

HORSE RACING

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13:70-14A.15 Post-race blood gas testing program; pre-race guarded quarantine

(a) Where a trainer, during any 12-month period, has had any single horse under his or her custody, care and control test equal to or in excess of the total carbon dioxide level (TCO₂) set forth in N.J.A.C. 13:70-14A.14(a), and where the level of TCO₂ has not been determined as physiologically normal for the horse in such instance pursuant to N.J.A.C. 13:70-14A.14(c), that horse subsequently scheduled to participate in a race under the custody, care and control of said trainer shall be placed under pre-race guarded quarantine. The track association sponsoring the race shall make such pre-race guarded quarantine available, at the sole expense of the trainer, for a length of time to be determined by the stewards but in no event less than six hours prior to the start of the first race of the program.

1. Any pre-race guarded quarantine required by this subsection shall continue as to the affected horse for six months following the date of the order of quarantine, regardless of whether the horse is transferred to a new bona fide trainer.

(b) Where a trainer, during any 12-month period, has had any horse or horses under his or her custody, care and control test equal to or in excess of TCO₂ level set forth in N.J.A.C. 13:70-14A.14 on two occasions, and where the said level of TCO₂ has not been determined as physiologically normal for the horse in either of such instance, all horses subsequently scheduled to participate in a race under the custody, care and control of that trainer shall be placed under pre-race guarded quarantine. The track association sponsoring the race shall make such pre-race guarded quarantine available, at the sole expense of the trainer, for a length of time to be determined by the stewards but in no event less than six hours prior to the start of the first race of the program.

1. Any pre-race guarded quarantine required by this subsection shall continue as to the affected trainer for eight months following the date of the second order of quarantine of a horse or horses under his or her custody, care and control. However, if during the eight-month period any additional horse under the custody, care and control of the trainer is determined to have an excessive TCO₂ level in accord with N.J.A.C. 13:70-14A.14, and where the level of TCO₂ has not been determined as physiologically normal for the horse, the stewards shall order that the eight-month pre-race guarded quarantine period as to all of the trainer's horses be extended for a length of time which they deem appropriate. Any horses under the custody, care and control of the trainer at the time the trainer experienced the excessive TCO₂ level, which are transferred to a new bona fide trainer (with the exception of the particular horse or horses which experienced the excessive TCO₂ level), shall not be subject to such pre-race quarantine once under the custody, care and control of the new trainer. However, the trainer whose horse actually experienced the excessive TCO₂ level who is subject of the pre-race quarantine order

for all of his or her horses shall be required to have all of his or her horses submit to pre-race quarantine for the period ordered, regardless of when said trainer acquired or acquires his or her horses, which pre-race quarantine shall not be imposed at the same time the trainer is serving the license suspension imposed pursuant to N.J.A.C. 13:70-14A.14(b)1.

(c) Where a single horse, during any 12-month period, is determined to have an excessive TCO₂ level in accord with N.J.A.C. 13:70-14A.14, and where the level of TCO₂ has not been determined as physiologically normal for the horse, the horse shall be placed under pre-race guarded quarantine even where the horse has been transferred to a new trainer. The track association sponsoring the race shall make such pre-race guarded quarantine available, at the sole expense of the current trainer, for a length of time to be determined by the stewards but in no event less than six hours prior to the start of the first race of the program.

1. Any pre-race guarded quarantine required by this subsection shall continue as to the affected horse for six months following the date of the order of quarantine. However, where during the pendency of such six-month period the horse is under the custody, care and control of the new trainer and the horse is again determined to exhibit an excessive TCO₂ level in accord with N.J.A.C. 13:70-14A.14, and where the level of TCO₂ has not been determined as physiologically normal for said horse, the stewards shall order that the six-month pre-race guarded quarantine period for the horse be extended for a length of time which they deem appropriate. Where such an event, during any 12-month period, constitutes the second incident of any horse or horses under the custody, care and control of the current trainer of said horse exhibiting an excessive TCO₂ level in accord with the procedures set forth in N.J.A.C. 13:70-14A.14, the provisions of (b) above shall apply as to that current trainer.

New Rule, R.2007 d.330, effective October 15, 2007.
See: 39 N.J.R. 2596(a), 39 N.J.R. 4415(a).

13:70-14A.16 Post-race blood gas testing program; punishment for failure to cooperate

In the event any owner, trainer, licensed representative of same, or any person subject to the jurisdiction of the Racing Commission, fails to cooperate in connection with the blood gas testing program authorized pursuant to N.J.A.C. 13:70-14A.14, or with regard to any procedures set forth in N.J.A.C. 13:70-14A.4(a) and (b), or otherwise set forth in or implemented pursuant to N.J.A.C. 13:70-14A.14 or 14A.15, in addition to ordering the relief set forth in N.J.A.C. 13:70-14A.14, the stewards may, consistent with this chapter, impose fines or suspensions, or both, on the non-cooperating person. In determining the length of such suspension or amount of the fine, the stewards may consider prior violations of N.J.A.C. 13:70-14A.14, 14A.15, or this section.

New Rule, R.2007 d.330, effective October 15, 2007.

See: 39 N.J.R. 2596(a), 39 N.J.R. 4415(a).

SUBCHAPTER 15. RACING OFFICIALS

13:70-15.1 List of racing officials

(a) The racing officials shall include:

1. Three stewards, appointed by the Racing Commission and paid by the Association;
2. Three placing judges;
3. Clerk of the scales;
4. Three or more patrol judges;
5. Starter;
6. Paddock Judge;
7. Racing secretary, who may also be the handicapper;
8. Timer;
9. State Veterinarian and two or more Associate State Veterinarians;
10. A mutuel manager, general manager and all other managers and persons having administrative responsibility;
11. Chief State Veterinarian; and
12. Horse identifier.

As amended, R.1976 d.125, eff. April 22, 1976.

See: 8 N.J.R. 47(b), 8 N.J.R. 308(a).

As amended, R.1978 d.133, eff. April 19, 1983.

See: 10 N.J.R. 18(a), 10 N.J.R. 261(a).

As amended, R.1978 d.269, eff. August 1, 1978.

See: 10 N.J.R. 259(a), 10 N.J.R. 403(c).

As amended, R.1982 d.183, eff. June 21, 1982.

See: 14 N.J.R. 91(a), 14 N.J.R. 661(a).

(a)12 added.

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

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

Change from one to all three stewards to be appointed by Racing Commission.

Administrative Correction in (a)1.

See: 24 N.J.R. 2063(b).

13:70-15.2 Appointment

The stewards, a State Veterinarian and Associate State Veterinarians, and a supervisor of mutuels shall be appointed

by the Racing Commission. One of the duly appointed State Veterinarians shall also be designated by the Racing Commission as the Chief State Veterinarian and shall so serve at the pleasure of the Racing Commission. All other racing officials listed in N.J.A.C. 13:70-15.1 shall be appointed by the association, subject to the approval of the Commission.

As amended, R.1978 d.133, eff. April 19, 1978.

See: 10 N.J.R. 18(a), 10 N.J.R. 261(a).

As amended, R.1978 d.269, eff. August 1, 1978.

See: 10 N.J.R. 259(a), 10 N.J.R. 403(c).

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

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

Change from one to all three stewards to be appointed by Racing Commission.

13:70-15.3 Submission of names of officials

At least 30 days prior to the first day of a race meeting, the association must submit in writing to the Racing Commission the names of those officials listed in section 1 of this subchapter and must furnish a resume of their qualifications. No racing official shall be approved to act until he has been approved by the Racing Commission.

As amended, R.1976, d.125, effective April 22, 1976.

See: 8 N.J.R. 47(b), 8 N.J.R. 308(a).

13:70-15.4 Certificates; vision

All persons approved in the capacity of steward, placing and/or patrol judge, starter and clerk of the scales must submit annually a certificate from a recognized oculist or optometrist to the effect that their vision in both eyes is 20/20 or corrected to that figure.

13:70-15.5 Weekly compensation

The compensation to be paid to those officials appointed by the Racing Commission shall be determined by the commission and shall be paid by the association on a weekly basis.

13:70-15.6 Horse ownership or interest; officials

No one interested in the result of a race, either because of ownership of any horse entered or of its sire or dam, or because of bets or otherwise, shall act as a racing official in respect to that race.

13:70-15.7 Restrictions

- (a) No racing official or his assistants shall, at the meeting:
1. Wager money or any other chattel of value on any race;
 2. Accept directly or indirectly any gratuity, reward or favor in connection with racing;
 3. Sell or buy, for himself or another, any thoroughbred horse;
 4. Write or solicit insurance on any horse;
 5. Buy or sell any contract upon any jockey or jockey apprentice for himself or another.

13:70-15.8 Report of violations

Each racing official and his assistants shall report to the stewards all observed violations of the rules.

SUBCHAPTER 16. STEWARDS
13:70-16.1 Qualifications

Before being appointed or approved by the Racing Commission to serve in the capacity of steward, an applicant shall have been employed as steward, racing secretary, assistant racing secretary, starter, placing judge, patrol judge, paddock judge or clerk of the scales at a recognized meet or meetings for a period of not less than 60 racing days per year, during at least three of the five preceding calendar years; provided however, that if no applicant possesses the foregoing qualifications, whenever possible, the person or persons appointed or approved as steward should have had prior experience in some other branch of racing, such as owner, trainer, jockey, breeder or such other related experience as the Commissioner may deem sufficient.

Amended by R.1990 d.127, effective February 20, 1990.
See: 21 N.J.R. 3856(b), 22 N.J.R. 663(b).
Deleted reference to racing board.

13:70-16.2 Powers of stewards

The stewards shall have the power to determine all questions arising with reference to racing; and shall decide, in conformity with fairness and the established usage of the turf, all questions not specifically covered by the rules.

13:70-16.3 Steward's orders

In matters pertaining to racing, the orders of the stewards supersede the orders of the officers and directors of the association.

13:70-16.4 Governing conduct

The stewards shall have the power and it shall be their duty to regulate and govern the conduct of all racing officials and of all owners, trainers, jockeys, grooms and all other persons attendant on horses during, before, and after races, unless the power and the duty is vested in the Racing Commission.

13:70-16.5 Entries and declarations

All entries and declarations shall be under the supervision of the stewards.

13:70-16.6 Authority; extent

All questions pertaining to which their authority extends shall be determined by the majority vote of the stewards.

13:70-16.7 Punishment for violations

The stewards shall have the power to punish for violation of the rules any person subject to their control and in their discretion to impose fines or suspensions, or both, for infractions. The stewards may consider the prior record of any licensee for similar violations of the rules of this Commission or other racing commission or turf governing body in determining the extent of punishment to be imposed.

As amended, R.1982 d.183, effective June 21, 1982.
See: 14 N.J.R. 91(a), 14 N.J.R. 661(a).

13:70-16.8 Fines

The stewards may not impose a fine in excess of \$5,000. If it is deemed necessary that a larger fine be imposed, the stewards shall so recommend to the Racing Commission.

As amended, R.1982 d.183, effective June 21, 1982.
See: 14 N.J.R. 91(a), 14 N.J.R. 661(a).
"\$500.00" was "\$250.00".

Amended by R.2004 d.154, effective April 19, 2004.
See: 35 N.J.R. 4181(a), 36 N.J.R. 1951(b).

Increased the maximum fine amount from \$500.00 to \$5000.00.

13:70-16.9 Suspensions and disqualifications

The stewards may suspend a person or disqualify a horse.