

## REGULATION 30 HORSE RACING

### PROPOSED AMENDMENTS TO REGULATION 30

**PURPOSE:** To clarify the definition of “association,” “chairman,” “pari-mutuel wagering,” and “place;” to create a definition of “licensee;” to clarify who must be licensed to conduct racing; to clarify that all association employees and volunteers must be licensed or approved by the board; to modify the grounds for refusal, denial, suspension, revocation, or conditioning of a licensee and to include as an additional ground the failure to comply with any disciplinary action; to provide additional licensing requirements for trainers, jockeys, horseshoers and veterinarians; to clarify coupled entries; to clarify coupling and uncoupling of entries for wagering; to create a new section that limits the use in horses of anabolic steroids; to create a new section that prohibits licensees from consuming intoxicating liquor under specified circumstances; to create a new section that incorporates by reference certain provisions of the Association of Racing Commissioners Model rules regarding the calculation of payouts and distribution of pools and that creates a process for the adoption of future versions of such provisions; and to take such additional action as may be necessary and proper to effectuate these stated purposes.

(DRAFT DATE 09/19/08)

**30.058 “Association” defined.** “Association” means any person or persons, association, or corporation or business entity, including state fair associations, agricultural societies, county fair and recreation boards, and other associations to which state or county aid is given, licensed or approved by the commission to that conducts racing at an official meet.

**30.069 “Chairman” defined.** “Chairman” means the chairman and executive director of the state gaming control board ~~or the chairman of the Nevada gaming commission.~~

**30.0965 “Licensee” defined.** “Licensee” means any association licensed by the commission to conduct racing or any person licensed as a participant or official by the board in accordance with these regulations.

**30.122 “Pari-mutuel wagering” defined.** “Pari-mutuel wagering” means a system of placing wagers on a horse ~~or greyhound~~ race whereby the wager is placed at a window and equipment is used to pay a person’s winnings in the precise amount of money wagered by persons who did not win, after deducting taxes owed and commissions charged by the race track.

**30.125 “Place” defined.** “Place” means:

- ~~1. Finishing a race first, second or third place.~~
- ~~2. Second place.~~ to finish second in a race. In wagering, to finish first or second in a race.

**30.190 License to conduct racing.** Every association, except state fair associations, agricultural societies, county fair and recreation boards, and other associations to which state or

county aid is given, must be licensed by the Commission in accordance with NRS chapter 466 and these regulations to conduct racing.

**30.206 Employees of association.**

1. All employees hired by associations in connection with horse racing are under the jurisdiction of the board. Associations are responsible to the board for the integrity and conduct of their employees.
2. Any change in an association's list of employees must be promptly reported in writing to the board.
3. As used in this section, "employee" includes any volunteer.
4. All association employees and volunteers must be licensed or approved by the board. The employment or harboring of any unlicensed or unapproved person on racetrack grounds is prohibited.

**30.271 Grounds for refusal, denial, suspension, revocation, or conditioning of license.**

1. The board 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 citizenship immigration status; or
  - (m) Has violated any of the alcohol or substance abuse provisions set forth in these regulations or state or federal laws.
  - (n) Fails to comply with any disciplinary action imposed by the board of stewards.
2. A license suspension or revocation shall be reported in writing, along with the grounds, to the applicant and the Association of Racing Commissioners International, Inc., through which other racing jurisdictions shall be advised.

**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 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, 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. Applicants not previously licensed as a trainer shall be required to pass a written or oral examination, demonstrate practical skills and submit at least two written statements as to the character and qualifications of the applicant.

3. A trainer shall submit to testing for drugs and alcohol upon the request of the board of stewards. The refusal of a trainer to submit for such testing is grounds for revocation of the trainer's license.

**30.303 Licensing requirements for jockeys.**

1. All jockeys must be licensed by the board. No person under 16 years of age shall be licensed as a jockey.
2. A jockey may be required to pass a physical examination given within the previous 12 months by a licensed physician affirming fitness to participate as a jockey. The board of stewards may require that any jockey be re-examined and may refuse to allow any jockey to ride pending completion of such examination. If a physical examination indicates a pregnancy, an independent physician's certificate is required stating that the jockey is in a fit condition to ride.
3. A jockey shall submit to testing for drugs and alcohol upon the request of the board of stewards. The refusal of a jockey to submit for such testing is grounds for revocation of the jockey's license.
4. A jockey shall not compete against any horse which he either owns or trains.
5. The state steward may permit a jockey to ride pending action on the jockey's application for licensure.

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

1. Be at least 18 years of age;
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, 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. Applicants not previously licensed as a horseshoer may be required to pass a written or oral examination, demonstrate practical skills and submit at least two written letters of reference concerning the character and qualifications of the applicant.
4. A horseshoer shall submit to testing for drugs and alcohol upon the request of the board of stewards. The refusal of a horseshoer to submit for such testing is grounds for revocation of the horseshoer's license.

**30.319 Licensing requirements for practicing veterinarians.**

1. Eligibility. An applicant for a license as a practicing veterinarian shall be qualified and licensed to practice veterinary medicine. Evidence of qualifications require the following:
  - (a) Submission of a copy of the applicant's current state license; and
  - (b) The recommendation of the state veterinarian.
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, 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 board or commission, or in exercise of the board's jurisdiction.

3. Restrictions on wagering. A practicing veterinarian, licensed by the board, shall not wager on the outcome of any race at the racetrack facility at which he is practicing.
4. A practicing veterinarian shall submit to testing for drugs and alcohol upon the request of the board of stewards. The refusal of a practicing veterinarian to submit for such testing is grounds for revocation of the veterinarian's license.

#### **30.348 Coupled entries.**

1. Two or more horses which are entered in a race shall be joined as a mutuel entry and single betting interest if they are owned or leased in whole or in part by the same owner or are trained by a trainer who owns or leases an interest in any of the other horses in the race, except that entries may be uncoupled in stakes races with the approval of the state steward.
2. When a husband and wife hold individual licenses as owner or trainer, their entries must be coupled as a single entry.
3. No more than two horses having common ties through ownership or training may be entered in an overnight race unless the race is divided. Under no circumstances may both horses of a coupled entry start to the exclusion of a single entry, except in races where horses must qualify to enter through trials or handicaps where conditions state high weights preferred. When making a coupled entry, a preference for one of the horses must be made.

#### **30.365 Coupling and uncoupling of entries for wagering.**

1. The uncoupling of separately owned horses trained by the same trainer is permitted for the purpose of pari-mutuel wagering.
2. Horses belonging in whole or in part to the same owner must be coupled as an entry in the wagering, except entries may be uncoupled in stakes races with the approval of the state steward.
3. If part of an entry is disqualified, it may disqualify all of the entry.

#### **30.404 Anabolic Steroids.**

1. Except as provided in subsection 2, a horse participating in a race must not carry in its body any anabolic steroids.
2. In amounts not to exceed the indicated urine or plasma threshold concentrations, administration of one of the four following approved anabolic steroids shall be permitted:
  - (a) 16 $\beta$ -hydroxystanozolol (metabolite of stanozolol (Winstrol)) – 1 ng/ml in urine.
  - (b) Boldenone ((Equipoise) (In male horses other than geldings; including free boldenone and boldenone liberated from its conjugates) – 15 ng/ml in urine.
  - (c) Nandrolone – 1 ng/ml in urine.
  - (d) Testosterone:
    - (i) In geldings – 20 ng/ml in urine.
    - (ii) In fillies and mares – 55 ng/ml in urine.

The presence in a horse of: i) any non-approved anabolic steroid; ii) any approved anabolic steroid in amounts exceeding the indicated concentrations; or iii) more than one of the four approved anabolic steroids at any concentration is not permitted and any such horse shall be disqualified and ineligible to race.

3. Post-race urine or plasma samples collected from intact males must be identified to the laboratory.

4. Any horse to which an anabolic steroid has been administered in order to assist in the recovery from illness or injury may be placed on the veterinarian's list in order to monitor the concentration of the drug in urine. Once the concentration is below the designated threshold the horse is eligible to be removed from the list

#### **30.442 Consumption of intoxicating liquor.**

A licensee involved in on-track duties shall not consume intoxicating liquor on race day prior to completing riding commitments or prior to completing track duties for that day.

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

1. Except as updated by the chairman pursuant to subsection 2, each association shall follow and comply with the provisions of Rule ARCI-004-105 of the Association of Racing Commissioners International 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 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 chairman may, with any exceptions or modifications he deems necessary, adopt and publish future versions of Rule ARCI-004-105 of the 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, the chairman shall:

(i) Publish notice of the proposed action, together with the effective date thereof, once a day for seven (7) consecutive days in at least two (2) newspapers of general circulation in Nevada, one of which must be published in Elko, Nevada;

(ii) Mail a copy of the proposed version, 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

(iii) Provide a copy of the proposed version, together with the effective date thereof, to the Commission.

Upon adoption, the chairman shall cause the updated 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 chairman, any association may object to the proposed version by filing a request for review of the chairman's administrative decision pursuant to Regulation 4.190. If any association files a request for review, then the effective date of the proposed version 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 will be stayed pending action by the commission. If no requests for review are filed with the board, then the proposed version shall become effective on the date set by the chairman.