

Summary

Rule 1255. The existing Rule 1255 merely states that “No racing official other than a Steward or Official Starter shall have the right to impose a fine or suspension.” It has never been the actual practice for the Official Starter at Oaklawn Park to impose fines. The Board of Stewards is the body that imposes fines, along with the Commission. Therefore, the Rule is being amended to conform to the actual practice, with a limit on the amount of the fines for violation of rules that do not contain a specific maximum fine amount.

MARKUP

Rule 1255. No racing official other than thea Stewards and the Commissioner ~~Official Starter~~ shall have the authority~~right~~ to impose a fine or suspension for violation of the Rules or state law. In instances where the individual rule does not specify the amount of the fine, the Stewards may impose a fine in an amount up to \$2,500, and the Commission may impose fines up to \$5,000.

Summary

Rule 2055. The existing Rule 2055, like Rule 1255, gives the Official Starter the authority to fine or suspend a jockey for conduct or incidents at the starting gate. It has never been the actual practice for the starter to impose fines, which is done by the Board of Stewards and the Commission. Therefore, the Rule is being changed to conform to the practice at Oaklawn and in the industry.

MARKUP

Rule 2055. ~~The Official Starter may fine or suspend a jockey for disobedience of orders or for attempting an unfair advantage. Such fine shall not exceed \$250. A suspension shall not take effect until after the last race of the next day, unless otherwise ordered by the Official Starter.~~

The Stewards and the Commission may fine or suspend a jockey for disobedience of orders, for attempting to gain an unfair advantage, or for otherwise violating the Rules.

REPEALED

2056. The Official Starter shall report in writing to the Stewards and to the Racing Secretary all fines and suspensions which the Official Starter has imposed, and no fines or suspensions so reported shall be modified other than by the authority of the Stewards.

Summary

Rule 2347. The Commission frequently hears appeals of Stewards' Rulings when interference or a foul occurs during a race. The existing Rule 2347 arguably required that the interference affect the outcome of the race, which allowed jockeys to argue that the interference did not affect the outcome of the race and was, therefore, not a foul. For safety reasons and for the integrity of the sport, the Commission does not want to allow interference when it does not affect the outcome of the race. The amendments to Rule 2347 attempt to correct this issue and insure the safety of the jockeys and horses.

MARKUP

POST TO FINISH

2347. (a) _____ When clear, a horse may be taken to any part of the course, but no horse shall, and no jockey shall carelessly or willfully permit his/her mount to, cross or weave in front of another ~~other~~ horses, or jostle another horse, in such a way as to impede ~~them~~ other horse or constitute or cause interference or intimidation ~~that affects the outcome of the race~~.

_____ (b) A jockey shall not ride carelessly or willfully in a manner that jeopardizes the safety of any horse or other jockey.

_____ (c) No jockey shall carelessly or willfully strike or touch another jockey or another jockey's horse or equipment.

Summary

Rule 2348. This amendment is also an effort to further define interference in a race by removing the requirement that the interference or jostling be willful. Since it is difficult to prove willfulness, the proposed amendment only requires that jostling or interference occur in a race in order to have a disqualification, fine, or suspension.

MARKUP

POST TO FINISH

2348. The Stewards or the Commission may fine and/or suspend a jockey for violation of any rule of the Commission, whether or not the horse ridden by the jockey is disqualified in connection with the incident in question.~~No horse or jockey shall willfully jostle another horse.~~

Summary

Rule 2349. The amendment to Rule 2349 also removes the willfulness requirement in an interference/foul situation that occurs during a race. The amendment then defines how the horses will be placed in the race when there is one or more incidents of interference during the race.

MARKUP

POST TO FINISH

2349. (a) In the case of any violation of Rule 2347, 2348, or any other applicable rule of the Commission, the offending horse, or the horse of the offending jockey, as the case may be, may be disqualified, if in the opinion of the Stewards, the violation affected the outcome of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

(b) When the Stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horses as in their judgment it interfered with, or they may place it last.

(c) Should the Stewards determine that there is more than one incident of interference in a race where disqualification is warranted, the Stewards shall deal with the incidents in the order in which the incident occurs during the race from start to finish; except in the case where the same horses are involved in multiple incidents. Once a horse has been disqualified, it should remain placed behind the horse with which it interfered.

~~During a race, no jockey shall carelessly and/or willfully strike or touch another jockey or another jockey's horse or equipment for the purpose of interfering with that horse or jockey.~~

Summary

Rule 2426 is the rule governing the claiming of horses at Oaklawn Park. Claiming is when a person authorized by the Commission rules submits a claim which is a stated sum of money to purchase or claim a horse running in a designated claiming race. Claiming races are common in the industry, and when an owner enters his horse in a claiming race, that owner knows that he may lose the horse for a specified claim price. This rule was the result of the HBPA, the horse owners association and Oaklawn attempting to clarify the claiming rules to allow more persons to participate in claiming and the opportunity to become horse owners. The amendment allows potential owners to obtain a minimum of one claiming authorization per race meet.

Proposed Change to Claiming Rule 2426

MARK - Up

CLAIMING

2426. In Claiming Races on the flat, any horse is subject to claim by (i) any owner in good standing or (ii) by a person who has been issued a "claiming authorization," **as provided below in this Rule 2426 (a "Claiming Authorization").** However, no owner **(who has not otherwise been issued a Claiming Authorization)** may claim a horse at Oaklawn unless that owner (either individually or through co-ownership, partnership, limited liability company, corporation or other entity in which the owner owns an equity interest): (1) has foal papers on file in the Oaklawn racing office with respect to a horse eligible to race at Oaklawn, and (2) either (i) has had an "official start" in a prior race at Oaklawn during the current race meet or (ii) was an "official starter" in the race in which the claim is submitted. For example, if an owner (who has not previously had an "official start" in a prior race at Oaklawn during the current race meet) owns in whole or in part Horse A entered in an Oaklawn race, the owner may, if otherwise in compliance with applicable rules, submit a claim for another horse in the race, but that claim shall be void if Horse A fails to become an "official starter" in the race.

CLAIMING AUTHORIZATION:

(a) The Stewards or their appointed representatives shall issue a ~~claiming authorization~~ **Claiming Authorization** to any person who makes application therefor on forms prescribed for that purpose and who:

(1) meets all requirements for the issuance of an owner's license;

(2) **either (A) is not presently involved, and does not have a spouse presently involved, as an owner of a horse in thoroughbred racing able and eligible to race at Oaklawn, (B) was an owner (either individually or through co-ownership, partnership, limited liability company, corporation or other entity in which the owner owns an equity interest) of a horse that had an "official start" in a prior race at Oaklawn during the immediately preceding Oaklawn race meet, or (C) has foal papers on file in the Oaklawn racing office with respect to a horse eligible to race at Oaklawn;**

(3) has an agreement with a licensed trainer to take charge of, care for and train any horse claimed pursuant to the ~~claiming authorization~~ **Claiming Authorization** (and the holder of a ~~claiming authorization~~ **Claiming Authorization** and the trainer shall each promptly notify the Stewards in writing if such agreement is terminated before a horse is successfully claimed); **and**

(4) has at least the amount of the claim on deposit or credited with the horsemen's bookkeeper; ~~and.~~

However, notwithstanding the foregoing, a ~~claiming—authorization~~**Claiming Authorization** may not be issued to any thoroughbred horse trainer licensed as such in any jurisdiction unless the trainer is a member of a partnership, limited liability company, corporation or other entity that would otherwise be eligible for a ~~claiming—authorization~~**Claiming Authorization** and the claim is being made by that partnership, limited liability company, corporation or other entity.

(b) The ~~claiming—authorization~~**Claiming Authorization** shall be valid for the calendar year in which it is issued or until such earlier time as the person to whom the ~~authorization~~**Claiming Authorization** was issued **(i) executes a claim and becomes an owner of a horse owner, either through use of the claiming—authorization or Claiming Authorization, or (ii) in the case of a Claiming Authorization issued to a person under section 2426(a)(2)(A) above, through private purchase. A person shall not be eligible for issuance of more than one (1) Claiming Authorization for the same race meeting unless the person presents evidence to the satisfaction of the Stewards that the person is no longer the owner (either individually or through co-ownership, partnership, limited liability company, corporation or other entity in which the owner owns an equity interest) of a horse able to race at Oaklawn because of illness or injury to the horse.**

(c) ~~The~~**If the applicant has not been issued an owner's license for the current race meet, the** same fee charged for an owner's license shall be payable to the ~~Board~~**Commission** by the applicant prior to issuance of a ~~claiming—authorization~~**Claiming Authorization**. The holder of a ~~claiming—authorization~~**Claiming Authorization** shall not, by virtue thereof, be entitled to admission to the grandstand, clubhouse, or other spectator facility at prices less than those charged the general public.

(d) An application for ~~claiming—authorization~~**Claiming Authorization** may be denied or revoked for any reason that would justify denial, suspension or revocation of an owner's license. Any person whose ~~claiming—authorization~~**Claiming Authorization** is denied or revoked shall have the same rights to notice and hearing as an owner whose license is denied, suspended or revoked.

(e) A holder of a ~~claiming—authorization~~**Claiming Authorization for the current race meet** who has not previously been granted an owner's license **for the current race meet** will be issued an owner's license without payment of any additional fees, **but subject to the other requirements for issuance of an owner's license.**

2426-A. At the time of entry into a claiming race, the owner (or trainer acting under authorization from the owner) may opt to declare a horse ineligible to be claimed provided: (a) the horse has not been an official starter in a race at any racetrack for a minimum of 120 days since its last race as an official starter; (b) the horse's last race as an official starter was a claiming race in which the horse was eligible to be claimed; (c) the horse is entered for a claiming price equal to or greater than the claiming price at which it last started as an official starter; (d) failure to declare the horse ineligible at the time of entry may not be remedied; and (e)

ineligibility to be claimed shall apply only to the first start as an official starter following each such 120-day or longer layoff.

Summary

Rule 2479(A). This is an amendment to the Instant Racing Rules that are played on electronic instant racing machines where patrons bet on videos of previously run races. In the past, the minimum bet was 5 cents (\$.05). The amendment establishes the minimum bet as 1 cent (\$.01), which is the practice in other jurisdictions and which has been favored by patrons at other tracks. Part (b) of the amended rule allows a maximum of 40 unit bets, which is an increase from a maximum of 10 units in the old rule.

MARKUP

Rule No. 2479(A)

Instant Racing #4, Multi-Line-Multi-Coin (Thoroughbred)

1) **Wager Amount and Pay Lines:**

- a) Acceptable wagering units shall be no lower than "15¢ Per Play" (\$0.015) and no higher than "\$20 Per Play" (\$20).
- b) The franchise holder shall designate a maximum number, no higher than ~~ten~~ forty (40), of unit bets allowed per active pay line.