

2020 PROPOSED RULE CHANGES

*The following proposed rule changes will be considered by the membership at each district's annual meeting and will be voted on by the USTA Board of Directors at the 2020 Annual Meeting. Additions are **bold underlined**, deletions are struck-out.*

PROPOSAL #1

A proposal to eliminate heat racing by amending existing Rule 4.51, 12.09, 12.15, 13.04, 14.02, 14.03, 14.15, 14.19, 18.11, 18.15, and 23.04 and deleting Rule 4.159, 4.194, 12.18, 12.19, 12.20, and 18.07 as follows:

~~4.51 Elimination Heats or Two Divisions~~ – Divisions Heats of a race split according to Rule 12.17 ~~–12.20~~, to qualify the contestants for a final heat.

~~**4.159 Sandwiching** – The layering of subsequent heats of a multiple heat race.~~

~~**4.194 Two In Three** – In a Two in Three race a horse must win two heats to be entitled to first money.~~

12.09 Excess Entry Fees. - In early closing events, late closing events and overnight events requiring entry fees all monies paid in by the nominators in excess of 85% of the advertised purse shall be added to the advertised purse and the total shall then be considered to be the minimum purse. If the race is split and raced in divisions, the provisions of Rule 12.17(b) shall apply. ~~Where overnight events are split and raced in eliminations rather than divisions all entrance/starting fees payable under the provisions of Rule 14.05 shall be added to the advertised purse.~~

12.15 Newly Created Stakes and Futurities. - No conditions for newly created stakes and futurities shall be written so as:

(a) To permit a horse to race in more than ~~one~~ **two** heats or dashes in a single day.

Delete 12.18 Events Raced Under the Elimination Plan.

Delete 12.19 Events Raced Under the Three Heat Plan.

Delete 12.20 Events Raced Under a Two In Three Plan.

13.04 Number of Starters. –

~~(a) In any race where the number of horses declared in to start exceeds 11 on a half-mile track, 12 on a 5/8-mile track, or 14 on a larger track, unless lesser numbers are specified in the conditions of the race, the race at the option of the track member conducting same stated before positions are drawn may be raced in elimination heats.~~

(b) In the absence of conditions providing for a lesser number of starters no more than two tiers of horses, allowing eight feet per horse will be allowed to start in any race and in no event shall there be allowed more than 11 starters on a half-mile racetrack, 12 starters on a 5/8-mile racetrack or 14 starters on a larger racetrack. At a county fair or other non-extended meetings where no pari-mutuel wagering is permitted there shall not be more than 10 starters on a half-mile racetrack.

(c) In overnight events at extended pari-mutuel meetings and other meetings not more than eight horses shall be allowed to start on a half-mile racetrack and not more than ten horses on larger tracks. Trailers are not permitted where the racetrack has room to score all horses abreast allowing eight feet per horse, unless otherwise agreed upon by the track member and representative horsemen's association. Presiding judges at county fairs, in their discretion, and prior to the draw, shall have the authority to limit the number of starters in a race to a number less than ten, if in their judgment starting ten horses would be unsafe, taking into account the condition of the racetrack, the width of the racetrack and the class of horses participating.

14.02 Horses Starting in More than One Race per Day. - No horse shall be permitted to start in more than one race on any one racing day, ~~except that at county fairs they may enter so that they race no more than two single races in any one racing day. Races decided by more than one heat are considered a single race.~~

14.03 Length of Race and Number of Heats. - Races ~~or heats~~ shall be given at a stated distance in units not shorter than a sixteenth of a mile.

(a) The length of a race ~~and the number of heats~~ shall be stated in the conditions for the race. If no distance ~~or number of heats~~ are is specified all races shall be at a single mile, ~~except at county fairs and meetings of a duration of 10 days or less where the race will be conducted in two heats at one mile distance.~~

(b) Two-Year-Old - No two-year-old shall be permitted to start in a ~~heat or race~~ exceeding one mile in distance ~~and no two-year-old shall be permitted to race in more than~~

~~two heats or dashes in any single day.~~ Starting any two-year-old in violation of this rule shall subject the track member to a fine and the winnings of such two-year old shall be declared unlawful.

14.15 Coupled Entries. - When the starters in a race include two or more horses owned or trained by the same person, or trained in the same stable or by the same management, they shall be “coupled” as an entry and a wager on one horse in the “entry” shall be a wager on all horses in the “entry.” Provided however that when a trainer enters two or more horses in a stake, early closing futurity, free-for-all or other special events under bona fide separate ownerships the said horses may with the approval of the racing authority be permitted to race as separate betting entries. The fact that such horses are trained by the same person shall be indicated prominently in the program. If the race is split in two or more divisions horses in an “entry” shall be seeded insofar as possible, first by owners, then by trainers, then by stables but the divisions in which they compete and their post positions shall be drawn by lot. ~~The above provisions shall also apply to elimination heats.~~

14.19 Drawing of Post Positions. - A separate procedure to determine the post positions of horses in a race shall be conducted for each individual race of a race card. The results of a draw procedure shall not be applied to more than one race of a race card nor shall such results be applied to another race that is part of another race card.

~~For races conducted under an elimination plan the judges shall draw the positions in which the horses are to start in the main event by one of the following methods, as prescribed by the sponsor in the conditions for the event:~~

~~(a) They shall draw positions to determine which of the two dash winners have the pole, and which the second position; which of the two horses that have been second shall start in third position; and which in fourth, etc., or: They shall have an open draw to determine the positions in which the horses are to start in the main event, that is, all positions shall be drawn by lot from among all horses qualified for the main event.~~

~~(b) In the event the sponsor fails to prescribe in the conditions for the event the method to be used for the drawing of post positions the provisions of Rule 14.19(a) above shall apply.~~

~~(c) In the event there are three separate heat winners and they alone come back in order to determine the race winner according to the conditions they will take post positions according to the order of their finish in the previous heat.~~

~~(d) Drawing of Post Positions for Second Heat in Races of More Than One Heat. In races of a duration of more than one heat at pari-mutuel meetings, the judges may draw post positions from the stand for succeeding heats.~~

~~(e) Post Positions/Heat Racing. The horse winning a heat shall take the pole (or inside position) at the start of the succeeding heat, unless otherwise specified in the published conditions and all others shall take their positions in the order they were placed the previous heat. When two or more horses shall have made a dead heat, their positions shall be settled by lot.~~

Delete 18.07 Horse Fails to Finish a Heat.

~~**18.11 Use of Hobbles.** - No horse shall wear hobbles in a race unless it starts in the same in the first heat and having so started shall continue to wear them to finish of the race, and 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 suspended or expelled. Other than as aforementioned, The use of hobbles from race to race shall be in the sole discretion of the trainer, and not precipitate qualifying the horse.~~

~~**18.15 Night Racing Time Between Separate Heats of a Race.** - The time between separate heats of a single race shall be no less than 40 minutes. No heat or race shall be contested after sunset where the racetrack is not lighted for night racing.~~

23.04 Appeals. - All decisions and rulings of the judges of any race, at non pari-mutuel track members may be appealed to the District Board within 10 days after the notice of such decision or ruling. The appeal may be taken upon any question in the conduct of a race, interpretation of the Rules, decisions relative to the outcome of a race, application of penalties or other action affecting owners, drivers or horses but it must be based on a specific charge which if true would warrant modification or reversal of the decision. The District Board may vacate, modify or increase any penalty imposed by the judges and appealed to the District Board.

~~In multiple heat racing where heats of the same race are raced on the same day or where there is no opportunity for review of the matter an appeal of the judges' decision relative to the official placings based upon an alleged violation of Rule 18 or other rule shall not represent a stay of such official placings in order to qualify a horse or driver for any subsequent heat of the race.~~

Sponsor: John Brennan, District 12 Director

[The sponsor states: *“In racing today, no horse should be expected to compete under this model - horses should not compete in more than one race per day, period.”*]

PROPOSAL #2

A proposal to amend existing Rule 4.60, 4.117, and 14.03(a) as follows:

4.60 Extended Pari-Mutuel Meetings - An extended pari-mutuel meeting is a meeting or meetings at which no agricultural fair is in progress with an annual total of more than ~~10~~ six days ~~duration~~ with pari-mutuel wagering.

4.117 Non-Pari-Mutuel Meeting - A race meeting of less than ~~10~~ six days at which no pari-mutuel wagering is conducted.

14.03 Length of Race and Number of Heats. - Races or heats shall be given at a stated distance in units not shorter than a sixteenth of a mile.

(a) The length of a race and the number of heats shall be stated in the conditions for the race. If no distance or number of heats are specified all races shall be at a single mile except at county fairs and meetings of a ~~duration of 10~~ six days or less where the race will be conducted in two heats at one-mile distance.

Sponsors: Michele Kopiec, Kris Wolfe and Ida Hardman, USTA Staff

[The sponsors state: *“With some pari-mutuel tracks being approved for fewer number of racing days, such as Shenandoah Downs and Oak Grove (KY), reducing the total of annual days required to be considered an extended pari-mutuel meet from 10 to six will prevent confusion as to whether wins at these shorter meet pari-mutuel tracks are to be considered extended pari-mutuel wins when calculating horse eligibility.”*]

PROPOSAL #3

A proposal to add new section to Rule 4 and new subsection to Rule 26 to define and prohibit “gene doping” by adding the following language:

Rule 4.70 Gene Doping – The non-therapeutic use of gene therapy in order to improve performance in events which prohibit such application of genetic modification for reasons other than the treatment of a disease.

Rule 26.30 Prohibition Against Gene Doping – No horse shall be eligible for registration if it is the product of a gene doping procedure.

Sponsor: TC Lane, USTA Staff

[The sponsor states: *“Gene doping is considered unethical by international sports organizations and the International Federation of Horseracing Authorities as it violates the spirit of sport, threatens its integrity, and puts coercive pressure on those competing clean. At the most recent World Trotting Conference, the recommendation was made to prohibit foals from being registered that were the product of gene doping or manipulation.”*]

PROPOSAL #4

A proposal to add new subsection to existing Rule 5 Track Members regarding pylon requirements as follows:

5.15 Pylon Requirements – Pylons shall be four feet tall, jointed and flexible for the safety of the horses and drivers. Pylons in the stretch shall be a different color than those at other points of the track so that the charter and judges can better tell when the driver goes off the course where there is no passing lane.

Sponsor: Jeri Kieninger, Rochester, IN

[The sponsor states: *“The current markers are at start/finish quarter and 1/8, not along the stretches and turns where inside passing is occurring due to no poles (say 8 or 10 feet apart); the judges can’t always tell who passed too far inside. When the questionable has happened, the ‘judges’ car or stands’ reply is they couldn't tell. I think additional pylons should be added and a height requirement of at least four feet be required. Due to ‘oh the marker was so short I*

didn't see it.' I realize that judging consistently is hard to regulate as it is often his or her opinion, participants are obligated to accept the ruling, but to make it easier to be fair they need all the help we can give them.”]

PROPOSAL #5

A proposal to amend existing Rule 5.18 Standardized Saddle Pad Colors by renaming the rule Standardized Saddle Pads and adding the following language:

5.18 Standardized Saddle Pads ~~Colors~~. -The saddle pads in use at track members conducting extended pari-mutuel meetings shall be standardized consistent with a format to be established by the USTA. **All saddle pads shall extend from their current dimensions to a point or place no less than four (4) inches from the base of the horse’s tail. The extension shall be padded with no less than one half (1/2) inch to one (1) inch of material suitable as a cushion.**

Sponsor: Joe Faraldo, District 8A Director

[The sponsor states: “To replace or add to the existing whipping rules and to address the failure to enforce the same by the judges, the above is suggested. It is further suggested that the current rules, which have experienced several iterations over the years, none of which have solved the controversy (real or imagined) and future iterations will likewise meet the same fate. For some this change will be met with the same skepticism as greeted the then odd-looking change to the current safety helmets. Currently most saddle pads are 20 inches long, and at their widest point 20 inches wide on each side of the horse. Track operators have handle and bettors to be concerned about by such recent formatted rule proposals which have been ineffective and problematic in their enforcement. From the horsemen’s view there is confusion and as much uncertainty within the driver’s colony as there is in the judges’ booth. The above takes the voiced concern of some well-intended industry participants and provides protection to the animal in an effective manner. It does not create any enforcement issues and achieves the intended purpose. The suggestion appeared recently in industry printed materials and seems a reasonable final solution.”]

A proposal to add new subsection to existing Rule 5 Track Members in regard to racetrack maintenance as follows:

5.19 Racetrack Maintenance. - All extended pari-mutuel racetracks shall be responsible for executing proper racetrack maintenance. Failure to adhere to said requirements may result in a fine, suspension or denial of application for USTA membership. The regulation shall consist of the following:

(a) Standardbred Racetrack Surfaces

1. Staff

Each racetrack will dedicate a minimum of two staff for the sole purpose of maintaining the racing surface during live racing events.

2. Track Grading

All racetracks will fully grade the racing surface at least two weeks prior to the commencement of the racing season. In addition to this, racetracks that race 55 days or fewer will fully grade the race surface every 30 days or as necessary.

3. Material

An adequate supply of surface material must be available throughout the racing season. The minimum standard racetrack surface cushion is to be ½ to 1 inch. The cushion measurement will be from the bottom of a jogging horse toe imprint to the top of the track material.

4. Conditioning

After every race, weather permitting, maintenance staff must groom the racetrack surface. Grooming will include one or more of the following tasks: watering, screening, harrowing or conditioning.

(b) Racetrack Operators

1. Racetrack Operators will ensure that the minimum standards are maintained. In addition, each racetrack will have available upon request by the USTA or other state racing authority, the reports on daily maintenance of the track racing surface.

2. If requested, all Racetrack Operators will make available to the USTA or other state racing authority, daily logbooks which contain the following:

- a. Daily maintenance of track racing surface**
- b. Staffing schedules**
- c. Dates and times that the racing surface was groomed**
- d. Employee assigned to conduct work**

- e. Amount of water utilized
 - f. Amount of aggregate material utilized, and
 - g. Weather conditions.
3. Racetrack Operators will provide equipment to ensure track is maintained properly. Equipment shall consist of but not limited to grader, harrow/conditioner, screen, and water truck. In addition, racetrack operators will be responsible for equipment and maintenance logs to the USTA or other state racing authority, at their request.
 4. Prior to a race card, a representative from the Horsemen's Committee will communicate with the judges and the Track Operator or their designee regarding the current conditions of the racing surface.

Sponsor: Kim Crawford, District 8 Director

[The sponsor states: "To provide a clearer definition of proper racetrack maintenance and to establish a standard for all extended pari-mutuel tracks to follow."]

PROPOSAL #7

A proposal to amend existing Rule 11.07 Determination of Claiming Price by adding the following language:

11.07 Determination of Claiming Price. - Except as provided in Rule 10.9(c) no horse owner shall be prohibited from determining the price for which his horse shall be entered. **If a horse is claimed, it shall not start in a claiming race:**

(a) for a period of 15 days from the date of the claim for less than 25% more than the amount for which it was claimed and

(b) for 30 days from the date of the claim for less than the amount for which it was claimed.

Sponsor: Jane Ramsey, Smyrna, DE

[The sponsor states: "Many horses are claimed every week and in many cases their needs for veterinary or farrier or rest is left for the next guy and the horse suffers. Renting the claimer for a week is bad for the sport."]

PROPOSAL #8

A proposal to amend Rule 13.05 by adding new sub-section (g) for distribution of money due to interference:

(g) In the case of interference, when a horse that been interfered with places out of the money distribution due to interference, it shall be the judges' discretion to decide if said horse shall receive a percentage of purse money. The time frame to allow for such a decision will be up to the individual state racing jurisdiction.

Sponsor: Eric Cherry, Boca Raton, FL

[The sponsor states: "As experienced in the Hambletonian a couple of years ago and this year's Kentucky Derby, the horses that were interfered with received no compensation, they also lost their starting fees. In every life, the parties that are injured are the ones that get compensated in court. Can you imagine if party A punches party B in the face and the court awarded damages to a bystander? That is exactly what happens in our sport today, the horse that was interfered with and finishes back receives no compensation. Since figuring this out may take time, I also propose that the judges can decide the exact distribution in a time frame that would be up to each state to decide. The method of deciding pari-mutuel payoffs would not be affected."]

PROPOSAL #9

A proposal to amend existing Rule 14.19 Drawing of Post Positions by adding the following language in regard to drawing post positions in claiming and condition races:

All post positions in conditioned and claiming events races at sanctioned extended pari-mutuel racetracks and USTA sanctioned fair meets will be assigned post positions in each race to be determined by earnings from the last five starts. Horses with the lowest earnings will be assigned the inside post position, then incrementally outward based on the next highest earnings and so forth for the remainder of the field based on income of the last five starts. This rule will not be applicable for races for two-year old and three-year old maiden races, in those classes of races the post positions will be assigned by USTA computerized draw.

Sponsor: K. William Krikorian, Fitchburg, MA

[The sponsor states: *“It is my opinion that the procedure used to determine post positions is outdated and detrimental in providing quality racing. If this proposed rule change is adopted, the results will be even more rated fields. The betting public will be afforded the opportunity to wager on a race that is more evenly rated. Most of all, owners, trainers and drivers will benefit because the horses that have been previously handicapped by poor post positions and less than stellar performances will have a better competitive playing field to compete in, resulting in better quality racing. I would also like to mention that adopting this rule change will remove the “dark cloud” that hangs over the current post position drawing systems. Horsemen have been complaining about how the system doesn’t work for whatever the reasons may be, we all know what the usual complaints are. Let’s put an end to these problems by adopting this proposed rule to make creative and innovative changes for the better. Let’s get rid of the rumor and innuendo that are associated with the current post position drawing methods by making the post position assignments a transparent procedure. Let’s move forward!”*]

Current Rule 14.19 reads as follows:

Drawing of Post Positions. - A separate procedure to determine the post positions of horses in a race shall be conducted for each individual race of a race card. The results of a draw procedure shall not be applied to more than one race of a race card nor shall such results be applied to another race that is part of another race card.

For races conducted under an elimination plan the judges shall draw the positions in which the horses are to start in the main event by one of the following methods, as prescribed by the sponsor in the conditions for the event:

(a) They shall draw positions to determine which of the two dash winners have the pole, and which the second position; which of the two horses that have been second shall start in third position; and which in fourth, etc., or: They shall have an open draw to determine the positions in which the horses are to start in the main event, that is, all positions shall be drawn by lot from among all horses qualified for the main event.

(b) In the event the sponsor fails to prescribe in the conditions for the event the method to be used for the drawing of post positions the provisions of Rule 14.19(a) above shall apply.

(c) In the event there are three separate heat winners and they alone come back in order to determine the race winner according to the conditions they will take post positions according to the order of their finish in the previous heat.

(d) Drawing of Post Positions for Second Heat in Races of More Than One Heat. In races of a duration of more than one heat at pari-mutuel meetings, the judges may draw post positions from the stand for succeeding heats.

(e) Post Positions/Heat Racing. The horse winning a heat shall take the pole (or inside position) at the start of the succeeding heat, unless otherwise specified in the published conditions and all others shall take their positions in the order they were placed the previous heat. When two or more horses shall have made a dead heat, their positions shall be settled by lot.

PROPOSAL #10

A proposal to amend existing Rule 16.05 Starting Point by adding/deleting the following language:

16.05 Starting Point - At all extended pari-mutuel tracks a start pole to mark the starting point shall be erected. The starting point will be appropriately marked **distinguishable with minimum dimensions being the same as the fair start pole,** a distance of not less than two hundred feet from the first turn. The starter shall give the word “go” at the starting point. **No start pole is needed at tracks where the start is the same as the finish line. This shall be implemented no later than December 31, 2020.**

Sponsor: Rod Allums, Jr., Portage, OH

[The sponsor states: *“Many tracks (5/8 and 7/8 specifically) do not have a distinguishable starting point. Making a proper point that is clearly visible on simulcasts is important for bettors. It will also eliminate timing mistakes by starters.”*]

PROPOSAL #11

A proposal to amend existing Rule 14.11(e) Qualifying Races by deleting as follows:

(e) To enable a horse to qualify, qualifying races should be held at least one (1) full week prior to the opening of any meeting ~~that opens before July 1st~~ of a season and shall be scheduled at least twice a week. Qualifying races shall also be scheduled twice a week during the meeting unless otherwise agreed upon by the track member and representative horsemen’s association.

Sponsor: Michele Kopiec, Kris Wolfe and Ida Hardman, USTA Staff

[The sponsors state: *“Due to numerous tracks with race meets opening later in the year, only requiring tracks that open before July 1st to schedule qualifiers prior to the opening of the meet should be changed to accommodate horsemen who may need the opportunity to qualify.”*]

PROPOSAL #12

A proposal to amend existing Rule 16.18(a) Fair Start Rule by adding/deleting the following language:

16.18 Fair Start Pole (a) At all extended pari-mutuel tracks the fair start pole shall be erected exactly 1/16 mile before the starting pole ~~at a point before the start that is clearly identifiable.~~ **Deadline for tracks to implement this pole shall be no later than December 31, 2020.** 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.

Sponsor: Rod Allums, Jr., Portage, OH

[The sponsor states: *“The addition of exact distance before the start is uniform and gives every bettor the same information for future handicapping. Racetracks in the US still have not adopted any fair start poles since the inception of this rule. A timing mandate is necessary for full public transparency.”*]

PROPOSAL #13

*****Proposals 13-14 to be considered together*****

A proposal to define “amateur driver” by adding the following language to existing Rule 17:

An amateur driver is one who has not accepted any valuable consideration by way of or in lieu of compensation for services as a driver from a third party within the last 10 years. Drivers that have driven in more than one hundred races as a professional driver and have had more than fifty wins during that period while driving professionally will not be eligible even if they have not taken compensation in the last 10 years.

When an amateur driver drives, or has driven, in professional races, a horse owned solely by him/herself, that shall not be counted in any way in determining or altering their amateur status. Amateur drivers who drive horses not owned solely by themselves in non-

amateur races are required to designate with the accounting department of the track at which they participate, that the 5% driver's fee is to be paid to either any USTA recognized amateur club or the Hall of Fame.

Amateur driving clubs, that from the effective date hereof, admit any driver(s) not in conformity with this rule shall not be recognized by the USTA as a standardbred driving club. Such clubs shall operate as private driving clubs and shall be designated by name as such whenever programmed.

Sponsor: Joe Faraldo, District 8A Director

[The sponsor states: "A rule is necessary to curtail the use of the word amateur in clubs that do not fit this definition. Pretending to ask the public to wager on an all amateur event which has former or current professionals by no definition other than no taking compensation in the last ten years is a farce. Imagine, if you will, the name of any professional sitting out the required ten years and then being put before the public as an amateur. Years ago, the thoroughbreds began what was to be an amateur race series which abruptly ceased forever when it was learned that an amateur rider had been a professional jockey in another country earlier in his career. The so-called amateur rider was subsequently arrested and prosecuted for perpetrating a fraud on the betting public. Clubs not adhering to this definition can and should continue to operate proudly as what they admittedly are - "driving clubs."]

PROPOSAL #14

****Proposals 13-14 to be considered together****

A proposal to define "amateur driver" by adding the following language to existing Rule 17:

An amateur driver shall be defined as:

- (a) A non-professional driver that has not taken compensation by way of driving horses within the last 10 years regardless of lifetime wins.**
- (b) Drivers who have received compensation of any kind within the last 10 years will be required to pay said compensation to a recognized amateur driving club or charitable organization.**

The USTA shall only give recognition to those amateur driving clubs that are in compliance with these criteria for its members to be eligible.

This rule does not restrict amateur driving clubs from instituting more restrictive requirements or guidelines for its members.

Sponsors: Steve Oldford, District 2 Director; Dein Spriggs, District 6 Director

[The sponsors state: *“To provide the definition of an amateur driver and to set the criteria for an amateur driving club to be recognized by the USTA.”*]

PROPOSAL #15

A proposal to amend existing Rule 17.07 (d), (f) and (g) Contents of Application for Trainer’s License to add additional requirements for those applying for a new trainer’s license and to those whose license has lapsed as follows:

17.07 Contents of Application for Trainer’s License.—An applicant for a license as a trainer must satisfy the Executive Vice-President that he or she possesses the necessary qualifications, both mental and physical, to perform the duties required. Elements to be considered among others shall be character, reputation, temperament, experience, knowledge of the rules of racing and duties of a trainer in the preparation, training, entering and managing of horses for racing. No application for a trainer’s license will be accepted from a person who otherwise does not meet the requisite qualifications for membership.

The Executive Vice-President shall require the applicant to:

- (a) Submit evidence of good moral character.
- (b) Be at least 18 years of age.
- (c) Furnish complete application form. In the case of renewal applications said application may be submitted by telephone or other approved electronic filing.
- (d) **Effective January 1, 2021, an applicant for a new General trainer’s license must be a member of the USTA for at least one full year and show evidence that he or she has been licensed as a groom or trainer by a state racing commission for at least three consecutive years. New applicants without such experience will be issued a Limited license, which must be held for a period of not less than 12 months with no rule violations prior to consideration for an upgrade to a General trainer’s license.** Submit evidence of his or her ability to train and

manage a racing stable which shall include at least three years experience working as a groom and/or second trainer.

(e) When requested submit evidence of physical ability and/or submit to a physical examination.

(f) Applicants for a General trainer's license must submit the names of at least six currently licensed full "A" drivers and/or currently licensed general "G" trainers, **all of which must be current members in good standing with the USTA.** When an applicant for a general "G" trainer's license resides in a state where there are fewer than 120 days of extended pari-mutuel racing annually, the supporting references may come from active general "G" licensed trainers and/or active licensed drivers in a qualifying fair "Q/F" capacity or higher.

(g) **Any trainer, General or Limited, whose license has lapsed for a period of more than three years will be required to submit additional application information upon renewal of said license, which may include financial statements, employment history and/or proof of licensing from a state racing commission.**

Sponsors: Mark Loewe, District 1 Director; Michele Kopiec, USTA Staff

[The sponsors state: *"By adding additional requirements to the trainer licensing process, the USTA is striving to get the most qualified individuals to participate in the sport and will be more consistent with licensing requirements of other jurisdictions."*]

PROPOSAL #16

A proposal to amend existing Rule 17.13 Driving Colors (b) to require drivers holding a "P" Provisional driver's license to be required to register driving colors as follows:

17.13 Driving Colors (b) Drivers holding a USTA **"P" provisional** full "A" driver's license, residents of foreign countries who hold an equivalent license with a foreign association and drivers holding a conditional "CD" driver's license who formerly held a **"P" provisional** full "A" driver's license shall register their driving color design with the USTA.

Sponsors: TC Lane and Michele Kopiec, USTA Staff

[The sponsors state: *"As more drivers look to be upgraded to a "P" license to drive at pari-mutuel tracks or in amateur events, requiring drivers to register driving colors with the*

USTA prior to an upgrade will provide more accuracy in listing colors in the racing programs, removing the current asterisk denoting ‘unofficial colors’ and alleviating confusion.”]

PROPOSAL #17

A proposal to amend existing Rule 18.08 Whip Regulations/Prohibitions by modifying/adding the following language and by deleting Rules 18.09 and 18.10 (as to be incorporated into Rule 18.08):

18.08 Whip Regulations/Prohibitions.—Drivers will be allowed only black 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 above the driver’s shoulder height.~~ **Drivers’ use of whip is limited to movement of the drivers’ wrist, hand or fingers.**

(c) ~~Drivers shall not move their whipping arm in an exaggerated manner and~~ **The driving** 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 a 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 a 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) The use of any goading device, chain or mechanical devices or appliances other than the ordinary whip as defined herein upon any horse shall constitute a violation of this rule. (move from 18.09)

(m) Excessive, indiscriminate, visibly injurious, or abusive use of the whip is prohibited. (move from 18.10)

(n) In determining whether a violation of the rules has occurred or in assessing penalty, judges may consider mitigating factors in exceptional circumstances. An example of conduct that may be viewed as a mitigating consideration would be striking a horse to prevent inevitable harm to another driver, horse or participant or patron.

(o) In assessing penalty, Judges may also consider aggravating factors, such as the licensee's history of violations pertaining to inappropriate urging of the horse (which violations occurred more than a year before the subject violation).

(p) If the violation is sufficiently egregious, the judges may depart from the penalty structure and impose higher penalties than those enumerated in the table below.

(q) Any violation of this rule shall result in the following penalties assessed to the driver. Offenses below measured over a rolling one-year period:

	<u>Extended Pari-Mutuel Meetings</u>		<u>County Fairs</u>	
	Days	Fine	Days	Fine
1st Offense	3	\$1,000.00	7	\$200.00
2nd Offense	7	\$2,000.00	15	\$500.00
3rd Offense	15	\$3,000.00	30	\$1,000.00
4th Offense	License Revocation		License Revocation	

All tracks conducting an extended pari-mutuel meeting shall publish the rules pertaining to whipping in each day's official racing program.

Sponsor: David Siegel, District 3 Director

[The sponsor states: "A number of recent events, including a referendum in Florida ending to dog racing passing by a 70% majority, and a spike in the mortality rate at Santa Anita in California, has once again spotlighted racing for non-racing enthusiasts. The latter received national media coverage, including local animal rights backers calling for an end to horse racing and the CHRB (state regulatory body) proposing the barring the use of a riding crop other than for safety reasons. Just recently, HBO ran a special broadcast regarding the mistreatment of Thoroughbred racehorses that received national attention. It was a gruesome

broadcast, and even though it was highly one-sided and incorrect in a number of ways, it showed the power that TV has over public opinion.

The “it cannot happen to us” position is ill-conceived and could have devastating effects on our industry, threatening its very existence. Beyond any pure economic threats that may exist, the primary threat to existence is the 99.5% of the population that effectively does not even know harness racing exists or does not simply care about its existence. Whipping is a visibly disturbing display to many. It is, at times, absolutely cruel, and at other times simply perceived as cruel. The distinction between these two is of no consequence to the public at large.

It is time that the industry gets ahead of any actions “outsiders” may propose before it is too late. The USTA and other industry groups will, no doubt, lose any war they get into with animal rights groups as the industry does not have the financial resources to compete with these well-funded groups.

The lone argument against more restrictive use of the whip would be the potential short-term decline in handle. A variety of jurisdictions have adopted more whip limiting rules and there is ZERO EVIDENCE that these rules resulted in a decline in handle, or a shift in handle to jurisdictions with fewer restrictions took place. Woodbine at Mohawk racetrack in Ontario has been living with the “wrist only” rule (as I have similarly proposed) since the fall of 2018 with no negative effect on handle, and the entire province has been under this more restrictive rule since August 1, 2019. There is a strong likelihood other provinces will follow Ontario’s lead. The cost to implement this rule is zero, and drivers will adapt, as they have to every other rule change regarding whipping.

*Beyond the avoidance of a major confrontation with animal welfare groups, if there is any opportunity at all to attract a new generation of fans, whipping as we know it today must cease. The optics of whipping are terrible. Things are very, very different than 25 years ago. The nation is more attuned to animal and other forms of abuse in general. Times have changed and if we are to survive, we must change with them. And the time for change in this rare element of racing that we can control, is **NOW**.*

It is time our industry demonstrates to the public, potential future fans, and specifically the animal rights groups, that we genuinely care about the health and welfare of our horses and drivers, and that such concerns outweigh all other considerations.”]

PROPOSAL #18

A proposal to amend existing Rule 20.11 Change of Sex Requirement as follows:

20.11 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, **if not paperless.** **Failure to report a change of sex in a horse that has already been entered to race or consigned to a public sale shall result in a fine of \$250.**

Sponsor: Roger Huston, Canonsburg, PA

[The sponsor states: *“Too many times a horse appears in the program as a horse and is a gelding. The Meadows is one of the few tracks where the identifier gets the correct information to the patron for wagering. We have horses racing for weeks, months and even a year without being changed.”*]

PROPOSAL #19

A proposal to amend existing Rule 24.05 Track Measurement Certificate to require USTA sanctioned tracks to be remeasured every three years and after reconstruction as follows:

24.05 Track Measurement Certificate. - In order that the performances thereon may be recognized and/or published as official every track member not having done so shall forthwith cause to be filed with the Executive Vice-President the certificate of a duly licensed civil engineer or land surveyor that he or she has measured the said racetrack from wire to wire 3 feet out from the pole or inside hub rail thereof and certifying in linear feet the result of such measurement. Each racetrack shall be measured and recertified **every three years or** in the event of **reconstruction or** any changes or relocation of the hub rail **or pylons**. The times of horses obtained on tracks which have not been recertified after a request for recertification by the USTA shall not be recognized.

Sponsor: Jeri Kieninger, Rochester, IN

[The sponsor states: “I would like to see all tracks that request USTA sanctioned dates be required to have their tracks remeasured every three years, and after reconstruction, should that occur in between. The problems I see are those older tracks (some are used just once a year and yet the times are never question and used as factual data) have removed the hub rails and over time what once was grass is now part of the track and the start /finish/ half and quarter poles that once were in the grass are now part of the lime stone. But no real ‘remodeling’ or remeasuring has taken place. Due to the better horses/equipment the unusually fast times have not been questioned or the tracks size checked.”]

PROPOSAL #20

A proposal to add new subsection to existing Rule 26 Registration of Horses to read as follows:

The percentage of ownership of each ownership entity shall be recorded upon the initial registration of any horse as well as any transfer that may take place thereafter.

Sponsor: Eric Cherry, Boca Raton, FL

[The sponsor states: “Unless you are Hanover or Winbak, your success cannot be accurately recorded. I propose that the percentage of ownership is tracked, not on a race program, but in USTA records. If a person owns 10% of a horse, they should be credited with 10% of the earnings for breeder and/or owner statistics, record keeping purposes, etc.”]

PROPOSAL #21

A proposal to amend existing Rule 26.23 Embryo Transfer to allow each donor mare to register 2 (two) foals per calendar year from the same stallion, providing that each recipient mare is a registered standardbred.

Sponsor: Eric Cherry, Boca Raton, FL

[The sponsor states: “There is a growing shortage of horses to race, even with the influx of imported racehorses having not alleviated the problem. In addition, currently where a mare aborts or has a dead foal, that year is wasted resulting in an economic hardship for the

breeder. The only reason that mares are limited to one foal is that's all that nature allowed before the advent of embryo transfer. In 50% of the cases a mare will actually have a male and a female versus two of the same sex, which creates more opportunity for yearling buyers. Also utilizing this method will create better quality horses that would otherwise be possible utilizing the best quality mares to increase the crop size. Requiring that the recipient mares be registered standardbreds may save many of the retired and unraced mares from potential slaughter and give them a useful function.”]

PROPOSAL #22 – HOUSEKEEPING ITEM

A proposal to amend existing Rule 26.02 by deleting (b), (c), (d), and (e) as follows:

26.02 Standardbred. Horses may be registered as Standardbred with any of the following qualifications:

(a) The progeny of a registered Standardbred horse and a registered Standardbred mare. Registration papers will not be issued until the foal is permanently identified and confirmation of parentage verification is received from the testing facility approved by this Association.

~~(b) A stallion sired by a registered Standardbred horse, provided his dam and granddam were sired by registered Standardbred horses and he himself has a Standard record and is the sire of three performers with Standard records from different mares.~~

~~(c) A mare whose sire is a registered Standardbred horse and whose dam and granddam were sired by a registered Standardbred horse provided she herself has a Standard record.~~

~~(d) A mare sired by a registered Standardbred horse provided she is the dam of two performers with Standard records.~~

~~(e) A mare or horse sired by a registered Standardbred horse provided its first, second and third dams are each sired by a registered Standardbred horse.~~

(f) In order for a foal to be registered the application for registration, the mating certificate and the fee for registration must be submitted to the USTA no later than December 31st of the foaling year. The foal may be registered after the December 31st deadline upon payment of the additional fee for late registration.

(g) Horses registered Standardbred with Standardbred Canada, the New Zealand Trotting Conference, the Australian Stud Book, the Stud Books of Norway, Finland, Sweden, France, Italy, Belgium, Denmark, Holland, Germany and Argentina, or the Stud Books of other selected European countries may be re-registered Standardbred with the USTA provided their

records and/or qualifications meet the standards of the USTA and are approved by the President, Executive Vice-President or Registration Committee.

(h) 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.

(i) The Registration Committee may register as Standardbred any horse which does not qualify under the above sections if in their opinion he or she should be registered Standardbred.

Sponsor: Jessica Schroeder, USTA Staff

[The sponsor states: “Horses registered with the USTA are from two registered parents and the historic language of sections (b), (c), (d) and (e) are no longer applicable.”]

PROPOSAL #23 – HOUSEKEEPING ITEM

A proposal to amend existing Rule 26.03 Non-Standardbred by deleting current language and replacing with the following:

26.03 Appendix/Non-Standardbred. – Any horse may be registered as Non-Standard **providing one of the parents is a registered Standardbred. The following provisions must also be met:**

1. If the sire is a Standardbred, the USTA must receive a list of mares bred (LOMB) with breeding dates for the mare and the resulting signed mating certificate; or if the dam is a Standardbred, the USTA must receive a signed mating certificate (or equivalent) from the stallion’s registry.

2. DNA markers and a copy of the registration papers must be sent to the USTA from the non-Standardbred parent’s registry. If the non-Standardbred parent has not been previously DNA genotyped by their registry, a DNA kit may be ordered to satisfy the requirements.

3. An application for foal registration must be filled out for the resulting foal and submitted with the appropriate registration fee.

4. The owner of the Standardbred parent and the owner of the foal must be current USTA members.

5. The foal must be DNA typed and permanently identified in accordance with Rule 26.27.

Any owner standing a Non-Standard stallion for service must include the fact that it is Non-Standard in all advertisements of such service.

Other provisions of these rules notwithstanding, the Registration Committee may register as Non-Standard any horse which does not qualify for such registration under this section if, in their opinion, such horse should be registered Non-Standard.

A registered Non-Standard horse cannot race and the records of such horses will be kept separate from those registered as Standardbred.

Sponsor: Jessica Schroeder, USTA Staff

[The sponsor states: *“This is a housekeeping item to better clarify the requirements needed for Non-Standard registration.”*]

Current Rule 26.03 reads as follows:

26.03 Non-Standardbred. Any horse may be registered as Non-Standardbred upon filing application showing satisfactory identification of the horse. This identification may be accomplished by furnishing the name, age, sex, sire, dam, color and markings and history of the previous owners. A mating certificate must accompany this application showing the sire to be some type of a registered horse. Any owner standing a Non-Standardbred stallion for service must include the fact that it is Non-Standardbred in all advertisements of such service.

Other provisions of these rules notwithstanding, the Registration Committee may register as Non-Standardbred any horse which does not qualify for such registration under this section if in their opinion such horse should be registered Non-Standardbred.