

**7871.0150 EMERGENCY PROCEDURES WHEN POOLS ARE COMMINGLED AT THE CLASS A FACILITY OR AT AN ALTERNATIVE FACILITY.**

Subpart 1. **Interruption of audio/visual satellite signal from host racetrack.** In the event of an interruption of both the audio and video satellite signal from the host racetrack, the guest track may continue to accept wagering on the balance of the program and subsequent programs until the satellite downlink has been reestablished, if the wagering hub has an audio/visual feed from the host track and the on-track public is notified by public announcement. If the audio and video interruption will not be corrected before the end of the host track's racing program, betting must be stopped for the races that will not be televised but all advanced wagers must be honored. If the initial audio or visual signal is not established, the guest track must make an announcement to the public and stop betting until the signals are established. All advanced wagers made without an audio or video signal must be honored.

Subp. 1a. **Disruption of communication between Class A facility and alternative facility.** In the event that the communications between the Class A facility and the alternative facility fails, the Class B licensee must:

A. notify the alternative facility operator, the designated racing commission representative, and the wagering patrons that an interruption in communication has occurred; and

B. immediately begin to execute back-up procedures to reestablish communication between the Class A and alternative facility.

Subp. 2. **Wagering interface interruption when Class A facility is guest racetrack.** If for any reason it becomes impossible to successfully merge, electronically or manually, the bets placed into the host track pool, the guest track shall make payouts in accordance with host track prices or refunds as described in subpart 4b.

Subp. 2a. **Wagering interface interruption when Class A facility is host racetrack.** If the host mutuel manager determines that a guest track has not transmitted its pools to the host track in a timely manner or if a manual merge jeopardizes the integrity of the host track's pools, delays the host track's program, or a manual merge is attempted and failed, the guest track must be excluded from the wagering pools. In the event of a manual merge:

A. The guest tote system operator must inform the host tote system operator of the total amount in the pool, the total dollars on winning wagers, and the total dollars on the losing wagers in the pool. The guest tote system operator shall send that information via a facsimile machine to the host tote system.

B. The stewards at the host racetrack must be notified when the procedure has been completed in order to declare the race official.

C. The licensee's tote system representative shall prepare a report indicating that the transfer of data could not be completed electronically and that the pools were merged manually. The report shall also include the following:

- (1) a copy of the pool print report prior to the failure of the transfer of data;
- (2) a copy of the final pool print report;
- (3) a brief statement as to where the failure occurred, when the stewards were notified, and for what time period were prices delayed; and
- (4) a worksheet from the host track signed by the host tote system representative, the host mutuel manager, and the state representative from the host's state racing commission showing total dollars bet in each pool and the final prices.

Subp. 3. [Repealed, 26 SR 1438]

Subp. 4. [Repealed, 26 SR 1438]

Subp. 4a. [Repealed, 26 SR 1438]

Subp. 4b. **Procedures for paying host track prices.**

A. In the event that wagers are not accepted at the host track, the guest track shall pay the host track prices on affected single-race pools. The funds derived from the wagers shall be applied to the payment of the affected winning tickets. The guest and host tracks along with the totalizator companies shall resolve any resulting liabilities among themselves. Underpayments may be used to offset overpayments generated during a calendar year. Any resulting surplus at the close of wagering on December 31st of a calendar year must be added into a net wagering pool, chosen by the association and approved by the commission in accordance with part 7873.0110, subpart 3, on the first live racing day of the following meet. If there is a deficit at the close of wagering on December 31st of a calendar year, that deficit will be the starting point for which the following year's cumulative total begins. The mutuel department or tote representative or both must submit to the commission a complete report of payments made to winning ticket holders resulting in any surplus or liability. This report must also summarize the yearly total of accumulated surpluses and liabilities. This report must be submitted to the commission within 48 hours of the failure.

B. In the event that wagers are not accepted at the host track, the guest track shall refund wagers on affected multiple-race pools.

Subp. 5. **Notification and reporting.** In the event of system disruption in connection with the pari-mutuels or audio/visual satellite signal covered in subparts 1 to 2a or in any situation not covered in subparts 1 to 2a, the pari-mutuel representative from the association will notify the stewards or designated commission representative of the interruption as soon as possible and render a written report to the commission within 48 hours.

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

**History:** *14 SR 1419; 20 SR 2592; 23 SR 1540; 24 SR 1568; 26 SR 1438*

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