

CHAPTER 7883
MINNESOTA RACING COMMISSION
HORSE RACES

7883.0100	ENTRIES AND SUBSCRIPTIONS.	7883.0140	CLAIMING RACES.
7883.0110	PREFERENCE SYSTEM.	7883.0150	Paddock TO POST.
7883.0120	DECLARATIONS AND SCRATCHES.	7883.0160	POST TO FINISH.
7883.0130	PENALTIES AND ALLOWANCES.	7883.0170	RACING EQUIPMENT.

7883.0100 ENTRIES AND SUBSCRIPTIONS.

Subpart 1. **Ownership.** When a person is excluded from a racetrack or has his or her license or suspended, every horse owned in whole or in part or under the care and control of that person shall be ineligible to be entered or start in any race until the horse has been reinstated, either by the expiration of the owner's penalty or by the transfer through bona fide sale to an owner approved by the stewards. Such person whether acting as agent or otherwise, shall not be qualified to subscribe for, or to enter or run any horse in any race either in his or her own name or in that of any other person until expiration of such penalty.

Subp. 2. **Horse must be registered and eligible.** No horse shall be permitted to start unless:

A. it is duly registered with and approved by the registry office of The Jockey Club (New York), the American Quarter Horse Association, the Arabian Horse Registry of America, Inc., or the nationally recognized registration organization relative to other breeds;

B. its registration certificate and Arabian ID Supplement or any supplement relative to other breeds as required showing the tattoo number or freeze branded registration number of the horse is filed with the racing secretary by scratch time for that race. In stakes races only, a horse shall be allowed to start without the registration certificate on file, if a photocopy or telefacsimile copy of both sides of the foal certificate is on file with the racing secretary. This copy must have been forwarded to the secretary along with a photocopy or a telefacsimile copy of the horse's equine infectious anemia certificate and, if applicable, a certificate of bleeding from the race office of a licensed race track which has the original registration certificate on file;

C. it is owned by a licensed owner and is in the care of a licensed trainer;

D. at the time of entry, the horse is eligible for the conditions of the race as specified by the racing secretary and remains eligible until the race; and

E. if a horse's name is changed, its new name shall be registered with The Jockey Club (New York), the American Quarter Horse Association, the Arabian Horse Registry of America, Inc., or the nationally recognized registration organization relative to other breeds and its old, as well as its new name, shall be given in every entry list until it has run three races, and both names must be printed in the official program for those three races.

Subp. 3. **Procedure for first time entrants.** If entered for the first time at a race meeting, a horse shall be identified by stating its name, color, sex, age, and the name of its sire or sires and dam as registered. In every race thereafter, sufficient description shall be deemed to be provided if the name, color, sex, and age of a horse is furnished.

Subp. 4. **Entering procedure.** Nominations and entries shall be made in writing and signed by the owner or trainer of the horse, or the owner's authorized agent. Each association shall provide forms on which entries, scratches, and declarations are to be made for all races.

A. The racing secretary and his or her designees are the only persons authorized to receive entries, scratches, and declarations.

7883.0100 HORSE RACES

248

B. Entries may be made by telephone or telegraph, but shall be confirmed promptly in writing.

C. In the case of sweepstakes, the closing of nominations, entries, interim payments, and declarations shall be in accordance with the conditions published by the association sponsoring the race.

D. A signed entry blank shall be prima facie evidence that the contents of the entry blank express the desires and intent of the person making entry.

Subp. 5. **Entrance money.** The nominator is liable for entrance money or stakes, and a mistake in the entry of a horse when eligible does not release the subscriber or transferee from liability for stakes or entrance money. Entrance money is not refunded on the death of a horse, nor on its failure to start.

Subp. 6. **Prohibited entries.** No person shall:

A. enter in his or her name a horse of which he or she is not the actual owner;

B. enter or cause to be entered, or start a horse which he or she knows or believes to be ineligible or disqualified;

C. enter a horse in more than one race on any day;

D. enter in a race a horse if it is wholly, or partly owned by, trained by, or under the management of an unlicensed person, a person whose license is under suspension, or a person who acts in concert with or under the control of a person whose license is under suspension. If any entry from an unlicensed person or a person whose license is under suspension or of an ineligible horse is received, the entry shall be void and any money paid for the entry shall be paid to the winner. An entry may be taken from a person whose license is under suspension in any racing jurisdiction if the term of the suspension has ended prior to the day of the race for which the entry was made and any other requirements associated with the suspension have been satisfied prior to the entry;

E. enter a horse that is 14 years of age or older.

Subp. 7. **Coupled entries.** Except in stakes races and races which are conditioned for horses eligible for specified stakes, not more than two horses of the same licensed ownership or interest shall be entered and started in a race.

A. No trainer shall enter more than two horses in an overnight event except in split races.

B. All horses owned wholly or in part by the same person, or his or her spouse, shall be coupled and run as an entry. The association may uncouple entries on any race with the permission of the stewards.

Subp. 8. **Changing of races.** Each association shall have the right to withdraw or change any race with the permission of the stewards. If a race is declared off because of insufficient entries, the association may split any other race.

Subp. 9. **Closing of entries.** When an hour for closing is designated, entries and declarations for sweepstakes may not be considered if received afterwards. If an hour is not designated, entries and declarations may be mailed or telegraphed up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race.

Subp. 10. **Loss of entries.** A person who alleges loss of an entry or declaration in a stakes race must provide satisfactory proof that it was mailed or telegraphed within a reasonable time before the designated time for closing or it shall not be considered received.

Subp. 11. **Drawing of entries.** The drawing of entries for post positions shall be governed by the following procedures.

A. When entries exceed the permitted number of starters, the number of starters shall be reduced to the proper number by lot. Lots may be drawn for the entire race or for each division of the race at the option of the association.

B. Each day after the entries have been closed, the racing secretary shall designate from an owner or trainer present in the entry office to draw the entry sheets and post position numbers. In every case, the entry shall be drawn from its approved receptacle before the number ball is released from the number box.

C. In divided races the starters in the separate divisions shall be determined by lot.

Subp. 12. **Deceased owners.** Nominations, entries, and rights of nomination and entry of a deceased owner shall be exercisable by and transferable by the deceased's personal representative subject to compliance with all applicable rules of the commission. The personal representative of a deceased owner shall be deemed to hold an owner's license with respect to horses belonging to the estate of the deceased until the commission declares that such owner's license is no longer in effect.

In the case of the death of a member of a multiple owner, nominations, entries, and rights of nomination and entry shall continue and may be exercised by the remaining members of the multiple owner or any of them.

Nominations and all entries or rights of entry under them become void on the death of the nominator, except in cases of multiple owners, or except with approval of the stewards when the personal representative of an estate in writing requests that the benefits of the nominations accrue to the estate of the deceased nominator for the purpose of selling or transferring a horse, and such representative agrees to assume any and all obligations incident to the original entries.

Subp. 13. **Prohibitions on horses sold or transferred with engagements.** Should a horse be sold with engagements, the seller shall not strike the horse out of any such engagements.

If, when a horse is sold or transferred or deemed to be sold or transferred with its engagements, the racing secretary requires evidence of such sale or transfer, the failure to produce such evidence shall render the horse ineligible to start in any stakes race.

No person shall make or receive the transfer of a horse or engagement for the purpose of avoiding disqualification.

Subp. 14. **Responsibility for eligibility.** A trainer shall be responsible for the eligibility of horses entered by him or her or his or her authorized agent, and an owner shall be responsible for the eligibility of horses personally entered by the owner.

Subp. 15. **Horse must be properly entered.** A horse shall not be qualified to start in any race unless it has been and continues to be properly entered therein. A horse which is improperly entered shall not be entitled to any part of the purse, but once the "Official" sign is posted, this rule shall in no way affect the wagering on the race.

Subp. 15a. **Approval for blinkers.** No horse, to which blinkers will be added or removed, may be entered in any race without the prior written authorization of the starter. This authorization must be noted on the entry. Approval of the stewards must be obtained for any horse to which blinkers will be added or removed, prior to entry in a race. Once approved by the stewards, no changes may be made in the use of blinkers without approval of the stewards. Error in this procedure may be corrected only with the permission of the stewards.

Subp. 16. **Workout requirements.** In order to be eligible:

A. A horse which has not started for a period of 45 days or more shall not be eligible to start until it has completed one timed workout within 45 days of and no less than 48 hours prior to the race in which it is entered. Any day of entry workout following the entry of a horse shall appear on the official daily racing program or shall be posted for the public.

B. A horse which has not started for a period of 60 days or more shall not be eligible to start until it has completed two timed workouts within 60 days of and no less than 48 hours prior to the race in which it is entered.

7883.0100 HORSE RACES

250

C. First-time starters must have gate approval and a minimum of two timed workouts, one of which must be out of the gate, within 60 days prior to the race in which it is entered.

D. A horse, other than a first-time starter, which has not started for a period of one year or more shall not be eligible to start until it has completed three timed workouts, at least one of which must be before a commission veterinarian. The timed workout before a commission veterinarian must occur within 30 days and no less than 48 hours prior to the race for which the horse is entered.

E. For all county fairs in which the average daily handle for the preceding year was less than \$150,000 all workout requirements shall be waived except that in the case of a horse that has not started for a period of one year, the owner or trainer must contact the commission veterinarian prior to entry for an examination and workout as determined by the commission veterinarian.

For the purposes of items D and E and removing a horse from the stewards' list, all workouts must be conducted under the same medication requirements as those for race days.

Subp. 17. **Refused entries.** The nominations and entries of any person or transfer of any nomination or entry may be refused by the association for reasonable cause.

Subp. 18. **Protest.** Any time before the running of a race, an owner, trainer, or authorized agent may object to the eligibility of a horse participating in the race by filing a written protest with the stewards.

Statutory Authority: *MS s 240.08; 240.13; 240.15; 240.16; 240.19; 240.23; 240.24*

History: *9 SR 2527; 10 SR 2161; 11 SR 2201; 14 SR 332; 15 SR 2307; 16 SR 2684; 18 SR 886; 20 SR 2592; 22 SR 1785; 24 SR 1568; 25 SR 1609; 26 SR 1438; 28 SR 1482; 33 SR 8; 35 SR 627*

7883.0110 PREFERENCE SYSTEM.

Subpart 1. **Preferred list.** The racing secretary shall keep a list of all horses excluded from races because of too many entries, and such horses are to have preference in any race in which they may afterwards be entered in accordance with the rules adopted by the racing secretary for the meeting and approved by the stewards. This shall be known as the "preferred list."

Subp. 2. **In-today horses.** When a horse is entered on one day and has an opportunity to start other than in a stakes race and is also entered for the following race day, the second entry will be an "in-today" and will not be considered unless the race underfills, nor will such horse be considered on the preferred list.

Subp. 3. **Second part of entry preferred over in-today horse.** The second part of an entry shall receive preference over an "in-today" on the also eligible list in case the race overfills.

Subp. 4. **Preference forfeited.** No horse's name shall be placed on the preferred list and all preference shall be forfeited if the owner did not accept, when presented, the opportunity of starting.

Statutory Authority: *MS s 240.23; 240.29*

History: *9 SR 2527*

7883.0120 DECLARATIONS AND SCRATCHES.

Subpart 1. **Procedure for scratching horses.** Scratches and declarations shall be made in writing and signed by the owner or trainer of the horse, the owner's authorized agent, or a commission veterinarian. Each association shall provide forms on which scratches and declarations are to be made, and for all races:

A. no horse shall be scratched without permission of stewards;

B. all scratches shall be made by scratch time, designated by the association, except as provided by subparts 2 to 5;

C. should scratches reduce the body of a race, the horses left in the race shall move into the lower numbered post positions before any horses are drawn from the "also eligibles"; and

D. should scratches reduce the number of horses in a race below the number designated by the association, then such designated number of horses will be maintained by the drawing of lots from the "also eligibles" list after scratches have occurred and the horses so drawn will be required to race.

Subp. 2. **Scratches from stakes races.** A scratch from an early-closing stakes race shall be made not less than 45 minutes before post time of the race.

Subp. 3. **Horse must be entered in stakes race.** In a stakes race, if a horse is not named through the entry box at the usual time of closing, the horse is automatically out.

Subp. 4. **Nomination may be altered or withdrawn.** A nomination of a horse to a sweepstakes may be altered or withdrawn at any time prior to the closing time for nominations.

Subp. 5. **Stewards may permit withdrawal.** Notwithstanding subpart 1, item B, the stewards may permit the withdrawal of any horse after weighing out for any reason which they determine to be in the best interests of racing.

Subp. 6. **Horse declared nonstarter.** The stewards shall have the authority to declare that a horse is not a starter if they determine that the horse was ineligible to participate in the race or any occurrence before, or during, the running of a race calls for such action by them.

Subp. 7. **Declarations are irrevocable.** The declaration of a horse out of an engagement is irrevocable.

Statutory Authority: *MS s 240.23; 240.24; 240.29*

History: *9 SR 2527; 14 SR 332; 16 SR 2684; 35 SR 627*

7883.0130 PENALTIES AND ALLOWANCES.

Subpart 1. **Determining penalties and allowances.** Penalties and allowances shall be determined as follows.

A. Penalties and allowances are not cumulative, unless so declared by the conditions of the race, and shall take effect at the time of starting, except that in overnight events a horse will have only the allowance to which it was entitled at the time of entry.

B. Penalties are obligatory; allowances are optional as to all or part thereof, and in overnight events must be claimed at the time of entry.

C. No horse shall receive allowance of weight nor be relieved from extra weight for having been beaten in one or more races, but this rule shall not prohibit maiden allowance or allowances to horses that have not won a race within a specified period or a race of specified value.

D. Failure to claim a weight allowance by oversight or omission is not cause for disqualification. Claims of weight allowance to which a horse is not entitled shall not disqualify unless such incorrect weight is carried in the race. However, a fine may be imposed upon the person claiming allowance to which his or her horse is not entitled.

E. Eligibility, penalties, and allowances of weight for all races will be determined from the reports, records, and statistics published by the Daily Racing Form, Equibase, or furnished by the Arabian Jockey Club (Colorado), and from information contained on Jockey Club (Lexington) foal certificates, and from certificates issued by the American Quarter Horse Association (AQHA), and the Arabian Horse Registry of America, Inc. (AHRA). Information contained on these certificates that is not published by the Daily Racing Form, or certified by the AQHA, or certified by the Arabian Jockey Club (AJC),

MINNESOTA RULES 2011

7883.0130 HORSE RACES

252

will not be considered. Responsibility for weight carried and eligibility still remains with the owner and trainer as provided in part 7883.0100, subpart 15.

F. No horse shall incur a weight penalty for placement from which it is disqualified, but a horse placed through the disqualification of another horse shall incur the weight penalties of that placement. No such placement shall make a horse ineligible to a race which has already been run.

G. When a race is in dispute, both the horse that finished first and any horse claiming the race shall be liable to all penalties attached to the winner of that race until the matter is decided.

Subp. 2. **Scale of weights or weight for age.** Races written to be run under "scale of weights" or "weight for age" shall be run under the following weights:

Distance	Age	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
.5 Mile	2	X	X	X	X	X	X	X	105	108	111	114	114
	3	117	117	119	119	121	123	125	126	127	128	129	129
	4+	130	130	130	130	130	130	130	130	130	130	130	130
6F	2	X	X	X	X	X	X	X	102	105	108	111	111
	3	115	115	116	116	118	120	121	122	123	124	125	125
	4+	126	126	126	126	126	126	126	126	126	126	126	126
1M	2	X	X	X	X	X	X	X	X	96	99	102	102
	3	114	114	115	116	117	118	120	121	122	123	124	124
	4+	126	126	126	126	126	126	126	126	126	126	126	126
1.25M	2	X	X	X	X	X	X	X	X	X	X	X	X
	3	113	113	114	115	116	117	119	120	121	122	123	124
	4+	126	126	126	126	126	126	126	126	126	126	126	126
1.5M	2	X	X	X	X	X	X	X	X	X	X	X	X
	3	112	112	112	113	115	116	117	118	120	120	122	124
	4+	126	126	126	126	126	126	126	126	126	126	126	126
2M	3	96	96	102	102	106	109	112	114	117	119	120	120
	4	124	124	126	126	126	126	126	125	125	124	124	124
	5	126	126	126	126	126	126	126	125	125	124	124	124

Subp. 3. **Racing secretary may write alternate weights.** It shall be within the discretion of the racing secretary to write races either above or below the "scale of weights."

Subp. 4. **Sex allowance.** In all races against male horses, except handicaps and races where the conditions expressly state to the contrary, fillies two years old are allowed three

pounds and fillies and mares three years old and upward are allowed five pounds before September 1 and three pounds thereafter. The sex allowance may not be waived.

Statutory Authority: *MS s 240.13; 240.15; 240.19; 240.23; 240.24; 240.29*

History: *9 SR 2527; 14 SR 2008; 15 SR 2307; 16 SR 2684; 20 SR 2592; 25 SR 1609*

7883.0140 CLAIMING RACES.

Subpart 1. **Who may claim.** In claiming races any horse is subject to claim for its entered price by any person who is eligible to claim or by his or her authorized agent. The following persons shall be eligible to claim:

A. A licensed owner who has a horse registered to race at the current meeting.

B. A licensed owner who lost his or her last horse through fire, misfortune, or claim, may claim a horse, provided:

(1) the horse is claimed during the same race meeting that the horse was lost;

or

(2) the horse is claimed at another racetrack licensed by the Minnesota Racing Commission during a race meet operating concurrently with the race meet during which the horse was lost.

A person claiming under this item is required to establish eligibility to claim with the stewards and to receive his or her confirmation in writing prior to making a claim.

C. An applicant for an owner's license who is approved by the stewards may be granted a claiming authorization. Each application for a claiming authorization must be signed by the prospective trainer who must be licensed by the commission. Under no circumstances shall the claiming authorization be issued until a background investigation, not to exceed ten days after filing the application, has been completed. An owner's license will not be granted until after the claiming authorization has been executed. Once the applicant has been granted a claiming authorization, he or she may open an account with the horsepersons' bookkeeper.

D. An applicant for an owner's license who has not previously had a horse registered to race at the current meeting and who purchases a horse registered to race by private sale, provided that the applicant is eligible to be licensed pursuant to part 7877.0130, subparts 1 and 2.

Subp. 2. **Claiming procedure.** Claims shall be made in writing on a form provided by the association and approved by the commission. Claims shall be signed and sealed in an envelope having no identification marks except:

A. the name of the track;

B. the number of the race from which the claim is being made; and

C. a time stamp provided by the track for that purpose reflecting that the claim was made not less than 15 minutes prior to the post time of the race in which the horse to be claimed is entered.

Subp. 3. **Examination of claim envelopes.** The claims clerk shall open the claim box, search for, open, and examine the claim envelopes no more than 15 minutes prior to post time for each race.

Subp. 4. **Information shall not be divulged.** No information concerning such claims shall be divulged to anyone other than the racing secretary's staff and the horsepersons' bookkeeper until after the race has been run.

Subp. 5. **Multiple claims determined by lot.** If more than one claim is filed for the same horse, the successful claimant shall be determined by lot under the supervision of the stewards or the claims clerk.

Subp. 6. **Claims are irrevocable.** Once a claim is deposited in the claim box, the claim cannot be withdrawn or revoked.

Subp. 7. **Invalid claims.** A claim is invalid if:

- A. the name of the horse to be claimed is erroneously spelled or is not specified in the space provided on the claim form;
- B. the claimant does not have at least the amount of the claim and any applicable tax on deposit or credited with the horsepersons' bookkeeper;
- C. the claim form does not specify the designated price as printed in the program, or is not signed, or does not fully indicate the name of the party making the claim, or is otherwise incorrectly completed; or
- D. the claim envelope is inaccurate.

Subp. 8. **Voided claims.** If a claim is voided by the stewards, the horse claimed shall be returned to the original owner who, in turn, shall refund all claim money to the unsuccessful claimant.

Subp. 9. **Prohibition on claims.** No person or racing interest shall:

- A. claim more than one horse from any one race;
- B. claim their own horse or cause such horse to be claimed, directly or indirectly, for their own account;
- C. refuse to deliver a claimed horse to the successful claimant;
- D. remove any horse which has been entered in a claiming race from the grounds of the association where it has been entered to race, or fail or refuse to comply with any rule or any condition of the meeting for the purpose of avoiding or preventing a claim for such horse;
- E. offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race;
- F. attempt to intimidate or prevent anyone from running a horse in any claiming race;
- G. claim horses owned or trained by their trainer or the trainer's spouse, child, sibling, parent, mother-in-law, or father-in-law;
- H. claim a horse from an owner whose horse is trained by the claimant's trainer;
- I. being a trainer, claim a horse from an owner for whom he or she trains;
- J. enter, or allow to be entered, any horse against which any claim is held, either by mortgage or lien of any kind without, prior to entering, having filed the written consent of the holder of the mortgage or lien with the racing secretary and horsepersons' bookkeeper. Notification of the mortgage or lien must be posted in a conspicuous place in both the racing secretary's and horsepersons' bookkeeper's offices; or
- K. claim a horse if he or she only leases a horse for racing purposes, unless the claim is executed pursuant to subpart 1, item C.

Subp. 10. **Affidavit may be required.** Whenever the stewards have reasonable doubt about the validity of a claim, they shall require a claimant to execute an affidavit stating that the claimant is claiming the horse for the claimant's own account or as an authorized agent, and not for any other person.

Subp. 11. **Claimant responsible for determining true age and sex.** Determination of the true age and sex of a claimed horse shall be the sole responsibility of the claimant, and mistakes in that regard printed in the official program or elsewhere shall not be considered a basis for invalidating the claim.

Subp. 12. **Disclosure of bred mare.** If a filly or mare has been bred, she is ineligible to be entered into a claiming race unless:

- A. full disclosure of that fact is on file with and posted in the office of the racing secretary; and
- B. the breeding slip has been deposited with the racing secretary; and

C. all payments due for the service in question and for any live progeny resulting from that service are paid in full; and

D. the release of the breeding slip to the successful claimant at the time of the claim is guaranteed; or

E. in the alternative to items A to D, a licensed veterinarian's certificate dated at least 40 days after the last breeding of the mare or filly is on file with the racing secretary stating that the mare or filly is not in foal.

Subp. 13. **Foal certificates remain in custody of racing secretary.** The foal certificate or eligibility papers of a claimed horse shall remain in the custody of the racing secretary until the new owner removes the horse from the grounds of the association.

Subp. 14. **Stakes engagements transfer to claimant.** The stakes engagements of a claimed horse transfer automatically with the horse to the claimant.

Subp. 15. **Protest of claim.** Not later than the next racing day after the race was run, a written protest of a claim may be submitted to the stewards who shall investigate the matter as quickly as possible. In the event that a stewards' ruling is issued concerning a medication violation discovered through postrace drug testing of a claimed horse, a written protest of a claim may be submitted to the stewards within 24 hours of the posting of a ruling; however, a claimant may submit a written protest of a claim within 24 hours of the receipt of notification from the stewards of such a ruling.

Subp. 16. **Title to claimed horse.** Title to a horse which is claimed shall be vested in the successful claimant from the time the horse has entered the race course for the race in which the horse is scheduled to run, unless the race is canceled or the horse is excused by the stewards. The claimant shall then become the owner of the horse whether it be alive or dead, sound or unsound, or injured during the race or after it.

Subp. 17. **Horse shall run in interest of owner.** On the day claimed, a claimed horse shall run in the interest of and for the account of the owner from whom the horse was claimed.

Subp. 18. **Claimed horse to be delivered.** Upon presentation of a written authorization from the racing secretary, the claimed horse shall be delivered by the original owner to the successful claimant without altering or removing the horse's shoes.

Subp. 19. **Responsibility for postrace analysis.** A trainer whose horse has been claimed and is designated for postrace testing remains responsible for the horse until after collection of the blood and/or urine specimens at the detention barn where delivery shall be made to the successful claimant.

Subp. 20. [Repealed, 33 SR 8]

Subp. 21. [Repealed, 20 SR 2592]

Subp. 22. **Claimed horse shall race at track claimed.** No claimed horse shall race at any other racetrack until after the close of the race meeting at which it was claimed, or for 60 days, whichever is shorter, except to fulfill one or more stakes engagements.

Subp. 23. **Claimed horse shall not be transferred.** No horse claimed in a claiming race shall be sold or transferred wholly or in part to anyone within 30 days after the day it was claimed, except in another claiming race.

Subp. 24. **Recognition of other racing jurisdictions' claiming rules.** When a horse is claimed at a recognized meeting governed by the rules of another racing jurisdiction, Minnesota shall recognize the claiming rules of the jurisdiction where the horse was claimed. However, while racing in Minnesota, such a horse must comply with this part.

Subp. 25. **Charity meetings.** When a charity meeting and a regular meeting are run consecutively, they shall be considered as one for claiming purposes.

7883.0140 HORSE RACES

256

Subp. 26. **Claiming authorization.** The commission or its appointed representatives shall issue a claiming authorization to any person who makes application therefor on forms prescribed for that purpose and who:

A. Meets all the requirements for the issuance of an owner's license, except that the applicant need not own a horse or have any previous experience in racing.

B. Has an agreement with a licensed trainer to take charge of, care for, and train any horse claimed pursuant to the claiming authorization. The holder of a claiming authorization and the trainer shall each promptly notify the stewards in writing if such agreement is terminated before a horse is successfully claimed.

C. Has at least the amount of the claim on deposit or credited with the horsepersons' bookkeeper.

Subp. 27. **Claiming authorization valid for calendar year.** A claiming authorization shall be valid for the calendar year in which it is issued, or until such time as the person to whom the authorization was issued becomes a horse owner either through use of the claiming authorization or through private purchase.

Subp. 28. **Claiming authorization fee.** The same fee charged for an owner's license shall be payable to the commission by the applicant prior to issuance of a claiming authorization. The holder of a claiming authorization shall not, by virtue thereof, be entitled to admission to the grandstand, clubhouse, or other spectator facility at prices less than those charged the general public. A holder of a claiming authorization who has not previously been granted an owner's license will be issued an owner's license without payment of any additional fees.

An application for claiming authorization may be denied or revoked for any reason that would justify denial, suspension, or revocation of an owner's license. Any person whose claiming authorization is denied or revoked shall have the same rights to notice and hearing as an owner whose license is denied, suspended, or revoked.

Subp. 29. [Repealed, 33 SR 8]

Subp. 30. **Claiming races may be conditioned.** Races strictly for two-year-olds or three-year-olds may be conditioned. Races for the lowest claiming price at a meeting may be conditioned.

Statutory Authority: *MS s 240.13; 240.15; 240.19; 240.23; 240.24*

History: *9 SR 2527; 10 SR 2161; 12 SR 2393; 14 SR 2008; 15 SR 2307; 16 SR 2684; 19 SR 2307; 20 SR 2592; 21 SR 1407; 25 SR 1609; 33 SR 8; 34 SR 1135*

7883.0150 PADDOCK TO POST.

Subpart 1. **Horses must have identifying equipment.** In a race each horse must carry a conspicuous saddlecloth number and a head number corresponding to its number on the official program. In the case of any entry each horse making up the entry shall carry the same number (head and saddlecloth) as the first part of the entry, along with a distinguishing letter, for example: 1, 1a, or 1b. In the case of a field, the horses comprising the field shall carry an individual number, for example: 10, 11, 12; or a particular number followed by a distinguishing letter 10, 10A, 10B, or 10C.

Subp. 2. **Trainer to have horse in paddock.** A trainer shall have his or her horses in the paddock not less than 20 minutes before post time. The trainer shall also attend his or her horse in the paddock and be present to supervise its saddling, unless he or she has obtained permission of a steward to send an assistant trainer or another trainer as a substitute. Every horse must be saddled in the paddock unless permission has been granted by the stewards to saddle elsewhere.

Subp. 3. **Bandages and blankets.** Immediately upon arrival in the paddock, all blankets and bandages, except those bandages that will be worn during a race, must be removed. Should weather conditions so dictate, blankets may be worn after saddling with permission

of the paddock judge. After saddling, all horses must be walked to allow a satisfactory examination. Bandages that will be worn during a race must not be fastened with safety pins or metal/plastic binders of any kind.

Subp. 4. **Horses excused from parading.** The stewards may permit a horse to be excused from parading with the other horses and be led to the post, but such horse shall nevertheless pass the stewards' stand on its way to the post.

Subp. 5. **Lead ponies.** Lead ponies and their riders shall be permitted to enter the saddling paddock or walking ring only with the permission of the stewards.

Subp. 6. **Duration of post parade.** After entering the course not more than 14 minutes shall be consumed in the parade of the horses to the post except in cases of unavoidable delay. After passing the steward's stand once, horses will be allowed to break formation and canter, warm up, or go as they please to the post unless otherwise directed by the stewards. When the horses have reached the post, they will be started without unnecessary delay.

Subp. 7. **Horses must be free of attendants.** After the horses enter the course, no jockey shall dismount and no horse shall be entitled to the care of an attendant without consent of the stewards or the starter, and the horse must be free of all hands other than those of the jockey or assistant starter before the field is dispatched by the starter. In case of accident to a jockey or to his or her mount or equipment, the stewards or the starter may permit the affected jockey to dismount and the horse to be cared for during the delay, and may permit all other jockeys to dismount and all other horses to be attended during the delay.

Subp. 8. **Horse must carry weight from paddock to post.** Each horse must carry its assigned weight from paddock to post and from post to finish. If a jockey is thrown on the way from the paddock to the post, the horse must be remounted, returned to the point where the jockey was thrown, and then proceed over the route of the parade to the post.

Subp. 9. **Injury to jockey.** If the jockey is so injured on the way to the post to require substitution of another jockey, the horse shall be returned to the paddock, or the winner's circle or other area designated by the stewards, another jockey mounted, and then ridden over any uncompleted portion of the exact route of the parade to the starting point.

Subp. 10. **Horse leaves race course.** If a horse leaves the course while moving from paddock to post, it shall return to the course at the nearest practical point to that at which it left the course, and shall complete its parade to the post from the point at which it left the course.

Subp. 11. **No willful delays.** No person shall willfully delay the arrival of a horse at the post.

Subp. 12. **Prohibition on assisting a start.** No person other than the jockey, starter, or assistant starter shall be permitted to strike a horse or attempt by shouting or otherwise to assist it in getting a start.

Subp. 13. **Farrier in paddock.** The association must provide a farrier in the paddock during the time of live horse racing.

Statutory Authority: *MS s 240.08; 240.13; 240.15; 240.19; 240.23; 240.24*

History: *9 SR 2527; 10 SR 2161; 14 SR 2008; 22 SR 1785; 25 SR 1609; 33 SR 8*

7883.0160 POST TO FINISH.

Subpart 1. **Horse must be tattooed.** No horse shall be permitted to start unless it has been tattooed and fully identified.

Subp. 2. **Loading in starting gate.** The starter, with approval of the stewards, shall determine the procedures for loading horses into the starting gate.

Subp. 3. **Horse deemed a starter.** A horse is a starter for all purposes of the commission's rules when the stall doors of the starting gate open in front of it at the time the starter dispatches the horses in a valid start.

Subp. 4. **All horses shall be ridden out.** All horses shall be ridden out past the finish line in every race and must carry their assigned weight from the post to finish.

Subp. 5. **Horse shall not leave course.** If during a race a horse leaves the course, it shall be disqualified.

Subp. 6. **Interference and willful fouling.** The following rules shall apply with respect to the running of a race.

A. When clear, a horse may be taken to any part of the course but no horse shall cross or weave in front of other horses in such a way as to impede them or constitute or cause interference or intimidation such that it would affect the outcome of the race.

B. If a horse or jockey jostles another horse such that it would affect the outcome of the race, the aggressor may be disqualified, unless the jostled horse or its jockey was partly at fault, or the jostling was wholly caused by some other horse or jockey.

C. During a race no jockey shall willfully or carelessly strike or touch another jockey or another jockey's horse or equipment with the effect of interfering with that horse or jockey, nor shall a jockey strike the jockey's horse on or about the head area. A jockey shall use a whip in a manner consistent with using the jockey's best efforts to win. A jockey must not use the whip indiscriminately. Jockeys are prohibited from whipping a horse:

(1) on the head, flanks, or on any part of its body other than the shoulders or hind quarters;

(2) during the post parade except when necessary to control the horse;

(3) excessively or brutally causing welts or breaks in the skin;

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

(5) persistently even though the horse is showing no response under the whip; or

(6) after the race.

Correct uses of the whip are:

(a) showing horses the whip before hitting them;

(b) using the whip in rhythm with the horse's stride; and

(c) using the whip as an aid to maintain a horse running straight.

D. For willful fouling or careless riding a rider may be fined or set down or both by the stewards according to the nature and seriousness of the offense.

E. A jockey whose horse has been disqualified or who unnecessarily caused his or her horse to change or shorten its stride for the purpose of losing a race may be fined or suspended.

Subp. 7. **Determination of disqualifications.** The stewards are vested with sole and complete power and authority to determine when a disqualification is proper, its extent, and whether it applies to any other part of an entry. Their decision shall be final.

A. In determining the extent of disqualification of a horse in any race, the stewards may either place the disqualified horse behind such horse as in their judgment the disqualified horse interfered with, or they may place it last.

B. When a horse of one ownership or interest is coupled with a horse or horses of the same or another ownership or interest, the disqualification of one will not necessarily affect the placing of the other.

C. In the event of a disqualification, the stewards, at the request of the owner of the disqualified horse, shall review the race with that owner within 72 hours of the race.

Subp. 8. **Best effort must be made.** All jockeys are expected to give their best efforts in races in which they ride, and any instructions or advice to jockeys to ride or handle their mounts otherwise than for the purpose of winning are prohibited and will subject all persons

giving or following such instructions or advice to disciplinary action by the stewards and commission. If two horses run in one interest in any race, each must give their best effort.

Subp. 9. **Protests.** Protests with regard to the running of the race shall be made only by the owner, trainer, or jockey of the horse alleged to be aggrieved, and must be made to the stewards, the outriders, or the clerk of scales immediately after the running of the race. An owner, trainer, or jockey who makes a frivolous protest may be fined.

Subp. 10. **No assistance to jockey.** No person shall assist a jockey in removing from his or her horse the equipment that is to be included in the jockey's weight, except by permission of the stewards.

Subp. 11. **Coverings prohibited.** No person shall throw any covering over any horse at the place of dismounting until the jockey has removed the equipment that is to be included in his or her weight.

Subp. 12. **Dead heats.** Dead heats shall be governed in the following manner.

A. When two or more horses run a dead heat, the dead heat shall not be run off.

B. In a dead heat for first place, each horse shall be considered a winner.

C. When two or more horses finish in a dead heat and a protest is made and allowed against a horse having finished in front of the dead heat, the horses which ran the dead heat shall be deemed to have run a dead heat from the higher position.

D. Owners of horses in a dead heat for any position shall divide equally all money and other prizes, and if no agreement can be reached as to which of them shall receive a cup, plate, or other indivisible prize, they shall draw lots for it in the presence of one or more of the stewards.

Subp. 13. **Race declared no contest.** If a race has been run by all the horses at the wrong weights or over a wrong distance, and if a protest is made and allowed before the flashing of the "Official" sign on the totalizator board, the stewards shall declare the race no contest.

Subp. 14. **Horse becomes crippled or disabled.** The following procedures shall apply if a horse during the running of a race becomes crippled or otherwise obviously unable to finish (broken bone, profuse bleeding, or other equally disabling condition):

A. It shall be dismounted, unsaddled by the jockey or an MRC licensee, and removed from the course without passing the stand.

B. If a bone is broken, the horse shall remain on the course until the horse ambulance arrives and the horse is removed under the direction of the commission veterinarian or association veterinarian.

C. If euthanasia of the horse is determined necessary, the euthanasia shall be performed by a veterinarian licensed by the commission through the use of a needle preferably in a place out of vision of the public. If euthanasia within view of the public is necessary, an ambulance screen must be used. Removal of the horse after euthanasia shall be the responsibility of the association.

D. If euthanasia of a horse is determined necessary, the jockey will not be required to weigh in.

E. The steward shall be notified after euthanasia has been performed.

Statutory Authority: *MS s 240.23; 240.24; 240.29*

History: *9 SR 2527; 13 SR 38; 16 SR 2684; 18 SR 886; 19 SR 2307; 20 SR 2592; 31 SR 1277; 33 SR 8; 35 SR 627*

7883.0170 RACING EQUIPMENT.

A. No bridle shall weigh more than two pounds, and no whip shall weigh more than one pound. No whip shall be used unless it has affixed to its end a leather popper not less than 1-1/4 inches in width, and not over three inches in length, and be feathered above the popper with not less than three rows of leather feathers, each feather not less

7883.0170 HORSE RACES

260

than one inch in length. No whip shall exceed 31 inches in length. All whips are subject to inspection and approval by the stewards. Toe grabs other than wear plates with a height no greater than two millimeters (0.07874 inches), bends, jar caulks, stickers, and any other traction device worn on the front shoes of horses while racing or training on all racing surfaces are prohibited.

B. Once inspected and approved by the stewards, no changes may be made in the equipment covered by this part, without subsequent approval of the stewards.

Statutory Authority: *MS s 240.23*

History: *18 SR 886; 33 SR 8; 34 SR 1135*