

13:70-9.31 Allowances for contracted apprentices

In addition to the weight allowances specified in N.J.A.C. 13:70-9.29, a contracted apprentice may claim an allowance of three pounds for an additional year when riding horses owned or trained by the original contract employer, provided that his or her contract has not been permanently

transferred, since his or her fifth winner. The holder of the contract at the time the apprentice rides his or her fifth winner shall be considered the original contract holder.

Amended by R.1995 d.479, effective September 5, 1995.
See: 27 N.J.R. 643(a), 27 N.J.R. 3374(a).

13:70-9.32 Extension of time period

Under exceptional circumstances which would prevent an apprentice jockey from riding during the full periods specified above, such as service in the armed forces of the United States; personal injuries suffered in the course of his or her occupation or otherwise; a disabling illness; restrictions on racing; or any other valid reason, the Commission may extend such period to compensate therefor.

13:70-9.33 Earnings

No contract employer shall have any interest in the earnings of a jockey.

13:70-9.34 Filing of jockey contracts

All contracts, or a copy of the same, between jockeys and their employers shall be filed with the Racing Commission.

13:70-9.35 Written contracts required

An owner or trainer employing a jockey for a period of more than 31 days shall make a contract in writing with such jockey.

13:70-9.36 Weighing out

The specified jockeys shall be weighed out for their respective mounts in each race by the clerk of the scales not less than 20 minutes before the time fixed for the race. In case of a substitution of riders after the original rider has been weighed out, the substitute rider shall be weighed out as promptly as possible and the name of the substitute and his weight publicly announced and posted.

13:70-9.37 Jockey agent license

Each jockey agent must obtain a license from the Racing Commission, which entitles him to represent not more than two jockeys.

13:70-9.38 Engagements

No jockey agent shall make or assist in making of any engagement for any rider other than those he is licensed to represent.

13:70-9.39 Dismissed agent; transfer of license

(a) An agent who is dismissed by his employer must make available a complete list of the engagements he has contracted for.

(b) With the permission of the stewards, he may transfer his license in order to represent a different jockey.

13:70-9.40 Agent's records

An agent shall maintain separate and accurate records of all engagements contracted for riders he represents, and at all times have such records available for examination by the stewards. Failure to maintain such records constitutes neglect, and is subject to disciplinary action.

13:70-9.41 Jockey agent license fee

Each jockey agent must obtain a license from the Racing Commission, and the fee therefor shall be \$50.00.

Amended by R.1993 d.43, effective January 19, 1993.
See: 24 N.J.R. 4021(a), 25 N.J.R. 314(a).

Revised fee.

13:70-9.42 Actions pending application decision

The stewards may permit an applicant to act pending decision on his application for a license.

13:70-9.43 Engagements for other jockeys

If, for good reason, a jockey agent is short of his permissible quota of jockeys and wishes to take on the task of making engagements for a rider not named in his license he must obtain permission from the stewards and the Racing Commission before making any such engagements.

13:70-9.44 Termination of contract; notice

If any jockey agent gives up the making of engagements for any rider, he shall immediately notify the stewards, the Racing Commission and the clerk of the scales; and he shall also turn over to the stewards a list of any unfilled engagements he may have made for that rider.

13:70-9.45 Agent's fees

A jockey agent may charge a jockey or apprentice \$2.00 for each winning mount obtained by him and \$1.00 for each other mount obtained by him, but shall receive no recompense for engagements made by the rider himself or by his contract employer, or clerk of the scales.

13:70-9.46 Record of engagements

(a) Each jockey agent shall keep, on a form provided by the association, a record by races of all engagements made by him, for the jockeys he is handling.

(b) This record shall include the day and the hour of making each engagement and the calls shall be numbered in the order of their priority whenever more than one is given for any rider in any race.

(c) This record must be kept up to date and held ready at all times for inspection by the stewards or the clerk of the scales.

13:70-9.47 Rival claims for rider's services

All rival claims for the services of a rider will be adjudged by the stewards in the light of the records submitted by the jockey agents.

13:70-9.48 Touting information; agent

A jockey agent shall not give to anyone, directly or indirectly, any information or advice, or engage in the practice commonly known as "touting" for the purpose of

influencing any person, or that would tend so to do, in the making of a wager on the result of any race.

13:70-9.49 Falsification of records

Any agent who falsifies his record shall be penalized by the revocation of his license and any agent so penalized shall be ineligible for another license for a term of 12 months from the day of the revocation.

13:70-9.50 Agent's assistance; rival claims

Jockey agents will be called to explain rival claims for any amount or for any rider and inability to satisfy the stewards that the rival claims arose through honest *bona fide* error shall be considered a falsification of records, and his license revoked.

Amended by R.1990 d.127, effective February 20, 1990.
See: 21 N.J.R. 3856(b), 22 N.J.R. 663(b).
Pluralized "horses".

13:70-10.7 Equipment changes

Permission for any change of equipment from that which a horse carried in his last previous race can be obtained only from the stewards and must be obtained before scratch time on the day when the horse is to run with changed equipment.

13:70-10.8 Blinkers

Permission for a horse to add blinkers to his equipment or to discontinue the use of them must be approved by the starter before being granted by the stewards.

SUBCHAPTER 10. PADDOCK TO POST

13:70-10.1 Saddled horses in paddock

Every horse must be saddled in the paddock.

13:70-10.2 Time schedule

Horses must be in the paddock 20 minutes before post time, time schedule permitting.

13:70-10.3 Saddle number

In a race, each horse shall carry a conspicuous saddle cloth number, corresponding with its number on the official program. Each horse making up an entry shall carry the same number, with distinguishing letter; for example, 1, 1A; 2, 2X and so forth. In the case of a mutuel field, horses comprising the field shall carry an individual number; for example, 12, 13, 14 and so on.

13:70-10.4 Full parade

All horses shall make a full parade, unless excused from doing so by the stewards.

13:70-10.5 Weights

All horses shall carry their respective weights from paddock to post. If a jockey is thrown in the parade, the horse must be returned to be remounted at the point where the jockey was thrown, and must complete its parade with its assigned weight up.

13:70-10.6 Time period

After entering the track, not more than 12 minutes shall be consumed in the parade to the post, except in cases of unavoidable delay. After passing the stands once, the horses will be allowed to canter, warmup or go as they please to the post. When horses have reached the post, they shall be started without unnecessary delay.

SUBCHAPTER 11. POST TO FINISH

13:70-11.1 Crossing or weaving

When clear, a horse may be taken to any part of the course but no horse shall cross or weave in front of other horses in such a way as to impede them or constitute or cause interference or intimidation.

Case Notes

Jockey's crossing and weaving during three races justified week-long suspension. *Black v. New Jersey Racing Commission*, 96 N.J.A.R.2d (RAC) 15.

Jockey's suspension for careless riding upheld when tapes showed his horse had changed lanes and come into contact with another horse. *Lopez v. New Jersey Racing Commission*, 96 N.J.A.R.2d (RAC) 5.

Horse brushing or bumping another horse in stretch interfering with the progress of that horse warranted disqualification. *Bonaventura v. New Jersey Racing Commission*, 93 N.J.A.R.2d (RAC) 33.

Winning horse's unintentional bumping of another horse; disqualification. *Levy v. New Jersey Racing Commission*, 93 N.J.A.R.2d (RAC) 11.

Failure to control horse resulting in collision; regulation violated; suspension ordered. *New Jersey Racing Commission v. Martinez*, 93 N.J.A.R.2d (RAC) 1.

13:70-11.2 Jostling

No horse or jockey shall willfully jostle another horse.

13:70-11.3 Touching or striking

No jockey shall willfully strike or touch another jockey's horse or equipment for the purpose of interfering with that horse or jockey.

13:70-11.4 Shortening stride

No jockey shall unnecessarily cause his horse to shorten its stride with a view to complaint.

13:70-11.5 Frivolous complaints

No owner, trainer or jockey shall complain frivolously that his horse was crossed or jostled.

13:70-11.6 Complaints

The stewards shall take cognizance of foul or careless riding and may entertain reports from other racing officials

of the meeting whether or not formal complaint is made, but no complaint shall be considered which comes from any person other than the jockey, owner or trainer of the horse alleged to have been interfered with.