

7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.

Subpart 1. **Single owners.** An applicant for a single 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. The applicant must give consent for the commission to share the following data on each such horse registered with The Jockey Club:

A. all prerace examination data collected or created by the commission veterinarian and the veterinarian's designees pursuant to part 7891.0100; and

B. all injury data collected or created by the commission, the commission veterinarian, or their designees.

If younger than 18 years of age, an applicant for a single 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, and must meet the criteria for licensure set forth in part 7877.0100, subpart 2, and Minnesota Statutes, section 240.08. If the commission has reason to doubt the financial responsibility of an applicant for a single 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 legally formed corporation, partnership, or 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 multiple owner 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. The applicant must give consent for the commission to share the following data on each such horse registered with The Jockey Club:

(1) all prerace examination data collected or created by the commission veterinarian and the veterinarian's designees pursuant to part 7891.0100; and

(2) all injury data collected or created by the commission, the commission veterinarian, or their designees.

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 multiple owner must file with the commission, at the time of application for a Class C license, a notarized statement signed by one or more individuals agreeing to represent the entire ownership and be responsible for the multiple owner's horses and all racing matters.

F. 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 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 comply with the workers' compensation laws and maintain all applicable policies and requirements under Minnesota Statutes, chapter 176, and all pertinent rules adopted thereunder. The Minnesota Racing Commission shall be named as a certificate holder with the insurance company providing the workers' compensation coverage. The commission, as a certificate holder, must be notified of any changes in the policy at the same time as the policy holder or by the earliest date permitted under the policy and applicable law.

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. A person licensed as an exercise rider is eligible to be licensed as a pony rider.

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. 9a. **Equine masseuse.** An applicant for an equine masseuse license must:

A. provide documentation of completion of formal training as an equine masseuse; and

B. demonstrate to the commission veterinarian that the applicant is familiar with equine anatomy, equine behavior, devices used by an equine masseuse, and with current equine masseuse practices.

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, the following vendors, and their employees or representatives, do not need a license from the commission:

A. providers of professional services that are currently licensed in good standing by the state, including but not limited to accountants, attorneys, insurance companies, construction companies, private investigators, medical professionals, and caterers;

B. state or local government agencies;

C. the Minnesota Lottery;

D. entertainers and entertainment promoters;

E. nonprofit organizations and their volunteers; and

F. any vendor, other than a racing or gaming-related vendor as defined in subpart 17:

(1) that sells or distributes products or provides services at a Class A or D licensed 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

(2) whose products or services are not sold or distributed in a restricted area of a licensed racetrack.

Subp. 17. Racing or gaming-related vendors.

A. Any person meeting the definition of Minnesota Statutes, section 240.01, subdivision 18a, must be licensed as a racing or gaming-related vendor. This includes all vendors who sell, provide, distribute, repair, or maintain the following:

(1) totalizator equipment and services;

(2) satellite equipment and services;

(3) security and surveillance equipment and services;

(4) teletimer equipment and services;

(5) tip sheets;

(6) electronic game tables and game systems;

(7) card tables and their components;

(8) licensed card games;

(9) chips, cards, shufflers, and related services and supplies;

(10) photo and video equipment, services, and supplies;

(11) pari-mutuel wagering machines, systems, and tickets;

(12) chart caller services; and

(13) any other goods or services that the commission reasonably determines are directly related to the running of a horse race, simulcasting, pari-mutuel betting, or card playing. In making any such determination, the commission shall consider whether the goods or services:

- (a) are designed for use in the conduct of horse racing or card playing;
- (b) will be used to conduct racing, gaming, or related functions;
- (c) have the capacity to affect the outcome of a horse race or card game;
- (d) have the capacity to affect the calculation, storage, collection, or control of gross receipts or payouts; or
- (e) may materially impact the operation, security, surveillance, regulation, or management of horse racing or card playing.

B. "Small racing or gaming-related vendor" means a racing or gaming-related vendor, other than a tip sheet provider, that does not collect more than \$50,000 in gross receipts from all business transacted with, or on the premises of, all Class A or B license holders combined during a calendar year in which it is licensed.

C. "Large racing or gaming-related vendor" means a racing or gaming-related vendor that collects more than \$50,000 in gross receipts from all business transacted with, or on the premises of, all Class A or B license holders combined during a calendar year in which it is licensed.

D. In addition to the information required by part 7877.0110, at the time of application for a Class C license, and at any other time upon request of the commission, a racing or gaming-related vendor shall provide the commission with a report detailing its monthly gross receipts from all business transacted with, or on the premises of, all Class A and B license holders during the most recent calendar year.

Statutory Authority: *MSs 240.03; 240.08; 240.10; 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; 40 SR 29; 44 SR 1031; 44 SR 1047*

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