

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

Racing judge's alleged inability to vote as he wished in penalty adjudications due to interference of state racing commission's executive director did not violate his First Amendment rights; racing judge's vote in any particular penalty case was not compelled expression on political or ideological matter, and penalty votes were not relevant to racing

commission's ability to self-govern. *Latessa v. New Jersey Racing Comm'n*, C.A.3 (N.J.)1997, 113 F.3d 1313.

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.

13:71-1.22 Designation of Commission agents

In enforcing the racing laws and the rules and regulations of the Commission, the Commission may designate enforcement personnel assigned to it by the New Jersey Department of Law and Public Safety. Such personnel, while so acting, shall be designated as agents of the Commission.

R.1976 d.125, effective April 22, 1976.
See: 8 N.J.R. 47(b), 8 N.J.R. 308(a).

13:71-1.23 Modification of penalties

The Commission may modify on its own motion any penalty or decision imposed by a racing official pursuant to the rules and regulations as herein contained.

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

13:71-1.24 Smoking prohibited

Smoking is prohibited under the shed row of any barn. Persons found violating this rule will be reported to the judges and shall be subject to a fine of \$25.00 for the first offense, \$50.00 for the second offense and to suspension for the third or subsequent violation.

R.1982 d.109, effective April 5, 1982.
See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).
R.1983 d.337, effective August 15, 1983.
See: 15 N.J.R. 873(b), 15 N.J.R. 1383(a).

13:71-1.25 Horsemen associations

(a) It shall be the intent of this section to establish guidelines that ensure that funds allocated to the horsemen's organizations by statute (N.J.S.A. 5:5-66) are used to finance programs to benefit all New Jersey horsemen and that administrative and overhead costs are reasonably related to such programs.

(b) Funds allocated to the horsemen's organizations by statute must be used to benefit all New Jersey horsemen. Membership in the horsemen's organizations shall not be a condition for receiving benefits.

(c) Amounts collected as voluntary dues from members are excluded from this rule. However, funds acquired from sources other than the statutory allocation to these associations must be kept separate and apart from funds obtained from the statutory allocation.

(d) The horsemen's organizations shall maintain adequate records concerning receipt of and distribution of funds allocated to them by statute. The New Jersey Racing Commission shall have access to all records maintained by the horsemen's organizations which relate directly or indirectly to funds allocated by statute.

(e) The horsemen's organizations shall submit detailed budgets to the Racing Commission by December 15 of each year, for the following calendar year, identifying the source

and use of funds and any surplus or deficit that may result. The budget must include the actual prior year's expenses in each category for comparison purposes. In addition, quarterly budget reports must be filed with the Commission 45 days after the close of each quarter. These reports must reflect actual income and expenses to date, as well as projected income and expenses for the remainder of that year. Prior approval must be obtained from the Commission for all expenditures that exceed the approved budget levels.

(f) Audited financial statements, including balance sheet, income statement and source and use of funds, prepared by a certified public accountant of New Jersey, must be filed with the Commission by February 28 of each year for the preceding calendar year.

(g) Funding for benevolent programs, including but not limited to pension plans, health and life insurance plans, etc. will be considered reasonable if such program funding on an annual basis is at least 70 percent of the total statutory allocation. Whether or not a program will be considered a "benevolent program" will be decided upon application to the Racing Commission. Annual benevolence program funding below 70 percent of the total statutory allocation requires justification satisfactory to the Commission. The administrative costs and overhead expenses of administering the horsemen's organizations, including benevolent, programs may not exceed 30 percent of the total allocated by statute unless and to the extent specifically authorized in advance by the Racing Commission.

(h) General administration and overhead expenses are considered reasonable if they are less than 30 percent of the statutory allocation. Funding above 30 percent of the total statutory allocation requires justification satisfactory to the Commission. Within this category, expenses for travel, entertainment, meals and lodging are considered reasonable if they conform to the horsemen's organizations' travel and expense reimbursement guidelines on file and approved by the Commission. For expenses in excess of amounts allowed under these guidelines, the Racing Commission may require special justification and/or prior approval.

(i) Payments to national programs are allowed only to the extent that the horsemen's organizations can clearly show that the payments benefit all New Jersey horsemen, not just members of these organizations.

(j) If the accumulated surplus exceeds \$250,000 at the end of a calendar year, horsemen's organizations are required to utilize the amount in excess of the \$250,000 for new or expanded benevolent programs or justify to the Racing Commission why they do not intend to utilize the excess funds.

(k) Violation of this section may subject the organization to a fine not to exceed \$1,000 per violation.

New Rule, R.1988 d.76, effective February 16, 1988.
See: 19 N.J.R. 856(a), 20 N.J.R. 405(b).
Amended by R.1988 d.401, effective August 15, 1988.
See: 20 N.J.R. 1174(a), 20 N.J.R. 2071(a).

Substantially amended.

Amended by R.1989 d.109, effective February 21, 1989.
See: 20 N.J.R. 2997(a), 21 N.J.R. 451(d).

Repealed old (j) and substituted new (j).

13:71-1.26 Commission employees/appointees; prohibited affiliations with permitted racetracks

No employee or appointee of the New Jersey Racing Commission shall provide any services to a permitted race-track facility in this State, whether or not for compensation, where those services are outside the scope of his or her duties on behalf of the Commission.

New Rule, R.1993 d.686, effective December 20, 1993.
See: 25 N.J.R. 4459(a), 25 N.J.R. 5939(a).

SUBCHAPTER 2. VIOLATIONS

Cross References

Judges and patrol judges, see N.J.A.C. 13:71-8.5.

13:71-2.1 Liability

Any person or association licensed by the Commission or any person or association subject to the jurisdiction of the Commission violating any of its rules or regulations shall be liable to the penalties herein provided, unless otherwise limited in and by the rules and regulations of the Commission.

13:71-2.2 Attempt to violate

Any attempt to violate the law or any of the rules and regulations of the Commission falling short of actual accomplishment shall constitute an offense and shall be punishable as if consummated.

13:71-2.3 Penalties

(a) The penalties for violation of the law or the rules of the Commission shall be as follows:

1. Denial, revocation or suspension of license;
2. Monetary fines not exceeding \$5,000 for each violation. The stewards may not impose directly a fine in excess of \$500.00;
3. Suspension from one or more activities at one or more tracks;
4. Expulsion from racing in New Jersey;
5. Forfeiture of purse;

6. In addition to the foregoing, the Commission may impose as a condition to licensing such conditions as it shall deem appropriate to secure compliance with the rules, regulations and directives of the Commission.

(b) Any penalty of suspension from driving shall commence after a hearing before the judges and shall be served on a continuing basis. Where the term of suspension equals or is less than the normal number of scheduled live race days during a week at the track association where the infraction occurred, the continuous suspension shall be imposed as soon as practical following the hearing and on dates where live racing there occurs. Where the term of suspension exceeds the normal number of scheduled live race days during a week at the track association where the infraction occurred, the continuous suspension shall be imposed as soon as practical following the hearing and on dates so as to encompass the maximum number of live race days there possible. However, where the term of suspension cannot be imposed consistent with the formulas set forth in this subsection due to the suspension of racing at the track where the infraction occurred, or where the judges determine that the application of such formulas would otherwise not be practical, the judges shall, in their discretion, determine the continuous dates over which the suspension is to be served. There shall be no exceptions for stakes, futurities, early closures, or feature races during the period of suspension.

(c) The penalties provided above, where applicable, shall be exacted from all persons, whether licensed by the Commission or not.

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.1976 d.292, effective September 16, 1976.

See: 8 N.J.R. 250(c), 8 N.J.R. 483(a).

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.1993 d.484, effective October 4, 1993.

See: 25 N.J.R. 2647(b), 25 N.J.R. 4600(c).

Case Notes

First driver pulling in front of second horse and causing second driver to take evasive action constituted interference; suspension ordered. *LaChance v. New Jersey Racing Commission*, 93 N.J.A.R.2d (RAC) 13.

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.

13:71-2.4 Betting restrictions; owner, trainer and driver

No owner, trainer or driver of a horse entered in a race shall bet or cause any other person to bet on his behalf on any horse other than his own horse. In the case of exotic pools all tickets purchased by an owner, trainer or driver must include his horse entered to race.

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

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

(f) Entries shall be allowed in an exacta race. "Fields" are permitted in an exacta race. If two or more horses in an exacta race are listed as "field" on the same totalisator ticket, there shall be no refunds, unless all the horses so listed are excused before off-time.

(g) In exacta races with a coupled entry or mutuel field, the numbers of the first two horses in order of finish as made official shall constitute the winning exacta combination except that where two or more of these 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 exacta payoff purposes and the next best finishing horse or horses, not part of the same coupled entry or mutuel field, shall be determined to comprise the winning exacta combination. Should any horse not part of any coupled entry or mutuel field finish in a dead heat for second place with a horse that is part of the same coupled entry or mutuel field as the first-place finishing horse, the winning exacta combination shall consist of the first-place coupled entry or mutual field with said dead heated horse.

Amended by R.1995 d.660, effective December 18, 1995.
See: 27 N.J.R. 3763(a), 27 N.J.R. 5032(c).

13:71-27.47 Daily double

(a) No more than two daily doubles shall be permitted during any single race day. All other forms of this type of wagering are prohibited.

(b) Before off-time of the second half of the daily double there shall be posted on the public board, readable from the stands, the pay-off each combination coupled with the winner of the first half of the daily double.

(c) In the event of a dead heat for the straight pool in the first half of the daily double, or the event of a consolation pool, it shall not be deemed necessary to compute and post the actual pay-off prices on all the various combinations of the daily double before the running of the second half of the double. However, an effort should be made to compute the double prices and to announce them to the public over a loud-speaker system prior to the running of the second half of the double.

(d) The daily double is not a parlay. All tickets on the daily double will be calculated in an entirely separate pool.

(e) The principle of a daily double is in effect a contract by the purchaser of a daily double ticket to pick (select) the winners of each of the two races specified for the daily double.

(f) If the purchaser of a daily double ticket fails to pick the winner of the first half of the daily double, his contract is void, unless circumstances occur as described in (m), (n), (o) and (p) below. If these conditions do not apply, then irrespective of what happens to the horse selected in the

second half of the daily double, there is no refund because the patron has failed to fulfill the first half of the contract which is to pick the winner of the first half of the daily double.

(g) If a horse in the first half of the daily double is excused by the stewards before off-time, all money wagered on any horse or horses so excused shall be deducted from the daily double pool and be refunded to the purchaser or purchasers of tickets on the horse or horses so excused.

(h) In the event a horse is excused in the second half of the daily double after the first race is official, all daily double tickets combining the scratched horse with the actual winner of the first race of the daily double shall be paid a price equivalent to that fraction of the net pool derived by dividing the net pool by the total purchase price of all tickets combining the winner of the first race of the daily double with all horses in the second half of the daily double. The total pay-off of all tickets combining the winner of the first race of the daily double with the scratched horse in the second half of the daily double as determined by the method set forth in this rule shall be deducted from the net daily double pool.

(i) After off-time, there shall be no refund in either of the above cases, provided for in (g) and (h) above.

(j) For the purpose of figuring the daily double, when horses are locked in the gate they shall be considered as having been excused by the stewards; and (g) and (h) above shall be enforced.

(k) If, for any reason, the first race of a daily double is cancelled and declared "no race", full and complete refund will be made of the daily double pool. If, for any reason, the second race of a daily double is canceled and declared "no race", the daily double pool shall be distributed to the holders of the daily double tickets on the winner of the first race in the same manner as the straight pool of the first race is distributed, except as to the amount of distribution, which shall be controlled by the amount bet in the daily double pool.

(l) Except for the contingencies stated below, the daily double is calculated in the same general manner as the straight pool.

(m) If no ticket is sold combining both winners of the daily double, the net pool shall then be apportioned between those having tickets including the winner of the first race of the daily double and those having tickets including the winner of the last race of the daily double and shall be calculated and distributed as a place pool.

(n) If no ticket is sold including the winner of the first race of the daily double, then the entire net pool will be paid to the holders of tickets which include the winner of the last race of the daily double.

(o) If no ticket is sold including the winner of the last race of the daily double, the entire net pool will be paid to the holders of tickets which include the winner of the first race of the daily double.

(p) If no ticket is sold including a winner of either race of the daily double, then the entire net pool will be paid to the holders of tickets which include the horses finishing second in the two races of the daily double.

(q) If either race of the daily double results in a dead heat, the pay-off will be figured the same as a place pool; that is, first, the regulation commission is deducted, then the total amount wagered on the winning combination is deducted, leaving the profit which is divided equally between holders of the winning combinations.

Amended by R.1991 d.490, effective October 7, 1991.
See: 23 N.J.R. 2004(a), 23 N.J.R. 3034(a).

In (g), eliminated contradictory language and clarified the proper way to calculate the payoff in a daily double.

Amended by R.1992 d.85, effective February 18, 1992.
See: 23 N.J.R. 3432(a), 24 N.J.R. 647(c).

Deleted (d); recodified (e)-(r) as (d)-(q).

13:71-27.48 Quiniela

(a) The principle of a quiniela is, in effect, a contract by the purchaser of a quiniela ticket to select the first two horses to finish in a race. The order in which the horses finish is immaterial. The quiniela is not a "parlay" and has no connection with or relation to win, place or show betting, and will be calculated in an entirely separate pool.

(b) Entries shall be allowed in a quiniela race.

(c) In cases of a dead heat between two horses for first place, the combination shall be the winner of the quiniela pool.

(d) In case of a dead heat between two horses for second place, the pool shall be figured as a place pool, the holders of tickets combining the winning horse and the two horses finishing second participating in the payoff.

(e) In the case of a dead heat for second place, and no ticket is sold on one of the two winning combinations, the entire net pool shall be calculated as a win pool and distributed to those holding tickets on the winning combination.

(f) If no ticket is sold on the winning combination of a quiniela pool, the net pool shall be apportioned equally between those having tickets including the horse finishing first and those having tickets including the horse finishing second, in the same manner in which a place pool is calculated.

(g) If no ticket is sold that would require distribution of a quiniela pool to a winner as defined in (a) through (f) above, the association shall make a complete and full refund of the quiniela pool.

(h) In case of a scratch in a quiniela race, the patron holding a ticket on the scratched horse will receive a refund.

13:71-27.49 Break to nickel in the event of a minus pool

The minimum parimutuel payoff by any licensee conducting parimutuel 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 parimutuel pool to return \$2.20 on each \$2.00 wager.

13:71-27.50 Trifecta

(a) The trifecta (or other approved name) is a form of parimutuel 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 parimutuel 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 the wagering public.

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

(i) In 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.

Amended by R.1988 d.133, effective March 21, 1988.
See: 19 N.J.R. 2385(b), 20 N.J.R. 670(b).

Substantially amended (h).
Amended by R.1993 d.515, effective October 18, 1993.
See: 25 N.J.R. 3106(a), 25 N.J.R. 4752(a).

13:71-27.51 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;
 - vi. Machine sales by Division.

13:71-27.52 Cash-sell system

(a) The Supervisor of Mutuels shall be furnished with the following documents by the totalisator company on a daily basis for all pools at such time and in such manner as requested by the Supervisor of Mutuels:

1. Pool summary report;
2. Price calculation report;
3. Final cycle pool print report;
4. Progression of odds (win only);
5. Machine sales by race report;
6. Daily double will pay report;
7. Exacta probables report;
8. Prices report summary;

9. Price cancellation summary;
10. Summarized balance report (out ticket);
11. End of day report;
12. All trifecta computer sheets;
13. Lost ticket report.

(b) The Supervisor of Mutuels shall also be furnished with the following documents by the totalisator company upon request:

1. Payout distribution report;
2. Day end teller report;
3. Pool processing proof;
4. Outs book A;
5. Outs book B;
6. Bet reports;
7. Audit information from log tapes;
8. Outs cashed report;
9. Manual cash council report.

Amended by R.1991 d.540, effective November 4, 1991.
See: 23 N.J.R. 2268(a), 23 N.J.R. 3341(d).

Deleted (a), 1 and 2.

Recodified existing 3 and 4 as (a) and (b).

13:71-27.53 Super-Six

(a) The Super-Six (or other approved name) is a form of pari-mutuel wagering. Each bettor selects the first horse in each of six consecutive races designated as the Super-Six races by the permitholder. The principle of a Super-Six is in effect a contract by the purchaser of a Super-Six ticket to select the winners of each of the six races designated as the Super-Six.

(b) The Super-Six pool shall be held entirely separate from all other pools and is no part of a daily double, exacta, trifecta or other wagering pool. The Super-Six pool is a pool wherein the bettor is required to select six consecutive winning horses and is not a parlay.

(c) Super-Six tickets shall be sold in not less than \$1.00 denominations and only from machines capable of issuing six numbers.

(d) Races in which Super-Six pools shall be conducted shall be approved by the Commission and clearly designated in the program.

(e) The design of Super-Six tickets shall be clearly and immediately distinguishable from other pari-mutuel tickets.

(f) The Super-Six pari-mutuel pool shall be calculated as follows:

1. 100 percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the six races comprising the Super-Six.

2. In the event there is no pari-mutuel ticket held which correctly designates the winner of all races comprising the Super-Six, 25 percent of that racing date's net amount available for distribution shall be distributed among the holders of pari-mutuel tickets correctly designating the most winning selections of the six races comprising the Super-Six, and the remaining undistributed 75 percent of said pool shall be carried over and added to the pool on the next day on which wagering is conducted.

3. If, on the last day on which this system of wagering is conducted at a horse race meeting, no bettor selects the winning horses in those 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. In no event shall any part of the pool be carried over to the next year's race meeting.

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

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

(i) After off-time, there shall be no refund in either of the cases, provided for in (h) above.

(j) For the purpose of this section, when horses are prevented from starting by any malfunction of the starting gate itself they shall be considered as having been excused by the judges.

(k) If, for any reason, any race or races of a Super-Six program is cancelled and declared "No Race," the Super-Six pool shall be distributed to the holders of the most winning selections of the remaining races pursuant to (f)1 and 2 above. In the event the Judges cancel or declare as "No Race" three or more of the Super-Six races for any given date, all pari-mutuel tickets for that Super-Six pool shall be refunded and the Super-Six cancelled for that day.

(l) In the event of a dead heat for win between two or more horses in any Super-Six race, all such horses in the dead heat for win shall be considered as the winning horse in the race for the purpose of distributing the Super-Six pari-mutuel pool.

(m) No person shall disclose the number of tickets sold in the Super-Six pool or the number or amount of tickets selecting winners of Super-Six races prior to the time the Judges have declared the last Super-Six race on any given date official.

(n) No pari-mutuel ticket for the Super-Six pool shall be sold, exchanged or cancelled after the time of the closing of wagering in the first of the six races comprising the Super-Six, except for refunds as required by this section.

(o) This rule shall be prominently displayed throughout the betting area of each association conducting a Super-Six program and in the official racing program.

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

Emergency New Rule, R.1986 d.334, effective July 17, 1986 (expires September 15, 1986).

See: 18 N.J.R. 1619(a).

Readopted Concurrent Proposal as R.1986 d.412, effective September 15, 1986.

See: 18 N.J.R. 1619(a), 18 N.J.R. 2055(b).

Amended by R.1990 d.126, effective February 20, 1990.

See: 21 N.J.R. 3861(a), 22 N.J.R. 667(a).

At (k), "Stewards" changed to "Judges".

13:71-27.54 Daily Triple

(a) The Daily Triple pari-mutuel pool is not a parlay and has no connection with or relation to any other pari-mutuel pool conducted by the association, nor to any win, place and show pool shown on the totalisator board, nor to the rules governing the distribution of such other pools.

(b) A valid Daily Triple ticket shall be evidence of a binding contract between the holder of the ticket and the racing association, and said ticket shall constitute an acceptance of Daily Triple provisions and N.J.A.C. 13:71-27.

(c) A Daily Triple may be given a distinctive name to be selected by the association conducting such races, such as Win 3, subject to the prior approval of the Commission.

(d) The Daily Triple pari-mutuel pool shall consist of amounts contributed for a selection for win only in each of the three consecutive races designated by the association with the prior approval of the Commission. Each person purchasing a Daily Triple ticket shall designate the winning horse in each of the three races comprising the Daily Triple.