

TEXAS RACING COMMISSION
Laws and Rules Governing Pari-Mutuel Racing in Texas

List of Replacement Pages

May 3, 2017

Important Disclaimer: The information presented here is offered as a convenience to the public and every effort has been made to ensure its accuracy. However, under state law, this does not constitute the official source for the Texas Racing Act or the Texas Racing Commission's rules. **The official source for the Commission's rules is the Texas Administrative Code, compiled and maintained by the [Texas Secretary of State's office \(www.sos.state.tx.us\)](http://www.sos.state.tx.us).**

The current rulebook of the Texas Racing Commission consists of the Rulebook dated MAY 2016 and the following:

- List of Replacement Pages dated 9/1/2016
- List of Replacement Pages dated 11/7/2016
- List of Replacement Pages dated 3/8/2017
- List of Replacement Pages dated 5/3/2017

Pp. 147-148-B *Amendment* – Sec. 309.154 Stable or Kennel Area

Pp. 183-184-B *Amendment* – Sec. 311.105 Jockeys

Pp. 189-192 *Amendment* - Sec. 311.302 Subject to Testing

Amendment - Sec. 311.304 Taking of Specimens

Amendment - Sec. 311.308 Penalties

Pp. 219-220 *Amendment* - Sec. 313.501 Training Facility License

Pp. 227-228 *Amendment* - Sec. 315.1 Required Officials

To maintain an updated rulebook, the above pages should be replaced. The Act, the Rules, and revisions are available on the agency's website at www.txrc.texas.gov or email info@txrc.texas.gov to request a copy. Notification of revisions may be received by providing an email address to info@txrc.texas.gov. Please type **Rulebook Updates** in the subject line.

This page intentionally left blank.

CHAPTER 309

individual with a direct or indirect interest in the transferee has submitted:

(i) the individual person's name, residence address and telephone number, business address and telephone number, date of birth, physical description, and driver's license number; and

(ii) if requested by the Department of Public Safety, a set of fingerprints in a form approved by the Department.

(3) notwithstanding paragraph (2) of this subsection, a transfer to any person of a direct or indirect beneficial ownership interest or a warrant or other option to buy a direct or indirect beneficial ownership interest in an association is not considered to be preapproved if the transfer:

(A) will result in a change in the control of the association; or

(B) will result in the transferee's total beneficial interest increasing from less than 5.0% to 5.0% or more.

(4) Upon receipt of the background report from the Department of Public Safety or verification by the Department that no further background check will be required, the executive secretary shall notify the association within 10 days as to whether a transfer under this subsection should be considered approved or whether the executive secretary will seek further review by the Commission. (Added eff. 10/21/99; (b) amended eff. 1/8/04; (d) amended eff. 9/19/13)

Sec. 309.152. Records.

(a) An association shall maintain records regarding the management and operation of the racetrack for which the association is licensed.

(b) The records must be maintained on the association grounds.

(c) Not later than June 15 of each year, an association shall submit audited financial statements to the Commission regarding the management and operation of the racetrack. The executive secretary may prescribe a form on which the financial information must be submitted to the

Commission.

(d) The executive secretary may require an association to submit a balance sheet and profit and loss statements, not later than five business days after making the request, to determine whether the association continues to be financially viable and capable of performing the duties of an association. (Added eff. 10/21/99)

Sec. 309.153. General Security.

(a) An association shall secure the peaceful use of the association grounds by providing security personnel that is adequate in number and training. The number of security personnel and the level of training required for security personnel is subject to the approval of the executive secretary. All security personnel, including peace officers providing security services to the association, must be individually licensed by the Commission.

(b) On request by the executive secretary, an association shall provide proof of adequate liability insurance for the racetrack. (Added eff. 10/21/99; (b) amended eff. 1/8/04)

Sec. 309.154. Stable or Kennel Area.

(a) An association shall provide continuous security service in the stable or kennel area:

(1) at a horse racetrack, for the period beginning 10 days before the first day of a race meeting and ending 10 days after the last day of a race meeting unless otherwise approved by the executive secretary; and

(2) at a greyhound racetrack, at any time that a greyhound is housed in the area.

(b) An association shall ensure that the stable or kennel area is fenced in a manner that prohibits an individual from crawling under or over the fence.

(c) An association shall prohibit an individual from entering or being present in the stable or kennel area unless the person displays a license badge issued by the Commission which authorizes the individual to have access to the stable or kennel area or a temporary pass issued by the

RACETRACK LICENSES AND OPERATIONS

association.

(d) A written record of all individuals admitted to the stable or kennel area between the hours of 12:00 midnight and 5:00 a.m. shall be maintained. At a minimum, this record shall contain the name and license number of the person admitted and the time admitted. The daily logs shall be delivered to the Commission investigator regularly or at the earliest opportunity when an investigator returns to duty. (Added eff. 10/21/99; (b),(c) amended eff. 1/8/04; (d) added eff. 5/3/2017)

Sec. 309.155. Stable/Kennel Area Visitors Pass.

(a) An association may issue a visitor's pass to a person to enter the stable or kennel area in accordance with this section. The association security staff shall maintain a log showing the date, name of visitor, pass number, and the person granting the pass and the person's Commission license number. A person to whom a visitor's pass has been issued shall display the pass on the person's clothing at all times that the person is in the stable or kennel area.

(b) An association may issue a visitor's pass only to a guest of:

- (1) an association officer or official;
- (2) a Commission employee;
- (3) a trainer, assistant trainer, or kennel owner licensed by the Commission;
- (4) the owner of a horse or greyhound stabled or kenneled on association grounds; or
- (5) a veterinarian licensed by the Commission.

(c) A visitor's pass must contain:

- (1) the visitor's name;
- (2) the date the pass was issued; and
- (3) the sequential pass number.

(d) A visitor's pass issued under this section is valid only for the date the pass is issued.

(e) A visitor's pass does not entitle the person to whom the pass is issued to participate in racing in any way other than as a patron.

(f) The licensee granting the visitor's pass is

responsible for the proper conduct of the visitor and shall ensure compliance by the visitor with all Commission rules. (Added eff. 10/21/99)

Sec. 309.156. Incident Reports and Accident Records.

(a) Not later than 72 hours after an incident occurs requiring the attention of security personnel, the chief of security for an association shall deliver to the stewards or racing judges a written report describing the incident.

(b) The report must contain the name of each individual involved in the incident, the circumstances of the incident, and any recommended charges against each individual involved.

(c) An association shall also maintain records regarding all accidents that occur on association grounds during a race meeting and that result in an injury to a person or race animal. A copy of the record shall be provided upon request by the executive secretary. (Added eff. 10/21/99)

Sec. 309.157. Fire Prevention.

(a) An association shall develop and implement a program for fire prevention on association grounds.

(b) An association shall instruct employees working on association grounds of the procedures for fire prevention.

(c) Before each live race meeting, an association shall have the racetrack facility inspected for compliance with the state's adopted fire code. An inspection required by this subsection must be conducted at least 10 but no more than 45 days before the first day of the race meeting. The association shall provide a copy of the inspection report to the Commission no later than the third day after the association receives the report.

(d) An association shall prohibit:

- (1) smoking in stalls, near greyhound crates, in feed rooms or hay storage areas, and in shed rows;

CHAPTER 309

(2) open fires and oil or gas lamps outside of areas designated by the association;

(3) unattended electrical appliances that are plugged in to an outlet;

(4) electrical outlets or cords left within reach of a race animal;

(5) flammable materials, such as cleaning fluids or solvents, kept in the stable or kennel area; and

(6) locking a stall occupied by a horse.

(Added eff. 10/21/99; (c),(d) amended eff. 1/8/04)

This space intentionally left blank.

RACETRACK LICENSES AND OPERATIONS

This space intentionally left blank.

CHAPTER 311

(B) pay any compensation regarding those horses to the suspended, revoked or ineligible trainer;

(C) solicit or accept a loan of anything of value from the suspended, revoked or ineligible trainer; or

(D) use the farm or individual name of the suspended, revoked or ineligible trainer when billing customers.

(3) A person who assumes the care, custody, or control of the horses of a suspended, revoked or ineligible trainer is directly responsible for all financial matters relating to the care, custody, or control of the horses.

(4) On request by the Commission, a suspended, revoked or ineligible trainer or a person who assumes the care, custody, or control of the horses of a suspended, revoked or ineligible trainer shall permit the Commission to examine all financial or business records to ensure compliance with this section.

(j) Reporting to Clocker. When taking a horse onto a racetrack to work, a horse trainer or an assistant of the trainer shall report the horse's name and the distance to be worked to the morning clocker or an assistant clocker or shall instruct the jockey or exercise rider to transmit the information to the clocker or assistant clocker.

(k) Other Responsibilities - A trainer is responsible for:

(1) the condition and contents of stalls/kennels, tack rooms, feed rooms, and other areas which have been assigned by the association;

(2) maintaining the assigned stable/kennel area in a clean, neat and sanitary condition at all times;

(3) ensuring that fire prevention rules are strictly observed in the assigned stable/kennel area;

(4) training all animals owned wholly or in part by the trainer that are participating at the race meeting;

(5) ensuring that, at the time of arrival at a licensed racetrack, each animal in the trainer's care is accompanied by a valid health certificate/certificate of veterinary inspection;

(6) using the services of those veterinarians licensed by the Commission to attend animals that are on association grounds;

(7) promptly notifying the official veterinarian of any reportable disease and any unusual incidence of a communicable illness in any animal in the trainer's charge;

(8) immediately reporting to the stewards/judges and the official veterinarian if the trainer knows, or has cause to believe, that a animal in the trainer's custody, care or control has received any prohibited drugs or medication;

(9) maintaining a knowledge of the medication record and status of all animals in the trainer's care;

(10) ensuring the fitness of an animal to perform creditably at the distance entered;

(11) ensuring that the trainer's horse is properly shod, bandaged and equipped; and

(12) reporting the correct sex of the horses in his/her care to the Commission veterinarian and the horse identifier.

(l) No licensee shall act as a program trainer, nor shall any owner name a program trainer on the entry form. Any licensee found to be acting as a program trainer and any owner who listed a program trainer is responsible for all violations occurring from participation of any horse or greyhound entered or raced by the licensee. Further, the Commission recognizes that identification of the correct trainer in the program is an important handicapping tool used by the wagering public. Therefore, the Commission identifies the practices of utilizing a program trainer and of acting as a program trainer as being inconsistent with maintaining the honesty and integrity of racing under §307.7 (relating to Ejection and Exclusion) and as a detrimental practice under §311.6 (relating to Denial, Suspension and Revocation of Licenses.) (Added eff. 10/21/99; (a) amended 1/1/03; (c),(f) amended eff. 1/8/04; (a) amended 3/20/08; (k) added eff. 3/20/08; amended eff. 7/14/09; (a) amended eff. 1/5/10; (k) amended eff. 3/6/12; (f) amended eff. 5/30/13; (a) amended eff. 11/2/15; (l) added eff. 3/8/17)

Sec. 311.105. Jockeys.

(a) License

OTHER LICENSES

(1) To be licensed as a jockey or apprentice jockey, an individual must be at least 16 years of age, weigh no more than 130 pounds at the time of licensure, and provide proof of a satisfactory physical examination as described in subsection (b) of this section.

(2) An individual licensed as a jockey or apprentice jockey may not be licensed in another capacity.

(3) To be licensed as a jockey or apprentice jockey, an individual must have a certificate of proficiency issued by a starter licensed in this state or be currently licensed in another state as a jockey or apprentice jockey.

(b) Physical Examination.

(1) To be eligible to ride in a race, a jockey or apprentice jockey must have on file with the Commission proof of a satisfactory physical examination conducted during the 12-month period preceding the date of the race.

(2) An examination required by this section must be performed by a licensed physician and include tests for visual acuity and hearing.

(3) The Commission or the stewards may require a jockey or apprentice jockey to be reexamined at any time and may refuse to permit a jockey or apprentice jockey to ride until proof of a satisfactory examination is submitted.

(c) Apprentice Jockeys.

(1) An apprentice jockey is a rider of thoroughbreds who:

(A) is permitted to ride with the apprentice weight allowance in accordance with Chapter 313 of this title (relating to Officials and Rules of Horse Racing); and

(B) is otherwise qualified to be licensed as a jockey.

(2) The Rules relating to a jockey apply to apprentice jockeys.

(d) Jockey Conduct.

(1) A jockey may not ride under an assumed name.

(2) A jockey may not use an attendant on a race day other than one supplied by the

association.

(3) A jockey may not smoke in public while wearing racing colors. (Added eff. 10/21/99; (a) amended eff. 5/3/17)

Sec. 311.106. Veterinarians.

To be eligible to be licensed by the Commission and hold a license as a veterinarian, an individual must be currently licensed and in good standing with the Texas State Board of Veterinary Medical Examiners. (Added eff. 10/21/99; amended eff. 11/8/04; (a), (b), (c) amended eff. 3/20/08)

Sec. 311.107. Lessee/Lessor.

(a) A race animal may be raced under lease provided a completed lease form is attached to the registration certificate and is on file with the racing secretary.

(b) The lessee and lessor of a horse or greyhound for racing purposes must obtain an owner's license in accordance with §311.101(a) of this title (relating to Horse Owners) and §311.102(a) of this title (relating to Greyhound Owners). (Added eff. 10/21/99; (a) amended eff. 1/8/04)

Sec. 311.108. Authorized Agent.

(a) To be appointed an authorized agent, an individual must be at least 18 years old and licensed as an individual owner, stable foreman, assistant trainer, or a trainer. A written agency appointment authorizing him or her to act on behalf of a licensed owner or licensed trainer in racing matters not directly related to the care and training of horses must accompany the appointment. The authorization shall be on a form provided by the Commission and shall define the agent's powers and limits. The authorization must be signed by the principals and the agent.

(b) A separate agency appointment is required for each principal an authorized agent intends to represent.

(c) An agency appointment expires on the last day of the twelfth month after the date of appointment or when the principal submits written notice of revocation to the stewards or racing

CHAPTER 311

judges, whichever occurs first. (Added eff. 10/21/99;
(a),(b) amended eff. 1/8/04; (a) amended eff. 3/20/08)

Sec. 311.109. Mutuel Employees.

To be licensed as a mutuel clerk or other employee of the mutuel department of an association, an individual must be at least 16 years old. (Added eff. 10/21/99)

Sec. 311.110. Leadout.

(a) To be licensed as a leadout, an individual must demonstrate to the satisfaction of the Commission veterinarian that the individual is knowledgeable in the handling and/or care of greyhounds.

This space intentionally left blank.

OTHER LICENSES

This page intentionally left blank.

CHAPTER 311

item was not contraband; or

(2) the possession was expressly authorized on a racetrack or association grounds by the Act or the Rules. (Added eff. 10/21/99; (a) amended eff. 1/7/01)

Sec. 311.216. Conduct in Stable Area.

(a) An individual may not sleep in the stable area of an association's grounds except:

(1) in a facility provided for that purpose by the association in accordance with the Rules;

(2) in a barn that was constructed after 1990 of fire retardant materials; or

(3) in a tack room that was constructed after 1990 of fire retardant materials, provided the tack room has a window that opens.

(b) A licensee may not possess, keep, or maintain a dog in the stable area of an association's grounds unless:

(1) the dog is confined and prevented from going at large on association grounds; and

(2) the dog is currently vaccinated against rabies.

(c) A licensee who is mounted on a horse or stable pony on association grounds must wear a safety helmet meeting the requirements of §311.218 of this title at all times.

(d) A licensee may not hold a horse in a starting gate unless the licensee wears a properly fastened safety helmet meeting the requirements of §311.218 of this title

(e) Except as otherwise provided by this subsection, a licensee may not operate a motor vehicle in the stable area during training hours.

This subsection does not apply to:

(1) a person who has power of entry under the Act, §3.03;

(2) the stewards;

(3) security personnel employed by the association;

(4) the Commission veterinarian;

(5) the racing secretary;

(6) a veterinarian licensed by the Commission;

(7) an owner or a trainer;

(8) a jockey's agent at a Class 1 racetrack;

(9) a farrier; or

(10) a jockey. (Added eff. 10/21/99; (b) amended eff. 1/8/04; (c) amended eff. 3/20/08; (c), (d) amended eff. 10/19/15)

Sec. 311.217. Greyhound Training.

(a) A person may not use a live or dead animal or fowl to train a greyhound, or send a greyhound to a facility located in this state or out of state for the purpose of being trained using a live or dead animal or fowl. Such activities and practices are detrimental to the best interests of a racing animal and the racing industry.

(b) This section does not apply to the use of a training lure that is made from cured animal hides or pelts and is commercially available to the public. (Added eff. 05/30/13)

Sec. 311.218. Safety Equipment.

(a) Helmets. Any licensee mounted on a horse or stable pony on association grounds must wear a properly secured safety helmet 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 crew means any person licensed as an assistant starter or any licensee 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 (ASTM1163);

(2) UK Standards (EN-1384 and PAS-015);

or

(3) Australian/New Zealand Standard (AS/NZ 3838).

(b) Vests. Any licensee 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.

OTHER LICENSES

For the purpose of this regulation, a member of the starting gate crew means any person licensed as an assistant starter or any licensee 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. (Added eff. 10/19/15)

Subchapter D. Alcohol and Drug Testing

Division 1. Drugs

Sec. 311.301. Use and Possession Prohibited.

(a) Except as otherwise provided by this section, an occupational licensee may not, while performing duties required of the licensee, have present in his or her system a dangerous drug as defined by the Health and Safety Code, Chapter 483, or a controlled substance as defined by the Texas Controlled Substances Act, Health and Safety Code, Chapter 481. The Commission, stewards, or racing judges may decline to take disciplinary action against a licensee who violates this subsection if the Commission, stewards, or racing judges determine that:

(1) the licensee holds a current prescription for the drug or substance, which was issued by a physician licensed to practice in the United States and authorized to dispense or prescribe controlled substances as provided by 21 USC 801 et seq. and the physician is acting in the course of the physician's professional practice;

(2) the drug or substance was prescribed to the licensee for a legitimate medical use; and

(3) the use of the drug or substance will not impair the licensee's judgment, reaction time, or physical abilities as they relate to the licensee's performance of his or her duties.

(b) An occupational licensee may not possess, while on association grounds, a dangerous drug as defined by the Health and Safety Code, Chapter 483, or a controlled substance as defined by the Texas Controlled Substances Act, Health and Safety Code, Chapter 481. This subsection does not apply to:

(1) a licensee who holds a current prescription for the drug or substance, which was issued by a physician licensed to practice in the United States and authorized to dispense or prescribe controlled substances as provided by 21 USC 801 et seq. and the physician is acting in the course of the physician's professional practice; or

(2) a veterinarian licensed by the Commission who has obtained permission to possess a controlled substance or dangerous drug under §319.14 of this title (relating to Possession of Controlled Substances). (Added eff. 10/21/99; amended eff. 1/8/04; (a), (b) amended eff. 3/20/08)

Sec. 311.302. Subject to Testing.

(a) The stewards or racing judges may require an occupational licensee acting pursuant to the license to submit to a urine test or other non-invasive fluid test at any time while on association grounds.

(b) A licensee who refuses to submit to such a test when requested to do so by the stewards or racing judges shall be suspended for at least six months. The stewards or racing judges shall revoke the license of a licensee who refuses to submit to a test for a second or subsequent time. (Added eff. 10/21/99; (b) amended eff. 11/6/02; (b) amended eff. 5/3/17)

Sec. 311.303. Method of Selection.

(a) An occupational licensee may be selected for testing under this subchapter by a method

CHAPTER 311

of random selection prescribed by the executive secretary. The method may be changed from time to time, and it is not an indication of unfairness if a licensee is selected more frequently than any other, providing there is no manipulation of the selection process.

(b) An occupational licensee may be selected for testing at any time while on association grounds on the basis of reasonable belief. (Added eff. 10/21/99)

Sec. 311.304. Taking of Specimens.

(a) An occupational licensee selected for urine testing shall, on request, provide the urine specimen without undue delay, in the presence of or under the supervision of a representative of the Commission.

(b) The specimen shall be immediately sealed and documented on a form provided by the executive secretary, and the licensee shall sign the form. The portion of the form that accompanies the specimen to the laboratory for analysis may not identify the licensee by name.

(c) A licensee shall cooperate fully with the Commission and its designees in obtaining a specimen and in witnessing the securing of the specimen.

(d) The executive secretary shall develop procedures for the splitting of specimens obtained under this section and the storage and testing of the split specimens. The procedures shall address situations when there is an insufficient quantity of specimen for splitting and when the licensee desires to waive a split specimen. The executive secretary shall ensure the procedures are posted prominently at each racetrack licensing office. (Added eff. 10/21/99; (b) amended 5/3/17)

Sec. 311.305. Security of Specimens.

(a) The executive secretary shall ensure that specimens obtained for testing under this subchapter are stored and delivered to the testing laboratory in a manner that ensures the integrity of the specimens.

(b) A person may not tamper with or attempt

to tamper with a specimen taken for testing under this subchapter. (Added eff. 10/21/99)

Sec. 311.306. Medical Review Officer.

(a) The executive secretary shall select a medical review officer to assist the Commission in the evaluation of licensees tested under this subchapter. A medical review officer must be professionally trained to evaluate substance and alcohol abuse. In the performance of his or her duties under this subchapter, the medical review officer may designate other persons in the same general locations as the various licensed racetracks to evaluate licensees. To be designated by the medical review officer, a person must be professionally trained to evaluate substance and alcohol abuse.

(b) The laboratory at which a specimen obtained under this subchapter is analyzed shall report all test results in writing to the medical review officer.

(c) The medical review officer shall review each test result received and determine whether the result constitutes a prima facie violation of the Commission's rules. The medical review officer shall then notify the Commission in writing of each prima facie violation. Not later than five days after receipt of written notice from the medical review officer of a prima facie violation, the tested licensee shall be notified in writing of the alleged violation. (Added eff. 10/21/99)

Sec. 311.307. Confidentiality of Results.

The results of a test under this subchapter are confidential, except for their use with respect to a ruling issued pursuant to this subchapter or in an administrative or judicial hearing regarding the ruling. (Added eff. 10/21/99)

Sec. 311.308. Penalties.

(a) The stewards or racing judges shall impose penalties in accordance with this section for a violation of §311.301 of this title (relating to Use Prohibited). A penalty imposed under this

OTHER LICENSES

section is appealable pursuant to §307.67 of the Rules (relating to Appeal to the Commission.)

(b) If the stewards or racing judges require a licensee to submit to testing under §311.302 of this title (relating to Subject to Testing) as prescribed under §311.303 of this chapter (relating to Method of Selection), the stewards or racing judges shall prohibit the licensee from participating in racing for the remainder of that day.

(c) For a first violation, the stewards or racing judges shall:

(1) suspend the licensee's license for at least six months; and

(2) prohibit the licensee from participating in racing until:

(A) the licensee's condition has been evaluated by the medical review officer or a person designated by the medical review officer under §311.306 of this title (relating to Medical Review Officer);

(B) the licensee has satisfactorily complied with any rehabilitation requirements ordered by the medical review officer; and

(C) the licensee has produced a negative test result.

(d) For a second or subsequent violation, the stewards or racing judges shall revoke the licensee's license.

(e) After a suspended licensee has satisfactorily complied with any rehabilitation requirements ordered by the medical review officer or completed a certified substance abuse rehabilitation program approved by the medical review officer, the licensee may apply to have the license reinstated. The stewards or racing judges shall reinstate the license if the stewards or racing judges determine the licensee poses no danger to other licensees or race animals and that reinstatement is in the best interest of racing. On reinstatement, the stewards or racing judges shall require the licensee to submit to further drug testing to verify continued compliance with the Rules and complete any additional rehabilitation or after-care drug treatment recommended by the

medical review officer.

(f) All specimens to be tested under this subchapter shall be obtained and tested in accordance with §311.304 (relating to Taking of Samples.) The Commission shall pay the cost of the initial test. The licensee being tested is responsible for paying the costs of all subsequent tests. (Added eff. 10/21/99; (a),(b),(f),(g); amended eff. 11/6/02; amended eff. 5/3/17)

Division 2. Alcohol

Sec. 311.321. Prohibited Conduct.

(a) This section applies to conduct by occupational licensees that occurs on association grounds.

(b) A licensee may not be under the influence of an alcoholic beverage or have an alcohol concentration of more than 0.0% in his or her body while the licensee is engaged in the performance of the licensee's duties.

(c) A licensee may not possess or consume an alcoholic beverage while in the stable or kennel

CHAPTER 313

the jockey's mount may be disqualified. (Added eff. 8/30/89; (d) amended eff. 10/30/00)

Sec. 313.444. Dismounting.

(a) After the race, each jockey shall return the horse to the finish, salute the stewards, and receive permission of the stewards to dismount.

(b) Except on the permission of the stewards, a jockey may not permit another person to assist the jockey in removing the equipment that is included in the jockey's weight.

(c) Immediately on dismount and removal of equipment, the jockey shall go to the clerk of the scales to weigh in. (Added eff. 8/30/89; (c) amended eff. 10/30/00)

Sec. 313.445. Weigh In.

(a) On weighing in, a jockey may not weigh less than one pound under the jockey's proper weight nor weigh more than two pounds over the jockey's proper weight.

(b) The stewards may disqualify a horse whose jockey weighs in at a weight in violation of this section and may discipline a person responsible for the weight violation. In determining a violation under this subsection, the stewards shall take into account any excess weight due to rain or mud.

(c) The stewards may excuse a jockey from weighing in if the jockey is unable to weigh in due to accident, injury, or other good cause. (Added eff. 8/30/89)

Sec. 313.446. Claim of Interference.

(a) A jockey, trainer, or owner of a horse may make a claim of interference with the stewards before a race is declared official if the jockey, trainer, or owner has reasonable grounds to believe the horse was interfered with or impeded during the running of the race or that a jockey violated the Rules during the race. On receiving a claim of interference, the stewards shall display the objection sign on the tote board.

(b) A person may not make a claim of interference if the person knows the claim is

inaccurate or false.

(c) An individual who makes a frivolous claim of interference is subject to discipline by the stewards. (Added eff. 8/30/89; (a) amended eff. 10/30/00)

Sec. 313.447. Ramifications of Disqualification.

(a) If the stewards disqualify a horse in a race, each horse in the race that is owned, in whole or in part, by the same owner or that is trained by the same trainer may be disqualified.

(b) If a horse is disqualified for interference in a time trial race, the horse shall receive the time of the horse it is placed behind, plus .01 of a second, or a more exact measurement if photofinish equipment permits. The horse may be eligible to qualify for the finals or consolations of the race on the basis of the assigned time. (Added eff. 8/30/89; (b) amended eff. 10/30/00)

Sec. 313.448. Dead Heat.

(a) If a race results in a dead heat, the race may not be run off.

(b) The association shall distribute the purse equally among the winning horses and any prize that cannot be duplicated shall be distributed by lot. (Added eff. 8/30/89)

Sec. 313.449. Official Order of Finish.

(a) The stewards shall declare the order of finish in a race is official when the stewards have determined:

- (1) the order of finish is correct;
- (2) the jockeys have been properly weighed in, unless excused; and
- (3) the race was run in accordance with the Act and the Rules.

(b) On declaring the official order of finish, the stewards shall direct:

- (1) the order of finish to be posted and announced to the public;
- (2) the official sign to be posted on the tote board; and
- (3) the mutuel manager to ensure the accuracy of the pools for the race are correct and

OFFICIALS AND RULES OF HORSE RACING

ready to be paid.

(c) Except in a stakes race where the published conditions expressly provide for payment of purse money through last place, a horse must carry its assigned weight across the finish line to be eligible to earn any portion of the purse or a designation in the official order of finish other than “did not finish”. (Added eff. 8/30/89; (c) added eff. 5/1/96; (a),(b) amended eff. 10/30/00)

Sec. 313.450. Time Trial Qualifiers.

(a) When two or more horses in different trial races have the same qualifying time, to a degree of .01 of a second, or more exact measurement if photofinish equipment permits, for fewer available positions in the finals or consolations, the stewards shall conduct a draw by lot.

(b) A horse may not draw into the finals or consolations instead of a horse that finished ahead of the horse.

(c) When scheduled races are trial heats for futurities or stakes races electronically timed from the starting gates, an association may not move the starting gates or allow the starting gates to be moved until all trial heats are complete, except in an emergency or to renovate the track as determined by the stewards. (Added eff. 8/30/89; (c) amended eff. 6/15/97; (a),(b) amended eff. 10/30/00)

Subchapter E. Training Facilities

Sec. 313.501. Training Facility License.

(a) A training facility must be licensed by the Commission in accordance with this section to provide official workouts. Except as otherwise provided by this subchapter, an official workout obtained at a training facility licensed under this section satisfies the workout requirements of §313.103 of this title (relating to Eligibility Requirements).

(b) A training facility license expires one year after the last day of the month in which the license was issued. An applicant for a training facility license must submit with the application documents the license fee of \$1,800.

(c) A training facility license is personal to

the licensee and may not be transferred. (Added eff. 1/1/94; (a),(b) amended eff. 10/30/00; (b) amended eff. 9/28/05; (b) amended eff. 5/3/17)

Sec. 313.502. Application for License.

(a) To apply for a training facility license, a person must file an application form prescribed by the Commission at the Commission office in Austin.

(b) The executive secretary shall review each application that is filed. The executive secretary may request additional information from the applicant if the executive secretary determines the additional information is necessary for a complete analysis of the application. If after the review the executive secretary is of the opinion that a training facility license should be granted to the applicant, the executive secretary shall grant the license and issue a license certificate. If after the review the executive secretary is of the opinion that a training facility license should not be granted to the applicant, the executive secretary shall notify the applicant and arrange a hearing on the proposed denial. A hearing on a proposed denial is a contested case proceeding and shall be conducted in accordance with Chapter 307 of this title (relating to Practice and Procedure).

(c) A training facility license may be denied, suspended, or revoked for any of the grounds listed in the Act, §7.04. (Added eff. 1/1/94; (a) amended eff. 10/30/00)

Sec. 313.503. Physical Plant.

(a) To be eligible for a training facility license, the applicant must provide the equipment and facilities prescribed by this section.

(b) The racetrack at a training facility must have a chute at least 250 yards long from the back of the chute to the finish line. The racetrack must be an oval that is at least:

- (1) five-eighths mile in length;
- (2) 40 feet wide on each straightaway;
- (3) 40 feet wide on each turn.

(c) The dimensions of the racetrack at the training facility must be surveyed by a certified land surveyor, including the distances from each

CHAPTER 315. OFFICIALS AND RULES FOR GREYHOUND RACING

Subchapter A. Officials

Division 1. Appointment of Officials

Sec. 315.1. Required Officials.

(a) The following officials must be present at each greyhound race conducted in this state:

- (1) at least two racing judges;
- (2) a commission veterinarian;
- (3) an association veterinarian;
- (4) a racing secretary;
- (5) an assistant racing secretary;
- (6) a paddock judge;
- (7) a starter;
- (8) a clerk of scales;
- (9) a mutuel manager;
- (10) a chart writer;
- (11) a photofinish operator and timer;
- (12) a kennel master;
- (13) a mechanical lure operator; and
- (14) a track superintendent.

(b) An individual may not serve as an official unless the individual has been approved by the executive secretary. Not later than the 30th day before the first day of a race meeting, an association shall submit to the executive secretary the name of each individual and qualified substitutes appointed to serve as an official at the race meeting and a summary of the proposed official's qualifications. The executive secretary may refuse to approve an individual as an official if the executive secretary determines the individual lacks sufficient qualifications to perform the duties of the official position. If the executive secretary determines that an individual is qualified to perform the duties required of the official position for which the individual is submitted and may be issued a license by the Commission, the executive secretary shall approve the appointment of the individual.

(c) The executive secretary may rescind the approval of an official if the executive secretary

determines that:

- (1) the official has violated the Act or a rule of the commission;
- (2) the official has not fulfilled the duties of the position for which the official was appointed; or
- (3) the official has engaged in conduct that is inconsistent with the duties of the official and that is not in the best interests of racing. (Added 10/11/90; (c) added eff. 10/15/95; (b),(c) amended eff. 10/30/00; (a),(b) amended eff. 4/4/05; amended eff. 7/14/09; (a) amended 5/3/2017)

Sec. 315.2. Racing Judges.

(a) To be eligible to be employed as a racing judge, an individual must:

- (1) have experience as an official at a pari-mutuel greyhound racetrack or demonstrate to the executive secretary's satisfaction that the individual has sufficient experience in a racing-related field to perform the duties of a racing judge;
- (2) pass an optical examination conducted annually indicating 20-20 vision, corrected, and the ability to distinguish colors;
- (3) agree to a complete investigation into the individual's background to ensure the individual's integrity is above reproach;
- (4) pass a written examination prescribed by the executive secretary; and
- (5) demonstrate to the executive secretary's satisfaction that the individual's income from sources other than as a racing judge is unrelated to patronage of or employment by a licensee of the Commission.

(b) The executive secretary shall administer the written examination required under this section. A passing grade for the examination is 85%. (Added 10/11/90; (b) amended eff. 5/1/92; amended eff. 2/10/98; (a) amended eff. 10/30/00; (a) amended eff. 4/4/05)

Sec. 315.3. Substitute Officials.

(a) The executive secretary may appoint a substitute racing judge to serve in the absence of a racing judge.

(b) To be eligible to be appointed as a substitute racing judge, an individual must be qualified to serve as a racing judge.

OFFICIALS AND RULES FOR GREYHOUND RACING

(c) If an approved official becomes unavailable to serve, the association may appoint a substitute official with the approval of the racing judges. The substitute official must obtain a Commission license before assuming his or her duties.

(d) If a vacancy occurs among the racing officials other than the racing judges and the association has not appointed an approved substitute, or if a vacancy occurs after a performance has begun, the racing judges shall immediately appoint another qualified individual to fill the vacancy. To be eligible for appointment under this subsection, an individual must be licensed by the Commission as an official. An appointment made under this subsection is valid only for the day of the appointment, unless the association fails to fill the vacancy on the following day and notifies the racing judges not later than one hour before post time for the first race of the day. The racing judges shall immediately report to the executive secretary all appointments made under this subsection. (Added 10/11/90; (a)-(d) amended eff. 2/10/98; (c) amended eff. 10/30/00)

Sec. 315.4. Dual Appointments.

(a) Except as otherwise provided by this section, a racing official may not be appointed to more than one position with an association unless written permission is obtained from the executive secretary at least 10 days before the beginning of the race meeting.

(b) If an emergency arises during a race meeting which necessitates the appointment of a racing official to more than one position, the association shall provide a written report to the executive secretary describing in detail the circumstances of the appointment. A report under this subsection must be delivered to the executive secretary not later than three days after the date of the appointment. If the executive secretary does not approve the emergency dual appointment, the association shall make the necessary appointments for each position. (Added 10/11/90)

Sec. 315.5. General Duties.

(a) An official other than a racing judge is directly responsible to the racing judges for the performance of the official's duties and shall exercise due diligence in the performance of those duties.

(b) An official shall promptly report to the racing judges or the executive secretary any observed violation of the Act or a rule of the commission. (Added 10/11/90)

Division 2. Duties

Sec. 315.31. Racing Judges.

(a) In addition to the other duties described in these Rules, the racing judges shall supervise and exercise general authority over the conduct of the race meeting for which they are appointed and over the licensees participating in racing at that race meeting. If a question arises during a race meeting regarding the conduct of racing that is not addressed by the Act or a rule of the Commission, the racing judges shall resolve the question in conformity with custom, precedent, justice, and the best interest of racing.

(b) The racing judges shall decide all questions before them by majority vote.

(c) The racing judges are authorized to:

(1) interpret and enforce the Act and the Rules of the Commission and to determine all questions, disputes, complaints, or objections relating to racing matters in accordance with the applicable laws;

(2) issue rulings, which supersede any orders of the association, on racing matters that may change the conduct of a race or a race meeting;

(3) review applications for individual licenses submitted at a racetrack and make recommendations regarding the issuance of individual licenses;

(4) enter and inspect all official's stands, weighing rooms, kennels, and all other areas on association grounds;

(5) supervise entries, scratches, and