

7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.

Subpart 1. **Individual owners.** An applicant for an individual owner's license must own, lease, or be a lessor of a horse eligible to race in Minnesota which is registered with the racing secretary and under the care of a trainer licensed by the commission.

If younger than 18 years of age, an applicant for an individual owner's license must submit a notarized affidavit from his or her parent or legal guardian stating that the parent or legal guardian assumes responsibility for the applicant's financial, contractual, and other obligations relating to the applicant's participation in racing. A parent or legal guardian submitting such an affidavit also shall submit information required in part 7877.0110, subpart 2. If the commission has reason to doubt the financial responsibility of an applicant for an individual owner's license, the applicant shall complete a verified financial statement.

Subp. 2. **Multiple owners.** Applicants for a multiple owner's license must comply with subpart 1 and the following requirements.

A. A corporation, general partnership, limited partnership, trust, or any combination of two or more individuals, except spouses, which owns or leases a horse eligible to race in Minnesota (hereinafter referred to as "multiple owner") must obtain a Class C license issued by the commission.

B. Directors, officers, general partners, policymakers, and all holders of direct or indirect record or beneficial ownership or other voting interests or control, whether absolute or contingent, of five percent or more in a multiple owner also must obtain Class C licenses issued by the commission.

C. Individuals or entities required by items A and B to obtain a Class C license must make their best effort, as defined in part 7870.0030, item E, to disclose to the commission in writing at the time of each Class C license application and renewal request, any interest in a race horse other than horses owned or leased by the multiple owner, and any agreement or understanding entered into regarding the racing of horses owned or leased by the multiple owner or the distribution of the benefits of racing the horses.

D. A multiple owner must make its best effort, as defined in part 7870.0030, item E, to disclose to the commission in writing at the time of each Class C license application and renewal request, the nature and extent of every direct or indirect record of beneficial ownership or other voting interest or control, whether absolute or contingent, in the multiple owner. The disclosure shall include the names and addresses of every individual and other entity. The individuals and other entities identified, except those required to be licensed pursuant to item B, shall not be licensed and shall not have access to restricted areas at racetracks.

E. A corporation must file with the commission, at the time of application for a Class C license, a copy of its articles of incorporation and a notarized statement signed by its chief executive officer agreeing to represent the entire ownership and be responsible for the corporation's horses and all racing matters.

F. A general partnership shall file with the commission, at the time of its application for a Class C license, a copy of the partnership agreement and a notarized agreement signed by all the partners designating a partner to represent the entire ownership and be responsible for the partnership's horses and all racing matters.

G. A limited partnership shall file with the commission, at the time of its application for a Class C license, a copy of the partnership agreement and a notarized designation of a general partner to represent the entire ownership and be responsible for the partnership's horses and all racing matters.

H. A stable is defined as any ownership operating under a name other than their own name and must be registered with the commission by filing an application on a form prescribed by the commission. No person may use the real name of another owner of race horses as a stable name. A stable name which has already been registered may not be registered by another owner. The granting of a stable name registration by the commission shall not relieve any person from the obligation to file or register a fictitious name as provided by the laws of Minnesota. The registration of a stable name must reflect all actual ownership interests. The stable name and the name of the owner shall be published in the program. If the stable name consists of more than one person, the program shall list the name of the managing owner along with the phrase "et al."

Subp. 3. **Trainers and assistant trainers.** Applicants for a trainer's or assistant trainer's license must comply with the following requirements.

A. An applicant for a trainer's license or an assistant trainer's license must be at least 18 years old.

B. Any person applying for the first time in Minnesota for a trainer's or assistant trainer's license shall submit to the examination required of prospective trainers and assistant trainers under subpart 4, items B and C unless the applicant has been licensed as a trainer or assistant trainer in another racing jurisdiction for at least the two preceding years, and meets the criteria in part 7877.0100, subpart 2.

C. An applicant for a trainer's license shall have at least one horse to train which is eligible to race in Minnesota. An applicant for an assistant trainer's license shall be employed by a licensed trainer with at least six horses in his or her stable at the time of filing the assistant trainer's application.

D. An applicant for a trainer's license shall provide proof of having complied with the workers' compensation laws, Minnesota Statutes, chapter 176, and all pertinent rules adopted thereunder.

Subp. 4. **Prospective trainers and assistant trainers.** An applicant who has never been licensed by the commission or by another racing jurisdiction as a trainer or an assistant trainer must have at least two years' experience in an occupation that indicates a knowledge of horsemanship and racing practices.

A. The applicant must submit three letters of recommendation from former employers or currently licensed trainers attesting to the applicant's ability and experience.

B. The applicant must pass a written examination administered by the stewards, or their designee, covering such subjects as rules of racing, care and handling of horses, and proper use of racing equipment.

C. The applicant must pass a practical test of horsemanship administered by the stewards or their designee.

Subp. 5. **Jockeys.** Applicants for a jockey's license must comply with the following requirements.

A. An applicant for a jockey's license must be at least 16 years old.

B. The applicant must have been licensed previously as a jockey or apprentice jockey by the commission or by another racing jurisdiction.

C. The applicant must pass a physical examination by a licensed, practicing physician within a year prior to the first Minnesota race meeting at which he or she intends to ride.

D. An applicant for a jockey's license may not be the owner or trainer of a race horse.

Subp. 6. **Apprentice jockeys.** Applicants for an apprentice jockey's license must comply with the following requirements.

A. An applicant for an apprentice jockey's license must be at least 16 years old.

B. The applicant must have been licensed previously by the commission or another racing jurisdiction as an apprentice jockey or as an exercise rider, or have acquired comparable experience at a training facility or farm. If licensed as an exercise rider or acquired comparable experience, an applicant must demonstrate the ability to break a horse from a starting gate in company with other horses under the observation of a starter and, thereafter, ride in at least two races under the observation of the stewards.

C. An applicant must pass a physical examination by a licensed, practicing physician within a year prior to the first Minnesota race meeting at which he or she intends to ride.

D. Only thoroughbred races at authorized race meetings in the United States, Canada, or Mexico, which are reported in the Daily Racing Form or other recognized racing publication, shall be considered in determining eligibility for licensing as an apprentice jockey.

E. An applicant for an apprentice jockey's license may not be the owner or trainer of a race horse.

F. An apprentice jockey shall race under certificate issued by the commission in accordance with the standards in part 7877.0170, subpart 3, item A.

Subp. 7. **Exercise rider.** An applicant for an exercise rider's license must have been licensed as an exercise rider by the commission or by another racing jurisdiction. If unable to meet this requirement, an applicant shall demonstrate to the stewards, or their designee, the ability to ride a galloping race horse.

Subp. 8. **Harness driver.** Applicants for a harness driver's license must be at least 16 years old. In addition:

A. The applicant must have been licensed previously as a harness driver by the commission or another racing jurisdiction, or the USTA. When licensed by the USTA and applying to drive at a Class D race meet, the USTA license classifications shall apply.

B. If the applicant has never been licensed as a harness driver, the applicant must meet the qualifications of Rule 17 for the current United States Trotting Association (USTA) Charter, Bylaws, Rules and Regulations to qualify for drivers licenses.

(1) If such an applicant successfully completes those prerequisites, the applicant shall be issued a "QF" (qualifying fair) license to compete in qualifying and other nonwagering races only.

(2) The holder of a "P" (provisional) license must drive in at least 12 qualifying or nonwagering races, under supervision of the stewards, before being awarded a harness driver's license.

Subp. 9. **Veterinarians.** An applicant for a veterinarian's license must:

A. be currently licensed by the Minnesota Board of Veterinary Medicine to practice veterinary medicine in Minnesota;

B. demonstrate to the commission's veterinarian that he or she is familiar with current equine medical practices and possesses knowledge of the commission's medication rules as specified in chapter 7890;

C. provide proof of current United States Department of Agriculture Animal and Plant Inspection Service accreditation in Minnesota; and

D. provide proof of current registration status under the Controlled Substance Act of 1970, including the schedules for which the applicant has been approved by the Drug Enforcement Administration.

Subp. 10. **Farriers.** An applicant for a farrier's license must have been licensed previously as a farrier by the commission or another racing jurisdiction, or must pass an examination related to the shoeing of race horses administered by the stewards or their designee.

Subp. 11. **Pony riders.** An applicant for a pony rider's license must have been licensed previously as a pony rider by the commission or by another racing jurisdiction. If unable to meet this requirement, the applicant must demonstrate his or her riding ability to the stewards or their designee.

Subp. 12. **Stable supervisor.** An applicant for a stable supervisor's license must have been licensed previously as a stable supervisor by the commission or by another racing jurisdiction, or must have been licensed as a groom for at least one year in any racing jurisdiction.

Subp. 13. **Jockey agents.** An applicant for a jockey agent's license must have been licensed previously as a jockey agent by the commission or by another racing jurisdiction, and may represent no more than two jockeys and one apprentice jockey.

If never licensed as a jockey agent, the applicant must have at least one year's experience as a Class C licensee or have held an occupational license from another racing jurisdiction, and must pass a written examination administered by the stewards or their designee relating to jockey engagements, horse eligibility, and other topics relevant to his or her appointment as a jockey agent.

Subp. 14. **Authorized agents.** To be appointed an authorized agent, the appointee must be licensed as an individual owner, a trainer, or an assistant trainer. A written agency appointment authorizing the authorized agent to act on behalf of a licensed individual owner or licensed multiple owner, or licensed trainer in racing matters not directly related to the care and training of horses must accompany the appointment. The authorization shall be on a form provided by the commission and shall define the powers, limits, and terms of the agency agreement. The authorization must be signed by the individual principals or the multiple owner designated representative and notarized.

A separate notarized agency appointment is required for each principal an authorized agent intends to represent. All such agencies shall remain in effect for the duration of the current race meeting unless written notice of revocation is submitted to the stewards at the meeting where the principal is racing.

Subp. 15. **Bloodstock agents.** Any person who for gain, gratuity, commission, or reward, in either money or goods, acts as an agent for the sale or purchase of any race horse not his or her own which is eligible to race at an authorized race meeting in Minnesota, and who offers for sale, offers to purchase for a client or for his or her own account for resale within 60 days, or offers his or her services as an agent in the purchase or sale of any race horse not his or her own which is eligible to race in Minnesota, must obtain a Class C license from the commission to act as a bloodstock agent.

Subp. 16. **Concessionaire or vendor.** Notwithstanding part 7877.0100, subpart 1, any person or entity that sells or distributes products or provides services at a Class A or D facility outside of the time of a live race meeting for fewer than four consecutive days, or less than a total of 11 days in a calendar year, and which products or services are sold or distributed in a restricted area or are necessary for the running of a horse race, does not need to be licensed. The director of pari-mutuel racing shall request the director of the Division of Alcohol and Gambling Enforcement to investigate the background, financial responsibility, security, and integrity of any person or entity providing such products or services to a licensed racetrack.

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; 15 SR 2307; 16 SR 2684; 17 SR 1279; 19 SR 2307; 20 SR 2592; L 1997 c 129 art 2 s 15; 24 SR 1568; 28 SR 1482; 31 SR 1277; 33 SR 8*

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