

(b) 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.87, effective February 18, 1992.
See: 23 N.J.R. 3431(a), 24 N.J.R. 646(a).
Revised section.

13:70-1.4 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 of the 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, trainers and stable employees shall abide by the 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.

Case Notes

Disciplinary regulation governing failure by licensed trainer to register suspended jockey as employee and employment of disqualified person did not violate equal protection. *Wendling v. New Jersey Racing Com'n*, 279 N.J.Super. 477, 653 A.2d 582 (A.D.1995).

13:70-1.5 Race participants and patrons

Every person participating in and every patron of a licensed race meeting shall abide by the said laws and rules, and accept the steward's decision on any and all questions to which their authority extends, subject to the right of appeal to the Racing Commission.

13:70-1.6 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 or resignation by such employee. Failure to so notify the track security shall subject the owner or trainer to disciplinary action.

Amended by R.1990 d.127, effective February 20, 1990.
See: 21 N.J.R. 3856(b), 22 N.J.R. 663(b).
Track "police" changed to track "security".

13:70-1.7 Language

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

13:70-1.8 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.

13:70-1.9 Handbooks

No person shall make a handbook on the grounds of an association. No person shall solicit for or bet with a handbook on the grounds of an association.

13:70-1.10 Suspended person or horse

No person or horse ruled off by, or under suspension by, any recognized turf authority shall be admitted to the grounds of any association; except that the stewards may permit a jockey under suspension for routine riding offenses to gallop horses during training hours, and to lodge on the grounds of an association.

Amended by R.1990 d.127, effective February 20, 1990.
See: 21 N.J.R. 3856(b), 22 N.J.R. 663(b).
Reference to trotting association deleted.

13:70-1.11 Narcotic or drug convictions

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

13:70-1.12 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.

13:70-1.13 Reinstatement of horses

When a person is ruled off a course or suspended, every horse owned in whole or in part by such person, or under the care, management, training or supervision of such person 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 transfer through bona fide sale to an owner acceptable to the stewards, or the placement of the horse in the hands of a licensed trainer approved by the stewards.

13:70-1.14 Rescission of penalties

When a person is ruled off a course or suspended, such person 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 or her own name or in that of any other person until the rescinding of his or her penalty.

13:70-1.15 Penalties; acts detrimental to racing

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

13:70-1.16 Complaints in writing

Complaints against a racing official or his assistant shall be made to the stewards in writing and be signed by the

complainant; a complaint against the stewards shall be made to the Racing Commission in writing, signed by the complainant.

13:70-1.17 Policing requirements

(a) An association conducting race meetings under license from the Racing Commission shall properly police its grounds, including the stable area and paddock, and shall eject therefrom all unauthorized persons, known undesirables, touts, persons believed to be bookmakers or connected with bookmakers, persons under suspension or ruled off, persons of lewd or immoral character, and persons guilty of boisterous or disorderly conduct or other conduct detrimental to racing or the public welfare.

(b) When the State Police in the normal performance of their duties at an association meeting observe an individual deemed to be undesirable within the meaning of this rule, they will so advise the director of security and the Executive Director of the Racing Commission. The director of security shall, in writing, advise the Racing Commission and State Police within 48 hours of the action taken thereon.

As amended, R.1977 d.331, eff. August 29, 1977.

See: 9 N.J.R. 345(b), 9 N.J.R. 487(a).

Amended by R.1986 d.359, effective September 8, 1986.

See: 18 N.J.R. 819(a), 18 N.J.R. 1829(a).

Deleted sentence "Where practical, a . . . of such persons."

Case Notes

Duty imposed on racing association to eject persons guilty of conduct detrimental to racing or the public welfare. *Marzocca v. Ferone*, 93 N.J. 509, 461 A.2d 1133 (1983).

Commission's action in denying admission to racetrack of person convicted in Maryland race-fixing scheme proper as person was guilty of conduct detrimental to racing or the public welfare; regulation valid; Commission actions reviewable only by the Appellate Division of Superior Court. *Bishop v. New Jersey Sports & Exhibition Authority*, 168 N.J.Super. 533, 403 A.2d 934 (App.Div.1979).

13:70-1.18 Police reports

The track security police and any other law enforcement agency acting in, or on or about the licensed premises of any race track, or any approved farms or stabling facilities, shall furnish two copies of their daily police report to the State Police Racetrack Unit, together with any additional pertinent information available to the said police agency, obtained either orally or in writing. The two copies shall be delivered to the New Jersey State Police detail assigned to the race track at the close of each racing day. One copy, with evaluation, comments and further action by the said State Police shall be delivered to the New Jersey Racing Commission.

Amended by R.1990 d.127, effective February 20, 1990.

See: 21 N.J.R. 3856(b), 22 N.J.R. 663(b).

Reference to State Police Racetrack Unit added.

13:70-1.19 Persons ejected; reports

Each association shall furnish to the commission and to the stewards the names and addresses of all persons ejected by the association from its grounds, together with the offense or offenses alleged against them, and any other material information relating thereto.

13:70-1.20 Attendance reports

Each association shall make daily reports to the commission of the total attendance showing number of paid admissions, established price of each class of admission together with number of free passes.

13:70-1.21 Badges of admission

No badge of admission shall be issued to any owner, trainer, assistant trainer, jockey, jockey agent, authorized agent, groom, exercise boy, stable employee, valet, vendor or plater, or other employees, unless such person has applied for and paid to the Racing Commission the license fee required by law. Applications for such licenses shall be made on forms supplied by the Racing Commission.

13:70-1.22 Offices and parking; Racing Commission use

Each association shall provide within its grounds, approved adequate offices and parking areas as required for use and to be at the disposal of the Racing Commission and all of its representatives. The commission shall have such employees or inspectors as provided by law, who shall perform such duties as may be assigned to them by the commission, such employees to have free access to all parts of the grounds while on duty.

13:70-1.23 (Reserved)

Amended by R.1990 d.127, effective February 20, 1990.

See: 21 N.J.R. 3856(b), 22 N.J.R. 663(b).

Track "police" changed to track "security".

Repealed by R.1996 d.394, effective August 19, 1996.

See: 28 N.J.R. 2793(a), 28 N.J.R. 3969(a).

Section was "Restrictions on transmittal of information".