

13:71-5.18 Age limits

Any child under 18 years of age must be accompanied by an adult, parent or guardian to be admitted to any race track enclosure as a spectator during the hours when the running of races is being conducted. No person under the age of 18 shall be permitted to wager or in any manner participate in any pari-mutuel pool or system.

Amended by R.1978 d.353, effective October 2, 1978. See: 10 N.J.R. 349(b), 10 N.J.R. 510(b). Amended by R.1989 d.546, effective November 6, 1989. See: 21 N.J.R. 1972(b), 21 N.J.R. 3476(a). Deleted "daytime" to describe race track. Deleted text regarding requirement that children (12-16) must be accompanied by an adult to be admitted to nighttime races. Amended by R.1993 d.485, effective October 4, 1993. See: 25 N.J.R. 2648(a), 25 N.J.R. 4600(d).

13:71-5.19 Weekly reports on employees

(a) Each harness race track association and each concessionaire shall make weekly detailed reports and deliver such reports to the Racing Commission, of all employees (including racing officials) actually engaged during the past week, stating the name, department, license number (if license is required) and position therein, and "yes" or "no" to indicate whether a resident of New Jersey, under columns so entitled. Such lists shall be compiled by departments, and if any employee is engaged in two departments, a notation opposite his name shall so state.

(b) The weekly reports of each department shall have the following endorsement signed by the department manager:

1. The above list of employees and information contained therein is a complete report of all employees engaged in my department for the week ending, \_\_\_\_\_ 19\_\_\_\_. None of the above names appears on the security guide list for the year 19 \_\_\_\_\_. As indicated on the above list, the number of employees is as follows:

Residents .....
Nonresidents .....
Exemptions requested .....
Department Manager.

13:71-5.20 State Police; reports

When the State Police in the normal performance of their duties at an association meeting determine any defect in the administrative or operational security measures necessary to properly protect the grounds, they shall report the circumstances in writing to the Executive Director of the Racing Commission with a copy to the director of security. The director of security shall respond in writing to the Racing Commission with a copy to the State Police, without undue delay, of the action taken thereon.

R.1977 d.331, effective August 29, 1977. See: 9 N.J.R. 345(b), 9 N.J.R. 487(a).

SUBCHAPTER 6. ASSOCIATIONS

13:71-6.1 Compensation insurance

(a) Associations are required to carry adequate compensation insurance covering all persons in their employ.

(b) All owners and trainers shall carry compensation insurance covering all their employees, including drivers, grooms and all others acting in the capacity of training horses.

(c) All concessionaires shall carry compensation insurance covering all their employees.

(d) An individual or entity shall provide adequate proof of compliance with (b) and (c) above before he or she will be licensed as an owner, trainer, and/or concessionaire by the New Jersey Racing Commission. Such proof shall be in the form of:

1. A certificate of insurance, valid for the year through December 31 (for which licensing is sought), issued by an insurance company authorized to do business in the State of New Jersey.

i. A certificate, if offered and found not to be valid, may result in penalties provided in N.J.A.C. 13:71-2.3 up to and including revocation of license of the person who submitted the certificate; or

2. Proof of payment of the required premium entitling an individual or entity to participate in a workmen's compensation insurance group program.

i. Any group or organization sponsoring such a program shall guarantee worker's compensation coverage for those eligible individuals or entities which pay the required premium. A copy of the worker's compensation insurance group program and eligibility requirements shall be filed by the sponsoring group or organization with the New Jersey Racing Commission each year.

(e) A certificate of compliance with this rule, issued by an insurance company authorized to do business in the State of New Jersey, must be on file with the race secretary.

(f) Prior to the commencement of any construction, alteration, change or improvement by a permit holder of any building, structure or physical layout at, about or within its licensed premises or track enclosure by a permit holder, plans and specifications regarding such construction, alteration, change or improvement must be reviewed and approved by the Racing Commission.

(g) Each association shall file a complete financial statement with the Commission on or before February 15 of the calendar year following the association's last meeting.

As amended, R.1982 d.109, effective April 5, 1982. See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).

(g) deleted.

Amended by R.1987 d.43, effective January 5, 1987.

See: 18 N.J.R. 2117(a), 19 N.J.R. 138(b).

Deleted text from (d) "before a license is issued".

Amended by R.1990 d.573, effective November 19, 1990.

See: 22 N.J.R. 1717(a), 22 N.J.R. 3500(a).

Added (b), requiring proof of adequate worker compensation coverage.

### 13:71-6.2 Judge's stand

The judge's stand shall be so located and constructed as to afford to the officials thereupon, an unobstructed view of the entire track and no obstruction shall be permitted upon the track or the centerfield which shall obscure the official's vision of any portion of the track during the race.

### 13:71-6.3 Bona Fide contests

All races shall be bona fide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the order of finish. No hippodroming or other arrangement for equal distribution of the purse money among the contestants is permitted.

### 13:71-6.4 Default in payment of premiums

(a) Any association that defaults in the payment of a premium that has been raced for shall together with its officers be penalized. No deduction, voluntary or involuntary, may be made from any purse or stake or futurity other than for payments to be made to the owners, nominators or breeders of money winning horses and organizations or promotion expenses stipulated for stakes and futurities.

(b) Other than a stake or futurity as covered in (a) above, no association may enter into any agreement with any organization requiring a deduction from the purse payable to owners of money winning horses, unless such agreement provides that a deduction may be made only from those owners entitled to winnings who have expressly consented to the deduction or unless provided by law.

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

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

(b): added "or unless provided by law."

### 13:71-6.5 (Reserved)

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

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

### 13:71-6.6 (Reserved)

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

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

### 13:71-6.7 Awards

Except as herein stated, no association shall advertise to pay any awards other than to the owners, nominators or breeders of money winning horses. Awards may be made to drivers of horses breaking or equaling track or world records, or to leading drivers at meetings.

### 13:71-6.8 Paddock

(a) Every association shall provide a paddock or receiving barn containing a minimum of 80 stalls or such number as the Commission may designate.

(b) The paddock or receiving barn must be completely enclosed with a man tight fence and all openings through said fence shall be policed so as to exclude unauthorized personnel therefrom.

### 13:71-6.9 Photo finish; head numbers; saddle pads; starting gate

At all associations, a photo finish, head numbers saddle pads and a starting gate must be used. Whenever the judges use a photograph to determine the order of finish, it shall be posted for public inspection. Photo finish equipment shall not be acceptable unless it is of a type approved by the Commission.

### 13:71-6.10 Interference with race officials

Although associations are obligated to supervise their meetings, their interference with the proper performance of duties of any official is prohibited.

### 13:71-6.11 Driver's stand

Each association shall provide a stand located conveniently to the gate through which the horses enter the race track from the paddock or receiving barn, for the use of drivers scheduled to race. The location of the stand shall permit a clear and adequate view of the race course.

### 13:71-6.12 Paddock rules

Horses must be in the paddock at the time prescribed by the presiding judge, but in any event not less than one hour but not more than two hours prior to post time of the race in which the horse is to compete unless required to be in the paddock pursuant to N.J.A.C. 13:71-23. Except for warm-up trips, no horse shall leave the paddock until called to the post.

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

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

"Unless . . . N.J.A.C. 13:71-23" added.

### 13:71-6.13 Admission to paddock

(a) The persons entitled to admission to the paddock are as follows:

1. Owners of horses competing on the date of the race and whose horses are in the paddock;
2. Trainers of horses competing on the date of the race and whose horses are in the paddock;
3. Drivers of horses competing on the date of the race and whose horses are in the paddock;
4. Grooms and caretakers of horses competing on the date of the race and whose horses are in the paddock;