

Sec. 12-574-B41. Decorum

(a) **Conduct.** All licensees of the commission are required to conduct themselves in a forthright, gentlemanly manner at all times while on or near the premises of a licensed harness racetrack during the operation of a licensed harness race meeting.

(b) **Profanity.** No licensee of the commission shall use improper language or otherwise abuse any official, appointee, representative or employee of the commission, or any person acting under the orders or rules of the commission.

(c) **Assault.** If any owner, driver, trainer or attendant of a horse, or any other licensee connected with the operation of a licensed harness race meeting at any time during said meeting, either on or off the grounds of a licensed racetrack shall commit an assault or battery, or attempt an assault or battery or threaten to do bodily harm to any person or persons connected in any way with such race meeting, he shall be subjected to the penalties prescribed by these rules.

(d) **Bonus.** No owner, trainer or driver or their agent shall demand of a licensed harness racetrack a bonus of money or other special award or consideration as a condition for starting a horse already entered to race.

(e) **Wagers by horsemen.** No owner, trainer, driver, agent, employee or attendant of a horse shall bet or cause any other person to bet on his behalf on any other horse in a race in which there shall start a horse owned, trained or driven by him, or which he in anyway represents or handles or in which he has an interest. No such person shall participate in exacta, quinella, trifecta or superfecta wagering on a race in which such horse starts.

(f) **Divided interest.** No driver shall drive a horse in a race in which there shall start another horse which he in any way represents or handles or in which he has an interest unless coupled as an entry.

(g) **Misconduct and association with undesirables.**

(1) The commission may impose the penalties as prescribed by these rules if it finds that any licensee or other person subject to the jurisdiction of the commission:

(A) Is associating, consorting or negotiating with bookmakers, touts or other persons of similar pursuits, or;

(B) Is associating, consorting or negotiating with persons who have been convicted of a crime, or;

(C) Is guilty of any fraud or has attempted any fraud or misrepresentation in connection with racing, breeding or otherwise, or;

(D) Has violated any law, rule or regulation with respect to racing in any jurisdiction, or;

(E) Has violated any rule, regulation or order of the commission;

(F) The experience, character or general fitness of any person is such that his or their participation in harness racing or related activities would be inconsistent with the public interest, convenience or necessity or with the best interests of racing generally.

(2) Where any licensee or person subject to the jurisdiction of the commission shall be approached with an offer or promise of a bribe or with a request or a suggestion for a bribe or for any improper, corrupt or fraudulent act or practice in relation to a race or racing or with a suggestion that any race be conducted otherwise than in accordance with the rules and regulations of this commission, it shall be the duty of such licensees or person to report

such suggestion, offer, promise or bribe immediately to the commission. Failure to so report shall subject such person or persons to the penalties prescribed by law and/or these rules.

(3) **Duty to give evidence.** It shall be the duty of each licensee to report promptly when requested or ordered to do so by an official of the commission in furtherance of an investigation or hearing and to testify under oath concerning any facts within his knowledge and produce any books, records, written matter or other evidence within his possession or control relevant to such matter, pursuant to the commission rules concerning "Rules of Practice and Hearing Procedure".

(4) **False testimony.** Where an oath is administered by a judge, representative of the commission, or any other person legally authorized to administer oaths and the party knowingly swears false or withholds information pertinent to an investigation conducted under these rules, he shall be penalized.

(h) **Undesirable persons.** Any person whether a licensee or patron whose conduct is deemed detrimental to the best interest of racing or who is deemed an undesirable person may be expelled from the track. In this regard the track, on its own initiative, or upon request of the commission or its representatives, shall take immediate steps by whatever means are reasonably required to expel such person. Acts deemed undesirable shall consist of, but not limited by, the following:

- (1) Bookmaking or other illegal wagering or gambling;
- (2) Touting;
- (3) Creating or continuing a public disturbance;
- (4) Disorderly conduct;
- (5) Associating with undesirables;
- (6) Transmitting information to points outside the track;

(7) Failure to appear when directed to do so by any official of the commission in furtherance of an investigation of hearing and to testify under oath concerning any facts within his knowledge and produce any books, records, written matter or other evidence within his possession or control relevant to such matter.

(8) In addition a person who has been convicted of a crime involving moral turpitude, or who has been convicted of bookmaking or other form of illegal gambling; or who has been adjudged by any court, state commission, or other governing body guilty of any fraud in connection with racing, or any athletic contest shall be deemed an undesirable person and shall be subject to expulsion as provided in this section.

(i) **Prohibited acts.**

(1) No licensee or any other person shall commit any act or conspire to commit any act which, though not specified in this section, constitutes conduct detrimental to the best interests of racing or is in its nature fraudulent or corrupt or injurious to the public interest. Any such act or attempt or conspiracy shall constitute a violation of the section and shall subject the licensee or such other persons to the penalties prescribed by these rules.

(2) No owner, trainer, driver or groom of a horse shall threaten or join with others in threatening not to race, or not to enter or declare in because of the entry of a certain horse or horses or a particular stable or the presence of such horses or stable on the grounds of a licensed track.

(j) **Conspiracy.** No persons shall conspire, combine and confederate together in any

manner, regardless of where the said persons may be located, for the purpose of violating any of these rules nor shall they commit any act in furtherance of the said purpose and plan.

(k) Financial responsibility.

(1) No licensee shall accumulate unpaid obligations or default in obligations, or issue drafts or checks that are dishonored or payment refused, or otherwise display financial irresponsibility reflecting on the track or the sport.

(2) Prior to leaving the grounds of the association each owner, trainer or such other person responsible for a horse shall give to the officer in charge of security duly executed releases from such vendors whom he has transacted business with during the race meeting.