

## PROPOSED AMENDMENTS TO REGULATION 30

**PURPOSE:** To clarify and update Regulation 30, as a whole; to remove gender specific pronouns; to define terms used in Regulation 30, including, without limitation, “ARCI,” “Bar,” “Discipline,” “Racing official,” “Ringer,” and “Steward;” to clarify that the Board Chair and designees, state steward, and stewards make decisions with regard to Regulation 30; to update reporting and recording requirements; to extend the jurisdictional time period of the stewards; to include microchips in horse identification requirements; to set a date by which an application for race dates must be filed; to require the names of race officials with an application for award of race dates; to update jockey reporting times; to specify the most current version of the ARCI model rules regarding payouts and distributions of pools applies; to specify how the Chair may modify ARCI rules regarding payouts and distributions; to revise the duration of licenses; to create a safety section in Regulation 30; to revise whip requirements; to cross reference the most current version of the ARCI Model Rules; to update the minimum betting interests required for certain wagers; to revise and update the disciplinary process; to revise and update the hearing process; to revise and update the appeals process; and to take such additional action as may be necessary and proper to effectuate these stated purposes.

### REGULATION 30 HORSE RACING

(Draft Date: March 3, 2026)

Proposed Effective Date: June 1, 2026

New  
~~[Deleted]~~

#### GENERAL PROVISIONS

- 30.010 General authority.
- 30.020 Member, employee prohibitions.
- 30.030 Scope.

#### DEFINITIONS

- 30.050 Construction.
- 30.051 “Added money” defined.
- 30.052 “Age” defined.
- 30.053 “Also eligible” defined.
- 30.054 “Allowance race” defined.
- 30.055 “Appaloosa” defined.
- 30.056 “Apprentice jockey” defined.
- 30.0565 “ARCI” defined.
- 30.057 “Arrears” defined.
- 30.058 “Association” defined.
- 30.059 “Association grounds” defined.
- 30.060 “Authorized agent” defined.
- 30.0605 “Bar” defined.
- 30.061 “Betting interest” defined.
- 30.062 “Bleeder” defined.
- 30.063 “Bleeder list” defined.

- 30.064 "Board" defined.
- 30.065 "Board of stewards" defined.
- 30.066 "Breakage" defined.
- 30.067 "Breeder" defined.
- 30.068 "Carryover" defined.
- 30.069 "Chair" defined.
- 30.070 "Chemist" defined.
- 30.071 "Claiming race" defined.
- 30.072 "Commission" defined.
- 30.073 "Conditions" defined.
- 30.074 "Coupled entry" defined.
- 30.075 "Day" defined.
- 30.076 "Dead heat" defined.
- 30.077 "Declaration" defined.
- 30.0775 "Discipline" defined.
- 30.078 "Entry" defined.
- 30.079 "Equipment" defined.
- 30.080 "Exhibition race" defined.
- 30.081 "Expired ticket" defined.
- 30.082 "Financial interest" defined.
- 30.083 "Flat race" defined.
- 30.084 "Free handicap" defined.
- 30.085 "Foreign substance" defined.
- 30.086 "Forfeit" defined.
- 30.087 "Furosemide" defined.
- 30.088 "Handicap" defined.
- 30.089 "Highweight handicap" defined.
- 30.090 "Horse" defined. 30.091 "Hypodermic injection" defined.
- 30.092 "In-Foal" defined.
- 30.093 "Inquiry" defined.
- 30.094 "Jockey" defined.
- 30.096 "Licensed veterinarian" defined.
- 30.0965 "Licensee" defined.
- 30.097 "Maiden" defined.
- 30.098 "Maiden race" defined.
- 30.099 "Manual merge" defined.
- 30.100 "Match race" defined.
- 30.102 "Minus pool" defined.
- 30.103 "Mixed race" defined.
- 30.104 "Mule" defined.
- 30.105 "Mutuel field" defined.
- 30.106 "Net pool" defined.
- 30.107 "Nevada-bred horse" defined.
- 30.108 "Nomination" defined.
- 30.109 "Nominator" defined.
- 30.110 "Objection" defined.
- 30.111 "Official order of finish" defined.
- 30.113 "Official time" defined.
- 30.114 "Off time" defined.
- 30.115 "Optional claiming race" defined.
- 30.116 "Outstanding ticket" defined.
- 30.117 "Overnight race" defined.
- 30.118 "Owner" defined.
- 30.119 "Owner's handicap" defined.
- 30.120 "Paddock" defined.
- 30.121 "Pari-mutuel system" defined.

- 30.122 "Pari-mutuel wagering" defined.
- 30.123 "Payoff" defined.
- 30.124 "Person" defined.
- 30.125 "Place" defined.
- 30.126 "Post position" defined.
- 30.127 "Posterior digital neurectomy" defined.
- 30.128 "Post time" defined.
- 30.130 "Profit" defined.
- 30.131 "Profit split" defined.
- 30.132 "Program" defined.
- 30.133 "Protest" defined.
- 30.134 "Purse" defined.
- 30.135 "Purse race" defined.
- 30.136 "Quarter horse" defined.
- 30.137 "Quarter horse racing" defined.
- 30.138 "Race" defined.
- 30.140 "Race meet" defined.
- 30.1405 "Racing official" defined.
- 30.141 "Recognized meet" defined.
- 30.142 "Restricted area" defined.
- 30.143 "Result" defined.
- 30.1435 "Ringer" defined.
- 30.144 "Scratch" defined.
- 30.145 "Scratch time" defined.
- 30.147 "Security stall" defined.
- 30.148 "Show" defined.
- 30.149 "Single price pool" defined.
- 30.150 "Stable name" defined.
- 30.151 "Stakes race" defined.
- 30.153 "Starter allowance race" defined.
- 30.154 "Starter's schooling list" defined.
- 30.155 "State steward" defined.
- 30.156 "State veterinarian" defined.
- 30.1565 "Steward" defined.
- 30.157 "Subscription" defined.
- 30.158 "Systems operator" defined.
- 30.159 "Takeout" defined.
- 30.160 "Test level" defined.
- 30.161 "Test sample" defined.
- 30.162 "Thoroughbred" defined.
- 30.163 "Thoroughbred racing" defined.
- 30.164 "Totalizator" defined.
- 30.165 "Trial race" defined.
- 30.166 "Turn down shoe" defined.
- 30.167 "Walkover" defined.
- 30.168 "Weight for age" defined.
- 30.169 "Weigh in" defined.
- 30.170 "Weigh out" defined.
- 30.171 "Win" defined.
- 30.172 "Winner" defined.
- 30.173 "Winner of a certain sum" defined.
- 30.174 "Winnings" defined.
- 30.175 "Year" defined.

## RACING ASSOCIATIONS

- 30.190 License to conduct racing.
- 30.200 Association, officers, directors, officials to abide by law.
- 30.201 Right of entry of Commission members or Board employees to grounds of association; association to provide certain accommodations for board and Commission.
- 30.202 Limitations on times and number of races.
- 30.203 Association to file bond.
- 30.204 Evidence of liability insurance.
- 30.205 Associations to file statement of conditions, of stakes, purses or awards and of rules.
- 30.206 Employees of association.
- 30.207 Facilities for patrons and licensees.
- 30.208 Posting of fire regulations and information concerning reporting of fires.
- 30.209 Ambulances; notification of receiving hospital.
- 30.210 Maintenance of racetracks.
- 30.211 Protective facilities and services.
- 30.212 Security on grounds; exclusion of public from paddock.
- 30.213 Credentials and passes.
- 30.214 Installation of system of communications within betting enclosure; limitations on use of telephones and telegraph during race.
- 30.215 Transmitting results of races.
- 30.216 Special races and preferences for Nevada-bred horses.
- 30.217 Certain exclusive concessions prohibited.

#### OFFICIALS OF RACE MEETS

- 30.220 Officials required for race meets.
- 30.221 State steward responsibilities; powers; duties.
- 30.222 Board of stewards: authority; jurisdiction.
- 30.223 Board of stewards: posted hours; regular sessions.
- 30.224 Board of stewards: presence in stand required during race; substitutions.
- 30.225 Board of stewards: arrival of horses at starting gate at post time; excusing of injured horses.
- 30.226 Board of stewards: protests, complaints and fouls; replacement of trainers and jockeys; reports of and rulings on infractions.
- 30.227 State veterinarian: responsibilities; duties.
- 30.228 State veterinarian: examination of entries; report to board of stewards.
- 30.229 State veterinarian: presence in paddock and on race course; duties before race.
- 30.230 State veterinarian: duties at finish of race; power to treat or destroy injured horses.
- 30.231 Racing secretary: duties.
- 30.232 Racing secretary: compile official daily program.
- 30.233 Racing secretary: inspection of licensees and other documents; assignment of stables.
- 30.234 Racing secretary: conditions, listing of horses, posting of entries, nominations and declarations.
- 30.235 Racing secretary: collection, disposition, and record keeping of money.
- 30.238 Patrol judges: general requirements.
- 30.239 Paddock judge: duties and responsibilities.
- 30.240 Starter: duties; start of race; recommendation of disciplinary action.
- 30.241 Starter: appointment of assistants; prohibited conduct.
- 30.243 Duties of timer; official time of race; approval of apparatus for electric timing.
- 30.244 Clerk of the scales: duties.
- 30.245 Custodian of the jockey room: requirement; duties.
- 30.246 Horse identifier: duties.
- 30.247 Horsemen's bookkeeper: duties.

#### RACE MEET LICENSING OR APPROVAL

- 30.250 Allocation of race dates.

- 30.251 Application for association to operate a race track.
- 30.253 License or approval to conduct race meet: application.
- 30.254 Race date requests.
- 30.255 License or approval to conduct race meet: considerations for issuance.
- 30.256 License or approval to conduct race meet: condition of acceptance; enforcement of regulations.
- 30.257 License or approval to conduct race meet: transfer; assignment; validity.
- 30.258 ~~{Licensees or associations to submit list of}~~ [Approval of racing](#) officials ~~{before certain race meets; approval of substitutions; approval of officials for certain race meets}~~.

#### PARTICIPANT LICENSING

- 30.270 Licenses required.
- 30.271 Grounds for refusal ~~{, denial, suspension, revocation, or conditioning}~~ of license.
- 30.272 ~~{Licensing: a}~~ Age requirement.
- 30.273 Duration of license.
- 30.274 Consent to investigation; search and seizure.
- 30.275 Fingerprinting and licensing reciprocity.
- 30.276 Licensing: employer responsibility.
- 30.277 Concession operators.
- 30.278 Conflict of interest.
- 30.279 License presentation; visitor's passes.
- 30.280 Knowledge of the law.

#### OWNERS, TRAINERS, JOCKEYS, AGENTS AND OTHER LICENSEES

- 30.290 Licensing requirements for owners.
- 30.291 Licensing requirements for multiple owners.
- 30.292 Owners: prohibited acts.
- 30.293 Stable name registration.
- 30.294 Racing colors.
- 30.295 Licensing requirements for trainers.
- 30.296 Trainer responsibility.
- 30.297 Other responsibilities of trainer.
- 30.298 Restrictions on wagering trainer.
- 30.299 Trainers: prohibited acts.
- 30.300 Assistant trainers.
- 30.301 Substitute trainers.
- 30.302 Owners' authorized agents.
- 30.303 Licensing requirements for jockeys.
- 30.304 Jockey responsibility.
- 30.305 Jockeys: suspensions.
- 30.306 Jockeys: riding fees.
- 30.307 Jockey betting.
- 30.308 Jockey's spouse.
- 30.309 Foreign jockeys.
- 30.310 Jockeys: costumes; helmets.
- 30.311 Apprentice jockeys.
- 30.312 Jockey agents.
- 30.313 Jockey agents: limit on contracts.
- 30.314 Jockey agent: responsibilities.
- 30.315 Jockey agents: prohibited acts.
- 30.316 Jockey agent: rival claims.
- 30.317 Safety helmets required when exercising horse.
- 30.318 Licensing requirements for horseshoers.
- 30.319 Licensing requirements for practicing veterinarians.

## SAFETY

### 30.320 Safety helmets and safety vests required.

#### CLAIMING RACES

- 30.330 General provisions.
- 30.331 Claiming of horses.
- 30.332 Racing interests in claiming races.
- 30.333 Procedure for claiming.
- 30.334 Prohibitions.
- 30.335 Transfer of claimed horses.

#### ENTRIES AND NOMINATIONS

- 30.340 Entering.
- 30.341 Statement of identification of horse.
- 30.342 Registration of certain horses and mules.
- 30.343 Change of name of horse.
- 30.344 Name of jockey to be furnished.
- 30.345 Filing of statement of ownership of horse; notice of change of ownership.
- 30.346 Requirements for entries and declarations.
- 30.347 Limitation as to spouses.
- 30.348 Coupled entries.
- 30.349 Refusal of entry.
- 30.350 Nominations.
- 30.351 Closings.
- 30.352 Cancellation, postponement or change of race.
- 30.353 Number of starters in a race.
- 30.354 Split or divided races.
- 30.355 Also-eligible lists.
- 30.356 Preferred list.
- 30.357 Declarations and scratches.

#### STAKES RACES

- 30.360 Overnight race not to be deemed stakes race.
- 30.361 Applications for nominations; effect of sale or death of entry; selection of weight; purses added by track.
- 30.362 Deposit of fees for nomination and entry; lists of horses remaining eligible after payments; purses; awards to breeders.
- 30.363 Selection of horses by trial to participate in divisions.
- 30.364 Placement of horses in divisions.
- 30.365 Coupling and uncoupling of entries for wagering.
- 30.366 Assistant starter required for each horse.
- 30.367 Refund of wagered money when starting gate fails to open.
- 30.368 Distribution of purse when horses are scratched.
- 30.369 Walkovers.
- 30.370 Weights.
- 30.371 Thoroughbred scale of weights.
- 30.372 Workouts.
- 30.373 Horses ineligible.
- 30.374 Running of the race.
- 30.375 Jockey requirements.

#### PRIOR TO POST AND POST TO FINISH

- 30.381 Display of post time.
- 30.382 Schooling of horses; approval of certain entries by starter.
- 30.383 Placing a horse in paddock; saddling.
- 30.384 Selection of horses for the field.
- 30.385 Paddock to post.
- 30.386 Post to finish.
- 30.387 Order of finish; photo finish and video cameras.
- 30.388 Protests, objections and inquiries.
- 30.389 Release and distribution of purses; payment of awards to breeders.

#### HEALTH AND MEDICATION OF HORSES

- 30.400 Physical condition of horse to be entered, started or stabled at a racing meet.
- 30.401 Responsibility of trainer for condition of horses.
- 30.402 Duty of owner and trainer to report illness or unusual condition of horse.
- 30.404 Anabolic steroids.
- 30.405 Foreign substances in horses prohibited; exceptions.
- 30.406 Possession of certain drugs or hypodermic devices at race track prohibited.
- 30.407 Enforcement of prohibition against possession of certain drugs or hypodermic devices; authorized searches and seizures.
- 30.408 Samples of medicines or other materials suspected of ability to affect racing condition of horses.
- 30.409 Enclosures for testing; designation of horses to be tested.
- 30.410 Presence of trainer or designated licensee required during testing; handling of specimens.
- 30.413 Effect of finding administration of illegal medication or excessive amount of authorized medication; eligibility of other horses.
- 30.414 Action by board of stewards upon finding administration of or attempt or conspiracy to administer medication without approval of ~~{Board}~~ Chair.
- 30.415 Bleeder list; powers of state veterinarian; suspension of horses that bleed a second time.
- 30.416 Confirmation of bleeder horse: endoscopic examination; certification.
- 30.417 Administration of medicine for bleeding.
- 30.418 Postmortem examinations; test samples; records; responsibility of owners and trainers.
- 30.419 Preservation of samples for future analysis.

#### PROHIBITED ACTS

- 30.430 Participation in race meet without license.
- 30.431 Employment of person not licensed by Commission, ~~{or}~~ Board, or Chair: Penalty; reporting and investigation.
- 30.432 Certain persons prohibited from entering premises of licensees.
- 30.433 Admission of person ruled off by horse registry or racing authority.
- 30.434 Penalty for making or delivering invalid or nonnegotiable check, draft or order.
- 30.435 Entering of ineligible or disqualified horse and other fraudulent practices; making of bets for jockeys.
- 30.436 Use of unauthorized shoes; use of certain electrical or mechanical devices; tampering with horses.
- 30.438 Wagering by employee of Board, Commission, association, vendors, or racing officials.
- 30.439 Making or soliciting book on grounds of association.
- 30.440 Tip sheets, pamphlets and other printed matter sold at race meets.
- 30.441 Bribes, gifts, gratuities for purposes of influencing race.
- 30.442 Consumption of intoxicating liquor.

#### PARI-MUTUEL WAGERING

- 30.450 General provisions.
- 30.4505 Calculation of payouts and distribution of pools.
- 30.451 Records.
- 30.452 Pari-mutuel system requirements.
- 30.453 Pari-mutuel tickets.
- 30.454 Pari-mutuel ticket sales.
- 30.455 Advance performance wagering.
- 30.456 Claims for payment from pari-mutuel pool.
- 30.457 Payment for errors.
- 30.458 Betting explanation.
- 30.459 Display of betting information.
- 30.460 Cancelled contests.
- 30.461 Refunds.
- 30.462 Coupled entries and mutuel fields.
- 30.463 Pools dependent upon betting interests.
- 30.464 Prior approval required for betting pools.
  
- 30.465 Closing of wagering in a contest.
- 30.466 Complaints pertaining to pari-mutuel operations.
- 30.467 Licensed employees.
- 30.468 Unrestricted access.
- 30.469 Emergency situations.

#### DISCIPLINARY ACTIONS

- 30.900 Authority.
- 30.901 ~~[Fines and suspensions]~~ Imposition of discipline: ~~[imposition by board of stewards]~~; reporting; complaints against racing officials ~~[rulings]~~.
- 30.902 ~~[Complaints against officials; request for]~~ Evidentiary hearings ~~[before the board of stewards]~~.
- 30.903 Notice of evidentiary hearing before board of stewards.
- 30.904 Evidentiary hearings before board of stewards; burden of proof.
- 30.905 Recording of evidentiary hearings; administer oaths; subpoena witnesses.
- 30.906 Evidentiary hearing procedures.
- 30.907 Order of presentation; evidentiary hearing.
- 30.908 Failure to appear; evidentiary hearing.
- 30.909 Evidentiary Hearing Decision ~~[- board of stewards]~~.
- 30.910 Discipline; ~~[board of stewards]~~.
- 30.911 [Repealed.] ~~[Appeals: Nevada Gaming Control Board; grounds for appeal.]~~
- 30.912 Appeals: Nevada Gaming Control Board; time for filing notice of appeal.
- 30.913 Appeals: Nevada Gaming Control Board; transmit record.
- 30.914 Appeals: hearing procedure; notice of decision.
- 30.915 Appeals: Nevada Gaming Commission; time for filing; Commission decision; judicial review.

#### EFFECTIVE DATE

- 30.950 Effective date.

#### DEFINITIONS

**30.056 “Apprentice jockey” defined.** “Apprentice jockey” means a thoroughbred race rider who has ridden less than one year from the date of ~~[his or her]~~ the rider’s fifth winner or has less than 45 winners since having been first licensed in any race jurisdiction, and otherwise meets the requirements and qualifications for a license as a jockey.

30.0565 “ARCI” defined. “ARCI” means the Association of Racing Commissioners International, Inc.

30.0605 “Bar” defined. “Bar” is a disciplinary measure which prohibits persons or horses from participating in Nevada horse racing during the period for which it is in effect.

**30.063 “Bleeder list” defined.** “Bleeder list” means a tabulation of all bleeders which will be maintained by the ~~{Board or its designee}~~ Chair.

**30.064 “Board” defined.** “Board” means the Nevada Gaming Control Board or its designee~~s~~.

**30.069 “Chair” defined.** “Chair” means the Chair and Executive Director of the Board or the Chair’s designee.

30.0775 “Discipline” defined. “Discipline” means to revoke, suspend, fine, disqualify, or bar from racing on any track under the jurisdiction of the Board and Commission.

30.1405 “Racing official” defined. “Racing official” includes any person holding a position set out in section 220(1) of this Regulation.

30.1435 “Ringer” defined. “Ringer” is a horse that is fraudulently substituted for another to attempt to win a race and/or to deceive bettors.

**30.147 “Security stall” defined.** “Security stall” means the stall assigned by the ~~{Board}~~ Chair to a horse on the bleeder list.

**30.155 “State steward” defined.** “State steward” means a steward who is employed by the Board to supervise each race or race meet conducted in accordance with these regulations. The state steward is the official steward of the Board.

30.1565 “Steward” defined. “Steward” means the state steward and any person designated as a steward by an association to supervise each race meet.

**30.161 “Test sample” defined.** “Test sample” means any bodily substance including, but not limited to, blood or urine taken from a horse under the supervision of the state veterinarian and in such a manner as prescribed by the ~~{Board}~~ Chair for the purpose of analysis.

## **RACING ASSOCIATIONS**

**30.200 Association, officers, directors, officials to abide by law.** An association, its officers, directors, officials, and employees shall abide by and enforce the laws of Nevada and the regulations and decisions of the Commission, Board, Chair, and board of stewards.

**30.201 Right of entry of Commission members or Board employees to grounds of association; association to provide certain accommodations for Board and Commission.**

1. No Change.
2. No Change.
3. An association shall provide adequate stands for racing officials to have a clear view of the racetrack.
4. No Change.
5. No Change.

**30.202 Limitations on times and number of races.**

1. An association may conduct horse racing only between the hours of 12 noon and 12 midnight unless otherwise specifically authorized by the ~~{Board or its designee}~~ Chair.

2. The number of races per day at all tracks subject to the approval of the **{Board} Chair** may be not less than six nor more than 12.

**30.203 Association to file bond.** At least 60 days before opening a race meet, each association licensed to conduct a race meet on a track in Nevada, except a nonprofit organization or agricultural association, shall file with the Board a bond signed by a surety company licensed to do business in this state in the form and of the sum required by the **{Board} Chair** which states that the association will pay to the state all money due it pursuant to the provisions of these regulations.

**30.204 Evidence of liability insurance.**

1. No Change.
2. No Change.
3. An association shall provide the Board with a certificate of liability insurance in an amount approved by the **{Board} Chair**.
4. No Change.

**30.206 Employees of association.**

1. No Change.
2. No Change.
3. No Change.
4. All association employees and volunteers must be licensed or approved by the **{Board} Chair**. The employment or harboring of any unlicensed or unapproved person on racetrack grounds is prohibited.

**30.209 Ambulances; notification of receiving hospital.**

1. An association shall furnish and maintain a human ambulance. It shall also furnish and maintain a horse ambulance or other vehicle approved by the state steward for the transportation of horses each day that its track is open for racing. Both ambulances must be equipped and ready for immediate duty as required by the **{Board} Chair**.
2. No Change.
3. No Change.

**30.210 Maintenance of racetracks.**

1. No Change.
2. No Change.
3. No Change.
4. No Change.
5. No Change.
6. During racing hours, an association shall provide at least one operable padded starting gate, which has been approved by the **{Board} Chair**.
7. No Change.

**30.211 Protective facilities and services.** An association shall provide adequate protective facilities and services to prevent tampering with horses or any other corrupt practices at a race meet. The **{Board} Chair** may at any time require licensees to expand their protective services. The extent of protective services to be furnished at tracks will be determined on an individual basis by the **{Board} Chair**.

**30.212 Security on grounds; exclusion of public from paddock.**

1. An association must police the association grounds at all times in a manner which precludes the admission of any person in and around the stables except those having bona fide business or who are licensed by the **{Board} Chair**, such as jockeys, stable attendants, owners or employees of the association.
2. Racing associations must exclude from the paddock, in the interest of public safety, all persons who have no immediate business with the horses entered, except members of the Commission, Board, their assigned representatives and those having special permission from the **{Board} Chair**.

**30.213 Credentials and passes.**

1. The ~~{Board}~~ Chair may establish a system or method of issuing credentials or passes to restrict access to certain areas or to ensure that all participants at a race meet are licensed as required by these regulations.

2. An association shall prevent access to and shall remove or cause to be removed from restricted areas any person who is unlicensed or who has not been issued a visitor's pass or other identifying credential by the ~~{Board or its agents}~~ Chair or whose presence in such restricted area is unauthorized.

**30.214 Installation of system of communication within betting enclosure; limitations on use of telephones and telegraph during race.**

1. A system of electrical, mechanical, manual or visual communication must not be installed within the betting enclosure of any licensee until the system has been approved by the ~~{Board}~~ Chair.

2. The act of transmitting race results for wagering purposes by any person not approved by the ~~{Board}~~ Chair is prohibited.

**30.215 Transmitting results of races.** No association may knowingly transmit or allow the result of any race to be transmitted by any system of electrical, manual or visual communication from the enclosure of its track until 15 minutes after the race is declared official, with the exception of the final race of the program, without approval of the ~~{Board}~~ Chair. An association may allow radio or television broadcasts of racing programs upon the approval of the ~~{Board}~~ Chair.

**OFFICIALS OF RACE MEETS**

**30.220 Officials required for race meets.**

1. Officials of a race meet include a racing secretary, the board of stewards, placing judges, patrol judges, a paddock judge, starters, mutuel managers, horseman's bookkeepers, horse identifier, clerk of scales, jockey room custodian, timer, a state veterinarian, a test barn veterinarian, and a racing association veterinarian. To avoid undue hardship, the ~~{Board}~~ Chair may authorize associations to have officials act in a dual capacity. A steward may act only as a placing judge or timer in addition to the steward's regular duties.

2. No Change.

3. The ~~{Board}~~ Chair may require additional officials to be present at a race meet and will notify the association if any additional officials are required.

4. No Change.

5. The ~~{Board}~~ Chair, in ~~{its}~~ the Chair's sole discretion, may determine the eligibility of a racing official and, in ~~{its}~~ the Chair's sole discretion, may approve or disapprove any such official for licensing.

6. While serving in an official capacity, racing officials and their assistants shall not:

(a) Sell or solicit horse insurance on any horse racing at the meeting;

(b) Be licensed in any other capacity without the permission of the ~~{Board}~~ Chair;

(c) Wager on the outcome of any race under the jurisdiction of the Board; or

(d) Consume or be under the influence of alcohol or any prohibited substances while performing official duties.

7. No Change.

8. Complaints against racing officials shall be reported as follows:

(a) Complaints against any steward shall be made in writing to the Board and signed by the complainant.

(b) Any complaint against a racing official other than a steward shall be made to the state steward in writing and signed by the complainant. All such complaints shall be reported to the Board by the state steward, together with a report of the action taken or the recommendation of the board of stewards.

9. No Change.

10. No Change.

**30.222 Board of stewards: authority; jurisdiction.**

1. During a race meet, the board of stewards has general supervision and authority over owners, trainers, jockeys, grooms and all other persons who are required to be licensed. The ~~{Board}~~ board of stewards may discipline any person who is subject to its authority for a violation of any provision of these regulations.

2. No Change.
3. No Change.
4. The jurisdiction of the board of stewards begins 30 days before the first day of a race meet and extends up to and including ~~[30]~~ 90 days after the conclusion of the race meet. In a matter pertaining to racing, an order of the ~~{Board}~~ Chair supersedes an order of an officer of the association.
5. The board of stewards or an investigator approved by the ~~{Board}~~ Chair may enter, search and control any personal property, part of the racetrack or any other place used for racing, including, but not limited to, the tack room, a vehicle or any enclosure used by a licensee. By applying for licensure or approval, a licensee or association consents to an entry or search conducted pursuant to this subsection.

**30.224 Board of stewards: presence in stand required during race; substitutions.**

1. No Change.
2. In an emergency, two stewards may appoint a substitute steward during the race meet subject to the confirmation of the ~~{Board}~~ Chair. This appointment is effective only for one day.
3. If the stewards are unable to reach an agreement, they shall request the ~~{Board}~~ Chair to appoint a substitute.
4. The appointment of any substitute for a steward must be reported immediately to the Board.
5. If none of the stewards are present at race time, the ~~{Board}~~ Chair will appoint three qualified persons to act as the board of stewards pro tem.

**30.227 State veterinarian: responsibilities; duties.** The state veterinarian shall:

1. No Change.
2. No Change.
3. Supervise the taking of all specimens for testing according to procedures approved by the ~~{Board}~~ Chair;
4. No Change.
5. No Change.
6. No Change.
7. No Change.
8. No Change.
9. No Change.
10. Refuse employment or payment, directly or indirectly, from any horse owner or trainer while performing ~~{his or her}~~ duties as the state veterinarian;
11. No Change.
12. No Change.

**30.228 State veterinarian: examination of entries; report to board of stewards.** The state veterinarian may examine each horse when it is first entered to race at the race meet. The state veterinarian shall report to the board of stewards any horse which, in ~~{his or her}~~ the state veterinarian's expert medical opinion, is not of satisfactory age or condition for the type of racing to be conducted at the race meet. The board of stewards must declare any horse so reported as ineligible to be entered or started at the meet until the state veterinarian certifies the horse to be in sound condition.

**30.230 State veterinarian: duties at finish of race; power to treat or destroy injured horses.**

1. The state veterinarian shall, at the finish of a race, examine any horse which appeared to be in physical distress during the race. The state veterinarian shall report the horse to the board of stewards and give the board of stewards ~~{his or her}~~ the state veterinarian's expert medical opinion as to the cause of the distress.
2. The state veterinarian may treat any horse in the event of an emergency, accident or injury. The state veterinarian may, with the implied or actual consent of the owner or trainer, humanely destroy any horse which, in ~~{his or her}~~ the state veterinarian's opinion, is so seriously injured that it is in the best interest of the horse to do so. Every horse owner and trainer impliedly consents to this provision by participating in a race in Nevada, but this implied consent arises only if the owner or trainer is not present at the time of the injury.

**30.232 Racing secretary: compile official daily program.** The racing secretary shall compile and ensure the publication of the official daily program, ensuring the accuracy therein of the following information:

1. No Change.
2. No Change.
3. No Change.
4. No Change.
5. No Change.
6. No Change.
7. Such other information as may be requested by the association or the ~~Board~~ Chair.

**30.233 Racing secretary: inspection of licenses and other documents; assignment of stables.**

1. No Change.
2. No Change.
3. The racing secretary or designated association official shall assign to stall applicants the stabling which ~~he or she~~ the racing secretary or association official deems proper to be occupied by horses in preparation for racing. The racing secretary or designated association official shall decide all conflicting claims of stable space.

**30.235 Racing secretary: collection, disposition, and record keeping of money.**

1. The racing secretary or the racing secretary's designee:
    - (a) Shall receive all stakes, forfeits, entrance money, fees (including jockey's fees), purchase money in claiming races, and all other money that can properly come into ~~his or her~~ the racing secretary's possession as agent for the association.
    - (b) Must pay all money collected when due to the persons entitled to receive the money.
- The racing secretary shall be caretaker of the permanent records of all stakes and shall verify that all entrance monies due are paid prior to entry for races conducted at the meeting.

**30.238 Patrol judges: general requirements.**

1. The ~~Board~~ Chair may require a race meet to use at least one patrol judge who is responsible for observing the race and reporting information concerning the race to the board of stewards. Infractions observed by a patrol judge must be reported immediately to the board of stewards.
2. The ~~Board~~ Chair will approve the patrol judge.
3. No Change.
4. No Change.
5. In addition to immediately reporting infractions, the patrol judge shall report ~~his or her~~ general observations of each race in writing to the board of stewards before 9:00 a.m. the following workday.

**30.240 Starter: duties; start of race; recommendation of disciplinary action.**

1. No Change.
2. No Change.
3. No Change.
4. The starter may recommend to the board of stewards that it institute disciplinary action against a jockey or other person because of ~~his or her~~ conduct at the starting gate.

**30.241 Starter: appointment of assistants; prohibited conduct.**

1. No Change.
2. The starter, upon the request of an owner, trainer or jockey to not assign an assistant starter to a horse, shall use ~~his or her~~ the starter's best judgment as to the assignment and report to the board of stewards if ~~he or she~~ the starter does not assign an assistant starter to a horse.
3. The starter or an assistant starter shall not:
  - (a) Impede the start of a race;
  - (b) Apply a whip or other device, with the exception of steward-approved twitches, to assist in loading a horse into the starting gate;
  - (c) Slap, boot or otherwise dispatch a horse from the starting gate;
  - (d) Strike or use abusive language to a jockey; or

(e) Accept or solicit any gratuity or payment other than ~~his or her~~ the starter's or assistant starter's regular salary, directly or indirectly, for services in starting a race.

**30.243 Duties of timer; approval of apparatus for electric timing.**

1. No Change.
2. If electric timing is used, the apparatus must be of a type approved by the ~~Board~~ Chair.

**30.246 Horse identifier: duties.** The horse identifier shall:

1. No Change.
2. No Change.
3. Examine every horse in the paddock for sex, color, markings, ~~and~~ lip tattoo, and microchip for comparison with its registration certificate to verify the horse's identity;
4. No Change.
5. No Change.

**30.247 Horsemen's bookkeeper: duties.**

1. No Change.
2. The records shall:
  - (a) Include the name, mailing address, social security number or federal tax identification number, and the state or country of residence of each horse owner, trainer or jockey participating at the race meeting who has funds due or on deposit in the horsemen's account;
  - (b) Include a file of all required statements of partnerships, syndicates, corporations, assignments of interest, lease agreements and registrations of authorized agents;
  - (c) Be kept separate and apart from the records of the association; and
  - (d) Be subject to inspection by the ~~Board~~ Chair at any time.
3. No Change.
4. No Change.
5. The horsemen's bookkeeper shall receive, maintain and disburse the purses of each race and all stakes, entrance money, jockey fees, purchase money in claiming races, along with all applicable taxes and other monies that properly come into ~~his or her~~ the bookkeeper's possession in accordance with the requirements of the ~~Board~~ Chair.
6. No Change.

## RACE MEET LICENSING OR APPROVAL

**30.250 Allocation of race dates.** The Commission, on recommendation of the Board, shall allocate race dates to each association in accordance with NRS Chapter 466 and these regulations. An association shall apply to the Board and Commission as soon as practicable each year, but not later than 90 days before the first day of a race meet, for race dates to be conducted in that calendar year.

**30.258 ~~[Licensees or associations to submit list of] Approval of racing officials [before certain race meets; approval of substitutions; approval of officials for certain race meets].~~**

~~[1. Sixty days before the first day of a race meet of more than 10 days, the licensee or association shall submit in writing to the Board] An application for an award of dates for racing shall include the names ~~[and participant licensing applications for]~~ of all proposed racing officials. No racing official may act until ~~he or she is~~ licensed by the ~~Board~~ Chair. At the track, a representative of the ~~Board~~ Chair will receive requests for substitutions on the form provided by the ~~Board~~ Chair.~~

~~[2. At a race meet of 10 days or less, an employee of the Board will approve officials for licensing.]~~

## PARTICIPANT LICENSING

**30.270 Licenses required.**

1. A person shall not act in an official capacity, be employed by a race track, or participate in pari-mutuel racing under the jurisdiction of the Commission and Board without a valid license issued by the ~~Board~~ Chair. License categories shall include the following:

(a) Racing participants and personnel (including owner, authorized agent, trainer, assistant trainer, jockey, apprentice jockey, jockey agent, exercise rider, pony rider, veterinarian, veterinary assistant, horseshoer and stable employees);

(b) Racing officials (including steward, racing secretary, state veterinarian, starter, horsemen's bookkeeper, timer/clocker, clerk of scales, jockey room custodian, paddock judge, patrol judge, race announcer, and horse identifier) whether the position is paid or volunteer;

(c) Persons employed by the association, or employed by a person or entity contracting with or approved by the association or ~~{Board}~~ Chair to provide a service or commodity, which requires their presence in a restricted area, or which requires their presence anywhere on association grounds while pari-mutuel wagering is being conducted; and

2. Persons required to be licensed shall submit a completed application on forms furnished by the ~~{Board}~~ Chair and accompanied by the required fee. A photo may be taken by the ~~{Board}~~ Chair for the license.

3. License applicants may be required to furnish the ~~{Board}~~ Chair with a set(s) of fingerprints, some form of photo identification such as driver's license, and may be required to be refingerprinted or rephotographed periodically as determined by the ~~{Board}~~ Chair.

4. No Change.

5. No Change.

6. All tip sheet publishers and vendors must be licensed by the ~~{Board}~~ Chair.

7. The ~~{Board}~~ Chair or its designee may issue a temporary license, or otherwise limit, condition or restrict any license required by chapter 466 of NRS or this regulation for any cause deemed reasonable.

### **30.271 Grounds for refusal ~~[, denial, suspension, revocation, or conditioning]~~ of license.**

1. The ~~{Board}~~ Chair  ~~[or its designee]~~ may refuse to issue a license to an applicant  ~~[or may suspend or revoke a license issued, or may order disciplinary measures.]~~ if the applicant:

(a) Has been convicted of a felony;

(b) Has been convicted of violating any law regarding gambling or a controlled substance;

(c) Has pending criminal charges;

(d) Is unqualified to perform the duties required of the applicant;

(e) Has failed to disclose or states falsely any information required in the application;

(f) Has been found in violation of NRS Chapter 466 or these regulations governing racing in this state or in violation of laws governing racing in other jurisdictions;

(g) Has racing disciplinary charges pending in this state or other jurisdictions;

(h) Has been or is currently excluded from association grounds by a recognized racing jurisdiction;

(i) Has had a license denied, suspended or revoked by any racing jurisdiction;

(j) Is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet or associates with a person of disreputable character or person who is in violation of these regulations;

(k) Demonstrates financial irresponsibility by accumulating unpaid obligations, defaulting in obligations or issuing drafts or checks that are dishonored or payment refused;

(l) Is ineligible for employment pursuant to federal or state law because of age or immigration status;

(m) Has violated any of the alcohol or substance abuse provisions set forth in these regulations or state or federal laws; or

(n) Fails to comply with any disciplinary action imposed by the board of stewards.

2. *The grounds set forth in this section may also constitute grounds for discipline against a licensee pursuant to Regulations 30.900 through 30.915, inclusive.*

3. A license suspension or revocation shall be reported in writing, along with the grounds, to the applicant and the ARCI ~~[Association of Racing Commissioners International, Inc.]~~, through which other racing jurisdictions shall be advised.

### **30.272 ~~{Licensing: a}~~ Age requirement.**

~~[1.]~~ Association employees or applicants for licensing shall be a minimum of 16 years of age unless otherwise specified in these regulations. An applicant may be required to submit a certified copy of ~~[his or her]~~ the applicant's birth certificate.

~~[2. No person under 18 years of age may be licensed as an owner unless the person has been properly endorsed by his or her parent or guardian who assumes complete responsibility and liability for the person's acts.]~~

**30.273 Duration of license.**

1. Licenses are valid ~~[for two calendar years and shall expire on]~~ until, and shall expire on, the 31st day of December in the ~~[second]~~ year ~~[after]~~ issued.
2. No Change.
3. No Change.

**30.275 Fingerprinting and licensing reciprocity.** The ~~[Board]~~ Chair may license persons holding valid permanent licenses issued by ARC/ [Association of Racing Commissioners International, Inc.], member racing jurisdictions in North America. The licensee must be in good standing, have cleared a Federal Bureau of Investigation or Royal Canadian Mounted Police fingerprint check within the previous 36 months, file an application and/or affidavit as may be required by the ~~[Board]~~ Chair, and pay the required applicable fees prior to participating in racing.

**30.276 Licensing: employer responsibility.**

1. Every association shall report the discharge of any licensed employee in writing to the ~~[Board]~~ Chair ~~[or its designee]~~, including the person's name, occupation and reason for the discharge.
2. No Change.
3. No Change.

**30.278 Conflict of interest.**

1. The ~~[Board]~~ Chair ~~[or its designee]~~ shall refuse, deny, suspend or revoke the license of a person whose spouse holds a license and which the board of stewards finds to be a conflict of interest.
2. No Change.
3. No Change.
4. No Change.

**30.279 License presentation; visitor's passes.**

1. No Change.
2. No Change.
3. The ~~[Board]~~ Chair may authorize unlicensed persons temporary access to restricted areas. Such persons shall be identified and their purpose and credentials verified and approved in writing by the ~~[Board]~~ Chair. Such person shall display a visitor's pass which may only be used by the person to whom it is issued.

**OWNERS, TRAINERS, JOCKEYS, AGENTS AND OTHER LICENSEES**

**30.290 Licensing requirements for owners.**

1. Each person who has a five percent or more ownership or beneficial interest in a horse entered at that race meet is required to be licensed by the ~~[Board]~~ Chair.
2. An applicant for an owner's license shall own a horse which is eligible to race, registered with the racing secretary and under the care of a trainer licensed by the ~~[Board]~~ Chair. An owner shall notify the state steward of a change of trainers. The new trainer is required to register the name of the horse on ~~[his or her]~~ the trainer's stable list. A horse shall not be transferred to a new trainer after entry.
3. A horse owner of any age may apply for an owner's license under other provisions of these regulations. No person under 18 years of age may be licensed as an owner unless the person has been properly endorsed by the person's parent or guardian who assumes complete responsibility and liability for the person's acts.
4. If the ~~[Board]~~ Chair ~~[or its designee]~~ has reason to doubt the financial responsibility of an applicant for an owner's license, the applicant may be required to complete a verified financial statement.
5. Each licensed owner is responsible for disclosure to the ~~[Board]~~ Chair ~~[or its designee]~~ of the true and entire ownership of each of the owner's horses registered with the racing secretary. Any change in

ownership or trainer of a horse registered with the racing secretary shall be approved by the board of stewards. Each owner shall comply with all licensing requirements.

6. The ~~{Board} Chair~~ ~~[or its designee]~~ may refuse, deny, suspend or revoke an owner's license for the spouse or member of the immediate family or household of a person ineligible to be licensed as an owner, unless there is a showing to the satisfaction of the ~~{Board} Chair~~ that participation in racing will not permit a person to serve as a substitute for an ineligible person. The transfer of a horse to circumvent the intent of a ~~{Board}~~ rule or ruling is prohibited.

**30.291 Licensing requirements for multiple owners.**

1. No Change.
2. No Change.
3. To obtain an owner's license, an owner with less than a five percent ownership or beneficial interest in a horse shall establish a bona fide need for the license to the satisfaction of the ~~{Board} Chair~~.
4. No Change.
5. No Change.
6. No Change.
7. No Change.
8. No Change.

**30.292 Owners: prohibited acts.**

1. An owner shall not:
  - (a) Employ a jockey for the purpose of preventing the jockey from riding in a race.
  - (b) Accept a bribe, gift or gratuity in any form which might influence or tend to influence the result of any race.
  - (c) Engage in any illegal or unauthorized action that may affect in any way the outcome of the race after the owner's horse has been entered in a race.

An owner shall only be allowed to wager on ~~[his or her]~~ the owner's horse or entries to win or finish first in combination with other horses.

**30.293 Stable name registration.** Licensed owners and lessees may adopt a stable name subject to the approval of the ~~{Board} Chair~~.

1. No Change.
2. No Change.
3. No Change.
4. No Change.
5. A stable name which has been previously registered by any other person shall not be approved by the ~~{Board} Chair~~.
6. No Change.
7. No Change.
8. No Change.

**30.294 Racing colors.**

1. No Change.
2. Racing colors may be subject to the approval of the ~~{Board} Chair~~ except at racetracks where colors are furnished by the association. If standard colors are used, the colors must be furnished by an association, maintained in good repair, and be neat in appearance.
3. No Change.
4. A jockey who uses colors which are not ~~[his or her]~~ the jockey's own is subject to disciplinary action.

**30.295 Licensing requirements for trainers.** An applicant for a license as trainer or assistant trainer shall:

1. Be qualified, as determined by the board of stewards or ~~Chair~~ ~~[other Board designee]~~, by reason of experience, background and knowledge of racing and be at least 18 years of age. A trainer's license from another jurisdiction, having been issued within a prior period as determined by the ~~{Board} Chair~~, may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one or more of the following:

- (a) A written examination;
- (b) An interview or oral examination; and
- (c) A demonstration of practical skills in a “barn test.”
- 2. No Change.
- 3. No Change.

**30.296 Trainer responsibility.**

1. The trainer is responsible for the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses, regardless of the acts of third parties. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a ~~{Board}~~ Chair-approved laboratory, is a violation of this regulation.

- 2. No Change.
- 3. No Change.

**30.297 Other responsibilities of trainer.** A trainer is responsible for:

- 1. No Change.
- 2. No Change.
- 3. No Change.
- 4. No Change.
- 5. The proper identity, custody, care, health, condition and safety of horses in ~~{his or her}~~ the trainer's charge;
- 6. Disclosure of the true and entire ownership of each horse in ~~{his or her}~~ the trainer's care, custody or control. Any change in ownership shall be reported immediately to the board of stewards and recorded by the racing secretary;
- 7. Training all horses which are owned wholly or in part by ~~{him or her}~~ the trainer and which are participating at the race meeting;
- 8. Registering with the racing secretary the name, age, sex, and breeding of each horse in ~~{his or her}~~ the trainer's charge within 24 hours of the horse's arrival on association grounds and the name and address of each owner;
- 9. Ensuring that, at the time of arrival at a licensed racetrack, each horse in ~~{his or her}~~ the trainer's care is accompanied by a valid health certificate which shall be filed with the racing secretary;
- 10. Having each horse in ~~{his or her}~~ the trainer's care that is racing, or is stabled on association grounds, tested for Equine Infectious Anemia (EIA) in accordance with state law and for filing evidence of such test results with the racing secretary;
- 11. Using the services of those veterinarians licensed by the ~~{Board}~~ Chair to attend horses that are on association grounds;
- 12. Immediately reporting the alteration of the sex of a horse in ~~{his or her}~~ the trainer's care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration;
- 13. No Change.
- 14. Promptly reporting to the state steward, state veterinarian and racing secretary the serious illness of any horse in ~~{his or her}~~ the trainer's charge;
- 15. Promptly reporting the death of any horse in ~~{his or her}~~ the trainer's care on association grounds to the state steward and the state veterinarian;
- 16. Maintaining a copy of the medication record and status of all horses in ~~{his or her}~~ the trainer's care;
- 17. Immediately reporting to the state steward and the state veterinarian if ~~{he or she}~~ the trainer knows, or has cause to believe, that a horse in ~~{his or her}~~ the trainer's custody, care or control has received any prohibited drugs or medication;
- 18. No Change.
- 19. No Change.
- 20. No Change.
- 21. Ensuring that ~~{his or her}~~ the trainer's horses are properly shod, bandaged and equipped;
- 22. Presenting ~~{his or her}~~ the trainer's horse in the paddock at the time appointed;

23. Personally attending to ~~his or her~~ the trainer's horses in the paddock and supervising the saddling thereof, unless excused by the board of stewards;

24. No Change.

25. Attending the collection of a urine or blood sample from the horse in ~~his or her~~ the trainer's charge or delegating a licensed employee or the owner of the horse to do so;

26. Notifying horse owners upon the revocation or suspension of ~~his or her~~ the trainer's license. Upon application by the owner, the board of stewards may approve the transfer of such horses to the care of another licensed trainer, and upon such approved transfer, such horses may be entered to race; and

27. No Change.

**30.298 Restrictions on wagering trainer.** A trainer shall only be allowed to wager on ~~his or her~~ the trainer's horse or entries to win or finish first in combination with other horses.

**30.299 Trainers: prohibited acts.** A trainer shall not:

1. Have in ~~his or her~~ the trainer's charge or under ~~his or her~~ the trainer's supervision any horse owned in whole or part by a person who is suspended by a regulatory authority recognized by the Board.

2. No Change.

3. Move or permit any horse in ~~his or her~~ the trainer's care to be moved from the grounds of an association without notifying the racing secretary or designee in writing.

4. No Change.

**30.301 Substitute trainers.**

1. A trainer absent for more than two days from ~~his or her~~ the trainer's responsibility as a licensed trainer, or on a day in which the trainer has a horse in a race, shall obtain another licensed trainer to substitute.

2. No Change.

3. No Change.

**30.302 Owners' authorized agents.**

1. Licenses required.

(a) An authorized agent shall obtain a license from the ~~Board~~ Chair.

(b) Application for a license shall be filed for each owner represented.

(c) A written instrument signed by the owner shall accompany the application and shall clearly set forth specific language that delegates the powers of the authorized agent. The owner's signature on the written instrument shall be acknowledged before a notary public.

(d) If the written instrument is a power of attorney it shall be filed with the Board and attached to the regular application form.

(e) Any changes by the owner in the authorized agent's appointment or powers must be in writing, acknowledged before a notary public and filed with the Board. If an agent's appointment is revoked by an owner, the agent's license for that owner automatically expires.

2. No Change.

**30.303 Licensing requirements for jockeys.**

1. All jockeys must be licensed by the ~~Board~~ Chair. No person under 16 years of age shall be licensed as a jockey.

2. No Change.

3. No Change.

4. No Change.

5. No Change.

**30.304 Jockey responsibility.**

1. No Change.

2. No Change.

3. No Change.

4. No person other than the licensed contract employer or a licensed jockey agent, may make riding engagements for a rider, except that a jockey not represented by a jockey agent may make ~~his or her~~ the jockey's own riding engagements.

5. No Change.

6. No Change.

7. A jockey shall faithfully fulfill all engagements unless ~~he or she is~~ excused by the board of stewards in an emergency. An excuse may also be given by a physician or nurse with the approval of the ~~Board~~ Chair.

#### **30.306 Jockeys: riding fees.**

1. No Change.

2. If any owner or trainer engages two or more jockeys for the same race, ~~he or she~~ the owner shall pay the losing fee to each engaged jockey who does not ride in the race and the proper fee to the jockey who does ride.

3. A jockey's fee is considered to have been earned when the jockey is weighed out by the clerk of the scales. The fee is not considered earned if the jockey refuses to ride or ~~gets off his or her mount of his or her~~ dismounts of the jockey's own free will when there is no injury to the horse or rider. Any problem that is not covered by this subsection must be decided by the board of stewards.

4. No Change.

**30.307 Jockey betting.** A jockey shall only be allowed to wager on a race in which ~~he or she~~ the jockey is riding. A jockey shall only be allowed to wager if:

1. No Change.

2. The jockey only wagers on ~~his or her~~ the jockey's own mount to win or finish first in combination with other horses in multiple type wagers; and

3. No Change.

**30.309 Foreign jockeys.** Upon making an application for a license in this jurisdiction, a jockey from a foreign country shall declare that ~~he or she~~ the jockey is a holder of a valid license in ~~his or her~~ the jockey's country and currently not under suspension. To facilitate this process, the jockey shall present a declaration sheet in a language recognized in this jurisdiction to the Board.

#### **30.310 Jockeys: costumes; helmets.**

1. A jockey shall wear the colors of the owner or trainer of the horse the jockey is riding or the colors approved by the ~~Board~~ Chair or association. Any changes in colors or numbers must be announced to the public over the public address system.

2. No Change.

3. No Change.

4. No Change.

#### **30.311 Apprentice jockeys.**

1. No Change.

2. License applications.

(a) An application for a license as an apprentice jockey must be accompanied by:

(1) An original and a notarized or photostatic copy of the agreement with the contract employer or an apprentice certificate; and

(2) A birth certificate or satisfactory evidence of the date of birth showing the applicant is 16 years of age or older.

(b) The board of stewards may permit an apprentice jockey to ride pending action on ~~his or her~~ the apprentice jockey's application.

3. Apprentice jockey certificates.

(a) An applicant with an approved apprentice certificate may be licensed as an apprentice jockey and must abide by all regulations for jockeys, unless those regulations are in conflict with specific regulations applicable to apprentice jockeys.

(b) An apprentice jockey certificate may be obtained from the state steward on a form provided by the ~~Board~~ Chair in lieu of an apprentice contract. A person shall not receive more than one apprentice jockey

certificate. In case of emergencies, a copy of the original may be obtained from the Board where it was issued.

4. Length of apprenticeship.

(a) An apprentice jockey shall ride with a five pound weight allowance beginning with the jockey's first mount and for one full year from the date of the jockey's fifth winning mount or until the jockey has ridden 45 winners, whichever comes first.

(b) At the ~~[Board's]~~ Chair's discretion, ~~[#]~~ the Chair may extend the time during which an apprentice weight allowance may be claimed in cases of physical disablement or other extenuating circumstances.

5. Considerations for eligibility.

(a) Thoroughbred races in the United States, Canada or Mexico which have been reported in the Daily Racing Form or other similar official publication must be considered in determining eligibility for a license as an apprentice jockey.

(b) Any person who has ridden as a licensed jockey at any recognized meet in the United States or other country has the burden of establishing that granting ~~[him or her]~~ an apprentice jockey license is in the best interest of thoroughbred racing in this state.

6. No Change.

**30.312 Jockey agents.**

1. Eligibility. An applicant for a license as a jockey agent shall:

(a) Provide a written contract to the state steward which proves that the applicant is authorized to act as agent with at least one jockey who has been licensed by the ~~[Board]~~ Chair; and

(b) Be qualified, as determined by the state steward or ~~[other Board designee]~~ the Chair, by reason of experience, background and knowledge. A jockey agent's license from another jurisdiction may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one or both of the following:

- (1) A written examination or
- (2) An interview or oral examination.

2. ~~[(e)]~~ Applicants not previously licensed as a jockey agent may be required to pass a written or oral examination.

**30.313 Jockey agents: limit on contracts.** A jockey agent may not serve as agent for more than one jockey and one apprentice jockey unless otherwise permitted by the state steward or ~~[Board designee]~~ Chair.

**30.317 Safety helmets required when exercising horse. [Repealed.]**

~~[1. All owners and trainers, when exercising horses, and all jockeys, exercise boys/girls, outriders, pony boys/girls when performing these duties shall wear an approved safety helmet properly fastened.~~

~~2. A trainer shall require each jockey and each exercise boy/girl to wear a helmet approved by the jockeys' guild and ensure that the helmet is properly fastened whenever exercising a horse.]~~

**30.318 Licensing requirements for horseshoers.** An applicant for a license as horseshoer shall:

1. No Change.

2. Be qualified, as determined by the state steward by reason of experience, background and knowledge of horseshoeing. A horseshoer's license from another jurisdiction, having been issued within a prior period as determined by the ~~[Board]~~ Chair, may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one or more of the following:

- (a) A written examination;
- (b) An interview or oral examination; and
- (c) A demonstration of practical skills in horseshoeing.

3. No Change.

4. No Change.

**30.319 Licensing requirements for practicing veterinarians.**

1. No Change.

2. Responsibility.

(a) All practicing veterinarians administering drugs, medications or other substances shall be responsible for ensuring that the drugs, medications or other substances and the veterinary treatment of horses are administered in accordance with these regulations.

(b) A veterinarian who treats a horse within the association grounds shall report to the state veterinarian, on a form prescribed by the ~~{Board}~~ Chair, the following information:

- (1) The date of treatment;
- (2) The name of the horse treated;
- (3) The name of the trainer of the horse;
- (4) The medication administered; and
- (5) Any other information requested by the state veterinarian.

(c) Medication reports are confidential and their contents must not be disclosed except in a proceeding before the board of stewards or the Chair, Board, or Commission, or in exercise of the Board's jurisdiction.

3. Restrictions on wagering. A practicing veterinarian, licensed by the ~~{Board}~~ Chair, shall not wager on the outcome of any race at the racetrack facility at which ~~{he or she}~~ the veterinarian is practicing.

4. No Change.

## SAFETY

### 30.320 Safety helmets and safety vests required.

1. When handling or mounted on a horse, all owners, trainers, jockeys, exercise persons, outriders, pony persons shall wear properly fastened safety helmets and properly secured safety vests. The helmets and vests must comply with current minimum ARCI safety standards.

2. A trainer is responsible for required helmet and vest usage by persons, other than the starting gate crew, handling or mounted on the trainer's horses.

3. While performing their duties or handling a horse, all members of the starting gate crew shall wear properly fastened safety helmets and properly secured safety vests. The helmets and vests must comply with current minimum ARCI safety standards. The starting gate crew includes, without limitation, assistant starters and other persons who handle horses in the starting gate.

## **CLAIMING RACES**

### **30.333 Procedure for claiming.**

1. To make a valid claim for a horse, an eligible person shall:

(a) Provide certification that they have on deposit with the horsemen's bookkeeper an amount equal to the amount of the claim, plus all transfer fees and applicable taxes;

(b) Complete and sign a written claim on a form furnished by the association and approved by the ~~{Board}~~ Chair;

(c) Identify the horse to be claimed by the spelling of its name on the certificate of registration or as spelled on the official program and designate the claiming price and the race number.

(d) Place the completed claim form inside a sealed envelope furnished by the association and approved by the ~~{Board}~~ Chair.

(e) Have the time of day that the claim is entered recorded on the envelope.

(f) Have the envelope deposited in the claim box no later than 10 minutes prior to post time of the race for which the claim is entered.

2. No Change.

3. The board of stewards shall open and examine the claims after the horses have entered the racetrack and are on the way to post.

4. ~~{Race}~~ Racing officials and employees of the association shall not provide any information as to the filing of claims until after the race has been run, except as is necessary for the processing of the claim.

5. If more than one claim is filed on a horse, the successful claim shall be determined by lot conducted by the board of stewards or ~~{their}~~ designee.

6. No Change.

### **30.335 Transfer of claimed horses.**

1. Upon successful claim, the state steward shall issue, upon forms approved by the ~~{Board}~~ [Chair](#), an authorization of transfer of the horse from the original owner to the claimant. Copies of the transfer authorization shall be forwarded to and maintained by the board of stewards and the racing secretary. Upon notification by the board of stewards, the horsemen's bookkeeper shall immediately debit the claimant's account for the claiming price, applicable taxes and transfer fees. No claimed horse shall be delivered by the original owner to the successful claimant until authorized by the board of stewards.

2. No Change.
3. No Change.
4. No Change.
5. No Change.
6. No Change.
7. No Change.

## ENTRIES AND NOMINATIONS

**30.341 Statement of identification of horse.** If entered for the first time, a horse must be identified by a statement of its name, color, sex and age and the name of its sire and dam as registered. The statement must be repeated in every entry until the name of the horse and its description have been published in the official program, list of entries of the association, or other publication designated by the ~~{Board}~~ [Chair](#). Only a horse's name and age are required for any entry made after the publication of the horse's description.

**30.346 Requirements for entries and declarations.**

1. No Change.
2. No Change.
3. Each association shall provide blank forms on which entries and declarations may be made. All entry blanks must be approved by the ~~{Board}~~ [Chair](#).
4. No Change.
5. No Change.
6. No Change.
7. No Change.
8. No Change.
9. No Change.

**30.350 Nominations.**

1. No Change.
2. No Change.
3. No Change.
4. No Change.
5. No Change.
6. No Change.
7. All stakes fees paid toward a stakes race shall be allocated to the winner unless otherwise provided by the conditions for the race. If a stakes race is not run for any reason, all such nomination fees paid shall be refunded. Administrative expenses which have been incurred may be deducted, subject to the review of the ~~{Board}~~ [Chair](#).

**30.352 Cancellation, postponement or change of race.**

1. The ~~{Board}~~ [Chair](#) or the association reserves the right to cancel, postpone or change a race for any reason which it deems good and sufficient.
2. No Change.
3. No Change.

**30.356 Preferred list.** The racing secretary shall maintain a list of entered horses eliminated from starting by a surplus of entries, and these horses shall constitute a preferred list and have preference. The

manner in which the preferred list shall be maintained and all rules governing such list shall be the responsibility of the racing secretary.

1. No Change.
2. No Change.
3. No Change.

4. Unless otherwise specified in the conditions of the race, if more than the specified number of entries are received in a stakes race, the following conditions will be in effect:

(a) Winners of a sweepstakes have first preference, winners have second preference, maidens who have placed in a stake have third preference, other maidens have fourth preference and horses that have never started have fifth preference.

(b) An owner entering two or more maidens must declare ~~his or her~~ a preference for the draw for a post position in the gate.

(c) A horse drawing outside the gate must have its entry fee refunded.

### **30.357 Declarations and scratches.**

1. No Change.
2. No Change.
3. Scratches.

(a) The scratch of a horse after closing shall be made in writing to the racing secretary by the owner, trainer or their licensed designee, with permission from the state stewards. Scratches must be made by the designated scratch time.

(b) A horse may be scratched from a stakes race for any reason at any time up until one hour prior to post time for that race.

(c) No horse may be scratched from an overnight race without approval of the state steward.

(d) In overnight races, horses that are physically disabled or sick shall be permitted to be scratched first. After horses with physical excuses have been scratched, any trainer who has entered a horse may scratch the horse from the race before scratch time until only eight interests remain in a race. If there are more requests to withdraw than are available, permission to withdraw must be decided by lot. In races involving the daily double or an exotic race, an entry must not be withdrawn without permission from the state stewards if the withdrawal would reduce the starting field to less than the number designated by the racing secretary. The ~~Board~~ Chair may excuse any other entry upon the receipt of a veterinarian's certificate of unfitness, a change of track conditions since the time of entry or the receipt of other evidence which in the opinion of the ~~Board~~ Chair justifies a scratch request.

(e) Entry of any horse which has been scratched, or excused from starting by the board of stewards, because of a physical disability or sickness shall not be accepted until the horse has been removed from the veterinarian's list by the state veterinarian.

## **STAKES RACES**

### **30.361 Applications for nominations; effect of sale or death of entry; selection of weight; purses added by track.**

1. All forms to be used for applications for a nomination to a stakes race must be submitted to the ~~Board~~ Chair for approval. All regulations adopted by the Board and Commission supersede a condition of the race.

2. No Change.
3. No Change.
4. No Change.

### **30.362 Deposit of fees for nomination and entry; lists of horses remaining eligible after payments; purses; awards to breeders.**

1. All nomination and entry fees must be deposited in a horseman's account in a financial institution approved by the ~~Board~~ Chair.

2. No Change.
3. No Change.
4. No Change.
5. No Change.

6. No Change.

**30.372 Workouts.**

1. Requirements.

(a) A horse shall not start unless it has participated in an official race or has an approved timed workout satisfactory to the board of stewards. The workout must have occurred at a pari-mutuel or ~~{Board}~~ Chair recognized facility within the previous 30 days.

(b) A horse which has not started for a period of 60 days or more shall be ineligible to race until it has completed a timed workout. The association may impose more stringent workout requirements.

2. Identification.

(a) Unless otherwise prescribed by the board of stewards or the ~~{Board}~~ Chair, the official lip tattoo must have been affixed to a horse's upper lip prior to its participation in an official timed workout. Use of a microchip for identification purposes is also permitted and must be in place prior to a horse's participation in an official timed workout.

(b) The trainer or exercise rider shall bring each horse scheduled for an official workout to be identified by the state steward or the state steward's designee immediately prior to the workout.

(c) A horse shall be properly identified by comparing its lip tattoo and/or microchip to its registration papers immediately prior to participating in an official timed workout.

(d) The owner, trainer or rider shall be required to identify the distance the horse is to be worked and the point on the track where the workout will start.

3. No Change.

4. No Change.

**30.373 Horses ineligible.** A horse is ineligible to start in a race when:

1. No Change.

2. No Change.

3. It is not fully identified through microchip or ~~{and}~~ tattoo~~{ed}~~ on the inside of the upper lip;

4. It has been fraudulently entered or raced in any jurisdiction under a different name, with an altered registration certificate, ~~{or}~~ with an altered lip tattoo, with an altered microchip, or with incorrect information associated with a microchip;

5. No Change.

6. No Change.

7. No Change.

8. No Change.

9. No Change.

10. No Change.

11. No Change.

12. No Change.

13. No Change.

14. No Change.

15. No Change.

16. No Change.

17. No Change.

18. No Change.

19. No Change.

20. No Change.

21. No Change.

22. No Change.

23. No Change.

24. No Change.

25. No Change.

26. No Change.

**30.375 Jockey requirements.**

1. Jockeys shall report to the jockeys' quarters at the time designated by the ~~{association}~~ state steward. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall

not leave the jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the board of stewards.

2. No Change.

3. While in the jockeys' quarters, jockeys shall have no contact or communication with any person outside the jockeys' quarters other than Board personnel and [racing](#) officials, an owner or trainer for whom the jockey is riding or a representative of the regular news media, except with the permission of the board of stewards. Any communication permitted by the board of stewards may be conducted only in the presence of a person designated by the board of stewards.

4. No Change.

5. A jockey's weight shall include ~~his or her~~ clothing, boots, saddle and its attachments and any other equipment except the whip, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles and number cloth. A safety vest shall weigh no more than two pounds and shall be designed to provide shock absorbing protection to the upper body and meet the latest standards established by the [ARCI](#) ~~[Association of Racing Commissioners International, Inc.]~~.

6. No Change.

7. If a jockey intends to carry overweight, the jockey shall declare the amount of overweight at the time of weighing out. If the jockey is in doubt as to ~~his or her~~ proper weight, the jockey may declare the weight ~~he or she~~ [the jockey](#) will carry.

8. If a jockey intends to carry overweight which exceeds the weight which ~~his or her~~ [the jockey's](#) horse is to carry by more than two pounds, and the trainer consents, the jockey shall declare the amount of overweight to the clerk of the scales at least 45 minutes before the time appointed for the race. The clerk shall see that the overweight is stated on the notice ~~B~~board immediately. A failure on the part of the jockey to comply with this subsection must be reported to the board of stewards.

9. No Change.

## PRIOR TO POST AND POST TO FINISH

### **30.382 Schooling of horses; approval of certain entries by starter.**

1. Horses must be schooled under the supervision of a steward, the starter or ~~his or her~~ [the starter's](#) assistants. The state steward shall designate the horses to be placed on the schooling list. A copy of the schooling list must be posted in the office of the racing secretary.

2. No Change.

### **30.385 Paddock to post.**

1. No Change.

2. After the horses enter the track, no jockey may dismount nor entrust ~~his or her~~ [the jockey's](#) horse to the care of an attendant unless an accident occurred to the jockey, the horse or the equipment, and the starter has given prior consent. In case of an accident to a jockey, horse, or equipment or during any other delay, board of stewards or starter may permit the jockeys to dismount and their horses may be attended by others. After the horses enter the track, only the jockey, an assistant starter, the state veterinarian, the racing veterinarian or an outrider or pony rider may touch the horse before the start of the race.

3. No Change.

4. No Change.

5. No Change.

6. No Change.

7. No Change.

8. No Change.

### **30.386 Post to finish.**

(a) No Change.

2. Interference, jostling or striking.

(a) A jockey shall not ride carelessly or willfully so as to permit ~~his or her~~ [the jockey's](#) mount to interfere with, impede or intimidate any other horse in the race.

(b) A jockey shall not carelessly or willfully jostle, strike or touch another jockey or another jockey's horse or equipment.

(c) A jockey shall not unnecessarily cause ~~his or her~~ the jockey's horse to shorten its stride so as to give the appearance of having suffered a foul.

3. No Change.
4. No Change.
5. Use of whips.

(a) Although the use of a whip is not required, any jockey who uses a whip during a race shall do so only in a manner consistent with exerting ~~his or her~~ the jockey's best efforts to win.

(b) In all races where a jockey will ride without a whip, an announcement of such fact shall be made over the public address system.

(c) No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the ordinary whip approved by the Jockeys' Guild, shall be possessed by anyone, or applied by anyone to the horse at any time on the grounds of the association during the meeting, whether in a race or otherwise.

(d) Whips shall not be used on two-year-old horses before April 1 of each year.

(e) The whip shall only be used for safety, correction, and limited encouragement, and be appropriate, proportionate, and professional, taking into account the rules of racing herein. However, stimulus provided by the use of the whip shall be monitored so as not to compromise the welfare of the horse.

(f) Use of the whip varies with each particular horse and the circumstances of the race.

(g) Except for extreme safety reasons all riders should comply with the following when using a whip:

(1) Initially showing the horse the whip, and/or tapping the horse with the whip down, giving it time to respond before using it;

(2) The whip shall not be used more than twice in succession and the horse must be given a chance to respond before using it again; "Chance to respond" is defined as at least three complete strides and one of the following actions by a jockey:

(I) Pausing the use of the whip on their horse before resuming again; or

(II) Pushing on their horse with a rein in each hand, keeping the whip in the up or down position; or

(III) Showing the horse the whip without making contact; or

(IV) Moving the whip from one hand to the other; and

(3) Using the riding crop in rhythm with the horse's stride.

(h) When deciding whether or not to review the jockey's use of the whip, the board of stewards will consider how the jockey has used the whip during the course of the entire race, with particular attention to its use in the closing stages, and other relevant factors, including without limitation:

(1) The manner in which the whip was used;

(2) The purpose for which the whip was used;

(3) The distance over which the whip was used and whether the number of times it was used was reasonable and necessary; and

(4) Whether the horse was continuing to respond.

(i) In the event there is a review by the board of stewards, use of the whip may be deemed appropriate in the following circumstances:

(1) To keep a horse in contention or to maintain a challenging position prior to what would be considered the closing stages of a race;

(2) To maintain a horse's focus and concentration;

(3) To correct a horse that is noticeably hanging;

(4) To assure the horse maintains a straight course; or

(5) Where there is only light contact with the horse.

~~(e)~~ (j) Prohibited use of the whip:

(1) Indiscriminate use;

(2) On the head, flanks or on any other part of the horse's body other than the shoulders or hind quarters;

(3) During the post parade except when necessary to control the horse;

(4) Excessively or brutally causing welts or breaks in the skin;

(5) When the horse is clearly out of the race or has obtained its maximum placing; or

(6) Persistently even though the horse is showing no response under the whip.

6. No Change.

7. No Change.

8. No Change.

9. No Change.

10. Weighing in:

(a) No person may assist a jockey in removing the equipment from ~~his or her~~ the jockey's horse that is to be included in the jockey weight, except by permission of the board of stewards.

(b) When weighing in, each jockey shall carry all the pieces of equipment with which ~~he or she~~ the jockey weighed out to the scale. After the weighing in, the jockey may hand it to ~~his or her~~ the jockey's attendant.

(c) A jockey shall weigh in at the same weight at which ~~he or she~~ the jockey weighed out, and if under that weight by more than two pounds, ~~his or her~~ the jockey's mount shall be disqualified.

(d) In the event of such disqualification, all monies wagered on the horse shall be refunded unless the race has been declared official.

(e) If any jockey weighs in at more than two pounds over the proper or declared weight, the jockey shall be fined or suspended or ruled off by the board of stewards, having due regard for any excess weight caused by rain or mud. The case shall be reported to the board of stewards for such action as it may deem proper.

11. No Change.

### **30.387 Order of finish; photo finish and video cameras.**

1. No Change.

2. A photo finish and video camera, approved by the ~~Board~~ Chair, must be installed on all tracks as an aid to the board of stewards. The cameras are merely an aid and the decision of the board of stewards is final. The finish line must appear in the photos of the finish of each race. The photograph of each photo finish must be posted in at least one conspicuous place as soon as possible after each race.

3. The association shall keep on file for the duration of the race meet film of each race for reference or reproduction upon request of the ~~Board~~ Chair. If a finish is contested, the association shall retain the film until a resolution is determined.

4. No Change.

5. No Change.

6. No Change.

### **30.388 Protests, objections and inquiries.**

1. No Change.

2. Race objections.

(a) An objection to an incident alleged to have occurred during the running of a race shall be received only when lodged with the clerk of scales, the board of stewards or their designees, by the owner, the authorized agent of the owner, the trainer or the jockey of a horse engaged in the same race or by a ~~+~~ racing official of the race meet. A jockey wishing to protest must notify the clerk of the scales immediately upon ~~his or her~~ the jockey's arrival at the scales for weighing in.

(b) An objection following the running of any race must be filed before the race is declared official.

(c) The board of stewards shall make all findings of fact as to all matters occurring during an incident to the running of a race, shall determine all objections and inquiries, and shall determine the extent of disqualification, if any, of horses in the race. Such findings of fact and determinations shall be final.

(d) A protest against the proposed distance of a race must be made at least 30 minutes before post time for that race. Nothing in this section concerns races run at a wrong distance as opposed to the official program.

3. No Change.

4. Protests.

(a) A protest against any horse which has started in a race shall be made to the board of stewards in writing, signed by the protestor, within 72 hours of the race exclusive of non-racing days. If the incident upon which the protest is based occurs within the last two days of the meeting, such protest may be filed with the board of stewards within 72 hours exclusive of Saturdays, Sundays or official holidays. Any such protest shall set forth the specific reason or reasons for the protest in such detail as to establish probable cause for the protest.

(b) A protest may be made on any of the following grounds:

(1) Any grounds for objection as set forth in these regulations;

(2) The order of finish as officially determined by the board of stewards was incorrect due to oversight or errors in the numbers of the horses which started the race;

(3) A jockey, trainer, owner or lessor was ineligible to participate in racing as provided in these regulations;

(4) The weight carried by a horse was improper, by reason of fraud or willful misconduct; or

(5) An unfair advantage was gained in violation of the rules.

(c) Notwithstanding any other provision in these regulations, the time limitation on the filing of protests shall not apply in any case in which fraud or willful misconduct is alleged provided that the board of stewards are satisfied that the allegations are bona fide and verifiable.

(d) A jockey against whom a foul is claimed must be given an opportunity to appear or communicate with the board of stewards before any decision is made by it.

(e) A jockey whose horse has been disqualified or who unnecessarily causes ~~his or her~~ the jockey's horse to shorten its stride for the purpose of making a complaint, or an owner, trainer or jockey who frivolously complains that ~~his or her~~ the owner's, trainer's, or jockey's horse was crossed or jostled may be disciplined by the board of stewards.

(f) A horse is expected to give its best efforts in a race. A person giving or following instructions or advice to the contrary is subject to disciplinary action by the board of stewards.

(g) No person shall file any objection or protest knowing the same to be inaccurate, false, untruthful or frivolous.

(h) Any request for the withdrawal of a protest must be in writing and signed by the person making the protest.

(i) A person who lodges a protest shall pay all the costs and expenses incurred in determining the outcome unless ~~his or her~~ the objection is upheld, in which case the cost must be paid by the offender.

### **30.389 Release and distribution of purses; payment of awards to breeders.**

1. All portions of purse money must be made available to its winners promptly following the release of the purse by the ~~{Board}~~ Chair ~~{or its representative}~~ at the discretion of the state steward or state veterinarian.

2. The board of stewards shall order any purse, award or prize for any race withheld from distribution pending the determination of any protest, objection, or inquiry. In the event any purse, award or prize has been distributed to an owner or for a horse which by reason of a protest or other reason is disqualified or determined to be not entitled to such purse, award or prize, the board of stewards or the ~~{Board}~~ Chair may order such purse, award or prize returned and redistributed to the rightful owner or horse. Any person who fails to comply with an order to return any purse, award or prize erroneously distributed shall be subject to fines and suspension.

3. No Change.

4. No Change.

5. No Change.

## **HEALTH AND MEDICATION OF HORSES**

**30.401 Responsibility of trainer for condition of horses.** The trainer is responsible for the condition of the horses ~~he or she~~ the trainer enters in a race, regardless of the acts of others. If a chemical or other analysis of blood or urine samples or any other test is positive, thus showing the presence of a narcotic, stimulant, chemical or drug, the trainer of the horse may be fined or suspended, or both.

**30.402 Duty of owner and trainer to report illness or unusual condition of horse.** An owner or trainer or ~~his or her~~ representative thereof shall promptly report any illness or unusual condition of any horse in ~~his or her~~ the owner's or trainer's charge to the state steward, the state veterinarian, and the racing secretary.

### **30.405 Foreign substances in horses prohibited; exceptions.**

1. No Change.

2. No Change.

3. The presence of more than one nonsteroidal anti-inflammatory drug at a test level exceeding the secondary anti-stacking threshold levels set forth in the ARCI ~~[Association of Racing Commissioners International, Inc.]~~ Controlled Therapeutic Medication Schedule for Horses is forbidden.

4. No Change.

#### **30.406 Possession of certain drugs or hypodermic devices at race track prohibited.**

1. Except as provided in subsection 2, no person other than a veterinarian may have ~~[in his or her]~~ possession of any equipment for hypodermic injection, any substance for hypodermic administration, or any foreign substance which can be administered internally to a horse by any method. Administering medication to a horse for an existing condition as prescribed by a veterinarian is permissible. The supply of the prescribed foreign substance must be limited by ethical practice consistent with the purposes of this section.

2. No person may have, ~~[in his or her possession]~~ within the association grounds, possession of any:

(a) Chemical or biological substance for ~~[his or her own]~~ personal use which is prohibited by federal or state law unless ~~[he or she]~~ the person possesses documentary evidence ~~[that]~~ of a valid prescription ~~[has been issued to him or her.] or~~

(b) Hypodermic syringe or needle for the purpose of administering a chemical or biological substance to the person ~~[himself or herself]~~ unless ~~[he or she]~~ the person has notified the state steward of, and received written permission from the state steward for:

(1) ~~[His or her p]~~ Possession of the device;

(2) The size of the device;

(3) The chemical substance to be administered by the device; and

~~[He or she has obtained written permission for their possession and use from the state steward]~~ Use of the device.

#### **30.407 Enforcement of prohibition against possession of certain drugs or hypodermic devices; authorized searches and seizures.**

1. No Change.

2. An association, the ~~[Board]~~ Chair or the board of stewards may authorize, orally or in writing, a person to enter, search and inspect the buildings, stables, rooms and other places within the grounds of the association or at other places where horses which are eligible to race are kept. The personal property and effects permitted the licensee to pursue ~~[his or her]~~ licensee's occupation or employment within the association grounds are also subject to a search.

3. No Change.

**30.408 Samples of medicines or other materials suspected of ability to affect racing condition of horses.** The state veterinarian, the ~~[Board]~~ Chair, or any member of the board of stewards may take samples of any medicines or other materials suspected of containing improper medication or drugs which would affect the racing conditions of a horse in a race, whether found in stables, elsewhere on a race track, in the possession of the track or in the possession of any person connected with racing and deliver it to the laboratory designated by the ~~[Board]~~ Chair for testing.

#### **30.409 Enclosures for testing; designation of horses to be tested.**

1. The ~~[Board]~~ Chair may require the association to set apart a building or other enclosure in a building, in a location acceptable to the ~~[Board]~~ Chair, which contains facilities for specimen collection to determine the presence of medication or drugs in a horse or any other test that may be required by the ~~[Board]~~ Chair.

2. No Change.

3. No Change.

#### **30.410 Presence of trainer or designated licensee required during testing; handling of specimens.**

1. The trainer or the trainer's designated licensee must be present in the testing enclosure when a urine or other specimen is taken from ~~[his or her]~~ the trainer's horse and must remain there until the sample tag is attached to the specimen and signed by the trainer or the trainer's representative as a witness to the taking of the specimen. Willful failure to be present at or refusal to allow the taking of a specimen, or an act

or threat to impede, prevent or otherwise interfere subjects that person to immediate suspension by the board of stewards pursuant to subsection (3)(a) of section 30.910. ~~[The matter must be referred to the Board or Commission for any further penalty it may determine.]~~

2. All specimens taken by or under direction of the state veterinarian or other authorized representative of the ~~[Board]~~ Chair must be delivered to a laboratory approved by the ~~[Board]~~ Chair for official analysis. Each specimen must be marked by number and date and must also bear any information which may be essential to its proper analysis. The identity of the horse from which the specimen was taken or the identity of its owner, trainer, jockey or stable, must not be revealed to the laboratory. The container of each specimen must be sealed as soon as the specimen is placed in it. Each association shall provide an adequate locked freezer and secured facility for the state veterinarian.

**30.413 Effect of finding administration of illegal medication or excessive amount of authorized medication; eligibility of other horses.**

1. If a horse is found to have received illegal medication or an excessive amount of an authorized medication, the board of stewards or the ~~[Board]~~ Chair may:

(a) Deny the owner or trainer of the horse any portion of the purse, prize, award or sweepstakes and any trophy in the race; or

(b) Require the owner or trainer of the horse to return any portion of the purse, prize, award or sweepstakes and any trophy in the race.

2. No Change.

3. No Change.

4. No Change.

**30.414 Action by board of stewards upon finding administration of or attempt or conspiracy to administer medication without approval of ~~[Board]~~ Chair.** The board of stewards shall impose a penalty and take any action it deems necessary and proper, in accordance with any of the provisions of these regulations against every person found by it to have administered, attempted to administer, caused to be administered, caused an attempt to administer or conspired with another to administer medication without prior approval of the ~~[Board]~~ Chair.

**30.415 Bleeder list; powers of state veterinarian; suspension of horses that bleed a second time.**

1. No Change.

2. The state veterinarian may:

(a) Require an endoscopic examination of a horse to confirm its inclusion on the bleeder list.

(b) Place a horse that is a bleeder and shipped to Nevada from another state on the bleeder list if a certificate setting forth the qualifications of the horse as a bleeder is transmitted to the state steward.

(c) Remove a horse from the bleeder list after the state veterinarian certifies ~~[his or her]~~ a recommendation for removal to the state steward in writing.

3. No Change.

**30.418 Postmortem examinations; test samples; records; responsibility of owners and trainers.**

1. No Change.

2. No Change.

3. Test samples must be obtained from the carcass upon which the postmortem examination is conducted and be sent to a laboratory approved by the ~~[Board]~~ Chair for testing foreign substances and natural substances at abnormal levels. When practical, blood and urine test samples must be procured before euthanasia.

4. The owner of the deceased horse must make payment of any charges due the veterinarian employed by the owner to conduct the postmortem examination. The cost of services of the state veterinarian and the laboratory testing of postmortem samples will be made available by the ~~[Board]~~ Chair and may be charged to the owner at the ~~[Board's]~~ Chair's discretion.

5. A record of every postmortem must be filed with the Board by the owner's veterinarian within 72 hours after the death and must be submitted on a form supplied by the ~~[Board]~~ Chair.

6. Each owner and trainer accepts the responsibility for the postmortem examination required in this section as a requisite for maintaining the occupational license issued by the ~~[Board]~~ Chair.

**30.419 Preservation of samples for future analysis.** The ~~[Board]~~ Chair has the authority to direct the official laboratory to retain and preserve, by freezing, samples for future analysis.

## PROHIBITED ACTS

**30.431 Employment of person not licensed by Commission, ~~or~~ Board, or Chair: Penalty; reporting and investigation.**

1. Any association, owner, trainer or other licensee of the ~~[Board or Commission]~~ Commission, Board, or Chair who employs a person not properly licensed is subject to a suspension or fine, or both. The extent of the suspension, fine, or both, must be determined by the board of stewards.

2. No Change.

**30.432 Certain persons prohibited from entering premises of licensees.** No person who:

1. No Change.

2. No Change.

3. No Change.

4. Acts in a manner that is obnoxious, unbecoming or detrimental to the best interests of racing, may enter or remain upon the premises of any licensee who is conducting horse racing under the jurisdiction of the Board.

↳ Any such person must be ejected from the association grounds by the licensee, steward, or ~~[an agent of the Board]~~ Chair.

**30.434 Penalty for making or delivering invalid or nonnegotiable check, draft or order.** A licensee who makes, draws or delivers a check, draft or order for the payment of money to another Nevada licensee, association, Board or its employee which is invalid on its face, nonnegotiable, or made when there are insufficient funds on deposit for full payment of the check, draft or order is subject to discipline pursuant to this regulation ~~[suspension, fine or other disciplinary action by the Board and Commission]~~.

**30.435 Entering of ineligible or disqualified horse and other fraudulent practices; making of bets for jockeys.**

1. No person may:

(a) Willfully enter, cause to be entered or start a horse which the person knows or believes to be ineligible or disqualified.

(b) Offer or receive money or any other benefit for declaring an entry from a race.

(c) Conspire with any other person for the commission of any corrupt or fraudulent practice in relation to racing or commit such an act on ~~[his or her]~~ the person's own.

2. No Change.

**30.438 Wagering by employee of Board, Commission, association, vendors, or racing officials.** ~~[An e]~~ Employees of the Board, Commission, photo finish photographers, tote employees, or any racing official who may participate in determining the outcome of a race, including the board of stewards, paddock and patrol judges, investigators, starter, assistant starters, racing secretary, and outriders shall not wager money or anything of value on races at a track at which ~~[he or she is]~~ they are employed.

**30.441 Bribes, gifts, gratuities for purpose of influencing race.**

1. No person may give, offer, or promise ~~[in his or her]~~ on the person's own behalf or ~~[in]~~ on behalf of another, to anyone, any bribe, gift, or gratuity in any form for the purpose of improperly influencing the result of a race, or doing anything which would tend to do so.

No person may accept or offer to accept on ~~[his or her]~~ the person's own behalf or on behalf of another, any bribe, gift or gratuity in any form to influence the result of a race or which would tend to do so.

## PARI-MUTUEL WAGERING

### 30.4505 Calculation of payouts and distribution of pools.

1. Except as ~~[updated]~~ modified by the Chair pursuant to subsection 2, each association shall follow and comply with the provisions of Rule ARCI-004-105 of the most current version of the ARCI ~~[Association of Racing Commissioners International, Inc.]~~ Model Rules ~~[Version 4.1 as approved April 26, 2007]~~ for the calculation of payouts and distribution of pools to the extent not inconsistent with NRS chapter 466 and these regulations. The most current version of the ARCI Model Rules is available on the ARCI website.

~~[The ARCI Model Rules are published by the Association of Racing Commissioners International, Inc., 2343 Alexandria Drive, Suite 200, Lexington, Kentucky 40504 and can be obtained at <http://ag.arizona.edu/rtip/>. Version 4.1 of Rule ARCI-004-105 can also be obtained at <http://gaming.nv.gov/>.]~~

2. The Chair may ~~[, with any exceptions or modifications the Chair deems necessary,]~~ adopt and publish modifications to ~~[future versions of]~~ Rule ARCI-004-105 of the ARCI ~~[Association of Racing Commissioners International]~~ Model Rules for the calculation of payouts and distribution of pools subject to the following:

(a) At least 45 days prior to adopting such ~~[future versions]~~ modifications, the Chair shall:

(1) Publish notice of the proposed action, together with the effective date thereof, by posting the proposed ~~[change or revision]~~ modification on the Board's website;

(2) Mail notice of the posting of the proposed ~~[version]~~ modification on the Board's website, together with the effective date thereof, to each association and every other person who has filed a request with the Board for such notice; and

(3) Provide a copy of the proposed ~~[version]~~ modification, together with the effective date thereof, to the Commission. Upon adoption, the Chair shall cause the ~~[updated]~~ modified version to be made available upon request at the Board offices in Carson City, Nevada and on the Board's website.

↳ Upon adoption, the Chair shall cause the ~~[updated]~~ modified version to be made available upon request at the Board offices in Carson City, Nevada and on the Board's website.

(b) Prior to adoption by the Chair, any association may object to the proposed ~~[version]~~ modification by filing a request for review of the Chair's administrative decision pursuant to Regulation 4.190. If any association files a request for review, then the effective date of the proposed ~~[version]~~ modification will be stayed pending action by the Board. If the Board's decision is appealed pursuant to Regulation 4.195, then the effective date of the proposed ~~[version]~~ modification will be stayed pending action by the Commission. If no requests for review are filed with the Board, then the proposed ~~[version]~~ modification shall become effective on the date set by the Chair.

### 30.451 Records.

1. The association shall maintain records required by this regulation so the Board may review such records for any contest including the opening line, subsequent odds fluctuation, the amount and at which window wagers, payouts, and cancels were made on any betting interest and such other information as may be required. Such records shall be retained by each association and safeguarded for a period of five (5) years except for wagering, payouts and cancelled tickets which shall be retained until the completion of the race meeting. The ~~[Board]~~ Chair may require that certain of these records be made available to the wagering public at the completion of each contest.

2. No Change.

### 30.454 Pari-mutuel ticket sales.

1. No Change.

2. No Change.

3. No Change.

4. Payment on winning pari-mutuel wagers shall be made on the basis of the order of finish as purposely posted and declared "official." Any subsequent change in the order of finish or award of purse money as may result from a subsequent ruling by the board of stewards or ~~[Board]~~ Chair shall in no way affect the pari-mutuel payoff. If an error in the posted order of finish or payoff figures is discovered, the official order of finish or payoff prices may be corrected and an announcement concerning the change shall be made to the public.

5. The association shall not satisfy claims on lost, mutilated, or altered pari-mutuel tickets without authorization of the ~~[Board]~~ Chair.

6. No Change.

**30.455 Advance performance wagering.** No association shall permit wagering to begin more than one hour before scheduled post time of the first contest of a performance unless it has first obtained the authorization of the ~~{Board}~~ Chair.

**30.456 Claims for payment from pari-mutuel pool.** At a designated location, a written, verified claim for payment from a pari-mutuel pool shall be accepted by the association in any case where the association has withheld payment or has refused to cash a pari-mutuel wager. The claim shall be made on such form as approved by the ~~{Board}~~ Chair and the claimant shall make such claim under penalty of perjury. The original of such claim shall be forwarded to the Board within 48 hours.

1. No Change.
2. In the case of a claim made for payment on a pari-mutuel wager, the ~~{Board}~~ Chair shall adjudicate the claim and may order payment thereon from the pari-mutuel pool or by the association, or may deny the claim, or may make such other order as it may deem proper.

**30.457 Payment for errors.** If an error occurs in the payment amounts for pari-mutuel wagers which are cashed or entitled to be cashed, and as a result of such error the pari-mutuel pool involved in the error is not correctly distributed among winning ticket holders, the following shall apply:

1. Verification is required to show that the amount of the commission, the amount in breakage, and the amount in payoffs is equal to the total gross pool. If the amount of the pool is more than the amount used to calculate the payoff, the underpayment shall be added to the corresponding pool of the next contest. If underpayments are discovered after the close of the race meet, the underpayment shall be held in an interest-bearing account approved by the ~~{Board}~~ Chair until being added, together with accrued interest, to the corresponding pool of the next meet.
2. No Change.
3. No Change.

**30.461 Refunds.**

1. Notwithstanding other provisions of these regulations, refunds of the entire pool shall be made on:
  - (a) Win pools, Exacta pools, and first-half Double pools offered in contests in which the number of betting interests has been reduced to fewer than two.
  - (b) Place pools, Quinella pools, and first-half Quinella Double pools offered in contests in which the number of betting interests has been reduced to fewer than three.
  - (c) Show pools and Superfecta pools offered in contests in which the number of betting interests has been reduced to fewer than four.
  - (d) Trifecta pools in which the number of betting interests have been reduced to less than ~~{five}~~ three. Authorized refunds shall be paid upon presentation and surrender of the affected pari-mutuel ticket.
2. No Change.

**30.463 Pools dependent upon betting interests.** Unless the ~~{Board}~~ Chair otherwise provides, at the time the pools are opened for wagering, the association:

1. No Change.
2. No Change.
3. No Change.
4. No Change.
5. No Change.
6. No Change.
7. Shall prohibit Trifecta wagering on any contest with ~~{five}~~ three or fewer betting interests scheduled to start.
8. Shall prohibit Superfecta wagering on any contest with ~~{seven}~~ four or fewer betting interests scheduled to start.

**30.464 Prior approval required for betting pools.**

1. An association that desires to offer new forms of wagering must apply in writing to the ~~{Board}~~ Chair and receive written approval prior to implementing the new betting pool.

2. The association may suspend previously-approved forms of wagering with the prior approval of the ~~[Board]~~ Chair. Any carryover shall be held until the suspended form of wagering is reinstated or as approved by the ~~[Board]~~ Chair. An association may request approval of a form of wagering or separate wagering pool for specific performances.

**30.465 Closing of wagering in a contest.**

1. No Change.
2. The association shall maintain, in good order, a system approved by the ~~[Board]~~ Chair for closing wagering.

## DISCIPLINARY ACTIONS

**30.900 Authority.** ~~[Pursuant to NRS Chapter 466 and these regulations, t]~~ The state steward, the board of stewards, the Board and Commission are empowered to ~~[discipline,]~~ revoke, suspend, fine, disqualify, and bar from racing, on any track under the jurisdiction of the Board and Commission, horses, owners, trainers, breeders, jockeys, jockey apprentices, jockey agents and any other person, persons, organizations, associations or corporations ~~[whose activities affect the conduct or operation of licensed race meetings]~~ for violations of NRS Chapter 466 or these regulations. All disciplinary action pursuant to this section shall originate with the stewards as set forth in these regulations.

**30.901 ~~[Fines and suspensions]~~ Imposition of discipline: ~~[imposition by board of stewards];~~ reporting; complaints against racing officials ~~[rulings].~~**

1. No racing official except a steward may impose discipline ~~[a fine or suspension]~~.
2. The board of stewards shall report the imposition of discipline ~~[a fine or suspension]~~ promptly in the daily written report to the Board.
3. No Change.
4. After a race meet has concluded, the state steward may act as the board of stewards to issue rulings.
5. A complaint against a racing official must be made to the state steward in writing and signed by the complainant.
6. If a complaint involves the state steward, the complaint must be made in writing to the Chair. The Chair's decision shall include the information in Section 30.909 subsections 1(a) through 1(g), inclusive, and shall comply with Section 30.909 subsections 3 through 5, inclusive. A decision by the Chair pursuant to this subsection may be appealed to the Board pursuant to Section 30.912 except for issues which affect the outcome of a race. Decisions which affect the outcome of a race shall be final and no right of appeal shall exist.

**30.902 ~~[Complaints against officials; request for]~~ Evidentiary hearings ~~[before the board of stewards].~~**

1. ~~[A complaint against an official must be made to the board of stewards in writing and signed by the complainant. If a complaint involves the board of stewards, the complaint must be made in writing to the Board.~~
2. ~~2.]~~ The board of stewards may hold an evidentiary hearing to determine whether a violation of these regulations or NRS Chapter 466 has occurred and whether any disciplinary action must be taken.
  2. The board of stewards shall hold an evidentiary hearing if:
    - (a) A steward or the board of stewards imposes discipline without holding an evidentiary hearing and a person aggrieved by such decision requests a hearing to reconsider the decision; or
    - (b) A person aggrieved by a decision of any steward or other racing official requests a hearing to reconsider the decision.

The request must be received within five days after the person receives notice of the decision and must contain a statement of the grounds for the request. If such request is not received within the five day period, the right to an evidentiary hearing concerning the decision and any appeals therefrom are waived.
3. ~~[A person aggrieved by a decision of an individual steward concerning an objection or protest may request reconsideration of that decision by the board of stewards and has the right to a hearing before them.]~~ Notice of a decision shall be in writing. Such notice shall be deemed to have been received by a

person on the earlier of 5 days after it is deposited with the United States Postal Service with the postage thereon prepaid to the person's last known address or upon personal service of the notice on the person.

4. ~~[A person aggrieved by a decision of a racing official other than a steward may appeal in writing to the board of stewards and request a hearing before the board of stewards. The appeal must be made within five days after the person receives notice of the decision and must contain a statement of the grounds for the appeal. If no appeal is made within the five-day period, the right to appeal from the decision is waived.]~~ Unless stayed in writing by the state steward, all decisions are effective immediately.

5. Hearing requests must be made in writing to the Nevada Gaming Control Board, Enforcement Division, Elko Office. Notice of a decision shall include a physical address and an email address for hearing requests.

### **30.903 Notice of evidentiary hearing before board of stewards.**

1. Upon determination that an evidentiary hearing should be held or upon receipt of a written request for such a hearing, the board of stewards shall promptly schedule a hearing. A continuance must be granted if good cause is shown.

2. The board of stewards shall provide written notice before the hearing to the respondent who is the subject of an evidentiary hearing, as well as posting a copy of the notice for public inspection.

3. Notice given under this section must include:

(a) A statement of the time, place and nature of the hearing;

(b) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(c) A reference to the particular sections of the statutes or regulations involved;

(d) A short, plain description of the alleged conduct that has given rise to the evidentiary hearing; and

(e) The possible penalties that may be imposed.

(f) The notice must inform the respondent that the hearing will be ~~[tape]~~ audio recorded~~[, unless he or she waives recordation].~~ The notice must further inform the respondent that if ~~[he or she]~~ the respondent requests a court reporter and transcript, it will be at ~~[his or her]~~ the respondent's own expense, and that a copy [copies] of any transcripts produced from the hearing must be forwarded to the board of stewards.

4. Prior to the evidentiary hearing, written notice of the hearing shall be hand delivered or deposited with the United States Postal Service with the postage thereon prepaid ~~[sent by regular and certified mail, return receipt requested.]~~ to respondent's last known address, as found in the Board's licensing files at least 10 days before the hearing.

**30.904 Evidentiary hearings before board of stewards; burden of proof.** At the evidentiary hearing the burden of proof is on the person bringing the complaint to show by a preponderance of the evidence that the respondent did in fact violate the provisions of NRS Chapter 466 or these regulations as charged.

### **30.905 Recording of evidentiary hearings; administer oaths; subpoena witnesses.**

1. All hearings before the board of stewards must be audio recorded ~~[by tape recorder, unless recording is waived by the respondent in writing. Before waiver of recordation is made, the board of stewards shall advise the respondent that the waiver precludes the respondent's right to appeal the decision to the Board and Commission, unless a court reporter produces a transcript of the hearing].~~ If the respondent desires to have a court reporter and a transcript, ~~[he or she]~~ the respondent must pay for the costs and forward a copy of any transcripts produced from the hearing to the board of stewards.

2. The board of stewards shall administer oaths and issue subpoenas for witnesses or documents.

### **30.906 Evidentiary hearing procedures.**

1. Each witness at an evidentiary hearing must be sworn by the board of stewards.

2. The board of stewards shall allow a full presentation of evidence and ~~[are]~~ is not bound by the technical rules of evidence. All evidence that is relevant is admissible.

**30.907 Order of presentation; evidentiary hearing.** The order of presentation at an evidentiary hearing before the board of stewards shall be as follows:

1. No Change.

2. The person bringing the complaint shall present ~~[his or her]~~ the person's case, which may include the presentation of sworn testimony from other witnesses, as well as the presentation of exhibits.

3. The respondent may then present ~~[his or her]~~ the respondent's case, which may include the presentation of sworn testimony from the respondent or other witnesses, as well as the presentation of exhibits.

4. No Change.
5. No Change.

### **30.908 Failure to appear; evidentiary hearing.**

1. No Change.
2. A respondent who is the subject of a disciplinary proceeding and who fails to appear at an evidentiary hearing waives ~~[his or her]~~ the right to appeal to the Board and Commission.

**30.909 Evidentiary Hearing Decision**~~[- board of stewards]~~. After considering all of the evidence at the evidentiary hearing, the board of stewards shall determine by majority vote whether any violation of the provisions of NRS Chapter 466 or these regulations ~~[have]~~ has occurred.

1. The board of stewards shall issue a written decision within ~~[five calendar]~~ ten working days setting forth its findings and conclusions on a form prescribed by the Board, which shall include:

- (a) The full name, last four digits of social security number, date of birth, last known address as it exists in the records of the Board, license type and license number of the respondent who is the subject of the hearing. With the exception of full name, license type, and license number, this information shall be redacted from any decision made available to the public;

- (b) A statement of the actions or inactions of the respondent, including a reference to the specific section(s) of NRS Chapter 466 or these regulations that the respondent is found to have violated;

- (c) The date of the hearing and the date the decision was issued;

- (d) The ~~[penalty]~~ discipline imposed;

- (e) Any changes in the order of finish or purse distribution; and

- (f) Any rights of appeal from the board of stewards' decision which may exist; and

- (g) Other information required by the Board and Commission.

2. A decision must be signed by a majority of the board of stewards.

3. ~~[If hand-delivery of the decision is not possible, the board of stewards shall mail by certified mail, return receipt requested, the decision to the last known address of the respondent, as found in the Board's files.]~~ Notice of a decision shall be in writing and include a copy of the decision. Such notice shall be deemed to have been received by a person on the earlier of 5 days after it is deposited with the United States Postal Service with the postage thereon prepaid to the last known address of the respondent or upon personal service of the notice on the person.

4. If the decision includes the disqualification of a horse, the board of stewards shall provide a copy of the decision to the owner of the horse.

5. The decision shall also advise the respondent of ~~[his or her]~~ the right to appeal to the Board, except for issues which affect the outcome of a race, no later than ~~[10]~~ 15 calendar days after ~~[issuance]~~ receipt of notice of the board of stewards' decision pursuant to Section 30.912.

### **30.910 Discipline**; ~~[board of stewards]~~.

1. If a steward or the board of stewards determines that a violation of the provisions of NRS Chapter 466 or these regulations has occurred, it may:

- (a) Suspend a license for ~~[180]~~ up to 365 days per violation; ~~[or]~~

- (b) Impose a fine not to exceed ~~[\$1,000]~~ \$5,000 per violation; ~~[or]~~

- (c) ~~[Impose both a suspension and fine]~~ Disqualify a person or horse from a race; or

- (d) Impose any combination of suspension, fine, or disqualification.

2. If the board of stewards determines that a more severe penalty is warranted, it may refer the case to the Board ~~[and Commission]~~ for review and final determination. The board of stewards may rescind a fine or suspension with the approval of the Chair ~~[Commission upon recommendation of the Board]~~.

3. The board of stewards may summarily suspend a license, other than one to conduct racing or pari-mutuel wagering, for 14 days or less without holding a hearing, if the board of stewards has reasonable cause to believe and makes a finding that:

- (a) The licensee is guilty of a deliberate or willful violation of NRS Chapter 466 or these regulations; or

- (b) The public health, safety or welfare requires that immediate emergency action be taken.

↳The board of stewards shall incorporate its findings in its order and promptly schedule ~~[a disciplinary]~~ an evidentiary hearing in the matter. Upon holding the hearing, the board of stewards may extend such suspension to a period of not longer than 365 days. If, after holding the hearing, the board of stewards determines a suspension of longer than one year is warranted, the board of stewards may refer the case to the Board for review and final determination.

4. The board of stewards may bar a horse or bar horses associated with a specific person from racing on any track under the jurisdiction of the Board and Commission for a period of 14 days or less without holding a hearing upon receipt of evidence satisfactory to the board of stewards that such action is warranted due to a violation of NRS Chapter 466 or these regulations. The board of stewards shall incorporate its findings in an order and promptly schedule an evidentiary hearing in the matter. Upon holding the hearing, the board of stewards may extend such bar to a period of not longer than one year. If, after holding the hearing, the board of stewards determines a bar of longer than one year is warranted, the board of stewards may refer the case to the Board for review and final determination.

5. Appeal from a final determination of the Board shall be made pursuant to section 30.915 of this regulation.

**30.911** ~~[Repealed.] [Appeals: Nevada Gaming Control Board; grounds for appeal.]~~ ~~[A respondent aggrieved by the decision of the board of stewards may appeal to the Board for review, except as follows:~~

~~1. When the respondent has filed with the board of stewards a written waiver of his or her right to have the evidentiary hearing before the board of stewards recorded, and the board of stewards has advised the licensee that such a waiver precludes his or her right to appeal the decision to the Board unless the respondent has alternatively ensured that a transcript of the hearing is produced by a court reporter.~~

~~2. When the respondent has filed with the board of stewards a written waiver of his or her right to a hearing before the board of stewards.~~

~~3. Issues decided by the board of stewards which affect the outcome of a race shall be final and no right of appeal shall exist.]~~

**30.912 Appeals: Nevada Gaming Control Board; time for filing notice of appeal.**

1. The decision of the board of stewards shall be final, unless the respondent timely appeals to the Board. A respondent who seeks to appeal a decision of the ~~[~~board of stewards to the Board must mail a written notice of appeal to the Board at the following address:

Executive Secretary  
Nevada Gaming Control Board  
Post Office Box 8003  
Carson City, Nevada 89702-8003

2. The written notice of appeal must be postmarked within ~~[five]~~ 15 calendar days after ~~[issuance]~~ receipt of notice of the written decision by the board of stewards.

3. Issues decided by the board of stewards which affect the outcome of a race shall be final and no right of appeal shall exist.

**30.913 Appeals: Nevada Gaming Control Board; transmit record.** Within 10 calendar days after being notified that a respondent has timely filed an appeal with the Board, the board of stewards shall cause the record to be transmitted to the Board. The record shall include the decision of the board of stewards, any ~~[tape]~~ audio recordings, stenographical transcripts, as well as any documentary evidence or exhibits.

**30.914 Appeals; hearing procedure; notice of decision.**

1. The Board shall confine its review on appeal to the record created before the board of stewards unless the ~~[Board]~~ Chair determines that an additional hearing in the matter should be held ~~[by the Board,]~~ pursuant to subsection 3. The Board, either upon the record or after ~~[further]~~ such additional hearing, may sustain, modify or reverse the decision of the ~~[board of stewards]~~ state steward.

2. On appeal, the Board shall consider the record created before the board of stewards and, if a hearing was held pursuant to subsection 3, consider the record created by and recommendation of the designated Board member or hearing examiner before rendering its decision. The Board may remand the

matter to the designated Board member or hearing examiner for the purpose of taking or considering additional evidence. ~~[At a hearing held by the Board, a]~~All parties, including the board of stewards, ~~[will]~~ may be given an opportunity to present a position statement ~~[their respective positions and the Board will take any testimony deemed necessary].~~ ~~[After the hearing the]~~ The Board will ~~[review the testimony taken and any other evidence and will]~~, within 45 days after consideration of the appeal ~~[the date of the hearing]~~, render its decision sustaining, modifying or reversing the decision of the board of stewards. Such 45 day period is stayed if the Board remands the matter to the designated Board member or hearing examiner.

3. The ~~[Board]~~ Chair may designate a member of the Board or the Board may appoint a hearing examiner and authorize that person to perform on behalf of the Board any of the following functions required of the Board by this section:

- (a) Conducting a hearing and taking testimony;
- (b) Reviewing the testimony and evidence presented at the hearing; and
- (c) Making a recommendation to the Board based upon the testimony and evidence.

4. Notice of a decision shall be in writing and include a copy of the decision. Such notice shall be deemed to have been received by a person on the earlier of 5 days after it is deposited with the United States Postal Service with the postage thereon prepaid to the last known address of the respondent or upon personal service of the notice on the person.

### **30.915 Appeals: Nevada Gaming Commission; time for filing; Commission decision; judicial review.**

1. A respondent aggrieved by the decision of the Board may, within 15 days after ~~[the announcement]~~ receipt of notice of the decision, ~~[apply in writing]~~ appeal to the Commission for review of the decision. A respondent who seeks to appeal a decision of the Board must mail a written notice of appeal to the Commission at the following address:

Executive Secretary  
Nevada Gaming Control Board  
Post Office Box 8003  
Carson City, Nevada 89702-8003

The written notice of appeal must be postmarked within 15 calendar days after notice of the written decision by the Board.

2. Review is limited to the record developed before the Board. The Commission may sustain, modify or reverse the Board's decision. The decision of the Commission is subject to judicial review pursuant to NRS 463.315 to 463.318, inclusive.