

INITIAL STATEMENT OF REASONS
RULE 1588. HORSE INELIGIBLE TO START IN A RACE
RULE 1878: WORKOUTS

SPECIFIC PURPOSE OF THE REGULATION:

The California Horse Racing Board (Board) proposes to amend Board Rule 1588, Horse Ineligible to Start in a Race, and Rule 1878, Workouts to establish the maximum age a horse is eligible to compete in a race and workout in California.

PROBLEM:

In California, there is a statutory minimum age requirement for a horse to obtain eligibility compete in a race, but no maximum age limit exists in either statute or regulation. Moreover, the current upper-age eligibility of a horse is determined by each individual track based on a multitude of factors, theoretically permitting one horse to race on one track while prohibiting it from racing on another.

The maximum age ceiling for eligibility currently varies in California depending on the track, breed, and number of wins attained. The proposed regulations seek to provide clarity in this area based on data and international racing standards. Thoroughbreds racing at Santa Anita Park, Del Mar and Los Alamitos Racecourse are ineligible to race at 10 years old or older. Los Alamitos Thoroughbreds and Del Mar have house rules in place disallowing maidens (horses that have not yet won a race) older than 6 years old to race. Santa Anita Park has a similar rule for maidens over 5 years old. Los Alamitos quarter horse racing has not established a rule for either.

Age restrictions promote animal safety and animal welfare. Data indicates that as horses age, their performance declines and the likelihood of being injured increases, thus a maximum age limit for both racing and workouts provides protection for the welfare of the horse. Establishing a maximum age also increases the likelihood that horses will have second careers after retiring from racing. A maximum age for both racing and workouts provides more consistency within the horse racing industry. Rules of eligibility that are based on safety and welfare should be evidence based, corroborated with open-sourced data, and universal, providing clarity to the tracks, the horseracing industry and the public, as well, providing transparency that horses that have reached a certain age will be ineligible to start regardless of breed, track, or winning status.

The Board submits these proposed amendments to existing regulation 1588 and 1878 to provide a maximum age a horse is eligible to race and workout.

NECESSITY:

The proposed amendment to Board Rule 1588 will add two numbered subsections to the text. This is necessary to add the provisions which are addressed below.

Subsection (a)(16) will be added to designate the maximum age a horse is eligible to race. This is necessary to promote animal safety and welfare protections, to improve

clarity to the horseracing industry and the public by providing a universal standard with respect to the upper limit of eligibility of horses allowed to race based on data and international standards and increase the likelihood that horses will have second careers after retiring from racing.

Subsection (a)(17) will be added to designate the maximum age a maiden horse may race. This is necessary to promote animal safety and welfare protections, and to improve clarity to the horse racing industry by providing a universal standard with respect to the upper age limit of eligibility of horses to race based on data and international standards and increasing the likelihood that horses will have second careers after retiring from racing.

The proposed amendment to Board Rule 1878 will add two numbered subsections to the text. This is necessary to add the provisions which are addressed below.

Subsection (b)(3) will be added to designate the maximum age a horse may workout. This is necessary to promote animal safety and welfare protections, and to add consistency in the horse industry. If horses cannot race at eleven (11) years old and older, then they should not workout as well. This maximum age limit also increases the likelihood that horses will have second careers after retiring from racing.

Section (b)(3) will be added to designate the maximum age a maiden may workout. This is necessary to promote animal safety and welfare protections, and to add consistency in the horse industry. If a maiden horse cannot race at six (6) years old and older, then they should not workout as well. This maximum age limit also increases the likelihood that horses will have second careers after retiring from racing.

BENEFITS ANTICIPATED FROM THE REGULATORY ACTION:

The age limit regulations should see a reduction in horse racing and workout injuries and the elimination of horse racing deaths from horses aged 11 and up in thoroughbreds, standardbred horses aged 15 and up and any maiden horses 6 years and up. Age restrictions promote animal safety and welfare protection because horses' performance declines as they get older, making it more difficult for them to compete with the younger horses, and older horses are more susceptible to injury and death. If these older horses are no longer eligible to race or workout, it protects them from further risk of injury and death, while also providing them with a greater chance of having a second career after racing. This regulation will also provide a universal rule for an upper age limit for horses to compete in California, promoting safety standards, the health and welfare of all participants, and providing fairness for horse owners, the industry, and the wagering public.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDIES, REPORTS OR SIMILAR DOCUMENTS RELIED UPON:

The Board did not rely on any technical, theoretical, and/or empirical studies, reports, or documents in proposing this regulatory action.

RESULTS ECONOMIC IMPACT ASSESSMENT:

The results of the Board's Economic Impact Assessment as required by Government Code section 11346.3(b) are as follows:

- The proposed regulation will not impact the creation or elimination of jobs within the state.
- The proposed regulation will not have an impact on the creation of new businesses or the elimination of existing businesses within the state.
- The proposed regulation will not have an impact on the expansion of businesses currently doing business within the state.
- The proposed regulation will not benefit the health and welfare of California residents, worker safety, or the state's environment.

The Board has made the 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. The proposed amendment to Board Rule 1588 will define a maximum age a horse may race, which the California racehorse tracks already have in place as house rules. The proposed amendment to Board Rule 1878 will define a maximum age a horse is eligible to workout.

CREATION OR ELIMINATION OF JOBS WITHIN THE STATE OF CALIFORNIA

The proposed amendments will define the maximum age a horse may race and workout. As such, the proposed regulatory action will not result in the creation or elimination of jobs within the state.

CREATION OF NEW BUSINESSES OR THE ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposed amendments will define the maximum age a horse may race and workout. As such, the proposed regulatory action will not result in the creation of new businesses or the elimination of existing businesses within the state.

EXPANSION OF BUSINESSES CURRENTLY DOING BUSINESS WITHIN THE STATE OF CALIFORNIA

The proposed amendments will define the maximum age a horse may race and workout. As such, the proposed regulatory action will not result in the expansion of businesses currently doing business within the state.

BENEFITS OF THE REGULATION TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS, WORKER SAFETY, AND THE STATE'S ENVIRONMENT

The proposed amendments will define the maximum age a horse may race and workout. As such, the proposed regulatory action will not result in benefits to the health and welfare of California residents, worker safety, or the state's environment.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION:

The proposed regulatory action was discussed at the June 19, 2025 and August 21, 2025 Board meeting. No alternatives to the recommendation were proposed by the Board or by any other individual or entity at the meeting. No subsequent alternative recommendations were made prior to the notice. The Board invites any interested party to submit comments that offer any alternative proposal.