

## 2021 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 2021 Annual Meeting. Additions are bold underlined, deletions are struck-out.*

1. A proposal to amend existing *Rule 7.02 Program Information* by adding new subsection (o) to require yearling sale name and price to be listed in the race program for 2, 3- and 4-year-olds:

(o) Yearling prices and the name of the sale shall be listed in the published race program for 2, 3- and 4-year-old horses.

Sponsor: Jordan Farkas, Juno Beach, FL

[The sponsor states: “*With the addition of this information, bettors would be better informed of information currently omitted. People would notice high priced horses into go and any additional positive press the industry received the better. Like when an \$800,000 yearling is racing.*”]

*\*\*USTA note: The ability to show yearling prices currently exists and is available for all tracks to use. Tracks often choose to show yearling prices in the program for stakes races.\*\**

---

2. A proposal to amend existing *Rule 10.06 Splitting of Condition Races* to prohibit seeding of divisions by adding the following to the current language:

At all extended pari-mutuel meetings, if the race secretary determines that two or more divisions of a class written on the published condition sheet shall be raced, the race secretary is prohibited from seeding the divisions; the horses shall be randomly placed in divisions of the class. Furthermore, it shall be specifically prohibited to select stronger horses to race in one division and thus create a weaker division.

Sponsor: David Glasser, Randolph, NJ

[The sponsor states: “*When horses fit a class, they should not be penalized in this way. If the track wants to separate stronger and weaker horses, write another class. For example, on 7/5/20 at Pocono there were two division of Mares NW3000 – bases upon a read of the program and the results of the race, they appear to have been seeded. The tougher 2<sup>nd</sup> race went in 152.4 with the 8<sup>th</sup> place finisher out of nine horses time in 155. The weaker 7<sup>th</sup> race was won in 155.2. A horse I own won the 2<sup>nd</sup> race, so this did not impact me yesterday, however it has in the past and it may again. This is unfair to owners and this practice should be banned. If a track wants to separate horses, add another class or another separator on the condition sheet such as “not 3<sup>rd</sup> or better in last two starts will be a separate race if enough entries.”*”]

Current Rule 10.06 reads as follows:

Splitting of Condition Races. - When it is necessary to fill a card, not more than one conditioned race per day may be divided into not more than two divisions after preference has been applied and the divisions may be selected by the racing secretary. For all other overnight races that are divided the division must be by

lot unless the conditions provide for a division based on performance, earnings or sex.

---

3. A proposal to amend existing *Rule 11.03 (d)(3) Claiming Procedure, Multiple Claim on Same Horses* by adding new subsection (a) to denote number of claims entered on a horse:

(a) All extended pari-mutuel tracks shall be required to report the number of claims entered on a horse. A claim shall be denoted on a horse's past performance by a number to indicate the number of claims entered. The number nine shall indicate nine or more entered claims.

Sponsor: David Glasser, Randolph, NJ

[The sponsor states: “*Today, this information is either not reported or only available if you listen to the announcer do the post-race rundown and they announce it. No valuable information should be discarded. This information is important to potential claimants in upcoming races and is also valuable to the bettor. It's one thing to see a horse not raised in class off a single claim and totally another if there were seven claims on him. By looking at the name of the trainer we are informed of a barn change and we can look at this number to see if the change was the result of a claim. The space is there, let's do more with it – instead of listing a claim as a ‘z,’ let's use a number in that cell. The Meadowlands even announces their information before the race and then the information is not recorded for the future. If it is important enough to announce, it is important enough to document.*”]

Current Rule 11.03(d)(3) reads as follows:

Multiple Claims on Same Horses. - Should more than one claim be filed for the same horse, the owner shall be determined by lot by the judges.

---

4. A proposal to amend existing *Rule 11.03 (d)(3) Claiming Procedure, Multiple Claim on Same Horses* by adding the new subsection (b) to require maintaining a list of claimants and the reason the claim was lost:

(b) All extended pari-mutuel tracks shall be required to maintain a list of the claimants on each horse claimed, including the reason the claim was lost. Listed reasons for losing a claim shall be: (a) lost shake, (b) insufficient funds, (c) incorrect paperwork, (d) other. The list shall be available on the horsemen section of the track website and shall **include the claimant's name and trainer and shall be maintained nightly as part of declaring the results “official.”**

Sponsor: David Glasser, Randolph, NJ

[The sponsor states: “*Today, tracks want to give bettors MORE DATA and who tried to claim a horse is potentially valuable data to a bettor and today we just discard it. The only people who know are the judges and race office employees. We should seek to give bettors as much information as possible. For horsemen, I'd like to know who else tried to claim my horse and if I lose a claim, I'd like to know who else besides me thought enough to try to claim the horse. This also puts more eyes on cheating. It is rumored that various trainers entered horses in claiming races at low prices and have had farm-mates enter claims that were for them. Let's increase transparency.*”]

Current Rule 11.03(d)(3) reads as follows:

Multiple Claims on Same Horses. - Should more than one claim be filed for the same horse, the owner shall be determined by lot by the judges.

---

5. A proposal to amend existing *Rule 14.09 Opening of Entry Box and Drawing of Horses* to add new subsection (a) *Electronic Draw* to require tracks to publish draw details:

(a) Electronic Draw. - All member tracks using the electronic draw system shall publish online the details of the draw to include the number of times the draw button is pushed to draw posts for a race. This data shall also include any reasons an electronic draw was not used, such as a horse being assigned a post position, and when electronic draws are done for groups within a race, such as in handicap races.

Sponsor: David Glasser, Randolph, NJ

[The sponsor states: *“Transparency. We need as much transparency as we can get to ensure that everyone easily knows that racing is a level playing field, so you can participate without thinking ‘it’s all fixed.’”*]

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.

---

6. A proposal to amend existing *Rule 14.09 Opening of Entry Box and Drawing of Horses* to add new subsection (b) *Publishing of Draw*:

(b) Publishing of Draw. – All extended pari-mutuel tracks shall be required to publish entry sheets online. These sheets shall be posted within two hours of the publishing of the draw for the race day. Entry sheets shall be the sheets containing the names of all horses entered in each class with their preference dates and other information used to determine eligibility for the race and entry preference, including data such as earnings, wins, state of ownership or state trained in.

Sponsor: David Glasser, Randolph, NJ

[The sponsor states: *“Hugely valuable information that is just being posted on the wall at tracks without barn areas and then thrown out. All we need to do is have the sheets placed in a scanner and posted online where interested parties can read them. We live in a world where, thanks to the USTA’s creation of electronic eligibility papers, horses switch tracks almost weekly. Knowing how close a horse was to filling, or how far out your horse was when you did not get in despite the class going two divisions, is HUGELY important and we allow that information to be treated as trash, or to require a call to the race secretary, or actually driving to*

*the track, hoping the door to the race office is unlocked and physically looking. I want to know this information when deciding where to race and this should be easily and readily available for horsemen at every track in the US.”]*

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.

*\*\*USTA note: Entry reports and checklists are available as PDFs within the USTA eTrack system and may be posted by any member track. \*\**

- 
7. A proposal to amend existing *Rule 14 Entry, Drawing of Post Positions, Post Draw Opening of Entry Box and Drawing of Horses* to add new section *14.10 USTA Approved Electronic Process Guidelines* (renumber current *14.10* through *14.24* accordingly) for the use of the random draw:

14.10 USTA approved electronic process guidelines

To achieve approval, the system must use a random number generator. The system must record the entries and time of entry, the number of times the race was drawn, the reason(s) for the redraw(s), the handicapping assignments for the race, and the number of times in total the member track drew for the race date. The system shall report the audit to the USTA or member tracks entries report for publication with the entries sheet.

Sponsor: Ivar Hyngstrom, Boca Raton, FL

[The sponsor states: “*The current rules do not reflect the changes in the industry regarding the draw system. Horsemen’s witnesses for ship-in tracks, random draw schedules and electronic draws are impractical. Many tracks are using the electronic draw, which current format provides no capability to audit or present a guarantee of an impartial result. These rules changes mandate that an electronic draw system is random, audited, and reports on the integrity of the draw. Our industry is losing owners and facing headwinds expanding membership. These rules changes are necessary to assure owners and prospects that the draw system is designed to create a level playing field in the assignment of post positions.*”]

*\*\*USTA Note: Each draw is electronically recorded within the USTA eTrack system with specific details for each action taken, such as use of the manual, random (using third party software, random.org, as the random number generator) or handicap draw, whether a race has been redrawn and notation if a horse was excluded. The log is available for to review upon request. \*\**

---

8. A proposal to amend *Rule 14.17 Judges Approval of Drivers* by requiring driver choices made before the draw:

Drivers shall be listed on one horse per race with any multiple driver choices to be made prior to post positions being drawn.

Sponsor: Brad Irvine, Mt. Top, PA

[The sponsor states: *“Leading drivers are dominant in our industry for a variety of reason. Many of today’s top drivers not only get to pick from three or four horses per race, but also better post positions. This is good for the industry, but the best reason may simply be to diversify who is winning the races. In turn, it may very well increase handle.”*]

Current Rule 14.17 reads as follows:

Judges Approval of Drivers. - No driver may be changed without permission of the judges and for good cause. When an entry starts two or more horses the judges shall approve or disapprove the second and third drivers.

---

9. A proposal to amend *Rule 18.08(c) Whip Regulations/Prohibitions* by adding the following in regard to the positioning of handholds:

(c) Drivers shall not move their whipping arm in an exaggerated manner and the lines shall remain reasonably taut during the race, with handholds in a position that ensures the driver has complete control of the horse.

Sponsor: Robert Corey, Jr., Presiding Judge, Running Aces

[The sponsor states: *“As a racing official, many of the drivers I see at tracks like Running Aces, Northfield, Harrington, etc., have the handholds so far back that they have very little control of the horse. Adding wording to allow officials to enforce handholds being close to the horse’s body is for the safety of all drivers. Being an official at smaller tracks is much different than being at tracks where the top 25% driver compete. I can’t help but be concerned for the safety of all of them, many have never hit the dirt and do not realize the possible consequences.”*]

---

10. A proposal to amend *Rule 18.11 Use of Hobbles* by adding the following verbiage to ensure accurate program information:

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 the 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. For the purpose of accurate program information, horses must race as programmed, with or without hobbles. Changes after the program has been published may result in a fine up to \$100.

Sponsor: Robert Corey, Jr., Presiding Judge, Running Aces

[The sponsor states: “*The sponsor states: In my opinion, this is a bettor’s nightmare, with many trainers deciding to add or remove hobbles after a horse is entered and programmed to race. Allowing trainers to add or remove hobbles at their discretion is fine but requiring a horse to race as programmed will benefit bettors who rely on program information to be accurate.*”]

---

11. A proposal to amend existing *Rule 20.10 Nerved Horses* by adding/deleting as follows:

~~Nerved Horses. - All horses that have been nerved shall be so designated on the USTA registration certificate and electronic eligibility and be certified by a practicing veterinarian. The fact that a horse has been nerved shall be reported to the USTA. It is the responsibility of the owner of the horse at the time the horse is nerved of the procedure or the owner’s authorized agent to report the date of nerving of the horse to the USTA within thirty (30) days of the procedure or before the horse is entered to race. All horses that have been nerved shall be certified by a practicing veterinarian and so designated on the USTA registration certificate, unless the horse is paperless, and electronic eligibility. It is the responsibility of the owner of the horse at the time the horse is nerved to see that this information is placed on the registration certificate unless the horse is paperless and the electronic eligibility. If a subsequent owner or trainer of a horse becomes aware that the horse was nerved and was not reported to the USTA, that owner or trainer or his or her authorized agent shall promptly report the nerving of the horse to the USTA and return its papers for correction, unless the horse is paperless. The failure to report the nerving of a horse before it is entered to race or consigned to a public sale may result in a fine of up to \$250.00. No trainer or owner will be permitted to enter or start a horse that is high nerved. It shall be the responsibility of the owner and/or trainer of a horse that has been low nerved to post on the bulletin board in the racing office at each racetrack where the horse competes the fact that the horse has been low nerved and it is the responsibility of each track member to provide a space in the racing office where the fact of nerving can be posted in accordance with this rule.~~

Sponsor: TC Lane, USTA Staff; Leah Cheverie, Versailles, KY

[The sponsor states: “*The current rule regarding the notification of a horse being nerved does not indicate a reasonable time in which an owner or authorized agent must notify the USTA. The requirement for posting on a bulletin board at each racetrack would be deleted due to the impracticality and effectiveness of such action.*”]

---

12. A proposal to amend existing *Rule 20.11 Change of Sex Requirement* by adding/deleting as follows:

~~Change of Sex Requirement. - The fact that a horse has been gelded or a mare has been spayed ~~must~~ shall be recorded with reported to the USTA. It shall be is the responsibility of the owner of the horse at the time of the procedure or the owner’s authorized agent to report the date of the gelding or spaying of the horse to the USTA within thirty (30) days, the date that the horse has been gelded or the mare has been spayed to the USTA and unless the horse is paperless, to return its papers for correction. If a subsequent owner or trainer of a horse becomes aware that the gelding or spaying of the horse was not reported to the USTA, that owner or trainer or his or her authorized agent shall promptly report the gelding or spaying of the horse to the USTA and return its papers for correction, unless the horse is paperless. The failure to report the gelding or spaying of a horse before it is entered to race or consigned to a public sale may result in a fine of up to \$250.00.~~

Sponsor: Roger Huston, Grove City, OH

[The sponsor states: “As stated last year, too many times a horse appears in the program as a horse that is a gelding. The purpose for the rule change is to clarify the responsibility of owners and trainers to notify the USTA that a horse has been gelded or spayed, and to create a potential fine for the failure to do so.”]

---

13. A proposal to amend existing *Rule 26.07 (a) Names* to increase the limit of spaces in a name from 18 to 20:

(a) Names for proposed registration shall be limited to four words and a total of ~~18~~ 20 spaces.

Sponsor: Lori Sporn, Randolph, NJ

[The sponsor states: “Although this rule change has been suggested in the past, it is a topic that needs to be revisited. In this day of computers, there is no reason to keep the maximum length of horse names to 18 characters. Increasing the allowable number of characters to 20 will increase the number of possible name combinations by a factor of 676, or 67,500%. With the expansion, there would be a total of 19,928,148,895,209,400,000,000,000 possible names between 2 and 20 spaces. Putting this into perspective, this is 56 MILLION TIMES the number of gallons of water in the world's oceans. Needless to say, the majority of these “potential” names includes combinations of letters which make no sense. However, it would open up the number of available names; approx. 7,000 Standardbred foals were registered according to the last printed Trotting and Pacing Guide (2014). This rule change would open up the pool of potential names and avoid the repetition of names previously registered.”]

---

14. A proposal to amend new sub-section (i) to existing *Rule 26.07 Names* (renumber current (i) through (k) accordingly) to require the hiring of an outside source to review all horse name choices for registration or name change:

(i) All horse names submitted for approval shall be reviewed by an outside source.

Sponsor: Lori Sporn, Randolph, NJ

[The sponsor states: “**Current Rule 26.07 (c)** states ‘Names of outstanding horses may not be used again.’ It appears that there are some unwritten criteria for what constitutes an outstanding horse. However, it appears that this rule can be interpreted very differently by the person assigned to register the horse. For instance, just prior to racing last year, a 2YO colt named STEAL THE SHOW was entered to race. Not only was this the name of a notable filly (p,3,T1:54, \$173,012), she was also a Hanover broodmare as well. Had the name not been changed (after my husband mentioned it on Facebook), and the horse became a stallion, there is a possibility that this horse could be bred to daughters of the mare, and the resulting pedigree would show STEAL THE SHOW as both the stallion AND the second dam. Of note is that the horse was eventually renamed BEST IN SHOW, this year’s Meadowlands Pace winner. **Current Rule 26.07 (f)** states ‘No horse shall be registered under names if spelling or pronunciation is similar to names already in use.’ So how does that explain the horse currently racing named SIX DAY WARS, almost identical to the former World Champion double-gaited performer SIX DAY WAR; or SWEET REFLECTIONS, almost identical to the Breeders’ Crown and \$1M winner SWEET REFLECTION? **Current Rule 26.07 (h)** states ‘The USTA reserves the right to refuse any name...which might be considered offensive, vulgar or suggestive.’ One currently racing is BEN DOVER. There have been three named HOOF HEARTED. And lastly, the retired NORFOLK AND WAY. Imagine if any of them became classic winners? How proud would our sport be?

*Approx. 20,000 thoroughbreds were registered in 2018 according to The Jockey Club, and they seem to have no problem with naming foals. Plus, they don't have farm names. My recommendation is to have a third party review ALL registered foals in May-June of their yearling year. This would ensure that (virtually) all foals of the previous year have already been registered. In addition, it would be prior to the yearling catalogs going to press, and before the yearlings are sold at auction. For this project I would recommend my husband Philip, who has 40 years' experience in the standardbred industry. He has probably written more pedigrees than any individual, past or present. This assignment would safeguard the integrity of our sport, and avoid repeat, similar and inappropriate names.”]*

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 other of the following circumstances has occurred:

1. That the horse has died or had its name changed prior to becoming two 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.

---

15. A proposal to add new subsection to existing *Rule 26 Registration of Horses* to require ownership percentages:

26.33 Ownership Percentages. - The percentage of ownership of each ownership entity shall be recorded upon the initial registration of any horse as well as any transfer, claim or change to registration that may take place thereafter.

Sponsor: Eric Cherry, Boca Raton, FL; Lori Sporn, Randolph, NJ

[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.*”]

---

16. Housekeeping item – A proposal to amend existing *Rule 8.02* and *Rule 9.02(a)* and *(c)* to add membership requirements to syndicate members and clarify language:

8.02 Individual Membership Requirements for Members. All persons who are members of a ~~racing, registered~~ farm, ~~syndicate, corporation~~ ~~corporate~~ or stable racing or ~~breeding~~ a horse as provided in Rule 4.10 must be USTA members. The USTA shall be notified immediately if additional persons become interested in a registered ~~racing, farm, syndicate, corporation~~ ~~corporate~~ or stable or if some person listed in a registration disassociates himself or herself from the registered ~~racing, farm, syndicate, corporation~~ ~~corporate~~ or stable. Failure to do so will place the registered ~~racing, farm, syndicate, corporation~~ ~~corporate~~ or stable in violation of the Rules.

9.02 Issuance of Electronic Eligibility –

(a) Individual Membership Requirements. - Each registered owner of a horse except as otherwise provided in the USTA Bylaws and the Rules, must be a USTA member in good standing prior to the issuance of an electronic eligibility. If the horse is registered in the ownership of a registered racing, farm, corporation, ~~or~~ stable, or syndicate, all “beneficial owners” as defined in Rule 4.10 must be USTA members in good standing prior to the issuance of an electronic eligibility

(c) Owner Names on Electronic Eligibility. - The names of all owners including beneficial owners shall be listed on the electronic eligibility. The electronic eligibility shall not be issued in the names of more than four persons. In the event five or more names are reported to the USTA, the electronic eligibility shall be issued only in four or fewer including racing, farm, corporate, ~~or~~ stable or syndicate names, which names must be registered in accordance with Rule 8.01.

Sponsor: Aimee Hock, USTA Staff

[The sponsor states: “*This is a housekeeping item to add ‘syndicate’ to rules 8.02 and 9.02(a) and (c), as it was inadvertently omitted with prior changes to relative rules 8.01, 8.05 and 27.02.*”]

---

17. A proposal to amend existing *Rule 18.23 Sulky Performance Standards/Approval (k) Sulky Committee* to add subsection (3) to require any change of the name of a sulky to be recorded with the USTA:

(3) Any change of name to a previously approved sulky must be reported to the USTA within 30 days by submitting a signed affidavit indicating the previous and current name of the sulky model. Failure to submit an affidavit within 30 days shall result in a fine of \$1,000.00.

Sponsors: Michele Kopiec & Ron Taubert, USTA Staff

[The sponsors state: “*It recently came to our attention that the previously approved UFO and UFO2 race bikes were renamed ‘Galaxy’ and ‘Eclipse,’ respectively, for marketing purposes, causing confusion with international*”]

*racetrack authorities who rely on the USTA list of approved sulkies for racing in their countries. For accuracy and consistency, name changes should be reported and recorded on the USTA published list of approved sulkies.”]*

Current Rule 18.23(k) reads as follows:

(k) Sulky Committee

1. The President shall appoint a sulky committee which shall have the authority to establish guidelines and recommendations for the design, performance and certification of racing sulkies.
2. The sulky committee shall have the authority to authorize variances from these standards and may approve for use any sulky which does not qualify under the above sections if in their opinion the sulky does not pose a safety hazard, does not impair the horse or driver and does not undermine the competitiveness of the horse and/or driver.