

CHAPTER 7878
MINNESOTA RACING COMMISSION
RACETRACK SECURITY OFFICERS

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7878.0100 DEFINITIONS.

Subpart 1. **Scope.** For purposes of this chapter, the following words and phrases have the meanings given to them unless another intention clearly appears.

Subp. 1a. **A&GED.** "A&GED" means the Alcohol and Gambling Enforcement Division of the Minnesota Department of Public Safety.

Subp. 2. **Appointing authority.** "Appointing authority" means the holder of a Class A, Class B, or Class D license issued by the commission.

Subp. 3. **Appointment.** "Appointment" means an official declaration by the appointing authority that it has engaged an individual as a security officer.

Subp. 4. **Basic course.** "Basic course" means a course for training security officers prior to the assumption of their official duties.

Subp. 5. [Repealed, 24 SR 1568]

Subp. 6. **Commission.** "Commission" means the Minnesota Racing Commission.

Subp. 7. **Continuing education.** "Continuing education" means refresher training for security officers.

Subp. 7a. **Division.** "Division" means the Division of Alcohol and Gambling Enforcement in the state Department of Public Safety.

Subp. 8. [Repealed, 28 SR 1482]

Subp. 9. **First aid course.** "First aid course" means the Red Cross or American Heart Association basic course.

Subp. 10. **POST Board.** "POST Board" means the Minnesota Peace Officer Standards and Training Board.

Subp. 11. **Security officer.** "Security officer" means a person whose principal duty is the protection of persons or property at a racetrack licensed by the commission.

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

History: *9 SR 2527; 11 SR 2201; 16 SR 1800; 20 SR 2592; L 1997 c 129 art 2 s 15; 24 SR 1568; 28 SR 1482*

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7878.0110 MINIMUM SELECTION STANDARDS.

Subpart 1. **Applicant must meet selection standards.** A person eligible to be licensed by the commission as a security officer must be an employee of a Class A, B, or D licensee and shall meet the following minimum selection standards prior to being appointed a security officer. The appointing authority may certify that the applicant has already completed certain of these standards and provide documentation to that effect pursuant to subpart 2. In all cases, the security officer must:

- A. complete a comprehensive written Minnesota Racing Commission license application;
- B. submit to a thorough background search by the A&GED to disclose the existence of any criminal record or conduct which would adversely affect the performance of the security officer's duties;
- C. not have been convicted of a felony in Minnesota (or in any other state or federal jurisdiction which would have been a felony if committed in Minnesota), or criminal theft, or a pari-mutuel horse racing or gambling crime;
- D. provide fingerprint cards to the commission; and
- E. pass an oral examination conducted by the appointing authority to demonstrate the existence of communication skills necessary to perform the duties and functions of a security officer.

Subp. 2. **Documentation subject to review by commission.** The appointing authority shall maintain documentation the commission deems necessary to show compliance with this chapter. The documentation is subject to periodic review by the commission and shall be made available upon request.

Statutory Authority: *MS s 240.03; 240.08; 240.10; 240.13; 240.15; 240.16; 240.19; 240.23; 240.24*

History: *9 SR 2527; 16 SR 1800; 20 SR 2592; 24 SR 1568; 40 SR 29*

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7878.0120 LICENSING OF SECURITY OFFICERS.

Subpart 1. [Repealed, 42 SR 1258]

Subp. 2. **Applicant shall apply for Class C license.** If the prospective appointee does not already possess a Class C license as a security officer, he or she shall apply for such a license on a form prescribed by the commission. The applicant and the appointing authority shall affirm that the individual is eligible to be licensed as a security officer. The applicant shall also submit the license fee required in part 7877.0120, subpart 1, item X or Y.

Subp. 3. [Repealed, 11 SR 2201]

Subp. 4. [Repealed, 33 SR 2095]

Statutory Authority: *MS s 240.03; 240.08; 240.10; 240.19; 240.23*

History: *9 SR 2527; 14 SR 2008; 16 SR 2684; 33 SR 2095; 42 SR 1258*

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7878.0130 BASIC COURSE.

Subpart 1. **Applicant shall successfully complete basic course.** No security officer may work in that capacity, except under the continuous direct supervision of an experienced security officer, until the association furnishes proof to the commission that the security officer has successfully completed a basic course that includes at least 16 hours of instruction in the following subject areas:

- A. Minnesota criminal statutes;
- B. Minnesota horse racing statutes;
- C. criminal procedure;
- D. rights of individuals (constitutional law);
- E. Minnesota Racing Commission rules;
- F. security operations and procedures;
- G. first aid;
- H. cardio pulmonary resuscitation (CPR); and
- I. report writing.

Subp. 2. **Commission may waive requirements.** Participation or continued instruction in a particular subject area listed in subpart 1 must be waived by the commission if the individual shows satisfactory evidence that he or she is licensed or eligible to be licensed by the POST Board.

Subp. 3. **Appointing authority shall maintain information.** The appointing authority shall be responsible for maintaining and making available to the commission pertinent information on courses of instruction and persons employed as security officers.

Statutory Authority: *MS s 240.03; 240.08; 240.23; 240.24*

History: *9 SR 2527; 10 SR 2161; 20 SR 2592; 42 SR 1258*

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7878.0140 CONTINUING EDUCATION.

Subpart 1. **Licensee shall successfully complete refresher training.** No security officer's license may be renewed unless the licensee or the appointing authority furnishes the commission proof that the licensee is currently certified in cardiopulmonary resuscitation and has successfully completed, on an annual basis, at least eight hours of refresher training in the areas of:

- A. first aid; and
- B. security plan, policy, and procedure of the racing association.

Subp. 2. **Commission must approve courses.** Prior to receiving credit for course approval, the appointing authority or the licensee must submit to the commission a detailed outline of the course and the instructors' credentials. All POST Board certified courses shall be considered by the commission to be approved continuing education courses. Approval of continuing education courses shall be based on relevance to knowledge, skills, and abilities needed for security officers. Approved courses of continuing education credit will be granted at the rate of one hour for each 50 minutes of class sessions.

Statutory Authority: *MS s 240.03; 240.23; 240.24*

History: *9 SR 2527; 10 SR 2161; 11 SR 2201; 41 SR 1322*

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7878.0150 STANDARDS OF CONDUCT FOR SECURITY OFFICERS.

Subpart 1. [Repealed, 42 SR 1258]

Subp. 1a. **Carrying of firearms.** For each association employee who may carry a firearm on the grounds of a licensed racetrack, the association shall provide the commission's director of security with a current copy of the employee's permit to carry a firearm.

Subp. 2. **Restrictions on security officers.** No security officer may:

- A. use unreasonable force;
- B. obstruct, hinder, interfere, or prevent an investigation by the commission or a law enforcement agency;
- C. linger on the backstretch while off-duty; or
- D. while on duty, place a bet on a race run by the association where he or she is employed.

Statutory Authority: *MS s 240.03; 240.13; 240.15; 240.16; 240.19; 240.23; 240.24*

History: *9 SR 2527; 10 SR 2161; 24 SR 1568; 42 SR 1258*

Published Electronically: *May 1, 2018*

7878.0160 SECURITY COOPERATION.

Subpart 1. **Security officers must cooperate with law enforcement agencies.** Class A, Class B, and Class D licensees and all security officers must cooperate fully with federal, state, and local law enforcement agencies with jurisdiction to enforce criminal laws at horse racing facilities, and must report promptly all crimes suspected, investigated, or prevented at a licensed racetrack to the A&GED.

Subp. 2. **Notification of searches.** Within 24 hours of any searches conducted by an association or its security personnel, the Racing Commission director of racing security or his or her designee must be notified of the searches and any relative circumstances involved. A copy of the inventory sheet of all items confiscated during the searches must accompany the notification. All illegal contraband seized as a result of a search must be immediately delivered to the local law enforcement agency. Under no circumstances shall the association or its security personnel destroy or otherwise dispose of any illegal contraband.

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

History: *9 SR 2527; 10 SR 2161; 24 SR 1568*

Published Electronically: *January 27, 2005*

7878.0170 CLASS D SECURITY OFFICERS.

Subpart 1. **Security officers may be provided by sheriff's office and police department.** Security officers at a class D racetrack may be provided by the sheriff's office in the county and the police department in the city in which the class D license is held.

Subp. 2. **Designee.** The sheriff and/or the chief of police or a designee will be the director of security for the race meet.

Subp. 3. **Assistance.** The sheriff and/or the chief of police may utilize deputies, reserve deputies, police officers, reserve officers, or any individual who meets the minimum standards as specified in part 7878.0110.

Statutory Authority: *MS s 240.23*

History: *18 SR 886; 19 SR 2307*

Published Electronically: *January 27, 2005*

7878.0180 SECURED AREAS OF LICENSED RACETRACK GROUNDS.

Subpart 1. **Association to provide security.** Unless otherwise authorized by the commission, an association shall provide continuous security in the stable area of a licensed racetrack during all times that horses are stabled on the grounds. Security officers shall require any person entering the stable area to display a commission license, temporary pass issued under part 7877.0165, or visitor's pass issued by the association.

Subp. 2. **Visitor's pass.** A security officer may issue a visitor's pass to give unlicensed persons temporary access to secured areas of a licensed racetrack. The following requirements shall apply.

- A. A visitor's pass may only be issued at the request of:
- (1) an authorized association employee or official;
 - (2) a racing commissioner or commission employee; or
 - (3) a licensed trainer or assistant trainer.
- B. The person requesting the visitor's pass is responsible for the proper conduct of the visitor and shall ensure compliance by the visitor with all commission rules.
- C. A visitor's pass shall be valid for a limited time not to exceed 24 hours.
- D. Security officers shall keep a copy of each visitor's pass issued.
- E. A visitor's pass must contain the following:
- (1) the name of the visitor;
 - (2) the name of the person requesting the visitor's pass;
 - (3) the date and time the pass was issued; and
 - (4) the date and time the pass will expire.
- F. A visitor's pass does not entitle the visitor to participate in racing in any way other than as a patron.

Statutory Authority: *MS s 240.03; 240.23*

History: *42 SR 1258*

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