ARTICLE 5.5. FLAT RACING; LICENSEES

Rule 1. General Provisions

71 IAC 5.5-1-1 Licenses required

Authority: IC 4-31-6-2; IC 4-31-3-9; IC 4-31-13-4
Affected: IC 4-31

Sec. 1. (a) A person shall not participate in pari-mutuel racing under the jurisdiction of the commission without a valid license issued by the commission. License categories shall include the following and others as may be established by the commission:

(1) Racing participants and personnel (including owner, authorized agent, trainer, assistant trainer, jockey, apprentice jockey, jockey agent, veterinary helper, farrier, stable employees, exercise rider, groom, pari-mutuel clerk, pony rider, track employee, track security, vendor employee, starting gate crew, farrier's assistant, valet, track management, practicing or racing veterinarian, or other).

(2) Racing officials as listed in 71 IAC 3.5.

(3) Persons employed by the association, or employed by a person or concern contracting with or approved by the association or commission to provide a pari-mutuel related service or commodity, with job duties which require their presence in a restricted area or which require their presence anywhere on association grounds.

(4) Sole proprietors and all partners of a partnership contracting with or approved by the association or commission to provide a service or commodity.

(5) Shareholders in a corporation, acting as a contractor or vendor, if required by the commission.

(6) Commission employees with job duties which require their presence in a restricted area or which require their presence anywhere on association grounds.

(b) The commission may require a person working at a training center outside the enclosure, with horses competing at a track under the commission's jurisdiction, to obtain a valid license issued by the commission. A requirement for licensure under this section shall be made upon reasonable suspicion that such person's activities or reputation are inconsistent with maintaining racing with the highest standards and the greatest level of integrity. The executive director or judges may refuse entry or scratch any horse involving any such person who, after requested to obtain a valid license, fails to or is unable to obtain a license.

(c) Any person employed by an association solely to assist with the conduct of gambling games, or employed by a person or concern contracting with or approved by the association to provide a gambling game related service or commodity that requires their presence on association grounds, if in good standing and the holder of a current license issued by the gaming commission is considered a licensee of the commission, or must obtain a commission license if not in good standing and the holder of a current license issued by the gaming commission. Any licensee under this subsection is responsible for any and all obligations imposed upon a commission licensee under these rules and is subject to any sanctions, penalties, and/or fines for any violation of commission rules.

(d) Persons required to be separately licensed by the commission shall submit a completed application on forms furnished by the commission and accompanied by the required fee.

(e) License applicants may be required to furnish to the commission a set of fingerprints and a recent photograph and may be required to be refingerprinted or rephotographed periodically as determined by the commission. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2849, eff Jul 1, 1995; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2155; errata filed Apr 9, 1997, 2:15 p.m.: 20 IR 2116; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed May 12, 2008, 1:29 p.m.: 20080521-IR-071080353ERA; emergency rule filed Sep 16, 2010, 12:19 p.m.: 20100922-IR-071100607ERA; emergency rule filed Mar 3, 2011, 11:50 a.m.: 20110309-IR-071110100ERA)*

71 IAC 5.5-1-2 Fingerprinting and licensing reciprocity

Authority: IC 4-31-6-2
Affected: IC 4-31-6-8

Sec. 2. (a) The commission may license persons holding valid permanent (not temporary) licenses issued by ARCI member racing jurisdictions in North America. Prior to being licensed, the person must:

(1) be in good standing;

(2) have cleared a Federal Bureau of Investigation (FBI) or Royal Canadian Mounted Police (RCMP) fingerprint check within the previous five (5) years;

(3) file an application or affidavit as may be required by the commission; and

(4) pay the required applicable fees.

(b) The commission may recognize the issuance of racing licenses from ARCI member jurisdictions in North America or the National Racing Compact for purposes of issuance of licenses in this jurisdiction.

(c) Only permanent licenses in good standing shall be considered. Temporary or probationary licenses shall not be considered.

(d) Applicants must be in good standing in each jurisdiction where they hold or have held a racing license.

(e) Provided the above requirements have been met, the commission may issue either a license or a validation sticker. The validation sticker shall be affixed to either a license issued by this jurisdiction or a valid license issued by another ARCI member jurisdiction. The validation sticker shall measure a maximum of one-half (½) inch vertically, be one and one-half (1½) inches horizontally, and shall contain:

(1) this jurisdiction's two (2) letter postal service abbreviation;

(2) the year of validation; and

(3) the audit trail code or serial number (where applicable).

The validation sticker shall be constructed of an approved tamper-resistant material. The affixing of the validation sticker shall constitute licensing. The commission shall determine the period of time that such license shall be valid in this jurisdiction.

(f) In the event the licensee is absent from this jurisdiction, and upon payment of the applicable fees, a receipt shall be mailed to the licensee's permanent address. The receipt may then be presented at the commission office so that a commission representative may affix the proper validation sticker to the racing license badge.

(g) Notwithstanding a person's purported eligibility for fingerprint reciprocity, the commission or its designee may require the fingerprinting of any applicant or licensee. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2849, eff Jul 1, 1995; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1140; emergency rule filed Feb 13, 1998 10:00 a.m.: 21 IR 2416; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1913; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-3 Multi-state licensing information

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 3. In lieu of a license application from this jurisdiction, the commission may accept an ARCI Multi-State License and Information Form and the National Racing Compact form and license. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-3; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2850, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1913; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-4 Age requirement

Authority: IC 4-31-6-2
Affected: IC 4-31-6-5

Sec. 4. (a) Applicants for licensing shall be a minimum of sixteen (16) years of age unless otherwise specified in these rules. An applicant may be required to submit a certified copy of his or her birth certificate. Persons under the age of eighteen (18) may be required to show evidence of active participation in a certified educational program or have a high school diploma or equivalent.

(b) The commission may grant a license to a person less than sixteen (16) years of age who is working on the association grounds for a parent or legal guardian who is licensed by the commission. An application under this subsection must be signed by the applicant's parent or legal guardian in the presence of one (1) or more stewards. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-4; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2850, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-5 Consent to investigation

Authority: IC 4-31-6-2
Affected: IC 4-31-13-4

Sec. 5. The filing of an application for license or engaging in activities that require a license by the commission shall authorize

the commission to do the following:

(1) Investigate criminal and employment records.

(2) Engage in interviews to determine the applicant's character and qualifications.

(3) Verify information provided by the applicant.

(Indiana Horse Racing Commission; 71 IAC 5.5-1-5; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2850, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed May 12, 2008, 1:29 p.m.: 20080521-IR-071080353ERA)

71 IAC 5.5-1-6 Consent to search and seizure

Authority: IC 4-31-6-2
Affected: IC 4-31-13-4

Sec. 6. By acceptance of a license or by engaging in activities that require a license by the commission, a licensee consents to search and inspection by the commission or its agents and to the seizure of any prohibited medication, controlled substances, paraphernalia, or devices in violation of state or federal law or these rules. Any seized drugs, medication, or other materials may be forwarded by the commission or its agents to the official chemist for analysis. The analysis of materials seized under the provisions of this section is not subject to 71 IAC 8.5-3. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-6; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2850, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed May 12, 2008, 1:29 p.m.: 20080521-IR-071080353ERA)*

71 IAC 5.5-1-7 Approval or recommendations by stewards

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 7. The commission may designate categories of licenses which shall require the prior approval or recommendation of the stewards. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-7; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2850, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-8 Employer responsibility

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 8. (a) The employment or harboring of any unlicensed person at facilities under the jurisdiction of the commission is prohibited.

(b) Every employer shall report, within twenty-four (24) hours, the discharge of any licensed employee in writing to the commission or its designee, including the person's name, occupation, and reason for the discharge and shall surrender to the commission the employee's photo I.D. badge. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-8; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2850, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-9 Employer endorsement of license applications

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 9. (a) The license application of an employee shall be signed by the employer.

(b) Grooms coming in for a one-time stake race before the trainer arrives can file for a license without the trainer. However, when the trainer arrives, he or she must endorse or sign the groom's application. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-9; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2851, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-10 Workers' compensation
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 10. Licensed employers shall carry workers' compensation insurance covering their employees as required by Indiana statute. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-10; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2851, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-11 Financial responsibility
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 11. Applicants for a license may be required to submit evidence of financial responsibility and shall maintain financial responsibility during the period for which the license is issued. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-11; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2851, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-12 License refusal
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 12. The commission, the stewards, or the executive director as the commission's designee may refuse to issue a license. The decision to refuse a license is treated as a withdrawal of the license application without prejudice and is not reported to the ARCI. If an applicant is refused, the applicant may reapply for a license. If an applicant contests a license refusal, the stewards (or an administrative law judge if the stewards are unavailable) shall conduct a hearing pursuant to the procedures provided for in 71 IAC 10. Nonetheless, the hearing on a license refusal is not considered to be a disciplinary action. If the stewards affirm the decision to refuse a license application, the refusal shall be treated as the denial of the application, consistent with these rules. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-12; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2851, eff Jul 1, 1995; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 118; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-13 License denial
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 13. The commission, the stewards, or the executive director as the commission's designee may formally deny an application in accordance with these rules. If an applicant contests the basis of the denial of a license application not later than fifteen (15) days after notice is served, the stewards (or an administrative law judge if the stewards are unavailable) shall conduct a hearing pursuant to the procedures provided for in 71 IAC 10. Nonetheless, a hearing challenging the denial of a license application is not considered to be a disciplinary action. An application that is denied shall be reported:

(1) in writing to the applicant stating the reasons for denial and the date when a reapplication may be submitted; and

(2) to the USTA and the ARCI, which shall then advise other racing jurisdictions.

(Indiana Horse Racing Commission; 71 IAC 5.5-1-13; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2851, eff Jul 1, 1995; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 118; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)

71 IAC 5.5-1-14 Grounds for sanctions
Authority: IC 4-31-6-2; IC 4-31-13-1
Affected: IC 4-31-6-6

Sec. 14. (a) The commission may refuse or deny a license application, revoke or suspend a license, or otherwise penalize a

licensee, or other person, if:

(1) the refusal, denial, revocation, suspension, or other penalty is in the public interest for the purpose of maintaining proper control over horse racing meetings or pari-mutuel wagering; and

(2) any of the conditions listed in subsection (b) apply to the applicant or licensee or person.

(b) The conditions referred to in subsection (a) include, but are not limited to, the following:

(1) The person has been convicted of a felony or misdemeanor that could compromise the integrity of racing by the applicant's or licensee's participation in racing.

(2) The person has had a license of the legally constituted racing or gaming authority of a state, province, or country denied, suspended, or revoked for cause within the preceding five (5) years.

(3) The person is presently under suspension for cause of a license by the legally constituted racing authority of a state, province, or country.

(4) The person has violated or attempted to violate a provision of this article, these rules, or a law or rule with respect to horse racing in a jurisdiction.

(5) The person has perpetrated or attempted to perpetrate a fraud or misrepresentation in connection with the racing or breeding of horses or pari-mutuel wagering.

(6) The person has demonstrated financial irresponsibility by accumulating unpaid obligations, defaulting on obligations, or issuing drafts or checks that are dishonored or not paid.

(7) The applicant or licensee has made a material misrepresentation in an application for a license.

(8) The person has been convicted of a crime involving bookmaking, touting, or similar pursuits or has consorted with a person convicted of such an offense.

(9) The person has abandoned, mistreated, abused, neglected, or engaged in an act of cruelty to a horse.

(10) The person has engaged in conduct that is against the best interest of horse racing or compromises the integrity of operations at a track or satellite facility.

(11) The person has failed to comply with a written order or ruling of the commission or judges pertaining to a racing matter.

(12) The person has failed to answer correctly under oath, to the best of the person's knowledge, all questions asked by the commission or its representatives pertaining to a racing matter.

(13) The person has failed to return to a permit holder any purse money, trophies, or awards paid in error or ordered redistributed by the commission.

(14) The person has had possession of an alcoholic beverage on a permit holder's premises, other than a beverage legally sold through the permit holder's concession operation.

(15) The person has interfered with or obstructed a member of the commission, a commission employee, or a racing official while performing official duties.

(16) The name of the applicant or licensee appears on the department of state revenue's most recent tax warrant list, and the person's delinquent tax liability has not been satisfied.

(17) The person has pending criminal charges.

(18) The person has racing or gaming disciplinary charges pending in this state or other jurisdictions.

(19) The applicant or licensee is unqualified to perform the duties required.

(20) The person has made a material misrepresentation in the process of registering, nominating, entering, or racing a horse as an Indiana owned, Indiana bred, or Indiana sired.

(21) The applicant or licensee is an illegal alien.

(c) A license suspension or revocation shall be reported in writing to the applicant, the USTA, and the ARCI, whereby other racing jurisdictions shall be advised. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-14; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2851, eff Jul 1, 1995; emergency rule filed May 20, 1996, 10:00 a.m.: 19 IR 2891; emergency rule filed Feb 13, 1998 10:00 a.m.: 21 IR 2416; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-15 Reciprocity

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 15. If a person is suspended, expelled, or ruled off, or if his or her license is revoked or his or her application for a license

has been denied, or he or she is under any other current penalty pursuant to the rules of the racing authority of any other state or country or of the gaming commission, such person shall stand suspended, expelled, ruled off, or denied a license at all tracks and satellite facilities operating under the jurisdiction of the commission until the ruling has been withdrawn by the originating authority. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-15; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2852, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3404; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed May 12, 2008, 1:29 p.m.: 20080521-IR-071080353ERA)*

71 IAC 5.5-1-16 License restrictions, limitations, and conditions

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 16. The commission or its designee, for cause, may restrict, limit, or place conditions on any license, including probationary status. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-16; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2852, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-17 Duration of license

Authority: IC 4-31-6-2
Affected: IC 4-31-6-4

Sec. 17. (a) All licenses expire December 31 of each year.

(b) A license is valid only under the condition that the licensee remains eligible to hold such license. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-17; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2852, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-18 Changes in application information

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 18. During the period for which a license has been issued, the licensee shall report to the commission changes in information provided on the license application, including the following:

(1) Current legal name.
(2) Marital status.
(3) Permanent address.
(4) Pending criminal complaints.
(5) Criminal convictions.
(6) License suspensions of ten (10) days or more.
(7) License revocations or fines of five hundred dollars ($500) or more in other jurisdictions.
(8) Racing related disciplinary charges pending in other jurisdictions.

Such information shall be upon the appropriate commission form, signed by the licensee, and filed at the commission offices. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-18; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2852, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-19 Temporary licenses (Repealed)

Sec. 19. *(Repealed by Indiana Horse Racing Commission; emergency rule filed Mar 23, 2010, 1:27 p.m.: 20100331-IR-071100170ERA)*

71 IAC 5.5-1-20 More than one license

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 20. More than one (1) license to participate in horse racing may be granted to a person except when prohibited by these rules due to a potential conflict of interest. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-20; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2853, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-21 Conflict of interest
Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 21. (a) The commission or its designee shall refuse, deny, suspend, or revoke the license of a person whose spouse holds a license and which the commission or stewards find to be a conflict of interest.

(b) A commissioner, commission employee, or racing official shall not be an owner of a horse and shall not accept breeder awards at a race meeting where they have jurisdiction.

(c) A racing official who is an owner of either the sire or dam of a horse entered to race shall not act as an official with respect to that race.

(d) A person who is licensed as an owner or trainer, or has any financial interest in a horse registered for racing at a race meeting in this jurisdiction shall not be employed or licensed at that race meeting as any of the following:

(1) Racing official.
(2) Assistant starter.
(3) Practicing veterinarian.
(4) Veterinary helper.
(5) Officer or managing employee.
(6) Track maintenance supervisor or employee.
(7) Outrider.
(8) Race track security employee.
(9) Horseshoer.
(10) Photo finish operator.
(11) Horsemen's bookkeeper.
(12) Racing chemist.
(13) Testing laboratory employee.

(e) Veterinary helpers shall not be licensed in any other capacity that allows access to the stable area. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-21; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2853, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2213; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-22 License presentation
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 22. (a) All licensees shall carry on their person at all times within the enclosure their assigned commission license (photo identification badge).

(b) A person shall present an appropriate license to enter a restricted area.

(c) The stewards may require visible display of a license in a restricted area.

(d) A license may only be used by the person to whom it is issued. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-22; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2853, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-23 Visitor's pass
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 23. Track security may authorize unlicensed persons temporary access to restricted areas. Such 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 forty-eight (48) hours. Such authorization or credential may only be used by the person to whom it is issued. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-23; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2853, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-24 Credentials property of commission

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 24. Licensee credentials (photo identification badge) are the property of the commission and must be surrendered to the executive director, stewards, commission director of security, or their designee upon request. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-24; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2853, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-25 Safety helmets

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 25. (a) All jockeys competing in a race must wear a safety helmet that meets one (1) of the following safety standards:
(1) American Society for Testing and Materials (ASTM 1163).
(2) UK Standards EN-1384 and PAS-015.
(3) Australian/New Zealand Standards AS/NZS–3838.
(b) Effective July 16, 2009, any licensee mounted on a horse or stable pony on association ground must wear at all times a properly secured safety helmet that meet one (1) of the standards in subsection (a).
(c) The licensee is responsible for providing sufficient evidence that his/her helmet meets a standard as listed in subsection (b). *(Indiana Horse Racing Commission; 71 IAC 5.5-1-25; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2853, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 19, 2009, 11:07 a.m.: 20090401-IR-071090195ERA, eff Mar 12, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-195(E) was filed with the Publisher March 19, 2009.])*

71 IAC 5.5-1-26 Safety vest

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 26. Effective July 26, 2010, any person mounted on a horse or stable pony on the association's racing surface, all assistant starters, and anyone handling a horse in a starting gate must wear a safety vest at all times. The safety vest must comply with or exceed one (1) of the following minimum standards:
(1) British Equestrian Trade Association (BETA): 2000 Level 1.
(2) Euro Norm (EN) 12158: 2000 Level 1.
(3) American Society for Testing and Materials (ASTM) F2681-08.
(4) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 2.
(5) Australian Racing Board (ARM) Standard 1. 1998.
(Indiana Horse Racing Commission; 71 IAC 5.5-1-26; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2854, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Jul 19, 2010, 12:22 p.m.: 20100728-IR-071100480ERA)

71 IAC 5.5-1-27 Knowledge of rules
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 27. (a) A licensee shall be knowledgeable of these rules and, by acceptance of the license, agrees to abide by these rules.
(b) A licensee shall report to track security or the stewards any knowledge the licensee has that a violation of these rules has occurred or may occur. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-27; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2854, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-28 Cooperation with investigations
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 28. (a) All licensees shall cooperate fully with all investigations and inquiries made by commission representatives or association security, or both.
(b) All licensees shall obey instructions from commission representatives or association security, or both. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-28; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2854, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-29 Reporting known or suspected irregularities and rule violations
Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 29. All licensees shall report any known or suspected irregularities, any violation of the rules of the commission, or any wrongdoings by any person immediately to the commission and cooperate in subsequent investigations. *(Indiana Horse Racing Commission; 71 IAC 5.5-1-29; emergency rule filed Feb 13, 1998 10:00 a.m.: 21 IR 2417; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-1-30 Review of horse transfers
Authority: IC 4-31-3-9
Affected: IC 4-31-13

Sec. 30. The executive director or the stewards may refuse the license of an owner, require the horse(s) at issue to be stabled on the grounds of the association, and/or place a horse on the stewards list if the seller is suspended, barred, has had his or her license refused, or is otherwise unlicensable. In making such a determination, the executive director or stewards may consider any information that they deem relevant including, but not limited to, the following:
(1) Whether the buyer is a spouse, member of the immediate family, assistant, employee, business associate, or member of the seller's household.
(2) Whether the seller could have contact with or access to the horse(s) in question after transfer.
(3) Whether the sale occurred within the previous sixty (60) days.
(Indiana Horse Racing Commission; 71 IAC 5.5-1-30; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)

71 IAC 5.5-1-31 Review of trainer transfers
Authority: IC 4-31-3-9
Affected: IC 4-31-13

Sec. 31. The executive director or the stewards may refuse the license of a trainer, require the horse(s) at issue to be stabled on the grounds of the association, and/or place a horse on the stewards list if the prior trainer has been suspended, barred, has had

his or her license refused, or is otherwise unlicensable. In making such a determination, the executive director or stewards may consider any information that they deem relevant including, but not limited to, the following:

(1) Whether the trainer is a spouse, member of the immediate family, assistant, employee, or member of the prior trainer's household.

(2) Whether the prior trainer could have contact with or access to the horse(s) in question.

(3) Whether the trainer transfer occurred within the previous sixty (60) days.

(Indiana Horse Racing Commission; 71 IAC 5.5-1-31; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)

Rule 2. Owners

71 IAC 5.5-2-1 Licensing requirements for owners

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 1. (a) Each person who has a five percent (5%) or more ownership or beneficial interest in a horse is required to be licensed. An applicant for an owner's license can be of any age.

(b) An applicant for an owner's license shall own or lease a horse that is:

(1) eligible to race; and

(2) registered with the racing secretary.

(c) If younger than eighteen (18) years of age, an applicant for an owner's license shall submit a notarized affidavit from his or her 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. In addition, the parents or legal guardians of an applicant for an owner's license under the age of eighteen (18) must be licensed as an owner.

(d) If the commission or its designee has reason to doubt the financial responsibility of an applicant for an owner's license, the applicant may be required to complete a verified financial statement.

(e) Each licensed owner and trainer is responsible for disclosure to the commission or its designee of the true and entire ownership of each of his or her horses registered with the racing secretary. Any change in ownership of a horse registered with the racing secretary shall be approved by the stewards. Each owner shall comply with all licensing requirements.

(f) Each licensed owner is responsible for disclosure to the commission or its designee of the identity of the true and bona fide trainer of each of his or her horses registered with the racing secretary. Any change in the trainer of a horse registered with the racing secretary shall be approved by the stewards. Each trainer shall comply with all licensing requirements.

(g) The commission or its designee may refuse, deny, suspend, or revoke an owner's license for the spouse, member of the immediate family, or household of a person ineligible to be licensed as an owner, unless there is a showing by clear and convincing evidence on the part of the applicant or licensed owner, and the commission determines that participation in racing will not permit a person to serve as a substitute for an ineligible person. To the extent the commission or its designee obtains information that raises a reasonable suspicion that any other person may be serving as a substitute for a person ineligible to be licensed as an owner, any horse whose ownership is in question may be placed on the stewards' list. In such event, any horse whose bona fide ownership is at issue is ineligible to race until such time that the issue is proven by the entrant of the horse by clear and convincing evidence in accordance with the provisions of 71 IAC 7.5-5-2. The transfer of a horse to circumvent the intent of a commission rule or ruling is prohibited.

(h) Each person licensed as an owner consents to the release of records or information required by these rules relating to the medication, care, and/or treatment of a horse by a veterinarian. Additionally, each owner waives and releases any claim that he or she might have against any veterinarian resulting from or in any way relating to the release of records or information to the commission pertaining to the medication, care, and/or treatment of a horse. This provision also serves as and provides a corresponding consent and waiver by and on behalf of the trainer of each of the owner's horses. *(Indiana Horse Racing Commission; 71 IAC 5.5-2-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2854, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3404; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 119; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2213; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher.*

LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)

71 IAC 5.5-2-2 Licensing requirements for multiple owners
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 2. (a) If the legal owner of any horse is:
(1) a partnership;
(2) a corporation;
(3) a syndicate; or
(4) any other association or entity;
each shareholder or partner shall be licensed as required in section 1 of this rule.

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

(c) Each partnership, corporation, syndicate, or other association or entity which includes an owner with less than a five percent (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) To obtain an owner's license, an owner with less than a five percent (5%) ownership or beneficial interest in a horse shall establish a bona fide need for the license and the issuance of such license shall be approved by the stewards.

(e) Application for joint ownership shall include a designation of a managing owner and a business address. Receipt of any correspondence, notice, or order at such address shall constitute official notice to all persons involved in the ownership of such horse.

(f) The written appointment of a managing owner or authorized agent shall be filed with the commission. *(Indiana Horse Racing Commission; 71 IAC 5.5-2-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2854, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-2-3 Lease agreements
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 3. 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. *(Indiana Horse Racing Commission; 71 IAC 5.5-2-3; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2855, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-2-4 Stable name registration
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 4. (a) Licensed owners and lessees may adopt a stable name subject to the approval of the commission.

(b) The applicant shall identify all persons using the stable name. Changes shall be reported immediately to the commission.

(c) A person who has registered a stable name may cancel it upon written notice to the commission.

(d) The stable name and the name of the owner shall be published in the program.

(e) All persons using a stable name shall comply with all rules regarding licensing of owners.

(f) In the event one (1) of the owners or persons listed in a registered stable is suspended, all horses shall be included. *(Indiana Horse Racing Commission; 71 IAC 5.5-2-4; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2855, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-2-5 Racing colors
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 5. (a) Owners or trainers shall provide racing colors which may be subject to the approval of the commission except at race tracks where colors are furnished by the association. 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 commencement of the race. *(Indiana Horse Racing Commission; 71 IAC 5.5-2-5; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2855, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-2-6 Owner – positive tests
Authority: IC 4-31-6-2; IC 4-31-13-1
Affected: IC 4-31-6-6

Sec. 6. (a) Owner(s) of horses testing positive on more than one (1) occasion within the preceding five (5) years for a prohibited substance other than phenylbutazone, flunixin, or ketoprofen, may, at the discretion of the executive director or the stewards, be required to stable all horses participating in a race meet upon the grounds of the association and/or be required to place all horses in the detention barn on the day before and/or the day of its scheduled race. A positive test under this section shall include violations in Indiana and in other jurisdictions.

(b) Special consideration shall be given to positive tests for Class 1, 2, or 3 drugs as listed in the Association of Racing Commissioners International's Uniform Classification Guidelines of Foreign Substances. Special consideration shall also be given to TC02 violations, blood gas violations, and to findings of any drug, medication, or foreign substance administered within twenty-four (24) hours of a horse's scheduled race. *(Indiana Horse Racing Commission; 71 IAC 5.5-2-6; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

Rule 3. Trainers

71 IAC 5.5-3-1 Eligibility
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 1. (a) An applicant for a license as trainer or assistant trainer shall:

(1) be at least eighteen (18) years of age; and

(2) be qualified, as determined by the stewards or other commission designee, by reason of experience, background, and knowledge of racing.

(b) A trainer's license from another jurisdiction, having been issued within a prior period as determined by the commission, may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one (1) or more of the following:

(1) A written examination.

(2) An interview or oral examination.

(3) A demonstration of practical skills in a barn test.

(c) An applicant not previously licensed as a trainer shall be required to pass a written or oral examination and a demonstration of practical skills, administered by the stewards, prior to being licensed as a trainer.

(d) Each licensed trainer is responsible for disclosure to the commission or its designee of the true and entire ownership of each of his or her horses registered with the racing secretary. Any change in ownership of a horse registered with the racing secretary shall be approved by the stewards. Each owner shall comply with all licensing requirements.

(e) Each licensed owner and trainer is responsible for disclosure to the commission or its designee of the true and bona fide

trainer of each of his or her horses registered with the racing secretary. Any change in the trainer of a horse registered with the racing secretary shall be approved by the stewards. Each trainer shall comply with all licensing requirements.

(f) The commission or its designee may refuse, deny, suspend, or revoke a trainer's license for the spouse, member of the immediate family, or household of a person ineligible to be licensed as a trainer, unless there is a showing, by clear and convincing evidence, on the part of the licensed trainer, applicant, or licensed owner (and the commission determines) 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 trainer who would circumvent the intent of a commission rule or ruling is prohibited.

(g) To the extent the commission or its designee obtains information that raises a reasonable suspicion that any other person may be serving as a substitute for a person ineligible to be licensed as a trainer, any horse that the substitute is training may be placed on the stewards' list. In such event, any horse involving an issue of the true and bona fide trainer is ineligible to race until such time that the issue is proven by the entrant of the horse by clear and convincing evidence in accordance with the provisions of 71 IAC 7.5-5-2.

(h) Beginning in 2013, trainers must demonstrate, prior to licensure, that they have attended a four (4) hour continuing education course approved by the commission within the past two (2) calendar years. Trainers completing an approved continuing education course in 2011 or 2012 will have met this requirement through the 2014 racing season. The continuing education requirement does not apply to trainers who have started horses six (6) or fewer times in Indiana the previous year. Such trainers may start up to six (6) horses in a year before he or she must fulfill the continuing education requirement. *(Indiana Horse Racing Commission; 71 IAC 5.5-3-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2855, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 23, 2010, 1:27 p.m.: 20100331-IR-071100170ERA; emergency rule filed Mar 8, 2012, 11:43 a.m.: 20120321-IR-071120117ERA)*

71 IAC 5.5-3-2 Trainer responsibility

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 2. (a) The trainer is responsible for:

(1) the condition of horses he or she trains entered in an official workout or race; and

(2) the presence of any prohibited drug, medication, or other substance, including permitted medication in excess of the maximum allowable level, in horses he or she trains;

regardless of the acts of third parties. 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 of any drug or medication or other prohibited substance that may cause a violation of these rules.

(c) A trainer whose horse has been claimed remains responsible for the race in which the horse is claimed. *(Indiana Horse Racing Commission; 71 IAC 5.5-3-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2855, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-3-3 Other responsibilities

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 3. (a) A trainer is responsible for the following:

(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:

(A) name;
(B) occupation;
(C) occupational license number.

The commission shall be notified by the trainer, in writing, within twenty-four (24) hours of any change.

(5) The proper identity, custody, care, health, condition, and safety of horses in his or her charge, including that outlines *[sic]* in 71 IAC 8.

(6) Disclosure of the true and entire ownership of each horse in his or her 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 him or her which are participating at the race meeting.

(8) Registering with the racing secretary each horse in his or her charge within twenty-four (24) hours of the horse's arrival on association grounds.

(9) Using the services of practicing veterinarians licensed by the commission to attend to horses that are on association grounds. No trainer shall permit a veterinarian whose license is suspended in any jurisdiction or who is excluded from the stable area of tracks under the jurisdiction of the commission to treat any horse, regardless of its location, that has or will be actively participating in racing in Indiana during a given calendar year.

(10) Immediately reporting the alteration of the sex of a horse in his or her care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration.

(11) Promptly reporting to the racing secretary and the official veterinarian any horse on which a posterior digital neurectomy (heel denerving) has been performed and ensuring that such fact is designated on its certificate of registration.

(12) Promptly reporting to the stewards and the official veterinarian the serious illness of any horse in his or her charge.

(13) Promptly reporting the death of any horse in his or her care on association grounds to the stewards and the official veterinarian and compliance with 71 IAC 8.5 governing postmortem examinations.

(14) Maintaining a knowledge of the medication record and status of all horses in his or her care.

(15) Immediately reporting to the stewards and the official veterinarian if he or she knows, or has cause to believe, that a horse in his or her custody, care, or control has received any prohibited drugs or medication.

(16) Representing an owner in making entries and scratches and in all other matters pertaining to racing.

(17) Horses entered as to eligibility.

(18) Ensuring the fitness of a horse to perform creditably.

(19) Ensuring that his or her horses are properly shod, bandaged, and equipped.

(20) Presenting his or her horse in the paddock at the appointed time before the race in which the horse is entered.

(21) Personally attending to his or her horses in the paddock unless excused by the stewards.

(22) Instructing the jockey to give his or her best effort during a race and that each horse shall be ridden to win.

(23) Attending the collection of a urine or blood sample from the horse in his or her charge or delegating a licensed employee or the owner of the horse to do so.

(24) Promptly notifying the owner of a horse of a positive test performed on his or her horse indicating levels in violation of 71 IAC 8.5.

(25) Notifying horse owners upon the revocation or suspension of his or her trainer's license.

(26) Guard and protect all horses in his/her care.

(27) Account for fees and services rendered on behalf of any horse in his/her care to the appropriate owner or owners.

(28) Determine the training regimen of all horses in his/her care.

(29) The licensure of owners and employees prior to participating on race day.

(30) Immediately notifying the stewards, or in their absence commission or track security, of any contact a practicing veterinarian or his or her helper has with a horse within twenty-four (24) hours of its scheduled race except for the administration of furosemide in accordance with commission rules.

(b) Upon application by the owner, the stewards may approve the transfer of such horses to the care of another licensed trainer, and upon such approved transfer such horses may be entered to race.

(c) No trainer shall assign any of his/her duties or responsibility to any person that is disqualified or ineligible to participate in racing or is not appropriately licensed.

(d) No trainer shall assume any of the above responsibilities for a horse not under his/her active care, custody, and supervision.

(e) No trainer shall practice his profession, except under his own name. *(Indiana Horse Racing Commission; 71 IAC 5.5-3-3; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2856, eff Jul 1, 1995; emergency rule filed June 8, 1999, 9:30 a.m.: 22 IR 3121,*

eff May 26, 1999 [NOTE: IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2778; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1914; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2214; errata filed Apr 10, 2006, 2:00 p.m.: 29 IR 2546; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 19, 2009, 11:07 a.m.: 20090401-IR-071090195ERA, eff Mar 12, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-195(E) was filed with the Publisher March 19, 2009.]; emergency rule filed Mar 23, 2010, 1:27 p.m.: 20100331-IR-071100170ERA; emergency rule filed Mar 3, 2011, 11:50 a.m.: 20110309-IR-071110100ERA)

71 IAC 5.5-3-3.1 "In Today" responsibilities
Authority: IC 4-31-3-9; IC 4-31-12-1; IC 4-31-13-4
Affected: IC 4-31

Sec. 3.1. (a) A trainer or his or her licensed designee shall be available to assist with the identification of his or her horse on the day of its scheduled race during the time period set forth in the track rules established by the association and approved by the commission or its executive director.

(b) A horse may not be moved to any other stall after the association employee identifies the horse the morning of its scheduled race.

(c) After the association employee identifies a horse the morning of its scheduled race, the horse may not be removed from its stall with the exception of walking, bathing, shoeing, training, or emergency situations. *(Indiana Horse Racing Commission; 71 IAC 5.5-3-3.1; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2215; emergency rule filed Apr 24, 2006, 11:11 a.m.: 29 IR 3033; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-3-4 Restrictions on wagering
Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 4. A trainer shall only be allowed to wager on his or her horse or entries to win or finish first in combination with other horses. *(Indiana Horse Racing Commission; 71 IAC 5.5-3-4; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2857, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-3-5 Assistant trainers
Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 5. (a) Upon the demonstration of a valid need, a trainer may employ an assistant trainer as approved by the stewards. The assistant trainer shall be licensed prior to acting in such capacity on behalf of the trainer.

(b) Qualifications for obtaining an assistant trainer's license shall be prescribed by the stewards and the commission and may include those requirements prescribed in section 1 of this rule.

(c) 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 these rules. *(Indiana Horse Racing Commission; 71 IAC 5.5-3-5; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2857, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-3-6 Substitute trainers
Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 6. (a) A trainer absent for more than five (5) days from his or her responsibility as a licensed trainer shall obtain another

licensed trainer to substitute.

(b) A substitute trainer shall accept responsibility for the horses and 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 race pursuant to this section. *(Indiana Horse Racing Commission; 71 IAC 5.5-3-6; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2857, eff Jul 1, 1995; emergency rule filed Jun 8, 1999, 9:30 a.m.: 22 IR 3122, eff May 26, 1999 [NOTE: IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with secretary of state June 8, 1999.]; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 119; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

Rule 4. Jockeys

71 IAC 5.5-4-1 Eligibility

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 1. (a) No person under eighteen (18) years of age shall be licensed by the commission as a jockey or apprentice jockey. However, a jockey or apprentice jockey sixteen (16) years of age or older, who has previously been licensed in another jurisdiction, may be licensed by the commission.

(b) A jockey shall pass a physical examination given within the previous twelve (12) months by a licensed physician affirming fitness to participate as a jockey. The stewards may require that any jockey be reexamined and may refuse to allow any jockey to ride pending completion of such examination.

(c) An applicant shall show competence by prior licensing and the demonstration of a riding ability, which may include participation in up to five (5) races with the prior approval of the stewards with the consideration of the recommendations from the starter, the head outrider, and the designated representatives of the jockeys and the horsemen at the track. The demonstration of riding ability is defined at a minimum of:

(1) breaking 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 (1) hand to the other while maintaining control of the horse in a stretch drive; and

(4) causing a horse to switch leads coming out of a turn.

(d) A jockey shall not be an owner or trainer of any horse competing at the race meeting where the jockey is riding. However, a licensed owner or licensed trainer, upon approval by the stewards, may be issued a provisional jockey's license to ride his own horse or a horse registered in his care as a trainer.

(e) A person whose weight exceeds one hundred thirty (130) pounds at the time of application shall not be licensed as a jockey.

(f) A jockey shall fulfill all engagements except by permission of the stewards for good cause. *(Indiana Horse Racing Commission; 71 IAC 5.5-4-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2857, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3405; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2779; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 19, 2009, 11:07 a.m.: 20090401-IR-071090195ERA, eff Mar 12, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-195(E) was filed with the Publisher March 19, 2009.])*

71 IAC 5.5-4-2 Apprentice jockeys

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 2. (a) An applicant may be prohibited from riding until the stewards or the commission have *[sic., has]* sufficient opportunity to verify the applicant's previous riding experience.

(b) The conditions of an apprentice jockey license do not apply to quarter horse racing. A jockey's performance in quarter horse racing do *[sic., does]* not apply to the conditions of an apprentice jockey license.

(c) An applicant with an approved apprentice certificate may be licensed as an apprentice jockey.

(d) An apprentice certificate may be obtained from the stewards on a form provided by the commission. A person shall not receive more than one (1) apprentice certificate. In case of emergencies, a copy of the original may be obtained from the commission

where it was issued.

(e) An apprentice jockey shall ride with a five (5) pound weight allowance beginning with the apprentice jockey's first mount and for one (1) full year from the date of the apprentice jockey's fifth winning mount. If after riding one (1) year from the date of the apprentice jockey's fifth winning mount, the apprentice jockey has failed to ride a total of forty (40) winners from the date of the apprentice jockey's first winning mount, the apprentice jockey shall continue to ride with a five (5) pound weight allowance for one (1) more year from the date of the apprentice jockey's fifth winning mount or until the apprentice jockey has ridden forty (40) winners, whichever comes first.

(f) If an apprentice jockey is unable to ride for a period of seven (7) consecutive days or more after the date of the apprentice jockey's fifth winning mount because of service in national armed forces, enrollment in an institution of secondary or higher education, or because of physical disablement, the commission may extend the time during which the apprentice weight allowance may be claimed for a period not to exceed the period the apprentice jockey was unable to ride. The apprentice jockey extension form approved by the commission shall be completed and provided to the commission. The commission currently licensing the apprentice jockey shall have the authority to grant an extension to an eligible applicant, but only after the apprentice has produced on the approved form documentation verifying time lost as defined by this regulation. An apprentice may petition one (1) of the jurisdictions in which he or she is licensed and riding for an extension of the time for claiming apprentice weight allowances, and the apprentice shall be bound by the decision of the jurisdiction so petitioned.

(g) The conditions set forth in section 1 of this rule shall also apply. *(Indiana Horse Racing Commission; 71 IAC 5.5-4-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2857, eff Jul 1, 1995; emergency rule filed Jun 22, 1998, 5:09 p.m.: 21 IR 4233; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1915; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-4-3 Foreign jockeys

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 3. Upon making an application for a license in this jurisdiction, a jockey from a foreign country shall declare that the jockey is a holder of a valid license in the jockey's country and currently not under suspension. To facilitate this process, the jockey shall present a declaration sheet in a language recognized in this jurisdiction to the commission. *(Indiana Horse Racing Commission; 71 IAC 5.5-4-3; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2858, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-4-4 Jockey responsibility

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 4. (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 association.

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

(d) A jockey shall have no more than one (1) jockey agent.

(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.

(f) A jockey is required to have their colors (silks) and rain jackets tucked into their pants at all times while visible to the public. However, during inclement weather, the stewards may permit jockeys to not tuck their rain jacket into their pants provided their silks are appropriately tied at or above the waist ensuring a uniform and tidy appearance. All rain jackets must be white. *(Indiana Horse Racing Commission; 71 IAC 5.5-4-4; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2858, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Feb 21, 2003, 4:15 p.m.: 26 IR 2382; emergency rule filed Jul 28, 2006, 11:17 a.m.: 20060809-IR-071060278ERA, eff Aug 1, 2006; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-4-5 Jockey betting
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 5. A jockey shall only be allowed to wager on a race in which the jockey is riding. A jockey shall only be allowed to wager if:
(1) the owner or trainer of the horse which the jockey is riding makes the wager for the jockey;
(2) the jockey only wagers on the jockey's own mount to win or finish first in combination with other horses in multiple type wagers; and
(3) records of such wagers are kept and available for presentation upon request by the stewards.
(Indiana Horse Racing Commission; 71 IAC 5.5-4-5; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2858, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)

71 IAC 5.5-4-6 Jockey's spouse
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 6. A jockey shall not compete in any race against a horse which is owned or trained by the jockey's spouse. *(Indiana Horse Racing Commission; 71 IAC 5.5-4-6; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2858, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-4-7 Jockey mount fees
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 7. In the absence of a contract or special agreement, jockey mount fees shall be as follows:

Purse	Winning Mount	Second Place Mount	Third Place Mount	Losing Mount
$5,000–$9,999	10% of Win Purse	$90	$75	$65
$10,000–$14,999	10% of Win Purse	5% of Place Purse	$85	$75
$15,000–$24,999	10% of Win Purse	5% of Place Purse	$100	$80
$25,000–$49,999	10% of Win Purse	5% of Place Purse	5% of Show Purse	$90
$50,000–$99,999	10% of Win Purse	5% of Place Purse	5% of Show Purse	$100
$100,000 and Up	10% of Win Purse	5% of Place Purse	5% of Show Purse	$125

(Indiana Horse Racing Commission; 71 IAC 5.5-4-7; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2858, eff Jul 1, 1995; emergency rule filed Aug 21, 2000, 2:27 p.m.: 24 IR 49; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Jun 10, 2009, 12:45 p.m.: 20090617-IR-071090464ERA, eff May 29, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-464(E) was filed with the Publisher June 10, 2009.])

Rule 5. Jockey Agents

71 IAC 5.5-5-1 Eligibility
Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 1. (a) An applicant for a license as a jockey agent shall:
(1) provide written proof of agency with at least one (1) jockey licensed by the commission;
(2) demonstrate to the stewards that the applicant has a contract for agency with at least one (1) jockey who has been licensed by the commission;
(3) be qualified, as determined by the stewards or other commission designee, by reason of experience, background, and

knowledge.

(b) A jockey agent's license from another jurisdiction may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one (1) or both of the following:

(1) A written examination.

(2) An interview or oral examination.

(c) Applicants not previously licensed as jockey agents shall be required to pass a written and oral examination. *(Indiana Horse Racing Commission; 71 IAC 5.5-5-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2859, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-5-2 Limit on contracts

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 2. A jockey agent may serve as agent for no more than two (2) jockeys and one (1) apprentice jockey. *(Indiana Horse Racing Commission; 71 IAC 5.5-5-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2859, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-5-3 Responsibilities

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 3. (a) A jockey agent shall not make or assist in making engagements for a jockey other than the jockeys the agent is licensed to represent.

(b) A jockey agent shall have completed the appointment of jockey agent form provided by the commission for all jockeys he represents. Furthermore, the agent shall complete the revocation of appointment when the agent withdraws or is discharged from representation. Such form shall be filed with the stewards prior to the first draw in which a jockey is listed to ride.

(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, such records being subject to examination by the stewards at any time.

(e) The stewards may require a jockey agent located outside Indiana, whose jockey is licensed and riding in Indiana, to secure an Indiana license and file any applicable forms. *(Indiana Horse Racing Commission; 71 IAC 5.5-5-3; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2859, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Aug 20, 2002, 3:00 p.m.: 26 IR 55; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-5-4 Prohibited areas

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 4. A jockey agent is prohibited from entering the winner's circle, racing strip, paddock, or saddling enclosure during the hours of racing, unless permitted by the stewards. *(Indiana Horse Racing Commission; 71 IAC 5.5-5-4; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2860, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3405; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-5-5 Agent withdrawal

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 5. (a) When a 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 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. *(Indiana Horse Racing Commission; 71 IAC 5.5-5-5; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2860, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

Rule 6. Owners' Authorized Agents

71 IAC 5.5-6-1 Licenses required

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 1. (a) An authorized agent shall obtain a license from the commission.

(b) Application for license shall be filed for each owner represented.

(c) 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.

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

(e) Any changes shall be made in writing and filed as provided in subsection (c).

(f) 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. *(Indiana Horse Racing Commission; 71 IAC 5.5-6-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2860, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

71 IAC 5.5-6-2 Powers and duties

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 2. (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 such 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. *(Indiana Horse Racing Commission; 71 IAC 5.5-6-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2860, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

Rule 7. Horseshoers

71 IAC 5.5-7-1 Eligibility

Authority: IC 4-31-6-2
Affected: IC 4-31

Sec. 1. (a) An applicant for a license as horseshoer shall:

(1) be at least eighteen (18) years of age; and

(2) be qualified, as determined by the stewards, by reason of experience, background, and knowledge of horseshoeing.

(b) A horseshoer's license from another jurisdiction, having been issued within a prior period as determined by the commission, may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one (1) or more of the following:

(1) A written examination.

(2) An interview or oral examination.

(3) A demonstration of practical skills in horseshoeing.

(c) Applicants not previously licensed as a horseshoer shall be required to:

(1) pass a written or oral examination;

(2) demonstrate practical skills; and

(3) submit at least two (2) written statements as to the character and qualifications of the applicant.

(Indiana Horse Racing Commission; 71 IAC 5.5-7-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2860, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)

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