

**CHAPTER 71**

**HARNESS RACING**

**Authority**

N.J.S.A. 5:5-30.

**Source and Effective Date**

R.1995 d.103, effective January 25, 1995.  
See: 26 N.J.R. 4744(a), 27 N.J.R. 733(b).

**Executive Order No. 66(1978) Expiration Date**

Chapter 71, Harness Racing, expires on January 25, 2000.

**Chapter Historical Note**

Chapter 71, Harness Racing, was filed and became effective prior to September 1, 1969. Amendments were adopted as R.1975 d.38, effective February 24, 1975. See: 7 N.J.R. 11(b), 7 N.J.R. 170(a). Subchapter 14, Claiming, was repealed and new rules on claiming were adopted as R.1980 d.95, effective February 27, 1980. See: 11 N.J.R. 463(a), 12 N.J.R. 208(c). Subchapter 3, Appeals, was repealed and new rules on appeals were adopted as R.1982 d.109, effective April 5, 1982. As a part of R.1982 d.109, Subchapters 24, 25, 26, 27, and 28 were also adopted, effective April 5, 1982. See: 13 N.J.R. 820(a), 14 N.J.R. 347(a). Pursuant to Executive Order No. 66(1978), Subchapters 5, 9, 21, and 23 were readopted as R.1983 d.295, effective July 8, 1983. See: 15 N.J.R. 685(a), 15 N.J.R. 1256(a). Subchapters 7, 8, and 17 were readopted as R.1984 d.103, effective March 19, 1984. See: 16 N.J.R. 221(a), 16 N.J.R. 742(a), 16 N.J.R. 1360(a). Subchapter 4 expired on December 19, 1984, and subsequently was adopted as new rules by R.1984 d.621, effective January 21, 1985. See: 16 N.J.R. 2976(a), 17 N.J.R. 204(b). Subchapter 23, Stimulation and Tests, was repealed and a new Subchapter 23, Medication and Testing Procedures, was adopted as R.1985 d.58, effective February 19, 1985. See: 16 N.J.R. 3182(a), 17 N.J.R. 471(a). Pursuant to Executive Order No. 66(1978), Subchapter 14 was readopted as R.1985 d.137, effective February 25, 1985. See: 17 N.J.R. 57(a), 17 N.J.R. 710(c).

Pursuant to Executive Order No. 66(1978), Chapter 71, was readopted as R.1990 d.126, effective January 25, 1990. See: 21 N.J.R. 3861(a), 22 N.J.R. 667(a). Subchapter 29, Sulky, was adopted as R.1994 d.143, effective March 21, 1994. See: 26 N.J.R. 95(a), 26 N.J.R. 1357(a). Pursuant to Executive Order No. 66(1978), Chapter 71 was readopted as R.1995 d.103. See: Source and Effective Date.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL RULES**

- 13:71-1.1 General provisions
- 13:71-1.2 Owners and trainers
- 13:71-1.3 Race participants and patrons
- 13:71-1.4 Discharge of groom or attendant; notice
- 13:71-1.5 Notification to track security on discharge of groom
- 13:71-1.6 Language
- 13:71-1.7 Disturbing the peace
- 13:71-1.8 Handbooks
- 13:71-1.9 (Reserved)
- 13:71-1.10 Reciprocity
- 13:71-1.11 Unrecognized meetings
- 13:71-1.12 Suspended person or horse
- 13:71-1.13 Narcotic or drug convictions
- 13:71-1.14 Crimes regarding moral turpitude
- 13:71-1.15 Reinstatement of horses
- 13:71-1.16 Qualifications for reinstatement
- 13:71-1.17 Recision of penalties
- 13:71-1.18 (Reserved)

- 13:71-1.19 Stewards determination of fines
- 13:71-1.20 Authority to impose penalties; report; payment
- 13:71-1.21 Financial irresponsibility
- 13:71-1.22 Designation of Commission agents
- 13:71-1.23 Modification of penalties
- 13:71-1.24 Smoking prohibited
- 13:71-1.25 Horsemen associations
- 13:71-1.26 Commission employees/appointees; prohibited affiliations with permitted racetracks

**SUBCHAPTER 2. VIOLATIONS**

- 13:71-2.1 Liability
- 13:71-2.2 Attempt to violate
- 13:71-2.3 Penalties
- 13:71-2.4 Betting restrictions; owner, trainer and driver
- 13:71-2.5 Termination of indefinite suspension
- 13:71-2.6 Violations by track associations and penalties

**SUBCHAPTER 3. APPEALS**

- 13:71-3.1 Right of appeal
- 13:71-3.2 Imposition of penalty; Commission
- 13:71-3.3 Steward or Board of Judges hearing; finality of decision absent appeal
- 13:71-3.4 Appeal procedure
- 13:71-3.5 Hearings
- 13:71-3.6 Frivolous appeals
- 13:71-3.7 Hearing costs
- 13:71-3.8 Stay pending appeals
- 13:71-3.9 (Reserved)
- 13:71-3.10 (Reserved)

**SUBCHAPTER 4. DEFINITIONS**

- 13:71-4.1 Definitions

**SUBCHAPTER 5. TRACKS**

- 13:71-5.1 Policing requirements
- 13:71-5.2 Police reports
- 13:71-5.3 Persons ejected; reports
- 13:71-5.4 Complaints in writing
- 13:71-5.5 Attendance reports
- 13:71-5.6 Badges of admission
- 13:71-5.7 Offices and parking, Racing Commission use
- 13:71-5.8 Free access to grounds by employees of Commission
- 13:71-5.9 Photographic device for finishes
- 13:71-5.10 Numbers for horses
- 13:71-5.11 Betting prohibited on grounds
- 13:71-5.12 (Reserved)
- 13:71-5.13 Handbooking prohibited on grounds
- 13:71-5.14 Gambling device
- 13:71-5.15 Petty games of chance
- 13:71-5.16 Disqualified personnel kept off grounds
- 13:71-5.17 Ejected personnel; readmission; notice
- 13:71-5.18 Age limits
- 13:71-5.19 Weekly reports on employees
- 13:71-5.20 State Police; reports

**SUBCHAPTER 6. ASSOCIATIONS**

- 13:71-6.1 Compensation insurance
- 13:71-6.2 Judge's stand
- 13:71-6.3 Bona fide contests
- 13:71-6.4 Default in payment of premiums
- 13:71-6.5 through 13:71-6.6 (Reserved)
- 13:71-6.7 Awards
- 13:71-6.8 Paddock
- 13:71-6.9 Photo finish; head numbers, saddle pads; starting gate
- 13:71-6.10 Interference with race officials
- 13:71-6.11 Driver's stand
- 13:71-6.12 Paddock rules

- 13:71-6.13 Admission to paddock
- 13:71-6.14 Leaving of paddock
- 13:71-6.15 Returning to paddock
- 13:71-6.16 Two members of a stable admitted to paddock on one day
- 13:71-6.17 Blacksmith provided by association
- 13:71-6.18 Extra equipment provided
- 13:71-6.19 (Reserved)
- 13:71-6.20 Supervision of the paddock
- 13:71-6.21 Required time drivers should be present in paddock prior to race
- 13:71-6.22 Post parade from paddock
- 13:71-6.23 Ambulances
- 13:71-6.24 Track entrance; Coggins test requirement for horses, ponies or equine mascot
- 13:71-6.25 Ownership approval
- 13:71-6.26 Annual listing of shareholders
- 13:71-6.27 Application forms; approval
- 13:71-6.28 Investigation
- 13:71-6.29 Review of application approval
- 13:71-6.30 Application denials; notice

**SUBCHAPTER 7. LICENSING**

- 13:71-7.1 Persons required to have licenses; fingerprints and photographs
- 13:71-7.2 False or misleading statements
- 13:71-7.3 Refusal to issue or renew license
- 13:71-7.4 Age requirements
- 13:71-7.5 Items requiring registration
- 13:71-7.6 Fees
- 13:71-7.7 Applications
- 13:71-7.8 Liable for all penalties
- 13:71-7.9 Changes in identities
- 13:71-7.10 Notice to the Racing Commission
- 13:71-7.11 Changing of stable name
- 13:71-7.12 Existing stable name
- 13:71-7.13 Registered stable; member
- 13:71-7.14 Distinguished name
- 13:71-7.15 Transfer of name
- 13:71-7.16 Corporations
- 13:71-7.17 Multiple ownership
- 13:71-7.18 Multiple ownership; applications
- 13:71-7.19 Alteration in a multiple ownership
- 13:71-7.20 Liability
- 13:71-7.21 Employment application blank
- 13:71-7.22 Nonresident defined
- 13:71-7.23 (Reserved)
- 13:71-7.24 Loss of identification card
- 13:71-7.25 Application for driver's license
- 13:71-7.26 Requirements; farms or licensed tracks
- 13:71-7.27 Trainers; application for license
- 13:71-7.28 Grooms; application for license
- 13:71-7.29 Suspension or revocation of drivers, trainers or groom licenses
- 13:71-7.30 Owners' application for license
- 13:71-7.31 Qualifications for owner's license
- 13:71-7.32 Suspension or revocation of owner's license
- 13:71-7.33 Reinstatement of owner's license
- 13:71-7.34 Reinstatement of license of driver, trainer and groom
- 13:71-7.35 Badges
- 13:71-7.36 Written agreements between owners and trainers
- 13:71-7.37 Collection and dissemination of Social Security numbers
- 13:71-7.38 Multi-year license

**SUBCHAPTER 8. OFFICIALS**

- 13:71-8.1 Race officials
- 13:71-8.2 Required presence of officials in a race or performance against time
- 13:71-8.3 Appointment of State Steward
- 13:71-8.4 Licensing and approval of officials
- 13:71-8.5 Judges and patrol judges
- 13:71-8.6 Submission of names of racing officials
- 13:71-8.7 Duties of the officials
- 13:71-8.8 License revocation of an official

- 13:71-8.9 Substitute official in case of emergency
- 13:71-8.10 Access to course and grounds by officials
- 13:71-8.11 Vision examinations for officials
- 13:71-8.12 Reporting of protests and complaints by steward
- 13:71-8.13 Punishment for violations
- 13:71-8.14 Conflict of officials' position
- 13:71-8.15 Disqualification of an official
- 13:71-8.16 Removal of official
- 13:71-8.17 Breathalyzer test for officials
- 13:71-8.18 Classification of horses; conflict of interest
- 13:71-8.19 Admission to judge's stand
- 13:71-8.20 Decorum of officials
- 13:71-8.21 Presiding judge
- 13:71-8.22 Powers of judges
- 13:71-8.23 Duties of judges
- 13:71-8.24 Procedure of judges
- 13:71-8.25 Duties of patrol judges
- 13:71-8.26 Absent officials
- 13:71-8.27 Starter
- 13:71-8.28 Duties of starter
- 13:71-8.29 Duties of the clerk of the course
- 13:71-8.30 Duties of timer
- 13:71-8.31 Duties of paddock judge
- 13:71-8.32 Program director
- 13:71-8.33 Executive Director of the Commission
- 13:71-8.34 Photo finish
- 13:71-8.35 Duties of race secretary
- 13:71-8.36 Charter
- 13:71-8.37 Setting and maintaining post time
- 13:71-8.38 State Police; communication

**SUBCHAPTER 9. VETERINARIANS AND VETERINARIANS CERTIFICATES**

- 13:71-9.1 Chief State Veterinarian, State Veterinarian and Associate State Veterinarians
- 13:71-9.2 Veterinarian (practicing)
- 13:71-9.3 Associate State Veterinarian
- 13:71-9.4 Veterinarians during racing hours

**SUBCHAPTER 10. PROGRAM**

- 13:71-10.1 Program information
- 13:71-10.2 Failure to furnish reliable program information
- 13:71-10.3 Penalized on inaccurate information
- 13:71-10.4 Nonbetting races
- 13:71-10.5 Programmed Trainer

**SUBCHAPTER 11. IDENTIFICATION OF HORSES AND ELIGIBILITY TO RUN**

- 13:71-11.1 Records
- 13:71-11.2 Eligible to enter race
- 13:71-11.3 Examination of horse or records
- 13:71-11.4 Examination without cause or to embarrass
- 13:71-11.5 Unlicensed charting
- 13:71-11.6 Withholding eligibility certificate
- 13:71-11.7 Owner's and/or trainers' report on ownership and control of horses
- 13:71-11.8 Tattoo and/or freeze brand requirements
- 13:71-11.9 (Reserved)

**SUBCHAPTER 12. STABLE NAME, LEASES**

- 13:71-12.1 Registration
- 13:71-12.2 Limitations
- 13:71-12.3 Liabilities
- 13:71-12.4 Leases

**SUBCHAPTER 13. ELIGIBILITY AND CLASSIFICATION CONDITIONS**

- 13:71-13.1 Registration of ownership
- 13:71-13.2 Sale or lease of horse endorsement
- 13:71-13.3 Information where horses are raced at Canadian tracks
- 13:71-13.4 Tampering with eligibility certificates

## HARNESS RACING

- 13:71-13.5 Correction on eligibility certificate
- 13:71-13.6 Eligibility certificates from foreign countries other than Canada
- 13:71-13.7 Loss or destruction of eligibility certificate
- 13:71-13.8 Telegraphic declarations
- 13:71-13.9 Eligibility
- 13:71-13.10 Time records or bars prohibited
- 13:71-13.11 Date eligibility determined
- 13:71-13.12 Conflicting condition
- 13:71-13.13 Overnight events, standards
- 13:71-13.14 Posting of overnight conditions
- 13:71-13.15 Types of races to be offered
- 13:71-13.16 Limitation on conditions
- 13:71-13.17 Dashes and heats
- 13:71-13.18 (Reserved)
- 13:71-13.19 Selection or drawing of horses
- 13:71-13.20 Posting requirements
- 13:71-13.21 Rejection of declaration
- 13:71-13.22 Substitute and split races
- 13:71-13.23 Opportunities to race
- 13:71-13.24 Qualifying races

### SUBCHAPTER 14. CLAIMING

- 13:71-14.1 Restrictions; claiming privileges
- 13:71-14.2 Claiming races; price and eligibility
- 13:71-14.3 Claimed horse
- 13:71-14.4 Agents
- 13:71-14.5 Claiming own horse
- 13:71-14.6 Claimed horse; stabled
- 13:71-14.7 Number of claims
- 13:71-14.8 Form of claims
- 13:71-14.9 Stable claims
- 13:71-14.10 Agreements
- 13:71-14.11 Intimidation
- 13:71-14.12 Affidavits
- 13:71-14.13 No money in claim box
- 13:71-14.14 Time; claims
- 13:71-14.15 Irrevocability
- 13:71-14.16 Opening claim envelopes
- 13:71-14.17 Title in claimed horse
- 13:71-14.18 Scratched horse
- 13:71-14.19 Delivery to claimant
- 13:71-14.20 Delivery; written authorization
- 13:71-14.21 Cooling the horse
- 13:71-14.22 Required delivery
- 13:71-14.23 Title; more than one claim
- 13:71-14.24 Engagements
- 13:71-14.25 Liens
- 13:71-14.26 Right to claim
- 13:71-14.27 Claiming price
- 13:71-14.28 Sale of claimed horse
- 13:71-14.29 Conflict of rules
- 13:71-14.30 Sex of horse claimed
- 13:71-14.31 Protests
- 13:71-14.32 Testing
- 13:71-14.33 Optional claiming races
- 13:71-14.34 Separation of horses
- 13:71-14.35 Mares in foal
- 13:71-14.36 Open claiming

### SUBCHAPTER 15. STAKES AND FUTURITIES

- 13:71-15.1 Filing conditions
- 13:71-15.2 Bonds
- 13:71-15.3 Nomination list
- 13:71-15.4 Financial statement
- 13:71-15.5 Entry list
- 13:71-15.6 Nominations and payments
- 13:71-15.7 Date and place of event
- 13:71-15.8 Forms
- 13:71-15.9 Estimated purse
- 13:71-15.10 Approval for extended pari-mutuel meetings
- 13:71-15.11 Failure to make payments
- 13:71-15.12 Where stake or futurity does not fill

- 13:71-15.13 Barren mares
- 13:71-15.14 Entries; form of entry
- 13:71-15.15 Entries and sustaining payments in early closing events, stakes and futurities
- 13:71-15.16 Void entries
- 13:71-15.17 Nominator's guaranty
- 13:71-15.18 Transfer to eligible event
- 13:71-15.19 Withholding of purse
- 13:71-15.20 Death
- 13:71-15.21 Early closing events and late closing races
- 13:71-15.22 Withdrawals
- 13:71-15.23 Segregation of fees
- 13:71-15.24 Stabling
- 13:71-15.25 Limitations on conditions
- 13:71-15.26 Proportion of entry fees to purse
- 13:71-15.27 Fraudulent transfer of horse
- 13:71-15.28 Entries and starters required; split races
- 13:71-15.29 Elimination heats or two divisions
- 13:71-15.30 Elimination plans
- 13:71-15.31 Overnight events

### SUBCHAPTER 16. DECLARATION TO START AND DRAWING HORSES

- 13:71-16.1 Declaration to start and drawing horses
- 13:71-16.2 Entry box and drawing of horses at pari-mutuel meetings
- 13:71-16.3 Error in declaration
- 13:71-16.4 Qualifying races
- 13:71-16.5 Entries
- 13:71-16.6 Also eligibles
- 13:71-16.7 Preference
- 13:71-16.8 Steward's list
- 13:71-16.9 Driver information
- 13:71-16.10 Postponement reasons for; rescheduling races
- 13:71-16.11 Rain checks

### SUBCHAPTER 17. STARTING

- 13:71-17.1 Starting gate
- 13:71-17.2 Number of scores
- 13:71-17.3 Vacancy in a tier
- 13:71-17.4 When race starts, drivers mounted at finish
- 13:71-17.5 Unmanageable horses, scratches, refunds
- 13:71-17.6 Starting gate arms, screens or shields
- 13:71-17.7 Starting gate and automatic timing device required
- 13:71-17.8 Operation of starting gate
- 13:71-17.9 Positions in winning heat

### SUBCHAPTER 18. BREATHALYZER TEST

- 13:71-18.1 Breathalyzer test
- 13:71-18.2 Urine test

### SUBCHAPTER 19. COLORS AND DRIVERS ATTIRE

- 13:71-19.1 Wearing distinguishing colors
- 13:71-19.2 Wearing colors at betting window, grandstand, clubhouse or bar
- 13:71-19.3 Registered colors
- 13:71-19.4 Safety helmets
- 13:71-19.5 Attire
- 13:71-19.6 Safety vests

### SUBCHAPTER 20. RULES OF RACING

- 13:71-20.1 Limitations on use of hand-holders
- 13:71-20.2 Driver's meeting
- 13:71-20.3 Substitutions of drivers
- 13:71-20.4 Trainers' duty regarding racing of horses
- 13:71-20.5 Absence of trainer-notice-substitute trainer
- 13:71-20.6 Racing and track rules; driving procedures
- 13:71-20.7 Complaints by drivers; judges' stand
- 13:71-20.8 Violations involving entries, complaints, penalties
- 13:71-20.9 Placing offending horse
- 13:71-20.10 Fraudulent or unsatisfactory driving
- 13:71-20.11 Removal and substitution of unfit or incompetent drivers

- 13:71-20.12 Failure to finish
- 13:71-20.13 Shouting
- 13:71-20.14 Whips
- 13:71-20.15 Use of goading devices, and so forth
- 13:71-20.16 Hobbles, head pole
- 13:71-20.17 Breaking
- 13:71-20.18 Fraudulent breaking
- 13:71-20.19 Calling and noting breaks
- 13:71-20.20 Time between heats or dashes
- 13:71-20.21 Right of the course
- 13:71-20.22 Accidents
- 13:71-20.23 Registration of nerved horses
- 13:71-20.24 Equine fatality report

**SUBCHAPTER 21. PLACING CONDITIONS AND PURSES**

- 13:71-21.1 Purses, distributed on dash basis, adjustments
- 13:71-21.2 Dashes
- 13:71-21.3 Every heat a race
- 13:71-21.4 Placing system
- 13:71-21.5 Two in three
- 13:71-21.6 Computation and payment of purses
- 13:71-21.7 Delivering of winnings to owners
- 13:71-21.8 Deductions
- 13:71-21.9 Forfeits; driver's fees

**SUBCHAPTER 22. RADIOS, RECEIVERS AND TRANSMITTERS**

- 13:71-22.1 Telephone

**SUBCHAPTER 23. MEDICATION AND TESTING PROCEDURES**

- 13:71-23.1 Intent of medication rules; general provisions
- 13:71-23.2 Testing
- 13:71-23.3 Pre-race blood testing program
- 13:71-23.3A Post-race blood gas testing program
- 13:71-23.3B Post-race blood gas testing program: pre-race guarded quarantine
- 13:71-23.3C Post-race blood gas testing program: punishment for failure to cooperate
- 13:71-23.4 Post-race testing program
- 13:71-23.5 Procedure following positive chemical analysis
- 13:71-23.6 Trainers
- 13:71-23.7 Penalties
- 13:71-23.8 Administering medication to respiratory bleeders; standards for the administration of phenylbutazone
- 13:71-23.9 Possession of drugs or drug instruments
- 13:71-23.10 Illegal devices
- 13:71-23.11 Narcotics conviction; denial of license
- 13:71-23.12 Cooperation with other agencies; violation of law
- 13:71-23.13 State Police; responsibilities

**SUBCHAPTER 24. AUTHORIZED AGENTS**

- 13:71-24.1 License
- 13:71-24.2 License application
- 13:71-24.3 Powers of attorney
- 13:71-24.4 Changes
- 13:71-24.5 License fees
- 13:71-24.6 Owner's revocations
- 13:71-24.7 Appointment of subagents

**SUBCHAPTER 25. VENDORS**

- 13:71-25.1 Licenses
- 13:71-25.2 Labelling drugs and medication

**SUBCHAPTER 26. ILLEGAL PRACTICES**

- 13:71-26.1 Bribes, gifts and gratuities
- 13:71-26.2 Offers of bribes
- 13:71-26.3 Knowledge of violations
- 13:71-26.4 False or misleading statements

- 13:71-26.5 Conspiracies
- 13:71-26.6 Soliciting bets
- 13:71-26.7 Cooperation with other agencies; violations of law
- 13:71-26.8 Fraud; disqualification
- 13:71-26.9 Suspension pending outcome of indictment

**SUBCHAPTER 27. MUTUELS**

- 13:71-27.1 Supervisor of mutuels
- 13:71-27.2 Post-time
- 13:71-27.3 Public notice
- 13:71-27.4 Number of entrants
- 13:71-27.5 List of eliminated horses
- 13:71-27.6 Also eligible list
- 13:71-27.7 Dissemination of racing information
- 13:71-27.8 Odds board
- 13:71-27.9 Lines
- 13:71-27.10 Payoff prices
- 13:71-27.11 Ticket sales
- 13:71-27.12 Ticket claims
- 13:71-27.13 Emergencies
- 13:71-27.14 Advice; horses competing
- 13:71-27.15 Post time schedule
- 13:71-27.16 "Entry" defined
- 13:71-27.17 "Field" defined
- 13:71-27.18 Elimination of wagering
- 13:71-27.19 Cease wagering
- 13:71-27.20 Ticket-issuing machines closed
- 13:71-27.21 Name and numbers of horses in gate
- 13:71-27.22 Written notice of official placement
- 13:71-27.23 Basis of payoffs
- 13:71-27.24 Recapitulation of sales
- 13:71-27.25 Errors in pay-off figures
- 13:71-27.26 Overpays or underpays
- 13:71-27.27 Mechanical breakdowns
- 13:71-27.28 Excused horses; refunds
- 13:71-27.29 Horses left at post
- 13:71-27.30 No horse finish race
- 13:71-27.31 Coupled horses
- 13:71-27.32 Postponed race
- 13:71-27.33 Races declared off; refunds
- 13:71-27.34 No wagers to win
- 13:71-27.35 Place pool apportionment
- 13:71-27.36 Show pool apportionment
- 13:71-27.37 One horse finishing race
- 13:71-27.38 Two horses finishing race
- 13:71-27.39 Rulings after display of official sign
- 13:71-27.40 Copies of reports
- 13:71-27.41 Payments
- 13:71-27.42 Calculating the pay-off in a straight pool
- 13:71-27.43 Calculating the pay-off in a place pool
- 13:71-27.44 Calculating the pay-off in a show pool
- 13:71-27.45 Calculating the pay-off in dead heats
- 13:71-27.46 Exacta
- 13:71-27.47 Daily double
- 13:71-27.48 Quiniela
- 13:71-27.49 Break to nickel in the event of a minus pool
- 13:71-27.50 Trifecta
- 13:71-27.51 Sell-only system
- 13:71-27.52 Cash-sell system
- 13:71-27.53 Super-Six
- 13:71-27.54 Daily Triple
- 13:71-27.55 Pick-Eight
- 13:71-27.56 The Pick(N)
- 13:71-27.57 Cancellation
- 13:71-27.58 Expiration of mutuel tickets and vouchers
- 13:71-27.59 Superfecta

**SUBCHAPTER 28. INITIAL TRACK APPLICATION**

- 13:71-28.1 Permit to hold race meetings

**SUBCHAPTER 29. SULKY**

- 13:71-29.1 Standardbred sulky standards

13:71-29.2 Inspection stickers  
 13:71-29.3 Certification  
 13:71-29.4 Serial numbers  
 13:71-29.5 Liability insurance

which their authority extends subject to the right of appeal to the Racing Commission.

#### Case Notes

Rule cited as example of Commission's reliance on conventional law enforcement services; denial of groom's license held arbitrary as the Rehabilitated Convicted Offender Act applies to Commission's licensing function. *Maietta v. New Jersey Racing Commission*, 183 N.J. Super. 397, 444 A.2d 55 (App.Div.1982), affirmed 93 N.J. 1, 459 A.2d 295 (1983).

## SUBCHAPTER 1. GENERAL RULES

### 13:71-1.1 General provisions

(a) The rules, regulations and conditions under which all horse racing shall be conducted in the State of New Jersey are prescribed by the racing law and by the New Jersey Racing Commission.

(b) If at any time there is a conflict between the rules of the New Jersey Racing Commission and the rules of the United States Trotting Association, the rules of the Commission shall govern.

(c) The Executive Director or his or her designee shall possess the same authority of the Racing Commission stewards and judges with respect to all provisions contained in the Administrative Code governing racing in New Jersey.

Amended by R.1992 d.88, effective February 18, 1992.

See: 23 N.J.R. 3432(a), 24 N.J.R. 647(b).

Added (c).

#### Law Review and Journal Commentaries

Horse Drugging—The New Jersey Trainer Absolute Insurer Law. Luke P. Iovine, III John E. Keefe, Jr., 1 Seton Hall J. Sport L. 61 (1991).

#### Case Notes

Private harness track required to abide by the rules and regulations of the United States Trotting Association, subject to conflict with Commission rules. *Marzocca v. Ferone*, 186 N.J. Super. 483, 453 A.2d 228 (App.Div.1982) certification denied 91 N.J. 574, 453 A.2d 884, affirmed in part, reversed in part 93 N.J. 509, 461 A.2d 1133 (1983).

### 13:71-1.2 Owners and trainers

All owners and trainers of horses and their stable employees are subject to the laws of the State of New Jersey and the rules promulgated by its Racing Commission immediately upon acceptance and occupancy of stabling accommodations from or approved by an association or upon making entry to run on its track. Said owners and/or trainers shall furnish to the Racing Commission a badge list of all employees. Said owners, trainers and stable employees shall abide by said laws and rules and accept the decision of the stewards on any and all questions to which their authority extends, subject to their right of appeal to the Racing Commission.

### 13:71-1.3 Race participants and patrons

Every person participating in and every patron of a licensed race meeting shall abide by said laws and rules, and accept the stewards' decisions on any and all questions to

### 13:71-1.4 Discharge of groom or attendant; notice

When an owner or trainer discharges a groom or other attendant, or when a groom or other attendant voluntarily leaves the employ of an owner or trainer, the said owner or trainer shall immediately notify the track security of such discharge of or resignation by such employee. The failure to so notify the track security shall subject the owner or trainer to a fine or suspension or both.

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

"security" was "police".

### 13:71-1.5 Notification to track security on discharge of groom

When a groom or other attendant is discharged by or voluntarily leaves the employ of an owner or trainer he shall immediately notify the track security of his discharge or resignation. The failure to so notify the track security shall subject the groom or other attendant to a fine or suspension, or both.

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

"security" was "police".

### 13:71-1.6 Language

No person shall use improper, profane or indecent language to a racing official.

### 13:71-1.7 Disturbing the peace

No person shall in any manner, or at any time, disturb the peace or make himself obnoxious on the grounds of an association.

### 13:71-1.8 Handbooks

No person shall make a handbook or a foreign book on the ground of an association nor shall any person solicit for or bet with a handbook or foreign book on the grounds of an association or fair race.

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

Section substantially amended.

**13:71-1.9 (Reserved)****13:71-1.10 Reciprocity**

Full force and effect shall be given to the denial, revocation or suspension of any license by any other racing commission or turf governing body.

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

Section substantially amended.

**13:71-1.11 Unrecognized meetings**

Any person who participates in an unrecognized meeting anywhere, either as a racing official or as an owner, trainer or driver, may be adjudged guilty of conduct detrimental to racing.

**13:71-1.12 Suspended person or horse**

No person or horse ruled off by, or under suspension by, any recognized turf authority, trotting association included, shall be admitted to the grounds of any association.

**13:71-1.13 Narcotic or drug convictions**

No person who has been convicted for illegal possession, sale or distribution of narcotics or hallucinogenic drugs or other "controlled dangerous substances" as defined by Title 24 of the New Jersey Statutes shall be permitted on the grounds of any association.

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

Section substantially amended.

**13:71-1.14 Crimes regarding moral turpitude**

No person shall be employed in any capacity whatsoever at any place, track or enclosure where a horse race meeting is permitted who has been convicted of a crime involving moral turpitude.

**13:71-1.15 Reinstatement of horses**

When a person is ruled off a course or suspended, every horse owned in whole or part by him shall be ineligible to be entered or to start in any race until said horse has been reinstated either by the rescinding of his owner's penalty or by his transfer through bona fide sale to any ownership acceptable to the stewards.

**13:71-1.16 Qualifications for reinstatement**

When a person is ruled off a course or suspended, any horse which is under his care, management, training or superintendence shall not be qualified to be entered or to start in any race until said horse has been reinstated by the rescinding of said person's penalty or by the placement of the horse in the hands of a licensed trainer and the approval of the transfer by the stewards.

**13:71-1.17 Recision of penalties**

When a person is ruled off a course or suspended, he shall not be qualified, whether acting as agent or otherwise, to subscribe for or to enter or run any horse in any race either in his own name or in that of any other person until the rescinding of that person's penalty.

**13:71-1.18 (Reserved)**

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

**13:71-1.19 Stewards determination of fines**

The steward and the Board of Judges may fine, suspend or rule off any person who, in their opinion, has acted to the detriment of racing or violated the rules.

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

"Stewards" changed to "steward"; "Board of Judges" added.

**Case Notes**

Veterinarian's use of non-FDA-approved drug for his own horse at his own farm in another state; not conduct detrimental to racing. *Chovanes v. New Jersey Racing Commission*, 93 N.J.A.R.2d (RAC) 5.

**13:71-1.20 Authority to impose penalties; report; payment**

(a) The authority of the steward and the Board of Judges shall extend to any and all situations which are not specifically covered by these rules.

(b) No race official other than the steward, the Board of Judges, and the starter shall have the right to impose a fine or suspension, in the first instance. (see N.J.A.C. 13:71-3, Appeal for exception). A race official imposing a fine or suspension shall report it promptly to the Executive Director of the Racing Commission and the race secretary, in writing. All fines imposed shall be paid to the race secretary within 48 hours after the imposition thereof. Fines collected by the race secretary shall be paid promptly to the Racing Commission. An unpaid fine may not be rescinded except with the approval of the Racing Commission.

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

Amended by R.1990 d.126, effective February 20, 1990.

See: 21 N.J.R. 3861(a), 22 N.J.R. 667(a).

Added reference to N.J.A.C. cite for appeals.

**Case Notes**

Imposition of penalty by State Steward proper. *Gallo v. New Jersey Racing Commission*, 6 N.J.A.R. 381 (1983).

**13:71-1.21 Financial irresponsibility**

No licensee shall accumulate unpaid obligations or default in obligations, or issue drafts or checks that are dishonored or payment refused, or otherwise display financial irresponsibility reflecting on the track or the sport.

**13:71-20.2 Driver's meeting**

(a) Before the first heat or race at any meeting is contested the racing officials and the drivers shall meet at a time and place to be designated by the presiding judge. Notice of the time and place of such meeting shall be published on the bulletin board in the office of the race secretary at least 48 hours prior to the meeting, and shall be announced over the public address system one hour prior to the meeting.

(b) The officials will announce any special rules affecting the race meeting and shall construe such of the rules of racing as shall be requested. At the conclusion of such meeting, all drivers shall be presumed to be familiar with the rules of racing.

(c) Any driver failing to attend this meeting after being duly notified, may be fined a sum not to exceed \$100.00.

(d) No driver will be permitted to drive unless he shall have attended such meeting or has met with the officials.

**13:71-20.3 Substitutions of driver**

If the judges believe a driver is unreliable, unfit or incompetent to drive, or if he refuses to comply with the direction of the judges, or is reckless or unmannerly in his conduct, he may be removed and another driver substituted any time after the positions have been drawn in a race. Compensation of such substitute driver may be fixed in the discretion of the judges. No driver shall, without sufficient reason, decline to be substituted by the judge.

**13:71-20.4 Trainers' duty regarding racing of horses**

A trainer is responsible for the timely attendance of his horse or horses when they are being raced, and he shall attend his horse in the paddock to supervise the preparation of such horse when it is racing.

**13:71-20.5 Absence of trainer-notice-substitute trainer**

If any licensed trainer is to be absent from the track where employed, the presiding judge shall be immediately notified in writing and at that time a licensed substitute trainer, acceptable to the presiding judge, shall be appointed to assume responsibility for the horse or horses racing during the absence of the regular trainer. The name of the substitute trainer shall appear on the program if possible. The presiding judge shall be advised immediately when the regular trainer is present and resumes his duties.

**13:71-20.6 Racing and track rules; driving procedures**

(a) Although a leading horse is entitled to any part of the track except after selecting his position in the home stretch, neither the driver or the first horse nor any other driver in the race shall:

1. Change either to the right or left during any part of the race when another horse is so near him that in altering his positions he compels the horse behind him to

shorten his stride, or causes the driver of such other horse to pull him out of his stride;

2. Jostle, strike, hook wheels or interfere with another horse or driver;

3. Cross sharply in front of a horse or cross over in front of a field of horses in a reckless manner, endangering other drivers;

4. Swerve in and out or pull up quickly;

5. Crowd a horse or driver by "putting a wheel under him";

6. "Carry a horse out" or "sit down in front of him", take up abruptly in front of other horses so as to cause confusion or interference among the trailing horses;

7. Let a horse pass inside needlessly, or do any other act which constitutes what is popularly known as helping;

8. Commit any act which impedes the progress of another horse or causes him to "break";

9. Change course after selecting a position in the home stretch and swerve in or out, or bear in or out, in such manner as to interfere with another horse or cause him to change course or take back;

10. To drive in a careless or reckless manner;

11. Laying off a normal pace and leaving a hole when it is well within the horse's capacity to keep the hole closed;

12. Drivers must set and maintain a pace comparable to the class in which they are racing. Failure to do so by going an excessively slow quarter or any other distance that changes the normal pattern, overall timing, or general outcome of the race, or allowing his horse to go on an unrestrained break will be considered a violation of this section and the judges may impose a penalty which can be a fine, suspension or both.

(b) With the approval of the Racing Commission, a track may extend the width of its homestretch up to 10 feet inward in relation to the width of the rest of the racetrack. In the event the homestretch is expanded pursuant to this subsection, the following shall apply:

1. No horse shall use the extended inside lane except when entering the final homestretch run;

2. The lead horse in the homestretch shall maintain as straight a course as possible while allowing trailing horses full access to the extended inside lane; and

3. Judge's discretion shall prevail in all instances regarding the open stretch.

As amended, R.1982 d.109, effective April 5, 1982.

See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

"or allowing \_\_\_ break", added.

Amended by R.1992 d.268, effective July 6, 1992.

See: 24 N.J.R. 686(a), 24 N.J.R. 2462(a).

Added (b).

#### Case Notes

Disqualification of first place horse for violation of N.J.A.C. 13:71-20.6(a)8 affects the second and third place horses' owners, entitling them to a hearing before the Commission upon adequate notice; one-day mailgram notice of hearing from Commission is inadequate; one-sentence decision by Commission lacked required findings and conclusions. *Pitts v. Div. of New Jersey Racing Commission*, 185 N.J.Super. 190, 447 A.2d 1348 (App.Div.1982), certification denied.

Suspension of horse driver, impeding progress of other horses. *New Jersey Racing Commission v. Morrill*, 95 N.J.A.R.2d (RAC) 1.

Suspension of harness driver; interference with other drivers. *New Jersey Racing Commission v. Patterson*, 94 N.J.A.R.2d (RAC) 13.

Slowing of horse constituted interference; finish placement changed. *New Jersey Racing Commission v. Stein*, 93 N.J.A.R.2d (RAC) 29.

Hooking wheels; five day suspension. *Allen v. New Jersey Racing Commission*, 93 N.J.A.R.2d (RAC) 27.

Harness driver's conduct made inevitable horse's hoof getting caught in another driver's wheel assembly; careless driving; suspension. *Parker v. New Jersey Racing Commission*, 93 N.J.A.R.2d (RAC) 19.

First driver pulling in front of second horse and causing second driver to take evasive action constituted interference; suspension ordered. *LaChance v. New Jersey Racing Commission*, 93 N.J.A.R.2d (RAC) 13.

Abrupt slowing by sulky driver warranted disqualification of horse. *Biada v. New Jersey Racing Commission*, 92 N.J.A.R.2d (RAC) 1.

Finding that driver impeded the progress of another horse and caused him to "break." *Gillis v. New Jersey Racing Commission*, 1 N.J.A.R. 78 (1980).

#### 13:71-20.7 Complaints by drivers; judge's stand

All complaints by drivers of any foul driving or other misconduct during the race or heat shall be made at the termination of the race or heat unless the driver is prevented from doing so by an accident or injury. At the conclusion of each race or heat, any driver desiring to enter a claim of foul or other complaint of violation of the rules must, before dismounting, indicate to the patrol judge his desire to enter such claim or complaint immediately after the race and, upon dismounting, shall proceed to the nearest telephone and advise the judges of the complaint or foul involved. The judges shall not cause the official sign to be displayed until such complaint shall have been entered and considered. All drivers must return to the paddock and remain there until the race is made official. The judges will not consider any claim of foul instituted after the race has been made official.

As amended, R.1976 d.125, effective April 22, 1976.  
See: 8 N.J.R. 47(b), 8 N.J.R. 308(a).

#### 13:71-20.8 Violations involving entries, complaints, penalties

If any of the violations in N.J.A.C. 13:71-20.7 are committed by a person driving a horse coupled as an entry in the betting, the judges may set both horses back, if, in their opinion, the violation may have affected the finish of the race. Otherwise, penalties may be applied individually to the drivers of any entry.

Administrative correction.  
See: 29 N.J.R. 585(a).

#### 13:71-20.9 Placing offending horse

In case of interference, collision or violation of any of the rules, the offending horse may be placed behind all the unoffending horses in that heat or dash, and in the event such collision or interference prevents any horse from finishing the heat or dash, the offending horse may be disqualified from receiving any winnings and the driver may be penalized.

#### 13:71-20.10 Fraudulent or unsatisfactory driving

(a) Every heat in a race must be contested by every horse in the race and every horse must be driven to the finish. If the judges believe that a horse is being driven, or had been driven, with design to prevent his winning a heat or dash which he was evidently able to win, or is being raced in an inconsistent manner, or to perpetrate or to aid a fraud, they shall consider it a violation and the driver, and anyone in concert with him to so affect the outcome of the race or races, may be penalized. The judges may in such cases substitute a driver. The substitute driver shall be paid at the discretion of the judges and the fee retained from the purse money due the horse, if any.

(b) In the event a drive is unsatisfactory due to lack of effort, carelessness, misjudgment, or demonstrated lack of judgement in performance, and the judges believe that there is no fraud, gross carelessness, or a deliberate inconsistent drive, they may impose a penalty similarly under this subsection.

(c) The length of suspension of a driver may be increased by the judges, stewards or Racing Commission if said driver is guilty of the same infractions of the rules of racing two times or more during any calendar year.

As amended, R.1976 d.125, effective April 22, 1976.  
See: 8 N.J.R. 47(b), 8 N.J.R. 308(a).

#### Case Notes

Suspension for violation in driving in unsatisfactory manner as a result of lack of effort, carelessness, misjudgment or demonstrated lack of judgment in performance (also cited as N.J.A.C. 13:17-20.10). *DeVitis v. New Jersey Racing Commission*, 202 N.J.Super. 484, 495 A.2d 457 (App.Div.1985), certification denied 102 N.J. 337, 508 A.2d 213 (1985).

#### 13:71-20.11 Removal and substitution of unfit or incompetent drivers

If in the opinion of the judges a driver is for any reason unfit or incompetent to drive or refuses to comply with the directions of the judges, or is reckless in his conduct and endangers the safety of horses or other drivers in the race, he may be removed and another driver substituted at any time after the positions have been assigned in a race, in which case, the offending driver may be penalized. The substitute driver shall be properly compensated.