Street, Suite 222, Lexington, Kentucky 40507 and emailed to feedback@hisaus.org.