

Subpart E. THOROUGHBRED RULES OF RACING (HORSE)

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**CHAPTER 301. GENERAL PROVISIONS—
TEMPORARY REGULATIONS**

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§ 301.1. Scope.

(a) The rules, regulations and policies under which Thoroughbred horse racing shall be conducted in this Commonwealth are prescribed by the act and by the State Horse Racing Commission.

(b) No person shall participate in or engage in any aspect of pari-mutuel racing activities without a proper license.

(c) All persons, whether licensed or not licensed, shall be subject to and abide by the laws of the Commonwealth, and the regulations of the Commission and shall accept the decisions of the Board of Steward, the Bureau Director or the Commission on matters arising within their exclusive jurisdiction and authority, subject to the right to an administrative appeal.

§ 301.2. Definitions.

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

Age—Beginning on the first day of January in the year in which the horse is foaled.

Allowance race—An overnight race for which eligibility and weight to be carried is determined according to specified conditions which include age, sex, earnings and number of wins.

Also eligible—Pertains to:

- (a) a number of eligible horses, properly entered, which were not drawn for inclusion in a race, but which become eligible according to preference or lot if an entry is scratched prior to the scratch time deadline; or

(b) in a trial race, the next preferred contestant that is eligible to participate when an entry is scratched, under the written conditions of the race.

Arrears—Includes moneys due for entrance forfeits, fees (including jockey's fees), forfeitures, subscriptions, stake, purchase money in claiming races and also a default in money incident to the rules.

Arrest—Refers to a criminal matter in which the applicant has been indicted, booked or otherwise charged and which is pending final disposition. A matter on which a final judgment or order has been entered should be reported under "conviction." (Reference should be made to the term "conviction" as set forth in this section.)

Association grounds—All real property utilized by the association in the conduct of its race meeting, including the race track, grandstand, concession stands, offices, barns, stable area, employee housing facilities and parking lots and any other areas under the jurisdiction of the Commission.

Authorized agent—A person appointed by a written instrument, signed and acknowledged before a notary public and filed in accordance with the rules, who is thereupon entitled to represent a licensed owner-principal. Authorization will be deemed unrestricted unless otherwise prepared in strict compliance with the provisions of this subpart.

Betting interest—One or more horses in a pari-mutuel contest which are identified by a single program number for wagering purposes.

Bleeder—A horse which has demonstrated evidence of exercise induced pulmonary hemorrhage.

Bleeder List—A tabulation of all bleeders to be maintained by the Commission.

Breeder—The owner of the horse's dam at the time of foaling.

Claiming race—A race in which any horse starting may be claimed (purchased for a designated amount) in conformance with the rules.

Conditions—Certain qualifications which determine a horse's eligibility to be entered in a race.

Conviction—A final judgment of guilt or criminal culpability in either juvenile or adult proceeding, whether arising from verdict, judgment or order of a Court or from a plea of guilty, of no contest or nolo contendere or other form of final disposition. Conviction does not include accelerated rehabilitative disposition adjudications (A.R.D.'s) or other similar forms of preindictment release where a final record of guilt or conviction will not follow.

Corrupt practice—Includes the Commission, the attempt to commit or the solicitation, inducing or attempt to induce a violation of a rule of racing or civil or criminal statute pertinent or relevant to racing by a person whether acting alone or in concert.

Coupled entry—Two or more contestants in a contest that are treated as a single betting interest for pari-mutuel wagering purposes (see also, *Entry*).

Dead heat—The finish of a race in which the noses of two or more horses reach the finish line at the same time.

Declaration—The act of withdrawing an entered horse from a race before the closing of overnight entries.

Draw—The process of assigning post positions and the process of selecting contestants in a manner to ensure compliance with the conditions of the rules of racing.

Entry—

(i) A horse eligible for and entered in a race.

(ii) Two or more horses which are entered and run in a race which have common ties of ownership, lease or training (see also, *Coupled entry*).

Equipment—As applied to a horse, shall mean whips, blinkers, tongue straps, muzzles, nosebands, bits, shadow rolls, martingales, breast plates, bandages, boots and plates.

Flat race—A race in which horses mounted by jockeys run over a course on which no jumps or other obstacles are placed.

Forfeit—Money due to a party because of an error, fault, neglect of duty, breach of contract or a penalty ordered by the Stewards or the Commission.

Foul—The term includes an infraction of the rules of racing involving physical conduct occurring during the actual running and course of a race.

Furosemide (Lasix) List—A listing of all horses eligible to participate in a race with Furosemide in its system.

Horse—A Thoroughbred duly registered with the Jockey's Club and includes a 2-year-old, stallion, filly, mare, colt, gelding or ridgling.

Inquiry—An investigation by the Stewards of potential interference in a contest prior to declaring the result of said contest official.

Jockey—A race rider currently licensed, or permitted to ride, or both.

Licensee—A person or entity holding a form of license from the Commission who is exercising the powers, privileges or prerogatives of a licensee or who is acting in a manner as to apparently indicate they are entitled to hold or who should hold a license.

Maiden—A horse which at the time of starting has never won a race on the flat at a recognized meeting in any country. A maiden which has been finally disqualified after finishing first is thereafter still to be considered a maiden.

Maiden race—A contest restricted to nonwinners.

Match race—A race between two or more horses under conditions agreed to by their owners.

Mutuel field—Two or more contestants treated as a single betting interest for pari-mutuel wagering purposes because the number of betting interests exceeds the number that can be handled individually by the pari-mutuel system.

Nomination—The naming of a horse to a certain race or series of races generally accompanied by payment of a prescribed fee.

Nominator—A person in whose name a horse is entered for a race.

Objection—

(a) a written complaint made to the Stewards concerning a horse entered in a race and filed not later than one hour prior to the scheduled post time of the first race on the day in which the questioned horse is entered; or

(b) a claim of foul in a race lodged with the Stewards or their designee by the horse's jockey, trainer, or owner before the race is declared official.

*Official Starter—*The official responsible for dispatching the horses for a race.

*Off time—*The moment at which, on the signal of the official Starter, the doors of the starting gate are opened, officially dispatching the horses in each contest.

*Optional claiming race—*A race restricted to horses who have started previously for a designated claiming price or less, whose owner or trainer may, at his discretion, enter the horse to be claimed. In the case of horses entered to be claimed in a race, the race will be considered for the purposes of these rules, a claiming race.

*Overnight race—*A contest for which entries close at a time set by the racing secretary; also known as Purse Race.

*Owner—*Includes the sole owner, a part owner, a holder of any beneficial or equitable interest present, reversionary or expectant interest or the lessee of a horse. An interest only in the winnings of a horse does not constitute part ownership.

*Paddock—*An enclosure in which horses scheduled to compete in a contest are saddled prior to racing.

*Place—*First, second or third in the order of finish of a race and are referred to, respectively, as “win,” “place” and “show.”

*Post—*The place on the course from which a race is designated to start.

*Post position—*The position assigned to a horse at the starting line of the race.

*Post time—*The time set for the arrival at the starting point of the horses in a race. It shall be posted a reasonable time prior to the race on a clock device, provided for that purpose, prominently displayed before and clearly visible from the grandstand. The post time of each race shall be set by the pari-mutuel department manager and shall not be changed after being posted without permission of the Stewards.

*Protest—*A formal complaint filed after a race with the Stewards in accordance with the rules, protesting the right of any horse to a place, purse, award or entitlement in a race or protesting or excepting to a decision relating to eligibility, participation or placing of a horse in a race.

*Race day—*A day during which racing is authorized and conducted.

*Racing official—*The term as used in this chapter shall include, but not be limited to: Stewards, placing Judges and patrol Judges, the clerk of scales, a horse identifier, a Starter, a paddock Judge, a racing secretary, an assistant rac-

ing secretary, the handicapper, a timer, horsemen's bookkeeper, Commission Veterinarian, track veterinarian, a mutuel manager, a chief of security and any other person designated by the Commission.

Recognized meeting, authorized meeting or race meeting—Includes the entire period of time designated by the Commission for the conduct of pari-mutuel racing activities by a licensed association. Meetings of a given association or of several associations may be split or joined as shall be determined and authorized by the Commission.

Rules—The rules and regulations adopted by the Commission that are in effect at a given time together with additions and modifications thereto.

Scratch—The act of withdrawing an entered horse from a contest after the closing of entries.

Scratch time—The deadline for withdrawal of entries from a scheduled performance.

Stakes race—A contest in which nomination, entry and/or starting fees contribute to the purse. Special designations or classifications for stakes races as "Graded Stakes" or "Black Type" shall be determined by the appropriate breed registries or recognized authorities.

Starter—A horse which becomes an actual contestant in a race by virtue of the starting gate opening in front of it upon dispatch by the official Starter.

Steward—The duly appointed Commission racing official with powers and duties to serve at each horse race meeting conducted by a licensed racing entity as specified by statute or regulation.

Subscription—The act of nomination or entry of a horse to a stakes race.

Walkover—Occurs when one and only one of the owners who has nominated for a race qualifies a horse to start. When only one horse or interest has qualified to start in a race, that horse shall be ridden past the Judge's Stand and go to the post and shall then be deemed the winner. It shall receive entrance fees, forfeit, but no portion of a purse, stake, or added money or another prize.

Weigh in—The presentation of a jockey to the clerk of scales for weighing after a race.

Weigh out—The presentation of a jockey to the clerk of scales for weighing prior to a race.

Weight for age—Standard weight according to the scale set forth in the rules or regulations, regardless of weight penalties or allowances.

Winner—The horse whose nose reaches the finish line first or is placed first through disqualification by the Stewards.

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