

**CHAPTER 4**  
**--- OFFICIALS - GREYHOUNDS AND HORSES ---**

***100's --- GENERAL PROVISIONS***

**4.100** - The Division shall establish a board of three judges/stewards. Two members of the Board shall be appointed by and be employees of the Division. One member shall be an employee of the association conducting the races and shall be approved by the Commission prior to commencing work. The Division shall also appoint a veterinarian, and other officials that the Commission deems necessary who shall be employees of the Division. All other officials shall be appointed by the association with the approval of the Commission.

**4.102** - The criteria to be considered for approval or denial of racing officials shall be:

:1 - Experience specialized to the position;

:2 - Criminal record;

:3 - Racing history;

:4 - Conflict of interest;

:5 - Physical conditions required; and

:6 - The best interests of the racing industry.

**4.104** - The Commission reserves the right to demand a change of any of the officials or employees for any reason which the Commission deems good and sufficient, and any successor to any official or employee replaced shall be approved by the Commission. A racing official may be fined, suspended or removed at any time for incompetence and/or failure to follow or enforce these Rules or the law.

**4.106** - No one interested in the result of a race either because of ownership of any animal entered, or of its sire or bitch/dam or because of bets or otherwise, shall act as a racing official.

**4.108** - Racing officials shall not accept, directly or indirectly, any gratuity, reward or favor in connection with racing at the meet.

**4.110** - Racing officials shall not directly or indirectly wager on any race at the meet at which they are employed.

**4.112** - Racing officials shall immediately report to the Board any observed violations of these Rules or the law.

**4.114** - Complaints against an official(s) shall be made to the Board in writing, signed by the complainants. All complaints shall be reported to the Commission together with action taken on

them by the Board. If the complaint involves the Board then it shall be made in writing directly to the Commission/Division.

**4.116** - No racing official shall serve in more than one official capacity simultaneously during a race meet unless prior approval from the Commission or the Director has been obtained. In no event shall a racing official serve in more than one official capacity where there is a potential conflict of interest.

**4.118** - When a vacancy occurs among the racing officials, other than the Board, prior to post time of the first race of the day or when a vacancy occurs after the racing day has started, the Association shall fill the vacancy with an official approved by the Board. The appointment shall be effective only for the day unless the association fails to fill the vacancy on the following day and has notified the Board of its action not less than one (1) hour before the post time of the first race of the day. The appointment shall be reported immediately to the Division by the Board. When a vacancy occurs among the racing officials for a period of longer than one racing day, the association shall fill the vacancy with an official approved by the division and notify the division in writing of the substitution prior to the change.

**4.120** - If one (1) or more Board members are absent, the Division shall appoint a replacement member(s) to act on a temporary basis.

#### ***200's --- BOARD OF JUDGES/STEWARDS***

**4.200** - The Law and these Rules supersede the conditions of a race; and in matters pertaining to racing, the order of the Board supersede the orders of the association officers.

**4.202** - Should any case occur which may or may not be covered by these Rules or the law, the Board shall determine what action is appropriate in conformity with justice and in the interest of racing; and when a penalty is not provided, the Board are hereby given authority to exercise their full power, recommending to the Commission the imposition of more severe penalties, if in their judgment, the penalty should be more severe; but should they be unable to reach a majority decision in three (3) days, the case shall be referred to the Commission for action as it deems proper.

**4.204** - All questions pertaining to the Board's authority shall be determined by a majority of the Board.

**4.206** - The Board shall supervise all entries and declarations and may, without notice, refuse the entries of any person or the transfer of any entries.

**4.208** - The Board shall have the power to determine all questions arising with reference to entries and racing. The Board in its discretion shall determine whether any action shall be taken against any animal participating in a race.

**4.210** - The Board has the power at any time to order an examination of any animal by any person(s) as they think fit.

**4.212** - The Board may permit a person to act pending action on their application.

**4.214** - The judges shall closely observe the operation of the lure and hold the lure operator to strict accountability for any inconsistency of operation.

**4.216** - The Board shall report all objections with regard to the race and complaints to the Division and shall cause to be investigated anything that comes within their jurisdiction.

**4.218** - The racing officials and the Board shall have the right to call on any person in whose name an animal is entered to produce proof that the animal entered is not the property either wholly or in part of any person who is disqualified; or to produce proof of the extent of their interest or property in the animal and failing of proof shall declare the animal out of the race.

**4.220** - The Board may, on its own initiative, call for proof that an animal is not disqualified in any respect and in default of such proof they may declare the animal disqualified.

**4.222** - Permission must be obtained from the stewards to exercise or work a horse between races. A public announcement must be made giving the name of the horse and explaining the purpose for the horse being on the racing strip.

**4.224** - The stewards may substitute a jockey of their choice on any horse, or place a trainer of their selection temporarily in charge of a horse.

**4.226** - The validity of a fair start shall be the decision of the Board, and such a decision shall be final, after consultation with the starter.

**4.228** - The stewards are vested with the power to determine the extent of disqualification in case of fouls.

Should the stewards determine that there is more than one incident of interference in a race where disqualification is warranted, the stewards shall deal with the incidents in the order in which the incident occurs during the race from start to finish; except in the case where the same horses are involved in multiple incidents. Once a horse has been disqualified, it should remain placed behind the horse with which it interfered. The stewards shall make a conscious effort to place and maintain as placed, every and all horses placed behind others for interference.

**4.230** - Certain rules at Class A tracks may be waived by the stewards with the permission of the Commission.

**4.232** - A hearing officer or the Board have the power to impose discipline for violations of these Rules or of the Law any person subject to their jurisdiction. The hearing officer or the Board may impose fines, suspension, disqualifications or combinations thereof for infractions of the Law or these Rules.

**4.234** - During each racing day one Division judge and the presiding judge from the association shall be at the office building at the racetrack where the race meet is being held no later than weighing-in time in order to exercise the authority and perform the duties imposed upon them by these Rules.

**4.236** - Three (3) stewards must be on duty during racing hours. At least one (1) steward must be on duty each morning from the time the entry box is opened for scratch time until after the draw has been completed.

**4.238** - The Board shall decide which animal is the official winner and shall assign the respective positions in the official order of finish. In determining the places of the greyhounds at the finish of the race, the board shall consider only the relative position of the respective muzzles of the greyhounds. In the event that a greyhound loses its muzzle or finishes with a hanging muzzle, the judges shall then consider only the relative position of the nose of the greyhound and the muzzles of the other greyhounds in the race. In determining the places of the horses at the finish of the race, the board shall consider only the relative position of the respective noses of the horses.

**4.240** - The Board shall promptly display the number of the first three (3) animals in each race in order of their finish. Whenever it is considered advisable to consult a picture from the photo finish camera, the Board may post without waiting for a picture the placements as are in their opinion unquestionable and after consulting the picture make the other placements. If the Board differs in its placement, the majority shall prevail.

**4.242** - A race shall not be declared official until:

:1 - in greyhound racing, the judges have determined the greyhounds finishing first, second and third. In the case of a superfecta race, the fourth place finisher shall also be determined prior to the race being declared official; or

:2 - in horse racing, the stewards have determined the complete order of finish.

**4.244** - Nothing in these Rules shall be construed to prevent the Board from correcting an error before the display of the sign "official" or from recalling the sign "official" in case it has been displayed through error.

### ***300's --- ANNOUNCER - GREYHOUND AND HORSE***

**4.300** - The announcer shall be charged with the responsibility of all normal announcement procedures made at the racetrack or simulcast facility.

**4.302** - Announcements to solicit wagering shall not be made. In order that the wagering public is not shut out announcements may be made designating post time.

**4.304** - The announcer may call the finish of the race as the announcer sees it. However, the announcer must advise the public that the call is not official and advise the public to hold all tickets until the judges have made the race official.

**400's & 500's --- OTHER OFFICIALS (GREYHOUND)**

**CHART WRITER**

**4.400** - The chart writer shall provide an accurate accounting of each greyhound's performance in a race to be used in the program. The accounting shall include the call of the race, the running time of each greyhound and an accurately worded comment describing the greyhound's performance. The names of the greyhounds shall appear in the order of their post positions, the post positions to be designated by numerals placed at the left and in line with the names of the greyhounds in each race. These numerals shall also be prominently displayed on each greyhound.

**CLERK OF SCALES**

**4.410** - The clerk of scales shall weigh each greyhound in and out on a scale sealed by the duly authorized sealer of weights and measurers.

**4.412** - The clerk of scales shall immediately record the called weight. Any overweight, underweight, limit heavy, limit light or variation in the two (2) pound rule shall immediately be brought to the attention of the judges or the Division representative.

**4.414** - The clerk of scales shall make available to the judges a copy of the weight sheet before each day's performance. A Division representative shall observe the weighing-in of all greyhounds.

**4.416** - The clerk of scales shall promptly report to the judges any infraction of these Rules as to weight or weighing.

**KENNEL MASTER**

**4.420** - The kennel master shall unlock the kennels immediately before weigh-in time to see that the kennels are in perfect repair and that nothing has been deposited in any of the kennels for the greyhound's consumption and shall be sure that the kennels are sprayed, disinfected and kept in proper sanitary condition. The kennel master or any assistant must receive the greyhounds from the trainers, one at a time, and see that the greyhounds are placed in their kennel. The kennel master will be responsible from that time until the greyhounds are removed for the last race, all under the supervision of the paddock judge.

**4.422** - After the greyhounds are placed in the lock-out kennels no person other than the kennel master, racing officials, person(s) approved by the Commission or Division or designated representatives of the Commission or Division shall be allowed in or near the lock-out kennels.

**4.424** - The kennel master shall be present while the lead-outs are placing greyhounds in and removing greyhounds from the lock-out kennel.

**LEAD-OUT**

**4.430** - Owners, trainers or attendants will not be allowed to lead their greyhounds from the paddock to the starting box, except in unofficial schooling races. The greyhounds shall be walked from the

paddock to the starting box by lead outs provided by each Association for that purpose. For pre-race inspections and sample collection and all purse races, lead outs will not be allowed to lead more than one (1) greyhound in the paddock area or to the starting box unless approved by the Division.

**4.432** - Lead-outs will be required to present a neat appearance and conduct themselves in an orderly manner and must be attired in clean uniforms provided by the association.

**4.434** - The Lead-outs must carefully place the greyhound in its proper position in the starting box before the race and then retire to an assigned place.

**4.436** - Lead-outs will not be permitted to have any interest in the greyhounds racing for the association.

**4.438** - Lead-outs shall be assigned a post position by lot and a record thereof shall be maintained by the paddock judge.

**4.440** - Lead-outs are prohibited from holding any conversation with the public, either in the paddock, enroute to the starting box, or while returning to the paddock.

**4.442** - Smoking in restricted areas of the paddock is prohibited.

**4.444** - Lead-outs are prohibited from wagering on the result of any greyhound racing at the racetrack where they are assigned while on duty and/or in uniform or on any race they will be working.

**4.446** - Only authorized lead-outs employed by the racing association shall take greyhounds to the starting box during official schooling races.

**4.448** - Lead-outs must be physically able to perform all the duties required of a lead-out.

**4.450** - Greyhounds shall be walked to the starting box for each race. For schooling races no more than two (2) greyhounds per leadout shall be allowed unless approved by the Board of Judges.

**4.452** - Lead-outs must be trained in the proper handling of greyhounds prior to handling any greyhound.

### ***LURE OPERATOR***

**4.460** - The lure operator shall be furnished a room as free as possible of any disturbance that could possibly distract his complete attention on the operation of the lure.

**4.462** - The lure operator must at all times run a consistent lure and report immediately to the judges if any problem should occur which would prevent the running of a consistent lure.

**4.464** - The lure operator must run the lure completely around the racing strip at least two (2) times prior to the first post time to determine that the lure is in perfect working condition.

**4.466** - The lure must be tested upon correcting any malfunction involving the lure or starting box prior to resuming the program.

### ***PADDOCK JUDGE AND IDENTIFIER***

**4.470** - A greyhound shall not be permitted to start in a schooling or purse race that has not been fully identified, properly ear tattooed, and checked against the card index system of identification maintained by each association. The identification cards shall be filled in and completed by the paddock judge before greyhounds are entered for schooling or for a purse race.

**4.472** - The paddock judge shall fully identify and check against the card index system of identification maintained by the association all greyhounds starting in schooling and purse races. Any greyhound's identification which does not conform to the card index identification shall be reported to the judges.

**4.474** - As each greyhound is weighed in there shall be an identification tag attached to its collar indicating the number of the race in which the greyhound is entered and its post position. This tag shall not be removed until the greyhound has been weighed out and blanketed.

**4.476** - The paddock judge shall verify the identification card with the greyhound. A secondary verification of the identification card and the greyhound shall be made by a racing official.

**4.478** - Before leaving the paddock for the starting box, every greyhound must be equipped with a regulation muzzle and blanket. The muzzles and blankets used shall be approved by the paddock judge and shall be carefully examined in the paddock before the greyhound leaves for the post.

**4.480** - During the process of blanketing the greyhounds prior to leaving the paddock to go onto the racing strip for their assigned races, a racing official will check with the paddock judge for verification that the correct blankets are placed on the correct greyhounds.

**4.482** - Unless approved by the Division, the groom shall be in possession of only one (1) greyhound at the time the paddock judge and the clerk of scales make their identification, and after the greyhound has been correctly identified the groom shall be handed the correct blanket for the greyhound in possession.

**4.486** - Any medicine, antiseptic, fluid or matter containing a color causing the marring or discoloration of identification marks of a greyhound which could change the identity of the greyhound will not be used.

### ***RACING SECRETARY***

**4.490** - The racing secretary shall discharge all duties whether expressed or required by these Rules, shall keep a complete record of all races, and shall receive all stakes, entrance money and pay over all monies so collected to officers or persons as may be entitled to receive the same.

**4.492** - The racing secretary shall receive all entries and declarations.

**4.494** - The racing secretary shall inspect all papers and documents dealing with trainers and owners, partnership agreements, appointment of authorized agents, adoption of assumed names and may demand production of the same in order to be satisfied as to their validity and authenticity and that these Rules in regard thereto have been complied with, which papers shall be available to the Board and Division at all times.

**4.495** The Racing Secretary shall use his/her best efforts to ensure that each registration paper received carries a current vaccination certificate verified by a Division veterinarian, and if leased, a lease agreement approved by the Division.

**4.496** - Conditions of races shall not conflict with these Rules.

**4.497** - The Racing Secretary shall not remove a greyhound from active racing status for rest and/or an injury without using a *Uniform Greyhound Injury and Take-off Report*.

**4.500** - The racing secretary shall each day, as soon as the entries have closed and have been compiled and the declarations have been made, post in a conspicuous place a list thereof. Any newspaper desiring the list shall also be furnished a copy.

**4.502** - If the racing secretary should allow a greyhound to start in a race without its entrance money or stake having been paid, the racing secretary shall be liable for it.

**4.504** - When there is more than one (1) racetrack operating in the State, greyhounds racing at one (1) racetrack shall not be allowed to enter, to race or school officially at another racetrack, while eligible for official racing, during the duration of the meet without the consent of the racing secretary.

### **STARTER**

**4.510** - The starter shall give orders and take all measures, including assurance that the muzzles and blankets fit properly before greyhounds enter the starting box, not in conflict with these Rules as are necessary to secure a fair start.

**4.512** - The greyhounds shall be started from a type of starting box approved by the Commission and there shall be no start until, and no recall after the doors of the starting box have opened.

**4.514** - The starter shall report causes of delay, if any should occur, to the judges.

**4.516** - A false start, due to any faulty action of the starting box, break in the machinery or other cause, is void. However, the judges, after consulting with the Division veterinarian, may allow the greyhounds to be started again as soon as practical, or the race may be canceled at the discretion of the judges.

**4.518** - All boxes to be used during a performance shall be tested prior to the first race of the performance.

**4.520** – The starter at all racetracks in the state of Colorado may hand trip the starting boxes for each race run during any given performance during the course of any particular meet.

### ***DIVISION VETERINARIAN***

[See Chapter 5 – Veterinary Practices – Division Veterinarian]

### ***600's & 700's --- OTHER OFFICIALS (HORSE)***

#### ***CLERK OF SCALES***

**4.600** - The clerk of scales shall be in charge of the scales for the purpose of insuring that jockeys carry the correct assigned weight. The clerk shall weigh out all jockeys, record all overweights and cause the overweights to be announced publicly or posted in a conspicuous place prior to the running of each race. The clerk shall report all weight changes and names of jockeys reporting late to the stewards.

**4.602** - The clerk of scales shall also be in charge of the body fat scale, provided by the association, for the purpose of insuring that each jockey racing on any given race day has at least 5.0% body fat content before that jockey is allowed to race on that day. The clerk shall measure the body fat content of the jockeys using the body fat scale, shall record the percentage of body fat content, and shall immediately report to the stewards any jockey whose body fat measures below 5.0%.

#### ***HANDICAPPER***

**4.610** - The handicapper shall assign the weights to be carried by each horse in a handicap.

**4.612** - After publication of weights has been made, there shall be no changing of weights except to correct errors or to make legitimate penalty adjustments.

#### ***HORSE IDENTIFIER***

**4.620** - The identifier shall assure that every horse that races is in fact the horse that it is represented to be. If a horse cannot be properly identified for any reason, it shall be reported to the stewards, who shall cause the horse to be scratched.

**4.622** - A horse will not be allowed to start unless the horse is identified from its original or duplicate foal certificate and tattooed on the upper lip by an official tattooer for the appropriate breed registry.

#### ***HORSEMEN'S BOOKKEEPER***

**4.630** - Monies may not be deducted from a horseman's account by any person other than the owner, the owner's authorized agent or other duly authorized person with a notarized document

setting forth the amount to be withdrawn, except an association may withhold any amount due the association for jockey fees, pony fees, starting fees, nomination fees or monies due the association or the State or as otherwise provided by Law.

### ***JOCKEY ROOM CUSTODIAN***

**4.640** - The jockey room custodian shall see that proper conduct and cleanliness are maintained in the jockey and scale rooms.

**4.642** - The jockey room custodian shall see that no person, other than jockeys, valets, racing officials or Commission member or Division personnel, is admitted to the jockey's room two (2) hours prior to the post time of the first race or thereafter on race days without permission of the stewards.

**4.644** - The jockey room custodian shall supervise the valets in the performance of their duties.

**4.646** - The jockey room custodian shall see that the proper colors are worn and that the jockeys are neat in appearance when they leave the jockey's room to ride and is responsible for the safekeeping of all registered colors which must be clean and in good repair.

**4.648** - The jockey room custodian shall report to the stewards any irregularities that occur in the jockey's and scale rooms.

### ***OUTRIDERS***

**4.650** - There shall be a minimum of two (2) outriders during live racing.

**4.652** - The leading outrider shall be in charge of the parade and shall see that the parade does not exceed the maximum time of twelve (12) minutes, except for emergencies.

**4.654** - The outriders shall not permit any rider to dismount, except for emergencies, and shall see that the jockeys and pony riders conduct themselves in conformity with these Rules.

**4.656** - The outriders shall observe the jockeys and pony riders in order to prevent the use of illegal equipment. The outriders are responsible for keeping conversation at a minimum.

**4.658** - The outriders shall report to the stewards any unusual conduct or any person in the parade who is not neatly attired.

### ***PADDOCK JUDGE***

**4.660** - A horse's equipment shall be recorded by the paddock judge when the horse is brought to the paddock for its first race at the meet. A change in equipment from what a horse carried in its last previous race may not be made without the consent of the paddock judge prior to the time the horse is due in the paddock.

**4.662** - The paddock judge is responsible for the cleanliness of the paddock and shall supervise all the activity within the paddock.

**4.664** - The paddock judge with the cooperation of the veterinarian, a plater and an identifier is responsible for assuring that every horse that races is the proper horse and is fit to race.

**4.666** - The paddock judge and the veterinarian shall inspect bandages used on a horse just prior to the participation in a race and may order the removal and replacement of any bandage if they see fit to do so. Should there be any circumstances in the use of a bandage which indicates fraud, it shall be reported to the stewards for appropriate action.

**4.668** - The paddock judge is responsible for having a plater available to insure that all horses are properly shod.

**4.670** - The paddock judge shall keep a record of the equipment every horse carries and shall be responsible for allowing or disallowing any equipment change except as provided for elsewhere in these Rules.

**4.672** - The paddock judge shall give the command “riders up” and the order to proceed to the post parade at the proper time.

### ***PATROL JUDGE***

**4.680** - If a video film patrol system approved by the Commission is inadequate for full coverage of the racing strip, the stewards shall require a patrol judge(s) to be assigned to view the races from a vantage point(s) which the stewards shall also assign.

**4.682** - Each patrol judge shall communicate observations of the race to the stewards immediately following the running of each race via a communication system provided by the association.

### ***PLACING JUDGE***

**4.690** - The placing judges shall be responsible for determining the actual order of finish for each race. In making that determination they shall consider only the nose of each horse.

**4.692** - A photo finish camera system approved by the Commission shall be in operation at the finish line of each racetrack merely to aid the placing judges.

### ***RACING SECRETARY***

**4.700** - The racing secretary shall be responsible for all of the racing office activity and shall supervise all of the racing office personnel in the performance of their duties.

**4.702** - The stable superintendent or the racing secretary as designated by the association is responsible for assigning and maintaining up-to-date records of assignments of all stalls and tack

rooms and shall from time to time during the meet provide the Division office with a copy of these records.

**4.704** - The stable superintendent or the racing secretary as designated by the association is responsible for maintaining an inventory of all horses racing at the meet.

**4.706** - In order to be in accordance with the Law, the racing secretary shall include at least one (1) Colorado Bred race in the conditions for each race day.

**4.708** - The racing secretary shall be responsible for the receipt of all entries and may as agent for the association receive money in payment of fees attached to races, and shall be responsible for the receipt of all declarations prior to the established scratch time for a race.

**4.710** - The racing secretary shall establish and announce times for the opening and closing of the entry box.

**4.712** - The racing secretary shall reject the entry of a horse that is ineligible for any reason and shall maintain a file of the registration papers of each horse registered for racing at the meet and a record of all races run during the meet in order to aid in determining eligibility and the compilation of program information.

**4.714** - The racing secretary shall not accept the entry of a horse in any owner's name other than the name on the registration papers or on a transfer which the racing secretary has personally transacted and which has been approved by the stewards.

**4.716** - The racing secretary shall not accept the entry of a horse that has been placed on the veterinarian's, steward's or starter's list.

**4.718** - After the entry box has closed, the racing secretary shall examine the entries for completeness, accuracy and eligibility, shall make preparations for the draw and shall make a public announcement of the draw in order that interested persons may be present. After the draw is conducted, the racing secretary shall post on a bulletin board in the racing office the names of all entries and their final disposition.

**4.720** - The racing secretary shall furnish the information needed for the printing of the program at the expense of the association.

**4.722** - The racing secretary shall make the clocker's records available to all newspapers and recognized publications for the purpose of information dissemination. A copy of each days workouts shall be posted in a conspicuous place in the racing office and in the grandstands.

### ***RACING VETERINARIAN (ASSOCIATION)***

[See Chapter 5 – Veterinary Practices – Association Veterinarian]

## ***STABLE SUPERINTENDENT***

**4.730** - The stable superintendent is responsible, under the direct supervision of the association and the broad supervision of the Division, for the overall sanitation, safety, fire protection and security of the stable area and shall implement and enforce the rules, policies and programs of the Commission, Division and the association.

**4.732** - In the interest of health, the stable superintendent shall impose such requirements upon incoming horses and/or horses stabled at the racetrack as directed by the Division veterinarian.

**4.734** - The stable superintendent shall insure that manure is not permitted to accumulate in the stable area and shall also cause such necessary spraying of the stable area to keep flies, mosquitoes and other insects at a minimum.

## ***STARTER***

**4.740** - The starter is responsible for all activity on the racing strip from the time the horses enter the strip for the post parade up through the actual start of the race and shall supervise the outriders, assistant starters, pony riders and jockeys in the performance of their duties during this time.

**4.742** - All races shall be started out of a starting gate which is approved by the Commission.

**4.744** - The starter shall load horses in the starting gate in order of post position except for good cause as determined by the starter and shall endeavor to secure a fair start.

**4.746** - Assistant starters shall be assigned their position by the starter.

**4.748** - First time starters and unruly horses shall be required to school to the starter's satisfaction. A horse required to school shall be placed on the starter's list, which shall be posted on the bulletin board in the racing office, and shall be refused entry until removed by the starter from the list.

**4.750** - The starter shall promptly notify the stewards of any problems at the gate which adversely affects the race.

## ***TIMER/CLOCKER***

**4.760** - The official clocker shall record the times of all workouts, trials, or "morning races" on the racetrack for horses eligible to be entered at the meet, and shall promptly deliver those records to the racing secretary with a copy to the stewards.

## ***TRACK SUPERINTENDENT***

**4.770** - The track superintendent is responsible for the condition of the racing strip and shall insure that proper equipment is kept in the best possible condition and properly manned by qualified personnel.