

13:70–29.51 Break to nickel in the event of a minus pool

The minimum pari-mutuel payoff by any licensee conducting pari-mutuel wagering shall be \$2.10 on each winning \$2.00 wager. This shall pertain only in the event that there is insufficient money in the net pari-mutuel pool to return \$2.20 on each \$2.00 wager.

13:70–29.52 The Pick (N)

(a) The Pick(N) requires selection of the first place finishers in each of four or more consecutive races, with the letter (N) representing the number of such races. The association must obtain written approval from the Commission concerning the scheduling of Pick(N) events. Any changes to the approved Pick(N) format requires prior approval from the Commission.

(b) A carry-over, as is relevant to this section, is that percentage of the pool not paid out when no one successfully selects all winning horses in the Pick(N). The carry-over amount shall be added to the subsequent Pick(N) pool until distributed as a result of the successful selection of all winning horses.

(c) The Pick(N) pool shall be distributed under one of the following methods:

1. Method 1. Pick(N) with carry-over: The net Pick(N) pool and carry-over, if any, shall be distributed as a single price pool to those who selected the first place finisher in each of the Pick(N) contests, based on the official order of finish. If there are no such wagers, then 25 percent of the net pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick(N) races; and the remaining 75 percent of the net pool shall be added to the carry-over.

2. Method 2. Pick(N) with minor pool and carry-over: The major share of the net Pick(N) pool (75 percent) and the carry-over, if any, shall be distributed to those who selected the first-place finisher in each of the Pick(N) contests, based on the official order of finish. The minor share of the net Pick(N) pool (25 percent) shall be distributed to those who selected the first-place finisher in the second greatest number of Pick(N) contests based on the official order of finish. If there are no such wagers selecting the first-place finisher of all Pick(N) contests, the minor share of the net Pick(N) pool (25 percent) shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick(N) contests based on the official order of finish and the major share (75 percent) shall be added to the carry-over.

(d) If there is a dead heat for first in any of the Pick(N) contests involving contestants representing the same betting interest, the Pick(N) pool shall be distributed as if no dead heat occurred. If there is a dead heat for first in any of the Pick(N) contests involving contestants representing two or

more betting interests, the Pick(N) pool shall be distributed as a single price pool with each winning wager receiving an equal share of the net Pick(N) pool.

(e) The Pick(N) pool shall be held entirely separate from all other pools and is not a parlay and is not part of a daily double, exacta, trifecta or other wagering pool.

(f) Pick(N) tickets shall be sold in not less than \$1.00 denominations and only from machines capable of issuing four or more numbers.

(g) Those horses constituting an entry or a field as defined within the rules and regulations of the Commission shall race in any Pick(N) race as a single wagering interest for the purpose of Pick(N) pari-mutuel pool calculations and payments to the public. A scratch after wagering has begun on any part of an entry or mutuel field in such a race shall be of no effect with respect to the status of such entry or field as a viable wagering interest.

(h) At any time after wagering begins on a Pick(N) pool should a horse, entire betting entry or mutuel field be scratched or declared a non-starter in any Pick(N) race, no further tickets selecting such horse betting entry or mutuel field shall be issued, and wagers upon such horse betting entry or mutuel field, for purposes of the Pick(N) pool shall be deemed wagers upon the horse, betting entry or mutuel field upon which the most money has been wagered in the win pool at the close of win pool betting for such race. In the event of a money tie, the tied horse, betting entry or mutuel field with the most inside post position shall be designated.

(i) In accordance with (k) below, when the condition of the turf course warrants a change of racing surface in any of the legs of the Pick (N) races, and such change has not been known to the betting public prior to the close of the Pick (N) pool, the stewards shall declare the changed leg(s) a “no contest” for Pick (N) wagering purposes, and the pool shall be distributed in accordance with (k) below.

(j) The Pick(N) pool shall not be cancelled based upon the number of race cancellations or races being declared no contest, unless the following is true, in which case all Pick(N) wagers for the individual performance shall be refunded:

1. Three or more races of a Pick 4 or Pick 5 are cancelled or declared no contest;
2. Four or more races of a Pick 6 or Pick 7 are cancelled or declared no contest;
3. Five or more races of a Pick 8 or Pick 9 are cancelled or declared no contest;
4. Six or more races of a Pick 10, Pick 11 or more races are cancelled or declared no contest.

(k) As specified in (i) above, if at least one contest included as part of a Pick (N) is cancelled or declared "no contest," but not more than the number specified in subsection (j) of this rule, the net pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (N) contests for that performance. Such distribution shall include the portion ordinarily retained for the Pick (N) carryover but not the carryover from previous performances.

(l) If, on the last day on which the system of wagering is conducted at a race meeting, no bettor selects the winning horse in those designated races, the total amount of the pool which exists on that day in connection with those races shall be paid to the bettor or bettors who selected the largest number of winning horses in those races.

(m) If, for any reason, the Pick(N) carry-over cannot be paid out on the last scheduled day of a race meeting, the carry-over shall be deposited in an interest bearing account approved by the Commission. The Pick(N) carry-over plus accrued interest shall then be added to the net Pick(N) pool on a race date determined by the Commission.

(n) An association, with the written approval of the Commission, may contribute funds to the net Pick(N) pool or the carry-over pool.

(o) Should circumstances occur which are not foreseen in this section, questions arising thereby shall be resolved with general pari-mutuel practice. Decisions regarding distribution of Pick(N) pools will be final.

Repealed by R.1982 d.183, effective June 21, 1982.

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

New Rule, R.1993 d.685, effective December 20, 1993.

See: 25 N.J.R. 4585(b), 25 N.J.R. 5938(c).

Amended by R.2003 d.489, effective December 15, 2003.

See: 35 N.J.R. 3461(b), 35 N.J.R. 5549(a).

Added a new (i); recodified former (i) as (j); added a new (k); recodified former (j) through (m) as (l) through (o).

Petition for Rulemaking.

See: 37 N.J.R. 2575(b).

13:70-29.53 Trifecta

(a) The trifecta (or other approved name) is a form of pari-mutuel wagering. Each bettor selects, in order, the first, second and third placed horses in the designated trifecta race. The trifecta pool shall be held entirely separate from all other pools, and is no part of a daily double, exacta or other wagering pool.

(b) Trifecta tickets shall be sold in not less than \$1.00 denominations and only from machines capable of issuing three numbers.

(c) Races in which trifecta pools shall be conducted shall be approved by the Commission and shall be clearly designated in the program.

(d) The design of trifecta tickets shall be clearly and immediately distinguishable from other pari-mutuel tickets.

(e) If a horse is scratched or declared a nonstarter, no further trifecta tickets may be issued designating such horse and all trifecta tickets previously issued designating such horse shall be refunded and the money deducted from the gross pool.

(f) Rules concerning failure to select a winning combination, short finishes include:

1. If there is a failure to select, in order, the first three horses, payoff shall be made on trifecta tickets selecting the first two horses, in order with all others; failure to select the first two horses, payoff to trifecta tickets selecting the winner and third place horse with any and all other horses; failure to select any of the foregoing orders of finish, payoff shall be made to trifecta tickets selecting the winner to win with all other horses; failure to select the winner to win, payment shall be made to holders of tickets on the second and third place finishers with any and all others.

2. If less than three horses finish, payoff shall be made on tickets selecting the actual finishing horses in order, ignoring the balance of the selection.

(g) Coupled entries and fields are prohibited in trifecta races without the prior approval of the Racing Commission. The Commission in considering whether to grant such approval, shall consider the number of wagering interests in the race and whether its approval would be consistent with the best interests of the sport and wagering public.

(h) Where a field in a trifecta race is less than five at wagering time, said race will be run as an exacta. A late scratch after wagering starts will not affect the trifecta.

(i) In the trifecta races with a coupled entry or mutuel field, the numbers of the first three horses in order of finish as made official shall constitute the winning combination except that, where two or more of such horses are part of the same coupled entry or mutuel field, only the best finishing position attained by the coupled entry or mutuel field shall be considered for payoff purposes and the next best finishing horse or horses, not part of the coupled entry or mutuel field, shall be selected to determine the winning trifecta combination.

(j) This rule shall be prominently displayed throughout the betting area of each track conducting the trifecta and printed copies of this rule shall be distributed by the track to patrons upon request.

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

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

As amended, R.1978 d.235, effective July 17, 1978.

See: 10 N.J.R. 258(c), 10 N.J.R. 351(c).

As amended, R.1978 d.270, effective August 1, 1978.

See: 10 N.J.R. 169(a), 10 N.J.R. 404(a).

Amended by R.1988 d.132, effective March 21, 1988.

See: 19 N.J.R. 2385(a), 20 N.J.R. 670(a).

(b): \$46.00 changed to \$6.00; (h) "nine" changed to "seven"; deleted "or where a field in a trifecta race in harness racing is two or more horses short of filling the available positions of the starting gate at wagering time."

Amended by R.1993 d.516, effective October 18, 1993.

See: 25 N.J.R. 3103(a), 25 N.J.R. 4751(a).

Amended by R.2001 d.248, effective July 16, 2001.

See: 33 N.J.R. 1337(a), 33 N.J.R. 2493(a).

In (h), substituted "six" for "seven".

Amended by R.2004 d.359, effective September 20, 2004.

See: 36 N.J.R. 2159(a), 36 N.J.R. 4320(a).

In (h), substituted "five" for "six" after "less than" in the first sentence.

13:70-29.54 Sell-only system

(a) The supervisor of mutuels shall be furnished with the following documents on a daily basis by the totalisator company for any sell-only system:

1. Win, place and show pools:
 - i. Running total sheet;
 - ii. Calculating sheet;
 - iii. Tickets and denomination sheet;

- iv. Price sheet by denomination;
 - v. Progression of odds.
2. Exacta and daily double pools:
 - i. Calculating sheets;
 - ii. Tickets by denomination and combinations;
 - iii. Machine sales by Division;
 - iv. Daily double will pay sheet.
 3. Trifecta pools:
 - i. Calculating sheet;
 - ii. Winning ticket combination sheet;
 - iii. Key wheel sheet;
 - iv. Machine sales by Division;
 - v. Trifecta ticket print.
 4. Outstanding ticket balance report for all pools.

R.1979 d.274, eff. July 18, 1979.

See: 11 N.J.R. 269(b), 11 N.J.R. 401(b).