

## **Duties and Requirements of Associations (Race Meet Licensees) - Chapter 21**

### ***ARCI-021-005 PURPOSE:***

To describe the duties, facilities, equipment and operations of associations.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

### ***ARCI-021-010 GENERAL DUTY***

- (1) An association, its officers, directors, officials and employees shall abide by the Act and enforce the rules and orders of the Commission and judges.
- (2) An association may request an exemption from a requirement in this chapter to utilize new technology or innovative construction or design of the racetrack facilities. The Commission may grant an exemption if the Commission determines that:
  - (a) the association's proposal substantially satisfies the purpose of the requirement; and
  - (b) the exemption is in the best interests of the racehorses, the racing industry and the citizens of this jurisdiction.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

### ***ARCI-021-015 FINANCIAL REQUIREMENTS***

#### **A. Insurer of the Race meeting**

- (1) Approval of a race meeting by the Commission does not establish the Commission as the insurer or guarantor of the safety or physical condition of the association's facilities or purse of any race.
- (2) An association shall agree to indemnify, save and hold harmless the Commission from any liability, if any, arising from unsafe conditions of association grounds and default in payment of purses.
- (3) An association shall provide the Commission with a certificate of liability insurance as required by the Commission.
- (4) An association shall maintain in an approved depository, those amounts deducted from the pari-mutuel handle for distribution for the purposes specified in the Act and Commission rules.
- (5) An association and its managing officers are jointly and severally responsible to ensure that the amounts retained from the pari-mutuel handle are distributed according to the Act and Commission rules and not otherwise.
- (6) An association and its managing officers shall ensure that all purse monies, disbursements and appropriate nomination race monies are available to make

timely distribution in accordance with the Act, Commission rules, association rules and race conditions.

#### B. Bond Requirements

- (1) An association shall file with the Commission a bond payable to (jurisdiction) in an amount determined by the Commission for pari-mutuel racing and in either case not more than the financial liability of the association permit throughout the race meeting for which the association permit is requested.
- (2) The bond shall be executed by the applicant and a surety company or companies authorized to do business in this jurisdiction, and conditioned upon the payment by the association licensee of all
- (3) taxes and other monies due and payable pursuant to statutory provisions and all monies due from horsemen's accounts and payable, presentation of winning tickets, the licensee will distribute all sums due to the patrons of pari-mutuel pools.
- (4) The financial liabilities incurred by the association licensee in the form of real estate mortgages shall not be included in the determination of the bond amount.

#### C. Financial Reports

- (1) The Commission may require periodic audits to determine that the association has funds available to meet those distributions for the purposes required by the Act, Commission rules, the conditions and nomination race program of the race meeting and the obligations incurred in the daily operation of the race meeting. An association shall file a copy of all tax returns, a balance sheet and a profit and loss statement.
- (2) An association shall file with the Commission an unaudited balance sheet and profit and loss statement as required by the Commission. Those submissions must be in a format which conforms with the requirements set out in the association license application.
- (3) An association shall file an annual audit with the Commission within \_\_\_ days after the association's fiscal year-end. The Commission, upon good cause shown, may extend the time for filing.

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### ***ARCI-021-020 FACILITIES AND EQUIPMENT***

#### A. Facilities for Patrons and Licensees

- (1) An association shall ensure that the public areas of the association grounds are designed and maintained for the comfort and safety of the patrons and licensees and are accessible to all persons with disabilities as required by law.
- (2) An association shall provide and maintain adequate restroom facilities for the patrons and licensees.
- (3) An association shall provide an adequate supply of free drinking water.

- (4) An association shall maintain all facilities on association grounds to ensure the safety and cleanliness of the facilities at all times.
- (5) During a race performance, the association shall provide:
  - (a) a first aid room equipped with at least two beds and other appropriate equipment; and
  - (b) the services of at least one physician, a nurse practitioner or paramedic.
- (6) An association shall provide a properly equipped for transport ambulance, staffed with at least one certified paramedic during training and two certified paramedics during racing.
- (7) If the ambulance is being used to transport an individual, the association may not conduct a race until the ambulance is replaced.
- (8) Unless otherwise approved by the Commission or the judges, an ambulance shall follow the field at a safe distance during the running of races.
- (9) The ambulance must be parked at an entrance to the racing strip except when the ambulance is being used to transport an individual or when it is following the field during the running of a race.
- (10) An association shall provide adequate office space for the use of the judges and other Commission personnel as required by the Commission.
- (11) The location and size of the office space, furnishings and equipment required under this section must be approved by the Commission.
- (12) An association shall promptly post Commission notices in places that can be easily viewed by patrons and licensees.

#### **B. Officials' Stands**

An association shall provide adequate stands for officials to have a clear view of the racetrack. The location and design of the stands must be approved by the Commission.

#### **C. Audio and Visual Equipment**

- (1) An association shall provide and maintain in good working order a communication system between the:
  - (a) judges' stand;
  - (b) racing office;
  - (c) tote room;
  - (d) paddock;
  - (e) test barn;
  - (f) starting gate;
  - (g) video camera locations;
  - (h) veterinarian;

- (i) track announcer;
  - (j) location of the ambulances (equine and human); and
  - (k) Commission track office.
  - (l) other locations and persons designated by the Commission.
- (2) An association shall provide and maintain a public address system capable of clearly transmitting announcements to the patrons and to the stable area.
  - (3) An association shall provide an electronic photo finish device with mirror image to photograph the finish of each race and record the time of each horse in at least fifths of a second. The location and operation of the photo finish devices must be approved by the Commission before its first use in a race. The association shall promptly post a photograph of each photo finish for win, place or show in an area accessible to the public. The association shall ensure that the photo finish devices are calibrated before the first day of each race meeting and at other times as required by the Commission. On request by the Commission, the association shall provide, without cost, a print from a negative of a photo finish to the Commission. Photo finish negatives of each race shall be maintained by the association for not less than six months after the end of the race meeting, or such other period as may be requested by the judges or the Commission.
  - (4) An association shall provide a videotaping system approved by the Commission.
  - (5) Cameras must be located to provide clear panoramic and head-on views of each race. Separate monitors, which simultaneously display the images received from each camera and are capable of simultaneously displaying a synchronized view of the recordings of each race for review shall be provided in the judges' stand. The location and construction of video towers must be approved by the Commission.
  - (6) The judges may, at their discretion, direct the video camera operators to videotape the activities of any horse or person handling horses prior to, during, or following a race.
  - (7) Races must be recorded by at least three video cameras.
  - (8) An association shall, upon request, provide to the Commission, without cost, a copy of a videotape of a race.
  - (9) Videotapes recorded prior to, during and following each race shall be maintained by the association for not less than six months after the end of the race meeting, or such other period as may be requested by the judges or the Commission.
  - (10) An association shall provide a viewing area in which, on approval by the judges, an owner, trainer, driver or other interested individual may view a videotape recording of a race.
  - (11) Following any race in which there is an inquiry or objection, the association shall display to the public on designated monitors the videotaped replays of the incident in question which were utilized by the judges in making their decision.

#### D. Racetrack

- (1) The surface of a racetrack must be designed, constructed and maintained to provide for the safety of the drivers and horses.
- (2) Prior to the first race meeting at an association racetrack, a licensed surveyor shall provide to the Commission a certified report of the grade and measurement of the distances to be run.
- (3) Distances to be run shall be measured from the starting line at a distance three feet out from the inside rail or other fixed marker.
- (4) The surveyor's report must be approved by the Commission prior to the first race day of the race meeting.
- (5) An association shall provide an adequate drainage system for the racetrack.
- (6) An association shall provide adequate equipment and personnel to maintain the track surface and appurtenances in a safe training and racing condition. The association shall provide back-up equipment for maintaining the track surface.

#### E. Rails

The design and construction of rails, where used, must be approved by the Commission prior to the first race meeting at the track.

#### F. Starting Gates

During racing hours, an association shall provide at least two operable starting gates, which have been approved by the Commission.

#### G. Distance Markers

- (1) An association shall provide starting point markers and distance poles in a size and position that is clearly seen from the judges' stand.
- (2) All poles and markers shall be positioned at least ten feet off the inside rail.
- (3) The starting point markers and distance poles must be marked as follows:
  - (a) 3/4 pole - Red and white horizontal stripes
  - (b) 1/2 pole - Red and white horizontal stripes
  - (c) 1/4 pole - Red and white horizontal stripes
  - (d) 1/8 poles - Green and white horizontal stripes
  - (e) 1/16 poles - Black and white horizontal stripes
  - (f) Fair Start Pole - Yellow
- (4) The fair start pole shall be located 320 feet before the starting point.

#### H. Saddle Pad Colors

- (1) All pari-mutuel racetracks shall adopt the following color format for saddle pad colors for post positions in each race:

- (a) Post Position One - Red
  - (b) Post Position Two - Blue
  - (c) Post Position Three - White
  - (d) Post Position Four - Green
  - (e) Post Position Five - Black
  - (f) Post Position Six - Yellow
  - (g) Post Position Seven - Pink
  - (h) Post Position Eight - Gray
  - (i) Post Position Nine - Purple
  - (j) Post Position Ten - Blue/Red
  - (k) Post Position Eleven - Light Blue
  - (l) Post Position Twelve - Red/White
- (2) All saddle pad numbers, with the exception of post positions three and five, shall be white with a black border. The saddle pad numbers for post positions three and five shall be solid black and solid white, respectively.

#### I. Lighting

- (1) An association shall provide lighting for the racetrack and the patron facilities that is adequate to ensure the safety and security of the patrons, licensees and horses.
- (2) Lighting to ensure the proper operation of the videotape and photo finish equipment must be approved by the Commission.
- (3) An association shall provide adequate additional lighting in the stable area as required by the Commission.
- (4) If an association conducts racing at night, the association shall maintain a back-up lighting system that is sufficient to ensure the safety of race participants and patrons.

#### J. Equine Ambulance

- (1) An association shall provide an equine ambulance staffed by trained personnel on association grounds on each day that the racetrack is open for pari-mutuel and qualifying racing or training.
- (2) The ambulance must be properly ventilated and kept at an entrance to the racing strip when not in use.
- (3) The ambulance must be a covered vehicle that is low to the ground and large enough to accommodate a horse in distress. The ambulance must be able to:
  - (a) navigate on the racetrack during all weather conditions; and
  - (b) transport a horse off the association grounds.
- (4) The ambulance must be equipped with:

- (a) large, portable screens to shield a horse from public view;
  - (b) ramps to facilitate loading a horse;
  - (c) adequate means of loading a horse that is down;
  - (d) a rear door and a door on each side;
  - (e) a padded interior;
  - (f) a movable partition to initially provide more room to load a horse and to later restrict a horse's movement;
  - (g) a shielded area for the person who is attending to the horse; and
  - (h) an adequate area for the storage of water and veterinary drugs and equipment.
- (5) An association may not conduct a race unless an equine ambulance or an official veterinarian-approved substitute is readily available.
- (6) The equine ambulance, its supplies and attendants and the operating procedures for the equine ambulance must be approved by the official veterinarian.

#### **K. Barns**

- (1) An association shall provide barns containing a sufficient number of stalls to accommodate all horses approved to race and all other horses approved to be on the grounds. The association's stable area configuration and facilities must be approved by the Commission.
- (2) An association shall ensure that the barns are kept clean and in good repair. Each barn, including the receiving barn, must have a hot and cold water supply available, be well-ventilated, have proper drainage, and be constructed to be comfortable in all seasons.
- (3) An association shall ensure that each horse is stabled in an individual box stall with minimum dimensions of 10 by 10 feet.
- (4) An association shall provide an adequate area for the placement of manure removed from the stalls. All manure must be removed from the stable area daily.
- (5) The association shall ensure that refuse from the stalls and other refuse are kept separate.

#### **L. Test Barn**

- (1) An association shall provide a test barn for taking specimens of urine, blood or other bodily substances or tissues for testing.
- (2) The test barn must be equipped with:
- (a) a walk area that is large enough to accommodate \_\_\_ horses;
  - (b) at least \_\_\_ enclosed stalls that permit observation of the collection process and provide for the protection of collection personnel;
  - (c) facilities and equipment for the collection, identification and storage of samples;
  - (d) a washrack that is large enough to accommodate \_\_\_ horses at the same time;

- (e) hot and cold running water and clean water buckets for each horse.
- (3) An association shall limit access to the test barn to persons authorized by the official veterinarian. All entrances shall be locked or guarded at all times.

#### M. Isolation Area

- (1) An association shall provide an isolation area for the care and treatment of a horse that is ordered isolated by the racing veterinarian or the official veterinarian.
- (2) The isolation area must be approved by the official veterinarian.

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Version 4.0 to 4.1 ARCI 4/26/07: Added new rule language

### **ARCI-021-025 OPERATIONS**

#### A. Security

- (1) An association conducting a race meeting shall maintain security controls over its premises. Security controls are subject to the approval of the Commission.
- (2) An association may establish a system or method of issuing credentials or passes to restrict access to its restricted areas or to ensure that all participants at its race meeting are licensed as required by these rules.
- (3) An association shall prevent access to and shall remove or cause to be removed from its restricted areas any person who is unlicensed, or who has not been issued a visitor's pass or other identifying credential, or whose presence in such restricted area is unauthorized.
- (4) Unless otherwise authorized by the Commission, an association shall provide continuous security in the stable area during all times that horses are stabled on the grounds. An association shall require any person entering the stable area to display valid credentials issued by the Commission or a visitor's pass issued by the association. An association shall provide security fencing around the stable area in a manner that is approved by the Commission.
- (5) On request by the Commission, an association shall provide a list of the security personnel, including the name, qualifications, training, duties, duty station, and area supervised by each employee.
- (6) Each day, the chief of security for an association shall deliver a written report to the judges regarding occurrences on association grounds on the previous day.
- (7) Not later than 24 hours after an incident occurs requiring the attention of security personnel, the chief of security shall deliver to the judges a written report describing the incident. The report must include the name of each individual involved in the incident, the circumstances of the incident and any recommended charges against each individual involved.

## B. Fire Prevention

- (1) An association shall develop and implement a program for fire prevention on association grounds. An association shall instruct employees working on association grounds of the procedures for fire prevention.
- (2) Not later than \_\_\_ days before the first day of a race meeting, an association shall deliver to the Commission a copy of the fire marshal's certification regarding the association's compliance with fire safety regulations or the fire marshal's plan of correction. The certification or plan must be based on an inspection of the association grounds conducted by the fire marshal not more than 30 days before the first day of a race meeting.
- (3) No person shall:
  - (a) smoke in stalls, feed rooms, or under shed rows;
  - (b) burn open fires, or oil, or gas lamps in the stable area;
  - (c) leave unattended any electrical appliance that is plugged-in to an electrical outlet;
  - (d) permit horses to come within reach of electrical outlets or cords;
  - (e) store flammable materials such as cleaning fluids or solvents in the stable area;  
or
  - (f) lock a stall which is occupied by a horse.
- (4) An association shall post a notice in the stable area which lists the prohibitions outlined in 3a)-f) above.

## C. Insect and Rodent Control

An association and the licensees occupying the association's barn area shall cooperate in procedures to control insects, rodents or other hazards to horses or licensees.

## D. Race Card

The hours of racing, the number of races per race day, and the post time for the first race of each race day are subject to the approval of the Commission.

## E. Complaints

- (1) An association shall designate a location and provide personnel who shall be readily available to the public to provide or receive information.
- (2) An association shall promptly notify the Commission of a complaint regarding:
  - (a) an alleged violation of the Act or a rule of the Commission;
  - (b) an alleged violation of ordinances or statutes;
  - (c) accidents or injuries; or
  - (d) unsafe or unsanitary conditions for patrons, licensees or horses.

**F. Ejection and Exclusion**

- (1) An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the Commission or judges and notify the Commission of the ejection.
- (2) An association may eject or exclude a person for any lawful reason. An association shall immediately notify the judges and the Commission in writing of any person ejected or excluded by the association.

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