

ii. Foaled in New Jersey during a period in which the mare is considered a non-resident "New Jersey mare" as defined in (b)2 above;

iii. Conceived in New Jersey by a "New Jersey stallion" as defined in (b)3 above but not foaled in New Jersey; and

iv. Registered with the Thoroughbred Breeders' Association of New Jersey with all applicable fees paid.

(d) Awards, if any, for "horse owners," "breeders," and/or "stallion owners" from races exclusively for New Jersey bred foals may differ between "accredited" New Jersey bred horses and "non-accredited" New Jersey bred horses in accordance with rules established and changed from time to time by the Thoroughbred Breeders' Association of New Jersey.

1. "Horse owner" is owner or lessee of record of a horse with the Jockey Club and Race Secretary at the time of the race.

2. "Breeder" of a foal is owner of the dam at the time of foaling as stated on the foal's Jockey Club certificate of registration.

3. "Stallion owner" is the owner of record of the stallion at the time of conception of the subject foal. In order to be eligible for "stallion owner" awards, the subject foal must have been conceived in New Jersey.

(e) The breeder is responsible for the registering of the foal as an "accredited" or "non-accredited" New Jersey bred foal.

(f) A breeder who registers or attempts to register a foal based upon false or fraudulent information may be subject to any or all of the following sanctions by the Thoroughbred Breeders' Association:

1. The horse may no longer be considered a New Jersey bred foal;

2. Any New Jersey breeder awards earned by an ineligible horse shall be forfeited to the Thoroughbred Breeders' Association of New Jersey;

3. The breeder may be denied the privilege of registering any horses as New Jersey bred foals or as New Jersey stallions for a time period determined by the Thoroughbred Breeders' Association;

4. The breeder may be denied the benefit of any and all breeder awards in New Jersey for a time period determined by the Thoroughbred Breeders' Association.

(g) Any owner or breeder may appeal the decision of the Thoroughbred Breeders' Association of New Jersey concerning the registration of a horse under this rule to the New Jersey Racing Commission.

(h) All fees for registration of foals, horses of racing age and stallions as established by the Thoroughbred Breeders' Association of New Jersey shall be subject to the approval of

the Commission, which approval shall be based upon the Commission's review of a full accounting of fees received and the disposition and purposes for which the revenue collected by the Association is utilized in order to comply with the rules of racing and the terms of New Jersey statutes, the purposes of which are to improve and develop the thoroughbred breeding industry in the State.

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

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

As amended, R.1984 d.45, eff. February 21, 1984.

See: 15 N.J.R. 2147(a), N.J.R. 378(a).

(a)3. changed July to July 1st, (a)3. i and ii added.

New Rule R.1985 d.203, effective May 6, 1985.

See: 17 N.J.R. 271(a), 17 N.J.R. 1135(b).

Repealed old rule and adopted this new rule.

Amended by R.1995 d.617, effective December 4, 1995.

See: 27 N.J.R. 3304(b), 27 N.J.R. 4904(a).

Petition for Rulemaking.

See: 35 N.J.R. 4332(b), 4921(b).

Amended by R.2004 d.358, effective September 20, 2004.

See: 36 N.J.R. 2157(a), 36 N.J.R. 4319(b).

Rewrote the section.

Petition for Rulemaking: New Jersey Racing Commission: eligibility; registration required.

See: 38 N.J.R. 1609(a).

Petition for Rulemaking: New Jersey Racing Commission; Notice of Action on Petition for Rulemaking: Eligibility; Registration Required.

See: 38 N.J.R. 1880(b).

Amended by R.2007 d.121, effective May 7, 2007.

See: 39 N.J.R. 23(a), 39 N.J.R. 1765(a).

In the introductory paragraph of (b), inserted "a non-resident New Jersey mare or"; added new (b)2; recodified former (b)2 as (b)3; added new (c)2ii; recodified former (c)2ii and (c)2iii as (c)2iii and (c)2iv; and updated internal reference at (c)2iii.

Petition for Rulemaking.

See: 40 N.J.R. 6236(a), 40 N.J.R. 6659(a).

### 13:70-6.54 First time starters

(a) No first time starters will be allowed to enter without two published workouts within 45 days of racing.

(b) It shall be the trainers responsibility to see that all first time starters in their care have published workouts.

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

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

Amended by R.2005 d.125, effective April 18, 2005.

See: 36 N.J.R. 4374(a), 37 N.J.R. 1212(a).

In (a), substituted "without two published workouts within 45 days of racing" for "without a published workout"; in (b), substituted "have published workouts" for "have a published workout".

### 13:70-6.55 (Reserved)

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

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

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

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

As amended, R.1983 d.14, eff. February 7, 1983.

See: 14 N.J.R. 1146(b), 15 N.J.R. 158(b).

Decreased non-racing period from 25 to 14 days for first time bleeders and added three month prohibition for second time bleeders. Also added last sentence.

Repealed by R.1988 d.245, effective June 6, 1988.

See: 20 N.J.R. 506(a), 20 N.J.R. 1207(a).

This rule appears at N.J.A.C. 13:70-14A.9(d).

**13:70-6.56 Starters; published workouts**

A horse which has not started for 30 days or more shall be ineligible to race unless it has a published timed workout at a racetrack within 30 days prior to entry. Workouts following the entry of a horse shall appear on the official daily program.

R.1983 d.14, eff. February 7, 1983.  
See: 14 N.J.R. 1146(b), 15 N.J.R. 158(b).

**13:70-6.57 Workout program**

(a) Each track association shall establish and maintain a workout program meeting the following requirements, as well as such other requirements and conditions as established from time to time by the Commission.

1. Training and workout hours for the main track and/or training track shall be designated by the racing association.

2. No horse shall be permitted onto either track for training or a workout except during the designated hours unless with the express permission of the Racing Secretary and Board of Stewards.

3. Access to the training track and/or main track during such hours shall be limited to such gaps as directed by the Board of Stewards where the association shall have at least one workout coordinator per gap.

4. The workout coordinator shall obtain the identity of all horses to workout at the time the horse enters through the appropriate gap. The workout coordinator shall also obtain from the trainer, custodian or rider of any such horse, the distance which the horse will workout and at what point on the track the workout is intended to begin. All such information shall then be promptly transmitted to the clockers who are responsible for timing and reporting all workouts.

5. The racing association shall maintain a communication system between the workout coordinators and clockers.

6. The trainer shall be responsible for insuring that horses in his care and custody comply with all provisions of this workout program.

7. The Board of Stewards shall have overall jurisdiction of this program, and may fine and/or suspend any persons who violate or attempt to violate the workout program requirements. The stewards may also fine and/or suspend any person who reports or submits inaccurate or false information concerning the identity of any horse and the particulars of any workout.

New Rule, R.1985 d.663, effective January 6, 1986.  
See: 17 N.J.R. 2529(a), 18 N.J.R. 92(b).

**SUBCHAPTER 7. DECLARATIONS AND SCRATCHES****13:70-7.1 Purse races**

Declaration and scratches from purse races shall be made to the racing secretary by the owner, his authorized agent, or some person deputed by him, at a time which shall be set by the racing secretary and so posted conspicuously.

**13:70-7.2 Notice of declarations and scratches**

No horse shall be considered scratched or declared out of an engagement until the owner or his authorized agent, or some person deputed by him shall have given due notice in writing to the racing secretary.

**13:70-7.3 Scratches from overnight races**

No horse shall be scratched from an overnight race without the approval of the stewards.

**13:70-7.4 Irrevocability**

The declaration or scratch of a horse out of an engagement is irrevocable.

**13:70-7.5 Stakes Races**

For stakes races, if a horse is not named through the entry box at the time appointed by the racing secretary, the horse is automatically out.

**13:70-7.6 Time for scratches; stakes races**

Scratches from stakes races will close 45 minutes before post time.

**13:70-7.7 Miscarriage of declaration**

If the miscarriage of any declaration by mail or otherwise is alleged, satisfactory proof of such miscarriage shall be required of the complainant; otherwise, the declaration shall not be accepted as of the time alleged.

**SUBCHAPTER 8. WEIGHTS****13:70-8.1 Obligatory penalties**

Weight penalties are obligatory.

**13:70-8.2 Weight allowances**

Weight allowances must be claimed at time of entry, and shall not be abandoned after the posting of entries except by consent of the stewards.

**13:70-8.3 Noncumulative penalties and allowances**

Penalties and allowance of weight are not cumulative, unless so declared by the conditions of a race.