

7897.0110 USE OF DRUGS AND ALCOHOL.

Subpart 1. **Drugs.** The commission, the commission's director of security, or the stewards may, at any time, require any licensee having direct physical contact with horses or direct responsibility for some portion of the day's racing program, or whose racing duties place him or her in a position of danger, or who commits an act that endangers a horse or human, to provide one of the following for analysis: blood, breath, or urine samples. The type or types of sample to be provided shall be determined by the board of stewards after consideration of the circumstances involved and the alleged substance involved. If such a licensee fails to comply with this requirement, the licensee shall be suspended and referred to the commission to show cause for refusing to do so.

Should any licensee other than a racing official, jockey, apprentice jockey, assistant starter, or driver, be found to have levels of any nonprescription, prohibited, or illegal drug, or prescription medication at a concentration greater than which has been prescribed, or an alcohol concentration greater than 0.04 percent, the licensee shall be subject to disciplinary action by the stewards and the commission. For purposes of this part, "alcohol concentration" means:

- A. the number of grams of alcohol per 100 milliliters of blood; or
- B. the number of grams of alcohol per 210 liters of breath; or
- C. the number of grams of alcohol per 67 milliliters of urine.

Should a licensee who is a racing official, jockey, apprentice jockey, assistant starter, or driver be found to have any level of any nonprescription, prohibited, or illegal drug, or alcohol, or prescription medication at a concentration greater than which has been described, the licensee shall be subject to disciplinary action by the stewards and the commission.

Subp. 2. [Repealed, 15 SR 2307]

Statutory Authority: *MS s 240.08; 240.16; 240.23; 240.24*

History: *9 SR 2527; 11 SR 2201; 15 SR 2307; 19 SR 2307; 22 SR 1785; 28 SR 1482*

Published Electronically: *January 27, 2005*