

2009 RULE CHANGES FROM THE MASSACHUSETTS RACING COMMISSION

The following new rules of racing will be effective as of May 1, 2009. If you have any questions regarding the new rules you are advised to contact the Stewards or the NEHBPA Office.

*****ALL HORSEMEN ARE URGED TO READ RULE CHANGES CAREFULLY*****

PLEASE NOTE: Changes to Claiming Rules 4.06 (1) and 4.06 (31) were proposed by vote of the NEHBPA's Board of Directors and presented to the MSRC for approval.

4.06: Claiming

(1) In claiming races any horse is subject to claim for its entered price by any owner registered in good faith for racing at the meeting or by his authorized agent. Said claim is for the account only of the owner making the claim or for whom the claim was made by the agent provided. No person shall claim his own horse or cause his horse to be claimed directly or indirectly for his own account.

EXPLANATION: *This claiming rule has been changed so that any registered owner or his authorized agent may claim a horse at Suffolk Downs without the previous requirement of starting a horse at the meet.*

4.06: Claiming

(31) The Stewards shall issue a claiming authorization to any person who makes an application on forms prescribed for that purpose and who meets the following 3 requirements:

- (a) Meets all the requirements for the issuance of an owner's license, except that the applicant need not own a horse or have any previous experience in racing
- (b) Has an agreement with a licensed trainer to train any horse claimed pursuant to the claiming authorization. The holder of a claiming authorization and the trainer shall promptly notify the Stewards in writing if such agreement is terminated before a horse is successfully claimed.
- (c) Has on deposit with the horsemen's bookkeeper the amount of the claim plus any amount that may be required by Federal, State, or Local law as a tax.

EXPLANATION: *Under the previous rule, an owner who had his stable eliminated by sale, claiming, fire or other hazards within the previous twelve months would not be eligible to claim a horse.. This change simply allows those owners who had horses in the previous twelve months to claim a horse.*

4.32: Urine, Other Tests and Examinations

(38) Androgenic-Anabolic Steroids

No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of stanozolol, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the indicated thresholds.

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

1. 16 β -hydroxystanozolol (metabolite of stanozolol (Winstrol)) – 1 ng/ml in urine for all horses regardless of sex.
 2. Boldenone ((Equipoise® 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.
 3. Nandrolone (Durabolin® is the phenylpropionate ester and Deca-Durabolin® is the decanoate ester) In geldings – 1 ng/ml in urine; in fillies and mares – 1 ng/ml in urine.
 4. Testosterone
 - A. In geldings – 20 ng/ml in urine
 - B. In fillies and mares – 55 ng/ml in urine
- a. Any other anabolic steroids are prohibited in racing horses.

Post-race urine samples must have the sex of the horse identified to the laboratory.

- b. 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 the veterinarian's list in order to monitor the concentration of the drug or metabolite in urine. Once the concentration is below the designated threshold the horse is eligible to be removed from the list.

EXPLANATION: *Androgenic Anabolic Steroids rules to correspond with the language of the ARCI Model Rules.*

Stewards & Fines

4:13 (24) The Stewards may suspend for no greater period than ten days beyond the close of the meeting anyone whom they have authority to supervise, or they may impose a forfeiture, not exceeding \$3,000.00. All such suspensions and forfeitures must be reported to the Commission. If the punishment so imposed is not in the opinion of the Stewards sufficient, they shall so report to the Commission.

4:35 (10) The Stewards may not impose a forfeiture in excess of \$3,000.00. If it is deemed necessary that a larger forfeiture should be imposed, the Stewards shall so recommend to the Commission.

EXPLANATION: *These new rules allow the stewards to impose a fine up to \$3,000 for major offenses. Larger fines are now common in many racing jurisdictions. This change will allow the stewards, in certain circumstances, the latitude to impose a larger fine for a major offense that could lessen a lengthy suspension*

The Term “Whip” Changed to “Riding Crop”

4:02- Definitions- Equipment as applied to a horse, shall mean riding crops, spurs, blinkers, tongue straps, muzzles, hoods, nose-bands, bits, shadow rolls, martingales, breast plates, bandages, boots, plates, etc.

4:10 (11) No electrical or mechanical device or other expedient designed to increase or decrease the speed of a horse, (or that would tend so to do) other than the ordinary riding crop or spurs, shall be possessed by any one or applied by any one to a horse at any time on the grounds of an Association, during a Meeting whether in a race or otherwise.

4:11 (6) (a) Running of the Race.

(a) Equipment.

1. All riding crops are subject to inspection and approval by the stewards and the clerk of scales.

(a) Riding crops shall have a shaft and a flap and will be allowed in flat racing including training, only as follows;

(A) Maximum weight of eight ounces.

(B) Maximum length, including flap of 30 inches.

(C) Minimum diameter of the shaft of one-half inch

(D) Shaft contact area must be smooth, with no protrusions or raised surface, and covered by shock absorbing material that gives a compression factor of at least one-millimeter throughout its circumference.

(b) The flap is the only allowable attachment to the shaft and must meet these specifications:

(A) Length beyond the end of the shaft a maximum of one inch.

(B) Width a minimum of 0.8 inch and a maximum of 1.6 inches.

(C) No reinforcements or additions beyond the end of the shaft.

(D) No binding within seven inches of the end of the shaft.

(E) Shock absorbing characteristics similar to those the contact area of the shaft.

4:11 (6) (c) 7 A jockey's weight shall include his/her clothing, boots, saddle and its attachments and any other equipment except the riding crop, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles and number cloth.

4:11 (6) (e)

Use of Riding Crops.

a. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his/her best efforts to win.

b. In all races where a jockey will ride without a riding crop, an announcement of such fact shall be made over the public address system.

c. No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the ordinary riding crop approved, shall be possessed by anyone, or applied by anyone to the horse at any time on the grounds of the association during the meeting, whether in a race or otherwise.

d. Riding crops shall not be used on two-year-old horses before April 1 of each year.

e. Indiscriminate use of the riding crop is prohibited including whipping a horse:

i. On the head, flanks or on any other part of its body other than the shoulders or hind quarters;

ii. during the post parade except when necessary to control the horse;

iii. excessively or brutally causing welts or breaks in the skin;

iv. when the horse is clearly out of the race or has obtained its maximum placing; or

v. persistently even though the horse is showing no response under the riding crop .

vi. striking another person or horse.

f. The riding crop shall only be used for safety, correction and encouragement.

g. All riders should comply with the following when using the riding crop:

i. Showing the horse the riding crop and giving it time to respond before hitting it

ii. Having used the riding crop, giving the horse a chance to respond before using it again.

iii. Using the riding crop in rhythm with the horses stride.

h. After the race, horses will be subject to inspection by a racing or official veterinarian looking for cuts, welts or bruises in the skin. Any adverse findings shall be reported to the stewards.

i. The giving of instructions by any licensee that if obeyed would lead to a violation of this rule may result in disciplinary action also being taken against the licensee who gave such instructions.

4.41 (3) & (4) Weighing Out

(3) None of the following items shall be included in a jockey's weight: Protective helmet, as may be approved by the Commission; riding crop, head number, bridle, bit or reins.

(4) No bridle shall exceed two pounds in weight, and no riding crop (or substitute for a whip) shall exceed eight ounces in weight, unless approved by the Stewards.

EXPLANATION: *ARCI Rules have been developed to change the term "whips" to "riding crops" and outlines the standards for the "riding crops" and its usage. The rules above correspond to the ARCI Model Rules.*

4.09 (5) Corporations

The agent designated to act for the Corporation, and any person holding a beneficial interest of 20% or more in the Corporation shall be licensed as owners. Any person whose beneficial interest in the Corporation is less than 20% shall not be licensed as an owner unless they establish a bona fide need for the license and the issuance of the license shall be approved by the stewards. If a husband and wife are listed in the Corporation and their total beneficial interest in the Corporation represents 20% or more of the Corporation they shall both be licensed as owners.

4.26: (1) Partnerships

Each and every partnership must be registered with the Commission. Every member of the partnership with a beneficial interest of 20% or more shall be licensed. Every member of the partnership with a beneficial interest of less than 20% shall not be licensed unless they establish a bona fide need for the license and the issuance of the license shall be approved by the stewards.

4:26 (8)

In case of multiple ownership, each and every owner shall be in good standing in racing. In a Limited Partnership and every other form of partnership, only the Managing General Partner, General Partners or a person designated to act on behalf of the partnership and partners whose percentage of ownership is 20% or more of the total partnership shall be licensed as owners. A partner whose percentage of ownership is less than 20% of the total partnership shall not be licensed as an owner unless they establish a bona fide need for the license and the issuance of the license shall be approved by the stewards. Those, not licensed, must provide-full disclosure by the partnership of:

- (a) The limited partner's name, address, date of birth, social security number and criminal history if any;
- (b) The percentage of total partnership interest owned by the limited partner. If limited partners are husband and wife, and their total ownership interest in the partnership represents 20% or more of the total partnership, then they shall both be licensed as owners.
- (c) Said disclosure statement shall be made under oath and accompanied by a copy of the partnership agreement.

If a limited partner with less than 20% interest of the total partnership could not obtain a license for reasons outlined in 205 CMR 4.21, the Limited Partnership shall not be licensed. In the event that one of the persons listed in the Limited Partnership is suspended, all horses owned by the Limited Partnership may be suspended, at the discretion of the Stewards and or the Commission.

It shall be the responsibility of the General Partner or his licensed designee to notify the Stewards and Racing Commission in writing of any change in the ownership or interest in the Limited Partnership. Only the Managing General Partner or a licensed partner or a person designated to act on behalf of the partnership and is licensed can enter a horse in a race.

Explanation: *Under previous rules, anyone with less than 20% interest in a partnership of a horse could not be licensed. The change simply allows an individual with a less than 20% interest the opportunity to be licensed if they can demonstrate a bona fide need to the stewards. This would allow some individuals in large partnerships, such as racing syndicates, the opportunity to be licensed.*