

2019 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 2019 Annual Meeting.

1. Define the term “extended break” by adding the following language to **Rule 4 Racing Terminology and Definitions**:

Extended Break—An extended break shall be defined as a horse that is not on its proper gait for 25 consecutive strides or more.

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

[The source states: *“Continually, the distance that the horse travels while on a break is questioned. This proposal provides a guide for both racing officials and the betting public.”*]

2. A proposal to amend **Rule 5.08 (d)(6) Paddock Rules** by adding the following language:

Any person or persons approved by the presiding judge and track member **who is/are industry recognized media** or is a guest of an owner competing that day.

Source: Mark Loewe, District 1 Director

[The source states: *“Now, by rule, media will be allowed admittance to the paddock.”*]

Current Rule 5.08(d)(6) reads as follows:

Paddock Rules.—Any person or persons approved by the presiding judge and track member who is a guest of an owner of a horse competing that day.

3. A proposal to amend **Rule 6.12 (b) Procedure of the Judges** by adding the following language:

Make sure that all horses enter the track five minutes before the scheduled post time. Observe the preliminary warming up of horses and scoring, noting behavior of horses, lameness, equipment, conduct of the drivers, changes in odds at pari-mutuel meetings and any unusual incidents pertaining to horses or drivers participating in races.

Source: Richard Suda, Darien, IL

[The source states: *“The time between races is too long. To attract young fans or keep the present, we need to be prompt and consistent.”*]

Current Rule 6.12 reads as follows:

Procedure of the Judges.—It shall be the procedure of the Judges to:

- (a) Be in the judges’ stand 15 minutes before the first race and remain in the stand at all times when the horses are upon the track.
- (b) Observe the preliminary warming up of horses and scoring, noting behavior of horses, lameness, equipment, conduct of the drivers, changes in odds at pari-mutuel meetings and any unusual incidents pertaining to horses or drivers participating in races.

4. A proposal to amend **Rule 10.02 (c) (2) Types of Races to be Offered** by adding the following language:

A horse’s finishing position in a specified number of previous races or during a specified period of time. **For the purpose of classification, all wins shall be counted the same for both extended pari-mutuel and non-extended meetings.**

Source: William Ethier, Lewes, DE

[The source states: *“Every win should count the same regardless of where it took place at a fair or pari-mutuel racetrack. A horse winning eight or 10 competitive fair races should not still fit a NW 1PM or NW 2PM.”*]

Current Rule 10.02 reads as follows:

Types of Races to be Offered.—The racing secretary shall use exclusively the following types of races:

- (a) Stakes and futurities.
- (b) Early closing and late closing events.
- (c) Conditioned races. Such qualifications may be based upon, among other things:
 - 1. Horse’s money winnings in a specified number of precious races or during a specified previous time.
 - 2. A horse’s finishing position in a specified number of previous races or during a specified period of time.
 - 3. Age.
 - 4. Sex.
 - 5. Number of starts during a specified period of time.
 - 6. Special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada.
 - 7. Or any one or more combinations of the qualifications herein listed.

5. Amend **Rule 11.01 Persons Eligible to Claim** by adding the following language:

Any current active member of the USTA **who is properly licensed to claim by the racing authority having primary jurisdiction over the race meeting may make a claim for any horse subject to claim at a licensed race meeting. Any current active member of the USTA may make a claim for any horse subject to claim at a race meeting under the jurisdiction of the USTA.** An authorized agent may claim for a person qualified to claim in his or her own right, but only for the account of that person for whom he or she is agent.

Source: Joe Scurto, Deputy Director, Minnesota Racing Commission

[The source states: “The state of Minnesota and possibly other jurisdictions incorporate this rule by reference. The use of ‘and/or’ has created questions and ambiguity. Our hope is this language will clarify and still maintain the original intent of the rule.”]

Current Rule 11.01 reads as follows:

Persons Eligible to Claim.—Any current active member of the USTA and/or other individual properly licensed to claim by the state racing authority having primary jurisdiction over the race meeting, may make a claim for any horse subject to claim at such meeting. An authorized agent may claim for a person qualified to claim in his or her own right, but only for the account of that person for whom he or she is agent.

6. Proposal to amend **Rule 13.04 (b) and (c)** by adding the following language to **(b)** regarding trailers at county fairs and amending **(c)** by deleting the first sentence to read as follows:

b) In the absence of conditions, 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 non-extended meetings there shall not be more than two tiers allowing 1 trailer for 2 year olds and a maximum of 2 trailers for 3 year olds and up.**

c) 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.

Source: Pamella Weller, Republic, OH

[The source states: *“This is purely a safety issue. Three trailers on any fair track is dangerous.”*]

Current Rule 13.04 reads as follows:

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.

7. A proposal to amend **Rule 13.05 (e) Purse Money Distribution** to provide that in the event an unoffending horse(s) is interfered with, purse money earned by the “offending” horse, if any, shall go to the unoffending horse(s).

Source: Eric Cherry, Boca Raton, FL

[The source states: *“When a horse is disqualified or placing changed, the way it is handled today for pari-mutuel purposes remains the same. What I propose is that the way the purse is distributed changes – the judges or commission decide which*

horse or horses were impacted and any purse money that was won by the offending horse gets distributed to the horse or horses that were affected by the offending horse.”]

Current Rule 13.05 reads as follows:

Purse Money Distribution.—Unless otherwise provided in the conditions, all purses shall be distributed on the heat basis with the money awarded according to a horse’s position in each separate heat of the race.

(a) Purse placing in overnight events shall be limited to five places.

(b) Unless otherwise specified in the conditions, the purse money distribution shall be: 5 or more starters: 50-25-12-8-5%; 4 starters only: 55-25-12-8%; 3 starters only: 60-28-12%; 2 starters only: 65-35%.

(c) In early closing events, late closing events or added money events if there are less than five starters the remaining premium shall go to the race winner unless the conditions call for a different distribution.

(d) In overnight events if there are fewer than five starters the premium for the positions for which there are no starters may be retained by the track.

(e) If there be any premium or premiums for which horses have started but were unable to finish due to an accident, all unoffending horses who did not finish will share equally in such premium or premiums, but where there are fewer unoffending horses failing to finish than there are premiums for which horses have started but have not finished, the number of premiums in excess of the number of unoffending horses not finishing shall go to the winner.

(f) If there be any premium or premiums for which horses have started but were unable to finish and the situation is not covered by the preceding such premium shall be paid to the winner.

8. Amend **Rule 14.06 Entry Box** by adding the following language:

The track member shall **facilitate a secured process through which entries may be received.** The presiding judge shall be responsible for the entry process.

Source: Mark Loewe, District 1 Director; Ivar Hyingstrom, Boca Raton, FL

[The source states: *“Due to ship-in tracks and online entries, the rule in its current form is archaic.”*]

Current Rule 14.06 reads as follows:

Entry Box.—The track member shall provide a locked box with an aperture through which entries shall be deposited. The presiding judge shall be in charge of the entry box.

9. A proposal to amend **Rule 14.09 Opening of Entry Box and Drawing of Horses** by adding the following language:

At all USTA member tracks the entry box shall be opened by the presiding judge or the designee at the advertised time. No owner or agent for a horse with an entry in the box shall be denied the privilege of being present. Under the supervision of the presiding judge **all entry detail shall be electronically displayed, the eligibility verified, preference ascertained, starters selected and post positions drawn. If the race was redrawn, the reason for the redraw shall be required. Such information shall be made available to the public. If it is necessary to reopen any race, public announcement shall be made at least twice and the box reopened to a definite time.**

Source: Ivar Hyngstrom, Boca Raton, FL

[The source states: *“With the addition of electronic entry, the rule is outdated. The proposed adds integrity and a level of assurance for an audit system.”*]

Current Rule 14.09 reads as follows:

Opening of Entry Box and Drawing of Horses.—At all USTA member tracks the entry box shall be opened by the presiding judge at the advertised time and the presiding judge will be responsible to see that at least one horseman or an official representative of the horsemen is present. No owner or agent for a horse with an entry in the box shall be denied the privilege of being present. Under the supervision of the presiding judge all entries shall be listed, the

eligibility verified, preference ascertained, starters selected and post positions drawn. If it is necessary to reopen any race public announcement shall be made at least twice and the box reopened to a definite time.

10. A proposal to amend **Rule 14.09 Drawing of Post Positions** to provide for horses who have drawn an outside post position in their previous race to draw for an inside post position. Conversely, a horse that has drawn an inside post position will draw for an outside post position.

Source: Ronald Perone, Sayville, NY

[The source states: "As a longtime fan of harness racing, dating back to the glory days of Roosevelt Raceway and currently as an owner, I would like to address the procedure to draw post positions. I understand it has been in place for many, many years but sometimes change is good and in my opinion a change is long overdue. I propose this rule change proposal with fairness to all in mind. For example in an eight-horse field: if you had the post 1-4 then the next time you would draw from the 5-8 pool; if you had the 5-8 post then the next time you would draw from the 1-4 pool. We all know the outside posts are usually not where you want to be in a harness race. It is conceivable and it has happened that a horse draws outside five or more times straight while a horse could draw the inside post constantly. It is well documented that the inside posts come in the money a majority of the time. I understand the arguments that maybe next time you will draw better, that's the way it is done, then train your horse more efficiently, etc. Many people make a living from the proceeds of a race and as you well know if you are in the business, many long hours and expenses go in to the training and up-keep of a racehorse. Fairness to all should be a golden rule and I believe is a fairer system and it is time for a change. This change just might also benefit the betting fan base and may even attract new owners to get involved."]

Current Rule 14.09 reads as follows:

Opening of Entry Box and Drawing of Horses.—At all USTA member tracks the entry box shall be opened by the presiding judge at the advertised time and the presiding judge will be responsible to see that at least one horseman or an official representative of the horsemen is present. No owner or agent for a horse with an entry in the box shall be denied the privilege of being present. Under the supervision of the presiding judge all entries shall be listed, the eligibility verified, preference ascertained, starters selected and post positions drawn. If it is necessary to reopen any race public announcement shall be made at least twice and the box reopened to a definite time.

11. A proposal to amend **Rule 16.02 Scoring of Horses/Coming to Starting Gate** by changing one-eighth of a mile to one-quarter of a mile:

Scoring of Horses/Coming to Starting Gate.—All horses must parade in order in front of the grandstand unless excused by the judges. Drivers must keep feet in stirrups or any foot supports from the formation of the post parade until after passing the grandstand. During or before the parade the drivers must be informed as to when to approach the gate. The horses shall be brought to the starting gate no nearer than one-quarter of a mile before the start as the racetrack will permit. On mile tracks, horses will be brought to the starting gate at the head of the stretch.

Current Rule 16.02 reads as follows:

Scoring of Horses/Coming to Starting Gate.—After one or two preliminary warming up scores the starter shall notify the drivers to come to the starting gate. During or before the parade the drivers must be informed as to the number of scores permitted. The horses shall be brought to the starting gate no nearer than one-eighth of a mile before the start as the racetrack will permit. On mile tracks horses will be brought to the starting gate at the head of the stretch.

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

12. A proposal to amend **Rule 16.03 Speed of Gate** by deleting (a), (b), (c), and (d) and replacing with the following language:

Speed of Gate. - The starter shall cause the gate to move toward the starting point, gradually increasing the speed of the gate to maximum speed. When the speed

has been reached in the course of a start, there shall be no decrease except in the case of a recall.

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

[The source states: *“The committee feels that moving away from a recommended miles per hour will result in more horses on the gate, providing better starts.”*]

Current Rule 16.03 reads as follows:

Speed of Gate.— Allowing sufficient time so that the speed of the gate can be increased gradually the following minimum speeds will be maintained.

- (a) For the first 1/8 mile, not less than 11 miles per hour.
- (b) For the next 1/16 of a mile not less than 18 miles per hour.
- (c) From that point to the starting point, the speed will be gradually increased to the maximum speed.
- (d) When the speed has been reached in the course of a start there shall be no decrease except in the case of a recall.

13. A proposal to add new subsection to **Rule 16 Starting of Horses** to read as follows:

16.04 Charging the Gate.—Subject to the age, experience and post position of the horse and the condition of the racetrack, during extended pari-mutuel meetings, each horse in the first tier shall approach the starting gate reasonably in concert with the other horses in the field and shall be on the gate at the start. If the judges deem that a driver has intentionally laid off the gate and then charged it near the start in order to gain an advantage at the start, the driver shall be fined or suspended or both.

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

14. A proposal to amend **Rule 16.08 Violations of the Starting Rule** by adding **and/or** and additional language regarding a fine and/or suspension:

Violations of the Starting Rule.—A fine or suspension from driving may be applied to any driver by the starter **and/or judges** for:

- (a) Delaying the start.
- (b) Failing to obey the starter's instruction.
- (c) Rushing ahead of the inside or outside wing of the gate.
- (d) Coming to the starting gate out of position.
- (e) Crossing over before reaching the starting point.
- (f) Interfering with another driver during the start.
- (g) Failing to come up into position.
- (h) After coming to the gate, failing to keep one line in each hand until the word "go," except for the purpose of adjusting equipment.

A hearing must be granted or waived before any penalty is imposed. **A fine or suspension as a result of any of the above may be increased based upon the advertised purse amount, or if the violation is deemed to have been committed in order to aid another horse with common ownership or a common trainer.**

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

[The source states: "Attaching 'and/or judges' will provide clarity in the event that the judge feels that action should be taken for a violation with any of the above starting rules. In addition, the increased fine for higher purses is mentioned as a risk/reward measure."]

Current Rule 16.08 reads as follows:

Violations of the Starting Rule.—A fine or suspension from driving not to exceed 15 days or both may be applied to any driver by the starter for:

- (a) Delaying the start.
- (b) Failure to obey the starter's instruction.
- (c) Rushing ahead of the inside or outside wing of the gate.
- (d) Coming to the starting gate out of position.
- (e) Crossing over before reaching the starting point.
- (f) Interference with another driver during the start.
- (g) Failure to come up into position.
- (h) After coming to the gate, failure to keep one line in each hand until the word "go," except for the purpose of adjusting equipment.

A hearing must be granted or waived before any penalty is imposed.

15. A proposal to delete **Rule 16.10 Holding Horses before Start.**

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

[The source states: *“Not necessary.”*]

Current Rule 16.10 reads as follows:

Holding Horses before Start.—Horses may be held on the backstretch not to exceed 2 minutes awaiting post time except when delayed by an emergency.

16. A proposal to amend **Rule 16.11 Starting Two Tiers of Horses** by adding additional language regarding the post positions of horses on the second tier as follows:

Starting Two Tiers of Horses.—In the event there are two tiers of horses the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier. Whenever a horse is withdrawn from either, tier horses on the outside move in to fill up the vacancy. **In a race with a single trailer, the driver may select any position in the second tier. In a race with multiple trailers, the driver of the first horse in the second tier may elect to score out behind the first or second horse in the first tier. The horse drawing the second post in the second tier shall score behind the third or fourth horse in the first tier. The horse drawing the third post in the second tier shall score behind the fifth or sixth horse. Any horse drawing a post position outside those already referenced shall be placed in a consistent manner behind the appropriate horses from the first tier. If there are more trailers than designated post positions in the second tier as described above, the judges shall determine proper starting positions for the second tier horses.**

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

[The source states: *“This assignment of post positions in the second tier will be more consistent with International rules of racing.”*]

Current Rule 16.11 read as follows:

Starting Two Tiers of Horses.—In the event there are two tiers of horses the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier.

Whenever a horse is withdrawn from any tier horses on the outside move in to fill up the vacancy. Where a horse has drawn a post position in the second tier the driver of such horse may elect to score out behind any horse in the first tier so long as he does not thereby interfere with another trailing horse or deprive another trailing horse of a drawn position.

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

An amateur driver shall be defined as

- (a) A driver 21 years of age or younger who has not achieved 50 wins in purse races or;**
- (b) A driver 22 years of age or older who has not taken compensation of any kind for driving horses in purse races within the past 10 years and who has not had 50 wins in such races lifetime as a professional driver. For clarification purposes, driving horses not owned in whole or in part by him/her in non-amateur events, which carried a purse, shall be considered professional.**

Notwithstanding the foregoing, any driver who has participated in amateur driving races, conducted with only amateurs fitting the above, prior to calendar year 2005 shall be grandfathered in as an amateur driver. However, he/she must continue to comply with the non-compensation and 50 wins as a professional driver limitations set forth above going forward from the effective date hereof.

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

Source: Joseph A. Faraldo, District 8A Director

[The source states: “There may be club/s that is/are billed as amateur that is/are racing on the card that are mixing professionals (those with > 50 lifetime wins) with amateurs. The public perception is that these are not amateur races and while the club/s may acknowledge that they are not truly amateur clubs, some members of the public are disenchanted when they learn or are informed of the facts while the regular bettors think that it is truly a fraud that the industry up to now has ignored. Years ago, a once professional jockey was allowed to participate in an amateur race at a NYRA track in a betting event. He was subsequently arrested and prosecuted for fraud. Amateur racing is too important to the harness game to have its progress destroyed by anyone without the sense to protect it by a definition of amateur.”]

18. A proposal to amend **Rule 17.04 Qualifications and Categories of Driver Licenses** to add license type **“P” Provisional – for Amateur Races Only**.

Source: Timothy Lust, Aberdeen, MD

[The source states: “With amateur driving in the United States mostly requiring a ‘P’ driver’s license, in upgrading a qualifying license to provisional there should be an additional step for those who only wish to drive in amateur races. Allowing a judge to upgrade a qualifying/fair driver to a provisional-for amateur races only would allow the judge to not have to consider other full provisional upgrades affecting ‘A’ licensed drivers.”]

19. A proposal to amend **Rule 18.01 Driving Violations** by adding the following language:

Driving Violations.—At extended pari-mutuel tracks, a leading horse is not to be more than four feet from the inside rail/pylons except after selecting his position in the home stretch. Neither the driver of the first horse nor any other driver in

the race shall do any of the following things, any of which shall be considered a violation of the driving rules:

- (a) Change either to the right or left during any part of the race when another horse is so near him that in altering his position he compels the horse behind him to shorten his stride, or causes the driver of such other horse to pull him out of his stride.
- (b) Strike, hook wheels or **physically** interfere with another horse or driver, **or otherwise drive in a careless manner or fail to maintain reasonable control of the horse at all times during the race. For any violation that results in contact with another horse, driver or bike, the driver shall receive a minimum driving suspension of three days.**
- (c) Cross sharply in front of a horse or cross over in front of a field of horses in a reckless manner endangering other drivers.
- (d) Swerve in and out or pull up quickly, **unless such action is taken for the safety or welfare of the horse or driver.**
- (e) Crowd a horse or driver by “putting a wheel under him.”
- (f) Carry a horse out.
- (g) **Slow** down in front of a horse or take up abruptly in front of other horses so as to cause confusion or interference among trailing horses.
- (h) Let a horse pass inside needlessly or otherwise help another horse to improve **its position in the race by opening up a hole without then promptly pulling to re-pass the horse, unless the failure to re-pass is necessitated by safety reasons.**
- (i) Commit any act which shall impede the progress of another horse or cause him to break.
- (j) Change course after selecting a position in the home stretch or swerve in and out or bear in and out in such a manner as to interfere with another horse or cause him to change course or take back.
- (k) **Kicking shall be defined as a blow or thrust with the foot against any part of the horse’s body or to impel by striking with the foot at any time on the racetrack, including before, during or after the race. Removal of a foot from the stirrups or any foot supports in and of itself shall not constitute the offense of kicking. The penalty for kicking as defined herein shall not be less than nine days suspension.**
- (l) **Foot Out of Stirrup.— It shall be considered a violation if a driver makes any contact with the horse while both feet are in or out of the stirrups or any foot supports. A driver shall be allowed to remove a foot**

from the stirrups or any foot supports temporarily for the purpose of pulling earplugs or to adjust equipment. (Delete/move from 18.08)

(m) Cross the inside limits of the course.

(n) Fail to advance when pulling to the outside.

(o) Turn the horse abruptly after the finish line of the race in order to return to the paddock or barn area.

If a violation of Rule 18 occurs during an extended pari-mutuel meeting and results in a suspension from driving, the suspension must be served by the driver during that meeting unless the appeal process carries beyond the end of the meeting, in which event the suspension must be served during the same time of year that a subsequent pari-mutuel meeting is being conducted at that race track.

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

[The source states: *“Bolded/underlined verbiage indicates multiples changes within driver violations.”*]

20. A proposal to amend **Rule 18.09 Whip Regulations/Prohibitions** by adding new verbiage in regards to whip color:

Drivers will be allowed **black** whips not to exceed four (4) feet, plus a snapper not longer than six (6) inches.

Source: Jordan Stratton, District 8A Director; Alan Leavitt, Lexington, KY

[The source states: *“Horses don’t shy away from black whips as some do with white whips. Black whips draw less attention to whatever urging is being done through the stretch by the driver.”*]

Current Rule 18.09 reads as follows:

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

21. A proposal to amend **Rule 18.13 Horse Breaking from Gait** and **Rule 18.14 Placing of Breaking Horse by the Judges** by deleting **18.14** and combining with **18.13** with additional language as follows to add clarity:

Horse Breaking from Gait.—When a horse breaks from its programmed gait, the driver shall at once, where clearance exists, take such horse to the inside or outside and pull it to its gait.

The following shall be considered violations:

- (a) Failure to properly attempt to pull the horse to its gait.
- (b) Failure to take to the outside where clearance exists.
- (c) Failure to continuously lose ground while offstride.**
- (d) Committing an extended break, in which the horse may be placed last.**

If there has been no violation of (a), (b), (c) or (d) above, the horse shall not be set back unless a contending horse on its gait is lapped on the hind quarter of the breaking horse at the finish. However, notwithstanding the foregoing, if interference caused by another driver or horse has caused the horse to be on a break at the finish, the judges may, in their discretion, determine not to set the horse back even if a contending horse on its gait is lapped on the hind quarter of the breaking horse at the finish. The judges may set any horse back one or more places if, in their judgment, any of the above violations has been committed and the driver may be subject to a fine or suspension or both.

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

Current Rules 18.13 and 18.14 read as follows:

Horse Breaking from Gait.—When a horse breaks from its programmed gait, the driver shall at once, where clearance exists, take such horse to the inside or outside and pull him to its gait.

The following shall be considered violations:

- (a) Failure to properly attempt to pull the horse to its gait.
- (b) Failure to take to the outside where clearance exists.
- (c) Failure to lose ground by the break.

Placing of Breaking Horse by the Judges.—The judges may in their discretion, set back a breaking horse at the finish when a contending horse on its gait is lapped on the hind quarter of the breaking horse. If the breaking horse

(a) Was off stride due to interference.

(b) Any horse making a break that causes interference to other contending horses may be placed behind all offended horses. If there has been no failure on the part of the driver of the breaking horse in complying with Rule 18.13 of this rule, no fine or suspension shall be imposed on the driver as a consequence of the interference.

22. A proposal to amend **Rule 18.21 Use of Wheel Discs and Mud Fenders** to add the use of **Mud Aprons** as follows:

Use of Wheel Discs and Mud Fenders **and Mud Aprons**.—It shall be the responsibility of the owner, trainer or driver to provide every sulky used in a race with solid one-color or colorless wheel discs on the inside and outside of the wheel. **In his or her discretion, the presiding judge may order the use of properly affixed mud fenders and mud aprons at extended pari-mutuel tracks.**

Source: Ad Hoc Universal Rules Committee, John D. Campbell, Chairman

Current Rule 18.21 reads as follows:

Use of Wheel Discs and Mud Fenders.—It shall be the responsibility of the owner, trainer or driver to provide every sulky used in a race with solid one-color or colorless wheel discs on the inside and outside of the wheel. In his or her discretion the presiding judge may order the use of mud guards at extended pari-mutuel tracks.

23. A proposal to amend **Rule 26.06 Breeding Requirements** paragraphs 5 and 6 to read:

The total mares bred to a stallion standing in the United States that has never been bred a mare or had a list of mares bred filed previously shall not exceed 140.

The total mares bred may exceed 140, ONLY in the event of death of a mare which has been bred, a mare becomes unfit to breed that has been bred, or barren/open mares that are canceled to the stallion may be replaced at the discretion of the stallion owner, syndicate manager or mare owner for any given reason. All mares bred including deceased mares, unfit breeders and barren/canceled must be reported on the List of Mares bred to the USTA.

In the absence of these circumstances that have been reported to the Registration Committee on the List of Mares Bred, each foal registered in excess of the above limit of 140, shall constitute a separate violation of this section and for each violation a fine in the amount of twice the pertinent stud fee or \$25,000, whichever is greater shall be applicable to the violating stallion syndicate, syndicate manager, stallion owner or mare owner as the Registration Committee may determine.

Sources: Laura Young, Southwind Farm; Steve Williams, Allentown, NJ; Kevin Greenfield, Hickory Lane Horse Farm; Richard S. Meirs, VMD, Walnridge Farm

[The source states: "In the past 10 years since rule 26.06 was established, no stallion standing in the USA has exceeded 140 registered foals, most are 115 or less and two stallions, Somebeachsomewhere and Bettors Delight, were at 125 and 130, respectfully. Rule 26.06 as it reads now does not give mare owners, syndicate managers, or stallion owners any freedom to cancel and replace barren mares due to other circumstances that may occur during a breeding season. Other circumstances may be semen shipping issues, semen supply issues, weather related cycling issues, foal by side of mare health issues, financial issues, and many other circumstances that may arise where mare owners switch mares to a different stallion once they have been bred."

"Currently as this rule reads, only if a bred mare dies or becomes unfit to breed may they be replaced, with permission from the USTA. Most stallions that breed a book of 140 will see anywhere from eight to 10 mares cancel in a breeding season due to circumstances other than a mare death or unfit breeding issues. These mares are not replaced and just marked as barren or open to that stallion. By allowing breeders to replace canceled barren mares, it may add a few additional foals for each stallion, help with the foal shortage and give syndicate managers, stallion owners and mare owners more freedom to cancel and replace barren/open mares for a breeding season. This proposal is NOT requesting an increase in mares allowed to be bred, it is simply requesting the freedom for breeders to replace barren/canceled mares for optimum chances to obtain a foal without having to request permission for an unfit breeder or a deceased mare that

was bred. All mares bred would still be reported on the List of Mares Bred to the USTA.”]

Current Rule 26.06, paragraphs 5 and 6 read as follows:

Breeding Requirements.—

The total mares bred to a stallion standing in the United States that has never bred a mare or had a list of mares bred filed previously shall not exceed 140.

These limits on total mares bred may only be exceeded in the event of death of a mare which has been bred in which case a new mare may be added to the mares bred list and bred to the stallion. In any such extraordinary circumstances a signed certificate from a licensed veterinarian, which the Registration Committee may require to be notarized; verifying the death of the mare must be submitted to the Registration Committee. The Registration Committee shall have the sole authority to determine if such extraordinary circumstances did in fact exist. In the absence of extraordinary circumstances approved by the Registration Committee, each mare bred in excess of the above limits shall constitute a separate violation of this section and for each violation a fine in the amount of twice the pertinent stud fee or \$25,000.00, whichever is greater shall be applicable to the violating stallion syndicate, syndicate manager, stallion owner or stallion manager as the Registration Committee may determine.

24. A proposal to amend **Rule 26.06 Breeding Requirements** paragraph 3 and **Rule 27.05** to change the submission deadline for Lists of Mares Bred from September 1 to **August 1** of the year of breeding.

All persons standing a stallion at either public or private service shall file with the USTA a list of all mares bred to each stallion together with the dates of service. This list must be filed by **August 1** of the year of breeding. Failure to comply with this provision may subject the owner or lessee of the stallion to a fine of not less than \$10.00 or more than \$50.00. Application for registration may be refused from any person not complying with this rule.

27.05 List of Mares Bred.

- (a) Submitted prior to **8/1** (per mare) \$5.00
- (b) Submitted after **8/1** (per mare) \$10.00

Source: Jerry Haws, Wilmore, KY

[The source states: *“Due to the facts that the breeding season has expired by August 1 and that many mares are sold in public auction in the early fall, stallion owners need to submit the LOMB earlier and attempt to resolve any potential issues for stallion owners and buyers of the mares that may be in foal and not reported to the USTA.”*]

Current Rules 26.06 and 27.05 read as follows:

26.06 Breeding Requirements.—It shall be the responsibility of stallion owners to have each stallion properly DNA genotyped at a USTA approved laboratory.

Failure to comply with this requirement may subject the stallion owner or lessee of a stallion to suspension and/or a fine not to exceed \$5,000.00, and applications for registration may be refused from any person not complying with this requirement. Stallion owners shall keep a stallion record showing the mare’s name, sire and dam, color, markings, owner, breeding dates, and color, sex and foaling date of any foals born on the stallion owner’s premises. The records shall be available for inspection by Officers or authorized representatives of the USTA, and shall be kept at least 10 years or filed with the USTA.

All persons standing a stallion at either public or private service shall file with the USTA a list of all mares bred to each stallion together with the dates of service. This list must be filed by September 1st of the year of breeding. Failure to comply with this provision may subject the owner or lessee of the stallion to a fine of not less than \$10.00 or more than \$50.00. Application for registration may be refused from any person not complying with this rule.

All brood mares must be blood typed or DNA genotyped at a USTA-approved laboratory. The total mares bred to a stallion standing in the United States that has never bred a mare or had a list of mares bred filed previously shall not exceed 140.

These limits on total mares bred may only be exceeded in the event of death of a mare which has been bred in which case a new mare may be added to the mares bred list and bred to the stallion. In any such extraordinary circumstances a signed certificate from a licensed veterinarian, which the Registration Committee may require to be notarized; verifying the death of the mare must be submitted to the Registration Committee. The Registration Committee shall have the sole authority to determine if such extraordinary circumstances did in fact exist. In the absence of extraordinary circumstances approved by the Registration Committee, each mare bred in excess of the above limits shall constitute a separate violation of this section and for each violation a fine in the amount of twice the pertinent stud fee or \$25,000.00, whichever is greater shall be applicable to the violating stallion syndicate, syndicate manager, stallion owner or stallion manager as the Registration Committee may determine.

27.05 List of Mares Bred.

- (a) Submitted prior to 9/1 (per mare) \$5.00
- (b) Submitted after 9/1 (per mare) \$10.00

25. A proposal to amend **Rule 26.07 Names** by adding new subsection to read as follows:

That from this point forward, the names of horses that have reproduced since the inception of the United States Trotting Association shall NOT be used again in registering horses.

Source: Murray Brown, Hanover, PA

[The source states: *“There can be a great deal of confusion and embarrassment using names of horses that have produced foals and then are found in other pedigrees. In one specific case the name VALLEY VICTORIA (the dam of VALLEY VICTORY) is found for two different horses in the same pedigree. I believe it would be quite simple to program the USTA computers to reject the names of any horses (stallions or mares) which have produced foals.”*]

Current Rule 26.07 reads as follows:

Names.—

- (a) Names for proposed registration shall be limited to four words and a total of 18 spaces.
- (b) Horses may not be registered under a name of an animal previously registered and active unless 15 years have elapsed since any such activity except where the applicant is able to establish to the satisfaction of the Registrar that one or the Member Non-Member other of the following circumstances has occurred:
 - 1. That the horse has died or had its name changed prior to becoming 2 years of age.
 - 2. That the horse has died or had its name changed before racing or being used for breeding purposes.
- (c) Names of outstanding horses may not be used again nor may they be used as a prefix or suffix unless the name is a part of the name of the sire or dam. A prefix or a suffix such as “Junior,” etc., is not acceptable.
- (d) Use of a farm name in registration of horses is reserved for the farm that has registered that name.

- (e) Names of living persons will not be used unless the written permission to use their name is filed with the application for registration.
- (f) No horse shall be registered under names if spelling or pronunciation is similar to names already in use.
- (g) Names of famous or notorious persons, trade names or names claimed for advertising purposes, except names, or parts of a name of a registered breeding farm will not be used.
- (h) The USTA reserves the right to refuse any name indicating a family or strain which may be misleading, or any name which may be misleading as to the origin or relationship or sex of an animal, or any name which might be considered offensive, vulgar or suggestive.
- (i) Horses may be named by January 1st, subsequent to their foaling without penalty.
- (j) The foregoing provisions of this section notwithstanding, foals may be registered unnamed provided an application for a name is submitted prior to January 1st of the two-year-old year.
- (k) When nominating, advertising, cataloging, selling or otherwise representing an un-registered horse, the use of a name for the horse in identifying said horse is prohibited. Whoever violates this rule may be punished by a fine or suspension or both.

Housekeeping Item

26. A proposal to amend **Rule 17.02 Mandatory Licensing of Trainers** to be consistent with **Rule 17.01 Mandatory Licensing of Drivers**:

No person shall be programmed as the trainer of a horse **in any race of a track member** without having first obtained an active membership including a trainer's license.

Current Rule 17.02 reads as follows:

Mandatory Licensing of Trainers.—No person shall be programmed as the trainer of a horse at an extended pari-mutuel track in membership with the USTA without having first obtained an active membership including a trainer's license.