

Sec. 12-574-B23. Tracks

(a) **Display of license.** During the course of its race meetings, each association shall display the license issued by the commission for the current year.

(b) **Judges' stand.** The judges' stand shall be so located and constructed as to afford to the officials thereupon an unobstructed view of the entire track and no obstruction shall be permitted upon the track or the center field which shall obscure the judges' vision of any portion of the track during the race.

(c) **Bona fide contests.** All races shall be bona fide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the order of finish. No arrangement for equal distribution of the purse money among the contestants is permitted.

(d) **Default in payment of purses.**

(1) Any association or officer that defaults in the payment of a purse that has been raced for, shall, together with its officers, be penalized. No deduction, voluntary or involuntary, may be made from any purse or stake or futurity other than for payments to be made to the owners, nominators, or breeders of money winning horses and organizational or promotion expenses stipulated for stakes and futurities.

(2) Other than a stake or futurity as covered in rule (d) (1) of this section, no association may enter into any agreement with any organization requiring a deduction from the purse payable to owners of money winning horses, unless such agreement provides that a deduction may be made only from those owners entitled to winnings who have expressly consented to the deduction.

(e) **Claims for unpaid purses.** A claim for an unpaid purse must be filed within sixty (60) days of the date of the race.

(f) **Indemnity by the association.** If, at a meeting of an association, a race is run which has been promoted by another party or parties, and the promoters thereof default in the payment of the amount raced for, the same liability shall attach to the association as if the race had been offered by such association.

(g) **Dishonored checks.** Where an association pays any purse by check, which upon presentation is dishonored, the matter shall immediately be referred to the commission.

(h) **Racing for less than advertised purse.** When any association advertises minimum purses and conducts any race for less than said advertised minimum without the prior approval of the commission, such association shall be assessed the difference between the advertised minimum and the lesser purse for which such race was conducted and the proceeds of such assessment shall be distributed among the money winning horses in proportion to their respective winnings.

(i) **Stall applications.** All stall applications shall be submitted to the presiding judge for approval prior to issuance or publication, and said application must contain the names of applicants approved for admission to the grounds, and all parties involved in the ownership or training of said horses, prior to their notification.

(j) **Awards.** Except as herein stated, no association shall advertise to pay or pay any awards other than to the owners, nominators, or breeders of money winning horses except that awards may be made to drivers of horses.

(k) **Paddock.**

(1) Horses must be in the paddock at the time prescribed by the presiding judge, but in any event not less than one hour prior to post time of the race in which the horse is to compete. Except for warm-up trips, no horse shall leave the paddock until called to the post.

(2) The persons entitled to admission to the paddock are as follows:

(A) Owners of horses competing on the date of the race and whose horses are in the paddock, subject to the provisions of rule (k) (3) of this section.

(B) Trainers, drivers, grooms and caretakers of horses competing on the day of the race and whose horses are in the paddock.

(C) Officials whose duties require their presence in the paddock.

(D) Such other persons as are authorized by the commission.

(3) Once admitted to the paddock, no driver, trainer, groom or caretaker shall leave the same, other than to warm-up said horse until such race, or races for which he was admitted is run. In the event of an emergency, trainers or grooms may leave the paddock, but only with the permission of the paddock judge in which case the paddock judge shall maintain a written record thereof. Such record shall be delivered to the presiding judge.

(4) No person except an owner, who has another horse racing in a later race, or an official, may return to the paddock until all races of that program shall have been completed.

(5) No more than two members of a registered stable shall be entitled to admission to the paddock on any racing day, except by permission of the paddock judge. If the driver of any horse is a member of a registered stable, he is excluded from this rule.

(6) During racing hours each association shall provide the services of a blacksmith within the paddock.

(7) During racing hours, each association shall provide suitable extra equipment as may be necessary for the conduct of racing to prevent unnecessary delay.

(8) The paddock shall be under the supervision of paddock judge at all times.

(9) Inspector and identifier. Every association shall employ an equipment inspector in the paddock who shall be responsible for maintaining a list of all equipment worn, including shoes, hopple-length, the tattoo number and such other identification methods that the commission shall require, for each horse racing at the meeting. Prior to each time a horse races, the equipment inspector shall identify the horse and shall compare the equipment actually being used on the horse with the approved equipment listed. Any discrepancies shall be reported immediately to the presiding judge. Where there is a major equipment change, the presiding judge shall have the public informed of such changes.

(10) The association shall provide the paddock judge with a list of its personnel eligible for admission to the paddock. The association shall keep a list of all persons entering and leaving the paddock on a form approved by the commission.

(11) Code of conduct while in the paddock:

(A) An owner shall not engage in conversation with a driver or trainer who is not employed by him for the owner's horse programmed to race the same day. A driver or trainer shall refuse to engage in conversation with any owner whom he is not representing in a race the same day.

(B) A driver or trainer shall not mark a program for anyone including his own owner.

(C) Owners, drivers and trainers shall so conduct themselves as to avoid creating any appearance or suggestion that would reflect adversely on the integrity of the race.

(12) **Recording conversation.** All telephone conversations into and from the paddock shall be recorded from the time pari-mutuel sales are begun until the last horse has left the paddock.

(13) **Test for alcoholic consumption.** Each track shall provide a device approved by the commission in the paddock capable of measuring the presence of alcohol by weight within the blood. The use of such device shall be under the supervision of the presiding judge and tests shall be administered to such licensees and officials at such times as directed by the presiding judge. Refusal to take such test shall constitute a violation of this section. The presence of .05 percent alcohol in the blood by weight as indicated by said device shall constitute alcoholic impairment. A licensee who is alcoholically impaired or who refuses to be tested shall not be permitted to perform his duties and may be fined or suspended. An official is alcoholically impaired or refuses to be tested shall not be assigned his duties and a report thereof shall be made immediately to the commission.

(l) **Photo finish, head number, saddle pads, starting gate.** At all associations, a photo finish, head numbers, saddle pads and a starting gate must be used.

(1) Photo finish equipment and/or service shall be of a type and quality approved by the commission.

(2) The judges shall determine the order of finish of every race run at association tracks with the aid of a photo finish service and/or equipment.

(m) **Interference with race officials.** No association shall interfere with the proper performance of the duties of any official.

(n) **Post parade from paddock.** Fifteen (15) minutes before the post time for a race, the paddock judge shall cause all horses entered in such race to be formed in a parade line. Such horses shall be attended by their drivers, unless specifically excused by the paddock judge. All horses in a race shall parade from the paddock upon the track and before the grandstand not later than five (5) minutes before post time. A horse failing to parade without being excused by the judges may be scratched from the race or its driver or trainer penalized. Drivers shall not engage in conversations during the post parade.

(o) **Statement of driver insurance.** Each association shall prominently display, in the racing secretary's office, a statement giving the name of the company with whom they carry driver insurance.