

**CHAPTER 303. LICENSING, DUTIES AND RESPONSIBILITIES OF
THOROUGHBRED OCCUPATIONAL LICENSEES—
TEMPORARY REGULATIONS**

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Cross References

This chapter cited in 7 Pa. Code § 185.1 (relating to general provisions); 7 Pa. Code § 305.273 (relating to jockey and apprentice license); 7 Pa. Code § 305.276 (relating to apprentice jockey weight allowances in overnight races); and 7 Pa. Code § 305.282 (relating to jockey requirements).

§ 303.1. Thoroughbred license categories.

(a) Thoroughbred license categories shall include the following and others as may be established by the Commission in its discretion:

(1) Racing participants and personnel (including owner, authorized agent, trainer, assistant trainer, jockey, apprentice jockey, jockey agent, exercise rider, pony rider, veterinarian, veterinary assistant, Farrier and stable employees);

(2) Thoroughbred racing officials (including Steward, racing secretary, Starter, horsemen's bookkeeper, timer/clocker, clerk of scales, jockey room custodian, paddock Judge, patrol Judge, placing Judge, Commission Veterinarian, racetrack veterinarian and horse identifier);

(3) Persons employed by the licensed racing entity, by a racing vendor or any other person whose employment at the racetrack enclosure requires their presence in a restricted area, or which requires their presence anywhere on racetrack grounds while pari-mutuel wagering is being conducted; and

(b) Persons required to be licensed shall submit a completed application on forms furnished by the Commission and accompanied by the required fee as set forth in Chapter 185 (relating to occupational licenses—temporary regulations). Persons may also be required to provide proof of identity and proper employment authorization.

(c) License applicants may be required to furnish to the Commission a set of fingerprints and a recent photograph and may be required to be re-fingerprinted or re-photographed periodically as determined by the Commission.

§ 303.2. Knowledge of rules.

A licensee shall be knowledgeable of the rules and regulations of the Commission and by acceptance of a license issued under Chapter 185 (relating to occupational licenses—temporary regulations) agrees to abide by these rules.

§ 303.3. License presentation.

When requested by Commission personnel or licensed racetrack security, a person shall present an appropriate license to enter a restricted area. A license may only be used by the person to whom it is issued. The licensed racing entity, in consultation with the Commission, may establish procedures and protocols for the visible display of a license while in the racetrack enclosure, including the restricted area.

§ 303.4. Visitor's pass.

Track security may authorize unlicensed persons temporary access to restricted areas. These persons shall be identified and their purpose and credentials verified and approved in writing by track security. A copy of the written approval shall be filed with the Commission or its designee within 48 hours. This authorization or credential may only be used by the person to whom it is issued.

SAFETY EQUIPMENT**§ 303.5. Helmets and vests.**

(a) Any person mounted on a horse or stable pony while on the licensed racetrack or association grounds must wear a protective safety helmet securely fastened under the chin at all times. Additionally, all members of the starting gate crew must adhere to this regulation at all times while performing their duties or handling a horse. For the purpose of this regulation, a member of the starting gate crew means any person licensed as an assistant Starter or any person who handles a horse in the starting gate. The helmet must comply with one of the following minimum safety standards or later revisions:

- (1) American Society for Testing and Materials (ASTM 1163);
- (2) European Standards (EN-1384 or PAS-015 or VG1);
- (3) Australian/New Zealand Standards (AS/NZ 3838 or ARB HS 2012);
- (4) Snell Equestrian Standard 2001.

(b) Any person mounted on a horse or stable pony on the association grounds must wear a properly-secured safety vest at all times. Additionally, all members of the starting gate crew must also adhere to this regulation at all times while performing their duties or handling a horse. For the purpose of this regulation, a member of the starting gate crew means any person licensed as an assistant Starter or any person who handles a horse at the starting gate. The safety vest must comply with one of the following minimum standards or later revisions:

- (1) British Equestrian Trade Association (BETA):2000 Level 1;

- (2) Euro Norm (EN) 13158:2000 Level 1;
 - (3) American Society for Testing and Materials (ASTM) F2681-08 or F1937;
 - (4) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3; or
 - (5) Australian Racing Board (ARB) Standard 1.1998.
- (c) A safety helmet or a safety vest shall not be altered in any manner nor shall the product marking be removed or defaced.
- (d) All horses with a jockey or exercise rider mounted that are racing, parading or warming up prior to racing or jogging or exercising at any time must be equipped with a type of safety reins approved by the Commission. Reins to be approved by the Commission may be originally designed and constructed to provide a secure secondary attachment to the bit that is secured to a reinforcement material to prevent failure due to breakage of the rein, or breakage or inadvertent loss of the primary connection to the bit.
- (e) The Commission, by written notice to the regulated community and by Order published in the *Pennsylvania Bulletin*, may amend, modify or update the previously stated required minimum standards for helmets and vests.
- (f) Failure of the previously stated persons to adhere to the previously stated safety helmet and safety vests provisions may subject the person to the following penalties:
- (1) First offense—a written warning;
 - (2) Second offense—\$50 fine;
 - (3) Third or subsequent offense—\$250 fine or suspension, or both, at the discretion of the Stewards.

OWNERS

§ 303.6. Licensing requirements for owners.

- (a) Each person who has a 5% or more ownership or beneficial interest in a horse is required to be licensed.
- (b) An applicant for an owner's license shall own or lease a horse which is eligible to race, registered with the racing secretary and under the care of a trainer licensed by the Commission. An owner shall notify the Stewards of a change in trainer of his/her horse. A horse shall not be transferred to a new trainer after entry.
- (c) Notwithstanding § 185.6 (relating to age requirement) of the Commission's regulations, a horse owner of any age may apply for an owner's license. If younger than 18 years of age, an applicant for an owner's license shall submit a notarized affidavit from the applicant's parent or legal guardian stating that the parent or legal guardian assumes responsibility for the applicant's financial, contractual and other obligations relating to the applicant's participation in racing.

(d) Each licensed owner is responsible for disclosure to the Commission or its designee of the true and entire ownership of each of the owner's horses registered with the racing secretary. Any change in ownership or trainer of a horse registered with the racing secretary shall be approved by the Stewards. Each owner shall comply with all licensing requirements set forth in Chapter 185 (relating to occupational licenses—temporary regulations).

(e) The Commission or its designee may refuse, deny, suspend or revoke an owner's license for the spouse or member of the immediate family or household of a person ineligible to be licensed as an owner, unless the applicant or licensed owner demonstrate and the Commission concludes that participation in racing will not permit a person to serve as a substitute for an ineligible person. The transfer of a horse to a spouse, member of the immediate family or household solely to circumvent the ineligible status of the owner of the horse is prohibited.

§ 303.7. Licensing requirements for multiple owners.

(a) If the legal owner of any horse is a partnership, corporation, limited liability company, syndicate or other association or entity, each shareholder, member or partner shall be licensed as required by this rule.

(b) Each partnership, corporation, limited liability company, syndicate or other association or entity shall disclose to the Commission all owners holding a 5% or greater beneficial interest, unless otherwise required by the Commission.

(c) Each partnership, corporation, limited liability company, syndicate or other association or entity which includes an owner with less than a 5% ownership or beneficial interest shall file with the Commission an affidavit which attests that, to the best of their knowledge, every owner, regardless of their ownership or beneficial interest, is not presently ineligible for licensing or suspended in any racing jurisdiction.

(d) Application for joint ownership shall include a designation of a managing owner and a business address. Receipt of any correspondence, notices, or orders from the Commission at the address shall constitute official notice to all persons involved in the ownership of the horse. The written appointment of a managing owner or authorized agent shall be filed with the Commission.

§ 303.8. Lease agreements.

A horse may be raced under lease provided a completed breed registry or other lease form acceptable to the Commission is attached to the certificate of registration and on file with the Commission. The lessor and lessee shall be licensed as horse owners.

§ 303.9. Stable name registration.

Licensed owners and lessees may adopt a stable name subject to the approval of the Commission.

- (1) The applicant shall identify all persons using the stable name. Any changes shall be reported immediately to the Commission.
- (2) A person who has registered a stable name may cancel it upon written notice to the Commission.
- (3) A stable name may be changed by registering a new stable name.
- (4) A stable name which has been registered by any other person will not be approved by the Commission.
- (5) A stable name shall be clearly distinguishable from other registered stable names.
- (6) The stable name or the name of the owner shall be published in the program. If the stable name consists of more than one person, the program shall list the name of the managing owner along with the phrase “et al.”
- (7) All persons using a stable name shall comply with all rules regarding licensing of owners.

§ 303.10. Racing colors.

- (a) Owners or trainers shall provide racing colors which may be subject to the approval of the Commission, unless the colors are furnished by the licensed racing entity. Racing colors shall be registered with the racing secretary. The Stewards may authorize a temporary substitution of racing colors when necessary.
- (b) The racing colors to be worn by each jockey in a race shall be described in the program and any change shall be announced to the public prior to the beginning of the race.

§ 303.11. Transfer of ownership.

Once a horse has been registered with The Jockey Club or a similar registration entity, the horse may not be transferred to a new owner, unless claimed, without permission of a Board of Stewards who may require a bona fide bill of sale signed by both buyers and sellers and the transfer of ownership must be timely reported to The Jockey Club or a similar registration entity.

TRAINERS

§ 303.12. Eligibility.

- (a) In addition to the general licensing requirements set forth in Chapter 185 (relating to occupational licenses—temporary regulations), an applicant for a license as a Thoroughbred trainer shall comply with the following:
 - (1) Be at least 18 years of age;
 - (2) If not previously licensed as a trainer, the applicant must provide evidence of:
 - (i) At least 2 years of experience as a licensed assistant trainer, or comparable experience in other equine disciplines, or college-level education in equine science and/or horsemanship;

(ii) Submission of two written statements from trainers currently licensed in this Commonwealth or other jurisdiction as to the applicant's character and qualifications and one written statement from a currently licensed owner stating intent to place one or more horses with the applicant, when licensed; and

(iii) Shall be required to pass a written examination, oral interviews with the Stewards and the Commission Veterinarian and demonstrate practical skills.

(b) A trainer licensed and in good standing in another jurisdiction, having been issued within a prior period as determined by the Commission, may be accepted if evidence of experience and qualifications are provided to the Stewards. Evidence of qualifications, as determined by the Stewards, shall require passing one or more of the following:

- (1) A written examination;
- (2) A demonstration of practical skills; or
- (3) An interview with the Stewards.

(c) Upon timely request to the Stewards due to disability or other factors affecting the applicant's ability to effectively complete the trainer's test (for example, illiteracy or language barriers), reasonable accommodations may be made for the applicant including, but not limited to oral administration of the examination, use of a pre-approved translator, and aid from pre-approved assistant where deemed appropriate by the Stewards administering the examination.

(d) If established or adopted by the Commission, as an ongoing condition of licensure, trainers shall be required to attend continuing education classes or programs specifically designed for trainers.

§ 303.13. Trainer responsibility rule.

(a) The trainer is responsible for the condition of the horse entered in an official workout or race and is charged with the responsibility to guard and protect the horse at all times regardless of the trainer's location. The trainer shall be responsible for the presence of any prohibited drug, medication, agent or other substance, including permitted medications in excess of the maximum allowable level, in these horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a Commission-approved laboratory, is prima facie evidence of a violation of this rule. In the absence of substantial evidence to the contrary, the trainer shall be responsible.

(b) A trainer shall prevent the administration, attempted administration or passive contamination by others, including the trainers' employees and assistants who have care, custody and control of the horse from any drug, medication, or other prohibited substance that may cause a violation of these rules.

(c) A trainer shall immediately report to the Stewards and the Commission Veterinarian if the trainer knows, or has cause to believe, that a horse in the trainer's care, custody or control has received any prohibited drugs or medications.

Cross References

This section cited in 7 Pa. Code § 303.15 (relating to other duties and responsibilities of trainers); and 7 Pa. Code § 303.20 (relating to substitute trainer).

§ 303.14. Responsibilities of trainers.

(a) A licensed trainer may represent the owner in the matter of entries, declarations and the employment of jockeys. A licensed trainer may not have an interest, whether by ownership or lease, in a horse of which he is not the trainer at a race meeting at which the trainer is operating as a licensed trainer.

(b) A trainer who represents or files an application for an unlicensed owner shall file with the Commission an affidavit certifying that the trainer will secure a license for the owner within 30 days. The trainer or owner shall be jointly responsible for ensuring the timely and accurate filing of the owner's application. Failure of either to properly secure a license for the owner, may subject both the owner and trainer to a sanction or penalty.

(c) When a trainer is to be absent from the trainer's stable or the grounds where the trainer's horses are racing for a period of more than 2 days and horses are entered or are to be entered, the trainer shall provide a licensed trainer to assume the complete responsibility of the horses entered to run or running. The licensed trainer shall sign in the presence of the Stewards a form furnished by the Commission accepting complete responsibility for the horses being entered and running. This section does not apply to trainers having in their employ a licensed assistant trainer.

(d) A trainer may not enter or start a horse that:

- (1) Is not in serviceable, sound racing condition.
- (2) Has its median, volar or plantar nerves either blocked or removed. The horse is not permitted to race on Commonwealth tracks. A horse which has been nerved below the fetlock (digital nerves) may be permitted to start.
- (3) The trainer knows or has reason to know that the horse has been given, either internally or externally, a stimulant, depressant, hypnotic, narcotic drug or other medication prior to the race.
- (4) Is on the Stewards' List, Starter's List or Veterinarian's List in any racing jurisdiction.

Cross References

This section cited in 7 Pa. Code § 303.15 (relating to other duties and responsibilities of trainers).

§ 303.15. Other duties and responsibilities of trainers.

In addition to the duties and responsibilities set forth in §§ 303.13 and 303.14 (relating to trainer responsibility rule; and responsibilities of trainers), a trainer shall also be responsible for:

- (1) The condition and contents of stalls, tack rooms, feed rooms, sleeping rooms and other areas which have been assigned by the association;
- (2) Maintaining the assigned stable area in a clean, neat and sanitary condition at all times;
- (3) Ensuring that fire prevention rules are strictly observed in the assigned stable area;
- (4) Providing a list to the Commission of the trainer's employees on association grounds and any other area under the jurisdiction of the Commission. The list shall include each employee's name, occupation, social security number and occupational license number. The Commission shall be notified by the trainer, in writing, within 24 hours of any change;
- (5) Ensuring the adequate care, custody, condition, fitness, health, safety and security of horses under his/her care, custody, and control;
- (6) Disclosing the true and entire ownership of each horse the trainer's care, custody or control. Any change in ownership shall be reported immediately to, and approved by, the Stewards and recorded by the racing secretary;
- (7) Training all horses owned wholly or in part by the trainer which are participating at the race meeting;
- (8) Registering with the racing secretary each horse in the trainer's charge within 24 hours of the horse's arrival on the licensed racetrack facility grounds;
- (9) Ensuring that, at the time of arrival at a licensed racetrack, each horse in the trainer's care, custody or control is accompanied by a valid health certificate (Coggins) which shall be filed with the racing secretary;
- (10) Immediately reporting the alteration of the sex of a horse in the trainer's care to the horse identifier and the racing secretary, whose office shall note the alteration on the certificate of registration;
- (11) Promptly reporting to the racing secretary and the Commission Veterinarian any horse on which a posterior digital neurectomy (heel nerving) is performed and ensuring that the fact is designated on its certificate of registration;
- (12) Promptly notifying the Commission Veterinarian of any suspected or actual knowledge of a reportable disease and any unusual incidence of a communicable illness in any horse in the trainer's care;
- (13) Promptly reporting the death of any horse in his/her care on association grounds to the Stewards and the Commission Veterinarian and compliance with the rules and regulations governing post-mortem examinations;
- (14) Representing an owner in making entries and scratches and in all other matters pertaining to racing;
- (15) Horses entered as to eligibility and weight or other allowances claimed;

(16) Ensuring the fitness of a horse to perform creditably at the distance entered;

(17) For having the entered horse standing by and ready for the Pre-Race Veterinary Examination (racing soundness examination) to be conducted by the Commission Veterinarian or designee. The trainer shall have all bandages, blankets and muzzles of and horse's legs clean and free of substances, sweats or leg medications;

(18) For participating and assisting the Commission Veterinarian with pre-race examination tasks, including the safe restraint of the horse, tattoo identification or jogging the horse as requested. Failure by the trainer or assistant trainer to comply with the direction, request or requirement issued by the Commission Veterinarian during the course of a pre-race examination shall result in the horse being scratched from the race and disciplinary action being taken against the trainer;

(19) Ensuring that the trainer's horses are properly shod, bandaged and properly equipped with a type of safety reins that are approved by the Commission that are originally designed and constructed to insure a secure secondary connection to the bit and reinforcement to prevent breakage;

(20) Presenting the trainer's horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered and personally attending to the horse in the paddock and supervising the saddling thereof, unless excused by the Stewards;

(21) Instructing the jockey to give the jockey's best effort during a race and that each horse shall be ridden to win;

(22) Attending the collection of post-race urine and blood samples from the horse in the trainer's charge or delegating a licensed employee or the owner of the horse to do so; and

(23) Notifying horse owners upon the revocation or suspension of the trainer's license. A trainer whose license has been suspended or whose license has expired or been revoked; or license application has been denied, must inform the horse owners that until the license is restored the trainer can no longer be involved with the training, care, custody or control of their horses, nor receive any compensation from them for the training, care, custody or control of their horses. Upon application by the owner, the Stewards may approve the transfer of the horses to the care of another licensed trainer, and upon the approved transfer, the horses may be entered to race. Upon transfer of the horses, the inactive trainer shall not be involved in any arrangements related to the care, custody or control of the horses and shall not benefit financially or in any other way from the training of the horses.

§ 303.16. Trainer treatment records.

(a) A trainer shall accurately document and maintain a record or log of all trainer treatments for every horse in the trainer's care, custody or control. Each

treatment by the trainer shall be recorded within 24 hours of administration. The trainer treatment log shall be maintained electronically or on paper.

(1) Treatment, for the purposes of this section, means any medication or procedure containing a medication administered to a horse by a licensed trainer or the trainer's designee.

(2) Treatment, for the purposes of this section, specifically excludes medications or procedures administered by a veterinarian licensed by the Commission.

(3) This section includes the administration of medications that are prescribed by a veterinarian but administered by the trainer or his or her designee.

(4) This section also includes those treatments that are administered by a veterinarian not licensed by the Commission.

(b) Trainer treatment records or log as required in subsection (a) must include the following information:

(1) The name of the horse (or, if unnamed, the registered name of the dam and year of foaling);

(2) The generic name of the drug (for example, phenylbutazone, methocarbamol);

(3) The name and address of the prescribing veterinarian;

(4) The brand name of the drug if a non-generic is used;

(5) The date of the treatment;

(6) The route and method of administration;

(7) The dosage administered;

(8) The approximate time (to the nearest hour) of each treatment;

(9) The first and last name of the individual that administered the treatment; and

(10) The treating veterinarian shall sign or initial the trainer's treatment log on the first day a horse receives a prescription medication.

(c) The trainer's treatment records or log shall be made available for inspection upon a request by the Commission at any time. Failure to provide accurate and complete trainer treatment records shall result in disciplinary action.

(d) Copies of trainer treatment records must be maintained for at least 6 months.

§ 303.17. Corticosteroid and intra-articular injection reporting requirements.

(a) Trainers or their designees shall accurately keep and maintain complete records of all corticosteroid and intra-articular injections for all horses in the trainer's care, custody or control. Complete corticosteroid and intra-articular injection reports shall include:

(1) The date of the injection;

(2) The name of the veterinarian performing the injection;

(3) The articular space(s) or structure(s) injected;

- (4) The medication or biologicals used to inject each articular space; and
 - (5) The dose in milligrams of each corticosteroid used.
- (b) This information shall be maintained for a minimum of 6 months to facilitate compliance with this regulation. If a horse is successfully claimed by a new owner, the trainer of record at the time of that claiming race must provide that horse's complete corticosteroid and intra-articular injection report for the previous 6 months.
- (c) The above reports shall be maintained in whatever format the trainer elects. However, if the Commission requests a copy of the report, it must be provided in electronic form.
- (d) The report must be provided to the new trainer within 48 hours of the transfer of the horse. The previous trainer or the trainer's designee shall notify the Commission Veterinarian when the records have been provided to the new trainer.
- (e) Submission of the report and records may be delegated to the treating veterinarian, who shall provide the report to the new trainer within 48 hours of the transfer of the horse.
- (f) Failure of the trainer to provide the reports as required shall result in disciplinary action.

§ 303.18. Restrictions on wagering.

A trainer shall only be allowed to wager on the trainer's horse or entries to win or to finish first in combination with other horses.

§ 303.19. Assistant trainers.

- (a) A trainer may employ an assistant trainer as approved by the Stewards. The trainer shall notify the racing secretary of the use of an assistant trainer. The assistant trainer shall be duly licensed prior to acting in the capacity on behalf of the trainer. Qualifications for obtaining an assistant trainer's license shall be prescribed by the Stewards and the Commission and may include those requirements prescribed in this chapter.
- (b) An assistant trainer may substitute for and shall assume the same duties, responsibilities and restrictions as imposed on the licensed trainer. In which case, the trainer shall be jointly responsible for the assistant trainer's compliance with the rules governing racing.
- (c) An assistant trainer shall not enter a horse owned in whole or in part by the assistant trainer or compete against the trainer's horses in a race while employed by the trainer.

§ 303.20. Substitute trainer.

- (a) A trainer, who is absent for more than 2 days from their duties and responsibilities as a licensed trainer or on a day in which the trainer has a horse in a race, shall obtain another licensed trainer to substitute.

(b) A substitute trainer shall accept full responsibility for the horses in writing and must be approved by the Stewards.

(c) A substitute trainer and the absent trainer shall be jointly responsible as absolute insurers of the condition of their horses entered in an official workout or race under § 303.13 (relating to trainer responsibility rule of these regulations).

§ 303.21. Owners authorized agents.

(a) A person undertaking or purporting to act as an authorized agent of an owner shall apply and secure a license from the Commission prior to the representation. An application for an authorized agent license shall be filed for each owner represented.

(b) A written instrument signed by the owner shall accompany the application and shall clearly set forth the delegated powers of the authorized agent. The owner's signature on the written instrument shall be acknowledged before a notary public.

(c) If the written instrument is a power of attorney it shall be filed with the Commission and attached to the regular application form.

(d) Any changes shall be made in writing and filed as set forth above.

(e) The authorized agent's appointment may be terminated by the owner, in writing, acknowledged before a notary public and filed with the Commission whereupon the license shall not be valid.

§ 303.22. Powers and duties of an authorized agent.

(a) A licensed authorized agent may perform on behalf of the licensed owner-principal all acts as relate to racing, as specified in the agency appointment, that could be performed by the principal if the principal were present.

(b) In executing any document on behalf of the principal, the authorized agent shall clearly identify the authorized agent and the owner-principal.

(c) When an authorized agent enters a claim for the account of a principal, the name of the licensed owner for whom the claim is being made and the name of the authorized agent shall appear on the claim slip or card.

(d) Authorized agents are responsible for disclosure of the true and entire ownership of each horse for which they have authority. Any change in ownership shall be reported immediately to, and approved by, the Stewards and recorded by the racing secretary.

JOCKEY LICENSE

§ 303.31. Eligibility for licensure.

(a) No person may participate in racing as a jockey unless and until duly licensed by the Commission in accordance the Commission's regulations and procedures, including the provisions of Chapter 305 (relating to rules of Thoroughbred racing—temporary regulations).

(b) No person under 18 years of age shall be licensed by the Commission as a jockey, except persons who have been licensed by this Commission prior to the date of adoption of this rule.

(c) An applicant shall show competence by prior licensing and the demonstration of the jockey's riding ability, which may include participation in up to

five races with the prior approval of the Stewards. The demonstration of riding ability includes at a minimum:

- (1) Breaking with a horse in company from the starting gate;
 - (2) Working a horse in company around the turn and down the stretch;
 - (3) Switching the riding crop from one hand to the other while maintaining control of the horse in a stretch drive;
 - (4) Causing a horse to switch leads coming out of the turn.
- (d) A jockey shall not be an owner or trainer of any horse competing at the race meeting where the jockey is riding.
- (e) A person whose weight exceeds 130 pounds at the time of application shall not be licensed as a jockey.
- (f) A jockey shall pass a physical examination given within the previous 12 months by a licensed physician affirming fitness to participate as a jockey and a baseline concussion test using the most current SCAT testing protocol, if required by Commission regulation or by a licensed racing entity in accordance with an adopted concussion protocol program. The results of the physical examination and the baseline test shall be provided by the jockey to the Commission. The Stewards may require that any jockey be reexamined and may refuse to allow any jockey to ride pending completion of the examinations.

§ 303.32. Apprentice jockeys.

- (a) No person may participate in racing as an apprentice jockey unless and until duly certified as an apprentice by the Stewards in accordance the Commission's regulations and procedures, including the provisions of §§ 305.275—305.277 (relating to requirements for apprentice jockeys; apprentice jockey weight allowances in overnight races; and applications for extensions).
- (b) No person under 18 years of age shall be licensed by the Commission as a jockey, except persons who have been licensed by this Commission prior to the date of adoption of this rule.
- (c) An applicant may be prohibited from riding until the Stewards or the Commission has sufficient opportunity (not to exceed 14 days) to verify the applicant's previous riding experience.
- (d) An applicant with an approved apprentice certificate may be licensed as an apprentice jockey. An apprentice certificate may be obtained from the Stewards on a form provided by the Commission. A person shall not receive more than one apprentice certificate. In case of emergencies, a copy of the original may be obtained from the racing jurisdiction where it was issued.
- (e) An apprentice jockey may ride with a five-pound weight allowance beginning with the apprentice's first mount and for 1 full year from the date of the apprentice's fifth winning mount. If after riding 1 year from the date of the fifth winning mount, the apprentice jockey has failed to ride a total of forty winners from the date of the first winning mount, the apprentice may continue to ride with a five-pound weight allowance for 1 more year from the date of the fifth winning mount or until the apprentice has ridden forty winners, whichever comes first. Apprentice allowance may be waived with the Stewards' permission at the time of entry by the trainer or the trainer's designee.

(f) In accordance with the provisions of § 305.277, the Stewards or the Commission may extend the time during which the apprentice weight allowance may be claimed, not to exceed the period of time the apprentice jockey was unable to ride (see, APPRENTICE JOCKEY EXTENSION FORM). The Commission will take jurisdiction only on certificates which it has issued. All other requests for extensions shall be directed to the racing authority or jurisdiction that approved the apprentice certificate.

APPRENTICE JOCKEY EXTENSION FORM

Date: _____
To: _____ (Name of Racing Commission)
I hereby request an extension of my apprentice allowance for the following reason(s):
_____ physical disability or illness.
_____ military service.
_____ attendance in an institution of secondary or higher learning.
_____ other reasons which would be acceptable to the Commission. (explain below)

My apprentice allowance expires on _____
(date)

My apprentice contract expires on _____
(date)

Incident occurred at _____ on _____
(Track and location) (date)

Name(s) of Steward(s) at track: _____
I was examined at the time by _____ on _____
(Name of physician) (date)

(Address of examining physician)
I was examined and declared fit to ride by _____ on _____
(Name of physician) (date)

(Address of examining physician)
(Attached is a letter from my physician verifying above facts.)
Total number of calendar days I was unable to ride requested as an extension in this application _____

Name of contract holder at time of incident _____
Present contract holder, if other than above _____

Signed: _____
(apprentice signature)

Note to applicant: No request will be considered by the Commission without a confirming report from your doctor. Be sure to secure letters from attending physicians stating nature and extent of injury, date, and the like, and names of Stewards presiding at meeting where you were injured.

§ 303.33. Jockey duties and responsibilities.

(a) A jockey shall give a best effort during a race, and each horse shall be ridden to win. A jockey shall not ease up on or coast to the finish, without reasonable cause, even if the horse has no apparent chance to win prize money.

(b) A jockey shall not have a valet attendant except one provided and compensated by the licensed racing entity.

(c) No person other than the licensed contract employer or a licensed jockey agent, may make riding engagements for a rider, except that a jockey not represented by a jockey agent may make his own riding engagements.

(d) A jockey shall not have more than one jockey agent at a time.

(e) No revocation of a jockey agent's authority is effective until the jockey notifies the Stewards in writing of the revocation of the jockey agent's authority.

§ 303.34. Jockey agent eligibility.

(a) An applicant for a license as a jockey agent shall:

(1) provide written proof of agency with at least one jockey licensed by the Commission;

(2) demonstrate to the Stewards that he/she has a contract for agency with at least one jockey who has been licensed by the Commission; and

(3) be qualified, as determined by the Stewards or other Commission designee, by reason of experience, background and knowledge. A jockey agent's license from another jurisdiction may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one or both of the following:

(i) a written examination or

(ii) an interview or oral examination.

(4) Applicants not previously licensed as a jockey agent shall be required to pass a written, oral examination, and if applicable, the Commission shall require evidence that the applicant has attended and completed a continuing education program for jockeys.

§ 303.35. Limit on contracts.

A jockey agent may serve as agent for no more than two jockeys and one apprentice jockey at a time.

§ 303.36. Responsibilities of agents.

(a) A jockey agent shall not make or assist in making engagements for a jockey other than those the agent is licensed to represent.

(b) A jockey agent shall file written proof of all agencies and changes of agencies with the Stewards.

(c) A jockey agent shall notify the Stewards, in writing, prior to withdrawing from representation of a jockey and shall submit to the Stewards a list of any unfulfilled engagements made for the jockey.

(d) All persons permitted to make riding engagements shall maintain current and accurate records of all engagements made, the records being subject to examination by the Stewards at any time.

§ 303.37. Prohibited areas.

A jockey agent is prohibited from entering the jockey room, winner's circle, racing strip, paddock or saddling enclosure during the hours of racing, unless permitted by the Stewards.

§ 303.38. Agent withdrawal.

(a) When any jockey agent withdraws from representation of a jockey, the jockey agent shall immediately notify the Stewards and shall submit to the Stewards a list of any unfulfilled engagements made for the jockey.

(b) A jockey agent shall not be permitted to withdraw from the representation of any jockey unless written notice to the Stewards has been provided.

FARRIERS**§ 303.51. Eligibility for a Farrier's license.**

(a) The issuance of a Farrier's license shall be dependent upon the applicant satisfying the requirements set forth below. An applicant shall:

- (1) Be at least 18 years of age; and
- (2) Be qualified, by reason of experience, background and knowledge of horseshoeing, as determined by the Commission or its appointed testing organization.

(b) As evidence of qualifications and capabilities, applicants not previously licensed in any jurisdiction shall be required to pass one or more of the following:

- (1) A written examination;
- (2) An interview or oral examination; or
- (3) A demonstration of practical skills in horseshoeing.

(c) The Farriers' license shall be issued for a term of 3 years.

(d) If a Farrier's license is terminated by action of the Commission or by failure to renew the license for a period of 7 years, the applicant must comply with the requirements of subsection (b).

Cross References

This section cited in 7 Pa. Code § 303.53 (relating to Commission appointed testing organization).

§ 303.52. Reciprocity with other states.

A Farrier's or horseshoer's license, duly issued by and in good standing from another jurisdiction, shall be reciprocally accepted by the Commission or its testing organization as evidence of the Farrier's experience and qualifications for licensure in this Commonwealth. If requested by the Commission, the Farrier shall provide any necessary documentation from the licensing jurisdiction.

§ 303.53. Commission appointed testing organization.

The examination requirements, as set forth in § 303.51(b) (relating to eligibility for a Farrier's license), may be conducted by the Commission or by an organization or entity duly appointed by the Commission, which has the appropriate knowledge and expertise. The appointed organization shall establish the standards, material, and scope of the written, oral and practical examinations and shall determine the satisfactory score for the written examination, as approved by the Commission.

PRACTICING VETERINARIANS**§ 303.71. Eligibility for Commission license.**

An applicant for a license as a practicing veterinarian on the grounds of a licensed racing facility shall be qualified and licensed to practice veterinary medicine in this Commonwealth. An application for a practicing veterinarian license from the Commission must be accompanied by a copy of the applicant's current license to practice veterinary medicine and be otherwise qualified to be issued a license to participate in racing.

Cross References

This section cited in 7 Pa. Code § 403.1 (relating to general purpose).

§ 303.72. Duties and responsibilities.

(a) All practicing veterinarians licensed by the Commission and authorized to access secure areas of the licensed racing facility and to participate in racing activities shall ensure the health and welfare of racehorses and shall safeguard the interests of the public and the participants in racing.

(b) It shall be the duty of every practicing veterinarian to adhere to the highest ethical and professional standards of veterinary practice. Any deviation from those standards shall be considered a violation of the rules of racing and may subject the practicing veterinarian to discipline by the Commission including fines, suspensions or revocation.

(c) All practicing veterinarians administering drugs, medications or other substances shall be responsible for ensuring that the drugs, medications or other substances and the veterinary treatment of horses are administered in accordance with rules in Subpart F (relating to foreign substances, medications, drugs and equine veterinary practices).

(d) All practicing veterinarians shall promptly notify the Commission Veterinarian of any reportable disease and any unusual incidence of a communicable illness in any horse in his/her charge.

Cross References

This section cited in 7 Pa. Code § 403.1 (relating to general purpose).

§ 303.73. Restrictions on wagering.

A practicing veterinarian shall not wager on the outcome of any race if the practicing veterinarian has treated a horse participating in that race within the past 30 days.

Cross References

This section cited in 7 Pa. Code § 403.1 (relating to general purpose).

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