

Delaware Harness Racing Commission
Rules Committee Meeting
June 26, 2018 at 10:00 A.M.

Harrington Raceway – Thurman Adams Paddock – Board Room
Harrington, DE

In Attendance:

Mark Davis, Executive Director	Beth Steele, DHRC Chairman
	George Staats, Commissioner

Dover Downs Sr. Director of Racing John Hensley, Harrington Raceway General Manager Jim Boese, Harrington Raceway Asst. GM Matt Sparacino, Harrington Facilities Manager Karen Kraft, DSOA Executive Director Sal DiMario and DSBF Executive Administrator Judy Davis-Wilson.

Minutes: Donna Krol

CALL TO ORDER

At 10:04 a.m. Chairman Steele called the rules committee meeting to order and welcomed all in attendance.

Minutes

Minutes from the 3-27-18 Rules meeting were reviewed.

Discussion Item: Review of USTA newly adopted rules

2018 PROPOSED RULE and BYLAW CHANGES

The following proposed rule changes have been reviewed by members of the USTA rules committee and selected to be considered by the membership at each district's annual meeting. They will be voted on by the USTA board of directors at the 2018 annual meeting.

1. Amend **Rule 4.04 Allowances** to add:

The price allowances that govern for claiming races are as follows:

Colts, Stallions, Geldings and Spayed Mares	Fillies and Mares	
2-year old	100%	120%
3-year old	50%	70%
4-year old	25%	45%
5-year old and up	0	20%

RULES COMMITTEE DECISION – NO CHANGE

2. Amend § 5.09 Photo Finish, Head Numbers - Starting Gate by deleting struck out language and adding language in bold:

At all member tracks where pari-mutuel wagering is allowed, a photo finish ~~head numbers~~ and starting gate must be used. **Head numbers shall not be permitted at extended pari-mutuel tracks. At non-extended meetings/fairs, the use of head numbers is permitted.** At all extended pari-mutuel meetings the track member must provide for a back-up starting gate. Photo finish equipment shall not be acceptable unless a stationary camera, mounted above the finish wire and perpendicular to the race track, is employed along with a spinner or stationary target or acceptable software application shall be used. In addition, no camera utilizing a shutter between the film and the race track during the actual finish of a race or which has a field of view greater than 12 inches at the finish line shall be considered acceptable

equipment. It shall be the duty of the presiding judge to verify that the photo finish equipment is in working order prior to each racing program.

RULES COMMITTEE DECISION – NO CHANGE (already done)

3. Add new subsection to Rule 4 as follows:

§ 4.95 Length - A distance defined as extending from a horse's nose to the posterior of the hindquarters. A length shall not include the space occupied by the driver or sulky beyond the horse's hindquarters.

[Renumber existing rules 4.96, 4.97, 4.98 etc.]

RULES COMMITTEE DECISION – ADOPT

ACTION ITEM: Mark Davis will work on language (no definition of length in DHRC regs) & present to DHRC at August Commission Meeting

4. Amend§ 5.12(a) to add language in bold:

Every extended pari-mutuel track member shall be equipped with a breath analyzer device **and/or any recognized test relative that shall produce immediate results**. All drivers, judges, starters, drivers of the starting gate, **outriders**, and marshals, shall be required to submit to such test at each racing program in which they participate. In the case of drivers, if the results of such test show a reading of more than **.00% of alcohol in the-blood-or-a detection of a prohibited substance as defined in Rule- 5.13**, such driver shall not be permitted to drive for the remainder of the card and serve a suspension of three (3) days for the first offense. The second offense in twelve months shall result in the driver not being permitted to drive for the remainder of the card and a seven- (7) day suspension and fine. The third offense in twelve months shall result in a driver not being permitted to drive for the remainder of the card and a thirty- (30) day suspension. The third offense in twelve months shall also require an individual to successfully complete an alcohol and/or substance abuse program approved by the state regulatory authority prior to returning to his or her duties. In the case of judges, starters, drivers of the starting gate, outriders, and marshals, if the result of a breath analyzer test **and/or any recognized test relative that shall produce immediate results** test results in a reading of more than **.00%** of alcohol in the blood, that individual shall be relieved of his duties for that program and fined. A report shall be made to the pertinent state racing authority and the USTA for appropriate action. **A clean sample must be received prior to the individual resuming his or her duties. Any individual who fails to provide a sample when requested shall be immediately suspended for a minimum of seven- (7) days and referred to the state racing authority for further action.**

§ -5.12(b) For Other Than Extended Pari-Mutuel Meetings.-Drivers, judges, starters, drivers of the starting gate, **outriders**, and marshals shall submit to a breath analyzer test **and/or any recognized test relative that shall produce immediate results** when requested by the presiding judge or an authorized agent of the USTA. The results of the test will be governed by the provisions of the Rule 5.12(a).

RULES COMMITTEE DECISION – NO CHANGE (already done) DHRC level is 0.02

5. Amend§ 5.13 by deleting the current language and replacing it with the following: **Prohibition Against Illegal Use of Drugs - The personal use of any illegal drug, any medication that may detrimentally impact performance, or any unapproved stimulant, depressant, narcotic, or hypnotic is prohibited. All drivers, judges, starters, drivers of the starting gate, outriders, and marshals may be required to submit a urine or blood sample or to take any other recognized test that produces immediate results relative to the detection of the above at each racing program in which they participate. Any such drug, medication, stimulant, depressant, narcotic, or hypnotic shall be only acceptable for use if it has the prior approval of the state regulatory authority verifying that said use will not adversely affect the safety and well-being of both equine and human participants. Any individual who tests positive as a result of such use must provide a negative test result before he or she is permitted to resume normal duties.**

RULES COMMITTEE DECISION – NO CHANGE (already have suitable language in DHRC Rules)

6. Amend §.6.02 by adding the language in bold:

Officials Required-At all matinees there shall be a licensed presiding judge **and one timer** in the judges' stand.

RULES COMMITTEE DECISION – Does Not Apply to DHRC

7. Amend §6.18 by adding the language in bold:

Identifier/Assistant Paddock Judge -At all extended pari-mutuel meetings, the track member shall employ an identifier/assistant paddock judge licensed by the USTA, whose duty it shall be to check the identification of all horses coming into the paddock, to include the tattoo, freeze brand number, **microchip**, color, and any markings. **All horses programmed as a horse/colt/ridgling shall be verified as such prior to each start.** Any discrepancy detected in the tattoo number, freeze brand number, **microchip**, color, markings or sex of a horse shall be reported immediately to the paddock judge, who shall in turn report same immediately to the presiding judge. **Such discrepancies shall be forwarded to the USTA.** The identifier/assistant paddock judge shall be under the immediate supervision of the paddock judge and the general supervision of the presiding judge and may perform other duties as outlined under Rule 6.17 when directed.

RULES COMMITTEE DECISION – Revise DHRC Rule 3.5.1.2 to include Micro Chip

ACTION ITEM: Mark Davis will work on language & present at August Commission Meeting

8. Amend §. 8.01and 8.05 by deleting the current language and replacing it with the following:

Registration of Stallion Syndicates and Racing, Farm, Corporate or Stable Names. Stallion syndicates and racing, farm, corporate or stable names, hereby referred to as a registered stable, may be used by owners or lessees if registered with the USTA giving the names of all persons who are involved in the stable or will use the name.

§ 8.05 Inactivity of Registered Stable - A registered stable must have its membership renewed each year. If the stable is not renewed for a period of 15 years, it will be presumed abandoned and may be reissued to another party upon proper application. Stallion syndicate names may never be reissued.

Amend § 8.07 by adding the language in bold:

§ 8.07 Designation of Corresponding Officer - Each member of a registered stable shall sign a document designating the name and address of the corresponding officer. **As used in Rule 8, the word 'corporate' name shall include the name of a corporation, partnership, limited liability company, trust, and any-other recognized legal entity.**

RULES COMMITTEE DECISION – Giving current and recently amended DHRC language 1 year to assess effectiveness, will amend again if necessary

9. Amend § 16 to add new section:

§ 16.18 Fair Start Pole - (a) At all extended pari-mutuel tracks the fair start pole shall be erected at a point before the start that is clearly identifiable. The pole shall be erected at a point before the start that is clearly identifiable. The pole shall be distinctive in color in relation to existing pylons and at least two feet above the existing pylons. (b) If a horse has not reached the fair start pole when the horses are released at the starting point by the starter, the Judges shall cause the inquiry sign to be displayed immediately and shall request the horse be refunded.

RULES COMMITTEE DECISION – DHRC will not pursue at this time

10. Amend § 17.11 (b) by deleting the current language and replacing it with the following:

Physical Examination - In the event any person is involved in an incident on or off the track that requires medical attention, the driver must provide medical clearance from a medical professional or an on-track emergency medical technician (EMT) stating that he/she can resume his/her duties.

RULES COMMITTEE DECISION – Adopt with different wording

ACTION ITEM: Mark Davis will work on language & bring to next meeting for further discussion

11. Amend § 17.14 by deleting struck out language and adding language in bold:

~~(c) Drinking intoxicating beverages within four (4) hours of the post time of the first program on which he is carded to drive.~~

(k) Refusal to take a breath analyzer test **and/or any recognized test relative that shall produce immediate results** or upon probable cause submit a body fluid sample when directed by the presiding judge."

(l) Failure to participate in the post parade at the prescribed time unless excused by judges.

RULES COMMITTEE DECISION – NO CHANGE (already have language)

12. Amend § 18.06 to read as follows:

Removal or Substitution of a Driver - If in the opinion of the Judges a driver is for any reason unfit or incompetent to drive or refuses to comply with the directions of the judges, or is reckless in his or her conduct and endangers the safety of horses or other drivers in the race, he or she may be removed and another **comparable** driver substituted at any time after the positions have been assigned in a race, and the offending driver shall be fined, suspended or expelled. The substitute driver shall be properly compensated.

RULES COMMITTEE DECISION – NO CHANGE (already have comparable language)

13. Amend § 18.09 by adding the language in bold:

Whip Regulations/Prohibitions - Drivers will be allowed whips not to exceed four (4) feet, plus a snapper not longer than six (6) inches.

The following actions shall be considered as excessive or indiscriminate use of the whip:

(a) All drivers must keep a line in each hand beginning when the horse is behind the starting gate and continuing through the finish of the race.

(b) Whipping shall be restricted to elbow and wrist action only and the whipping arm shall not be raised about the driver's shoulder height.

(c) Drivers shall not move their whipping arm in an exaggerated manner and the lines shall remain reasonably taut during the race.

(d) Driver shall not use the whip below the level of the shaft, forward of the race bike's wheels.

(e) Drivers shall not place the whip between the horse's legs.

(f) Drivers shall not strike another horse or driver with the whip.

(g) Drivers shall not use the handle of the whip on a horse.

(h) Drivers are permitted to use their hand or the whip in a sliding or gliding manner above the level of the shaft.

(i) Drivers shall not use the whip on a tired horse, on a horse that is not visibly responding, or when a horse is not in contention in a race.

(j) Drivers shall not use the whip without giving the horse time to respond to a previous application of the whip.

(k) No leather or unusual materials may be used. The conventional snapper shall not be knotted and tape is only permitted on the handle of the whip. All other modifications of the whip are prohibited.

(l) Excessive, indiscriminate, visibly injurious or abusive use of the whip is prohibited

RULES COMMITTEE DECISION – NO CHANGE (already have agreed upon and effective rule)

14. Amend § 20.11 by deleting the current language and replacing it with the following:

Change of Sex Requirement - The fact that a horse has been gelded or a mare has been spayed must be recorded with the USTA. It shall be the responsibility of the owner or authorized agent to report within thirty (30) days, the date that the horse has been gelded or the mare has been spayed to the USTA and return its papers for correction.

RULES COMMITTEE DECISION – NO CHANGE (already have language – DHRC states “immediately”)

15. Add new subsection to Rule 20 as follows:

§ 20.18 Standards of Conduct- Any person who, as the registered owner(s) of a horse that is currently racing, is found to be paying, either directly or indirectly, for training services on that horse an individual (i.e. payee) who is ineligible to be programmed as a trainer and is not stayed or under appeal shall be suspended from membership for a minimum of sixty (60) days, with the possible exception that the payee is the spouse; parent; sibling; domestic, contractual, or otherwise legal partner, and a currently licensed trainer who is in good standing with the Association and state racing authority. An individual shall be considered ineligible because of, but not limited to, denial, revocation, or suspension of thirty (30) days or more by the Association, or as may be mandated by the state racing authority.

[Re-number existing § 20.18 to 20.19]

RULES COMMITTEE DECISION – NO CHANGE (already have under Trainer language)

16. Amend § 26.02 (h) by deleting the current language and replacing it with the following:

The status of a previously registered Standardbred may be changed, to Pleasure Horse upon application by the owner and surrender of the registration certificate to the USTA. Owners can exercise one of two options: 1.) Pleasure Registration: Owners prohibit registration of future offspring and terminate any electronic eligibility previously issued. 2.) Pleasure Registration No Racing: Owners terminate any electronic eligibility previously issued. No prohibition on registration of offspring. Any transferee must be a member of the USTA.

RULES COMMITTEE DECISION – Does not apply to DHRC

17. Add new subsection to Rule 26 as follows:

§ 26.31 Breeder of Record - In the event the transfer date of a mare is incorrectly reported by the owner, upon receiving documentation providing proof of the correct transfer date that is acceptable to the USTA Registrar, the Registrar may revise any USTA records and certificates to reflect the correct date. Otherwise, the listed breeder of a horse, as defined in Rule 4.18, shall not be changed after the foal has been registered with the USTA and a registration certificate has been issued

RULES COMMITTEE DECISION – Does not apply to DHRC

18. Amend § 26.23 by deleting the current language and replacing it with the following:

Embryo Transfer-A foal that results from an embryo/ovum transfer shall be eligible for registration only if the following requirements are met:

(a) The donor mare is at least two (2) years of age or older at the time of the embryo/ovum transfer.

(b) Prior to the embryo/ovum transfer, the Application for Embryo Transfer is completed and submitted with the application fee to the USTA and approved by the registrar. Failure to comply with this requirement shall result in a penalty fee.

(c) Subsequent to all embryo/ovum transfers, a Certificate of Embryo Transfer is completed and filed with the registrar within thirty-five (35) days following each embryo/ovum transfer. Failure to comply with this requirement shall result in a penalty fee.

(d) Only a donor mare's first-born embryo/ovum transfer foal each year will be eligible for registration. A maximum of one embryo per donor mare will be permitted to be transferred to a recipient mare per heat cycle of the donor mare regardless of the number of embryos successfully recovered. Pregnancy in the recipient mare terminates the embryo collection process for the donor mare and also terminates the breeding of the donor mare for the duration of the same breeding season unless the recipient mare is subsequently determined not to be pregnant in which case the transfer process may be reinitiated. The person having responsibility for the relevant breeding records must keep records adequate to enable the USTA to verify compliance with this requirement. Failure to comply with this requirement shall result in a penalty fee.

(e) A donor mare shall not be exported or be entered to race in claiming races during the recipient mare's gestation period.

(f) All other normal registration requirements are met.

(g) For purposes of USTA registration, an embryo/ovum transfer foal shall be considered to be the property of the owner of the donor mare at the time of mating.

(h) A foal resulting from a frozen embryo/ovum transfer shall not be eligible for registration.

RULES COMMITTEE DECISION – NO CHANGE (already have language)

Public Comment :

Rules Committee Meetings are considered Public Meetings and will follow the same guidelines as public meetings including: agenda posted on State Calendar, minutes taken during the meeting, approved at the next Rules Meeting and posted on State Calendar.

CLOSE OF MEETING:

With no further business to discuss Chairman Steele entertained a motion to adjourn. Motion was carried and seconded. Motion passed with unanimous voice vote.

Meeting was adjourned at 10:30 a.m.

Next Rules Meeting is scheduled for September 4, 2018