

CALIFORNIA CODE OF REGULATIONS
TITLE 4. BUSINESS REGULATIONS
DIVISION 4. CALIFORNIA HORSE RACING BOARD
ARTICLE 8. RUNNING THE RACE
NOTICE OF PROPOSAL TO AMEND RULE 1699, RIDING RULES

The California Horse Racing Board (Board) proposes to amend the regulation described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Board Rule 1699, Riding Rules. The proposed amendment will rename subsection (a) to (b) to accommodate a new subsection (a) to address a leading horse crossing over to shorten a passing horse's stride. The proposed amendment will rename (b) to (c) and eliminate the term "floating in or out". The proposed amendment will rename (c) to (d). Subsection (d) will be renamed to subsection (e). Subsection (e) will be renamed to subsection (f), and current subsection (f) will be eliminated to eliminate the confusion established by the regulation and allow stewards to utilize their discretion when determining a penalty for an infraction of the rule.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes on **December 15, 2025**. The Board must receive all comments by that time. Submit comments to:

Brooke Tuchman, Regulations Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 869-3221
Email: batuchman@chrb.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Section 19562 Business and Professions Code (BPC).
Reference: Sections 19461 and 19562, BPC.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BPC section 19461 states that every license granted under this chapter is subject to suspension or revocation by the Board if the Board has reason to believe that any condition has not been complied with, or if any law or regulation of the Board has been violated. BPC section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with Horse Racing Law, under which all horse races with wagering on their results shall be conducted in California.

Board Rule 1699, Riding Rules, outlines that jockeys and their horse shall not interfere or ride in a careless manner and defines penalties for horses and jockeys riding in a manner contrary to this rule. Currently, Rule 1699 has a minimum penalty set for infractions of this rule. However, the minimum penalty has led to confusion, especially for secondary violations. The proposed amendment will allow the stewards more discretion when determining if a violation has occurred. The proposed amendment will rename subsection (a) to (b) to accommodate a new subsection (a) to address a leading horse crossing over to shorten a passing horse's stride. This scenario is not covered through the definition of interference and can now be addressed as a violation. The proposed amendment will rename (b) to (c) to accommodate new subsection (a) and eliminate the term "floating in or out". The proposed amendment will rename subsection (c) to (d) and replace "better placing" to "reasonably expected to finish" to make it clear that the placement of the disqualified horse is subjective and to acknowledge that the place is only one part of the decision but also includes distance and whether the sufferer of the interference finishes the race or not. Subsection (d) will be renamed to subsection (e) to accommodate new subsection (a). Subsection (e) will be renamed to subsection (f), and current subsection (f) will be eliminated to address the confusion established by the regulation and allow stewards to utilize their discretion when determining a penalty for an infraction of the rule.

ANTICIPATED BENEFIT OF THE PROPOSED REGULATION

The proposed amendments to Board Rule 1699 will address the confusion caused by subsection (f). The elimination of subsection (f) will alleviate the confusion of this regulation of how to issue a penalty and allow the stewards to use their discretion when issuing a penalty as they see fit to best suit the situation.

CONSISTENCY EVALUATION

Evaluation of Consistency and Compatibility with Existing State Regulations: During the process of developing the regulatory action, the Board conducted a search of any similar regulations on the topic and concluded that Board Rule 1699 is the only regulation that concerns the interference of a horse and jockey during the running of the race. It is the only regulation that defines interference and riding carelessly and ascertains that infractions of this practice will lead to penalties. Accordingly, the proposed regulatory action is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to local agencies and school districts that must be reimbursed in accordance with Government Code (GC) sections 17500 through 17630: none.

Other non-discretionary cost or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed regulatory action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, as the proposed regulatory action will merely address a leading horse crossing over to shorten a passing horse's stride and to allow the stewards to utilize their discretion when issuing a penalty.

The following studies/relevant data were relied upon in making the above determination: none.

Cost impact on representative private persons or businesses: none. The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The adoption of the proposed regulatory action will not create or eliminate jobs within the state, will not create new businesses or eliminate existing businesses within the state, will not result in the expansion of businesses currently doing business with the state, and will not benefit the health and welfare of California residents, worker safety, or the state's environment.

Effect on small business: none. The proposed regulatory action does not affect small business because small businesses are not legally required to comply with or enforce the regulation and neither derive a benefit nor incur a detriment from the enforcement of the regulation. The proposed regulatory action will address a leading horse crossing over to shorten a passing horse's stride and to allow the stewards to utilize their discretion when issuing a penalty.

CONSIDERATION OF ALTERNATIVES

In accordance with GC section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Brooke Tuchman, Regulatory Affairs Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 869-3221
E-mail: batuchman@chrb.ca.gov

If the person named above is not available, interested parties may contact:
Chris Garmire, Board Operations Specialist
California Horse Racing Board
Telephone: (279) 300-7421
Email: cmgarmire@chrb.ca.gov

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based, may be obtained by contacting Brooke Tuchman or the alternative contact person at the address, phone number, or email address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made that are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of Brooke Tuchman at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be made available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Brooke Tuchman at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its website. The rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. The Board's website address is www.chrb.ca.gov.