

# Pari-Mutuel Commission

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Chapter 8: Conduct of Races

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**Statement of Principal Reasons**

**For Adoption of Emergency Rules**

Pursuant to Wyoming Statute § 11-25-104(e), the Wyoming Pari-Mutuel Commission (“Commission”) proposes making changes to Chapter 8, Conduct of Races, Section 6. Wyoming – Bred Horses. Upon receiving the resignation of the Wyoming All Breeds Racing Association, the State Breed Registrar, on April 3, 2017, the Commission has determined it appropriate and in the best interest of the breed registry to assign those duties to Commission Staff. Upon review of the current rules, the Commission finds it necessary to submit emergency rules which will assist in a seamless transition of breed registry duties and will provide a fee structure for accrediting Wyoming Bred Horses. The fee structure mirrors what was in place prior to the resignation and charged by the State Breed Registrar. Adoption of these emergency rules will minimize the impact caused by the Wyoming All Breeds Racing Association’s resignation and allow the Commission to accredit Wyoming bred horses moving forward.

**Chapter 8 Conduct of Races**

Section 6(b)(i)-(v) clarifies and creates a fee structure for registering Wyoming bred horses.

Section 6(c)-(h) provides necessary formatting and numbering changes.

## CHAPTER 8

### CONDUCT OF RACES

#### **“EMERGENCY RULES ARE NO LONGER IN EFFECT 120 DAYS AFTER FILING WITH THE SECRETARY OF STATE”**

##### **Section 1. General Rules.**

(a) Each Permittee shall conduct horse racing only between the hours of 12 noon and sundown unless otherwise specifically authorized by the Commission.

(b) The maximum number of races per day shall be ten (10) unless additional races are approved by the Stewards and/or the Commission.

(c) A maximum of ten (10) Quarter Horse and twelve (12) Thoroughbred horses shall start in any race in Wyoming unless special permission is received from the Commission.

(d) All straight races shall be eligible for up to ten (10) horse participation. Races around the turn on tracks of less than 3/4 mile circumference shall start a maximum of eight (8) horses.

(i) The number of horses to compete in stakes races will be limited to the horses duly nominated but not in excess of the number of stalls in the starting gate.

(e) Post time of the first race at each meeting must be approved by the Commission.

(f) No horse shall be destroyed on the racing strip except at the discretion of the Commission Veterinarian. A horse shall be loaded into the horse ambulance or sled and be removed to a place out of the vision of the public and there be destroyed by the Official Veterinarian, or his designee.

##### **Section 2. Medication Procedures for Horse Races.**

(a) No horse participating in a race shall carry in its body any foreign substance except as provided in these Rules.

(b) A finding by the chemist that a foreign substance is present in the test sample shall be prima facie evidence that such foreign substance was administered and carried in the body of the horse while participating in a race. Such a finding shall also be taken as prima facie

evidence that the trainer and his agents responsible for the care or custody of the horse have been negligent in the handling or care of the horse. The presumption of negligence may be rebutted by competent evidence, otherwise the absolute insurer rule for trainers will be deemed to have been violated.

(c) No Androgenic-Anabolic Steroid shall be permitted in a test sample collected from racing horses except for residues of the major metabolite of stanozol, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the indicated thresholds.

(d) Concentrations of these Androgenic-Anabolic Steroids shall not exceed the following urine threshold concentrations for total (i.e., free drug or metabolite and drug or metabolite liberated from its conjugates):

(i) Hydroxystanozolol (metabolite of stanozol (Winstroll))-1 ng/ml in urine for all horses regardless of sex;

(ii) Boldenone (Equipose is the undecylenate ester of boldenone) in male horses other than geldings- 15 ng/ml in urine. No boldenone shall be permitted in geldings or female horses.

(iii) Nandrolone (durabolin is the phenylpropionate ester and Deca-Durabolin is the decanoate ester)

(A) In geldings- 1 ng/ml in urine

(B) In fillies and mares- 1 ng/ml in urine

(iv) Testosterone

(A) In geldings- 20 ng/ml in urine

(B) In fillies and mares- 55 ng/ml in urine

(e) Any other Androgenic-Anabolic Steroid are prohibited in racing horses.

(f) Post-race urine samples collected from intact males must be identified to the laboratory.

(g) Any horse to which an anabolic steroid has been administered in order to assist in the recovery from illness or injury may be placed on veterinarian's list in order to monitor the concentration of drug or metabolite in urine. After the concentration has fallen below the

designated threshold for administrated Androgenic-Anabolic Steroids, the horse is eligible to be removed from the list.

(h) A foreign substance of accepted therapeutic value may be administered as prescribed by a veterinarian when test levels and guidelines for its use have been established by the Veterinary-Chemist Advisory Committee of the Association of Racing Commissioners International and approved by the Commission.

(i) No substance shall be administered to a horse entered to race within twenty-four hours prior to post time of the race in which the horse is entered except that furosemide ("Lasix") may be administered under the supervision of the Official Veterinarian as prescribed in these Rules.

(j) When a foreign substance of accepted therapeutic value is administered or prescribed by a veterinarian for a horse that is entered to race, the veterinarian must make a report of that substance and submit the report to the Commission Veterinarian by 9:00 a.m. of the race day and must report immediately following administration of Lasix.

(k) The administration of 250 milligrams of furosemide ("Lasix") shall be permitted four or more hours prior to post time for the prophylactic treatment of a known bleeder. Stabling until race reporting time in a holding facility approved by the Commission Veterinarian is required.

(l) Bute is the only approved non-steroidal anti-inflammatory drug (NSAID) that may be present in a horse's body while it is participating in a race. The presence of more than one NSAID at any test level is forbidden. A horse running on an approved NSAID will be required to run on an approved NSAID in all subsequent races at the meet, unless special permission for the horse to be removed from the "bute" list is granted by the Commission Veterinarian and the Stewards.

(m) The test level of phenylbutazone and its metabolites under this rule shall not be in excess of five (5) micrograms per milliliter (MCG/ML) in the blood.

(n) Each and every horse entered to race may be subjected to a veterinary examination for racing soundness and health on race day, not later than two hours prior to official post time for the first race.

(i) Such an examination shall be referred to as the "Racing Soundness Exam".

(ii) All such examinations shall be conducted in or near the stall to which the animal is assigned and shall be conducted by a veterinarian employed by the Commission or

approved by it.

(iii) The veterinarian shall keep a continuing health and racing soundness record of each horse examined.

(o) Every horse that suffers a breakdown on the race track, in training or in competition, and is destroyed, and every other horse which expires while stabled on the race track shall undergo a post-mortem examination at a time and place acceptable to the Commission Veterinarian to determine the injury or sickness which resulted in euthanasia or natural death.

(i) The post-mortem examination required under this rule will be conducted by a veterinarian employed by the owner or his trainer in the presence of and in consultation with the Commission Veterinarian.

(ii) Test samples must be obtained from the carcass upon which the post-mortem examination is conducted and shall be sent to a laboratory approved by the Commission for testing for foreign substances and natural substances at abnormal levels. When practical, samples should be procured prior to euthanasia.

(iii) The owner of the deceased horse shall make payment of any charges due the veterinarian employed by him to conduct the post-mortem examination. The services of the Commission Veterinarian and the laboratory testing of post-mortem samples shall be made available by the Commission without charge to the owner.

(iv) A record of every post-mortem shall be filed with the Commission by the owner's veterinarian within 72 hours of the death.

(v) Each owner and trainer accepts the responsibility for the post-mortem examination provided as a requisite for maintaining the license issued by the Commission.

(p) The Commission may direct the official laboratory to retain samples for future analysis.

(q) The fact that purse money had been distributed prior to the issuance of a laboratory report shall not be deemed a finding that no chemical substance has been administered in violation of these Rules to the horse earning the purse money. No portion of any purse shall be redistributed as a result of a positive finding for a preserved sample after the 16th day following the race in question.

(r) Disciplinary action for a positive finding of a preserved sample shall be taken at the discretion of the Commission.

### **Section 3. Entries.**

- (a) The Racing Secretary is the person authorized to receive entries and declarations.
- (b) A horse must be eligible at the time of starting.
- (c) The entry of a horse must be in the name of its true owner.
- (d) Entries and declarations shall be made in writing and signed by the owner of the horse, or his authorized agent or some person deputized by him, and each Permittee shall provide blank forms on which entries and declarations are to be made.
- (e) Entries may be made by telephone or other means approved by the Stewards, but must be confirmed promptly in writing.
- (f) A signed entry blank shall be prima facie evidence that the contents of the entry blank express the desires and intent of the person making entry.
- (g) Entries shall be closed at an advertised time. The Racing Secretary may postpone closing of overnight races.
  - (i) When an hour for closing is designated, entries and declaration for sweepstakes cannot be received afterwards.
  - (ii) If an hour for closing is not designated they may be mailed or transmitted by other means approved by the Stewards up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race.
  - (iii) If a miscarriage of any entry or declaration in a stake is alleged, satisfactory proof that it was mailed or transmitted by other means approved by the Stewards must be presented within a reasonable time.
- (h) No alteration shall be made in any entry after closing of entries, but an error may be corrected.
- (i) Entries which have closed shall be compiled and posted without delay by the Racing Secretary.
- (j) In entering a horse:

- (i) It must be clearly identified by stating its age, name and color.
- (ii) State whether it is a horse, mare, or gelding and the names of its sire and dam. If the registration certificate indicates the dam was covered by more than one stallion the names of all of them must be given in order of service.
- (iii) It must be clearly tattooed on the upper lip. The tattooing must be done by a person authorized to tattoo by the appropriate horse registry. A horse may be entered without being tattooed, but must be tattooed to be eligible to start.
- (k) The holder of a claim, whether it is a mortgage, bill of sale or lien of any kind against a horse shall be required to file the claim with the Racing Secretary previous to the time the horse is entered. If the holder fails to file the claim he shall forfeit his rights to the winnings of the horse.
- (l) At the time of registration of any horse and before an entry may be made for any race, a certificate of registration properly endorsed to the current owner must be filed with the Racing Secretary. The Stewards may waive this requirement if the horse is otherwise properly identified.
- (m) The Racing Secretary shall have the right to withdraw or change any unclosed race. Any race appearing in the Condition Book shall be given a reasonable opportunity to fill as it was written before being withdrawn or changed.
- (i) If a race is declared off, the Racing Secretary may divide any overnight race which may have closed. Post positions for the divided races will be redrawn.
- (n) If the number of entries to any purse race is in excess of the number of horses that may be permitted to start, the "starters" for the race and their post positions shall be determined by lot in the presence of those making the entries. The same methods shall be employed in determining the starters and post positions in split races.
- (o) A list of names (number to be determined by the Racing Secretary) may be drawn from the overflow entries and listed as "also eligible" to start if and when horses originally carded are scratched. Horses gaining a position in the race from the "also eligible" list shall be determined by lot.
- (p) If the owner of a horse on the "also eligible" list is not given the opportunity of starting his horse because of insufficient "scratches" the name of the horse shall be placed on the preferred list.
- (i) If a substitute race or extra race is used or placed on the overnight to be



used if needed, all horses that were entered and not given the opportunity of starting shall be placed on the preferred list.

(ii) In case of an "entry" the preferred horse only shall be placed on the preferred list unless the second choice of an entry should be included in another division of a divided race and does not gain a position in the race (may not exclude a single interest) then he shall be placed on the preferred list.

(q) In a stakes race finals there is no also eligible list. In the event of a disqualification due to ineligibility the purse will be divided among the remaining entries.

(r) Any horse which has drawn a position in a race and enters again on the next day that entries are taken shall be termed an "in-today" horse and if the race in which the horse is entered over fills the horse shall be given no consideration whatsoever, stakes excepted. A horse on the "also eligible" shall not be considered as an "in-today" horse until he has actually been given a position in the race.

(s) A copy of the preferred list will be posted each afternoon and any claim of error must be made by 5 p.m. of that day. Only claims of error made within the prescribed time will be recognized by the Stewards.

(t) In entering horses on the preferred list a claim of preference must be made at the time of entry and noted on the entry or the preference shall be lost. No claim of error will be considered by the Stewards if the person making the claim has signed an entry which does not show the claim.

(u) No more than two horses of the same ownership or interest shall be entered in a purse race, and both may start, except:

(i) When making an entry, the trainer must express a preference and in no case may two horses start as an entry even though uncoupled for wagering purposes if it deprives a single entry from starting, except in the case of a "maiden" entering in a winners race or an "In Today Horse".

(ii) On tracks of less than 3/4 mile in circumference stakes rules will not apply. Due to the limit on the number of horses allowed to participate in a race, the rules of entering and declaring for a purse race will be followed in every race.

(iii) Horses remaining eligible in stakes but eliminated because of these rules will cause a refund of all fees paid for that horse.

(iv) Any stakes race may be canceled by the Permittee prior to the actual

running with no obligation except the return of all paid fees.

(v) An entry of a horse in a sweepstakes is a subscription to the sweepstakes. An entry before the time of closing may be altered or withdrawn.

(w) Entrance money is not refunded on the death of a horse or his failure to start.

(x) The nominator is liable for the entrance money or stake, and the death of a horse or a mistake in its entry does not release the subscriber or transferee from liability for stakes. The entrance money to a purse that is run off shall not be returned on the death of a horse or its failure to start for any cause.

(y) No horse will be allowed at a track and no horse shall be entered or permitted to start unless a current health certificate showing that the horse has been examined and found to be free from symptoms of any infectious disease is on file with the Racing Secretary.

(i) The health certificate is valid when it is made by a licensed and accredited veterinarian in the state where the examination was made. It is current if it is within thirty (30) days prior (unless otherwise directed by the Wyoming State Veterinarian) to the date the horse arrives at a Wyoming race track for the first time in a calendar year. A horse shall not require a new health certificate when shipping directly from a Wyoming race track to another, if the certificate is dated within thirty (30) days of shipping. The certificate shall include the temperature of the horse at the time he is examined. The Permittee conducting the race meeting is responsible for compliance with this ruling.

(ii) A negative EIA (Coggins AGID or ELISA) test is required within twelve (12) months prior to arrival.

(iii) A negative *Theileria equi* (Piroplasmosis) cELISA test is required within twelve (12) months prior to arrival.

(z) No owner or trainer shall enter or start a horse that:

(i) Is not in sound racing condition.

(ii) Is a known bleeder unless approved by the Official Veterinarian.

(iii) Has been "nerved" except:

(A) The registration or entry of a horse on which a posterior digital

(heel nerve) neurectomy or permanent block has been performed may be accepted if the condition is reported to the Racing Secretary at the time of registration or if the horse is already registered in at the time of the operation.

(B) The Racing Secretary shall make the information available to other licensees and cause the turf authority certificate to be stamped indicating the operation has been performed. Any nerved horse will require an examination and approval by the Official Veterinarian before being entered.

(aa) A horse shall not become a starter for a race unless all stakes or entrance money for the race have been paid.

(bb) When a person is ruled off a course or suspended, every horse owned in whole or in part by him or under his care and control shall be ineligible to be entered or start in any race until the horse has been reinstated, either by the rescinding of his owner's penalty or by his transfer through bona fide sale to an ownership acceptable to and approved by the Stewards or the Commission.

(cc) When a person is ruled off a course or suspended, he shall not be qualified, whether acting as agent or otherwise, to subscribe for or to enter or run any horse in any race either in his own name or in that of any other person until the rescinding of such penalty.

(dd) No person shall willfully enter or start a horse which he knows or believes to be ineligible or disqualified.

(ee) A horse shall not be qualified to start in any race unless he has been and continues to be properly entered.

(ff) No horse shall run on a transfer except claimed horses. (See claiming section.)

(gg) The Stewards or Racing Secretary shall have power to call on any person in whose name a horse is entered to produce proof that the horse entered is not the property of any person who is disqualified, or to produce proof of the extent of his interest or property in the horse, and in default of proof being given to their satisfaction, may declare the horse out of the race.

(hh) No horse shall be allowed to enter or start in any race unless:

(i) It has been registered with the Registry Office of the Jockey Club of New York, The American Quarter Horse Association or the official stud book and registry of any other breed which maintains a national stud book and registry.

(ii) The certificate of registration is on file with the Racing Secretary.

(A) The Stewards may waive this requirement for horses shipped in from a race meet operating within Wyoming if the horse is properly identified. The registration certificate must be on file with the Racing Secretary one (1) hour prior to post time of the first race of the day.

(B) Exceptions may be made by the Stewards if the horse has been shipped to a track for a special race and the horse has been currently racing at another recognized meeting, but only after positive identification has been made.

(ii) If a horse's name is changed, his new name shall be registered with the Jockey Club of New York, the registry of the American Quarter Horse Association or the recognized national stud book and registry of any other breed, and no entry shall be accepted until a new certificate of registration has been issued.

(jj) No horse shall be permitted to enter or to start unless stabled on the grounds of the Permittee, or in stabling approved by the Permittee and the Commission.

(kk) No horse shall be permitted to start whose name and true ownership is not registered with the Racing Secretary.

(ll) A horse involved in multiple ownership shall not be permitted to enter or to start until the rules for the registration of multiple ownership have been complied with.

(mm) A horse shall not be qualified to be entered or to start in any race if it is owned or is under the management of a disqualified person.

(nn) If an entry from any disqualified person or a disqualified horse is received the entry shall be void and any money paid for the entry shall be returned if the disqualification is disclosed forty-five (45) minutes before post time for the race, otherwise any such money shall be paid to the winner.

(oo) No disqualified horse shall be allowed to start in any race.

(pp) A horse is ineligible to start a race when it is wholly or partially owned by the spouse of a disqualified person or a horse is under the management of the spouse of a disqualified person, in such cases it being presumed that the disqualified person and spouse constitute a single financial entity with respect to the horse, which presumption may be rebutted.

(qq) No horse on the schooling list, the Veterinarian's list or on the Stewards list shall

be qualified to be entered or to start.

(rr) If a horse is sold to a disqualified person the horse's racing engagements shall be void as of the date of the sale.

(ss) No horse shall be allowed to enter or to start in any race if the owner of that horse is in arrears, except with the approval of the Stewards.

(tt) The entry of any horse which has been excused from starting on account of sickness or physical disability will not be accepted for a minimum of two (2) racing days, exclusive of the day of scratch. The entry must be accompanied by a certificate of fitness from the track veterinarian and be approved by the Stewards.

(uu) A maiden over five (5) years of age or any horse over twelve (12) years of age will not be allowed to start unless special permission is granted by the Commission.

#### **Section 4. Engagements and Transfer.**

(a) If a horse is sold by private treaty or at public auction, the written acknowledgment of both parties is necessary to prove the fact that he was sold with his engagements, but when a horse is claimed out of a claiming race, the horse's engagements are included. The sale under any circumstances, to a person ruled off or to a disqualified person, shall not give the person the privilege of racing the horse.

(i) No horse entered in a race may be sold or transferred until after the race in which he is entered has been run without permission of the Stewards. Neither shall a horse that is entered be transferred to another trainer until after the race in which he is entered has been run without permission of the Stewards.

(ii) When a horse is sold or transferred, the transfer authorization shall be filled out in triplicate by the Stewards and filed with the Racing Secretary and the Commission. The form to be furnished by the breed association.

(b) Subscriptions and all entries or rights of entry are valid:

(i) When a horse is sold with his engagements transferred.

(ii) When subscriptions, entries and rights of entries survive in the remaining partners in registered partnerships.

(iii) When entries under the decedent's subscription have been made previous to the decedent's death by the transfer of the right of entry.

(c) Subscriptions and all entries or rights of entry under them become void on the death of a subscriber except in cases of registered partnerships or except subject to the sanction of the Stewards when the personal representative of an Estate shall in writing, request that the benefits shall accrue to the Estate of the decedent subscriber for the privilege of transfer, and shall agree to assume any and all obligations incident to the original entries.

(d) In case of any transfer of a horse with its engagements, the horse will not be eligible to start in any stakes, unless at the time of the running of the stakes the transfer of the horse and its engagements can be exhibited to the Racing Secretary.

(e) No person shall make or receive the transfer of a horse or engagement for the purpose of avoiding disqualification.

(f) So long as the name of a person is on the arrears list, no engagements can be transferred or accepted by him, and no horse can be entered by him or under his subscription for any race.

(g) When a seller fails to strike a horse out of an engagement not sold or transferred with the horse, the purchaser is not entitled to start the horse or to the stakes if he wins.

(h) Should a horse be sold with his engagements, or any part of them, the seller cannot strike the horse out of any of the engagements.

#### **Section 5. Produce Races.**

(a) In naming an entry for a produce race, the produce is entered by specifying the dam and sire.

(b) If a mare entered in a produce race drops her foal before January or if she has a dead or more than one foal, the entry of the mare is void.

(c) Entrance money shall be returned if the nominator or transferee notifies the Permittee of proper grounds for voiding an entry in a produce race in advance of the date specified for the notice in the conditions of the race.

(d) Weight allowances for the produce of untried horses must be claimed at the time of entry.

(e) The nominator in produce races, or races in which nominations of foals are made, shall be released from further liability with regard to the entry by filing an acceptable transfer of entry prior to the declaration date stated in the conditions of the race.

## **Section 6. Wyoming-Bred Horses**

(a) Definitions.

(i) ACCREDITED means the process of certification by the state breed registrar recognized by the Commission.

(ii) ACCREDITED WYOMING BRED RACING STOCK means any horse used for racing purposes foaled in the state of Wyoming and out of an accredited Wyoming broodmare and is registered pursuant to W.S. § 11-25-106(a).

(iii) ACCREDITED WYOMING BROODMARE is a female horse (mare) used for breeding purposes and permanently domiciled in the state of Wyoming, and is registered pursuant to W.S. § 11-25-106(a).

(iv) ACCREDITED WYOMING STALLION means a male horse (stallion) used for breeding purposes and permanently domiciled in the state of Wyoming, and is registered pursuant to W.S. § 11-25-106(a).

(v) BREEDER of a horse is the owner of its dam at the time of foaling.

(vi) BREEDER AWARD means monies collected pursuant to W.S. § 11-25-105(j) and distributed by the Commission to promote the improved breeding and development of the horse industry in Wyoming. Breeder awards may include purse enhancement of Wyoming bred races.

(vii) BREEDING SEASON is from January 1 through December 31.

(viii) PERMANENTLY DOMICILED, once an accredited Wyoming broodmare or accredited Wyoming stallion is accredited by the state breed registrar the horse shall be permanently domiciled within the borders of the State of Wyoming pursuant to Chapter 8 Section 6 (a)(iii) & (iv).

(ix) STATE BREED REGISTRAR means the accrediting body, organization, or other entity approved by the Commission. The purpose of the registrar is to facilitate the accreditation process of Wyoming bred horses.

(b) The following one time fees shall be assessed when accrediting and transferring

ownership of a Wyoming Bred Horse:

(i) Accredited Wyoming Bred Racing Stock – birth to January 1<sup>st</sup> of the two year old year; seventy five dollars (\$75.00).

(ii) Accredited Wyoming Bred Racing Stock – after January 1<sup>st</sup> of the two year old year; two hundred and fifty dollars (\$250.00).

(iii) Accredited Wyoming Broodmare; two hundred dollars (\$200.00).

(iv) Accredited Wyoming Stallion; three hundred dollars (\$300.00).

(v) Ownership transfers of Accredited Wyoming Bred Horses; fifteen dollars (\$15.00).

~~(b)~~(c) Eligibility to receive breeder award funding.

(i) An accredited Wyoming breed racing stock horse shall be accredited prior to participation in races to receive breeder award fund monies.

(ii) For an embryo transfer or oocyte process foal to be eligible as an accredited Wyoming bred racing stock horse, it must be a genetic offspring of an accredited Wyoming broodmare.

(iii) Multiple foals, foals conceived in the same season by a single broodmare are eligible for accreditation.

(A) An accredited Wyoming broodmare that produces multiple foals in a single season using the transferred embryo or oocyte process must submit a multiple embryo transfer report. The report must be submitted on or before December 1<sup>st</sup> of the year of conception. The report shall be submitted to the state breed registrar.

(B) The recipient mare must be permanently identified; papered, branded or tattooed and permanently domiciled in the state of Wyoming.

(iv) Any horse accredited as racing stock must be re-accredited as an accredited Wyoming broodmare or an accredited Wyoming stallion.

(v) A mare shall be accredited as an accredited Wyoming broodmare by August 15 of the year in which an eligible foal is conceived.

(A) The mare owner shall certify the location where the mare is



permanently domiciled and where the mare is going to foal. The certification shall be submitted to the state bred registrar.

(B) A mare may leave the state of Wyoming for breeding, medical, sale, or racing purposes without losing its accreditation provided the mare returns to the state of Wyoming each year before August 15. If an accredited Wyoming broodmare permanently moves out of state or fails to properly notify the state bred registrar when leaving, she will lose her accreditation and must be re-accredited to return to the program.

(vi) An accredited Wyoming stallion must be accredited by December 1<sup>st</sup> of the breeding season to receive stallion award funds from the resulting accredited Wyoming bred racing stock foal(s).

(A) The stallion owner shall give written notice when the accredited Wyoming stallion leaves and returns to Wyoming. Notification shall be given to the state breed registrar.

(B) An accredited Wyoming stallion must stand the entire season in the state of Wyoming. A stallion may leave the state for racing, medical or sale purposes as long as he returns to the state of Wyoming each year before December 1. A stallion may not be accredited for a particular foal unless all foals conceived in that season, other than foals conceived by shipping semen process, were conceived in the state of Wyoming.

~~(e)~~(d) Every Permittee licensed by the Commission shall offer at least one Wyoming-Bred quarter horse race and one Wyoming-Bred thoroughbred race each day during its meeting. If sufficient competition cannot be had among this class of horses on any day, another race for said day may be substituted. A Wyoming-Bred race is considered filled when at least six Wyoming-Breds are entered.

~~(e)~~(e) The Commission may approve breeder award funds to be distributed to owners of accredited Wyoming bred racing stock horses winning non Wyoming-Bred races run at a Wyoming permitted track. The Commission shall distribute the remainder of breeder award funds on a calendar year basis using the following formulae:

(i) Forty percent (40%) to breeders of accredited Wyoming-bred racing stock horses.

(ii) Forty percent (40%) to owners of accredited Wyoming-bred racing stock horses.

(iii) Twenty percent (20%) to owners of accredited Wyoming stallions standing in the state of Wyoming at time of service to mares producing Wyoming-bred racing

stock horses.

~~(e)~~(f) The Wyoming-Bred funds shall be distributed on a point basis. The formula to determine points is as follows:

(i) The number of points for a race is determined by the numbers of starters. The winner shall receive a number of points equivalent to the number of starters in a race. The second place horse in a race shall receive one less point than the winner and so on, until the last place horse, which shall receive one point.

(ii) A horse which starts in a race but does not finish shall not be awarded points.

~~(f)~~(g) Trophies or other awards must be approved by the commission and may not exceed the amount of interest on the Breeders Award fund.

~~(g)~~(h) These Rules shall not affect the status of any horse recognized as a Wyoming bred horse prior to the 2016 breeding season.

#### **Section 7. Post Position.**

(a) Post positions shall be determined publicly by lot in the presence of the Racing Secretary or his deputy and at least one Steward.

(b) Horses gaining a position in the race from the "also eligible" list will acquire their post positions as follows:

(i) If the race is run on a straightaway the also eligible horse will be given the post position that was drawn for the horse that was scratched.

(ii) If the race is run around a turn the horses originally drawn for the race will be moved in towards the number 1 post position in the order of the draw and the also eligible horse will be given the outside post position.

(c) Beginning from the inside rail, the horses shall take their positions at the post in keeping with the numerical order resulting from the public drawing. The Stewards may permit an unruly horse to be removed from an inside position and place him on the outside.

#### **Section 8. Declarations and Scratches.**

(a) No horse shall be considered scratched or declared out of an engagement until the owner or his authorized agent or some person deputized by him shall have given notice in

writing to the Racing Secretary before the time stipulated by the regulations of the Permittee.

(b) If a horse is not named through the entry box the day before the race at the usual time of closing the horse is automatically out of a stakes race.

(c) The declaration of a horse out of an engagement is irrevocable.

(d) Scratches from stakes races will close forty-five (45) minutes before post time.

(e) If the miscarriage of any declaration by mail or otherwise is alleged, satisfactory proof of the miscarriage shall be required of the complainant, otherwise the declaration shall not be accepted.

(f) A horse in an overnight race cannot be scratched without the approval of the Stewards.

(g) A report from the Veterinarian may be requested by the Stewards and shall be used only as an aid in determining the final decision of a request to scratch.

(h) All horses appearing on the overnight sheet are considered to be available for the race until official scratches are announced. Being on the also eligible list does not give preference in scratching.

#### **Section 9. Naming of Jockeys.**

(a) Jockeys shall be named not later than scratch time of the day of the race.

(b) Any subsequent change of a jockey must be sanctioned by the Stewards and must be promptly and publicly posted and announced.

#### **Section 10. Postponement and Cancellation of Races.**

(a) If the whole or a part of a racing program is abandoned, any purse race involved must be declared off.

(b) If the whole or a part of a racing program is abandoned, any stakes race involved may be postponed or declared off.

(c) If a stakes race is declared off, all subscriptions and fees paid shall be refunded.

#### **Section 11. Weight Penalties and Allowances.**

(a) The following weights are carried when they are not stated in the condition of the race;

SCALE OF WEIGHTS FOR AGE

AGE	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

ONE-HALF MILE

2	X	X	X	X	X	X	X	105	108	111	114	114
3	117	117	119	119	121	123	125	126	127	128	129	129
4	130	130	130	130	130	130	130	130	130	130	130	130
5&UP	130	130	130	130	130	130	130	130	130	130	130	130

SIX FURLONGS

2	X	X	X	X	X	X	X	102	105	108	111	111
3	114	114	117	117	119	121	123	125	126	127	128	128
4	129	129	130	130	130	130	130	130	130	130	130	130
5&UP	130	130	130	130	130	130	130	130	130	130	130	130

ONE MILE

2	X	X	X	X	X	X	X	X	96	99	102	102
3	107	107	111	111	113	115	117	119	121	122	123	123
4	127	127	128	128	127	126	126	126	126	126	126	126
5&UP	128	128	128	128	127	126	126	126	126	126	126	126

ONE AND A QUARTER MILE

2	X	X	X	X	X	X	X	X	X	X	X	X
3	101	101	107	107	111	113	116	118	120	121	122	122
4	125	125	127	127	127	126	126	126	126	126	126	126
5&UP	127	127	127	127	127	126	126	126	126	126	126	126

AGE	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

ONE AND A HALF MILES

2	X	X	X	X	X	X	X	X	X	X	X	X
3	98	98	104	104	108	111	114	117	119	121	122	122
4	124	124	126	126	126	126	126	126	126	126	126	126
5&UP	126	126	126	126	126	126	126	126	126	126	126	126
5&UP	126	126	126	126	126	126	126	126	126	126	126	126

TWO MILES

3	96	96	102	102	106	109	112	114	117	119	120	120
4	124	124	126	126	126	126	126	125	125	125	124	124
5&UP	126	126	126	126	126	126	126	125	125	124	124	124
5&UP	126	126	126	126	126	126	126	125	125	124	124	124

(i) In races of intermediate lengths the weights for the shorter distance are carried.

(ii) In all races except handicaps and races where the conditions state to the contrary, fillies two years old are allowed three pounds, and fillies and mares three years old and upward are allowed five pounds before the first of September and three pounds after September 1.

(iii) Minimum weight in all overnight races for two-year olds, for three-year olds or for four-year olds and upward shall be 112 pounds subject to sex and apprentice allowance. This rule shall not apply to handicaps or to races written for three-year olds and upwards.

**Section 12. Penalties and Allowances.**

(a) Penalties and allowances are not cumulative unless so declared by the conditions of the race, and shall take effect at the time of starting, except that in overnight events a horse shall have only the allowance to which it was entitled at the time of entry.

(b) Penalties are obligatory. Allowances are optional as to all or any part and in overnight events must be claimed at the time of entry.

(c) Allowances to the produce of untried horses shall be claimed before the expiration of the time for naming, and shall not be lost by winning after that time.

(d) No horse shall receive allowance of weight or be relieved from extra weight for having been beaten in one or more races, but this rule shall not prohibit maiden allowance to horses that have not won a race within a specified period or a race of a specified value.

(e) Failure to claim a weight allowance by oversight or omission is not cause for disqualification. Claims of weight allowance to which a horse is not entitled shall not disqualify unless the incorrect weight is carried in the race. A fine may be imposed upon the person claiming allowance to which his horse is not entitled.

(f) If an underweight is discovered prior to the actual start, a correction must be made and immediately announced to the public. If wagering has already started on the race, a refund will be made if desired prior to the actual start. No less than three (3) minutes must be permitted for refunding even though post time has to be delayed.

(g) Eligibility, penalties and allowances of weight for all races will be determined after considering the reports, records and statistics published by the Daily Racing Form and/or other statistical publications, but responsibility for weight carried and eligibility still remain with the owner and trainer as prescribed by the Rules.

(h) No horse shall incur a weight penalty for placement from which he is disqualified, but a horse placed through the disqualification of another horse shall incur the weight penalties of that placement. No such placement shall make a horse ineligible to a race which has already been run.

(i) When a race is in dispute, both the horse that finished first and any horse claiming the race shall be liable to all penalties attaching to the winner of that race until the matter is decided.

(j) Races written to be run under "Scale of Weight or Weights for Age" shall be run under the weights as provided for in the Scale of Weights Charts in these Rules.

(k) The Racing Secretary may write races either above or below scale as he may see fit.

### **Section 13. Weighing Out.**

(a) The jockeys shall be weighed out for their respective mounts in each race by the Clerk of the Scales not less than twenty (20) minutes before the time fixed for the race. In case of substitution of rider after the original rider has been weighed out, the substitute rider shall be weighed out as promptly as possible and the name of the substitute and his weight publicly announced and posted.

(b) A jockey may not carry overweight in excess of two pounds without permission of the owner or trainer and under no circumstances shall the overweight exceed seven pounds.

(c) Whip or whip substitute, head number, bridle, bit, reins, blinkers, number cloth, safety helmet or safety vest shall not be included in a jockey's weight.

(d) A bridle shall not exceed two (2) pounds, a safety vest shall not exceed two (2) pounds and a whip shall not exceed one (1) pound unless approved by the Stewards.

(e) Except when riding for his contract employer a jockey shall not be weighed out for any race unless his fee for a losing mount in the race has been deposited for him with the horsemen's bookkeeper. The failure to deposit or guarantee the fee for the engaged jockey may be cause for declaring the horse out of the race and the owner and/or trainer penalized by the Stewards.

(f) The Permittee shall provide the only attendants who will be permitted to assist jockeys in weighing out or at any other time while in the performance of their duties. The attendants shall be approved by the Commission and be licensed.

### **Section 14. Paddock to Post.**

(a) Permission for any change of equipment from that which a horse carried in his last previous race, during the current meeting, must be obtained from the Stewards.

(b) Permission to add blinkers to a horse's equipment or to discontinue the use of them must be approved by the Starter before being granted by the Stewards. Permission to use or discontinue bar plate shoes must be approved by the Stewards.

(c) Permission to use or discontinue the use of a tongue tie must be secured from the Stewards. Under no circumstances shall the material to be used as a tongue tie be furnished by anyone other than the trainer of the horse on which it is to be used. No employee of the Permittee shall be allowed to tie the tongue or replace or repair a tongue tie.

(d) Whips and/or blinkers may be used on two-year-olds and other first starters if schooled before the Starter with the equipment and approved by him and the Stewards before entry time.

(e) The use of plastic bridles and/or reins is prohibited.

(f) Permission must be obtained from the Stewards to exercise a horse on the track between races. When a horse is being warmed up or exercised public announcement shall be made, giving the name of the horse and explaining his presence on the track.

(g) In a race each horse shall carry a conspicuous saddle-cloth number and a head number corresponding to his number on the official program. In case of a coupled-entry each horse making up the entry shall carry the same number with a distinguishing letter. For example, 1, 1A, 1B. In case of a field, the horses comprising the field shall carry an individual number; i.e. 10, 11, 12 and so on, or 10, 10A, 10B and so on.

(h) Horses must be in the paddock at least twenty (20) minutes before post time.

(i) Every horse must be saddled in the paddock unless special permission has been granted by the Stewards to saddle elsewhere.

(i) A trainer shall attend his horse in the paddock and shall be present to supervise his saddling unless he has obtained permission of the Stewards to send another licensed trainer as a substitute.

(j) After entering the track not more than twelve (12) minutes shall be consumed in the parade of the horses to the post except in cases of unavoidable delay. After passing the stand once, the horses will be allowed to break formation and canter, warm up or go as they please to the post unless otherwise directed by the Stewards. When horses have reached the post, they will be started without unnecessary delay.



(k) After the horses enter the track, no jockey shall dismount and no horse shall be entitled to the care of an attendant without consent of the Stewards or the Starter and the horse must be free of all hands other than those of the jockey or assistant starter before the starter releases the barrier (gate).

(l) In case of accident to a jockey or to his mount or equipment, the Stewards or the Starter may permit the jockey to dismount and the horse to be cared for during the delay, and may permit all jockeys to dismount and all horses to be attended during the delay.

(m) If a jockey is thrown on the way from the paddock to the post, the horse must be remounted, return to the point where the jockey was thrown and then proceed over the route of the parade to the post. A horse must carry his assigned weight from paddock to post and from post to finish.

(n) If a jockey is so injured on the way to the post as to require another jockey, the horse shall be taken to the paddock, another jockey obtained, and then ridden over the incomplete portion of the exact route of the parade to the starting point.

(o) If a horse leaves the course while moving from paddock to post, he shall return to the course at the nearest practical point to that at which he left the course, and shall complete his parade to the post from the point at which he left the course.

(p) No person shall willfully delay the arrival of a horse at the post.

(q) No person other than the rider, starter or assistant starter shall be permitted to strike a horse or attempt by shouting or otherwise to assist it in getting a start.

#### **Section 15. Post to Finish.**

(a) Should an accident or malfunction of the starting gate, or other unforeseeable event compromise the fairness of a race or the safety of race participants, the stewards may declare individual horses to be non-starters, exclude individual horses from one or more pari-mutuel pools or declare a "no contest" and refund all wagers except as otherwise provided in the rules involving multi-race wagers.

(b) When a race is around a turn a horse may be taken to any part of the course when clear, but no horse shall cross or weave in front of other horses in such a way as to impede them or constitute or cause interference or intimidation.

(c) When a race is run on a straightaway every horse must maintain position as nearly as possible in the lane in which he starts. If a horse is ridden, drifts, or swerves out of his lane in such a manner that he interferes with or impedes another horse it is a foul. The offending horse may be disqualified, when in the opinion of the stewards, the outcome of the race was affected. This shall apply whether the foul was caused by the horse or by the rider and whether it was caused willfully or by carelessness.

(d) No horse or jockey shall willfully jostle another horse.

(i) Jockeys shall make every effort to prevent their horse from lugging in or out in a manner which interferes with another horse.

(ii) Jockeys shall not ride in such a manner as to endanger another horse or jockey.

(e) During a race no jockey shall willfully strike, strike at or touch another jockey or another jockey's horse or equipment for the purpose of interfering with that horse or jockey.

(f) Jockeys must be in full control of their horse before applying the whip. No jockey shall use the whip more than is reasonably necessary under the circumstances or ever strike a horse on the head.

(g) Careless or sloppy riding will not be permitted.

(h) No jockey shall unnecessarily cause his horse to shorten his stride.

(i) All horses shall be ridden out in every race and must carry their assigned weight from post to finish.

(j) All horses are expected to give their best efforts in races in which they run and any instructions or advice to jockeys to ride or handle their mounts otherwise than for the

purpose of winning are forbidden and will subject all persons giving or following such instructions or advice to disciplinary action by the Stewards and the Commission.

(k) If two horses run in one interest in any race, each shall give his best effort. The practice of declaring to win with one or the other of the horses will not be allowed.

(l) The Stewards shall take cognizance of foul riding and may entertain reports from other racing officials of the meeting whether or not formal complaint is made; otherwise no complaint shall be considered which comes from any person other than the jockey, trainer or owner of the horse interfered with.

(m) If a horse is disqualified for a foul under these rules, any other horse in the race owned wholly or in part by the same interest may also be disqualified. No refunds.

(n) If a horse leaves the track after the "Start" he must be disqualified.

(o) If a horse during the running of a race, becomes crippled or otherwise obviously unable to finish (broken bone or profuse bleeding or any other equally disabling condition), he shall be dismounted, unsaddled and removed from the track without passing the stand.

(i) If a bone is broken the horse will remain on the track until the horse ambulance arrives and removes him.

(ii) If destruction of the animal is determined necessary the destruction will be accomplished by the Official Veterinarian, or his designee, in a place out of the vision of the public and its removal after destruction shall be the responsibility of the veterinarian.

(iii) The jockey will not be required to weigh in.

(p) A trainer shall be present following the running of a race to attend to his horse or have a licensed employee present for that purpose.

#### **Section 16. Weighing In.**

(a) After a race has been run and after he has pulled up the horse he has ridden, the winning jockey shall ride promptly to the winner's circle, dismount after obtaining permission from the judges and present himself to the Clerk of Scales to be weighed in.

(b) If a jockey is prevented from riding his mount to the judge's stand because of an accident or illness either to himself or his horse, he may walk or be carried to the scales, or he may be excused by the Stewards from weighing in. In no case shall the jockey ride a horse bleeding profusely or crippled by a broken bone past the public stands, nor shall he attempt to lead him or have him led past the public stands.

(c) Every jockey must upon returning to the placing judge's stand, unsaddle the horse he has ridden and no person shall touch the horse except by his bridle except with permission from the Stewards.

(d) No person shall assist a jockey in removing the equipment that is to be included in the jockey weight from his horse except with permission of the Stewards.

(e) No person shall throw any covering over any horse at the place of dismounting until the jockey has removed the equipment that is to be included in his weight.

(f) A jockey shall not willfully touch any person or things other than the equipment that is to be included in his weight before weighing in.

(g) To weigh in each jockey shall carry over the Scales, all pieces of equipment with which he weighed out.

(h) Each jockey shall weigh in at the same weight as that at which he weighed out, and if short by more than two (2) pounds, his mount shall be disqualified.

(i) No jockey shall weigh in at more than two (2) pounds over the weight at which he weighed out except as the weight may have been affected by the elements.

#### **Section 17. Winnings.**

(a) The winnings of a horse in a race shall be computed on the value of the gross earnings.

(i) Winning of a fixed sum is understood to be winning it in one race unless specified to the contrary.

(b) Winnings during a year shall be reckoned from January 1 of that year.

(c) Winner or non-winner of a specified sum means winner, or non-winner of a single race of that value to the winner unless otherwise stated.

(d) In computing the value of a series of races in which an extra sum of money is won by the winning of two or more races of the series, the extra amount shall not be included in the horse's winnings until the series is finished and the extra amount is definitely ascertainable. When ascertained it shall be added to the race which determined the extra amount.

(e) The entrance money, starting and subscription fees in every race shall go to the winner unless otherwise provided in its conditions, but when a race is not run, for any cause, all stakes or entrance money shall be returned.

(f) Winnings shall include all monies won in all countries up to the time appointed for the start, including walkovers and forfeits but not second and third money nor the value of a prize not in money.

(i) In estimating foreign winnings the current rate of exchange at the time of the winnings shall be adopted.

(ii) The value of prizes not in money will not be estimated in the value of the race to the winner.

(g) If the condition of a race provides that a bonus or prize be paid to a person in the forfeit list, the bonus or prize shall be applied to the payment of the forfeits and the balance shall be paid to the person.

(h) In a case of walkover (except in claiming races) one-half of the money offered to the winner is given. When a walkover is the result of arrangement by owners of horses engaged, no portion of the added money nor any other prize need be given.

(i) Any money or prize which by the conditions is to go to the horse placed second, or in any lower place in the race, shall, if the winner has walked over or no horse has been placed, be dealt with as follows:

(i) If part of the stake, it shall go to the winner, or

(ii) If a separate donation from the Permittee or any other source it shall not be given at all, or

(iii) If entrance money for the race it shall go to the winner.

(j) If a race is not run or is declared void, stakes, forfeits and entrance money shall be returned.

(k) Race may be declared void if no qualified horse covers the course according to rule. (k) A race may be declared void if no qualified horse covers the course according to rule.

#### **Section 18. Walking Over.**

(a) If at the time for saddling only one (1) horse shall have weighed out, that horse shall be ridden past the judge's stand, go to the post and then move over the course. He shall then be deemed the winner.

(b) In case of a walkover, the horse walking over shall receive:

(i) In an overnight race, one-half of the winner's rightful share of first money;

(ii) In stakes races, one-half of the winner's rightful share of the added money and all fees.

(c) In case of a walkover any money or prize, which by the condition of the race would have been awarded to a horse placed second or lower in the race, shall be paid to the winner if the money or prize is contributed by the owners. If a donation is from any other source it shall not be awarded.

(d) In case of a walkover of two or more horses and the horses move over the course, these rules apply as to the division of the purse.

**Section 19. Dead Heats.**

(a) When two or more horses run a dead heat, the dead heat shall not be run off.

(b) The owners of the horses in a dead heat shall divide equally the purse money involved.

(c) If a dead heat is for first place, each horse shall be considered a winner of the amount received according to the preceding rule.

(d) When a dead heat is run for second place and an objection is made to the winner of the race and sustained the horses which run the dead heat shall be deemed to have run a dead heat for first place.

(e) Owners shall divide equally all monies and other prizes and if no agreement can be reached as to which of them shall receive a cup, plate or other indivisible prize, they shall draw lots for it in the presence of one or more of the Stewards.

**Section 20. Test Barn, Blood, Urine and Other Samples.**

(a) An area within a suitable building must be set aside and be under the supervision of the Official Veterinarian for the purpose of collecting specimens for any tests required by the Commission. The building, its location, arrangement, furnishings and facilities must be approved by the Commission.

(i) No unauthorized person shall be admitted at any time to the building or the area utilized for the purpose of collecting the required specimens or the area designated for the retention of horses pending the obtaining of the specimens.

(ii) A guard must be in attendance during the hours designated by the Commission. The guard must be approved by the Commission.

(b) The winner of every race shall be taken immediately to the testing enclosure for examination by the Official Veterinarian. The Commission or the Stewards may designate that any other horse in the race may be examined. The examination shall be conducted by taking any or all of the following tests: blood, urine or saliva. The tests shall be conducted under the supervision of the Official Veterinarian.

(c) The Stewards may require that any horse be sent to the testing enclosure for the taking of specimens of saliva, urine and/or blood and such other examination as shall be directed.

(d) The Official Veterinarian of the Commission may also require the taking of any specimens from any horse stabled at a track during a meeting with the approval of the Stewards.

(e) The owner, the trainer or other authorized representative must be present when a blood, urine or other specimen is taken from his horse, and must remain until the specimen is sealed and the official form signed by the owner or trainer or his representative as witness to the taking of the specimen. Willful failure to be present at or a refusal to allow the taking of any specimen, or any act or threat to impede or prevent or otherwise interfere shall subject the guilty person to immediate suspension and the matter shall be referred to the Commission for such penalty as it may determine.

(i) If for any reason the trainer of a horse is not or cannot be present at the time of collection of urine or blood, it shall be deemed by the Commission that the person actually in custody of the horse is authorized to witness the taking and sealing of the specimen and has the trainer's authority to sign as witness.

(ii) If a claimed horse is sent to the test barn, a representative of both the former owner and the new owner shall accompany the horse to the test barn. The claiming of any horse shall not diminish the responsibility of the former owner and trainer for compliance with the statutes and rules of racing as to the claimed horse.

(f) All specimens taken by the Official Veterinarian shall be delivered to the laboratory of the Official Chemist for analysis. Each specimen shall be marked and bear information as may be essential to its proper analysis, but the identity of the horse from which the specimen was taken or the identity of its owner, trainer, jockey or stable shall not be



revealed to the Official Chemist. The container of each specimen shall be sealed as soon as the specimen is placed in it.

(g) The Official Chemist shall be a member in good standing of the Association of Official Racing Chemists and shall make all reports directly to the Secretary of the Commission and to the State Steward.

(h) The Official Veterinarian, the Stewards or the authorized representatives of the Commission may take samples of any medicines or other materials suspected of containing improper medication or drugs, which could affect the racing condition of a horse in a race, which may be found in stables or elsewhere on race tracks or in the possession of tracks or any person connected with racing. The samples shall be delivered to the Official Chemist for analysis under the same conditions as prescribed in paragraph (f).

(i) No action shall be taken by the Stewards on the report of the Official Chemist until the medication or drug has been properly identified and the horse from which the specimen was taken has been identified. Written confirmation of the test results shall immediately be sent to the State Steward and Commission Secretary following verbal transmission of those results to the State Steward.

### **Section 21. Alcohol and Drug Testing of Participants.**

(a) Alcohol Prohibition/Breathalyzer Test.

(i) No licensee or employee of any entity associated with the conduct of a pari-mutuel event shall have present within his system any amount of alcohol in excess of .05 percent content while on the grounds of a permitted pari-mutuel event.

(ii) Acting with reasonable cause, the Stewards or a designated Commission representative may direct any licensee or employee to submit to a breathalyzer test. The licensee or employee shall when so directed submit to the examination. If the results show a reading of .05 percent alcohol content or more, the licensee or employee shall then be subject to fine or suspension by the Stewards or the Commission. If any licensee or employee refuses to submit to a breathalyzer test he shall be subject to a suspension until such time as he does submit to the test.

(iii) For subsequent violation the licensee or employee may be subject to Procedures Following Positive Chemical Analysis (see par. c).(b) Drug Prohibition/Body Fluid Test.

(b) Drug Prohibition/Body Fluid Test

(i) No licensee or employee of any entity associated with the conduct of a pari-mutuel event while on the grounds of a permitted pari-mutuel event shall have present within his system any controlled substance as listed in schedule IV of the U.S. Code, Title 21 (Food and Drugs Section 812), or any prescription legend drug unless the prescription legend drug was obtained directly or pursuant to valid prescription or order from a duly licensed physician who is acting in the course of his professional practice.

(ii) Acting with reasonable cause, the Stewards or a designated Commission representative may direct any licensee or employee to deliver a specimen of urine in the presence of Commission authorized personnel or subject himself to the taking of a blood sample or other body fluids by Commission authorized personnel.

(iii) In such cases the Stewards or the Commission representative may prohibit the licensee or employee from participating in the day's racing or until such time as the licensee or employee evidences a negative test result.

(iv) A sufficient sample shall be collected to insure a quantity for a split sample when possible.

(v) Refusal by a licensee or employee to provide the samples as directed shall be in violation of these rules and shall subject the licensee or employee to sanction by the Stewards or the Commission.

(vi) All testing shall be at the expense of the Commission.

(c) Procedures Following Positive Chemical Analysis.

(i) For a licensee's or employee's first violation he may not be allowed to participate in a pari-mutuel event until his condition has been professionally evaluated.

(A) After professional evaluation, if the licensee's or employee's condition proves non-addictive and not detrimental to the best interest of the event, the licensee or employee shall be allowed to participate in the event provided he can produce a negative test result and agrees to further testing at the discretion of the Stewards or designated Commission representative to insure his unimpairment.

(B) After professional evaluation, should the licensee's or employee's condition prove addictive or detrimental to the best interest of the event the licensee or employee shall not be allowed to participate in the event until such time as he can produce a negative test result and show documented proof that he has successfully completed a certified alcohol/drug rehabilitation program approved by the Commission. The licensee or employee must agree to further testing at the discretion of the Stewards or Commission representative to insure his unimpairment.

(ii) For a licensee's or an employee's second violation, he shall be suspended and allowed to enroll in a certified alcohol/drug rehabilitation program approved by the Commission. The licensee or employee will be permitted to apply for reinstatement only at the discretion of the Commission.

## **Section 22. Claiming.**

(a) In claiming races any horse is subject to claim for the entered price by any owner licensed by the Commission and in good standing who has at least one eligible horse registered with the Racing Secretary of a race meet in Wyoming or by any licensed owner with a valid Claim Certificate. Any other person who wishes to claim a horse must complete a Prospective Horse Owner's Application form and must be approved by the Stewards or the Commission. A Claim Certificate shall become void on the date of a successful claim. Nothing in this rule shall be construed as prohibiting the approving as a Prospective owner a person who has been licensed as an owner during the calendar year by the Commission.

(i) The fee for a claim certificate is twenty-five (\$25) dollars.

(ii) Any horse is subject to claim by a Prospective Owner or his agent providing the Prospective Owner has applied to and been approved by the Stewards or the Commission. The Prospective Owner shall comply with all licensing requirements prior to

submitting a claim. The names of the Prospective Owners shall be prominently displayed in the offices of the Commission and the Racing Secretary.

(b) No one may claim more than one horse out of any one race.

(i) No trainer, even though he is an owner and qualified under the Rules to claim, may submit a claim out of the same race in which the owner of horses trained by him has submitted a claim. If such an act inadvertently occurs, the claim made by the trainer shall be declared void.

(ii) No authorized agent, although representing more than one owner, shall submit more than one claim in any one race.

(iii) When a stable consists of horses owned by more than one owner and trained by the same trainer, not more than one claim may be entered on behalf of the stable in any one race. In case such an act inadvertently occurs the owners shall compete by lot for the right to claim.

(iv) When a stable consists of horses owned by more than one owner, trained by the same trainer, the owners will not be eligible to claim from the trainer's stable.

(c) If a horse is claimed, it shall not start in a selling or claiming race for a period of thirty (30) days from the date of claim for less than twenty-five percent (25%) more than the amount for which it was claimed. The horse shall not be entered for thirty (30) days after being claimed in a race in which the determining eligibility price is less than twenty-five percent (25%) more than the price at which the horse was claimed. The day claimed shall not count, but the following calendar day shall be the first day and the horse shall be entitled to enter whenever necessary so the horse may start on the thirty-first (31st) calendar day following the claim for any claiming price. This provision shall not apply to starter handicaps in which the weight to be carried is assigned by the handicapper.

(d) Any horse claimed shall not be sold or transferred wholly or in part to anyone for thirty (30) days except in another claiming race. The horse shall not remain in the same barn or under the control or management of its former owner or trainer for a like period unless reclaimed. It shall not race elsewhere until after the close of the meeting at which it was claimed, except by permission of the Stewards at the meeting at which it was claimed.

(i) The Commission may permit or ratify the sale or transfer of a horse claimed at a Wyoming meeting in the period of thirty (30) days after the date of claiming upon petition of the owner.

(ii) When a horse is claimed at a recognized meeting under rules which are at variance with this rule, title to the horse shall be recognized in Wyoming to follow the rule of the meeting under which it was claimed.

(e) The claiming price of each horse in a claiming race shall be printed on the program, and all claims for the horse shall be for the amount designated. Should more than one claim be filed for the same horse, the disposition of the horse shall be determined by lot under the direction of one or more of the Stewards or one deputized to act for them.

(f) All claims must be in writing on forms and in envelopes approved by the Commission. Both forms and envelopes must be filled out completely and accurately, otherwise the claim will be void. The envelope must be sealed and deposited in a locked box provided for this purpose. No money shall accompany the claim. Each person desiring to make a claim must first deposit with the Permittee the whole amount of the claim in cash, unless at the time of depositing the claim he shall have the amount of the claim to his credit and unencumbered with the Permittee. The spelling of a horse's name on the official program on the day of claiming shall be considered to be the accurate spelling for the purpose of claiming.

(g) When a claim has been filed it is irrevocable and at the risk of the claimant.

(i) If a claimed horse has had a posterior digital (heel nerve) neurectomy and has not complied with requirements in , Sec.3 (z), (i), (aa). The claimant shall have forty-eight (48) hours from the start of the race from which the horse was claimed to file a protest which must be supported by an affidavit made by a licensed veterinarian and the Official Veterinarian.

(h) A turf authority registration certificate for each horse entered in claiming races must be in possession of the Racing Secretary. When ownership changes as a result of a claim, the Racing Secretary shall cause the registration certificate to be properly endorsed prior to transfer to the new owner's file. A claimed horse may run on a transfer if papers, transfer and fees are in the possession of the Racing Secretary.

(i) All claims must be deposited in the claiming box at least ten minutes before the time fixed for the race to begin and not later, and no official shall give any information as to the filing of claims until after the race has been run. All claims shall be passed upon by the Stewards.

(j) A horse claimed shall not be delivered by the original owner to the successful claimant until authorization shall be given by the Stewards. Every horse claimed shall run in the interest and for the account of the owner who entered it in the race, but title to the claimed horse shall be vested in the successful claimant from the time the horse becomes a "starter" and the successful claimant shall become the owner of the horse whether it is alive or dead, sound or unsound, or injured during the race or after it.

(k) The Stewards shall be the sole judges of the quality of the horses in the stable of the claimant and may declare any claim void.

(l) Any person making a claim for a horse in any claiming race shall sign an affidavit which shall be part of the claim blank, certifying that he is claiming the horse for his own account or as an authorized agent and not for any other person. Any person making an affidavit falsely shall be immediately suspended and his case referred to the Commission for further action.

(m) No person shall refuse to deliver a horse claimed out of a claiming race to the person entitled to receive the horse under these rules. The horse in question shall be disqualified along with all other horses owned or trained by the person refusing to deliver until delivery is made.

(n) No person or persons shall enter or allow to be entered in a claiming race a horse against which any claim is held, either as a mortgage, bill of sale, or lien of any kind, unless when entering the horse the written consent of the holder of the claim is filed with the Permittee conducting the race.

(o) An owner who ships all of his horses away from a meeting or withdraws the registration papers of horses owned by him forfeits immediately his right to claim at the meeting, but may re-earn that right by again starting a horse at that meeting and by fully complying with these Rules.

(p) Should any stable be eliminated by sale or removal from the grounds, the right to claim shall be void. When a stable has been eliminated by claiming, the owner so affected shall have the right to claim a horse during the next thirty (30) days at any recognized meeting in this state even though all or a portion of the next thirty (30) racing days takes place in the following calendar year. If another horse has not been claimed or acquired prior to the completion of the meeting at which his stable was eliminated, the owner may obtain a Certificate of Eligibility form the Stewards to claim without representation at any track in the State within the prescribed time. (Certificate must be enclosed in envelope with completed claim form.) The same type certificate may be issued by the Stewards to an owner whose stable has been eliminated by fire or other disaster. If another horse is acquired and registered for racing in Wyoming prior to exercising his right to claim without representation, the owner shall immediately surrender his Certificate of Eligibility.

### **Section 23. Time Trial Qualifiers.**

When two or more time trial contestants have the same qualifying time to a degree of 1/100's of a second or more (exact measurement if photo finish equipment permits), for fewer positions in the finals or consolation necessary for all contestants then they shall be drawn by lot. However, no contestant may draw into a finals or consolation instead of a contestant which outfinished such contestant. When scheduled races or trial heats for futurities or stakes races are electronically timed from the starting gates, no organization licensee shall move the starting gates or allow the starting gates to be moved until all trial heats are complete except in an emergency or for track renovation as determined by the Stewards.

### **Section 24. Sponsor Progeny Races.**

(a) It is the Permittee's responsibility, as licensee, to ensure the payment of all purse monies and to submit requested information to the Commission although some entity or person other than the Permittee may be the race sponsor.

(b) The Permittee shall provide the Commission with a copy of written race conditions and executed contracts between the organization and race sponsors.

(c) All purse monies shall be deposited in the horsemans' bookkeeper account prior to the running the trials of any sponsored progeny race.

