

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 Subchapter 14, Claiming, was repealed and new rules on claiming were adopted as R.1980 d.95, effective February 27, 1980.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 Subchapter 3, Appeals, was repealed and new rules on appeals were adopted as R.1982 d.109, effective April 5, 1982.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 Subchapter 23, Stimulation and Tests, was repealed and a new Subchapter 23, Medication and Testing Procedures, was adopted as R.1985 d.58, effective February 19, 1985.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 Pre-race blood gas analyzing machine testing program
- 13:71-23.3B Pre-race blood gas analyzing machine testing program: pre-race guarded quarantine
- 13:71-23.3C Pre-race blood gas analyzing machine 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

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

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).

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.

Case Notes

Rule sets forth the association between the administration of drugs and the need to protect horses from them. *Gallo v. New Jersey Racing Commission*, 6 N.J.A.R. 381 (1983).

13:71-23.3 Pre-race blood testing program

(a) All horses entered to start in any race where pari-mutuel wagering is conducted shall be subject to a pre-race blood and/or urine test.

(b) Such horses shall be in the paddock at least two hours prior to post-time under the custody and care of a duly licensed attendant designated by the trainer of the horse.

(c) A licensed veterinarian approved by the Commission shall be the only person allowed to draw the blood for testing. A quantity of 20 cubic centimeters or such amount as the veterinarian may designate shall be extracted from each horse for testing purposes.

(d) Should the forensic analysis of such sample be classified as suspicious for any drug or substance foreign to the natural horse, except as expressly permitted by these rules and regulations, the horse shall be scratched.

(e) Should the forensic analysis of such sample be classified as positive for any drug or substance foreign to the natural horse, the horse shall be scratched and placed on the judge's list for seven days.

(f) The entry of a horse shall constitute permission for a veterinarian appointed by the New Jersey Racing Commission to obtain biological samples, and consent to the scratching of the horse from the race in the event such test is positive or suspicious.

(g) A trainer shall receive a warning for the first time a horse in his charge shall show a positive pre-race test. If the same horse shall again be positive on a pre-race test, then the trainer may be fined, suspended or both.

13:71-23.3A Pre-race blood gas analyzing machine testing program

(a) An excess bicarbonate, sodium and pH level in the race horse is deemed adverse to the best interests of harness racing, and adverse to the best interests of the horse in that such condition alters its normal physiological state. Accordingly, with the prior authorization of the Commission and subject to those conditions as the Commission may determine to impose, a track association may adopt a track rule which provides that its acceptance of the entry of a horse in a race is subject to the condition that all persons with an interest in the horse consent to it being scratched should, on the date of the race and as a result of pre-race blood testing utilizing a blood gas analyzing machine, the horse registers levels of bicarbonate (HCO_3), sodium (Na), and a pH level at or in excess of the levels stated in the approved track rule. In such event, the entry of a horse shall constitute permission for a veterinarian appointed in accordance with

(e) below to obtain blood samples from the entered horse, and shall further constitute consent to the judges scratching of the horse from the race in accord with this section.

(b) Where the Commission approves the track association's adoption of a track rule as described in (a) above, and a horse is entered to participate in a race at the track association following the adoption of said rule, the judges shall order scratched any entered horse which on the day of the scheduled race registers readings in excess of each of the three levels (bicarbonate, sodium and pH) as set forth in the approved track rule, on each of two tests conducted utilizing the blood gas analyzing machine.

(c) If the levels of bicarbonate, sodium and pH are determined to equal or exceed those set forth in the approved track rule for any single horse, and the licensed owner or trainer of that horse contends that such levels are physiologically normal for the particular horse, said licensee may request that the horse be held in guarded quarantine. In the event so requested, the track association implementing the track rule pursuant to (a) above shall make such guarded quarantine available, for a period of time to be determined by the judges but in no event less than 48 hours, at the sole expense of the licensee requesting same. During any quarantine, the horse shall be re-tested periodically and, although the horse may not race during such quarantine period, it may be exercised and trained at times prescribed by the association and consistent with the ability to monitor the horse. If the judges are satisfied, on the basis of the evident facts, the quarantine and the testing of the horse's blood utilizing the blood gas analyzing machine, that the three levels (bicarbonate, sodium and pH) set forth in the approved track rule are physiologically normal for that particular horse, the judges notwithstanding the implementation of the track rule may permit the horse to race. In such case, the judges in their discretion may, at the sole expense of the track association implementing the track rule, require that the horse re-establish that such levels are physiologically normal to it pursuant to the procedure set forth in this subsection but no sooner than 35 days after the last quarantine period for the horse.

(d) Where the Commission approves the track association's adoption of a track rule as described in (a) above, and a horse is entered to participate in a race at the track association following the adoption of said rule, any owner, trainer or licensed representative of same who refuses to cooperate in connection with the testing of the horse, or who fails to permit any horse to be tested utilizing the blood gas analyzing machine, shall be deemed to be acting contrary to the track rule under which condition the horse was entered to race. In such circumstance, the judges shall order the horse scratched.

(e) All persons participating in any blood gas analyzing machine testing or quarantine process as described in this section, whether an employee of the Racing Commission or the track association, shall act at the direction of the

Commission representative as designated by the Commission or its Executive Director. In no event shall a horse entered to participate in a race have blood drawn, for the purpose of testing utilizing the blood gas analyzing machine, without all horses participating in said race having also had blood drawn for the purpose of such testing. Only a licensed veterinarian, approved by the Commission or its Executive Director, shall draw blood from any horse for testing on the blood gas analyzing machine. The procedures outlined or authorized in this section shall govern the conduct of any blood gas analyzing machine testing program, notwithstanding anything to the contrary in N.J.A.C. 13:71-23.3.

(f) Nothing contained in this section shall prohibit the Racing Commission, in its sole discretion, from rescinding its approval of any track rule authorized pursuant to (a) above, and from ordering the discontinuance of any testing program utilizing the blood gas analyzing machine as established pursuant to this section.

New Rule, R.1993 d.174, effective April 19, 1993.
See: 25 N.J.R. 269(a), 25 N.J.R. 1775(b).

13:71-23.3B Pre-race blood gas analyzing machine testing program: pre-race guarded quarantine

(a) Where a trainer, during any 12 month period, has had any single horse under his custody, care and control scratched from racing in accord with the procedures set forth in N.J.A.C. 13:71-23.3A, and where the levels of bicarbonate, sodium and pH have not been determined as physiologically normal for the horse in such instance, 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 judges 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 scratch of the horse.

(b) Where a trainer, during any 12 month period, has had any horse or horses under his custody, care and control scratched from racing on two occasions in accord with the procedures set forth in N.J.A.C. 13:71-23.3A, and where the levels of bicarbonate, sodium and pH have 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 judges 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 six months following the date of the second scratch of a horse or horses under his custody, care and control, and without regard to whether those scratched horses have been transferred to a new trainer. However, if during the six-month period any additional horse under the custody, care and control of the trainer is scratched in accord with the procedures set forth in N.J.A.C. 13:71-23.3A, and where the levels of bicarbonate, sodium and pH have not been determined as physiologically normal for the horse, the judges shall order that the six-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.

(c) Where a single horse, during any 12 month period, has been scratched from racing in accord with the procedures set forth in N.J.A.C. 13:71-23.3A, and where the levels of bicarbonate, sodium and pH have 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 judges 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 scratch of the horse. 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 scratched in accord with the procedures set forth in N.J.A.C. 13:71-23.3A, and where the levels of bicarbonate, sodium and pH have not been determined as physiologically normal for said horse, the judges 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 present trainer of said horse being scratched in accord with the procedures set forth in N.J.A.C. 13:71-23.3A, the provisions of (b) above shall apply as to that current trainer.

New Rule, R.1993 d.513, effective October 18, 1993.
See: 25 N.J.R. 3427(a), 25 N.J.R. 4751(b).

13:71-23.3C Pre-race blood gas analyzing machine 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 a blood gas analyzing machine testing program authorized pursuant to N.J.A.C. 13:71-23.3A, or with regard to any procedures set forth in or implemented pursuant to N.J.A.C. 13:71-23.3A or 23.3B, in addition to ordering the horse scratched from competition, the judges may, consistent with this chapter, impose fines or suspensions, or both, on the non-cooperating person. In determining the length of suspension or amount of the fine, the judges may consider prior violations of N.J.A.C. 13:71-23.3A or 23.3B.

New Rule, R.1993 d.513, effective October 18, 1993.
See: 25 N.J.R. 3427(a), 25 N.J.R. 4751(b).

13:71-23.4 Post-race testing program

(a) No drug shall be administered or applied, internally or externally, to any horse that is to be sampled after a race until the blood and/or urine samples have been obtained unless permission from the State Veterinarian is obtained.

(b) Every horse to be tested shall be taken to a detention barn, to be supplied by the association in accordance with specifications set forth by the Commission. All blood samples shall be taken by a State Veterinarian while urine samples shall be secured by the State Veterinarian or a chemical inspector of the Commission at the direction of the State Veterinarian.

(c) During the taking of any blood and/or urine sample by the veterinarian representing the Commission, from the horse entered to race, the owner, trainer, or their designated representative shall be present and witness the procedure. The sample so taken shall be immediately sealed and tagged on the form provided by the Commission and the evidence of such sealing shall be indicated by the signature of such owner, trainer or representative. It shall be the obligation of the owner, trainer or representative to cooperate fully with the State Veterinarian in obtaining any samples which may be required and to attend and witness the taking and securing of such sample.

13:71-23.5 Procedure following positive chemical analysis

(a) On receiving written notice from the official chemist that a specimen has been found "positive" for any drug or substance foreign to the natural horse, the steward shall proceed as follows:

1. He or she shall notify the State Police and authorize a search of the premises occupied by the stable involved.
2. He or she shall, as quickly as possible, notify the owner and trainer of the horse involved.

3. He or she shall, with the assistance of the State Police, conduct a thorough investigation, interviewing the trainer, assistant trainer and any other persons who may have pertinent knowledge of the circumstances involved.

4. During the progress of such investigation, the stable involved shall be permitted to race; save that the particular horse (or horses) involved shall not be entered or start until allowed to do so by the judges. In no event shall such a prohibition extend beyond seven days unless the stable has failed to provide all due cooperation to the Judges in the course of such investigation.

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 (citing former N.J.A.C. 13:71-23.17). *Maietta v. New Jersey Racing Commission*, 183 N.J.Super. 397, 444 A.2d 55 (App.Div. 1982), affirmed 93 N.J. 1, 495 A.2d 295 (1983).

13:71-23.6 Trainers

(a) A trainer shall be the absolute insurer of and is responsible for the condition of a horse within his care and custody.

(b) A trainer shall not enter or start a horse that has in its body any drug or substance foreign to the natural horse except as otherwise provided for in these rules and regulations.

(c) A trainer has the duty to be familiar with the medication rules of this Commission and with any drug or substances foreign to the natural horse administered to said horse at his direction or while in his care and custody.

(d) The trainer, owner, veterinarian, groom or other person charged with the custody, care and responsibility of a horse are all obligated to protect and guard the horse against administration of any drug or substances foreign to the natural horse, except as otherwise provided for in these rules and regulations by any unauthorized individual, and the administration of any unauthorized drug or substance foreign to the natural horse by any person.

Case Notes

District court would abstain from reaching merits of harness race-horse trainers' applications for stays of orders. *Bongiorno v. Lalomia*, D.N.J.1994, 851 F.Supp. 606, affirmed 39 F.3d 1168.

Fines and suspension of licenses and privileges for extended periods ranging from 30 months to 66 months, based on findings that trainers' horses had tested positive for drugs were not arbitrary, capricious, unreasonable; principles of "trainer responsibility" and "no medication" were clearly established in law and commission had authority to protect integrity of horse racing. *New Jersey Racing Com'n v. Elliot*, 290 N.J.Super. 140, 675 A.2d 243 (A.D.1996).

The Racing Commission has decided, through rulemaking, to exercise strict control over the use of narcotics. *Maietta v. New Jersey Racing Commission*, 93 N.J. 1, 459 A.2d 295 (1983).

Horse trainer; race horses; suspension. *DeVitis v. New Jersey Racing Commission*, 94 N.J.A.R.2d (RAC) 55.

Trainer suspended after the horse was discovered to have a foreign substance in its system. *New Jersey Racing Commission v. Janis Gianforte*, 94 N.J.A.R.2d (RAC) 49.

Trainer violated responsibility rule; illegal drug. *New Jersey Racing Commission v. Rubin*, 94 N.J.A.R.2d (RAC) 17.

Post-race test finding of buprenorphine; trainer suspended. *Caltagione v. New Jersey Racing Commission*, 92 N.J.A.R.2d (RAC) 7.

13:71-23.7 Penalties

(a) Should the judges determine that any person or persons have violated any section of this subchapter, they may punish the offending party consistent with the penalties provided for in these rules and regulations.

(b) In addition thereto, the judges may penalize the owner of any horse, or any entry of which said horse is a part, that has started in any race with any drug or substance foreign to the natural horse in its body by disqualification and denial of any part of the purse with redistribution of purse moneys as in the case of a disqualification.

(c) Any individual suspended or disciplined in any fashion for a second or subsequent violation of N.J.A.C. 13:71-23.6(a), (b), (d) or any comparable rule of any other racing commission or turf governing body may be deemed a repetitive offender. A second or subsequent violation of N.J.A.C. 13:71-23.6 may constitute grounds for further disciplinary action by the Commission.

(d) Horses owned wholly or in part by persons suspended for violation of N.J.A.C. 13:71-23.6(a), (b) or (d) are ineligible to start during the period of such suspension, unless sold to a bona fide purchaser. Horses trained by a person suspended for such a violation, wherein the trainer does not have an ownership interest, are automatically eligible to start when placed in the hands of a licensed trainer approved by the judges.

(See N.J.A.C. 13:71-3 for rules concerning appeals.)

13:71-23.8 Administering medication to respiratory bleeders; standards for the administration of phenylbutazone

(a) The stewards may permit the administration of medication to control respiratory bleeding in animals that:

1. At any time have received a comprehensive cardiopulmonary examination at an approved equine hospital or school of veterinary medicine and as a result thereof are certified as bleeders and therefore are in need of medication in order to race; or

2. Are observed in New Jersey to bleed during the running or driving of a workout or race at a duly licensed New Jersey racetrack, or in the detention barn following such workout or race by a State or Associate State Veterinarian or by a licensed veterinarian at any time on the grounds of a racetrack and have been placed on a veterinarian's list for at least 10 days; or

3. Have been certified as respiratory bleeders in other racing jurisdictions by a veterinarian employed by that jurisdiction's regulatory body or have been placed on another racing jurisdiction's respiratory bleeder's list.

(b) All horses that are placed on the veterinarian's list shall be required to be treated by a licensed practicing veterinarian in the stall assigned to that horse on the grounds of the Racing Association or in the receiving barn. During this period the horse shall be under the care and custody of a groom or caretaker appointed by the trainer. Furosemide, a diuretic medication that is intended to control respiratory bleeding, shall be administered by a licensed practicing veterinarian and shall be limited to an intravenous dose of 0.50 milligrams (mg) per pound of body weight (1.00 mg per kilogram) or 500 milligrams (10 cubic centimeters (cc)) in a 1,000 pound horse at least four hours prior to race time. Said practicing veterinarian shall make daily reports of all said treatments and file said reports with the State Veterinarian each day.

(c) Post-race urine and blood samples may be taken by or under the supervision of the State Veterinarian from all horses treated with Lasix® (furosemide) to control respiratory bleeding pursuant to the requirements set forth above. In the event a post-race analysis of a blood sample reveals that the concentration of furosemide exceeds a level of 50 nanograms per milliliter of plasma (50 ng/ml) the trainer and/or the practicing veterinarian shall be liable to the penalties as set forth in (e) below.

(d) Any horse having bled in any jurisdiction shall be placed on the veterinarian's list for bleeding and must remain on the list for 10 calendar days, a second time bleeder must remain on the respiratory list for 30 days, and a third time bleeder must remain on the respiratory list for 90 days. A bleeder in the above categories is automatically released from the veterinarian's list after these dates; however, a horse which evidences respiratory bleeding a fourth time is barred from further racing in New Jersey.

(e) Should the stewards determine that any person or persons have violated (c) above, they shall punish the offending party as follows:

1. A trainer and/or veterinarian shall receive a warning for the first time a horse in his or her care shall show a test result in excess of 50 nanograms per milliliter of plasma.

2. A trainer and/or veterinarian shall receive a fine not to exceed \$500.00 for a second time the same horse shows a test result in excess of 50 nanograms per milliliter of plasma.

3. Should the same horse show a test result in excess of 50 nanograms per milliliter of plasma for a third time, the trainer and/or veterinarian shall be suspended, fined or both.