

**13:71-20.12 Failure to finish**

If for any cause other than being interfered with, broken equipment or unavoidable accident, a horse fails to finish after starting a heat, that horse shall be ruled out.

**13:71-20.13 Shouting**

Shouting is forbidden during a race by a driver therein.

**13:71-20.14 Whips**

Drivers will be allowed whips not to exceed four feet, eight inches, plus a snapper not longer than eight inches.

**13:71-20.15 Use of goading devices, and so forth**

The possession or use of a goading device, chain or mechanical devices or appliances, other than the ordinary whip, upon any horse in any race shall constitute a violation of this rule. The brutal use of a whip or blunt spur, kicking a horse with a foot, striking a horse with the whip under the seat of the sulky or indiscriminate use of a whip may be considered a violation.

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

**Case Notes**

Jockey's repeated kicking of horse violated regulation; suspension. Manzi v. New Jersey Racing Commission, 93 N.J.A.R.2d (RAC) 23.

Harness driver's kicking of horse; nine day suspension. Silverman v. New Jersey Racing Commission, 92 N.J.A.R.2d (RAC) 3.

**13:71-20.16 Hobbles, head pole**

No horse shall wear hobbles in a race unless he starts in the same in the first heat or dash, and having so started he shall continue to wear them to the finish of the race. Any person found guilty of removing or altering a horse's hobbles during a race, or between races for the purpose of fraud, shall be penalized. Any horse habitually wearing hobbles shall not be permitted to start in a race without them except by the permission of the judges. No horse shall be permitted to wear a head pole protruding more than 10 inches beyond its nose.

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

**13:71-20.17 Breaking**

(a) When any horse or horses break from their gait in trotting or pacing, their drivers shall at once, where clearance exists, take such horse to the outside and pull it to its gait.

(b) The following shall be considered violations of this section:

1. Failure to properly attempt to pull the horse to its gait;

2. Failure to take to the outside where clearance exists;
3. Failure to lose ground by the break.

(c) If there has been no failure on the part of the driver in complying with 1, 2 and 3 above, the horse shall not be set back unless a contending horse on his gait is lapped on the hind quarter of the breaking horse at the finish.

(d) The judges may set any horse back one or more places if in their judgment any of the violations of this section have been committed, and the driver may be penalized.

Petition for Rulemaking.  
See: 40 N.J.R. 2607(a), 3759(a).

**Case Notes**

Breaking gait; finish order changed. Beissinger v. New Jersey Racing Commission, 92 N.J.A.R.2d (RAC) 14.

**13:71-20.18 Fraudulent breaking**

If a driver allows his horse to break for the purpose of fraudulently losing a heat or dash, he shall be liable to the penalties provided for in N.J.A.C. 13:71-2.3.

Amended by R.1990 d.126, effective February 20, 1990.  
See: 21 N.J.R. 3861(a), 22 N.J.R. 667(a).  
N.J.A.C. cite added.

**13:71-20.19 Calling and noting breaks**

To assist in determining the matters relating to accurate charting of races, it shall be the duty of one of the judges to call out every break made and the clerk shall at once note the break made and character of it in writing.

**13:71-20.20 Time between heats or dashes**

The time between heats or dashes for any distance up to and including a mile shall not be less than 15 minutes; for any distance between one and two miles, 20 minutes.

As amended, R.1982 d.109, effective April 5, 1982.  
See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).  
"15" was "25", "20" was "30".

**13:71-20.21 Right of the course**

Horses called for a race shall have the exclusive right of the course and all other horses shall vacate the track at once unless permitted to remain by the judges.

**13:71-20.22 Accidents**

In the case of accidents, only so much time shall be allowed before continuing as the judges may deem necessary and proper.

**13:71-20.23 Registration of nerved horses**

(a) Blocking of nerve functions via surgical neurectomy, cryogenic techniques, or any other desensitizing means, whether permanent or temporary, is defined as "nerving".

(b) Only posterior digital “nerving” will be permitted on horses to be raced. The procedure must be performed posterior to the first phalanx at a level below the base of the sesamoid bones.

(c) Horses that are “nerved” above the area specified in (b) above will not be permitted to race in New Jersey.

(d) It shall be the responsibility of the owner and/or trainer to report all “nerved” horses to the State or Associate State Veterinarian.

(e) A list of all “nerved” horses shall be posted on the bulletin board at the entry room by the State Veterinarian.

Amended by R.1982 d.109, effective April 5, 1982.  
See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).  
New Rule, R.1988 d.74, effective February 16, 1988.  
See: 19 N.J.R. 2125(a), 20 N.J.R. 406(a).  
Repealed existing rule and inserted new.

### 13:71-20.24 Equine fatality report

(a) An equine fatality report shall be submitted to the New Jersey Racing Commission regarding any equine death occurring on the grounds of any licensed racetrack or approved off-track stabling facility. It shall be the responsibility of the trainer or custodian of the deceased animal to file said report which shall be complete in all particulars.

(b) Said report shall be on forms prescribed by the Commission and shall include the following information and any other information deemed necessary by the Commission:

1. Name and tattoo number of deceased equine;
2. Trainer of record;
3. Owner of record and particulars regarding purchase of equine;
4. Particulars as to time, date and place of death;
5. Disclosure of any post-mortem examination;
6. Attending veterinarian;
7. Cause of death;
8. Particulars as to removal of carcass; and
9. Pertinent information regarding existing insurance coverage.

(c) The attending veterinarian shall certify the cause of death and shall submit a report describing all administration of medication or drugs to said animal within the 96 hour period preceding the time of death.

(d) Failure to file the foregoing in a timely fashion or filing in an incomplete fashion may subject the trainer, custodian or veterinarian to disciplinary action.

1. Any falsification or misstatement submitted in connection with an equine fatality report may also subject the trainer, custodian and/or veterinarian to disciplinary action as provided in N.J.A.C. 13:71-2.3.

(e) An equine fatality report shall not be required in connection with any pony or mascot.

R.1984 d.105, effective April 2, 1984.  
See: 16 N.J.R. 224(a), 16 N.J.R. 743(b).

## SUBCHAPTER 21. PLACING CONDITIONS AND PURSES

### 13:71-21.1 Purses, distributed on dash basis, adjustments

Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse’s position in each separate dash or heat of the race. Any adjustment in payments to be made by an association shall be made during the week wherein the race giving rise to the adjustment occurred.

### 13:71-21.2 Dashes

(a) Unless otherwise specified in the conditions, the money distribution in dashes shall be 50 percent, 25 percent, 12 percent, eight percent and five percent. Where, in early closing races, late closing races or added money events, there are less than five starters, the remaining premium shall go to the race winner unless the conditions call for a different distribution. Where, in overnight events, there are less than five starters, the premium for which positions for each there are no starters may be retained by the association.

(b) If there be any premium or premiums for which horses have started but were unable to finish due to an accident or otherwise, all unoffending horses who did not finish will share equally in such premium or premiums.

As amended, R.1982 d.109, effective April 5, 1982.  
See: 13 N.J.R. 820(a), 14 N.J.R. 347(a).  
(a) “50” was “45”, “12” was “15”, “eight” was “ten”.

### 13:71-21.3 Every heat a race

The purse shall be distributed as in dash races with **nothing** set aside for the race winner.