

3769-4-13

Maintain ambulance.

- (A) Every commercial permit holder shall furnish and maintain at least one ambulance for human use, staffed with two or more ~~qualified emergency medical technicians and/or~~ paramedics as defined in 4765.01 of the Revised Code. Such ambulance shall be properly and fully equipped to include a defibrillator and such other equipment as directed from time to time by order of the commission, licensed to operate on public highways, and ready for immediate duty during training and racing hours and until the day's program is completed. Said ambulance shall be located at a point on the permit holder's premises where it can respond to all calls in the shortest possible time, and shall be prepared and licensed to transport an injured person(s) when necessary from the racetrack facility directly to a hospital or other emergency medical treatment facility located off the grounds of the racetrack. During the running of the race, unless otherwise directed by the stewards due to weather conditions or other extraordinary circumstances, the ambulance shall follow the field until the conclusion of the race. If the ambulance is being used to transport an individual, the permit holder may not conduct a race or allow horses on the racetrack until an ambulance returns.
- (B) Every commercial permit holder shall furnish and maintain at least one horse ambulance properly equipped and placed at a location on the permit holder's premises so as to be able to respond to a call in the shortest possible time. This ambulance shall be available for the duration of the meeting.

*** DRAFT - NOT YET FILED ***

3769-4-20

~~Temporary hospital~~ **First aid room.**

Every permit holder shall have ~~equip~~ and maintain on its premises a ~~temporary hospital~~ first aid room ~~equipped with~~ with first-aid equipment ~~appliances and material~~, to include a defibrillator and such other equipment as directed ~~from time to time by order of~~ by the commission. The permit holder ~~and~~ shall provide ~~the attendance of one or more~~ physicians or one or more certified paramedics as defined 4765.01 of the Revised Code ~~in the first aid room and one or more registered nurses thereat~~ during racing hours.

*** DRAFT - NOT YET FILED ***

3769-5-17

Full name of all owners.

Every entry must be made in the name of a person having an ownership interest in the horse and must be made in writing by such owner or by his trainer or by the authorized agent of either or by a jockey agent. The authorized agent or jockey agent must be licensed at the time the entry is received by the race office. The full name of every person having ownership in a horse or any interest in its winnings and the proportions of each or either must be recorded with the racing secretary before it starts at any meeting. The stewards may penalize any failure to comply with this rule, and may disqualify any horse which races after being entered in violation of this rule. Under this rule, "in writing" includes electronic methods approved by the commission which generates a printed copy of such writing

*** DRAFT - NOT YET FILED ***

3769-7-01

Owners must be licensed and workers' compensation.

- (A) No permit holder shall allow any horse to start in a race unless the owner, owners, lessee or lessees of same are licensed or the owner has been issued a reciprocal validation for a current and properly issued owner's license from another state or other racing jurisdiction which has reciprocity with the ~~Ohio state racing~~ commission. Any owner who shall desire to ride his own horse in a race may be issued a jockey's license, at the steward's discretion, but must also secure an owner's license. No applicant shall be issued a jockey's license without meeting the qualifications listed in 3769-7-13.
- (B) In addition to all other rules applicable to license as promulgated by the commission, an owner and trainer must provide workers' compensation coverage in accordance with Ohio law, for all of his or her employees who are connected with racing. Upon request of the commission, the owner and trainer must provide satisfactory proof of such workers' compensation coverage.

3769-7-04

Registration colors.

- (A) Each owner shall be entitled to register a set of racing colors without fee other than that which covers the owner's license. Such colors shall not be claimed or used by others except after three years withdrawal from the turf. In thoroughbred racing, no horse shall be allowed to race unless the owner's colors are registered with the stewards and/or Ohio state racing commission. If two conflicting applications are received, priority shall be given to applicants who have their colors registered with the "Jockey Club." An owner's colors shall not be used by a jockey to ride horses owned by other parties. Substitute colors may be permitted for one race only at a meeting. Thereafter a fine up to fifty dollars shall be imposed for each race without proper colors.
- (B) Each permit holder shall provide a sufficient number of jockey caps, ~~which will be of colors which can be blended with the owner's silks; each jockey cap will have a number affixed thereon to coincide with post positions;~~ however, an owner can substitute a cap as part of his/her colors, said cap need not have a number affixed thereto.

*** DRAFT - NOT YET FILED ***

3769-7-13

License required to ride.

No jockey shall be allowed to ride horses on the permit holder's premises during any race meeting unless said jockey has received a license ~~to do so~~ from the commission. Prior to licensing, an applicant shall show competence and demonstrate acceptable riding ability, which may include participation in up to five races with the prior approval of the stewards with the consideration of the recommendations from the starter, the head outrider, the designated representatives of the jockeys and the horsemen at the track. The demonstration of riding ability is defined at the minimum of:

- 1 Breaking with a horse in company from the starting gate.
- 2 Working a horse in company around the turn and down the stretch.
- 3 Switching the riding crop from one hand to the other while maintaining control of the horse in a stretch drive.
- 4 Causing a horse to switch leads coming out of the turn.

3769-7-25

Report to jockey quarters.

- (A) ~~Every rider who has been engaged to ride in a race shall be physically present in the jockeys' room no later than one hour prior to post time for the first race on the day they are scheduled to ride, unless excused by the stewards, or the clerk of scales and upon arrival shall report to the clerk of scales their engagements. In the event a rider should fail for any reason to arrive in the jockeys' room prior to one hour before post time of a race in which he/she is scheduled to ride, the clerk of scales shall so advise the stewards who thereupon shall name a substitute rider and shall cause announcement to be made of any such rider substitution prior to opening of wagering on such race. Jockeys shall report to the jockeys' quarters at the time designated by the stewards. Jockeys' shall report their engagements and any overweight to the clerk of scales.~~
- (B) Each ~~jockey rider~~ reporting to the jockeys' room shall remain in the jockeys' room until they have fulfilled all of their riding engagements for the day, except to ride in a race, or except to view the running of a race from a location approved by the stewards. While in the jockeys' quarters, jockeys' shall ~~Such riders shall~~ have no contact or communication with any person outside the jockeys' room other than an owner or trainer for whom he/she is riding, or a racing official, until such ~~jockey rider~~ has fulfilled all his/her riding engagements for the day. The stewards may allow the jockeys to communicate with other persons only in the presence of the clerk of scales or other persons designated by the stewards.
- (C) Once jockeys' have fulfilled their riding engagements for the day and have left the jockeys' quarters, they shall not be admitted to the jockeys' quarters. They shall not be admitted to the jockeys' quarters until the entire racing program for that day has been completed, except with the permission of the stewards. Any licensed jockey who has no riding engagements for any given day, will not be permitted in the jockeys' quarters.

*** DRAFT - NOT YET FILED ***

3769-7-35

Payment of fines.

All fines imposed ~~by the stewards and the starter~~ shall be paid to the ~~racing secretary~~ stewards. Any person failing to pay a fine within forty-eight hours shall be automatically suspended and may be referred to the commission for further action.

*** DRAFT - NOT YET FILED ***

3769-7-36

Must pay own fine.

No person shall pay the fine of another. The stewards ~~racine secretary~~ shall remit all fine money to the commission. ~~received in fines to a person designated by and in the employ of the permit holder. Said person shall deposit this money in a separate account in an independent financial institution and shall make an accounting of such monies to the commission at the close of each meeting; the person shall also file therewith a copy of a statement from the financial institution wherein such fines money is deposited showing the entries and the balance in said account. With the prior written advice and consent of the commission, said person~~ The commission may from time to time make disbursements from this account for any worthy purpose pertinent to racing.

3769-7-42

Appeal to commission.

- (A) Any licensee fined, suspended, expelled or any other penalty imposed otherwise aggrieved by any stewards' ruling ~~in the application of the rules of racing~~ may appeal to the commission for a review of the decision. Such appeals shall be made in writing and must be filed with the ~~state~~ stewards within forty-eight hours after notification of the ruling. Such forty-eight hour period shall not include any day the stewards are not in attendance at their office. The ~~chairman of the of the~~ commission may appoint a licensed attorney referee to hear such appeals.
- (B) ~~All appeals of the stewards' final rulings shall be made in writing to the commission. Such an appeal must be accompanied by a deposit of five hundred dollars in the form of a certified check made payable to the "Ohio State Racing Commission." Such deposit is required to help defray the necessary expenses for the commission to conduct a formal hearing of the appeal. Such expenses may include but are not limited to the cost of a hearing officer, expense of witnesses called, cost of a court reporter and the cost of renting equipment needed during the hearing.~~
- (C) ~~If the commission upholds the stewards' ruling, the necessary expenses shall be deducted from the five hundred dollar deposit and the remaining amount of the deposit shall be returned. If the commission upholds the stewards ruling and the necessary costs and expenses of the hearing exceed the five hundred dollar deposit, the licensee shall be assessed the case costs and shall not be in an active license status until all costs have been paid in full. If the appellant withdraws the appeal, the deposit shall be forfeited. If the commission finds in favor of the appellant, all of the deposit shall be returned.~~

3769-7-44

~~Cost borne by licensee~~ Payment obligations.

- (A) ~~In the event the commission should hold a hearing pertaining to a violation of the rules of racing and it is necessary to subpoena witnesses, the cost of such witnesses and all other necessary costs of the hearing shall be borne by the licensee found in violation. In case the licensee should be found not in violation of the rules, such cost shall be borne by the commission.~~
- (B) ~~In addition to any other penalty assessed to a licensee by the commission, said person who has been assessed case costs shall not be eligible for licensing until such costs have been paid in full.~~
- (C)(A) ~~In the event any person, firm, corporation, etc., issues a check to the Ohio state racing commission in payment of a license fee or for any other obligation and the check is returned as uncashable for any reason, whoever issued said check shall be fined a minimum of fifty dollars and shall not be eligible to participate in racing until said check and fine have been paid in full.~~
- (D)(B) ~~In the event any person, firm, corporation, etc., issues a check to a permit holder for a jockey fee, entry fee or any other racing related matter and the check is returned as uncashable for any reason, whoever issued said check shall be fined a minimum of fifty dollars and shall not be eligible to participate in racing until said check and fine have been paid in full.~~

~~*** DRAFT - NOT YET FILED ***~~

3769-9-09

~~Quarter horse development fund.~~

~~(A) An Ohio owner, for the purpose of determining eligibility under section 3769.086 of the Revised Code, must comply with the following:~~

~~(1) Has been a permanent resident of the state of Ohio for six months and maintains legal residency status in no other state.~~

~~(2) If a registered voter, is registered to vote in Ohio only.~~

~~(3) Files a personal property tax in Ohio if required to do so.~~

~~(4) Has owned the horse in question at least thirty days prior to the horse's entry in any race for Ohio owned horses involving awards from the Ohio quarter horse development fund.~~

~~(5) All stockholders of corporations or members of partnerships owning horses must be Ohio residents as described above in order for their horses to be eligible to participate in Ohio owned races involving awards from the Ohio quarter horse development fund.~~

~~(B) The owner of any stallion desiring to use him for breeding purposes and to have him qualify under this rule must register said stallion with the Ohio racing commission. Said registration shall be on forms provided by the commission and filed therewith by the time that he first services a mare that particular year. Said stallion must stand for breeding purposes only in Ohio.~~

~~(C) The owner or lessee of any thoroughbred or quarter horse stallion desiring to use him for breeding purposes and to have him qualify under this rule must register said stallion with the Ohio state racing commission. Said registration shall be on forms provided by the commission. A stallion which is to stand for the first time in Ohio must be registered prior to the time he first services a mare that particular breeding season. For the purpose of complying with this rule for the 1977 breeding season, all foals of 1978 shall be eligible if the stallion was properly registered with the commission by December 31, 1977.~~

~~(D) Stallions remaining in the state for more than one breeding season need not be registered annually, but a standard renewal form must be filed annually by November thirtieth preceding the breeding season on forms provided by the commission.~~

*** DRAFT - NOT YET FILED ***

3769-15-01

Racing secretary.

The racing secretary shall prepare the books or sheets of conditions for the races to be contested during the meeting and he/she and his/her assistants shall take entries for all races. The racing secretary shall assign preference for each entry and prepare the races for the drawing of post positions. Post positions shall be drawn through a computerized method or by lot approved by the Commission. ~~by lot by the judges.~~ The number drawn shall be the post position for the race.

*** DRAFT - NOT YET FILED ***

3769-16-24

Starting.

(A) Starter's control. The starter shall have control of the horses from the formation of the parade until he gives the word "go."

(1) Scoring: After one or two preliminary warming-up scores, the starter shall notify the drivers to come to the starting gate. During or before the parade the drivers must be informed as to the number of scores permitted.

(2) The horses shall be brought to the starting gate as near one-quarter of a mile before the start as the track will permit.

(3) Speed of gate: Allowing sufficient time so that the speed of the gate can be increased gradually, the following minimum speeds will be maintained:

(a) For the first one-eighth mile, not less than eleven miles per hour.

(b) For the next one-sixteenth of a mile, not less than eighteen miles per hour.

(c) From that point to the starting point, the speed will be gradually increased to maximum speed.

~~(d) On mile tracks horses will be brought to the starting gate at the head of the stretch and the relative speeds mentioned in paragraphs (A)(3)(a), (A)(3)(b), and (A)(3)(c) above will be maintained.~~

~~(B) Starting point. The "starting point" will be a point marked on the inside rail a distance of not less than two hundred feet from the first turn. The starter shall give the word "go" at the starting point.~~

(B) The starting point will be not less than two hundred feet from the first turn. The starting point shall be clearly identified by a distinctively colored pole at least two feet above the existing pylons. The starter shall give the word "go" at the starting point.

When a speed has been reached in the course of a start there shall be no decrease except in the case of a recall.

*** DRAFT - NOT YET FILED ***

3769-17-01

Owners must be licensed and workers' compensation.

- (A) No permit holder shall allow any horse to start in a race unless the owner, owners, lessee or lessees of same are licensed or the owner has been issued a reciprocal validation for a current and properly issued owner's license from another state or other racing jurisdiction which has reciprocity with the ~~Ohio state racing~~ commission. Any owner who drives his horse in a race must have a driver's ~~driver-trainer~~ license in addition to an owner's license.
- (B) In addition to all other rules applicable to license as promulgated by the commission, an owner and trainer must provide workers' compensation coverage in accordance with Ohio law, for all of his or her employees who are connected with racing. Upon request of the commission, the owner and trainer must provide satisfactory proof of such workers' compensation coverage.

*** DRAFT - NOT YET FILED ***

3769-17-36

Payment of fines.

All fines imposed by the judges and the starter shall be paid to the judges. Any person failing to pay a fine within forty-eight hours ~~may~~ shall be automatically suspended and may be referred to the commission for further action ~~ruled off and/or their license may be revoked by the commission unless an appeal has been filed with the commission and is pending.~~

*** DRAFT - NOT YET FILED ***

3769-17-37

Must pay own fine.

No person shall pay the fine of another. The judges shall remit all fine money received in fines to the commission, a person designated by and in the employ of the permit holder. ~~Said person shall deposit this money in a separate account in an independent financial institution and shall make an accounting of such monies to the commission at the close of each meeting. The person shall also file therewith a copy of a statement from the financial institution wherein such fine money is deposited showing the entries and the balance in said account. With the prior written advice and consent of the commission,~~ said person The commission may from time to time make disbursements from this account for any worthy purpose pertinent to racing.

3769-17-41

Appeal to commission.

- (A) Any licensee fined, suspended, expelled or any other penalty imposed by and judge's ruling otherwise aggrieved by any judges' ruling in the application of the rules of racing may appeal to the commission for a review of the decision. Such appeals shall be made in writing and must be filed with the presiding judge within forty-eight hours after after notification of the ruling. Such forty-eight-hour period shall not include any day the judges are not in attendance at their office. The ~~chairman~~ of the commission may appoint a licensed attorney referee to hear such appeals.
- (B) ~~All appeals of the judges' final rulings shall be made in writing to the commission. Such an appeal must be accompanied by a deposit of five hundred dollars in the form of a certified check made payable to the "Ohio State Racing Commission." Such deposit is required to help defray the necessary expenses for the commission to conduct a formal hearing of the appeal. Such expenses may include but are not limited to the cost of a hearing officer, expense of witnesses called, cost of a court reporter and the cost of renting equipment needed during the hearing.~~
- (C) ~~If the commission upholds the judges' ruling, the necessary expenses shall be deducted from the five hundred dollar deposit and the remaining amount of the deposit shall be returned. If the commission upholds the judges' ruling and the necessary costs and expenses of the hearing exceed the five hundred dollar deposit, the licensee shall be assessed the case costs and shall not be in an active license status until all costs have been paid in full. If the appellant withdraw the appeal, the deposit shall be forfeited. If the commission finds in favor of the appellant, all of the deposit shall be returned.~~

3769-17-42

~~Cost borne by licensee~~ Payment obligations.

- ~~(A)~~ In the event the commission should hold a hearing pertaining to a violation of the rules of racing and it is necessary to subpoena witnesses, the cost of such witnesses and all other necessary costs of the hearing shall be borne by the licensee found in violation. In case the licensee should be found not in violation of the rules, such cost shall be borne by the commission.
- ~~(B)~~ In addition to any other penalty assessed to a licensee by the commission, said person who has been assessed case costs shall not be eligible for licensing until such costs have been paid in full.
- ~~(C)~~(A) In the event any person, firm, corporation, etc., issues a check to the Ohio state racing commission in payment of a license fee or for any other obligation and the check is returned as uncashable for any reason, whoever issued said check shall be fined a minimum of fifty dollars and shall not be eligible to participate in racing until said check and fine have been paid in full.
- ~~(D)~~(B) In the event any person, firm, corporation, etc., issues a check to a permit holder for an entry fee or any other racing related matter and the check is returned as uncashable for any reason, whoever issued said check shall be fined a minimum of fifty dollars and shall not be eligible to participate in racing until said check and fine have been paid in full.