

## PART V. HARNESS RACING COMMISSION

Chap.		Sec.
181.	GENERAL PROVISIONS .....	181.1
183.	RULES OF RACING .....	183.1
185.	ADMINISTRATIVE RULES .....	185.1
186.	SIMULCASTING .....	186.1
187.	TELEPHONE ACCOUNT WAGERING .....	187.1
188.	DRUG USE AND TESTING .....	188.1
189.	NONPRIMARY LOCATIONS .....	189.1
190.	COMMON POOL WAGERING .....	190.1

### Authority

The provisions of this Part V issued under section 2 of the Harness Racing Law (P. L. 1978, No. 728) (15 P. S. § 2602) (Repealed), unless otherwise noted.

### Source

The provisions of this Part V adopted February 25, 1977, effective February 26, 1977, 7 Pa. B. 524, unless otherwise noted.

## CHAPTER 181. GENERAL PROVISIONS

Sec.  
181.1. Definitions.

### § 181.1. Definitions.

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

*Act*—The Race Horse Industry Reform Act (4 P. S. §§ 325.101—325.402).

*Added money early closing event*—An event closing in the same year in which it is to be contested in which entrance, sustaining and declaration fees received are added to the purse.

*Age, how reckoned*—The age of a horse shall be reckoned from the first day of January of the year of foaling, except that for foals born in November and December of any year, in which case the age shall be reckoned from January of the succeeding year effective November 1, 1970, and thereafter.

*Appeal*—A request made to the Commission asking for a review of a decision or ruling of judges or officials. Also a proceeding before the Commonwealth Court of Pennsylvania in accordance with 2 Pa. C.S. §§ 501—508 and 701—704 (relating to practice and procedure of Commonwealth agencies and judicial review of Commonwealth agency action), or other appellate courts.

*Association*—A corporation licensed by the Commission to conduct harness racing with parimutuel wagering within this Commonwealth.

*Claiming race*—One where a horse which starts may be claimed for a designated amount in conformance with §§ 183.151 and 183.152 (relating to claiming races).

*Commission*—The State Harness Racing Commission.

*Conditioned race*—An overnight event to which eligibility is determined according to specified qualifications in conformance with §§ 183.121—183.143 (relating to eligibility and classification).

*Coupled entry*—Two or more horses starting in a race when owned or trained by the same person or trained in the same stable or by the same management.

*Dash*—A race decided in a single trial. The number of premiums awarded may not exceed the number of starters in the dash.

*Declaration*—The naming of a particular horse to a particular race.

*Disqualification*—It shall be construed to mean that the person disqualified is barred from acting as an official or from starting or driving a horse in a race. In the case of a disqualified horse, it may not be allowed to start.

*Early closing race*—A race for a definite amount to which entries close at least 6 weeks preceding the race. The entrance fee may be on the installment plan or otherwise, and payments shall be forfeits. No payment on 2-year-olds in early closing events shall be permissible prior to February 15th of the year in which the horse is a 2-year-old.

*Eligibility certificate*—An official written record of a horse. See the definition of “registration” in this section.

*Elimination heats*—Heats of a race split according to §§ 183.182 and 183.183 (relating to elimination heats or two divisions; and elimination plans) to qualify the contestants for a final heat.

*Exotic wagers*—Those in which the bettor selects more than two horses in one or more races in a single wager.

*Expulsion*—The unconditional exclusion and disqualification from a participation, either directly or indirectly, in the privileges and uses of the course and grounds of the association of a licensee or patron.

*Futurity*—A stake in which the dam of the competing animal is nominated either when in foal or during the year of foaling.

*Guaranteed stake*—A stake with a guarantee by the party sponsoring it that the sum may not be less than the amount named.

*Handicap*—A race in which performance, sex or distance allowance is made. Post positions for a handicap may be assigned by the Racing Secretary.

*Heat*—A single trial in a race of two or more trials.

*In harness*—The horses participating shall be attached to a dual shaft sulky. Sulkies used in a race shall be equipped with unicolored or colorless wheel discs of a type approved by the Commission and placed on the inside and outside of the wheel. A change in the basic design of a sulky or major equipment shall require Commission approval. Rules, regulations, standards, guidelines

affecting the use of any new sulky or equipment shall be approved by the Commission before their adoption.

*Inquiry*—When the judges suspect that a foul or another misconduct occurred during a heat or dash.

*Interference*—An act, which by design or otherwise, hampers or obstructs a competing horse or horses.

*Invitation race*—A race to which only those horses named by the Race Secretary and listed by him with the Presiding Judge shall be eligible.

*Late closing race*—A race for a fixed amount for which nominations or declarations close less than 6 weeks and more than 3 days before the race is to be contested.

*Law or laws*—Shall mean the State Harness Racing Law, act of December 22, 1959 (P. L. 1978, No. 728) (15 P. S. §§ 2601—2675) (Repealed) and other related statutory acts.

*Length of race and number of heats or dashes*—Races or dashes shall be given at a stated distance in units not shorter than  $\frac{1}{16}$  of a mile. The length of a race and number of heats shall be stated in the conditions. If no distance or number of heats or dashes are specified races shall be a single-mile dash or heat. No 2-year-old shall be permitted to start in a dash or heat exceeding 1 mile in distance.

*Maiden*—A stallion, mare or gelding that has never won a heat or race at the gait at which it is entered to start and for which a purse is offered.

*Match Race*—A race which has been arranged and the conditions thereof agreed upon between or among the contestants.

*Meet*—The period for which a license to race has been granted to an association by the Commission.

*Multiple form of wagering*—The correct selection of two or more horses in a designated order of finish in one or more races.

*Mutuel field*—When the individual horses competing in a race exceed the numbering capacity of the Tote, the highest numbered horse capacity of the Tote and horses of a higher number shall be grouped together and called the mutuel field for betting purposes only.

*Nomination*—The naming of a horse or in the event of a futurity the naming of a foal in utero to a certain race or series of races, eligibility of which is conditioned on the payment of a fee at the time of naming and payment of subsequent sustaining fees or declaration fees, or both.

*Objection*—A complaint by a driver of a foul driving or other misconduct occurring during a heat or dash.

*Overnight event*—A race for which entries close not more than 3 days (omitting Sundays) before the race is to be contested. In the absence of conditions or notice to the contrary, entries in overnight events may close not later than

12 noon the day preceding the race. A parimutuel association may not demand declaration fees from owners or trainers of horses competing in an overnight event.

*Owner*—Includes sole owner, part owner or lessee of horse.

*Paddock*—An enclosure in which horses scheduled to compete in a race program are confined prior to racing under the supervision of a paddock judge.

*Pennsylvania-bred for fair division of sire stakes*—The foal shall have been sired by a standardbred stallion standing in this Commonwealth for his full season of service, or dam was owned by a resident of this Commonwealth at the time of breeding or the foaling occurred in this Commonwealth.

*Pennsylvania-bred for parimutuel division of sire stakes*—Horses sired by a stallion registered with the Commission in conformity with §§ 183.1 and 183.2 (relating to registration; and licensure). Naming of these horses shall be limited to standardbred horses which were sired by a standardbred stallion standing his full season in this Commonwealth.

*Post position*—The position drawn by the horse at the time declarations close.

*Programmed*—Shall mean official program.

*Protest*—An objection, properly sworn to, charging that a horse is ineligible to race, alleging an improper entry or declaration, or citing an act of an owner, driver or official prohibited by the provisions of this chapter, and which, if true, shall exclude the horse or driver from the race.

*Race officials*—The term shall be construed to include the following:

- (i) Presiding Judge
- (ii) Associate Judges
- (iii) Finish Wire Judge
- (iv) Patrol Judges
- (v) Paddock Judges
- (vi) Starters
- (vii) Timer
- (viii) Clerk of the Course
- (ix) Race Secretary
- (x) Program Director
- (xi) Track Veterinarian
- (xii) Equipment Inspector

*Record*—The fastest time made by a winning horse in a heat or dash, in compliance with the requisites of racing.

*Registration*—A certification of ownership, except where there is a direct conflict with the rules, regulations or laws of the Commission, matters regarding registration and eligibility certificates shall be governed in accordance with the rules and regulations as set forth by the United States Trotting Association.

*Rules*—The rules and regulations promulgated by the Commission.

*Scoring*—That preliminary practice taken by the horses in a race after the post parade and before they are called by the starter to line up for the start.

*Stake*—A race that shall be contested in a year subsequent to its closing in which the money given by the association conducting the same is added to the money contributed by the nominators, which belong to the winner or winners. In an event the money contributed in nominating, sustaining and starting payments shall be paid to the winner.

*Starting point*—The point marked on the inside rail where the starter gives the word “Go”.

*Total calculator*—An electronic calculator, commonly referred to as a Totalizer, the design of which shall be approved by the Commission, installed for the purposes of designating straight, place and show wagering in the manner described by § 183.11 (relating to liability).

*Walk-over*—When only horses of the same interest start, a walk-over results. In a stake race a walk-over is entitled to stake money and forfeits unless otherwise provided in the published conditions. To claim the purse, the entry shall start and go once over the course unless this requirement is waived by the judges.

*Winner*—The horse whose nose reaches the wire first. If there is a dead heat for first, both horses shall be considered winners. Where two horses are tied in a summary, the winner of the longer heat shall be entitled to the trophy. Where the heats are of the same distance and the horses are tied in the summary, the winner of the fastest heat shall be entitled to the trophy.

*Wire*—A real or imaginary line from the center of the judge’s stand to a point immediately across, and at right angles to the track.

#### **Authority**

The provisions of this § 181.1 amended under sections 202 and 218 of the Race Horse Industry Reform Act (4 P. S. §§ 325.202 and 325.218).

#### **Source**

The provisions of this § 181.1 amended April 22, 1977, effective April 23, 1977, 7 Pa.B. 1091; amended March 20, 1987, effective March 21, 1987, 17 Pa.B. 1217; corrected February 26, 1988, effective November 8, 1980, 10 Pa.B. 863. Immediately preceding text appears at serial pages (116219) to (116224).

#### **Cross References**

This section cited in 58 Pa. Code § 183.52 (relating to required presence of officials in race).

[Next page is 183-1.]

181-6

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