

# RULE PROPOSALS

1 **Sec. 311.104. Trainers.**

2 (a) Licensing.

3 (1) Except as otherwise provided by this subsection, a trainer  
4 must obtain a trainer's license before the trainer may enter a  
5 horse or greyhound in a race. A trainer may enter a horse or  
6 greyhound in a stakes race without first obtaining a license,  
7 but must obtain a license before the horse or greyhound may  
8 start in the stakes race. Except as otherwise provided by this  
9 section, to be licensed by the Commission as a trainer, a person  
10 must:

11 (A) be at least 18 years old;

12 (B) submit a minimum of two written statements from licensed  
13 trainers, veterinarians, owners, or kennel owners, attesting to  
14 the applicant's character and qualifications;

15 (C) interview with the board of stewards or judges;

16 (D) ~~(B)~~ satisfactorily complete a written examination  
17 prescribed by the Commission; and

18 (E) ~~(C)~~ satisfactorily complete a practical examination  
19 prescribed by the Commission and administered by the stewards or  
20 racing judges or designee of the stewards or racing judges.

21 (2) Examinations.

22 (A) ~~[The standard for passing the written examination must~~  
23 ~~be printed on the examination.]~~ A \$50 non-refundable testing fee  
24 is assessed for administering the written and practical  
25 examinations. The fee is due and payable at the time the ~~[first]~~  
26 written examination [appointment] is scheduled. If the applicant  
27 fails the written or practical examination, the applicant will  
28 be allowed to retake it once without an additional fee. The  
29 applicant must pay a \$50.00 non-refundable testing fee to  
30 schedule an examination after each retest. A minimum of 48

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1 hours advance notice is required to reschedule an examination  
2 appointment without loss of the testing fee. An applicant who  
3 fails to timely reschedule an examination appointment must pay a  
4 new testing fee to reschedule the appointment. A steward or  
5 judge may waive the additional fee if, in the opinion of the  
6 steward or judge, the applicant shows good cause for the failure  
7 to timely reschedule an examination appointment.

8 (B) The standard for passing the written examination must be  
9 printed on the examination. An applicant who fails the written  
10 examination may not reschedule the written examination again  
11 before the 90<sup>th</sup> [60<sup>th</sup>] day after the applicant failed the written  
12 examination. An applicant who fails the written examination for  
13 a second or any subsequent time may not reschedule the written  
14 examination for 180 calendar days after the last failure and the  
15 applicant must pay an additional \$50 non-refundable testing fee.  
16 After successful completion of the written exam an applicant has  
17 365 calendar days to successfully complete the practical exam.

18 (C) An applicant who fails the practical examination may not  
19 reschedule the practical examination again before the 180th day  
20 after the applicant failed the practical examination. An  
21 applicant who fails the practical examination for a second time  
22 may not reschedule another practical examination for 365  
23 calendar days after the day the applicant failed the second  
24 practical examination and the applicant must pay an additional  
25 \$50 non-refundable testing fee.

26 (D) The Commission may waive the requirement of a written  
27 and/or practical examination for a person who has a current  
28 license issued by another pari-mutuel racing jurisdiction. If a  
29 person for whom the examination requirement was waived  
30 demonstrates an inability to adequately perform the duties of a

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1 trainer, through excessive injuries, rulings, or other behavior,  
2 the stewards or racing judges may require the person to take the  
3 written and/or practical examination. If such a person fails the  
4 examination, the stewards or racing judges shall suspend the  
5 person's license for 90 days with reinstatement contingent upon  
6 passing the written and/or practical examination.

7 (3)-(4) (No change.)

8 (b)-(k) (No change.)

1 **Sec. 313.41. Racing Secretary.**

2 (a)-(b) (No change.)

3 (c) In handicap races, the racing secretary shall assign weight  
4 to each horse and shall post the weights in handicaps before the  
5 end of [~~10:30 a.m. on~~] the day set for publication of the  
6 assigned weights.

1 **Sec. 313.101. Entry Procedure.**

2 (a)-(b) (No change.)

3 (c) An entry must be made in writing, [~~may be made~~] by  
4 telephone, or by facsimile to the racing secretary, but must be  
5 confirmed in writing should the stewards or racing secretary so  
6 request. [~~not later than three hours before post time for the~~  
7 ~~first race on the day the entry is to run.~~]

8 (d)-(e) (No change.)

Title 16, Part VIII

Chapter 313. Officials and Rules of Horse Racing

Subchapter B. Entries, Scratches, And Allowances

Division 1. Entries

1 **313.106. Closing Entries.**

2 (a)-(c) (No change.)

3 (d) If a race is canceled because of insufficient entries, the  
4 racing secretary may split any overnight race or write a  
5 substitute race in place of the canceled race. Where an  
6 overnight race is split, forming two or more separate races, the  
7 racing secretary shall give notice of not less than 15 minutes  
8 before such races are closed to grant time for making additional  
9 entries to such split races.

10 (e) (No change.)

1 **Sec. 313.301. Eligibility to Claim.**

2 (a)-(b) (No change.)

3 (c) If the person making a claim is a minor, the claim must be  
4 co-signed by a licensed adult parent or guardian of the minor. A  
5 parent or guardian who co-signs a claim is liable for the claim.  
6 A claim made by a minor that is not co-signed in accordance with  
7 this subsection is invalid.



1 **Sec. 313.406. Colors and Number.**

2 (a) A horse starting in a race must carry a conspicuous saddle  
3 cloth number [~~, and shall carry a head number,~~] corresponding to  
4 its number in the official program. Quarter Horses, Paints, and  
5 Appaloosas shall, and Thoroughbreds and Arabians may, wear head  
6 numbers that correspond to their numbers in the official  
7 program.

8 (b) The jockey for a horse starting in a race shall be properly  
9 attired for riding in the race and wear:

10 (1) the racing colors provided by the owner of the horse  
11 the jockey is to ride, plus white riding pants, boots, and a  
12 number on the right shoulder corresponding to the mount's number  
13 as shown on the saddle cloth, head number if provided, and in  
14 the official [~~daily~~] program; and

15 (2) an A.S.T.M. approved safety helmet [~~a helmet of a type~~  
16 ~~approved by the executive secretary~~] while mounted on any horse  
17 at a licensed racetrack.

18 (c) (No change.)

1 **Sec. 313.441. The Start.**

2

3 (a) The starter is responsible for assuring that each  
4 participant receives a fair start.

5 (b) A horse is considered a starter for all purposes when the  
6 stall doors of the starting gate open in front of the horse at  
7 the time the starter dispatches the horses in a valid start.

8 ~~[(b) The stewards shall declare a horse a non-starter if the~~  
9 ~~stewards determine the horse was left at the post because the~~  
10 ~~horse was not in the starting gate stall or the starting gate~~  
11 ~~malfunctioned.]~~

12 (c) If, when the starter dispatches the field, any door at the  
13 front of the starting gate stalls should not open properly due  
14 to a mechanical failure or malfunction or should any action by  
15 any starting personnel directly cause a horse to receive an  
16 unfair start, the stewards may declare such a horse a non-  
17 starter.

18 (d) Should a horse, not scratched prior to the start, not be in  
19 the starting gate stall thereby causing it to be left when the  
20 field is dispatched by the starter, the horse shall be declared  
21 a non-starter by the stewards.

22 (e) Should an accident or malfunction of the starting gate, or  
23 other unforeseeable event, compromise the fairness of the race  
24 or the safety of race participants, the stewards may declare  
25 individual horses to be non-starters, exclude individual horses  
26 from all pari-mutuel pools, or declare a "no contest" and refund  
27 all wagers except as otherwise provided in the rules involving  
28 multi-race wagers.

1 **Sec. 313.505 Workout Requirements**

2 (a) (No change.)

3 (b) The person riding a horse in an official workout [~~and the~~  
4 ~~person bringing a horse to a licensed training facility for an~~  
5 ~~official workout~~] must hold a valid Commission license as a  
6 jockey, apprentice jockey, or exercise rider, or as the trainer  
7 or assistant trainer of the horse. [~~in the appropriate~~  
8 ~~category.~~]

9 (c) The horse identifier shall identify each horse before each  
10 official workout. The original registration papers for each  
11 horse that is to work, or a copy that satisfies the horse  
12 identifier, must be submitted to the horse identifier before the  
13 horse's initial workout at the facility to permit the identifier  
14 to record the horse's color, gender, markings, and tattoo  
15 number, if applicable. The horse identifier shall inspect all  
16 documents of ownership, registration, or breeding necessary to  
17 ensure the proper identification of the horse. The  
18 identification procedures used at the training facility are  
19 subject to the approval of the executive secretary. The  
20 individual serving as the horse identifier may serve as timer or  
21 starter also, with the approval of the executive secretary. The  
22 timer may not serve as the starter.

23 (d)-(h) (No change.)

1 **313.507 Employees of Training Facilities.**

2 (a) The general manager and chief executive officer of a  
3 licensed training facility must obtain a training facility  
4 ~~[employee]~~ general manager license from the Commission. The  
5 license fee for a training facility employee, including a  
6 general manager license, is defined in section 311.5 [~~license is~~  
7 ~~\$20~~]. A training facility employee license may be denied,  
8 suspended, or revoked for any of the grounds listed in the Act,  
9 §7.04.

10 (b) No Change

11 (c) No Change

# RULE ADOPTIONS

V. B.

1 **Sec. 309.355. Grading System.**

2 (a)-(b) (No change.)

3 (c) The racing secretary shall use seven grades of AA, A, B, C,  
4 J, D, and M. Grade M is for maidens of any age and Grade J is  
5 for winning maidens.

6 (d)-(e) (No change.)

7 (f) The racing secretary shall advance a greyhound that wins a  
8 maiden race to Grade J. The racing secretary shall advance a  
9 greyhound that wins a Grade J race to Grade C. On request by a  
10 kennel owner or trainer, the racing secretary may regrade  
11 [~~advance~~] a greyhound that finishes second, third, or fourth in  
12 a maiden or a Grade J race to Grade D or C. For a greyhound  
13 regraded on request under this subsection, an association shall  
14 place the letter "M" or "J" after the greyhound's name in the  
15 racing program.

16 (g)-(n) (No change.)

17 [~~(o) A greyhound that has advanced from Grade M and has been~~  
18 ~~dropped from further racing without winning another official~~  
19 ~~start may be requalified after a period of 30 days.]~~

20 (o) [~~(p)~~] If a maiden fails to finish in the top four positions  
21 in six consecutive starts, the maiden may not race again at the  
22 race meeting until it requalifies. If the maiden fails to finish  
23 in the top four positions in the two starts after requalifying,  
24 the maiden may not race again at the race meeting.

1 **Sec. 309.363.Official Program.**

2 (a) (No change.)

3 (b) The official program must contain at least two past  
4 performances for each greyhound scheduled to race. The program  
5 must also contain, for each greyhound scheduled to race:

6 (1)-(10) (No change.)

7 (11) the Texas-bred emblem if the greyhound is an accredited  
8 Texas-bred; and

9 (12) [~~11~~] other information to enable the public to properly  
10 judge the greyhound's ability.

11 (c) (No change.)

Title 16, Part VIII

Chapter 309. Racetrack Licenses and Operations

Subchapter D. Greyhound Racetracks

Division 1. Facilities and Equipment

1 **Sec. 309.307. Lures.**

2 An association shall provide an inside dual equipped lure with  
3 an extendable arm and an audible squawker at the escape.

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1 **Sec. 315.43.Track Superintendent.**

2 (a) The track superintendent shall ensure that the racetrack is  
3 properly maintained. The track superintendent shall ensure that  
4 all track equipment is operable for all races and during  
5 training hours.

6 (b) The track superintendent may designate a representative to  
7 serve in the track superintendent's absence, subject to the  
8 approval by the executive secretary.

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Title 16, Part VIII

Chapter 315. Officials and Rules for Greyhound Racing

Subchapter A. Officials

Division 2. Duties

1 **Sec. 315.44.Brakeman.**

2 The brakeman shall ensure that the lure is stopped on the

3 designated revolution on the racetrack at the end of each race.

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