

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Repealed old rule and adopted this new rule.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.

13:70-6.54 First time starters

(a) No first time starters will be allowed to enter without a published workout.

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

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

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

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.

13:70-8.4 Entitled allowance of weight

A horse shall start with only the allowance of weight to which it is entitled at the time of starting, regardless of its allowance at the time of entry.

13:70-8.5 Weight penalties; effect on allowances

Horses incurring weight penalties for a race shall not be entitled to any of the weight allowances for that race.

13:70-8.6 Subsequent weight allowances

Horses not entitled to the first weight allowance in a race shall not be entitled to the second, and so on.

13:70-8.7 Claim of unentitled weight allowance

Claim of weight allowance to which a horse is not entitled shall not disqualify unless protest is made in writing and lodged with the stewards at least 60 minutes before post time.

13:70-8.8 Placing second or lower

No horse shall incur a weight penalty or be barred from any race for having been placed second or lower in any race.

13:70-8.9 Failure to finish second or lower

No horse shall be given a weight allowance for failure to finish second or any lower place in any race.

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

13:70-8.10 Steeplechase or hurdle race penalties

Penalties incurred and allowances due in steeplechase or hurdle races shall not apply to races on the flat or vice versa.

13:70-8.11 Horses beaten in one or more races

No horse shall receive allowance of weight, or be relieved of extra weight, for having been beaten in one or more races, provided this rule shall not prohibit maiden allowances or allowances to a horse which has not won within a specified period or which has not won a race of specified value.

13:70-8.12 Decision in dispute

When the decision of a race is in dispute, all horses involved in the dispute with respect to the winner's credit shall be liable to all weight penalties attached to the winning of that race until a winner has been adjusted.

13:70-8.13 Disqualification penalties

No horse shall incur a weight penalty for a placement from which it is disqualified, but a horse placed through the

disqualification of another horse shall incur the weight penalties of that placement.

13:70-8.14 Dead heats

A horse involved in a dead heat for first place shall be liable to the weight penalty for the amount received.

13:70-8.15 Determine eligibility, penalties and allowances

(a) Eligibility, penalties and allowance of weight for all races will be determined after considering the reports, records and statistics published by the daily racing form.

(b) A race not reported in the daily racing form will not be considered unless otherwise stated in the conditions of the race, except that, in the case of an imported horse, the racing record of such horse must be available to the racing secretary prior to the time entry is made to qualify for eligibility. (This rule shall not apply in the classification of maidens.)

13:70-8.16 Weights, scale of

(a) The following is the scale of weights for age, and shall be carried when not otherwise specified in the condition of the race: