COLORADO
Department of Revenue
Enforcement Division - Racing

COLORADO RACING COMMISSION RULES

1 C.C.R. 208-1

Revised Effective May 15, 2016

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CHAPTER 1
--- DEFINITIONS ---

The following definitions are interpretations of racing, pari-mutuel and simulcast wagering terms and are to be considered as part of these rules and regulations.

ABANDON - To abandon means to leave an animal without adequate provisions for the animal's proper care or to forsake the animal entirely.

ADDITIONAL FACILITY - Any in-state wagering facility operated by and the responsibility of a licensed association, not located on the premises of a licensed racetrack site, accepting pari-mutuel wagers on races with the approval of the Commission.

AGE (HORSE) - A horse's age begins on the first of January in the year in which the horse is foaled.

AGE (GREYHOUND) - *(Deleted Effective date May 15, 2015)*

ALLOWANCE - An allowance is a weight allowance or other condition of a race.

ANALGESIC - See STIMULANT

ANESTHETIC - See STIMULANT

ANIMAL - An Animal shall mean a greyhound or horse.

ANIMAL CRUELTY - As defined in C.R.S. § 18-9-202

ASSISTANT TRAINER - An assistant trainer is a person licensed to condition an animal for racing under the authority, supervision, or in conjunction with the trainer of record.

ASSOCIATED PERSON - Associated person means the spouse of an inactive person, or a companion, family member, employer, employee, agent, partnership, partner, corporation, or other entity whose relationship, whether financial or otherwise, with an inactive person, would give the appearance that such other person or entity would care for or train a horse or perform veterinarian services on a horse for the benefit, credit, reputation, or satisfaction of the inactive person.

ASSOCIATION - An association is anyone conducting a licensed live race meet or approved simulcast race meet in Colorado.

AUTHORIZED AGENT - An Authorized Agent is a person who is authorized in writing to act in behalf of another on specified racing matters.

AUTHORIZED MEDICATION - Any medication in the quantity permitted by the Commission pursuant to the conditions set forth in these Rules and the Law to be possessed by licensees or in pre-race and post-race samples shall be authorized. Any and all other medications are

unauthorized.

AUTHORIZED PARI-MUTUEL WAGERING ENTITY - A person in or out-of-state that is duly licensed by the Colorado Racing Commission to conduct pari-mutuel wagering on simulcast racing.

BET SOLICITATION - The term "bet solicitation" in 12-60-507(l)(h), C.R.S., means "touting."

BETTING INTEREST - A single wager on a runner(s) designated by a single program number.

BLEEDER - A horse which demonstrates visible external evidence of Exercise Induced Pulmonary Hemorrhage (EIPH) or existence of hemorrhage in the trachea post exercise upon endoscopic examination. Such examination is to be authorized by or performed in the presence of a Division veterinarian.

BOARD – (*Modified Effective date May 15, 2016*) The Board shall mean the Board of Stewards.

BREEDER (HORSE) - A Breeder is the owner of the horse's dam at the time of foaling for Thoroughbreds. For Quarter Horses, Appaloosas, Arabians, and Paint Horses, the Breeder is the owner of the dam at the time of service, or as defined by each individual Colorado breed association.

BREEDER - (GREYHOUND) - *(Deleted Effective date May 15, 2015)*

CITATION – A complete written notice, issued to a licensee by the division on an approved form and by means of which the division alleges the licensee has violated one or more Colorado racing laws or rules.

CITATION VIOLATION LIST AND SCHEDULE OF PENALTIES – An approved list of those particular violations of Colorado racing laws or rules, together with penalties, set according to the type of violation and, as appropriate, also according to the frequency of violation by a licensee. With the approval of the commission, the director can establish the specific violations on the list together with their associated penalties and can change the violations or penalties on the list.

CLAIM CERTIFICATE - A claim certificate is a form issued by the stewards to a person who desires to claim a horse but has no horses registered to race at the meet.

COGGINS TEST - A test required of horses to determine exposure to Equine Infectious Anemia.

COLORADO BRED (GREYHOUND) - *(Deleted Effective date May 15, 2015)*

COLORADO BRED HORSE - - A Colorado bred horse is a horse which satisfies each of the following criteria:
1) A horse which was foaled in the State of Colorado out of a mare that was, itself, at the time of the foal's birth, an accredited Colorado broodmare registered with the relevant official Colorado

breed registry; or
2) In the case of an embryo recipient, at the time the embryo is taken from the genetic dam, the embryo itself has to come from an accredited Colorado broodmare, and the recipient mare has to be domiciled in Colorado at the time of the foals birth. The foal certificates from breed registries may reflect this position; and
3) A horse which has been registered with the relevant official Colorado breed registry.

COMMISSION - See C.R.S. 12-60-102(5).

CROSS SIMULCASTING - See C.R.S. 12-60-102(6).

DAILY DOUBLE - Requires the selection of the first place finisher in each of two consecutive races.

DAY -

RACE DAY - A race day is any twenty-four (24) hour period beginning at midnight during a race meet anytime live racing is conducted.

DARK DAY - A dark day is any twenty-four (24) hour period beginning at midnight during a live race meet when no live racing is conducted or during a simulcast race meet when no simulcast races are received.

SIMULCAST RACE DAY - A simulcast race day is any twenty-four (24) hour period beginning at midnight during a simulcast race meet when simulcast races are received.

CALENDAR DAY - A calendar day is any twenty-four (24) hour period beginning at midnight.

DECEIT IN RACING - See MISREPRESENTATION

DECLARATION – (*Modified Effective date May 15, 2016*) A declaration is the act of withdrawing an entered horse from a race.

DEPRESSANT - See STIMULANT

DESIGNATED RACE DAY – (*Added Effective date May 15, 2016*) Any stakes, futurity or futurity trial in any state.

DIRECTOR - See C.R.S. 12-60-102(7).

DIVISION - See C.R.S. 12-60-102(8).

DIVISION REPRESENTATIVE - An employee of the Division designated to represent the Division in matters pertaining to the operation of the Division.

ELECTRONIC ACCOUNT WAGER/ACCOUNT WAGER - A wager placed by electronic

means, using funds from an electronic wagering account, made by the account holder in person, via telephonic device or through other electronic means.

ELECTRONIC WAGERING ACCOUNT/ACCOUNT - A formal record of all transactions (debits, wagers, deposits, withdrawals and credits) initiated by an account holder in an electronic wagering account with an authorized pari-mutuel wagering entity.

ELECTRONIC WAGERING ACCOUNT ACTIVITY - Any deposit, withdrawal, wager or other transaction made by the account holder.

ELECTRONIC WAGERING ACCOUNT HOLDER/ACCOUNT HOLDER - A natural person, authorized by an authorized pari-mutuel wagering entity, to place wagers via account wagering.

ELECTRONIC WAGERING CENTER - A facility that has the capability of accepting electronic account wagers, utilizing wired or wireless communications devices, including but not limited to, wireline telephones, wireless telephones, and the internet, to electronically transmit the placement of wagers on races and special events.

ELECTRONIC WAGERING DEPOSIT - Pari-mutuel wagering in which an individual deposits money in an account with an authorized pari-mutuel wagering entity, to be used for pari-mutuel wagering authorized by law, to be conducted by the authorized pari-mutuel wagering entity.

EJECTION - An ejection is the act of having a person removed from the premises of a racetrack or simulcast facility.

ENGAGEMENT – (Modified Effective date May 15, 2016) An engagement is an obligation of a jockey or a horse to participate in a race.

ENTRY (HORSE) - An entry shall mean according to the requirement of text:

(1) A horse made eligible to run in a race.
(2) A horse which has drawn into a race.

ENTRY, COUPLED - (*Modified Effective date May 15, 2016*) Two or more horses which are entered or run in a race owned by the same ownership or interest whether trained by the same trainer or different trainers or any other combination which form a common tie. A wager on one horse in a coupled group shall constitute a wager on all horses in such coupled group.

ENTRY (GREYHOUND) - *(Deleted Effective date May 15, 2015)*

EQUIPMENT - (*Modified Effective date May 15, 2016*) Equipment shall be any paraphernalia used on or attached to a horse while racing.

EUTHANASIA - Euthanasia means the act or practice of ending the life of an animal.

EXACTA - Requires the selection of the first two finishers, in their exact order, for a single race.

EXCLUSION - An exclusion is the act of prohibiting a person from entering or remaining upon the premises of any or all racetracks and/or simulcast facilities.

FIELD/MUTUEL FIELD - (*Modified Effective date May 15, 2016*) When the number of horses competing in a race exceeds the numbering capacity of the totalisator, some of the horses may be grouped together and designated as the mutuel field. A wager on one horse in such field shall be a wager on all horses in such field.

FINANCIAL INTEREST - An interest that could result in directly or indirectly receiving a pecuniary gain or sustaining a pecuniary loss as a result of ownership or interest in an animal or business entity, or as a result of salary, gratuity or other compensation or remuneration from any person.

FIREARMS - Any weapon listed under C.R.S. 18-12-101 or any other section of the Colorado Revised Statutes, or any weapon which ejects any type of projectile, including BB guns, air rifles and pellet guns.

FRAUD - See MISREPRESENTATION

GAINFUL EMPLOYMENT - The term "gainful employment" in 12-60-507(1)(v), C.R.S. is interpreted by the Commission to mean "actual employment."

GREYHOUND - Any greyhound properly tattooed and registered with the registry recognized by the Commission.

GREYHOUND ADOPTION - A process whereby an organization or person assumes the responsibility for a greyhound and, in so doing, permanently transfers all rights and responsibilities from the original owner or owners.

GREYHOUND DISPOSITION - Greyhound Disposition shall mean any one of the following:

a. transfer to another jurisdiction;

b. retirement for breeding or convalescence for rehabilitation;

c. adoption (including release to an animal rescue group or pet animal facility);

d. euthanasia;

e. sale or donation (for medical research or other purpose); or,

f. disposition of any other kind

GREYHOUND RESCUE – Refers to responsive operations for greyhounds that usually involve the saving of life, or prevention of injury during an incident or dangerous situation.

HORSE - Means an equine and includes all equine animals, i.e. filly, mare, colt, horse, gelding, or ridgling.

HOST TRACK - See C.R.S. 12-60-102 (12).

IN-STATE HOST TRACK - See C.R.S. 12-60-102(13) and (14).

OUT-OF-STATE HOST TRACK - See C.R.S. 12-60-102(18) and (19).

HOUSING KENNEL – *(Modified Effective date May 15, 2015)* For the purpose of interpreting and enforcing CRS 12-60-501(1)(b) which requires the Division to inspect all kennels in connection with race meet, a housing kennel shall be defined as those buildings and attached turnout pens where one or more greyhounds are kept and exercised. Additionally, where a housing kennel shares a common kitchen, storage or other area with a building housing animals only the common area shall be included in such inspections. If a room or area exists where food for the greyhound is prepared separate from the housing kennel, then that area shall be subject to these inspections.

HOUSING STABLE - For the purpose of interpreting and enforcing CRS 12-60-501(1)(b) which requires the Division to inspect all stables in connection with a race meet, a housing stable shall be defined as those buildings or other areas located on the racetrack property, where one or more horses registered to race at the current Colorado race meet, including pony horses, are kept and exercised, including those buildings or other areas that may temporarily house haul-in horses.

HUB OR HUB SYSTEM - An in-state or out-of-state host association, or simulcast facility which receives and/or transmits wagering information and/or calculates the wagering pools on in-state and/or out-of-state races to in-state and/or out-of-state simulcast facilities.

HUMANE MANNER - Humane Manner shall mean, by means of euthanasia by lethal injection, or by such other standard of humane killing as may be established by the American Veterinary Medical Association

ILLEGAL ENTERPRISE - The term "illegal enterprise" in 12-60-507(l)(h), C.R.S., means "a project or undertaking, or a company organized for business purposes, not authorized by Law, that is illicit, unlawful and contrary to the Law itself."

INACTIVE PERSON – Inactive person is any person whose license has been suspended for more than 14 days; whose license has expired or been revoked; or whose license application has been denied.

INQUIRY - An investigation by the Board of an occurrence(s) in a race prior to declaring the result of said race official.

INTERNET - A computer network consisting of a worldwide network of computer networks that use the TCP/IP network protocols to facilitate data transmission and exchange.

JOCKEY - A jockey is a race rider.

JUDGES – (Deleted Effective date May 15, 2016)

KENNEL –*(Modified Effective date May 15, 2015)* For the purpose of interpreting and enforcing CRS 12-60-501(1)(b) which requires the division to inspect all kennels in connection with race meet, a housing kennel shall be defined as those buildings and attached turnout pens where one or more greyhounds are kept or exercised.

KENNEL COMPOUND - A kennel compound comprises the secure and restricted facilities provided by the association for the housing of racing kennels participating in the live racing meet.

KENNEL OPERATOR - a kennel operator is a duly licensed owner of a racing kennel who holds the contract with a racing association to race his/her greyhounds, as well as those leased from other properly licensed owners, during a race meet.

LAW or LAWS - The law or laws shall mean the Colorado Revised Statutes and includes any interpretation, construction or application by Courts of competent jurisdiction.

LEAD-OUT - (*Deleted Effective date May 15, 2016*)

LEASE AGREEMENT - (*Modified Effective date May 15, 2016*) An agreement between a lessee and lessor to lease a horse.

LESSEE - (*Modified Effective date May 15, 2016*) A lessee is a person who holds a contract (lease) for the racing of a horse in the lessee's name.

LESSOR - (*Modified Effective date May 15, 2016*) A lessor is a registered owner of a horse who enters into a contract with another for the racing of a horse.

LICENSEE - See C.R.S. 12-60-102(17).

LOCK-OUT KENNEL -- *(Deleted Effective date May 15, 2015)*

LURE - *(Deleted Effective date May 15, 2015)*

MAIDEN (HORSE) - A maiden is a horse which has never won a race on the flat in a state or country where the races are covered by the *Daily Racing Form* or a similar publication approved by the stewards. A maiden which has been disqualified after finishing first is still a maiden. Conditions referring to maidens apply to the status at the time of starting.

MAIDEN (GREYHOUND) – *(Deleted Effective date May 15, 2015)*

MANUAL MERGE - The process used in the event of a totalisator systems or communication failure by which the simulcast facility's mutuel manager transmits to the host track wagering information and information regarding the process by which the host track includes the simulcast facility's wagers in the common pool for that race via facsimile machine. In the event of a facsimile machine malfunction, etc., the tote operator shall request permission from the Division Representative to use a voice communication with a subsequent facsimile verification.

MEDICATION - A medication is a substance, compound, element or combination thereof which

is or can be administered to a human, greyhound, horse or other animal for the purpose of preventing, curing or alleviating the effects of any disease, condition, ailment, infirmity or symptom thereof. The term medication shall include but not be limited to all narcotics, stimulants, depressants, analgesics and anesthetics.

MINUS POOL - A minus pool occurs when the total amount of money to be returned to the public exceeds what is in the net pool due to the commissions deducted and the requirement that no winning pari-mutuel tickets shall be paid at less than $1.10 for $1.00 wagered.

MISREPRESENTATION - The term "misrepresentation" in 12-60-507(1)(d), C.R.S., which prohibits "fraud, willful misrepresentation, or deceit in racing" prohibits the making of any substantial or willful misrepresentation concerning any aspect of the racing industry including but not limited to making any substantial or willful misrepresentation to a racing official concerning a racing matter. The term "misrepresentation" may include acts of omission as well as acts of commission and may include, unless otherwise stated, behavior which is negligent, reckless or done knowingly. It also includes the giving of false statements and fraudulent documents to Division officials regarding any racing matter.

MONTH - A month is a calendar month.

MUTUEL DEPARTMENT - The entire system and associated areas of a licensed racetrack or approved simulcast wagering facility where wagers are placed and winning tickets are cashed. For the purpose of compliance with these rules, the mutuel department is deemed to include all employees, including the totalisator company and its employees and agents, involved with the operation of pari-mutuel machines and equipment, of all money rooms, accounting rooms, and sellers' and cashiers' windows.

MUTUEL MANAGER - A licensed employee of the association, approved by the Commission, who manages the mutuel department at a licensed racetrack or an approved simulcast facility for the association.

NARCOTIC - See STIMULANT

NOMINATION - (*Modified Effective date May 15, 2016*) A nomination is the initial naming of a horse for a stakes race.

NOMINATOR - (*Modified Effective date May 15, 2016*) A nominator is a person in whose name a horse is nominated.

OBJECTION - (*Modified Effective date May 15, 2016*) An Objection is a formal complaint filed with the Board by a jockey and/or an owner or a trainer of a horse in a race objecting to an occurrence in the race or the Board's decision pertaining to the race.

OFFICIAL WORKOUT - A workout of a horse on the association's racing strip with the official clocker in attendance and in accordance with these Rules. The galloping of horses or ponying of horses for exercise shall not be considered as an official workout.

OFF-TRACK STABLING LOCATION - Any location designated by the Division for the purpose of stabling horses registered with the Racing Secretary and intended to be raced at a racetrack under the jurisdiction of the Commission. The grounds of organization licensees in Colorado and recognized race meets in other jurisdictions shall not be considered off-track stabling locations.

OVERPAYMENT - An overpayment occurs when the payoff to the public is more than is actually due as a result of errors in calculating pools and/or error occurring in the communication of payoffs.

OWNER - An owner is a person in whose name an animal is registered with the official registry designated by the Commission. In the case of a leased animal, both the lessor and the lessee shall be considered as the owners, for the purpose of licensure, and both shall be licensed under these rules. In addition, an owner who is licensed and has fulfilled the requirement of a trainer, can condition animals for racing. But owners, without trainers licenses shall not be the primary person who conditions the animals for racing.

PARI-MUTUEL HANDLE - The total amount wagered for a pool, race or an entire performance.

PARI-MUTUEL WAGERING - See C.R.S. 12-60-102(20.5).

PENALTY - (*Modified Effective date May 15, 2016*)A penalty shall be according to the requirement of the text:

(1) Action taken against a licensee or horse by a racing official, Division or the Commission.

(2) The excess weight a horse must carry in a race because of the race conditions.

PERFORMANCE - A licensed or authorized schedule of races conducted on any live and/or simulcast racing day.

PERSON - See C.R.S. 12-60-102(21).

PLACE - Place shall mean a runner(s) to finish either first or second.

PLACE POOL - The total amount of money wagered on all runners to finish either first or second.

POLICY - A Commission statement or order regarding racing or wagering related activities throughout the state which pertain to licensees and patrons, violation of which may result in disciplinary action.

POOL-SELLING - The term "pool-selling" in 12-60-507(l)(h), C.R.S., is interpreted by the Commission to mean "a form of gambling that is not authorized by Law in which chances are sold to individuals who may win a part or all of the pool depending on the outcome of the event for

which the pool is made."

POST POSITION - The post position is the position assigned to an animal for the start of a race.

POST TIME - Post time means the time set for the arrival of the animals at the starting point of a race.

PREPONDERANCE OF EVIDENCE - Greater weight of evidence, or evidence which is more credible.

PROCEDURE - A Commission statement or order regarding the set process to be followed in racing or wagering related activities throughout the state which pertain to licensees and patrons.

PROGRAM - A program is a printed daily schedule of races conducted at a live race meet or simulcast race meet.

PROTEST - (*Modified Effective date May 15, 2015)* A protest is a written complaint filed with the Board at least one hour prior to the running of the first race of the day which protests the participation of a, horse or jockey in a race.

QUINIELA - Requires the selection of the first two finishers, in any order, in a single race.

QUINIELA DOUBLE - Requires the selection of the first two finishers, in any order, in each of two consecutive specified races.

RACE (HORSE) - A race is a contest among horses for a purse, stake or reward contested at a meet. "Race" includes, but is not limited to:

> **ALLOWANCE** - An allowance race is a race where there are both weight allowances and penalties, according to the race conditions, for money or races won.
>
> **CLAIMING** - A claiming race is a race using monetary value of the horses as the criteria for equalizing the competition.
>
> **DERBY** - A derby race is a race exclusively for three-year olds.
>
> **FUTURITY** - A futurity race is a race exclusively for two year olds in which nominations are made in advance of the scheduled race.
>
> **HANDICAP** - A handicap race is a race in which the weights to be carried by the horses are determined by a handicapper for the purpose of equalizing the competition.
>
> **FREE HANDICAP** - A free handicap race is a race in which no liability for entrance money is incurred.
>
> **INVITATIONAL HANDICAP** - An invitational handicap race is a handicap race in which the racing secretary or handicapper has selected the contestants and assigned the weights.

MAIDEN - A maiden race is a race for horses which have never won a race.

MATCH - A match race is a private stakes race between horses which are the property of separate ownership interests.

MATURITY - A maturity race is a stakes race for four year old horses and older.

OPTION CLAIMING - An option claiming race is a race wherein horses are made eligible by previously starting for a certain claiming price and may or may not be eligible to be claimed.

OVERNIGHT - An overnight race is a race for which entries close ninety-six (96) hours, or less, before the scheduled time for the first race of the day on which the race is to be run.

PURSE - A purse race is a race for money or any other prize which the owners of the horses engaged to race do not contribute.

SPLIT - A split race is a race in which there are so many entries that it is divided into more than one division.

STAKES - A stakes race is a race in which nominators of the engaged horses contribute to a purse.

STARTER ALLOWANCE - A starter allowance race is a race based upon a horse having previously started for a specified claiming race.

SUBSTITUTE - A substitute race is a race which may replace a race already carded but abandoned because of insufficient entries or too many scratches.

WALKOVER - A walkover race occurs when only one horse remains eligible for a race.

WEIGHT FOR AGE - A weight for age race is a race wherein the weights are assigned to horses according to their age.

RACE (GREYHOUND) - A race is a contest held on any racetrack for a purse, stakes or entry fees and in the presence of duly appointed racing officials.

OVERNIGHT RACE - An overnight race is a race for which entries close seventy-two (72) hours, or less, before the time set for the first race of the day on which the race is to be run.

PURSE RACE - A purse race is a race for money or any other prize which the owners of the greyhounds engaged to race do not contribute.

STAKES RACE - A stakes race is a race which nominators of the engaged entries may contribute to a purse or where greyhounds are invited or qualify to participate. In addition to the minimum purse funds and any nomination fees paid, the purse may include money or other prizes contributed from other sources, but in no event shall be supplemented by

purses from other races.

RACE REVIEW COMMITTEE – (*Modified Effective date May 15, 2015)* "Race Review Committee" shall mean a committee composed of the following members: the general manager of the association with the current race meet or his/her designee, the Division racing coordinator or his/her designee and the executive director of the horsemen or his/her designee that has a contract with the association for the current race meet.

RACE WEEK – (*Added Effective date May 15, 2016*) The Race Week begins on Wednesday of any given week and runs through the end of business on Tuesday.

RACETRACK PREMISES - (*Modified Effective date May 15, 2016*) For the purposes of these rules, the premises of a racetrack shall be considered the entire area including but not limited to simulcast facilities, parking lots, out buildings, stable areas and training facilities located on the racetrack premises or used by a licensed association to conduct a live and/or simulcast race meet in Colorado.

RACING ANIMAL - For the purpose of interpreting and enforcing C.R.S. 12-60-507(1)(o) only which prohibits cruelty to or neglect of a racing animal, a racing animal shall be interpreted to mean any greyhound or horse who has a tattoo number identifying it with the registry recognized by the Commission or is stabled on the premises of a licensed association regardless of whether the greyhound or horse is actively racing, breeding, in training or retired. For the purpose of interpreting and enforcing Commission rules and Colorado statutes other than C.R.S. 12-60-507(1)(o), a racing animal shall be interpreted to mean any animal registered to race or intended to be registered to race with an association in conjunction with a race meet.

RACING CLUB - "Racing Club": Members of a group who form a partnership for a limited time, for one season claiming horses so they can understand the economics and strategy of ownership. Racing clubs have their own requirements for licensure based on level of participation by its owners.

RACING LAW - Consolidated laws of the State of Colorado pertaining to Racing, and Pari-Mutuel Wagering.

RACING OFFICIAL (GREYHOUND) - *(Deleted Effective date May 15, 2015)*

RACING OFFICIAL (HORSE) - Stewards; placing judge(s); patrol judge(s); paddock judge; identifier; racing secretary; starter; clerk of scales; clocker; jockey room custodian; outrider; stable area superintendent; track superintendent; association veterinarian, horsemen's bookkeeper; timer, mutuel manager, director of racing, general manager, director of security, Division employees and such other positions as determined by the Commission at the time of approval of each respective race meet application.

RACING STRIP - The racing surface upon which an animal competes in an official race that is between the inside and outside rail including the chutes.

RANDOM TESTING (HUMAN) - A method or procedure established by the Division and approved by the Commission whereby the selection of individuals to be tested for drug and/or alcohol use is accomplished by chance or by lot, so that the actual identity of the persons tested is not the result of the exercise of discretion by the Division or the associations. A method of selection shall not be considered other than "random" under this rule because it uses or names predetermined groups of licensees from which to randomly select a given individual or individuals to be tested.

REASONABLE CAUSE/REASONABLE SUSPICION TESTING (HUMAN) - A strategy for testing for alcohol or controlled substances based on an official's having good reason to believe that a licensee has alcohol or controlled substances in his/her system.

REPORT - A summary of wagering activity or other record prepared, pursuant to this sub-chapter.

RESTRICTED AREA - (*Modified Effective date May 15, 2016*) Shall include, but not be limited to, the following: paddock, track area, totalisator room, mutuels area, money room, stewards' stand and roof, stable area, jockeys' room, and test barn.

REVOKED - Revoked is the withdrawal of a privilege or all privileges granted by any Commission through the issuance of a license and results in the cancellation of the license.

RIDING GEAR - "Riding Gear" shall mean all of the following items: clothing, boots, saddle and attachments. "Riding Gear" does not include any of the following items: Equipment worn on the horse's head, tail, or legs; a channel, breastplate, or running martingale; or any foul-weather gear, which is any additional riding apparel that a jockey chooses to wear due to inclement weather.

RULE OFF - (*Modified Effective date May 15, 2016*) A rule off is the act of barring from a racetrack and denying all racing privileges to any horse.

RULES AND REGULATIONS - The rules are the rules and regulations contained herein and any amendments or additions set forth by the Commission.

RUNNER - (*Modified Effective date May 15, 2015)*A horse entered into a race. Each runner shall be designated by a number.

SCRATCH - A scratch is the act of withdrawing an entered animal from a race after the drawing for post positions.

SCRATCH TIME - The scratch time is the time set by the association after which no animals may be declared or scratched unless done so by the Board or Division veterinarians or as otherwise provided for by these Rules.

SELECT (n) POOL - Requires the selection of the first place finisher in each of four or more consecutive specified races (n), designated by the association with prior approval of the Commission or Director.

SELECT THREE - Requires the selection of the first place finisher in each of three consecutive specified races designated by the association with the prior approval of the Commission or

Director.

SET WEIGHT - (*Deleted Effective date May 15, 2015*)

SHOW - Show shall mean a runner(s) to finish first, second or third.

SHOW POOL - The total amount of money wagered on all runners to finish first, second or third.

SIMULCAST RACE MEET - The entire consecutive period for which approval is granted by the Commission to receive and/or transmit a live broadcast at a location within Colorado using the pari-mutuel system of wagering.

SOURCE MARKET FEE - A licensing fee assessed by the Director, pursuant to Section 12-60-202(3)(h), C.R.S., in lieu of taxes and fees otherwise payable by persons outside of Colorado, who conduct pari-mutuel wagering on simulcast races and who accept wagers from Colorado residents at out-of-state simulcast facilities.

STARTER (HORSE) - A horse is a starter when the stall doors of the starting gate open in front of it at the time the starter dispatches the horses.

STARTER (GREYHOUND) - (*Deleted Effective date May 15, 2015*)

STATE - The State shall mean the State of Colorado.

STEWARDS - The persons employed by the Division and the Steward employed by the Association and approved by the Commission for a meet, collectively to be known as the Board of Stewards.

STIMULANT, DEPRESSANT, ANALGESIC, ANESTHETIC, NARCOTIC - Stimulant, depressant, analgesic, anesthetic and/or narcotic shall mean a substance used by the medical or veterinary professions to produce stimulating, depressing, analgesic, anesthetizing or narcotizing effects, or which is defined as a stimulant, depressant, analgesic, anesthetic or narcotic in an accepted scientific publication.

STORED VALUE INSTRUMENT - Funds or monetary value represented in digital electronic format and stored, or capable of storage, on electronic media, in such a way as to be retrievable and transferable electronically.

SUBSCRIPTION - (*Modified Effective date May 15, 2016*) A subscription is the nominating of a horse to a stakes race.

SUPERFECTA - Requires the selection of the first four finishers, in their exact order, for a single race.

SUSPENDED - The withdrawal of a privilege or all privileges granted by any Commission, racing jurisdiction, or other body empowered to regulate any aspect of racing in a jurisdiction through the

issuance of a license or registration for a set period of time.

TIME OF RACE- The time recorded for the first animal to cross the finish line shall be the official time of the race except as provided for in these rules.

TOTALISATOR OR TOTALISATOR SYSTEM - A system or electronic device which accepts and cashes wagers, calculates the odds and prices of such wagers, and records, displays, and stores pari-mutuel wagering information.

TOTALISATOR COMPANY - A company manufacturing, selling, leasing, servicing, maintaining or operating automated electronic computer hardware and software necessary to calculate, record, display, and store pari-mutuel wagering information.

TOTALISATOR STANDARDS - The standards approved by the Commission and implemented by the Division setting forth the internal control standards, policies, and procedures governing the qualification and operations of the totalisator system. An official copy is kept in the Division's main office and is available for inspection during normal business hours.

TOTE BOARD - The board or video monitor used to display to the public the approximate odds and payoffs on runners, and other pertinent wagering information.

TOUTING - The term "touting" in 12-60-507(l)(h), C.R.S., means "soliciting or providing betting tips on animals for a profit in races under the jurisdiction of the Commission, except that this will not apply to authorized tip sheets specified in the rules of racing."

TRACTION DEVICE - Is any modification or isolated device that extends below the ground bearing plane of the horseshoe (e.g. traction nails, toe grabs, turndowns, blocked heels, jar calks, stickers and Memphis bars) or restricts the natural forward slide of the hoof upon impact.

TRAINING TRACK - A training track is a public facility approved, inspected and licensed by the Commission which is used for the training of greyhounds or horses.

TRAINER - A trainer is a person licensed to condition animals for racing.

TRIFECTA - Requires the selection of the first three finishers, in their exact order, in a single race.

TRI-SUPERFECTA - Requires the selection of the first three finishers, in exact order, in the first of two designated and Commission approved races; and the first four finishers in exact order in the second of the two designated races. Each winning ticket for the first tri-superfecta race must be exchanged for a free ticket in the second tri-superfecta race to participate in the second-half of the tri-superfecta.

TWIN QUINIELA - Requires the selection of the first two finishers, in any order, in each of two designated and Commission approved races. Each winning ticket for the first twin quiniela race must be exchanged for a free ticket in the second twin quiniela race to participate in the second-

half of the twin quiniela.

TWIN SUPERFECTA - Requires the selection of the first four finishers, in exact order, in each of two designated and Commission approved races. Each winning ticket for the first twin superfecta race must be exchanged for a free ticket in the second twin superfecta to participate in the second-half of the twin superfecta.

TWIN TRIFECTA - Requires the selection of the first three finishers, in exact order, in each of two designated and Commission approved races. Each winning ticket for the first twin trifecta race must be exchanged for a free ticket in the second-half of the twin trifecta.

UNDERPAYMENT - An underpayment occurs when less money is returned to the public than is actually due, as the result of an error in calculating pools and/or errors in the communication of payoffs.

UNJUSTIFIABLY - The term "unjustifiably" as used in 12-60-507(1)(s), C.R.S. shall include behavior which is negligent, reckless or knowing.

VOUCHER - A computerized ticket acknowledging that a specified dollar amount has been deposited with the association by a patron. A voucher is the same as cash and is not part of any pari-mutuel pool.

WEIGHT-IN - (*Deleted Effective date May 15, 2015)*

WEIGHT LOSER - (*Deleted Effective date May 15, 2015)*

WEIGHT-OUT - (*Deleted Effective date May 15, 2015)*

WHELPED - (*Deleted Effective date May 15, 2015)*

WIN - Win shall mean a runner(s) to finish first.

WIN POOL - The total amount of money wagered on all runners to finish first.

WORKOUT, OFFICIAL - See OFFICIAL WORKOUT

YEAR - A year is a calendar year.

CHAPTER 2
--- RULES OF THE RACE – GREYHOUND ---
(Deleted Effective date May 15, 2015)

2.100- *(Deleted Effective date May 15, 2015)*

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CHAPTER 3
--- OCCUPATIONAL LICENSEES ---

100's --- WHO MAY/MUST OBTAIN A LICENSE

3.102 - A person shall not participate in pari-mutuel racing under the jurisdiction of the Commission without a valid license issued by the Division. The following occupational (license) categories shall apply: Business; Key; Support; and Registration.

The Commission/Division shall establish appropriate sub-categories within each occupational (license) category to reflect the nature of the activity to be performed.

Persons required to be licensed shall submit a completed application on forms furnished by the Commission/Division prior to commencement of activities permitted by such license.

3.103 - New meet or renewal meet applications must be accompanied by an audited financial statement completed by an independent certified accountant.

3.104 - A licensed parent or legal guardian may employ their child to work within or around the kennel/stable area. The child employed must be licensed and if the child is younger than fourteen (14) years of age, the parent or legal guardian will be held responsible for the proper conduct of that child. A child who is fourteen (14) years of age or older, licensed and has the written approval of their parent or legal guardian may be employed by a person other than their parent or legal guardian.

3.105 – In connection with Section 12-60-202(3)(h), C.R.S., the Division Director shall establish and adjust, if necessary, source market fees, fees for race meets and other licenses issued. The total receipts from all licenses issued shall generate sufficient revenue to meet the total costs of the Division.

200's --- PROCEDURE FOR OBTAINING A LICENSE

3.200 - Any applicant for licensure may be required by the Division to demonstrate knowledge, qualifications and proficiency related to the license for which application is made through an examination approved and administered by the Division or its designee.

3.202 - Application forms shall be completed under the penalty of perjury. The application forms may include questions concerning the following:

:1 - Personal background information;

:2 - Financial information;

:3 - Participation in legal or illegal activities in Colorado or other jurisdictions, including foreign countries;

:4 - Criminal record information;

:5 - Information concerning all pecuniary and equity interests in the applicant; and

:6 - Other information as required.

3.204 - The application forms shall be accompanied and supplemented by such documents and information as may be specified or required. Failure to supply the information requested within five (5) days after the request has been made by the Division constitutes grounds for delaying consideration of the application.

3.206 – An applicant for initial licensure, and a renewal applicant on a cycle of every other renewal thereafter, in the categories of business, key or support shall be fingerprinted. Applicants shall also be fingerprinted if for any reason they have been asked by the Division to submit a new application. These reasons may include, but are not limited to, someone reapplying after more than one (1) year has elapsed since the expiration of the most recent license, if someone has been denied or revoked by an action of the Commission or Division, or when additional information may be needed to proceed with a background investigation.

3.208 - *(Modified Effective date May 15, 2015)* Any applicant for a license may be required to establish age by the presentation of a certified birth certificate. The applicant shall also be required to establish proof of lawful presence.

3.210 - All application forms supplied by the Division shall include a waiver of any right of confidentiality and a provision which allows the information contained in the application to be accessible to law enforcement agents of this or any other state or the government of the United States.

3.212 - The Commission shall establish and post the fees to be charged for the various licenses. All persons shall pay the required fees as part of the requirements for qualification for licensure. Such fees are non-refundable.

300's --- DENIAL, SUSPENSION, RESTRICTION OF LICENSE

3.300 - All licensed persons are held responsible for the safekeeping of their license. A license shall not be transferable and a licensed person shall not allow another to use their license for the purpose of transferring any of the privileges pertaining to it.

3.302 - It is the Commission's and Division's policy to recognize and uphold the rulings of other racing jurisdictions or breed registries which are recognized as official registries by the Commission. Also, the Commission and Division reserve the right to deny the application for a license of any person licensed in another racing jurisdiction.

3.304 - The Commission or Division Director may deny a license to any person who demonstrates untrustworthiness or incompetency in the performance of the duties required of the applicant. The Commission or Division may require and procure any proof deemed necessary with reference to the truthfulness, honesty and competence of any applicant.

3.306 - A person required to be licensed in Colorado must have the license validated for the current meet before being granted the privileges of the racetrack or simulcast facility. To obtain validation the person must have an animal at the racetrack or show proof of gainful employment at the racetrack or simulcast facility and must complete a validation form. Falsification of the validation form shall constitute grounds for discipline.

3.308 - The Division may issue a temporary license or registration for a period not to exceed ninety (90) days which badge is conditioned upon the Division's investigation and determination on whether to grant or deny an application for licensure. Issuance of a license badge does not constitute approval for licensure. Written notification of either approval or denial will be sent to the

applicant within ninety (90) days of application at the address provided to the Division. Until such time as the application has been approved or denied, the applicant is operating under a temporary license. Any temporary license issued by the Division shall expire immediately upon determination by the Division on the license or registration application or within ninety (90) days of application, whichever occurs first. During the time that any temporary license is valid, the holder of such temporary license shall be required to comply with all laws and rules. License applicants who do not want to accept the conditions of a temporary license badge issued pursuant to this rule may request in writing to wait until the Division has completed its investigation and approved the applicant for licensure. A license or registration not issued within ninety (90) days shall require a new application to be filed on a form provided by the Division.

3.310 - Dual licenses will not be issued, if, in the opinion of the Division or the Commission, there is a conflict of interest in holding more than one (1) license.

400's --- DUTIES, OBLIGATIONS, PROHIBITED PRACTICES

3.400 - It is the duty of each licensee to promptly advise in writing the Division of any change in their current mailing address.

3.402 – (*Modified Effective date May 15, 2016*) Any person mounted on a horse or stable pony on association grounds, must wear a properly secured safety helmet at all times. Additionally, all members of the starting gate crew and Association Valets must adhere to this regulation at all times while performing their duties or handling a horse. For the purpose of this regulation, a member of the starting gate crew means any person licensed as an assistant starter or any person who handles a horse at the starting gate. The helmet must comply with one of the following minimum safety standards:

(a) American Society for Testing and Materials (ASTM 1163);

(b) UK Standards (EN-1384 or PAS-015); or,

(c) Australian/New Zealand Standards (AS/NZ 3838 or ARB HS 2012); or Snell Equestrian Standard 2001.

Any person mounted on a horse or stable pony on the association grounds must wear a safety vest at all times. Additionally, all members of the starting gate crew and Association Valets must also adhere to this regulation at all times while performing their duties or handling a horse. For the purpose of this regulation, a member of the starting gate crew means any person licensed as an assistant starter or any person who handles a horse at the starting gate. The safety vest must comply with one of the following minimum standards:

(a) British Equestrian Trade Association (BETA):2000 Level 1;

(b) Euro Norm (EN) 13158:2000 Level 1;

(c) American Society for Testing and Materials (ASTM) F2681-08 or F1937;

(d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3; or,

(e) Australian Racing Board (ARB) Standard 1.1998.

And all jockeys shall wear a safety vest of the type approved by the Commission, when they are performing their duties on a horse racetrack.

A safety helmet or a safety vest shall not be altered in any manner nor shall the product marking be removed or defaced.

The Commission adopts as part of Rule 3.402 of the Colorado Racing Commission Rules certain industry standards referred to in this Rule 3.402. Such industry standards are published by the American Society for Testing and Materials, British Equestrian Trade Association, Shoe and Allied Trade Research Association (SATRA), or Australian Racing Board (ARB) Standard. These industry standards were promulgated pursuant to the bodies, boards or committees or sub-committees with body protection expertise. This rule incorporates these industry standards as they existed on March 15, 2010. This rule does not include amendments to or later editions of the incorporated industry standards.

Certified copies of the complete text of the material incorporated are maintained at the Colorado Department of Revenue Division of Racings Events, 1881 Pierce Street, Room 108, Lakewood, Colorado 80214-1494, and may be inspected by contacting the Rule Coordinator at that address during normal business hours. The incorporated material may also be examined at any state publications depository library. Certified copies shall be provided at cost upon request.

3.404 - Each licensee, in accepting a license, does consent to a search. Each employee of an association, in accepting employment, and each vendor who is permitted to sell and distribute merchandise about the racetrack or simulcast facility does also consent to a search.

3.406 - Each supervisor, owner and/or trainer shall be held responsible for the licensing of every employee under their supervision and shall make every effort to insure that any of their employees who are discharged surrender their license(s).

3.408 - All licenses shall be issued subject to the provisions of these Rules and the Law.

3.410 - Any licensee is obligated to accept these Rules and the Law on all questions to which they are related.

3.412 - All licensees shall report any criminal actions, rule violations or other suspicious acts involving pari-mutuel wagering by any person immediately to the Division or Division Representative and cooperate in subsequent investigations.

3.414 - All licenses remain the property of the Commission and Division, and shall be returned

upon demand of the Commission, Division, or its designee.

3.416 - Every licensee is charged with being financially responsible for services, supplies, or other such obligations that are directly related to the licensee's race-related activities at an approved Colorado racetrack. If the Division receives sufficient proof of financial irresponsibility concerning race-related matters, it shall take appropriate action within its authority, including fines, suspension of a licensee's license, or recommending the Commission revoke a licensee's license.

1. A financial responsibility complaint against a licensee shall be in writing, signed by the complainant and accompanied by documentation of the services, supplies or fees alleged to be due.

2. The Division shall notify the licensee and the complainant of the time and place when the financial responsibility complaint shall be heard. The complainant must appear at the hearing in order to prosecute the complaint.

3. The complainant shall bear the burden to prove the validity of the licensee's alleged obligations and the degree to which the obligations have not been satisfied.

4. The Division shall consider either 1) a certified judgment from a court of competent jurisdiction or 2) non-sufficient checks or checks written against a closed account, written to the division, racing association, or other licensee as a presumption of the validity of an alleged debt.

5. This rule does not obligate the Division or the Commission to collect debts owned by licensees.

3.418 – (*Modified Effective date May 15, 2015*) All licensed persons desiring to be in a restricted area of any racetrack or simulcast facility shall be required to hold and properly display a current validated license badge issued by the Division at all times while the licensee is in a restricted area. To obtain a license a person may be photographed and fingerprinted. Failure of a licensee to properly display such a license badge may constitute grounds for discipline.

Proper display of the license badge depends on the restricted area: (1) on private, public, or association kennel compounds and stable areas. Proper display of a license badge shall mean the badge shall be readily available and displayed upon demand by any Division representative or association official; and (2) in all other restricted areas, proper display of a license badge shall consist of wearing the badge at or above the waist, with the photo of the licensee readily visible to any observer.

The licensee shall not alter, obscure, damage, or deface the badge, including the photographic image of the licensee, and any information contained or represented thereon, in any way.

3.420 - All visitors must obtain a visitor identification badge from a Division or association representative prior to entering a restricted or secure area of the racetrack or simulcast facility except as set forth in CRCR 3.422 and unless otherwise authorized by the Division or Commission. The visitor identification badge must be visibly displayed as described in rule 3.418 at all times

while the visitor is in a restricted or secure area. All visitor identification badges shall be returned to the issuing agency upon exiting the premises or upon demand by the Division.

3.422 - All persons upon the premises of a housing kennel facility whether private or public or racetrack stable area must have in their possession a current validated license or be accompanied by a current licensee who shall be responsible.

3.424 - No licensed mutuel department employee or security employee shall willfully wager during working hours. No association general partner, officer, director, or racing official shall wager on any live race conducted at their facility, or on any race where they may have access to wagering information not available to the public.

3.425 - Wagering by those who maintain care and custody of a racing animal, including jockeys and jockey agents is prohibited except as set forth herein. Care and custody of a racing animal shall mean any person having contact with a racing animal seventy-two (72) hours prior to racing for the purpose of preparing, conditioning, treating or medicating the animal for that event.

1. Any person having immediate care and custody of more than one (1) animal entered in a particular race, or in a particular race in which the licensee has an animal entered and the animal has been scratched for any reason, shall not wager either directly or indirectly on that race.

2. Any person may wager on a race in which no animal in his/her immediate care is entered in that race unless excluded from wagering by law or regulation.

3. Any person having immediate care and custody of one (1) animal entered in a particular race may wager either directly or indirectly on that race only under the following conditions:

    a. Straight pools - if that person uses his/her own animal and the amount wagered on any other animal does not exceed the amount wagered on his/her own animal;

    b. Multiple pools - if the person having care and custody includes his/her animal in their bet, or if in key wagers, wheels and partial wheels, uses his/her animal in a selected key position; or

    c. Box wagers - the person having care and custody is allowed to use his/her animal in a box wager in any multiple pool where the number of animals boxed does not exceed the number of positions in the wager.

4. Any licensee found to be in violation of this rule or any part of this rule shall be fined, in addition to those sanctions imposed by these rules, an amount equal to any amount won by the licensee.

3.426 - An owner, trainer, racing official, or other association employee shall not accept directly or indirectly, any bribe, gift, reward, favor or gratuity in any form which is intended to or might influence the results of a race.

3.428 - Any licensed person whose conduct while on the premises of any racetrack or simulcast facility interferes with the orderly and proper conduct of a meet shall be subject to disciplinary action. Such prohibited conduct shall include but not be limited to bookmaking, acting as a runner for a bookmaker, touting, pickpocketing, altering pari-mutuel tickets or offering to cash altered pari-mutuel tickets, attempting to enter into any restricted area of a racetrack or simulcast facility, being intoxicated by the use of alcohol or drugs, or possession of a narcotic or drug which violates state or federal laws. In addition, disciplinary action may be taken against a person who violates guidelines set forth by the Division for misuse of personal medication, candy, food, drink and tobacco in restricted areas in the paddock building during a racing performance or acting in a disorderly manner. Such conduct includes, but is not limited to, using abusive language towards another, making unreasonable noise, fighting, striking or threatening to strike another person, discharging or displaying a firearm, treatment that affects the safety and welfare or an animal as determined by a veterinarian. A licensee who violates the above shall also be subject to immediate summary ejection.

3.430 - A licensee shall not obstruct or interfere with or use abusive insulting language to any Commission or Division representative, racing official or assistant or medical personnel while in the discharge of their duties. Abusive insulting language shall be construed to be language which tends to incite others to unlawful conduct or making unreasonable noise.

3.432 - At horse racetracks, a licensee shall not engage in any conduct which would present a fire or safety hazard or which would constitute a traffic infraction at any racetrack. Pursuant to this rule, the Division may from time to time issue and post guidelines for licensees concerning traffic and fire and safety hazards at each individual racetrack.

3.434 - A licensee shall not possess any firearm about the racetrack or simulcast facility unless all of the following conditions have been met:

:1 - The firearm must be a lawful possession of the licensee;

:2 -There must be justification that the possession of a firearm is necessary in the performance of legitimate duties by the person who shall possess a firearm;

:3 - A licensee shall obtain written approval from both the Division and the association's general manager before possessing a firearm.

3.436 - No licensee or association employee shall be under the influence of drugs or alcohol while performing the duties required by the license. If, in the opinion of the Board, track doctor, nurse, paramedic or attending medical personnel, the licensee's ability is impaired by drugs or alcohol, then said licensee shall be subject to immediate ejection. Any licensee so ejected may be subject to further disciplinary action by the Board or a hearing officer.

3.437 – The Division, Board may conduct random testing, as well as testing based on reasonable suspicion or probable cause. Other qualified or certified persons designated by the Division may conduct testing for the use of alcohol when reasonable suspicion or probable cause exists. The Commission shall determine by policy the testing procedures and the license categories to be included in testing as permitted by law. Said policies and procedures shall be made available to all licensees.

No licensee while in a restricted or secured area shall:

a) Engage in the illegal sale or distribution of alcohol or a controlled substance;

b) Possess, without a valid prescription, a controlled substance or the means of introducing said substance into the body;

c) Have present within their system any controlled substance, or:

d) Have any alcohol in excess of .05% in their system except that no jockey, apprentice jockey, exercise person, pony person, starter, assistant starter, outrider or any other licensee who performs the duties of these license categories while on association grounds shall have present within his/her body any amount of alcohol in excess of .02% prior to completing his/her duties required by the license.

e) Possess or consume any alcoholic beverages.

Any licensee who refuses to submit to an alcohol test or drug (controlled substance) test shall be presumed to have tested positive.

Based upon a positive field screening test, the Board shall prohibit the licensee from participating in racing for the remainder of the day. If the results of the field screening test are being sent out for confirmation, a licensee may return to work, prior to a hearing before the Board, provided they provide a negative screening test administered by the Division on the day they wish to return. Upon confirmation or stipulation of a positive test or a refusal to test, the Board shall suspend the licensee for a period not less than forty-eight (48) hours for alcohol and for a period not less than fourteen (14) days for drugs.

Notwithstanding CRCR 7.110, for an alcohol or drug related offense, the Board may permit the offending party to appoint a substitute trainer in accordance with the procedures set forth in CRCR #3.522 and #3.524.

Prior to subsequent participation in racing, the licensee shall, at a time designated by the Division or Board, produce a negative test result and shall agree to further testing to verify continued unimpairment. In addition, the Board or Hearing Officer may conduct a hearing to determine if other disciplinary action is appropriate, including ordering the licensee to obtain assessment by a professional approved by the Division to determine if there is a substantial probability that the licensee is dependent on, or abuses, alcohol or other controlled substances.

If there is a substantial probability of dependency or abuse or for a second positive test or refusal to be tested, the licensee shall satisfactorily complete a certified alcohol/controlled substance abuse rehabilitation program approved by the Division, assuming other testing conditions have been satisfied.

For a second positive test or refusal to be tested or combination thereof within any twelve (12) consecutive months, the Board shall suspend the licensee's license for a period not less than five (5) days for alcohol and for a period not less than thirty (30) days for drugs and until the licensee has satisfactorily enrolled in a certified alcohol/controlled substance abuse rehabilitation program approved by the Division, assuming other testing conditions have been satisfied. In addition, the Board or Hearing Officer may conduct a hearing to determine if other disciplinary action is appropriate. The licensee shall also pay a fee of $25.00 to be retested and shall pay all costs related to any rehabilitation programs.

For a third or subsequent positive test or refusal to be tested or combination thereof within any consecutive twelve (12) months for alcohol, the Board shall suspend the licensee's license until the licensee has satisfactorily completed a certified alcohol abuse rehabilitation program approved by the Division and until the licensee has retested negative with the Division. For a third or subsequent positive test or refusal to be tested or combination thereof within any consecutive twelve (12) months for drugs, the Board shall suspend the licensee's license for the race meet plus 60 days and until the licensee has satisfactorily completed a certified drug abuse rehabilitation program approved by the Division and refer the licensee to the Commission for further disciplinary action. The licensee shall also pay a fee of $25.00 to be retested and shall pay all costs related to any rehabilitation programs.

The Division shall develop procedures for the collection and splitting of samples, and securing the chain of custody. The procedures shall address situations when there is an insufficient quantity of a sample for splitting and when the licensee desires to waive a split sample.

If the confirmation sample is negative, the mandatory suspension shall be vacated and the licensee shall be reinstated. If confirmation sample cannot be confirmed, then licensee may be retested at the Division's expense.

3.438 - *(Modified Effective date May 15, 2015)* It is considered contrary to these Rules for any licensed owner, trainer or assistant trainer to utilize any training track or facilities, unless the training track or facilities have been licensed and approved by the Commission. The training track or facilities will be inspected periodically by Division representatives for the purpose of observing the training and practices used. If it is determined that practices and methods used at training tracks are contrary to good training practices in conformity with requirements as set forth from time to time by the Commission, the Commission may disallow the use of the facilities by licensed owners, trainers, or assistant trainers.

3.440 - Pony persons and outriders are prohibited from holding conversations with the public enroute to the starting gate.

3.442 - Smoking while parading to the post is prohibited.

3.444 - An assistant starter shall not accept any compensation for services rendered as an assistant starter other than the salary paid by the association. An assistant starter shall not wager or accept a wager on any race while serving as an assistant starter.

3.446 - A licensee shall not serve as an assistant starter who has any pecuniary interest in any horse racing at the meet without the express consent of the starter and the stewards.

500's --- OWNERS/TRAINERS

3.500 - Owner(s) and trainer(s) must obtain a license prior to race time designated for the race in which the animal(s) is entered. There shall be no minimum age requirement for a horse owner license, so long as the parent or guardian of a minor under the age of sixteen (16) is licensed by the division as the authorized agent for the minor owner. An owner may be granted an extended period of time by the Division to obtain a license.

3.502 – (*Modified Effective date May 15, 2016*) No transfer of a horse to a new trainer shall be made unless the appropriate Division-approved form has been submitted and approved by the board of stewards.

3.504 - An applicant who is under eighteen (18) years of age shall not be granted a trainer or assistant trainer license without special permission from the division.

3.506 – (*Modified Effective date May 15, 2016*) An applicant for the occupations of trainer or assistant trainer, if not so previously licensed, or if previously licensed and said license has been expired for more than three years, shall be given an examination, oral or written, by a Division Representative, who will administer a test to determine the applicant's qualifications. This will include a practical component given by the Stewards, and/or a Division Representative.

(1) Eligibility for applicants for license as a trainer:

(A) Shall be at least 18 years of age, and;

(B) Shall, in the case of not being previously licensed, be qualified, as determined by the Stewards or other Commission designee, by reason of at least 2 years of experience as a licensed assistant trainer, or comparable experience in racing or other equine disciplines, or college-level education in equine science and/or horsemanship.

(C) Shall be required to pass a written examination, oral interviews with the Stewards and regulatory Veterinarian; and demonstrate practical skills.

(2) A trainer licensed and in good standing in another jurisdiction, having been issued within a period as determined by the Commission, may be accepted if evidence of experience and qualifications are provided. Evidence of qualifications shall require passing one or more of the following:

(A) A written examination;

(B) A demonstration of practical skills; and

(C) An interview with the Stewards.

(3) An applicant may submit a request to the Stewards due to disability or other factors affecting the applicant's ability to effectively complete the trainer's test (such as illiteracy or language barriers), reasonable accommodations may be made for the applicant including, but not limited to oral administration of the examination, use of a pre-approved translator, and aid from pre-approved assistant where deemed appropriate by the Stewards administering the examination.

(4) In order to maintain a current license, trainers must complete at least four (4) hours per calendar year of continuing education courses approved by the Commission or the ARCI. However, the Commission may waive this requirement if no continuing education course is available that meets the approval of the Commission.

3.510 - A trainer of horses shall file with the Division a current roster of all employees and shall amend the roster filed with the Division within seventy-two (72) hours of when an employee is discharged or a new employee is hired. A copy of the stable roster must be posted in the tack room.

3.512 - A trainer shall not knowingly allow in their stable/kennel an animal owned, in whole or in part, by a disqualified person.

3.514 - The trainer is solely responsible for a horse's sex printed on the foal certificate. A trainer shall call to the attention of the stewards a mistake in the printing of a horse's sex in the daily program.

3.516 - If a horse has been nerved, whether by surgical procedure, chemical means or by death of nerve tissue, it is the responsibility of the trainer to see that it is properly recorded on the foal certificate that the horse has been nerved. A list of low nerved horses shall be posted in the racing office and the trainer of a low nerved horse shall promptly call to the attention of the stewards the name of any low nerved horse whose name does not appear on the list.

3.518 - A trainer shall not move a horse from the block of stall(s) assigned to the trainer or remove a horse from the racetrack without written permission from the association.

3.520 - A trainer who is also licensed as an owner and is actively participating at a meet must train any horse(s) in which he/she owns an interest and may not assign the training of such a horse(s) to another trainer at a meet without the permission of the stewards.

3.522 – (*Modified Effective date May 15, 2016*) A trainer who is absent from his/her stable or the grounds where his/her horses are racing, and whose horses are entered or are to be entered, shall provide a licensed assistant trainer to assume the training duties for the horses which are entered or are to be entered or running. The trainer and the assistant trainer shall sign in the presence of the Board a form provided by the Division acknowledging that both the trainer and the assistant trainer may be held liable for the condition of the horses at all times. The program shall carry the name of the trainer and the assistant trainer.

3.524 – (*Modified Effective date May 15, 2016*) An absentee trainer shall have a licensed assistant trainer conducting business for them. A trainer who has no assistant trainer and is absent from his/her stable or the grounds where his/her horses are racing for more than five consecutive days

or on a day in which the trainer has a horse in a race, and whose horses are entered or are to be entered, shall assign a licensed trainer to assume complete responsibility for the horses being entered or running. Such licensed trainer shall sign in the presence of the Board a form furnished by the Racing Commission accepting complete responsibility for the horses being entered or running, including the training and conditioning of the horses.

600's --- JOCKEYS/APPRENTICE JOCKEYS/JOCKEY AGENTS

3.600 - Any person under the age of sixteen (16) shall not be issued a jockey or apprentice jockey license. Any person who has not yet reached the age of eighteen (18) shall not be issued a jockey or apprentice jockey license without the written consent of the applicant's parents or legal guardian.

3.601 – All jockeys who intend to ride at a recognized race meet shall be required to show written documentation of a complete physical examination by a licensed physician affirming fitness to participate as a jockey. This examination must have taken place within a thirty (30) day period prior to the start of the meet at which the rider intends to participate. The board may waive the thirty (30) day requirement for riders that can provide written proof of a physical within one year that meets the requirements of this rule.

3.602 - An applicant for a jockey or apprentice jockey license shall show competence by prior licensing whereby the applicant shall demonstrate their riding ability, which may include participation in up to five races witnessed by the Stewards and a Division Representative, with the consideration of the recommendations from the starter, the head outrider, and the designated representatives of the jockeys and the horsemen at the track.

The demonstration of riding ability is defined at a minimum of:

(a) Breaking a horse in company from the starting gate;
(b) Working a horse in company around the turn and down the stretch;
(c) Switching the riding whip from one hand to the other while maintaining control of the horse; and
(d) Aiding a horse to switch leads.

3.604 - A jockey shall not have ownership or financial interest in any horse racing at a meet where the jockey is riding (excluding breeder's awards).

3.606 - A jockey who is under suspension for ten (10) calendar days or less for a riding infraction will not be permitted to fulfill any engagements except those stakes races noted by the Stewards to be included in designated race rule. Jockeys will be permitted to ride in this race only and must serve one extra race day for each designated race ridden during his/her suspension. A jockey suspended for a riding infraction may be permitted to exercise or gallop horses during workout hours and may retain all of the other backside privileges excluding race riding.

3.608 - Only thoroughbred or Arabian races at meets which are recorded in the Daily Racing Form or a similar publication approved by the stewards shall be considered in determining eligibility for an apprentice jockey license.

3.610 - A rider who has been previously licensed as a jockey and ridden thoroughbred races shall not be eligible to be licensed as an apprentice jockey.

3.612 - The Commission and Division shall recognize all apprentice certificates and apprentice allowance extensions granted or approved by members of the Association of Racing Commissioners International, Inc. Certificates must accompany an application for an apprentice license.

3.614 - Original apprentice jockey certificates shall be executed by all parties in triplicate and one (1) copy shall be filed with the Division. Any amendments to an original certificate must accompany the original certificate and be filed with the Division when applying for an apprentice jockey's license.

3.616 - A licensed apprentice jockey may be eligible to claim the following allowances in overnight races except handicaps or unless the conditions of a race state otherwise:

1: Five (5) pounds beginning with the first mount and for one full year from the date of the fifth winning mount.

2: If after riding one (1) full year from the date of the fifth winning mount, the apprentice jockey has failed to ride a total of forty (40) winners from the date of the first winning mount, the apprentice jockey may continue to ride with a five (5) pound weight allowance for one more year from the date of the fifth winning mount or until such jockey has ridden a total of forty (40) winners, whichever comes first.

3: Apprentice allowances may be waived with the stewards' permission at the time of entry by the trainer or the trainer's designee.

3.618 - Under exceptional circumstances, i.e., an inability of an apprentice jockey to ride because of military service, personal injury, restricted racing or other valid reasons during an apprenticeship term, an extension of the term of the contract and/or allowances may be granted as follows:

:1 - In order to qualify for an extension of an apprentice allowance an apprentice jockey must have been rendered unable to ride for a period of not less than fourteen (14) consecutive days after the date of such jockey's fifth winning mount during the period the apprentice was entitled to an apprentice allowance.

:2 - A request for an extension must be acted upon by the proper authority in the jurisdiction where the original contract or certificate was issued.

3.620 - In the event that an apprentice jockey completes any condition of the apprenticeship or becomes a jockey prior to fulfilling all previously contracted engagements, the owners or trainers of horses which are affected shall be given the opportunity to substitute another apprentice jockey who can fulfill the original weight allowance conditions of the engagement. An apprentice jockey who loses the apprentice allowance for any reason shall obtain a jockey's

license before being permitted to ride again.

3.622 - Any race not recorded in the *Daily Racing Form Monthly Chart* or a similar publication approved by the stewards shall not be considered in determining an apprentice jockey's right to an apprentice allowance.

3.624 - The stewards shall have the authority to deny an apprentice jockey permission to ride any horse.

3.626 - Each jockey is entitled to have one jockey agent. All engagements to ride shall be made by the jockey or the agent.

3.628 - When a jockey dismisses a jockey agent, the jockey shall immediately notify the stewards in writing.

3.630 - A jockey shall not have a valet other than those provided by the association. An assessment may be collected by the association and valets may be paid through the horsemen's bookkeeper.

3.632 - A jockey mounted on any horse during a race shall not willfully pull the reins or do anything that has the effect of diminishing the chance of the horse winning any race whether the action on the part of the jockey is of the jockey's own accord or by instructions from the owner or trainer of a horse, or as a result of conspiracy with any other person.

3.634 - Jockeys shall not converse with the public while fulfilling riding engagements during a racing program.

3.636 - A jockey shall not wager or accept a wager on any race in which the jockey is riding. An owner or trainer of the horse a jockey is riding may make a wager in the jockey's behalf on that horse only.

3.638 – *(Deleted date May 15, 2015)*

3.640 - *(Deleted date May 15, 2015)*

3.642 - A jockey's fee shall be considered earned when the jockey is weighed out by the clerk of scales. The fee shall not be considered earned if any jockey, of their own free will, take themselves off of their mount, where injury to the horse or jockey is not involved. Any conditions or considerations not covered by these Rules shall be at the discretion of the stewards.
3.644 - All jockey fees shall be deposited in advance of the races for that day.

3.646 - Jockeys involved in a dead heat shall share equally the sum of the fees which would have been due them collectively had there been no dead heat.

3.648 - An application for a jockey agent license shall bear the signature of the jockeys the agent will represent.

3.650 - A jockey agent may not represent more than one jockey and one apprentice at any one time without approval of the stewards. A jockey agent shall not assist any one other than the agent's principal.

3.652 - *(Modified Effective date May 15, 2015)* When each day's races are drawn, jockeys or their agents are required to file their first and second calls in each race.

3.654 - Conflicting claims for the engagements of a jockey shall be decided by the stewards.

3.656 - A jockey agent shall not be permitted within the saddling enclosure during racing hours, nor shall the agent have access to the jockey's room at any time; nor be allowed on the racing strip including the winner's circle at the conclusion of any race; nor shall the agent communicate with any jockey during racing hours, without the consent of the stewards.

700's --- CORPORATIONS/PARTNERSHIPS/KENNEL & STABLE NAMES

3.700 - A corporate license shall be issued to a corporate officer in the corporate name. Any other officers or directors of a licensed corporation wishing to have access to a restricted area must be properly licensed.

3.702 - Any transfer of stock or change in the officers or directors shall be reported promptly in writing to the Division.

3.704 - All corporations having any interest in an animal shall file with the Division at the time of filing applications for an owner's license, a statement in duplicate setting forth the names and addresses of all officers, directors, and stockholders of the corporation, together with the amount of the respective holdings of each stockholder and a statement as to whether or not the stock is paid in full, and including the designation of an authorized agent, or agents of the corporation. The statement shall be signed by the president of the corporation, attested to by its secretary and the corporate seal attached. The statement shall also contain an affidavit signed under oath by the president and secretary of the corporation that no officer, director or shareholder of the corporation is at that time under suspension by the Commission or disqualified to be licensed as an owner of any animals by the Commission.

3.706 - All statements of sales and contingencies, or arrangements, by partnerships or corporations, shall declare to whom winnings are payable, in whose name the animal shall run, and with whom rests the power of entry, of declaration of forfeit, or scratch, and a copy of this information shall be transmitted to the Division.

3.708 - Each member of a partnership must be individually licensed as an owner. A member of a partnership must file with the Board and the Racing Secretary written consent of the other partners before transferring any share of ownership.

For Racing Clubs, Minor Business (Principal) License will be required. The Principal Owner is the founding member of the racing club and has to be licensed and fingerprinted. The Principal Owner must also register and update all Participant Owners who own less than 10% shares of ownership. Any person or business that holds 10% or more share in the Racing Club, must have an Owners License. Those with less than 10% share shall have current registration. The Racing Club Principal must list all Racing Club Members, and their addresses, and their financial interest in the Partnership (Pursuant to 3.712), and provide such information to the Division upon application for the Principal Licensure. The members of the Racing Club are jointly and severally liable for the acts of the Racing Club.

3.710 - All partners shall be liable for all expenses, including engagements, fees, and forfeits incurred while the partnership exists.

3.712 - *(Modified Effective date May 15, 2015)* All partnerships must be registered with the Division and the name and address of every person having any interest in a horse, the relative proportions of their interest and the terms of any sales with contingencies or arrangements must be signed by all parties or by their authorized agent and be filed with the racing secretary, a copy of which shall be transmitted immediately before the opening of a meet to the Division office. In case of emergency, authority to sign declarations of partnership may be given to the racing secretary by telephone promptly confirmed in writing.

3.714 - *(Modified Effective date May 15, 2015)* An owner wishing to race under a stable name may do so by registering such name with the Division.

3.716 - A trainer, who is also a licensed owner or part owner, may use a stable/kennel name as owner or part owner. However, a trainer may not be licensed as a trainer other than in the trainer's legal name.

3.718 - *(Modified Effective date May 15, 2015)* In applying to race under a stable/kennel name, the applicant must disclose the identity or identities behind a stable name.

3.720 - If a partnership is involved in the identity behind a stable/kennel name, each of the partners must be licensed as an owner and must be in compliance with the rules covering partnerships.

3.722 - If a corporation is involved in the identity behind a stable/kennel name, compliance with the rules covering corporations must be made.

3.724 - Changes in identities involved in a kennel/stable name must be reported immediately to the Division.

3.726 - A licensed owner who has registered under a stable/kennel name may at any time abandon it after written notice to the Division.

3.728 - A stable/kennel name may be changed at any time by registering for a new stable/kennel name.

3.730 - A licensed owner cannot register as a stable/kennel name one which is the real name of any other owner of horses/greyhounds racing or one which is the real or stable/kennel name of any prominent person not owning horses/greyhounds or one which is registered by any other owner.

3.732 - A stable/kennel name shall be plainly distinguishable from that of another stable/kennel name.

3.734 - The Division reserves the privilege of refusing to register a stable/kennel name.

800's --- OTHER LICENSEES

3.800 - Any changes in the powers delegated by the owner or racing corporation to the authorized agent or revocation of the authorized agent's appointment must be in writing, notarized and filed with the Commission and/or the Board, the racing secretary, and for horses the horsemen's bookkeeper.

3.802 - Any owner over the age of sixteen (16) may and every racing corporation must appoint an authorized agent. A parent or guardian of every owner under the age of sixteen (16) must be licensed by the division as an authorized agent for the minor owner. Each authorized agent must obtain a license. The authority of an authorized agent for any owner over the age of sixteen (16) and every racing corporation shall be valid only for the calendar year in which the affidavit appointing the authorized agent was issued. The authority of a parent or guardian as authorized agent for any owner under the age of sixteen (16) shall be valid for one (1) calendar year only from date of application for licensure.

3.804 - The affidavit for an authorized agent's appointment for any owner over the age of sixteen (16) and every racing corporation must clearly set forth the powers of the agent under a notarized owner's signature. If the owner is under the age of sixteen (16), an affidavit setting forth the powers of the agent is not required but a form assuming full financial responsibility for the debts incurred for the training and racing of the horse owned by the minor must be signed by the parent or guardian who is seeking licensure as the minor owner's authorized agent and submitted to the division with the parent or guardian's application.

3.806 - Each person operating a racing greyhound kennel shall obtain a kennel operator's license regardless of whether or not the kennel is running under an assumed name provided, however, that a licensed greyhound owner who has complete ownership of all greyhounds running under his or her given name only is exempt from this licensing requirement.

3.808 – (*Modified Effective date May 15, 2016*) Kennel operations at which racing greyhounds are bred or housed must be licensed and approved by the Division, unless otherwise licensed by the Colorado Department of Agriculture. Kennels licensed by the Division shall be subject to inspection.

3.809 – Off-track Stabling Locations and Training Tracks at which horses are stabled in connection with a licensed race meet must be under the care and custody of a licensed owner or trainer. This also includes training tracks that are used for developing and bringing a horse to racing fitness and/or authorized by the Division to submit official published workouts. Such

Training Tracks must be licensed by the Division.

1. Any person A) who is employed to assist or contracted to assist in the care, custody, or training of a horse at an Off-track Stabling Location or at a Training Track, or B) who is otherwise in attendance at an Off-track Stabling Location or a Training Track, shall be licensable and in good standing under relevant provisions of Colorado Law, Colorado Racing Commission Rules, and Racing Commission Policies.

3.810 - All kennel operators must file with the Division and the Association, at the beginning of each race meet, a roster naming the trainer, assistant trainer, authorized agent and other employees or persons having independent access to their kennel. If a change is made for the trainer's position, the kennel operator shall file a new roster with the Division and the association within seventy-two (72) hours. It shall be the responsibility of the trainer to update within seventy-two (72) hours the filed rosters of any other personnel changes within the kennel.

3.812 - Pony persons and outriders are required to present a neat and clean appearance and conduct themselves in an orderly manner.

3.814 - All persons obtaining a tip sheet concession at the racetrack or simulcast facility must be approved and licensed by the Commission.

CHAPTER 4
--- OFFICIALS - 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 – (*Modified Effective date May 15, 2016*) No one interested in the result of a race either because of ownership of any horse entered, or of its sire or 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 – (*Deleted Effective date May 15, 2016*)

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 - *(Modified Effective date May 15, 2015)* 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 – (*Modified Effective date May 15, 2016*) The Board shall promptly display the number of the first four (4) 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 the placements as are in the board's opinion unquestionable without waiting for a picture. If the Board differs in its placement, the majority shall prevail.

4.242 - *(Modified Effective date May 15, 2015)* A race shall not be declared official until: 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 - 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.

CHART WRITER *(Deleted Effective date May 15, 2015)*

4.400 - *(Deleted Effective date May 15, 2015)*

CLERK OF SCALES *(Deleted Effective date May 15, 2015)*

4.410 - *(Deleted Effective date May 15, 2015)*

4.412 - *(Deleted Effective date May 15, 2015)*

4.414 - *(Deleted Effective date May 15, 2015)*

4.416 - *(Deleted Effective date May 15, 2015)*

KENNEL MASTER *(Deleted Effective date May 15, 2015)*

4.420 - *(Deleted Effective date May 15, 2015)*

4.422 - *(Deleted Effective date May 15, 2015)*

4.424 - *(Deleted Effective date May 15, 2015)* ***LEAD-OUT*** *(Deleted Effective date May 15, 2015)*

4.430 - *(Deleted Effective date May 15, 2015)*

4.432 - *(Deleted Effective date May 15, 2015)*

4.434 - *(Deleted Effective date May 15, 2015)*

4.436 - *(Deleted Effective date May 15, 2015)*

4.438 - *(Deleted Effective date May 15, 2015)*

4.440 - *(Deleted Effective date May 15, 2015)*

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4.444 - *(Deleted Effective date May 15, 2015)* **4.446** - *(Deleted Effective date May 15, 2015)*

4.448 - *(Deleted Effective date May 15, 2015)*

4.450 - *(Deleted Effective date May 15, 2015)*

4.452 - *(Deleted Effective date May 15, 2015)* ***LURE OPERATOR*** *(Deleted Effective date May 15, 2015)*

4.460 - *(Deleted Effective date May 15, 2015)*

4.462 - *(Deleted Effective date May 15, 2015)*

4.464 - *(Deleted Effective date May 15, 2015)*

4.466 - *(Deleted Effective date May 15, 2015)* ***PADDOCK JUDGE AND IDENTIFIER*** *(Deleted Effective date May 15, 2015)*

4.470 - *(Deleted Effective date May 15, 2015)*

4.472 - *(Deleted Effective date May 15, 2015)*

4.474 - *(Deleted Effective date May 15, 2015)*

4.476 - *(Deleted Effective date May 15, 2015)*

4.478 - *(Deleted Effective date May 15, 2015)*

4.480 - *(Deleted Effective date May 15, 2015)*

4.482 - *(Deleted Effective date May 15, 2015)*

4.486 - *(Deleted Effective date May 15, 2015)*

RACING SECRETARY *(Deleted Effective date May 15, 2015)*

4.490 - *(Deleted Effective date May 15, 2015)*

4.492 - *(Deleted Effective date May 15, 2015)*

4.494 - *(Deleted Effective date May 15, 2015)*

4.495 – (*Deleted Effective date May 15, 2016*)

4.496 - *(Deleted Effective date May 15, 2015)*

4.497 - *(Deleted Effective date May 15, 2015)*

4.500 – (*Deleted Effective date May 15, 2016*)

4.502 - *(Deleted Effective date May 15, 2015)*

4.504 - *(Deleted Effective date May 15, 2015)*

STARTER *(DELETED EFFECTIVE DATE MAY 15, 2015)*

4.510 - *(Deleted Effective date May 15, 2015)*
4.512 - *(Deleted Effective date May 15, 2015)*
4.514 - *(Deleted Effective date May 15, 2015)*
4.516 - *(Deleted Effective date May 15, 2015)*
4.518 - *(Deleted Effective date May 15, 2015)*

4.520 - *(Deleted Effective date May 15, 2015)*

DIVISION VETERINARIAN

[See Chapter 5 – Veterinary Practices – Division Veterinarian]

400'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.

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 – (*Modified Effective date May 15, 2016*) 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. Records of all transactions in a horsemen's account shall be made in accordance with standard accounting practice. Any suspicious account activity must be reported to a Division investigator.

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 – (*Modified Effective date May 15, 2016*) 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. Neither the racing secretary nor the racing clerk shall have the power to override the lists until that entry has been confirmed as cleared from the 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.

CHAPTER 5
--- VETERINARY PRACTICES, ANIMAL HEALTH AND MEDICATION ---

100's --- GENERAL

5.100 - All Division, association, and practicing veterinarians at the track shall be licensed to practice veterinary medicine in Colorado in accordance with the Law.

5.110 - Every person having care and custody of a racing animal including but not limited to veterinarians, owners, trainers, assistant trainers, kennel helpers and grooms shall comply with the current animal health care and medication standards as adopted by the commission.

Failure to comply with the minimum procedures or standards approved, pursuant to this section, may result in a fine, penalty, or revocation of license.

Licensees will be provided written notice of any changes to the minimum procedures or standards approved, pursuant to this section, and will have thirty (30) days, unless otherwise specified, in which to comply with such changes.

5.120 - The division veterinarian shall have the authority to require follow-up care to any racing animal seen for injury or other reason. Any requirements so imposed by the division veterinarian shall be documented and give specific referral instructions and time frame to complete.

It will be the trainers responsibility to seek adequate care as instructed by the veterinarian. Documentation shall be provided to the division veterinarian within 48 hours of treatment.

Failure to provide proper care to a racing animal, pursuant to this section, may result in a fine, penalty, or revocation of license.

200's --- VETERINARY PRACTICE

Division Veterinarian

5.200 - A veterinarian who is employed by the Division or an association shall not be permitted, during the period of his employment, to treat or prescribe for any horse on the racetrack or registered to race at any racetrack, for compensation or otherwise, except in case of emergency, in which case a full and complete report shall be made to the Board. An owner or trainer shall not employ or pay compensation to any veterinarian, either directly or indirectly, during the period of the veterinarian's employment by the Division or an association.

5.202 - *(Deleted Effective date May 15, 2015)*

5.204 - *(Modified Effective date May 15, 2015)* The Division Veterinarian shall cooperate with other State and Federal Agency Veterinarian s to insure compliance at the horse racetrack with health certificate and vaccination requirements.

5.206 - *(Modified Effective date May 15, 2015)* When a live horse race meet is in progress, the Division Veterinarian may post in a conspicuous place rules guaranteeing approved, systematic and effective insect control against flies, mosquitoes, ticks, fleas and other insects.

5.208 – (*Modified Effective date May 15, 2016*) The Division representative shall insure that horses are stabled in individual box stalls and that greyhounds are housed in individual crates with separate feeding and watering facilities and that stables and kennels and immediate surrounding areas are maintained in an approved sanitary condition at all times, and that satisfactory drainage is provided; also, that manure and other refuse is promptly and properly removed.

5.210 - *(Modified Effective date May 15, 2015)* Paddocks, starting gates, and other facilities and equipment at a horse racetrack which is subject to contact by animals must be kept in a clean condition and free of dangerous surfaces by the association.

5.212 - *(Modified Effective date May 15, 2015)* Sanitary equipment at a horse racetrack must be used for collecting samples.

5.214 – (*Modified Effective date May 15, 2016*) Any horse coming to a Colorado track from another track where a contagious disease is confirmed and present, must be approved for entry to the stables by the Division veterinarian. Requirements for entry may include, but not be limited to, the following: proof of vaccination, health certificate, proof of certain laboratory tests.
5.215 - *(Deleted Effective date May 15, 2015)*

5.216 - The Division veterinarian shall have the authority to require a horse to continue to use any authorized medication during official workouts, if in the veterinarian's opinion a workout is necessary to assure consistency of effort of the horse.

ASSOCIATION VETERINARIANS [SEE ALSO DIVISION VETERINARIANS]

5.220 - The association, after consultation with State authorities, and the veterinarian representing the Division, shall establish policies consistent with allowing only healthy horses to enter the racetrack. All horses entering the state shall be required to meet the current regulations as established by the Colorado Department of Agriculture. All horses entering Colorado tracks, whether from in-state or out-of-state, must have a negative Coggins test for Equine Infectious Anemia (EIA) within twelve (12) months prior to entering the racetrack grounds. The racing secretary shall not accept a horse's registration papers unless its Coggins Test, Health Certificate, and any other Commission or Track required health related documents are current at the time that it enters the racetrack grounds.

5.222 - The association veterinarian at a horse racetrack shall make reports to the Division veterinarian with respect to, but not necessarily limited to, the following:

:1 - Racing injuries;

:2 - Other injuries or illnesses that occur while the horses are on the premises;

:3 - Scratches;

:4 - Other conditions that relate to animal health and welfare that may need attention;

:5 - A copy of the veterinarian's list which includes dates on and off and the reason the horse is listed; and

:6 - Any deaths occurring during a race or euthanasia performed on the track grounds.

Report forms for the above will be provided by the Division.

These reports will be submitted at time intervals determined by the Division veterinarian.

5.224 - The association shall, at the request of the Division veterinarian, provide isolation facilities where horses ordered isolated by the Division veterinarian may be kept. Approved sanitary measures shall be implemented in cooperation with the State veterinarian of the Department of Agriculture and the Commission shall be kept informed.

Practicing Veterinarians

5.228 – Veterinarians licensed by the Commission and practicing at any location under the jurisdiction of the Commission are under the authority of the Division veterinarian and the stewards. The Division veterinarian shall recommend to the stewards or the Commission the discipline that may be imposed upon a veterinarian who violates the rules.

5.230 - Before being permitted to practice on the racetrack, a veterinarian must be approved by the Division veterinarian and licensed by the Division. Practicing veterinarians shall report treatments given in conformity with the directions of the Division veterinarian.

5.232 - A licensed veterinarian administering any authorized medication to a horse entered to race must report the same upon forms furnished by the Division to the Division veterinarian or authorized assistant. Any unreported medication is deemed an unauthorized medication.

5.234 - Veterinarians practicing veterinary medicine on a horse racetrack when a live meet is in progress shall use one-time disposable type needles and shall dispose of them in an approved manner.

5.236 - All practicing veterinarians at a horse racetrack must maintain individual medication records on all horses treated by him or her during the course of a meet. The record must include the horse's name, trainer's name, date, all medications administered or prescribed (including authorized medicine), and their dosage and signed by the practicing veterinarian**.** A copy of a

horse's medication record, as it pertains to an alleged violation, may be requested by the veterinarian representing the Division of Racing Events and/or stewards. This record must be submitted within forty-eight (48) hours of request. All records will be considered confidential except as introduced in a hearing as evidence of an alleged violation.

5.238 - A practicing veterinarian and/or trainer at a horse racetrack shall report to the Division veterinarian, on a form provided, any death or euthanasia of a horse at the track while under his or her care. These reports must be submitted within twenty-four (24) hours of the death of the horse.

5.240 - *(Modified Effective date May 15, 2015)* An animal that dies or has been euthanized shall not be removed from the track premises without the permission of the Veterinarian representing the Division of Racing Events. The Veterinarian representing the Division of Racing Events must be notified by the practicing Veterinarian in a timely manner. In the event a practicing Veterinarian is not in attendance, the trainer or his/her authorized representative shall report the death of the animal to the Veterinarian representing the Division of Racing Events within twenty-four (24) hours of the death of the animal.

5.242 - A practicing veterinarian at a horse racetrack shall report to the veterinarian representing the Division of Racing Events upon discovery the presence, or suspected presence of any reportable disease as defined by the United States Department of Agriculture. The report shall include the horse's name, trainer, barn and stall number in addition to the diagnosis.

5.244 - *(Modified Effective date May 15, 2015)* Any horse entered for racing must be present on the grounds at least forty eight (48) hours prior to the scheduled post time of the first race in which the horse is entered on any given calendar day.

Treatment Restrictions

5.248 – *(Modified Effective date May 15, 2015)* No person other than a Veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the Commission may administer a prescription or controlled medication, drug, chemical or other substance (including any medication, drug, chemical or other substance by injection, or another method) to a horse at any location under the jurisdiction of the Commission. Non-Veterinarians found in possession or control of any syringe, tubing, or other apparatus that may be used to deliver unauthorized treatments to a horse may be subject to Summary Suspension and other administrative action.

5.250 - All horses certified as bleeders must be given furosemide not less than four (4) hours nor more than twenty-four (24) hours prior to the scheduled post time of the first race in which the horse is entered on any given calendar day.

5.251 - Any person, other than an authorized licensed caregiver or a licensed Veterinarian, practicing alternative forms of therapy including, but not limited to, chiropractic, dentistry, acupuncture, and massage therapy, must have a valid support license issued by the Division and such therapies must be prescribed by, and under the supervision of, a licensed practicing Veterinarian. Alternative forms of therapy shall not be performed to a horse on race day unless approved in advance by the division veterinarian.

5.252 - *(Modified Effective date May 15, 2015)* The timeframe when authorized medication treatments for a horse shall be given are as follows: (1) Prevention of exercise induced pulmonary hemorrhage (EIPH) by the administration of furosemide no less than 4 hours prior to post time in the race they are entered, and (2) The use of NSAIDS as stated in Rule # 5.312 no less than twenty-four (24) hours prior to the scheduled post time of the first race in which the horse is entered on any given calendar day.

300's --- MEDICATION AND PROHIBITED SUBSTANCES

Unauthorized Medications

5.300 – *(Modified Effective date May 15, 2015)* The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the Division Veterinarian and the racing secretary.

1: Class 1

Opiates, opium derivatives, synthetic opioids, psychoactive drugs, amphetamines, All United States Drug Enforcement Agency (DEA) Schedule I Drugs, and many Schedule II drugs. Also found in this Class are drugs that are potent stimulants of the central nervous system. Drugs in this Class have no generally accepted medical use in the racing horse and their pharmacological potential for altering the performance of a racing horse is very high.

2: Class 2

Drugs placed in this category have a high potential for affecting the outcome of a race. Most are not generally accepted as therapeutic agents in the racing horse. Many are products intended to alter consciousness or the psychic state of humans, and have no approved or indicated use in the horse. Some, such as injectable local anesthetics, have legitimate use in equine medicine, but should not be found in a racing horse. The following groups of drugs are in this class:

(A) Opiate partial agonists, or agonist-antagonists;

(B) Non-opiate psychotropic drugs. These drugs may have stimulant, depressant, analgesic or neuroleptic effects;

(C) Miscellaneous drugs that might have a stimulant effect on the central nervous system (CNS);

(D) Drugs with prominent CNS depressant action;

(E) Antidepressant and antipsychotic drugs, with or without prominent CNS stimulatory or depressant effects;

(F) Muscle blocking drugs which have a direct neuromuscular blocking action;

(G) Local anesthetics that have a reasonable potential for use as nerve blocking agents (except Procaine); and

(H) Snake venoms and other biologic substances, which may be used as nerve blocking agents.

3: Class 3

Drugs placed in this Class may or may not have an accepted therapeutic use in the horse. Many are drugs that affect the cardiovascular, pulmonary and autonomic nervous systems. They all have the potential of affecting the performance of a racing horse. The following groups of drugs are in this Class:

(A) Drugs affecting the autonomic nervous system that do not have prominent CNS effects, but which do have prominent cardiovascular or respiratory system effects (Bronchodilators are included in this Class);

(B) A local anesthetic that has nerve blocking potential but also has a high potential for producing urine residue levels from a method of use not related to the anesthetic effect of the drug (Procaine);
(C) Miscellaneous drugs with mild sedative action, such as the sleep inducing antihistamines;
(D) Primary vasodilating / hypotensive agents;
(E) Potent diuretics affecting renal function and body fluid composition; and
(F) Anabolic and/or androgenic steroids.

4: Class 4

This category is comprised primarily of therapeutic medications routinely used in racing horse. These may influence performance, but generally have a more limited ability to do so. Groups of drugs assigned to this category include the following:

(A) Non-opiate drugs that have a mild central analgesic effect;
(B) Drugs affecting the autonomic nervous system that do not have prominent CNS, cardiovascular or respiratory effects;
    (I) Drugs used solely as topical vasoconstrictors or decongestants
    (II) Drugs used as gastrointestinal antispasmodics
    (III) Drugs used to void the urinary bladder
    (IV) Drugs with a major effect on CNS vasculature or smooth muscle of visceral organs.
    (V) Antihistamines which do not have a significant CNS depressant effect (This does not include H1 blocking agents, which are listed in Class 5);
(C) Antihistamines that do not have a significant CNS depressant effect. This does not include H2 blocking agents, which are Class 5.
(D) Mineralocorticoid drugs;
(E) Skeletal muscle relaxants;
(F) Anti-inflammatory drugs – These drugs may reduce pain as a consequence of their anti-inflammatory action:
    (I) Non-steroidal anti-inflammatory drugs (NSAIDS);
    (II) Corticosteroids (Glucocorticoids); and
    (III) Miscellaneous anti-inflammatory agents.
(G) Less potent diuretics;
(H) Cardiac glycosides and antiarrhythmic agents including:
    (I) Cardiac glycosides;
    (II) Antiarrhythmic agents (exclusive of Lidocaine, Bretylium and Propranolol); and
    (III) Miscellaneous cardiotonic drugs.
(I) Topical anesthetics—Agents not available in injectable formulations;
(J) Antidiarrheal drugs;
(K) Miscellaneous drugs including:
    (I) Expectorants with little or no other pharmacologic action;
    (II) Stomachics; and
    (III) Mucolytic agents.

5: Class 5

Drugs in this category are therapeutic medications for which concentration limits have been established by the racing jurisdiction as well as certain miscellaneous agents. Included specifically are agents that have very localized actions only, such as anti-ulcer drugs and certain antiallergenic drugs. The anticoagulant drugs are also included.

5.301- No person shall administer or apply or cause to be administered or applied to any animal participating in a race any unauthorized medication.

5.302 - No person shall administer or apply or cause to be administered or applied to any animal participating in a race any medication which might cause masking or interfere with the testing of urine, saliva, blood or other body fluids or tissues conducted pursuant to the provisions of these rules. Any drug or medication so administered or applied shall be deemed unauthorized as defined in these Rules.

5.304 - A person shall not administer or apply or cause to be administered or applied to any animal any medication which might have the effect of stimulating, exciting or depressing any animal or which could otherwise alter the normal performance of an animal during a race. Any medication so administered or applied shall be deemed unauthorized as defined in this section.

5.306 - If the Division veterinarian determines or has reasonable cause to believe that an animal entered to race has been administered an unauthorized medication, the animal must be scratched from an entry to a race. The Division veterinarian shall report the matter to the Board immediately.

5.308 - *(Modified Effective date May 15, 2015)* The following are considered prohibited practices:

1: The possession or use of a drug, substance or medication on the premises of a facility under the jurisdiction of the Commission for which a recognized analytical method has not been developed to detect and confirm the administration of such substance, or the use of which may endanger the health and welfare of the horse or endanger the safety of the rider; or the use of which may adversely affect the integrity of racing; or, no generally-accepted use in equine care exists

2: The possession or use of a drug, substance, or medication on the premises of a facility under the jurisdiction of the Commission that has not been approved by the appropriate federal agency (eg. the United States Food and Drug Administration) for any use in human or animal is forbidden without prior permission of the Commission or its designee.

3: The possession and/or use of the following substances OR blood doping agents, including but not limited to those listed below, on the premises of a facility under the jurisdiction of the Commission is forbidden:

(A) AMINOIZIDAZOLE CARBOXAMIDE RIBONUCLEOTIDE (AICAR);
(B) COB VENO OR DERIVATIVES THEREOF;
(C) AND DARBOPOETIN
(D) EQUINE GROWTH HORMONE
(E) ERYTHROPOIETIN (EPO)
(F) HOMEPURE®
(G) *MYO*-INOSITOL TRIPYROPHOSPHATE (ITPP)

(H) OXYGLOBIN®
(I) VENOMS OR DERIVATIVES THEREOF
(J) THYMOSIN BETA

4: The use of extracorporeal shock wave therapy or radial pulse wave therapy shall not be permitted.

(A) Any person participating in the use of extracorporeal shock wave therapy and/or the possession of extracorporeal shock wave therapy machines in violation of this rule shall be considered to have committed a prohibited practice and is subject to disciplinary action.

(B) Extracorporeal shock wave therapy is considered a prohibited practice, and thus shall be a "Class A penalty" violation as referred to on the penalty category chart under CRCR 5.441.

Authorized Medications - Horses Only

5.310 - If a horse is to run under the influence of an authorized medication, it is the responsibility of the person entering the horse to accurately note the medication(s) on the entry card. Association racing office personnel responsible for compiling the program must accurately note Lasix (aka, Furosemide) in the program as per the entry cards unless notified otherwise.

5.312 – *(Modified Effective date May 15, 2015)*

Non-Steroidal Anti-Inflammatory Drugs (NSAIDs)

(a) NSAIDs listed below may only be used in a manner consistent with the restrictions herein.
(b) NSAIDs listed below shall not to be present in a racing horse biological sample at the laboratory concentration of detection.

(c) The presence of more than one NSAID shall constitute a NSAID stacking violation as follows:

A. Class 1 NSAID Stacking Violation (Penalty Class B) occurs when:

I. Two non-steroidal anti-inflammatory drugs are both found at individual levels determined to exceed the following restrictions:

a. Flunixin – 20 nanograms per milliliter of plasma or serum;

b. Ketoprofen – 2 nanograms per milliliter of plasma or serum;

c. Phenylbutazone – 2 micrograms per milliliter of plasma or serum; or

d. any other non-steroidal anti-inflammatory drugs – detected at any concentration.

II. Three or more non-steroidal anti-inflammatory drugs are all found at individual levels determined to exceed the following restrictions:

a. Flunixin – 3 nanograms per milliliter of plasma or serum;

b. Ketoprofen – 1 nanograms per milliliter of plasma or serum;

c. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum; or

d. any other non-steroidal anti-inflammatory drugs – detected at any concentration.

B. A Class 2 NSAID Stacking Violation (Penalty Class C) occurs when:

I. Any one substance found in excess of the restrictions listed in subsection (A)(1) above in combination with any one of the following substances at levels below, but in excess of the following levels:

a. Flunixin – 3 nanograms per milliliter of plasma or serum;

b.Ketoprofen – 1 nanogram per milliliter of plasma or serum; or

c. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum.

C. A Class 3 NSAID Stacking Violation (Penalty Class C, fines only) occurs when:

i. Any combination of two of the following non-steroidal anti-inflammatory drugs are found in excess of:

a. Flunixin – 3 nanograms per milliliter of plasma or serum;

b.Ketoprofen – 1 nanogram per milliliter of plasma or serum; or

c. Phenylbutazone – 0.3 micrograms per milliliter of plasma or serum.

(2) Any horse to which a NSAID has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official Veterinarian to determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s).

5.317 – (*Modified Effective date May 15, 2016*) Furosemide shall be the only authorized bleeder medication. Furosemide may be administered by authorized persons only, intravenously or intramuscularly to a horse, which is entered to compete in a race or to facilitate the collection of a post-race urine sample. In order for a horse to be allowed to participate in a race on Furosemide, the following process must be followed:

1: A horse shall be entered properly to participate on Furosemide and then such horse will be automatically added by the Division veterinarian to the Division test barn medication database for the current race meet. All first time or any change to the usage of Furosemide by horses participating in a race, shall be designated properly in the official program. The Division veterinarian shall monitor the usage and discontinuance of the administration of Furosemide during the current race meet for all non-bleeders.

2: Furosemide shall be administered only on Association grounds.

3: Upon the request of the Division representative, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

5.318 - For Horses only, pre-race use of injectable Furosemide (Lasix) as a bleeder preventative medication is authorized provided that its use has been approved by the veterinarian representing the Division of Racing Events and that the quantity injected is not more than 500 mg and that the injection is administered not less than four (4) hours prior to scheduled post time. Furosemide may be administered by intravenous or intramuscular injection only.

5.319 - The Division veterinarian shall maintain a bleeder list of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both

nostrils during or after a race as observed by the Division veterinarian.

1: All horses which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a workout may be observed by the association veterinarian and/or practicing veterinarian and may be reported on a form supplied by the Division veterinarian to be placed on the bleeder list.

5.320 –(*Modified Effective date May 15, 2016*) All practicing Veterinarians at horse racetracks shall complete, sign, and deliver to the Veterinarian representing the Division of Racing Events at the time designated by the Division Veterinarian but by no later than 2:00 p.m. on a form provided by the Division indicating all furosemide treatments anticipated for the following day's races. The Veterinarian, or other persons so designated by the Director, representing the Division of Racing Events shall ensure that enough furosemide and syringes are provided to or by the practicing Veterinarian. Additionally, the Division designee will schedule a Division representative that shall accompany each practicing Veterinarian, as required, while in the restricted barn area on race days. The syringe for the furosemide shall be prepared by the Division representative or by the practicing Veterinarian. All preparation and administration of any race day's medication shall be in view of and witnessed by the Division representative. The syringes used in all administrations shall be returned to the test barn by the Division representative. In addition, the trainer or his authorized representative must be present when the furosemide is administered and sign the above-mentioned form indicating they witnessed the furosemide injection. If the trainer or their authorized representative is not present and on time for the Lasix injection, the horse will not receive Lasix and may be scratched the same race week and placed on the stewards list. Once the dosage has been administered to a horse that is scheduled to race that day, the practicing Veterinarian shall leave the stall, and that stall shall be designated as containing an "in today" horse. The administering authority or association may assess a fee on licensed owners of treated horses to recoup the reasonable cost of the furosemide injection in these rules.

5.322 – (*Deleted Effective date May 15, 2016*)

5.324 – (*Modified Effective date May 15, 2016*) The veterinarian representing the Division or Association and/or stewards may require that a suspected bleeder come to the test barn after a race or workout for confirmation that bleeding did occur. If, after confirmation, a horse is placed on the bleeder list, only the Division veterinarian, after consultation with the practicing veterinarian, may remove that horse from the bleeder list during the current race meet.

A trainer may remove a horse from the bleeder list prior to its first start or any subsequent start, so long as the horse has not bled during the current race meet. Removal from the list by the trainer must be executed at time of entry and the trainer shall ensure that the change is noted on the entry card.

If a horse has been removed from the bleeder list and it subsequently bleeds, it will be considered a first time bleeder for the purposes of the veterinarian's list and may not be removed from the bleeder list for the remainder of the race meet, except by the Division veterinarian.

5.330 - During any consecutive six (6) month period, horses exhibiting EIPH will be placed on the veterinarian's list for the following minimum periods of time, which includes the day the horse bleeds:

First time bleeder - 7 days
Second time bleeder - 14 days
Third time bleeder - 30 days

A longer period of time on the veterinarian's list for each incident may be imposed if the practicing veterinarian attending the horse and the Division veterinarian agree that it is necessary.

In the event a horse bleeds more than 3 times during a six (6) month period, it may be banned indefinitely from racing in Colorado if the Board of Stewards and the Division veterinarian after consultation with the practicing veterinarian determine that, based on past performance, this action is warranted.

For a horse from another state with a current bleeder certificate in effect, the first time that the horse bleeds in Colorado the horse shall be considered a second time bleeder for purposes of time period on the veterinarian's list.

5.331 - Androgenic-Anabolic Steroids (AAS)
(1) No AAS shall be permitted in test samples collected from racing horses, except for endogenous concentrations of the naturally occurring substances Boldenone, Nandrolone, and Testosterone at concentrations less than the indicated thresholds.
(2) Concentrations of these AAS shall not exceed the following free (i.e., not conjugated) steroid concentrations, in plasma or serum:
(a) Boldenone - 25 pg/ml for all horses regardless of sex.
(b) Nandrolone - 25 pg/ml for fillies, mares, and geldings. Male horses other than geldings shall be tested for Nandrolone in urine. (see CRCR 5.331 (3)(b)(ii)).
(c) Testosterone -
(i) In geldings - 25 pg/ml
(ii) In fillies and mares - 25 pg/ml

(3) Total Concentrations of these AAS shall not exceed the following total concentrations in urine after hydrolysis of conjugates:
(a) Boldenone (Equipoise® is the undecylenate ester of Boldenone)
(i) In male horses other than geldings - 15 ng/ml in urine
(ii) In fillies, geldings, and mares - 1 ng/ml in urine
(b) Nandrolone (Durabolin® is the phenylpropionate ester and deca-durabolin® is the decanoate ester)
(i) In fillies, geldings, and mares - 1 ng/ml in urine
(ii) In male horses other than geldings - 45 ng/ml in urine (AS 5α-estrane-3β,17α-diol) of urine
(c) Testosterone

(i) In geldings --- 20 ng/ml in urine
(ii) In fillies and mares --- 55 ng/ml in urine
(iii) In male horses other than geldings minimum thresholds will not apply

(4) All other AAS are prohibited in racing horses.
(5) The sex of the horse must be identified to the laboratory on all pre-race and post-race samples designated for AAS testing.
(6) If an anabolic steroid has been administered to a horse in order to assist in its recovery from illness or injury, that horse may be placed on the Veterinarian's List in order to monitor the concentration of the drug or metabolite in urine or blood. After the concentration has fallen below the designated threshold for the administered AAS, the horse is eligible to be removed from the list. Any laboratory testing to determine the concentration of an administered AAS shall be done at the trainer's and/or the owner's sole expense.

5.332 -Trainers must be able to have verified by a practicing veterinarian the need for any prescription medication in their possession.

5.334 - All horse medications that require a prescription must be stored in the tackroom when not in use.

Penalties

5.340 - In the event that an animal establishes a track record in a race and if it later develops that the chemical analysis of any sample taken indicates the presence of an unauthorized medication, then the track record shall be null and void.

Medication Restrictions

5.350 - A person, with the exception of a licensed veterinarian, shall not have in their possession or within their kennels/stables, buildings, grounds or vehicles where animals are kept, any injectable medication or hypodermic needle or syringe, unless the Division veterinarian has authorized the medication or hypodermic needle or syringe to be possessed by this person.

5.352 - The Commission, or Division veterinarian, for good cause, may forbid the use of any medication. Thereafter, the medication shall not be used for official schooling/workouts or races.

5.354 - All medication and drugs maintained in a racing kennel or farms or kennels at which racing greyhounds are housed must be stored in a single cabinet, locker, storage box or bin, or chest equipped with a locking device and may be portable. Such storage facility must be locked at all times when the kennel is unattended regardless of exterior doors or gates. Any medication or drug located in a racing kennel or farms or kennels at which racing animals are housed not in the locked storage container shall be deemed unauthorized and subject to seizure unless exempted in writing by the Division Veterinarian.

5.356 - *(Modified Effective date May 15, 2015)* Any person desiring to have drugs or medication anywhere where racing greyhounds are trained or kenneled, which may be used on greyhound or human, shall obtain written permission from the Division Veterinarian prior to

bringing the substances onto the premises, and shall record the possession in writing with the Division Veterinarian. A kennel medication list must be posted on the premises, must bear the signature of the Division Veterinarian, and is to be renewed March 1 of each year. A new trainer must submit a new medication list within ten (10) days of assuming his duties or sign the list on file with the Division Veterinarian. Any medication possessed on the premises of a racetrack or wherever racing greyhounds are trained or kenneled for which written permission has not been obtained shall be deemed unauthorized.

5.358 - *(Modified Effective date May 15, 2015)* A copy of the authorized drug and medication list will be posted in a conspicuous place in the kennel area where greyhounds are kenneled, so a Division representative may check the list when inspecting the kennel.

5.359 – No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection.

1: Any drug or medication which is used or kept on association grounds and which, by Federal or State law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable State Statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:

(A) The name of the product;

(B) The name, address and telephone number of the veterinarian prescribing or dispensing the product;

(C) The name of each patient(s) (horse/greyhound) for whom the product is intended/prescribed or the name of the person (trainer and/or stable/kennel) to whom the product was dispensed;

(D) The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and

(E) The name of the person (trainer) to whom the product was dispensed.

Medical Labeling

5.360 - *(Modified Effective date May 15, 2015)* All medication and/or drugs retained in farms or kennels at which racing greyhounds are housed must be in containers that exhibit the correct manufacturer's label or a pharmaceutical prescription label as indicated in rule #5.359. Certain treatments that are prepared in large quantities and transferred to smaller containers for easy application may be labeled by the trainer of record but only if the primary ingredients are on the medication list. Any medication and/or drugs stored or retained in a container other than that indicated by label shall be deemed unauthorized and subject to seizure regardless if such medication or drug is listed on the veterinarian medication list.

400's --- TESTING

5.400 - Any Division representative may take for analysis samples of any drugs, medicines or other substances which are found in the area where racing animals are being raced, trained or kenneled/stabled or are found in the possession of any person connected with the racing of animals.

Reporting to the Test Barn

5.402 - The Board and/or Division veterinarian, at their discretion, may take or cause to have taken any or all of the following specimens from a designated animal: saliva, urine, blood or other body fluid. In addition, biopsy or necropsy samples may be taken from a designated animal.

5.404 - Refusal to allow the taking of any specimen or any act or threat to impede or prevent or otherwise interfere therein shall be reported to the Board who shall take disciplinary action as they deem proper.

5.410 – The official winning horse and any other horse ordered by the Commission and/or the stewards shall be taken to the test barn to have a blood and urine sample taken at the direction of the Division veterinarian.

5.412 - Random or extra testing may be required by the Division designee, Stewards, or the Commission at any time on any horse entered or eligible to race in Colorado. Such extra testing may include, but is not limited to, the following:

Out of Competition Testing for Blood and/or Gene Doping Agents
(1) Any horse on the grounds at a racetrack or training center, or under the care or control of trainer or owner licensed by the Commission is subject to testing for blood and/or gene doping agents without advance notice, whether located in Colorado or in another ARCI jurisdiction. This rule does not apply to therapeutic medications approved by the FDA for use in the horse.

(2) The Commission Veterinarian, or any licensed veterinarian authorized by the Commission, may at any time, take a urine, blood, saliva, and/or hair samples from a horse for this purpose.

(3) Prohibited substances, practices and procedures are defined as:

(a) Blood doping agents including, but not limited to Erythropoietin (EPO), Darbopoetin, Oxyglobin, Hempure, Aranesp or any substance that abnormally enhances the oxygenation of body tissues;
(b) Gene doping agents or the non-therapeutic use of genes, genetic elements and/or cells that have the capacity to enhance athletic performance or produce analgesia;
(c) Growth hormones, Insulin-Like Growth factor, Endorphin/Enkephalins, the non-therapeutic administration of whole blood or packed red blood cells.
(d) Naturally produced venoms, synthetic analogues of venoms, derivatives of venoms, or synthetic analogues of derivatives of venoms;
(e) Substances capable of producing a repartitioning effect that are not FDA approved for use in horses, including, but not limited to, Ractopamine, Zilpaterol, or any similar agent;
(f) AAS (androgenic-anabolic steroids) other than Stanozolol, Nandrolone, Boldenone, Testosterone, and metabolites thereof;
(g) The presence in a horse of any substance that the Colorado Division of Racing Events defines as prohibited; and
(h) The presence in a horse of any substance or biomarker indicative of a prohibited practice as defined by the Racing Medication and Testing Consortium (RMTC) or the World Anti-Doping Agency (WADA).

(4) An owner, trainer, or any authorized designee shall fully cooperate with the Division Veterinarian, or his/ her designee by:

(a) Locating and identifying any horse designated for out of competition testing;

(b) Making the horse available for the collection of the specimen at an agreed upon stall or other safe location; and

(c) Observing the collection of the specimen.

(5) The collection shall occur no later than six (6) hours after notice of intent to collect a specimen from a horse is received. If the collection does not occur within the time provided, then any horse that is designated for testing may be barred from racing in Colorado and placed on the Veterinarian's list and the Steward's List for a period of 180 days and the owner and trainer of the horse may be subject to the penalties for medication violations of prohibited substances.

(6) The owner and/or trainer of the horses may be subject to any other sanctions allowed by Colorado Law and regulations, including fine or suspension of license. The executive director, Stewards, or hearing officer may summarily suspend and or penalize any trainer and/ or authorized representative or designee who does not fully cooperate with a Commission employee or Division Representative in assisting and identifying an eligible horse or providing a safe stall to collect samples in a timely fashion.

(7) A horse that is barred from racing in Colorado and placed on the Veterinarians list for 180 days shall remain barred from racing:
(a) Upon sale or transfer of the horse to another owner or trainer until the expiration of the 180 days; and

(b) Until the horse is determined by the Commission to test negative for any substance described in Section 4 of this Administrative Regulation, and is approved for Racing by the Division Veterinarian and the Chief State Steward.

(8) The Commission shall approve the laboratories for screening, confirmation, and split sample testing. Out of competition samples will be sent to the official laboratory of the Commission, or other laboratory as designated by the Commission with reports made in accordance with the provisions of these medication rules and the penalty provisions thereof. (See CRCR 5.423)

(9) In the absence of extraordinary mitigating circumstances, a minimum penalty of ten (10) year suspension will be assessed for a violation of this rule, with additional penalties for any drug not FDA approved for use in horses.

5.414 – Unless otherwise directed by the stewards or the Division veterinarian, a horse that is selected for testing must be taken directly to the test barn.

5.416 - A track security guard shall monitor access to the test barn area during and immediately following each racing performance. All persons who wish to enter the test barn area must be currently licensed by the Commission, display their Commission identification badge and have a legitimate reason for being in the test barn area.

Sample Collection

5.420 - During the taking of a sample by a representative of the Division, the owner, trainer, witness or chemist representing them may be present at all times. The sample shall be placed in an authorized container and shall be immediately sealed and the evidence of the sealing may be indicated thereon by the signature of the owner or trainer or kennel/stable representative. The veterinarian or assistant representing the Division shall deliver the sample to the laboratory selected by the Division for a report on the chemical analysis of the sample.

Procedure in event of Positive Test

5.423 – Split samples obtained in accordance with rule #5.420 above shall be secured and made available for further testing in accordance with the following procedures:

1: A split sample shall be secured in the test barn under the same manner as the portion of the specimen acquired for shipment to a primary laboratory until such time as specimens are packed and secured for shipment to the primary laboratory. Split samples shall then be transferred to a freezer or refrigerator at a secure location approved by the Commission.

2: A freezer for storage of split samples shall be equipped with two hasps or other devices to provide for use of two independent locks. One lock shall be the property of the Commission and one lock shall be the property of a representative of the group representing a majority of the horsemen at a race meeting. The locks shall be closed and locked so as to prevent access to the freezer at all times except as specifically provided by

these rules.

3: A freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of samples.

4: When a freezer used for storage of split samples is opened, it shall be attended by both a representative of the Commission and the owner, trainer or designee. A log shall be maintained that shall be used each time a split sample freezer is opened to specify each person in attendance, the purpose for opening the freezer, identification of split samples deposited or removed, the date and time the freezer was opened, and the time the freezer was closed and to verify that both locks were secured prior to and after opening of the freezer.

5: Any evidence of a malfunction of a split sample freezer or samples that are not in a frozen condition during storage shall be documented in the log and immediately reported to the Division veterinarian or a designated Commission representative.

5.424 - A trainer or owner of a horse having been notified that a written report from a primary laboratory states that a prohibited substance has been found in a specimen obtained pursuant to these rules may request that a split sample corresponding to the portion of the specimen tested by the primary laboratory be sent to another laboratory approved by the Commission. The request must be made in writing and delivered to the stewards as stated in the split sample policy after the trainer of the horse receives written notice of the findings of the primary laboratory. Any split sample so requested must be shipped in the time frame stated in the split sample policy.

5.425 – (*Modified Effective date May 15, 2016*) The owner or trainer requesting testing of a split sample shall be responsible for the cost of shipping and testing. Failure of the owner, trainer or designee to appear at the time and place designated by the Division veterinarian shall constitute a waiver of all rights to split sample testing. Prior to shipment, the Division representative shall confirm the split sample laboratory's willingness to provide the testing requested, the laboratory's willingness to send results to both the person requesting the testing and the Commission, and arrangements for payment satisfactory to the split sample laboratory. If a reference laboratory will accept split samples, that laboratory must be included among the laboratories approved for split sample testing.

5.426 – Prior to opening the split sample freezer, the Commission shall provide a split sample chain of custody verification form that shall provide a place for recording the following information and such other information as the Division veterinarian may require. The form shall be fully completed during the retrieval, packaging, and shipment of the split sample. The split sample chain of custody form requirements are:

1: The date and time the sample is removed from the split sample freezer;

2: The sample number;

3: The address where the split sample is to be sent;

4: The name of the carrier and the address where the sample is to be taken for shipment;

5: Verification of retrieval of the split sample from the freezer;

6: Verification of each specific step of the split sample packaging in accordance with the recommended procedure;

7: Verification of the address of the split sample laboratory on the split sample package;

8: Verification of the condition of the split sample package immediately prior to transfer of custody to the carrier; and

9: The date and time custody of the sample is transferred to the carrier

5.427 - *(Modified Effective date May 15, 2015)* A split sample shall be removed from the split sample freezer or refrigerator by a Commission representative in the presence of a representative of the horsemen's association.

1: The owner, trainer or designee shall witness the packing of the split sample for shipment in the presence of the representative of the Commission, in accordance with the packaging procedures recommended by the Commission. A form shall be signed by both the horsemen's representative and the Commission representative to confirm the packaging of the split sample. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.

2: The package containing the split sample shall be transported in a manner prescribed by the Commission to the location where custody is transferred to the delivery carrier charged with delivery of the package to the Commission approved laboratory selected by the owner or trainer.

3: The owner, trainer or designee and the Commission representative shall inspect the package containing the split sample immediately prior to transfer to the delivery carrier to verify that the package is intact and has not been tampered with.

4: The split sample chain of custody verification form shall be completed and signed by the representatives of the Division and the owner or trainer. A Commission representative shall keep the original and provide a copy for the owner or trainer.

5.430 - The following procedures shall apply in the event that a laboratory analysis of urine, saliva or other sample taken from the animal indicates the presence of an unauthorized medication.

5.431 - If a detected substance is on the Environmental Contaminant List, adopted by the Commission as part of the Colorado Division of Racing Events Estimated Therapeutic Medications Withdrawal Times, the Division shall not proceed with disciplinary actions, as long as the detected level does not exceed the adopted environmental threshold.

5.432 - In the event a positive laboratory test result is obtained, the Division shall cause an investigation to be conducted immediately.

5.433 – The Commission may adopt, as part of the animal welfare and medication policy, a therapeutic medication list that contains medications deemed to have therapeutic properties on racehorses. Such published list shall give acceptable withdrawal times that should be allowed under normal circumstances. This rule shall only pertain to drugs that are mass-produced in a regulated drug manufacturing facility and does not pertain to compounded drugs which are individually prepared and tailored to the needs of a specific patient. During the course of a race meet, the Division Director, given good cause and in consultation with the State's primary testing laboratory, and/or the Division veterinarian and the Colorado Racing Commission veterinarian, may change the recommended detection time in order to better inform the owners, trainers and veterinarians to avoid violations.

5.434 - Within a reasonable period of time after a positive test result has been received from the laboratory, the Board or hearing officer shall hold a formal hearing to determine the reasons and responsibility for any alleged medication violation. The hearing shall be conducted pursuant to these Rules.

5.436 - Pending a formal hearing, the Board may summarily suspend any person in accordance with the provisions of the Law and these Rules.

5.438 - Whenever a medication violation occurs as provided in these Rules, the Board, a hearing officer, or the Commission may take disciplinary action as is provided by these Rules and the Law against any of the following persons:

:1 - Any person(s) responsible for the proper care and protection of an animal if the Board, a hearing officer, or the Commission find the persons(s) to have been negligent, reckless, or willful in failing to prevent the administration of the unauthorized medication in question;

:2 - Any person(s) found by the Board, a hearing officer, or the Commission to have administered or have attempted to administer any unauthorized medication; or

:3 - Any person(s) found by the Board, a hearing officer, or the Commission to have conspired in the administration of any unauthorized medication.

5.440 – Upon a finding of a violation of these medication and prohibited substances rules, the stewards or hearing officer shall consider the classification level of the violation as listed in at the time of the violation in the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International and impose penalties and disciplinary measures consistent with the recommendations contained therein. The Board or hearing officer shall also consult with the Division veterinarian to determine the nature and seriousness of the laboratory finding or the medication violation and if the violation was a result of the administration of a therapeutic medication as documented in a veterinarian's report received per rule #5.236. Provided, however, that in the event that the hearing officer or a

majority of the Board determine that mitigating circumstances require imposition of a lesser penalty, they may impose the lesser penalty. In the event that the hearing officer or a majority of the Board wish to impose a greater penalty or a penalty in excess of the authority granted them, then, and in such event, they may impose the maximum penalty authorized and refer the matter to the Commission with specific recommendations for further action. In determining if there are mitigating circumstances surrounding a medication violation for substances, the Board or hearing officer may consider, but not limited to the following:

1. The past record of the trainer in drug cases;
2. The potential of the drug(s) to influence a horse's racing performance;
3. The availability of the drug;
4. Whether there is reason to believe the responsible party knew of the administration of the drug use:
5. The steps taken by the trainer to safeguard the horse;
6. The probability of environmental contamination or inadvertent exposure due to human drug use;
7. The purse of the race;
8. Whether the drug found was one for which the horse was receiving a treatment as determined by the veterinarian report(s), and;
9. Whether there was any suspicious betting pattern in the race.

5.441 – (*Modified Effective date May 15, 2016*)

(1) In issuing penalties against individuals found guilty of medication and drug violations, a regulatory distinction shall be made between the detection of therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in the test sample on race day.

(2) The Stewards, Hearing Officers, or the Commission shall use the *Penalty Guideline Listing* as a starting place in the penalty stage of the deliberations for a rule violation for any drug listed in the *Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances*, available at 1881 Pierce Street, Room 108, Lakewood CO 80214-1494 during normal business hours.

(3) If a licensed Veterinarian is administering or prescribing a drug not listed in the RCI *Uniform Classification Guide lines for Foreign Substance* or shown in the *Penalty Guideline Listing* (provided below), the identity of the drug shall be forwarded to the official Veterinarian to be forwarded to the Racing Medication and Testing Consortium for classification.

(4) Any drug or metabolite thereof found to be presenting a pre- or post-race sample which is not classified in the most current RCI *Uniform Classification Guidelines for Foreign Substances* shall be assumed to be a RCI Class 1 Drug and the trainer and owner shall be subject to those penalties as set forth in schedule "A" unless satisfactorily demonstrated otherwise by the Racing Medication and Testing Consortium, with a penalty category assigned.

(5) The penalty categories and their related schedules, if applicable, shall be on the following criteria:

(a) Whether the drug is approved by the U.S. Food and Drug Administration for use in the horse;

(b) Whether the drug is approved by the U.S. Food and Drug Administration for use in any species;
(c) Whether the drug has any legitimate therapeutic application in the equine athlete;
(d) Whether the drug was identified as "necessary" by the RMTC Veterinary Advisory Committee;
(e) Whether legitimate, recognized therapeutic alternatives exist,
(f) The current RCI Classification of the drug, and;
(g) Whether there are Multiple Medication Violations in accordance with the ARCI-011-0020 Medications and Prohibited Substances Penalties for Multiple Medication Violations (MMV), from the Association of Racing Commissioners International (provided below).

PENALTY GUIDELINE LISTING

The penalty categories "A", "B" and "C" and their related schedules for Trainers and Owners are shown in the following tables.

The following are recommended penalties for violations due to the presence of a drug carrying a Category "A" penalty and for violations of ARCI-011-015: Prohibited Practices:

LICENSED TRAINER:		
1st offense	**2nd LIFETIME offense in any jurisdiction**	**3rd LIFETIME offense in any jurisdiction**
◦ Minimum one-year suspension absent mitigating Circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. **and** ◦ Minimum fine of $10,000 or 10% of total purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of $25,000 or 25% of purse (greater of the two). **and** ◦ May be referred to the Commission for any further action deemed necessary by the Commission.	◦ Minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a three-year period. **and** ◦ Minimum fine of $25,000 or 25% of total purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of $50,000 or 50% of purse (greater of the two). **and** ◦ May be referred to the Commission for any further action deemed necessary by the Commission.	◦ Minimum five-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of license revocation with no reapplication for a five-year period. **and** ◦ Minimum fine of $50,000 or 50% of total purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of $100,000 or 100% of purse (greater of the two). **and** ◦ May be referred to the Commission for any further action deemed necessary by the Commission.
LICENSED OWNER:		
1st offense	**2nd LIFETIME offense in owner's stable in any jurisdiction**	**3rd LIFETIME offense in owner's stable in any jurisdiction**
◦ Loss of purse.	◦ Loss of purse.	◦ Loss of purse and $50,000 fine. **AND** ◦ Referral to the Commission with a recommendation of a suspension for a minimum of 90 days.
horse		
1st offense	**2nd LIFETIME offense in owner's stable in any jurisdiction**	**3rd LIFETIME offense in owner's stable in any jurisdiction**
◦ Disqualification. **AND** ◦ In accordance with CRCR 5.612, Horse shall be placed on the Veterinarian's list for 90 days and must pass a Commission-approved examination before becoming eligible to be entered.	◦ Disqualification. **AND** ◦ In accordance with CRCR 5.612, Horse shall be placed on the Veterinarian's list for 120 days and must pass a Commission-approved examination before becoming eligible to be entered.	◦ Disqualification. **AND** ◦ In accordance with CRCR 5.612, Horse shall be placed on the Veterinarian's list for 180 days and must pass a Commission-approved examination before becoming eligible to be entered.

PENALTY GUIDELINE LISTING

The following are recommended penalties for violations due to the presence of a drug carrying Category "B" penalty, for the presence of more than one NSAID in a plasma/serum sample, subject to the provisions set forth in ARCI-011-020 E.(1)(c) and for violations of the established levels for total carbon dioxide. Except for those violations specified in 5.441(2)(a):*

LICENSED TRAINER:		
1st offense	**2nd offense (365-day period) in any jurisdiction**	**3rd offense (365-day period) in any jurisdiction**
◦ Minimum 15-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. **AND** ◦ Minimum fine of $500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of $1,000. Minimum fine of $2,500 and a minimum 180 day suspension absent mitigating circumstances if the presence of a nerve blocking drug is detected.	◦ Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. **AND** ◦ Minimum fine of $1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of $2,500. Minimum fine of $2,500 and a minimum 180 day suspension absent mitigating circumstances if the presence of a nerve blocking drug is detected.	◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. **AND** ◦ Minimum fine of $2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of $5,000 or 5% of purse (greater of the two). Minimum fine of $2,500 and a minimum 180 day suspension absent mitigating circumstances if the presence of a nerve blocking drug is detected. ◦ May be referred to the Commission for any further action deemed necessary by the Commission.
LICENSED OWNER:		
1st offense	**2nd offense in stable (365-day period) in any jurisdiction**	**3rd offense in stable (365-day period) in any jurisdiction**
◦ Loss of purse.	◦ Loss of purse.	◦ Loss of purse, and in the absence of mitigating circumstances a $5,000 fine.
HORSE:		
1st offense	**2nd offense in stable (365-day period) in any jurisdiction**	**3rd offense in stable (365-day period) in any jurisdiction**
◦ Disqualification. **AND** ◦ In accordance with CRCR 5.612, Horse shall be placed on the Veterinarian's list for 45 days and must pass a Commission-approved examination before becoming eligible to be entered. *Prohibited use of Nerve blocking drugs, will require a horse to be placed on the Veterinarian's list for 180 days and must pass a Commission approved examination before becoming eligible to be entered.	◦ Disqualification. **AND** ◦ In accordance with CRCR 5.612, Horse shall be placed on the Veterinarian's list for 60 days and must pass a Commission-approved examination before becoming eligible to be entered. *Prohibited use of Nerve blocking drugs, will require a horse to be placed on the Veterinarian's list for 180 days and must pass a Commission approved examination before becoming eligible to be entered.	◦ Disqualification. **AND** ◦ In accordance with CRCR 5.612, Horse shall be placed on the Veterinarian's list for 90 days and must pass a Commission-approved examination before becoming eligible to be entered. *Prohibited use of Nerve blocking drugs, will require a horse to be placed on the Veterinarian's list for 180 days and must pass a Commission approved examination before becoming eligible to be entered.

CATEGORY C CHART

*The following are recommended penalties for violations due to the presence of a drug carrying a Category "C" penalty and overages for permitted NSAIDs and furosemide: (**All concentrations are for measurements in serum or plasma.)***

LICENSED TRAINER	**Phenylbutazone (2.0- 5.0 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (2.00- 50.0 ng/ml) Furosemide (>100 ng/ml) and no furosemide when identified as administered***	**Phenylbutazone (>5.0 mcg/ml) Flunxin (>100 ng/ml) Ketoprofen (>50 ng/ml) and CLASS C Violations**
1st Offense (365-day period) in any jurisdiction	Minimum fine of $250 absent mitigating circumstances.	Minimum fine of $1000 absent mitigating circumstances.
2nd Offense (365-day period) in any jurisdiction	Minimum fine of $500 absent mitigating circumstances.	Minimum fine of $1,500 and 15-day suspension absent mitigating circumstances.
3rd Offense (365-day period) in any jurisdiction	Minimum fine of $1,000 and 15-day suspension absent mitigating circumstances.	Minimum fine of $2,500 and 30-day suspension absent mitigating circumstances.
LICENSED OWNER	**Phenylbutazone (2.0- 5.0 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (2.00- 50.0 ng/ml) Furosemide (>100 ng/ml) and no furosemide when identified as administered***	**Phenylbutazone (>5.0 mcg/ml) Flunxin (>100 ng/ml) Ketoprofen (>50 ng/ml) and CLASS C Violations**
1st Offense (365-day period) in any jurisdiction	Horse must pass commission-approved examination before being eligible to run.	Loss of purse. Horse must pass Commission-approved examination before being eligible to run.
2nd Offense (365-day period) in any jurisdiction	Loss of purse. If same horse, placed on Veterinarian's list for 45 days, and then must pass Commission-approved examination before being eligible to run.	Loss of purse. If same horse, placed on Veterinarian's list for 45 days, must pass Commission-approved examination before being eligible to run.
3rd Offense (365-day period) in any jurisdiction	Loss of purse. Minimum $5,000 fine. If same horse, placed on Veterinarian's list for 60 days, and then must pass Commission-approved examination before being eligible to run.	Loss of purse. Minimum $5,000 fine. If same horse, placed on Veterinarian's list for 60 days, must pass Commission-approved examination before being eligible to run.
HORSE	**Phenylbutazone (2.0- 5.0 mcg/ml) Flunixin (21-99 ng/ml) Ketoprofen (2.00- 50.0 ng/ml) Furosemide (>100 ng/ml) and no furosemide when identified as administered***	**Phenylbutazone (>5.0 mcg/ml) Flunxin (>100 ng/ml) Ketoprofen (>50 ng/ml) and CLASS C Violations**
1st Offense (365-day period) in any jurisdiction	In accordance with CRCR 5.612, horse required to pass Commission-approved examination before being eligible to run.	Disqualification. **AND** In accordance with CRCR 5.612, horse will be placed on Veterinarian's list for 30 days, and then must pass Commission-approved examination before being
2nd Offense (365-day period) in any jurisdiction	Disqualification. **AND** In accordance with CRCR 5.612, If same horse, placed on Veterinarian's list for 45 days, must pass Commission-approved examination before being eligible to run.	Disqualification. **AND** In accordance with CRCR 5.612, If same horse, placed on Veterinarian's list for 45 days, must pass Commission-approved examination before being eligible to run.

3rd Offense (365-day period) in any jurisdiction	Disqualification. **AND** In accordance with CRCR 5.612, If same horse, placed on Veterinarian's list for 60 days, must pass Commission-approved examination before being eligible to run.	Disqualification. **AND** In accordance with CRCR 5.612, If same horse, placed on Veterinarian's list for 60 days, must pass Commission-approved examination before being eligible to run.

*If the trainer has not had more than one violation within the previous two years, the Stewards/ Judges are encouraged to issue a warning in lieu of a fine provided the reported level is below3.0 mcg/ml, absent of aggravating factors.
After a two year period, if the licensee has had no further violations, any penalty due to an overage in the 2.0 – 5.0 category will be expunged from the licensee's record for penalty purposes.

Penalties
Multiple Medication Violations (MMV)

(A) A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-D, as provided in the ARCI Uniform Classification for Foreign Substances shall be assigned points based upon the medication's penalty guideline as follows:

Penalty Class	Points If Controlled Therapeutic Substance	Points If Non-Controlled Substance
Class A1	N/A	6
Class B	2	4
Class C	1	2
Class D	½	1

(b) The points assigned to a medication violation shall be included in the Stewards' or Commission Ruling. Such Ruling shall be included in the ARCI official database and the ARCI shall assign points consistent with section (A) for advisory purposes for medication violations where points have not been assigned by regulatory action. Points assigned by such regulatory ruling or by the ARCI shall reflect, in the case of multiple positive tests as described in paragraph (d), whether they shall thereafter constitute a single violation. Points will be assessed after a ruling is rendered, and penalty enhancement shall be applied to future violations. The Stewards' or Commission Ruling shall be posted on the official website of the Commission and within the official database of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such Ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.

(c) A trainer's cumulative points for violations in all racing jurisdictions shall be maintained and certified by the Association of Racing Commissioners International. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall be considered by the Commission in its determination to subject the trainer to the mandatory enhanced penalties by the Stewards or Commission as provided in this regulation.

(d) Multiple positive tests for the same medication incurred by a trainer prior to delivery of official notice by the commission may be treated as a single violation.

(e) The official ARCI record shall constitute prima facie evidence of a trainer's past record of violations and cumulative points. Nothing in this administrative regulation shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.

(f) The Stewards or Commission shall include all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in this regulation shall be imposed.

(g) In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his/her official ARCI record:

Points	**Suspension in days**
3-5.5	30
6-8.5	60
9-10.5	180
11 or more	360

MMV's are not a substitute for the current penalty system and are intended to be an additional uniform penalty when the licensee:

(i) Has more than one violation for the relevant time period, and
(ii) Exceeds the permissible number of points.

(h) The suspension periods as provided above, shall run consecutive to any suspension imposed for the underlying offense.

(i) The Stewards' or Commission Ruling shall distinguish between the penalty for the underlying offense and the enhancement based upon the trainer's cumulative points.

(j) Any trainer who has received a medication violation may petition the ARCI to expunge the points received for the violation for the purpose of the MMV system only. The points shall be expunged as follows:

Penalty Classification	**Time to Expungement**
A	Permanent
B	3 years
C	2 years
D	1 year

(6) The recommended penalty for a violation involving a drug that carries a Category "D" penalty is a written warning to the trainer and owner. Multiple violations may result in fines and/or suspensions.

(7) On Multiple Medication Violation (MMV) offenses, the Division, Board of Stewards, and Hearing Officer shall consider points given in all other States, regardless of whether they have formally adopted the ARCI-001-020 Medications and Prohibited Substances Penalty Chart for Multiple Medication Violations (MMV). The Division shall consider all cumulative points, and such enhanced penalty shall run consecutive to the Colorado penalty assessment.

(8) Any licensee of the Commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer.

(9) The licensed owner, veterinarian or any other licensed party involved in a positive laboratory finding shall be notified in writing of the hearing and any resulting action. In addition their presence may be required at any and all hearings relative to the case.

(10) Any veterinarian found to be involved in the administration of any drug carrying the penalty category of "A" shall be referred to the State Licensing Board of Veterinary Medicine for consideration of further disciplinary action and/or license revocation. This is in addition to any penalties issued by the Stewards or the Commission.

(11) Any person who the Stewards or the Commission believe may have committed acts in violation of criminal statutes may be referred to the appropriate law enforcement agency. Administrative action taken by the Stewards or the Commission in no way prohibits a prosecution for criminal acts committed.

A licensed trainer shall not benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

The Commission hereby cites the following sources:
(1) Version 10.0 July 2015of the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances;
by the Association of Racing Commissioners International, 1510 Newtown Pike, Suite 210, Lexington, Kentucky, USA 40511. This rule does not include any later Amendments or Editions of the *ARCI Uniform Classification Guidelines for Foreign Substances*

Certified copies of the complete text of the referenced materials are maintained at the Colorado Department of Revenue Division of Racing Events, 1881 Pierce Street, Room 108, Lakewood Colorado 80214-1494, and may be inspected at that address during normal business hours. Certified copies shall be provided at requestors cost.

5.442 - The director may direct that the primary laboratory retain and preserve by freezing for possible future analysis any materials provided to the laboratory. Such materials may include, but are not limited to, samples of blood, samples of urine, or seized drugs, medicines, or other substances. The fact that purse money in a race has been distributed prior to the issuance of a laboratory report based upon analysis of such materials shall neither constitute a finding nor create a presumption that a substance prohibited by these rules was not administered to the animal.

500's --- TRAINER RESPONSIBILITY

5.500 - Whenever the laboratory test results are obtained as indicated herein, there shall be a rebuttable presumption that the trainer and/or assistant trainer of the animal were responsible for the administration of the unauthorized medication. At any hearing conducted to determine responsibility for the administration of any unauthorized medication, unless other evidence of sufficient credibility and weight is presented to the contrary, the Board, a hearing officer, or the Commission may make a finding in accordance with the presumption.

5.502 – (*Modified Effective date May 15, 2016*) The trainer shall be responsible for and the absolute insurer of the condition of the animals entered for his or her stable regardless of the acts of third parties except as provided in these rules. If the chemical analysis of a sample indicates the presence of an unauthorized drug or medication regardless of the effect on the racing condition or the performance of a horse in a race, the trainer of the horse and any other person shown to have care or attendance of the horse or shown to have administered or conspired to have administered the drug are subject to disciplinary action. The owner of the horse shall not participate in the purse distribution of that race, a redistribution of that purse shall be ordered, and the horse shall be declared unplaced for every purpose except for pari-mutuel wagering. "Unplaced for every purpose" means any placement based upon the race would be declared invalid and the purse or prize for any such race would be returned. "Unplaced for every purpose" includes, but is not limited to, any placement, purses or prizes that an owner may have earned in subsequent races, for which the horse would not have been qualified due to the presence of an unauthorized medication found in a previous race. A trophy received by the owner of the horse shall be returned.

5.504 - A trainer whose horse has been claimed remains responsible for any violation of rules regarding that horse's participation in the race in which the horse is claimed.

5.506 – The trainer is responsible for:

:1 Maintaining the assigned stable area in a clean, neat and sanitary condition at all times;

:2 Using the services of those veterinarians licensed by the Commission to attend to horses that are on association grounds.

5.508 - Additionally, with respect to horses in his/her care or custody, the trainer is responsible for:
:1 The proper identity, custody, care, health, condition and safety of horses;
:2 Ensuring that at the time of arrival at locations under the jurisdiction of the Commission a valid health certificate and a valid negative Equine Infectious Anemia (EIA) test certificate accompany each horse and which, where applicable, shall be filed with the racing secretary. The valid Health Certificate shall be less than 30 days old, however the Commission or Racing Office, with approval of the Division, can change the requirement in emergency circumstances;
:3 Having each horse in his/her care that is racing, or is stabled on Association grounds, tested or Equine Infectious Anemia (EIA) in accordance with the jurisdiction's law and for filing evidence of such negative test results with the racing secretary;
:4 Using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;

:5 Immediately reporting the alteration of the sex of a horse to the horse identifier and the racing secretary;
:6 Promptly reporting to the racing secretary and the Division veterinarian when a Posterior Digital Neurectomy (heel nerving) is performed and ensuring that such fact is designated on its certificate of registration;
:7 Promptly notifying the Division veterinarian of any reportable disease and any unusual incidence of a communicable illness in any horse in his/her charge;
:8 Promptly reporting the serious injury and/or death of any horse at locations under the jurisdiction of the Commission to the Stewards and the Division veterinarian and compliance with the rules in this chapter governing postmortem examinations;
:9 Maintaining a knowledge of the medication record and status;
:10 Immediately reporting to the Stewards and the Division veterinarian knowledge or reason to believe, that there has been any administration of a prohibited medication, drug or substance;
:11 Ensuring the fitness to perform creditably at the distance entered;
:12 Ensuring proper bandages, equipment and shoes;
:13 Presence in the paddock at least fifteen (**15**) minutes before post time or at a time otherwise appointed before the race in which the horse is entered;
:14 Personally attending in the paddock and supervising the saddling thereof, unless excused by the Stewards; and
:15 Attending the collection of a urine or blood sample or delegating a licensed employee or the owner to do so.

600's --- PHYSICAL INSPECTION OF HORSES

Assessment of Racing Condition

5.600 - The Division veterinarian or in the event an association veterinarian is available then the association veterinarian approved by the Commission shall be upon the racetrack and shall be available to examine any horse just prior to scratch time in the morning and one (1) hour prior to post time before the first race on race days. Upon examining a horse at any time, should the veterinarian determine that a horse is unsound for racing, the veterinarian shall immediately report that fact to the stewards and shall place the horse on the veterinarian's list.

5.602 - The Division veterinarian or in the event an association veterinarian is available then the association veterinarian approved by the Commission may cause a horse to be placed in isolation or declared permanently ineligible to race if the horse has symptoms of chronic unsoundness or has proven to be unmanageable due to medical reasons. A horse which the Division veterinarian has declared to be permanently ineligible to race shall be reported to the stewards who shall then write a formal ruling against the horse and shall also write the reason for the ruling on the horse's registration papers.

5.604 - On live race days a Division veterinarian or in the event an association veterinarian is available then the association veterinarian approved by the Commission for that purpose shall cause a pre-race inspection to be made of all horses that are racing that day and shall observe the horses in the paddock, during the post parade, in and around the starting gate, during the running of the race and following the race up through the unsaddling of the horses.

Veterinarian's List

5.608 – *(Modified Effective date May 15, 2015)* The Division Veterinarian shall maintain the Veterinarian's list of all horses which are determined to be unfit to compete in a race due to illness, positive test or overage, physical distress, unsoundness, infirmity or any other medical condition. Horses so listed are ineligible to enter to race in any jurisdiction until released by the Division Veterinarian or their designee.

5.610 - Except as provided in CRCR 5.330 and unless authorized by the Division veterinarian, a horse placed on the Veterinarian's list must remain on that list a minimum of four (4) calendar days after the day the horse was placed on the veterinarian's list.

5.611 - A horse may be removed from the veterinarian's list after the minimum days provided by rule #5.610 when, in the opinion of the Division veterinarian and/or the association veterinarian or a practicing veterinarian not representing the horse or trainer, the horse has satisfactorily recovered the capability of competing in a race. A horse placed on a veterinarian's list for a positive test may only be removed with the authorization of the division veterinarian.

1: If a practicing veterinarian removes a horse from the veterinarian's list, a form provided by the Division veterinarian shall be signed and submitted to the stewards.

5.612 - *(Modified Effective date May 15, 2015)* Any horse from which a positive test sample was collected and confirmed by the Commissions' primary testing laboratory shall be placed on the Veterinarian's list for a specified amount of time (pursuant to CRCR 5.441). In the interest of health, safety, and welfare of the racing animal, the horse will be immediately placed on the Veterinarian's List for the minimum days specified in the Penalty Guideline Chart in CRCR 5.441 and must pass a Commission-approved examination before becoming eligible for entry. Subsequent laboratory testing that may be required in the approved examination process shall be at the expense of the owner or trainer of the horse. Any horse from which a positive test sample was collected and confirmed by the Commissions' primary testing laboratory in the initial sample test or in any required subsequent laboratory testing, may also be subject to disciplinary action by the stewards, a hearing officer or the Commission prior to the horse's next entry. This shall not apply to a first offense overage of an authorized medication, where the violation would not result in a loss of purse, pursuant to rules 5.312.

In cases where a split sample comes back negative, the horse must pass a Commission-approved examination before becoming eligible for entry, and then shall be removed from the Veterinarian's List after passing the exam.

700's --- PHYSICAL INSPECTION OF GREYHOUNDS

5.700 - Every owner, trainer, or authorized agent shall immediately whenever requested by the Division submit their greyhound(s) to any veterinarian designated by the Division for an examination or tests as the veterinarian may deem advisable.

5.702 - Any test or examination made by the Division veterinarian may be witnessed by a Division representative and by the owner, trainer, or assistant trainer of the greyhound(s) being examined or tested.

5.706 - *(Deleted Effective date May 15, 2015)*

5.708 - *(Deleted Effective date May 15, 2015)*

5.712 - *(Deleted Effective date May 15, 2015)*

5.714 - *(Deleted Effective date May 15, 2015)*

5.716 - *(Deleted Effective date May 15, 2015)*

800's --- POSTMORTEM EXAMINATION

5.802 - The Commission and/or Division veterinarian may conduct a postmortem examination of any racing animal that is injured in this jurisdiction while in training or in competition and that subsequently expires or is destroyed. In proceeding with a postmortem examination the Commission or its designee shall coordinate with the trainer and/or owner to determine and address any insurance requirements.

5.804 – The Commission and/or Division veterinarian may conduct a postmortem examination of any racing animal that expires while housed on association grounds or at recognized training facilities within this jurisdiction. Trainers and owners shall be required to comply with such action as a condition of licensure.

5.806 – The Commission and/or Division veterinarian may take possession of the racing animal upon death for postmortem examination. The Commission may submit blood, urine, and other bodily fluid specimens or other tissue specimens collected during a postmortem examination for analysis. Upon completion of the postmortem examination, the carcass may be returned to the owner or disposed of at the owner's option.

5.808 – The presence of a prohibited substance in a specimen collected during the postmortem examination may constitute a violation.

CHAPTER 6
--- PRACTICE AND PROCEDURES ---

100's --- AUTHORITY

Commission

6.100 - When the Commission determines, in compliance with the provisions of these Rules that a violation of these Rules or of the Law has occurred, the Commission may issue a letter of admonition to a licensee, and/or deny, suspend, or revoke a license, and/or impose a fine on a licensee, and/or exclude a licensee, or any person from any licensed racetrack or simulcast facility. The Commission shall have the power to alter, amend or modify any disciplinary action imposed by the Board or a hearing officer, and shall further have the power to reinstate any person without fine or suspension. This rule shall also apply to any person aiding, abetting or conspiring in the commission of any violation.

6.102 - The Commission or the Board in its discretion may waive, set aside, or modify any rule contained herein when a waiver, setting aside, or modifying of a rule shall be in the best interest of the State and the sport of racing.

Director

6.110 - The Commission delegates to the Director the authority to summarily exclude any person who willfully violates any of these rules or the law, until the next Commission meeting.

6.112 – The Director or the director's designees may issue citations according to the Citation Violation List and Schedule of Penalties, whenever a citation is called for. The director shall have the authority to rescind any citation and cancel its associated penalty, with or without prejudice, in the event that the citation has not been issued according to the provisions of the Citation Violation List and Schedule of Penalties, or has, otherwise, been inappropriately issued.

The Board/Hearing Officers

6.120 - *(Modified Effective date May 15, 2015)* When the Board or a Hearing Officer determines, in compliance with the provisions of these Rules, that a violation of these Rules or of the law has occurred, it has the authority to suspend a license for a period not to exceed one hundred and eighty (180) days, or to impose a fine not in excess of Two Thousand Five Hundred Dollars ($2500), or both except as described in Rule 3.437, and as it relates to the recommended minimum fine as set forth in rule 5.441 the RCI *uniform classification guide lines for foreign substances* or shown in the *penalty guideline listing* for class a, b, and c penalties for 1st, 2nd and 3rd violations where no aggravating factors are cited or except as restricted in the enforcement of citations by Rule 6.124.

In addition to the authority to conduct hearings, the Commission delegates the authority for the Board or Hearing Officer to sign and approve Settlement Stipulations proposed by the Division Director, assessment of fines and suspension terms, purse redistributions, and therefore such authority may constitute a final agency action. Licensees so suspended shall be denied all licenses and shall not be in good standing until the terms of the Board's order have been satisfied. In

addition, if the Board or a Hearing Officer believes a more severe penalty should be imposed, it may refer the case to the Commission for further action. A fine or suspension may not be rescinded by the Board or a Hearing Officer except with approval of the Commission.

6.122 – (*Modified Effective date May 15, 2016*) The Board or a hearing officer has authority to summarily suspend a licensee where the Board or hearing officer has reasonable cause to believe and makes a finding upon full investigation that the licensee has engaged in deliberate or willful violation or that the public health, safety or welfare imperatively requires the emergency action, incorporates the findings in their order, and promptly institutes disciplinary proceedings. For purposes of this rule, "full investigation" means a reasonable ascertainment of the underlying facts on which the summary suspension is based.

If the Board or hearing officer summarily suspends a licensee, the Board or hearing officer shall set a hearing to be held within fourteen (14) days of the summary suspension. The licensee may request a continuance of the hearing, however no summary suspension imposed under this rule shall be lifted until a hearing is held or until the case is dismissed.

6.124 - When a licensee appeals a citation to the Board or to a Hearing Officer for a hearing, the director shall review the citation under the provisions of Rule 6.112. For any citation that the director determines should be heard on appeal, the director shall assign the appeal according to the provisions of Rule 6.300. The division shall provide notice to the licensee according to the provisions of rule 6.310, and shall conduct the hearing pursuant to the provisions of rule 6.330.

Provided the licensee appears for the hearing, the hearing shall be on the merits to determine whether the charged violation did occur. If it did occur, then the ruling from the hearing shall uphold the citation in full, shall not increase the penalty, shall require the fine(s) to be paid pursuant to rule 6.700, and shall reset the payment date based upon the date of the Ruling. If the charged violation(s) did not occur, then the ruling from the hearing shall dismiss the citation with prejudice and cancel the associated penalty. If the licensee fails to appear for the hearing and no continuance has been granted, the board or hearing officer shall call the case and make a record of the proceedings, the licensee's request for an appeal hearing shall be deemed to be abandoned, the licensee shall have waived any right to a hearing forever, the original citation shall be upheld without change, and the citation's fines ordered to be paid pursuant to Rule 6.700, with the payment date reset based upon the date of the ruling.

200's --- PROCEEDINGS BY THE BOARD/HEARING OFFICERS

Protest and Objections to the Board

6.200 - *(Modified Effective date May 15, 2015)* Protests to a horse or jockey engaged in a race must be made to one of the Board members. Protests may be made only by a racing official or by an owner, trainer or jockey of some other animal engaged in the race.

6.202 – (*Modified Effective date May 15, 2016*) All protests shall be filed at least one (1) hour prior to the running of the first race of the day. Protests shall be made to the Board in writing and signed by the complainant. The written protest must include the grounds of the protest. However, the Board may scratch an ineligible horse or remove a jockey at any time.

6.204 - A protest cannot be withdrawn without the permission of the Board.

6.206 - *(Modified Effective date May 15, 2015)* Objections shall be filed with the Board in writing within forty-eight (48) hours after the running of that race except that in horse racing, objections relating to interference during the running of a race shall be filed verbally with the Board prior to the race being made official.

If an objection is declared valid against a horse or jockey which has finished in a position entitling it to a portion of the purse in a race, that horse may be disqualified.

6.208 - The Board's decision regarding an objection will in no way affect the outcome of pari-mutuel wagering after the race has been declared official.

6.210 - In all cases of fraud or willful deception no time limitations shall apply provided the Board is satisfied that the allegations are *bona fide.*

6.212 - The Board shall require the payment of fifty ($50) dollars if the protest or objection should prove to be unreasonable or frivolous.

6.214 - Any prize which may have been won or may be won in a race by an animal against which a protest or objection has been lodged shall be withheld until the protest or objection is determined by the Board.

6.216 - The Board must decide every protest or objection pertaining to a race.

6.218 - If the protest or objection is lodged at a time or in a manner as to require immediate determination, one or more members of the Board may make the determination.

6.220 - Persons aggrieved by any initial decision of an individual Board member concerning an objection or protest shall have the right to request a reconsideration of that decision by the Board and shall have the right to a hearing concerning the reconsideration before the Board.

Appeals to the Board or Hearing Officer

6.230 - Except in the case of exclusions as provided by Section 6.900, parties aggrieved by any action of a racing official other than the Board, shall have the right to appeal the action to the Board or a hearing officer, and shall have the right to an appeal hearing before the Board or a hearing officer. With regard to a request for an appeal of a citation, the provisions of Rule 6.124 shall apply.

6.232 - Except as provided by Section 6.900, *et seq*., all requests made to the Board or a hearing officer pursuant to Section 6.230 for an appeal hearing by any party aggrieved by any action, including all requests for an appeal of a citation, of a racing official other than the Board, must be made in writing within twenty (20) days of the action appealed from unless otherwise provided by these Rules. The request shall include the grounds for the appeal. If no written appeal is made within twenty (20) days, the aggrieved person shall be deemed to have waived any right to any appeal from the action.

Hearings before the Board or Hearing Officer

6.240 - The Board or a hearing officer may hold hearings to determine whether violations of these Rules or of the Law have occurred; and to determine whether disciplinary action should be taken by the Board or a hearing officer against any person. With regard to a request for an appeal of a citation, the provisions of Rule 6.124 shall apply.

6.242 - The Board or a hearing officer may, in addition, hold hearings for any reason consistent with the purposes and objectives of these Rules and the Law.

300's --- HEARING PROCEDURES BEFORE THE BOARD OR HEARING OFFICER

GENERAL

6.300 – *(Modified Effective date May 15, 2014)* –The Board or a hearing officer shall conduct hearings and administer oaths. The Board or a hearing officer may issue subpoenas for persons or documents and order the production of other evidence. In all proceedings before the Board or a hearing officer, the respondent shall have the right to be present and represented by counsel, and shall also have the right to cross-examine witnesses, present evidence and arguments, and have the Commission, the Board or a hearing officer issue subpoenas for witnesses or documents. All hearings shall be recorded either steno graphically or by tape recorder. After considering all the evidence, the Board by a majority vote or a decision of the hearing officer shall determine whether any violation of these Rules or of the Law has occurred, and shall issue a written ruling accordingly, a copy of which shall be mailed by first-class mail to the respondent, addressed to the last known address furnished by the respondent to the Commission, or the ruling may be hand delivered to the respondent. The Board or Hearing Officer shall also have discretionary authority to sign and approve Settlement Stipulations, and thereby can render a final agency action regarding fine amount and suspension length.

6.302 - At any time prior to issuing a final ruling on the matter, a Board may request the Director reassign all of a case before it to a hearing officer for good cause, and upon receipt of such a request, the Director may reassign all or part of the matter to a hearing officer, and the hearing officer shall resolve the issues assigned to it *de novo*.

6.304 - No person shall have standing to request assignment of a case to either a Board or a hearing officer, except by the filing in good faith of a timely and sufficient affidavit of personal bias of a member of a Board or a hearing officer with the Board or hearing officer, who shall forthwith rule upon the allegations in such affidavit as part of the record in the case, and thereafter request the reassignment of all or part of the matter as provided in Section 6.302.

Notice

6.310 - After receiving a written request for a hearing, the Board or a hearing officer or their authorized representative shall notify the party requesting the hearing of the date, place and time of the requested hearing. Notice of the date, place and time of the hearing shall either be sent to the respondent in writing by first-class mail to the last address furnished by the respondent to the Division or actual notice shall be given to the respondent.

6.312 - The Board or a hearing officer, or their authorized representative shall give written notice to the respondent of the date, time and place of any disciplinary hearing. The notice shall include a description of any violation alleged to have occurred, as well as the approximate date, time, and place of the alleged violation. Notice of the hearing and charges, as described herein, shall either be sent to the respondent in writing by first-class mail to the last address furnished by the respondent to the Division or actual notice shall be given to the respondent.

6.314 - Prior to conducting any hearing pursuant to Section 6.242, the Board or a hearing officer shall serve notice by first-class mail, actual notice or by conspicuously posting notice to all interested parties of the date, time and place of the hearing and the matters to be considered.

Scheduling of Hearings

6.320 - Hearings before the Board or a hearing officer held pursuant to Section 6.242 shall be scheduled and held promptly and in as expeditious a manner as possible. There shall be no minimum timetable for scheduling or holding these hearings. Continuances may be granted for good cause.

Conduct

6.330 - The Board or a hearing officer shall conduct all hearings and administer oaths. The Board or a hearing officer may issue subpoenas for persons or documents and order the production of other evidence. In all proceedings before the Board or a hearing officer, the respondent shall have the right to be present and represented by counsel, and shall also have the right to cross-examine witnesses, present evidence and arguments, and have the Commission, the Board or a hearing officer issue subpoenas for witnesses or documents. All hearings shall be recorded either steno graphically or by tape recorder unless the recording is waived by the respondent. An appeal is not possible from the decision of the Board or a hearing officer if the recording is waived and the respondent shall be so advised. After considering all the evidence, the Board by a majority vote or a decision of the hearing officer shall determine whether any violation of these Rules or of the Law has occurred, and shall issue a written ruling accordingly, a copy of which shall be mailed by first-class mail to the respondent, addressed to the last known address furnished by the respondent to the Commission, or the ruling may be hand delivered to the respondent.

Failure to Appear

6.340 - Hearings before the Board or a hearing officer where no continuance has been granted and the respondent fails to appear may proceed in a normal manner in the respondent's absence. Furthermore, the Board or a hearing officer may take disciplinary action against the respondent for failure to obey an order of the Board or a hearing officer.

6.342 - In a case involving a hearing before the Board or a hearing officer which was requested by a party where no continuance has been granted and the respondent fails to appear, the request for the hearing shall be deemed to be abandoned and the respondent shall have waived any right to a hearing forever.

Waiver of Hearing

6.350 - Except as set forth in 5.434, any respondent or interested person may waive their right to a

hearing before the Board or a hearing officer by signing a written waiver. Persons who waive their right to a hearing before the Board or a hearing officer also waive all their rights to appeal from the Board's or hearing officer's decision concerning the matter in question.

400's --- APPEALS/STAYS OF DECISION OF THE BOARD/HEARING OFFICERS TO THE COMMISSION

6.400 - Appeal hearings may be held when any party who is aggrieved by a final order or ruling of the Board or a hearing officer properly files an appeal with the Commission in accordance with these Rules.

6.401– *(Modified Effective date May 15, 2015)* A decision by the stewards regarding a disqualification, placement or derogatory comment of an animal during the running of the race is final and may not be appealed to the Commission, except as provided below.

1: A decision by the stewards regarding a disqualification, placement or derogatory comment of an animal during the running of the race may be appealed to the race review committee.

2: If a timely objection by a trainer concerning the disqualification, placement or derogatory comment of an animal during the running of the race is filed in accordance with the rules, the Division executive director may refer the objection to the race review committee. The Division shall issue and send, or deliver, to the objecting party a notice of hearing stating the date, time and place at which the race review committee will hear the appeal. The notice of hearing shall also be sent, or delivered, to any trainer or owner the placement of whose animal may be affected by the outcome of the appeal. The race review committee shall review the official tape or tapes of the race. Affected parties shall be given the opportunity to state their positions to the committee.

3: The objection shall be filed in writing and must clearly state the reason for disagreement and/or where the objection is lodged during the running of the race.

4: A non-refundable fee of one hundred dollars ($100.00) for a horse race will be submitted to the Division with the written objection.

5: The committee shall state its conclusions as to the merits of the objection and shall make a recommendation to the Director as to whether to uphold the stewards' determination, or to revise the derogatory comment, or to revise the disqualification or placement to the order of finish. The Commission shall then make the final determination as to the order of finish. The race review committee and the Commission may only address the issues raised in the appeal filed.

6.402 - The filing of an appeal with the Commission does not automatically stay the appealed decision. However, any aggrieved party may petition the Commission in writing in accordance with the provisions of Section 6.520 for a stay of execution pending action on the appeal to the Commission.

6.404 - *(Modified Effective date May 15, 2015)* Any party who is entitled to appeal a decision of the Board or a hearing officer to the Commission and who wishes to appeal the decision must file written notice of appeal with the Commission within ten (10) days of the announcement of the Board's or hearing officer's order or ruling. The notice of appeal shall include a statement

giving the basis and grounds for the appeal and a request for oral argument, if desired. Any party who fails to properly file a notice of appeal within the time provided in these Rules shall be deemed to have waived the right to an appeal.

6.406 - Any party filing a notice of appeal with the Commission must, at their own expense, provide the Commission with a transcript of the Board's or the hearing officer's hearing to which the appeal is related, whether or not evidentiary questions are raised on appeal. The aggrieved party must furnish the transcript to the Director of the Commission at least seven (7) days prior to the appeal hearing date, or by another date as determined by the Commission.

500's --- PROCEEDINGS BY THE COMMISSION

Declaratory Orders

6.500 - Any person may petition the Commission for a declaratory order to terminate controversies or to remove uncertainties as to the applicability to the petitioner of any statutory provision or of any Rule or Order of the Commission.

6.502 - The Commission will determine, in its discretion and without notice to petitioner, whether to rule upon any petition. If the Commission determines that it will not rule upon a petition, it shall promptly notify the petitioner of its action and state the reasons for the action.

6.504 - In determining whether to rule upon a petition, the Commission will consider the following matters, among others:

:1 - Whether a ruling on the petition will terminate a controversy or remove uncertainties as to the applicability to petitioner of any statutory provision or Rule or Order of the Commission.

:2 - Whether the petition involves any subject, question or issue which is the subject of a formal or informal matter or investigation currently pending before the Commission or a court involving one or more of the petitioners.

:3 - Whether the petition involves any subject question or issue which is the subject of a formal or informal matter or investigation currently pending before the Commission or a court but not involving any petitioner.

:4 - Whether the petition seeks a ruling on a moot or hypothetical question or will result in an advisory ruling or opinion.

:5 - Whether the petition has some other adequate legal remedy, other than an action for declaratory relief pursuant to the law which will terminate the controversy or remove any uncertainty as to the applicability to the petitioner of the Law, Rule, or Order in question.

6.506 - Any filed petition shall set forth the following:

:1 - The name and address of the petitioner and whether the petitioner is properly licensed by the Commission.

:2 - The Law, Rule, or Order to which the petition relates.

:3 - A concise statement of all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the Law, Rule, or Order in question applies or potentially applies to the petitioner.

6.508 - The Commission may rule upon the petition based solely upon the facts presented in the petition. In such a case:

:1 - Any ruling of the Commission will apply only to the extent of the facts presented in the petition and any amendment to the petition.

:2 - The Commission may order the petitioner to file a written brief, memorandum or statement of position.

:3 - The Commission may set the petition, upon due notice to petitioner, for a non-evidentiary hearing.

:4 - The Commission may dispose of the petition on the sole basis of the matters set forth in the petition.

:5 - The Commission may request the petitioner to submit additional facts, in writing, which will be considered as an amendment to the petition.

:6 - The Commission may take administrative notice of facts pursuant to the Law and may utilize its experience, technical competence, and specialized knowledge in the disposition of the petition.

:7 - If the Commission rules upon the petition without a hearing, it shall promptly notify the petitioner of its decision.

6.510 - The Commission may, in its discretion, set the petition for hearing, upon due notice to petitioner, for the purpose of obtaining additional facts or information or to determine the truth of any facts set forth in the petition or to hear oral argument on the petition. The notice to the petitioner setting a hearing shall set forth, to the extent known, the factual or other matters into which the Commission intends to inquire. For the purpose of a hearing, to the extent necessary, the petitioner shall have the burden of proving all of the facts stated in the petition, all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the Law, Rule or Order in question applies or potentially applies to the petitioner and any other facts the petitioner desires the Commission to consider.

6.512 - The parties to any proceeding pursuant to this Rule shall be the Commission and the petitioner. Any other person may seek leave of the Commission to intervene in the proceeding, and leave to intervene will be granted at the sole discretion of the Commission. A petition to intervene shall set forth the same matters as required by this Rule. Any reference to a “petitioner” in this Rule also refers to any person who has been granted leave to intervene by the Commission.

6.514 - Any declaratory order or other order disposing of a petition pursuant to this Rule shall constitute agency action subject to judicial review pursuant to the Law.

Appeal of Decision of the Board/Hearing Officers

6.520 - The filing with the Commission of an appeal from a Boards' or hearing officer's ruling or order does not automatically stay the Board's or hearing officer's decision. However, any aggrieved party may file in conjunction with, or subsequent to, the filing of a notice of appeal, a request for a stay of execution pending the Commission's determination of the appeal. The request for a stay shall be filed in writing with the Director of the Commission, describing in detail the reasons why the stay should be granted.

Upon receipt of a request for a stay, each member of the Commission shall be polled for a majority determination as to whether the stay should be granted. In the event a majority determination cannot be made due to the unavailability of one or more of the Commissioners, the remaining available Commissioners or the Director shall make the determination.

In determining whether or not irreparable injury will be suffered by any party or entity and whether the requested stay should be granted, the Commission shall consider the following factors: a) the probable effect the granting of a stay would have on the betting public and upon racing in Colorado; and b) the probable effect the failure to grant a stay would have upon the person requesting the stay.

Referral by the Board/Hearing Officers

6.530 - Hearings may be held before the Commission whenever the Board or a hearing officer refers a matter to the Commission for review with the recommendation that the Commission impose a more severe penalty than the Board or hearing officer has authority to impose or when the Board or a hearing officer refers a matter to the Commission for any other reason.

By Order of the Commission

6.540 - Adjudicatory hearings may also be held before the Commission whenever the Commission orders that a hearing be held.

Appeal of License Denial

6.550 - Procedures to be followed when a license is denied. An applicant who has been denied a license may seek a hearing before the Board or the Commission. The aggrieved party must make a request for a hearing in writing within sixty (60) days after notice of the denial.

Surety Bonds

6.560 - Whenever the Commission, based upon information and belief, has reason to believe that a surety bond or its alternative is subject to forfeiture, the Commission shall notify the licensee and all of its sureties, guarantors and warrantors and shall afford the licensee and all financial warrantors, sureties and guarantors the right to appear before the Commission at a hearing held in accordance with the Law with not less than thirty (30) days' notice to the parties.

6.562 - Upon a finding that the licensee has failed to meet its obligations as set forth in the Law, the Commission shall request the Attorney General's Office or the district attorney of the county wherein the licensee's meet is held to take whatever actions it deems necessary to protect the interests of the State and to resolve any matters concerning debts owed by the licensee, its guarantors, warrantors or sureties. These actions may include a hearing in accordance with the Law, the appointment of a master or receiver in accordance with the Law and any other action the Attorney General's Office deems necessary and appropriate.

6.564 - Any costs of any action to recover monies due the State taken by the Attorney General's Office on behalf of the Commission shall be paid out of the bond or its alternative.

600's --- PROCEDURES FOR HEARINGS BEFORE THE COMMISSION

General

6.600 - Unless referred by the Commission to a hearing officer, the Commission shall conduct all hearings. In addition, the Commission or its representatives may issue subpoenas for persons or documents, order the production of other evidence, administer oaths and question and cross-examine witnesses, and present evidence.

Notice of Hearing

6.610 - *(Modified Effective date May 15, 2015)* On receipt of a timely notice of appeal, the Commission shall schedule an appeal hearing at which the Commission shall consider the appeal, and shall send notice of the date, time and place of the hearing, and the Commission's decision concerning the request for oral argument, to the parties at least thirty (30) days prior to the hearing date, including but not limited to mailing the notice by first-class mail to the last address furnished by the respondent to the Commission.

6.612 - Whenever a matter is referred to the Commission from the Board or a hearing officer for a more severe penalty or other reason, the Commission shall schedule a hearing concerning the referral, and shall send notice of the date, time and place of the hearing, along with a copy of the Board's or hearing officer's ruling to the respondent at least thirty (30) days prior to the hearing date, by mailing the notice by first-class mail to the respondent's last known address.

6.614 - Whenever the Commission orders that an adjudicatory hearing shall be held in the first instance before the Commission, the Commission shall send notice of the date, time and place of the hearing to the respondent at least thirty (30) days prior to the hearing date, by mailing the notice by first-class mail to the last address furnished by the respondent to the Commission. The notice shall include a description of any violation alleged to have occurred, as well as the approximate date, time and place of the alleged violation.

Scheduling of Hearing

6.620 - Continuances may be granted for good cause.

6.622 - Adjudicatory hearings held before the Commission shall be held at the time and place as the Commission orders.

Conduct of Hearing

6.630 - Within the limits specified by Section 6.610 and Section 6.634, the respondent shall have the right to be present and represented by counsel, and shall also have the right to cross-examine witnesses, present evidence and arguments, and have the Commission issue subpoenas for witnesses or documents.

All hearings shall be recorded either stenographically or by tape recorder. After considering all the evidence, the Commission shall, by majority vote, determine whether any violation of these Rules or of the Law has occurred, and/or what penalty, if any, is appropriate, and shall issue a ruling accordingly. The ruling shall be reduced to writing and a copy mailed by first-class mail to the respondent's last known address furnished by the respondent to the Commission, or the written ruling may be hand delivered to the respondent.

6.632 - *(Modified Effective date May 15, 2015)* At an appeal hearing, the transcript of the proceedings before the Board or a hearing officer may be made part of the record and considered in full by the Commission. The Commission may also hear oral argument from the parties.

Any party appealing a decision of the Board or a hearing officer to the Commission shall file with the Commission a brief setting forth its arguments in support of its appeal no later than fourteen (14) days prior to the scheduled appeal hearing. The opposing party may file a response no later than seven (7) days after the filing of the appellant's brief. Failure to file a brief in support of the appeal may result in a waiver of the right to an appeal.

6.634 - For the purpose of determining an appropriate penalty in a penalty referral hearing or otherwise, the Commission may consider all statements, evidence and arguments, whether or not hearsay, in aggravation or mitigation. However, where no appeal from the underlying Board's or hearing officer's ruling or order has been timely filed with the Commission, no evidence, arguments or statements shall be presented on the question of whether or not the violation found by the Board or hearing officer in fact occurred.

6.636 - Adjudicatory hearings held before the Commission shall be held in accordance with 24-4-104, C.R.S., *et seq*., as amended, including, but not limited to, the procedures set out in Section 6.630.

Failure to Appear

6.640 - In disciplinary hearings before the Commission where a continuance has not been granted and the respondent fails to appear, the Commission may proceed with the disciplinary hearing in a normal manner. Furthermore, the Commission may take disciplinary action against the respondent for failing to obey an order issued by the Commission.

6.642 - *(Modified Effective date May 15, 2015)* In a case involving an appeal hearing before the Commission where oral argument has been granted and the respondent fails to appear, the respondent shall be deemed to have waived any right to a hearing on the matter.

6.644 - The Commission may fine or discipline an appellant if it determines that his/her appeal was frivolous.

Waiver of Hearing

6.650 – Any respondent or interested person may waive their right to a hearing before the Commission by signing a written waiver. Persons who waive their right to a hearing before the Commission also waive all their rights to appeal from the Commission's decision concerning the matter in question.

700's --- PENALTIES

6.700 - All fines must be paid within twenty (20) days of the date of mailing or personal service of the fine unless an extension of time to pay has been requested and granted before the fine is due. A fine will be deemed paid if the postmark on the envelope submitted to the Division reflects a date within twenty (20) days of the date of mailing or personal service of the fine to the licensee. Checks which are postdated or checks returned to the Division unpaid shall not be deemed timely. Any licensee who fails to pay a fine in a timely manner shall pay, in addition to the fine due, a penalty amount equal to the fine. Further disciplinary action, including denial, suspension or revocation of a license, and/or exclusion of a licensee may be taken against any person who fails to pay a fine and/or a penalty within the time required. The Division shall be responsible for the collection of fines and penalties and may delegate said collection responsibility to a Division representative.

6.702 - Disciplinary action taken by the Board, a hearing officer or the Commission at one racetrack or simulcast facility shall be effective on all racetracks or simulcast facilities under the jurisdiction of the Commission.

6.704 - Whenever the license of an owner is revoked or suspended, every animal owned in whole or in part by the owner shall be ineligible to be entered or to start in any race while the disciplinary action is in effect, unless the ownership of the animal has been transferred through a *bona fide* sale to a licensed owner in good standing, who is not an associated person as defined or has provided satisfactory proof to the stewards that no association exists.

6.706 - Whenever the license of a trainer is suspended or revoked, every animal which is under the trainer's care shall be ineligible to be entered or to start in any race while the disciplinary action is in effect, unless care of the animal has been transferred to a licensed trainer in good standing, who is not an associated person as defined or has provided satisfactory proof to the stewards that no association exists.

6.708 - Whenever the license of any person is suspended or revoked, the person shall not be qualified, whether acting as agent or otherwise, to enter or run any animal in any race either in the person's own name or in the name of any other person during the period the disciplinary action is in effect.

6.709 - Any licensee who has had their license denied or revoked may not reapply for licensure for one (1) year from the date of denial or revocation unless permitted by the commission or director. Any person denied, suspended or revoked in accordance with the law or these rules are denied access to restricted areas of the racetrack simulcast facility, any licensed kennel and any other licensed greyhound or horse facility.

6.710 - Whenever a licensee is found by the Board, a hearing officer or the Commission to have

violated any of these Rules or the Law the licensee may be required by the Board, a hearing officer or the Commission to return all money or prizes which the licensee has acquired by means of the practices which led to the violations.

6.712 - In determining an appropriate sanction in a medication violation, the Board, a hearing officer or the Commission may consider the following:

:1 - Whether the unauthorized medication was a stimulant, depressant, anesthetic or narcotic;

:2 - Whether the unauthorized medication could have altered the performance of the animal;

:3 - Any previous medication violations by the licensee;

:4 - Whether the licensee wagered on that race;

:5 - The place of finish of the animal and whether the wagering public was or could have been misled.

6.714 - Pursuant to 12-60-507(2) and 24-30-202(25), C.R.S., any licensee which tenders a check or a draft to the Commission which is not honored by the financial institution upon which it is drawn, shall pay, in addition to the fine or fee due, a penalty amount equal to the fine or fee and an additional penalty as established in the State Fiscal Rules.

800's --- COMPLAINTS BY PATRONS, LICENSEES AND OTHERS

6.800 - Complaints made at the racetrack and simulcast facilities shall immediately be referred to an appropriate association representative or to the office of the Division of Racing Events.

6.802 - When a patron makes a complaint to an association regarding a racing or wagering matter, the association shall immediately provide a complaint form including:

:1 - The name, address, and phone number of the complainant;

:2 - The nature of the complaint;

:3 - The name of the person(s), if any, against whom the complaint was made;

:4 - The date of the complaint; and

:5 - The action taken or proposed to be taken, if any, by the association.

6.806 - When a patron makes a complaint to a representative of the Division regarding a racing or wagering matter, the representative shall immediately provide a Division complaint form.

900's --- EJECTION/EXCLUSION

6.900 - The Division through the proper personnel may summarily eject from a racetrack or simulcast facility any licensed or unlicensed person whose conduct while on the racetrack or

simulcast facility interferes with the orderly and proper conduct of a live or simulcast race meet. Conduct considered to interfere with the conduct of a live or simulcast race meet includes, but is not limited to: bookmaking or acting as a runner for a bookmaker, touting, pickpocketing, altering pari-mutuel tickets, offering to cash altered pari-mutuel tickets, entering or attempting to enter that portion of a racetrack or simulcast facility open only to licensees or racing officials, entering or attempting to enter a racetrack or simulcast facility without first purchasing a ticket to enter, being intoxicated by the use of alcohol or drugs, and possession of a narcotic or drug which violates state or federal laws. In addition, persons will be ejected from the racetrack or simulcast facility for acting in a disorderly manner. Such conduct includes, but is not limited to: using abusive language towards another, making unreasonable noises, fighting, striking or threatening to strike another person, discharging a firearm, and displaying a firearm. A licensee who engages in the above conduct will be subject to disciplinary action in addition to summary ejection.

6.902 - A summary ejection from a racetrack or simulcast facility results in a person being immediately ejected from the racetrack or simulcast facility for a period of up to twenty-four (24) hours from the time of the ejection.

6.906 - The effect of an exclusion is to prohibit licensing or entry to any racetrack or simulcast facility in any capacity to any person excluded, for a period to be determined by the Commission or Division.

6.908 - Any person who is excluded shall be denied admission to and ejected from all racetracks or simulcast facility in Colorado until permission for entering has been obtained from the Commission or Division.

6.910 - Any person who is subject to ejection pursuant to Section 6.900 may be excluded.

6.912 - If a person is excluded without a hearing, a hearing will be held if the aggrieved party files a written notice with the Division requesting a hearing within ten (10) days of the exclusion.

CHAPTER 7
--- RULES OF THE RACE – HORSES ---

100's --- REGISTRATION, ELIGIBILITY, WORKOUTS

Registration

7.100 - After horses have been registered with the racing secretary, listing their owners, a horse will not be transferred (unless claimed at the meet) without permission of the stewards who will require a notarized bill of sale or the proper transfer authorization.

7.102 - The purchase or transfer of any horse at any racetrack, whether by private sale, claiming or public auction, does not guarantee the new owner a stall for the horse unless approved by the racing secretary. The management has the right to allocate stalls.

7.104 - Prior to entry in a race at a race meeting sanctioned by the Commission, double registered horses shall be declared by the owner or trainer in writing to the racing secretary as to under which single breed registry the horse shall compete. No changes shall be made after an entry has been accepted for such horse during that race meet. However, is such horse is entered in a claiming race, all certificates of registration must be in the racing secretary's office and will be transferred to any successful claimant.

Eligibility

7.108 – Either special conditions on eligibility, which have been officially adopted by the relevant horseman's association or racing association for any stake or trial race entry form, or specific conditions set forth in the racing condition book that were in place at the time of nomination or entry, shall override any racing rules determining eligibility to run in all races run in conjunction with that entry or condition, including but not limited to the finals and as approved by the Division Director.

7.110 - If any entry from any person whose license has been suspended or revoked and the suspension or revocation would be in effect at the time of the race or of any horse that is ineligible is received, the entry shall be void. If any entry fee has been paid and the entry is noticed before the draw has taken place, the entry fee shall be refunded; otherwise the entry fee shall be forfeited. Should the entry not be noticed until after the race has been run, any money or prize won by the entry shall be returned for redistribution. The entry shall not be void if the care of the horse is appropriately transferred to an eligible trainer prior to scratch time of the scheduled performance or if there is no scratch time then 9:00 a.m. the day after the draw. The transferee trainer shall sign in the presence of the stewards a form furnished by the Division of Racing Events accepting complete responsibility for the condition of the horse so transferred.

7.112 - Any horse that has been the subject of a fraudulent practice may be disqualified by the stewards of the meet for no longer period than the duration of the meet and they shall report the circumstances to the Commission for proper action.

7.114 - A horse on the stewards' veterinarian's, schooling or starter's list shall not be eligible to be entered.

7.116 - A horse which has started in a race which is not recorded by the *Daily Racing Form* or a similar publication approved by the stewards shall not be entered at a racetrack unless the owner and/or trainer has submitted to the racing secretary satisfactory performance records. Suitable publications and satisfactory performance records shall show where and when the horse raced, the distance, the weight carried, the horse's finishing position and time and the amount of money earned. Such information submitted to the racing secretary shall be signed and sworn to by the owner and/or trainer of the horse.

Workouts

7.120 - The stewards, the track veterinarian/a veterinarian approved by the Commission for such purpose or the Division veterinarian may, for cause, order a horse to be worked at a specific distance and effort.

7.122 - Before accepting the entry of any horse, the stewards may require the horse to have additional official workouts. If any owner or trainer refuses to work out a horse as directed by the stewards, entry of the horse shall be denied.

7.124 - *(Modified Effective date May 15, 2015)* Any horse that has not run at a meet in the sixty (60) days prior to the race in which it is sought to be entered shall have at least one (1) official workout before being eligible to start an official race. A horse that has never run at a meet or has not run in the six (6) months prior to the race in which it is sought to be entered must have a minimum of two (2) official workouts before being eligible to start in an official race. Workouts beyond sixty (60) days will not be accepted. All first time starters must have an approved workout from the starting gate prior to entry.

7.126 - A horse may not be permitted to race whose recent workouts have not been properly recorded with the clocker.

7.128 - Before any horse is permitted to start, the stewards shall be satisfied that its published past performance, whether in races or workouts, shall be of a sufficient number and acceptable time to enable the public to make a reasonable assessment of its capabilities.

7.130 - Every licensee exercising a horse shall correctly identify the horse being exercised, if requested, and if working, the licensee shall state the distance and the point on the racing strip where it is intended to start the workout.

7.132 - The trainer is responsible to the clocker for the proper identification of the horse working out.

7.134 - A workout other than an official workout may not be approved for publication.

7.136 - Absolutely no devices other than authorized riding equipment may be used for any workouts.

7.138 - 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.

7.140 - A horse shall not be worked while under the influence of any unauthorized medication.

200's & 300's --- ENTRIES AND NOMINATIONS

Entering

7.200 - *(Modified Effective date May 15, 2015)* Before a horse is eligible to race, it must be duly entered into that race. The licensed owner or trainer making the entry must be license prior to race time.

7.202 - At the time of entry a certificate of registration from the appropriate registry must be in the office of the racing secretary. A photo copy or a facsimile (FAX) of a certificate showing the current owner is acceptable when a horse is being entered into a race; however, the original certificate must be delivered to the racing secretary at a time designated by the Board.

7.204 - Entries will not be accepted on a horse unless the horse has been approved for racing at the meet by the association.

7.206 - Before being entered into any race, a horse, on race day, must be eligible and in fit condition to race.

7.207 – (*Modified Effective date May 15, 2016*) At the time of a horse's entry, any person authorized to enter a horse shall be responsible to enter the horse with the correct weight and with all of the horse's medications, pursuant to Colorado Racing Commission Rules concerning authorized medications, and all of the published equipment to be used. Any changes in medication or equipment shall be the responsibility of any person authorized to enter a horse and must be included on the entry card. Horses that have changes to medication pursuant to Rule 5.324 shall be approved by the Division veterinarian.

7.208 - A horse shall not be permitted to enter unless it is conditioned by a licensed trainer.

7.210 - All horses shall be registered with the racing secretary in the name of the true owner(s).

7.212 - The entry of a horse must be in the name of its true ownership. Registration certificates and leases of horses shall be filed with the racing secretary within forty-eight (48) hours of the horse's arrival at the racetrack. All transfers of ownership of horses racing at a meet shall be approved by the stewards.

7.214 - Any owner who has a share in a horse which is less than equal to the shares of any other owner is not entitled to enter that horse in a race as the owner without the written approval of the larger shareholders.

7.216 - All persons authorized to enter a horse shall, upon making an entry, be required to furnish the name of the jockey who rides their horse, or if this is not possible, then within one (1) hour after the time of draw. If a jockey has not been named within one hour, the stewards shall name the jockey that will ride the horse.

7.218 - A jockey's fee shall be considered earned when the jockey is weighed out by the clerk of scales. In the event an owner or trainer elects to remove a jockey from his or her mount after naming a rider at the time of the draw, the stewards, after consultation with the owner, trainer and

jockey, may require a double jockey fee to be paid. The fee to be paid is equal to that earned by the jockey who rode the horse. The fee shall not be considered earned when a jockey(s), of their own free will, take themselves off their mounts, where injury to the horse or rider is not involved. Any conditions or considerations not covered by the above rule shall be at the discretion of the stewards. All jockey protests must be filed prior to the race.

7.220 - A horse may be entered in two races on a single day provided that one of those races is either a stake or handicap race. A horse's first obligation to run is in the race where its first position has been drawn. A horse may not be carried on the program in two races.

7.222 - Except to correct an error or as provided in Section 7.110, an alteration shall not be made in a nomination or entry after closing.

Coupled Entries

7.230 - A trainer may not enter more than two (2) horses for any one (1) overnight event. When a trainer enters two (2) horses for the same overnight race, a preference must be expressed and in no case may two (2) horses under one (1) ownership or one (1) trainership be drawn into an overnight race to the exclusion of a single entry.

7.232 - Horses owned by the same owner(s) or leased by the same lessee(s) wholly or in part shall be coupled as a single wagering interest in any one race. For the purposes of this rule, the lessee is considered the owner. If the Director determines, in the exercise of his/her sole discretion, that the pool of horses for any given race meet may be insufficient to maintain a reasonable parimutuel racing program with coupled entries, or that other conditions exist which would, in the best interests of racing, make the uncoupling of entries desirable, then the Director may allow horses which would otherwise be coupled under this rule to be uncoupled.

7.234 - Entries of separate ownership but trained by the same trainer shall not run as an entry nor be coupled for wagering purposes.

7.236 - A trainer or assistant trainer of any horse shall not have any ownership interest in any other horse in the same race unless the horses are coupled as a single wagering interest. If after scratch time the number of separate interests in a race exceed the numerical capacity of the totalisator and/or tote board, once Section 7.232 has been complied with, any further necessary coupling shall be allowed until the coupling creates the maximum numerical capacity of the totalisator and/or tote board. If the Director determines, in the exercise of his/her sole discretion, that the pool of horses for any given race meet may be insufficient to maintain a reasonable parimutuel racing program with coupled entries, or that other conditions exist which would, in the best interests of racing, make the uncoupling of entries desirable, then the Director may allow horses which would otherwise be coupled under this rule to be uncoupled.

Nominations

7.240 - Pursuant to these Rules nominators to stakes may before the time set for the close of entries for a stake, transfer a horse's engagement. In the event a transfer is made, the nominator is relieved of any further liability for the continuation of the engagement. The person(s) to whom the engagement is transferred shall assume all liability from the time of the transfer forward and the horse shall be entered in the name of the person to whom the engagement was transferred.

7.242 - A person shall not be prohibited from nominating or sustaining a horse while the person is under suspension or revocation; however, the owner at the time set to pass the entry box must be in good standing.

7.244 - Nomination, sustaining, entry and starting fees are not refundable in the event a horse dies or fails to start for any reason, except as provided for in these Rules.

7.246 - In a stake race all horses nominated and entered shall be allowed to compete unless the specific conditions of the race state otherwise.

7.248 - Any stake or handicap races having six (6) or more separate interests at scratch time cannot be cancelled.

7.250 - If a stake race is cancelled, all subscriptions and fees paid in connection with that race shall be refunded.

Close of entry and draw

7.260 - For stakes races if a horse is not named through the entry box by the actual closing time for entries, the horse shall be considered declared.

7.262 - If any race fails to fill and is declared off, the names of all the horses that were entered shall be publicly posted in the office of the racing secretary not later than one (1) hour after the day's draw.

7.264 - Nominations shall close at an advertised time and no nomination shall be accepted thereafter, except that if an hour for closing of nominations for a stake race has not been designated, nominations may be mailed or telegraphed up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race.

7.266 - The racing secretary may postpone the closing of the entry box for any race that has not been filled by closing time. If the closing of a race is postponed, the racing secretary shall publicly announce the postponement stating the reason for it.

7.268 - If a nomination or entry is not received or an error is made concerning the information contained in the nomination or entry, the nominator or person making the entry must provide sufficient proof prior to the completion of the draw that the nomination or entry was properly made and submitted or the entry shall not be considered.

7.270 - The racing secretary shall, without delay, compile and post a list of the entries after the close of entries.

7.272 - A race which has closed shall not be declared off except by the stewards.

7.274 - In determining the maximum number of starters which may run in a race the capacity of the starting gate and the width of the racing strip must be considered. The track width must allow a minimum of five (5) feet per starter.

7.276 - If a race is divided into two (2) or more divisions, horses under the same ownership or trainership shall be placed in separate divisions with horses under the same ownership being divided first. The division they shall compete in shall be drawn by lot.

7.278 - If any race is declared off because of insufficient entries, the association may split any overnight race.

7.280 - In the event the number of entries which could draw into an overnight race exceeds the number which because of racing strip or starting gate limitations may start, the starters shall be determined by lot or the race split. Likewise, in split races the starters and post positions shall be determined by lot.

7.282 - Post positions shall be determined publicly by lot in the presence of the racing secretary or assistant.

Also-Eligible and Preferred Lists

7.290 - A list of horses not to exceed six (6) may be drawn from the overflow entries as "also eligibles" to start if originally carded horses are scratched. Horses which gain a position in a race from the also eligible list shall take the outside post position in order drawn from the also eligible list.

7.292 - The racing secretary shall keep a list of all horses excluded from races because of too many entries, and they are to have preference in any race in which they may afterwards be entered in accordance with the system adopted by the racing secretary for the meet. This shall be known as the preferred list. Any system that is adopted shall be retained throughout the meet.

7.294 - A horse shall not be put on or remain on the preferred list if the owner and/or trainer rejects the opportunity to start the horse.

7.296 - Horses whose names appear in the entries and have an opportunity to start will be referred to as in-today horses and will not be given consideration should they be entered for the following race day and the race overfill. An in-today horse shall have preference over the second choice of an entry.

7.298 - A current preferred list will be posted and any claim of error must be made prior to the drawing of the races.

7.300 - When entering horses on the preferred list a claim of preference must be made at time of entry and noted on the entry or the preference shall be lost.

Engagements

7.310 - If a horse is sold by private treaty, or at a public auction, the written acknowledgement of both parties is necessary to prove the fact that it was sold with its engagements, but when a horse is sold or claimed out of a claiming race, the horse's engagements are included, unless the advertised conditions of the race state specifically to the contrary.

7.312 - Engagements or rights of entry are valid when a horse is sold with its engagements

properly transferred. If a horse with engagements is registered in the name of a partnership, in the event of the death of one of the partners the horse's engagements remain valid for the surviving partners. No engagement or right of entry shall become void upon the death of the nominator unless the conditions of a race state otherwise.

7.314 - A transfer of a horse or its engagements shall not be permitted until the horse has run in the race it has been entered to run, except as provided in Section 7.110.

7.316 - A horse's engagement shall become void whenever a payment that is due is unpaid. When this occurs all prior payments become forfeit. Race conditions may, however, specifically provide for late payments in order to make a horse eligible for a race.

400's --- DECLARATIONS AND SCRATCHES

Declarations

7.400 - The declaration of a horse out of an engagement is irrevocable.

Scratches

7.410 - An eligible horse shall not be declared from an engagement without the stewards' approval.

7.412 - The stewards shall have the authority to declare a horse from an engagement when it appears that there is a violation of the Law or of these Rules.

7.414 - In races other than stakes races, scratches below eight (8) interests may only be made by permission of the stewards and this right shall be determined by lot when necessary. Horses on the also eligible list shall have a preference to scratch over horses originally drawn in the race. However, all veterinarian and steward scratches shall supersede any other type scratch. In the alternative, the scratching of also eligibles will be determined at the commencement of the meet by the stewards.

A horse's primary obligation to start shall be the first race in which it originally draws a post position, except, within the time period specified by the Board and with the Board's approval, one-half of a coupled entry may be withdrawn with no penalty. The racing secretary shall post scratches and the horses that draw in from the also eligible list to start.

The owner or trainer of any horse eligible which is not intended to start shall notify the racing secretary not later than the designated scratch time for the race.

7.416 - The Division or association veterinarian(s) shall have the authority to declare a horse from a race at any time after making a determination that the horse is not in fit condition to race.

7.418 - Horses may be declared from a stakes race without cause no later than forty-five (45) minutes to post time for the race.

500's --- WEIGHTS

Allowances

7.500 - All allowances, except sex allowances, are optional and can only be claimed at time of entry by the trainer or the trainer's designee. In the event of a jockey change at the time of the draw, an apprentice jockey allowance may be claimed during the same time period permitted for a jockey change. Sex allowances must be claimed and cannot be waived.

7.502 - A horse shall start with only the allowance to which it is entitled at the time of starting, regardless of its allowance at the time of entry.

7.504 - Horses not entitled to the first allowance in a race shall not be entitled to the second, and so on.

7.506 - Omission to claim an allowance is not cause for disqualification.

7.507 – (*Added Effective date May 15, 2016*) Claim of a weight allowance to which a horse is not entitled will not disqualify said horse unless a timely protest as required by Rule 6.202 is made in writing and lodged with the board one hour prior to the running of the first race of the day.

7.508 - A horse shall not be given an allowance for failure to finish second or in any lower place in any race.

Penalties

7.510 - Horses incurring penalties for a race shall not be entitled to any of the weight allowances for that race.

7.512 - Penalties are mandatory.

7.514 - A horse shall not incur a penalty or be barred from any race for having been placed second or lower in any race.

7.516 - When the decision of a race is in dispute, all horses involved in the dispute with respect to the winner's credit shall be liable for all penalties attached to the winning of that race until a winner has been adjudged.

7.518 - Penalties will not be recognized against horses or jockeys for winning races on racetracks that are not recorded by the *Daily Racing Form* or a similar publication approved by the stewards.

7.520 - A horse shall not incur a penalty for a placement from which it is disqualified, but a horse placed through a disqualification of another horse shall incur the penalties of that placement. No placement, however, shall make a horse ineligible to a race which has already been run.

7.522 - Except in handicap races which expressly provide otherwise, two year old fillies shall be allowed three pounds, and fillies and mares three years old and upward, shall be allowed five pounds before September 1 and three pounds thereafter in races where competing against male horses.

Scale of Weights

7.530 - In races of intermediate lengths, the weights for the shorter distance shall be carried.

600's --- RUNNING OF THE RACE (PADDOCK TO POST)

Equipment

7.600 - Under no circumstance shall the material to be used as a tongue tie be furnished by anyone other than the trainer of the horse on which it is to be used. An association employee shall not be permitted to tie the tongue or replace or repair a tongue tie.

7.602 – (*Deleted Effective date May 15, 2016*)
7.604 - Only the ordinary whip approved by the stewards may be applied to a horse at any time during the running of a race or in workouts or training.

7.606 – (*Deleted Effective date May 15, 2016*)

7.608 - Bar plates may be used only with the consent of the Division Veterinarian. No traction devices will be allowed that extend beyond the outer wall of the hoof more than 1/8 of an inch or that encases the sole of the hoof or completely encircles the hoof. The Commission may limit the height of toe grabs for any breed at a live race meet. Toe grabs with a height greater than the maximum set by the commission, bends, jar caulks, stickers and any other traction device worn on the front hooves of horses while racing or training on all surfaces, are prohibited. The horse shall be scratched and the trainer may be subject to fine for any violation of this rule.

Racing Numbers and Colors

7.610 - Associations shall furnish standard racing colors.

7.612 - Owners may use their own suitable colors in lieu of using those furnished by the association. All colors must be registered with the racing secretary by scratch time for the day they are to be used.

7.614 - International racing colors shall be used for helmet and saddlecloths unless otherwise approved by the Commission.

7.616 - Colors must be kept clean and in good repair.

7.620 - A jockey shall wear a number on the helmet cover and this number shall correspond to the saddle cloth number of the horse in the official program.

Jockey Requirements

7.630 - Maximum Overweight - A horse shall not carry more than two (2) pounds overweight without consent of its owner, the owner's agent, or the owner's representative but shall not carry more than seven (7) pounds overweight in any race.

7.632 - A jockey shall fulfill all duly scheduled riding engagements unless excused by the stewards. A jockey shall not be forced to ride a horse which is believed to be dangerous or be

forced to ride over a racing strip believed to be unsafe. However, if the stewards determine that a jockey's refusal to fulfill a riding engagement is unwarranted by the facts, the jockey may be subject to disciplinary action.

7.633 – (*Deleted Effective date May 15, 2016*)

7.634 - Every jockey engaged to ride shall report to the scale room at the time required and shall report their riding weight to the clerk of scales. Once a jockey has reported, the jockey shall not leave the jockey's room except to ride until all engagements for that day have been fulfilled. Jockeys who are allowed to report late to the jockey's room and are not allowed in the grandstand area until their riding engagements are fulfilled.

7.636 - After leaving the jockey's room a jockey cannot re-enter the jockey's room except by permission of the jockey's room custodian. A jockey who is not riding on a given day may not enter the jockey's room during racing hours except by permission of the jockey's room custodian.

7.638 - A jockey shall not be permitted to perform whose abilities, in the opinion of the stewards, are such that the jockey would be unable to properly perform the jockey's duties. The stewards may require a jockey to be given a physical examination at State expense by a doctor designated by the stewards in order to determine a jockey's fitness.

7.640 - A jockey shall not be permitted to perform if, in the opinion of the stewards, his/her ability may be impaired by the use of alcohol or drugs. The stewards may consult with attending medical personnel in making a determination of such impairment.

7.642 - All owners, trainers, jockeys, exercise persons, pony persons and outriders shall wear a safety helmet of the type approved by the Commission, and all jockeys and other licensees performing the duties of an exercise person shall wear a safety vest of the type approved by the Commission, when they are performing their duties on the racetrack.

7.644 - Jockeys shall be weighed out by the clerk of the scales not less than ten (10) minutes before time for the race. In case of any change it shall be announced and posted.

7.646 - The jockey's weight shall also include clothing, boots, saddle and attachments and any other equipment except the number cloth, whip, bridle, bit, blinkers, goggles and safety equipment including helmet, vest, over-girth, reins and breast collar.

7.648 - A safety vest for jockeys shall weigh not more than two (2) pounds and shall be designed to provide shock-absorbing protection to the upper body with at least a rating of five, as defined by the British Equestrian Trade Association (BETA).

7.650 - The association shall provide the only attendants who will be permitted to assist jockeys on weighing out.

Paddock to Post

7.660 - All advertised post times must be promptly met. Emergencies which prevent the advertised post time from being met shall be reported to the stewards.

7.664 - Every horse must be saddled in the paddock.

7.666 - In the paddock a horse shall be attended by the trainer who shall supervise the saddling. If permission is obtained from the stewards, a trainer may send another licensed trainer to the paddock as a substitute.

7.668 - All horses shall parade and except for emergencies they shall do so in numerical order. A pony leading a horse in the parade shall not intentionally obstruct the public's view of the horse being led.

7.670 - After entering the racing strip, not more than twelve (12) minutes shall be consumed in the parade of horses to the post except in cases of unavoidable delay. After passing the grandstand once, horses will be allowed to break formation and canter, warm up or go as they please to the post. When horses have reached the post, they shall be started without unnecessary delay.

7.672 - All horses are required to carry their respective weights, except for emergencies declared by the stewards, from the time they leave the paddock for the post parade, through the start and running of the race, up to the finish of the race.

7.674 - If a horse leaves the racing strip during the post parade and goes out of sight of the stewards or causes an unnecessary delay in the start of the race, it shall be scratched.

Walkover

7.680 - If only one (1) horse remains at the time the horses are scheduled to leave the paddock for the post parade and is carrying its assigned weight, that horse shall be ridden past the stewards stand and shall be deemed the winner of the race by reason of a walkover.

7.682 - In match races where one (1) horse pays forfeit, the other need not walkover.

7.684 - In a stakes race, even if all of the horses but one (1) have declared forfeit, that horse shall walkover, except by the written consent of all persons who pay forfeit.

7.686 - A walkover by a horse entitles it to all of the added money and other fees in stakes.

700's --- RUNNING OF THE RACE (POST TO FINISH)

The Start

7.700 - If the conditions for a race include a starting fee, the fee shall be refunded to the owner of the horse prevented from starting the race through failure of the gates to open.

7.702 - The stewards after consulting with the starter shall make the sole decision on the question of what horse(s) is prevented from starting in the race through failure of the gates to open.

7.704 - In the event that a stall door does not open for any reason at the time the starter dispatches the field, but subsequently opens to allow a horse to start, the horse affected may retain any portion

of the purse or qualification that may be obtained in the placement of that race. This rule does not affect the pari-mutuel refunds ordered by the pari-mutuel wagering Rules in Chapter 12.

7.706 - If, due to mechanical failure of the gate, horses are allowed to leave at irregular intervals instead of all horses leaving at one time, the decision as to whether the race is official shall be determined by the stewards.

Interference, Jostling, Striking, Disqualification

7.710 - A jockey shall not willfully or carelessly strike or touch any other jockey or another jockey's horse or equipment.

7.712 - A jockey shall not unnecessarily cause their own nor any other horse to shorten its stride.

7.714 - If a horse or jockey is impeded by another horse or jockey, the aggressor may be disqualified unless the impeded horse or jockey was partly the cause or another horse or jockey was the cause.

7.716 - In a straightaway race every horse must maintain position as nearly as possible in the lane in which it starts. Every horse in the race is entitled to racing room and may not be deliberately impeded. If a horse is ridden or drifts out of its lane in a manner that it interferes with or impedes another horse in any way, it is a foul, and the offending horse may be disqualified when, in the opinion of the stewards, the outcome of the race was affected by the foul. This shall apply whether the foul was caused by the horse or by the jockey, and whether it was caused by carelessness or willfulness. When the stewards rule that the foul was caused by the horse, in spite of obvious efforts of the jockey to maintain position in its lane, blame shall not be attached to the jockey. But when the stewards rule that the jockey did not make a sufficient effort to prevent the foul, or willfully rode the horse out of its lane, then the jockey may be penalized. A jockey who rides a horse out of its lane or fails to make a sufficient effort to hold a horse in its lane when the horse is lugging either in or out may be penalized even though no actual foul occurs.

7.718 - In races involving a turn(s), a horse is entitled to any part of the racing strip as long as it does not interfere with or impede the progress of any other horse(s). If, in the opinion of the stewards, a horse interferes with or impedes the progress of any other horse(s), the horse may be disqualified and the jockey may be penalized. Every horse in the race is entitled to racing room and may not be deliberately impeded. If a horse is ridden or drifts either in or out, in a manner that it interferes with or impedes another horse in any way, it is a foul, and the offending horse may be disqualified when, in the opinion of the stewards, the outcome of the race was affected by the foul. This shall apply whether the foul was caused by the horse or by the jockey, and whether it was caused by carelessness or willfulness. When the stewards rule that the foul was caused by the horse, in spite of obvious efforts of the jockey to maintain position in its lane, blame shall not be attached to the jockey. But when the stewards rule that the jockey did not make a sufficient effort to prevent the foul, or willfully rode the horse out of its lane, then the jockey may be penalized. A jockey who rides a horse out of its lane or fails to make a sufficient effort to hold a horse in its lane when the horse is lugging either in or out, may be penalized even though no actual foul occurs.

7.720 - If a horse is disqualified for a foul under these Rules, any other horse in the race owned wholly or in part by the same interest or trained by the same trainer, may also be disqualified.

7.722 - If a horse leaves the racing strip during the running of a race it shall be disqualified.

Horses Shall be Ridden Out

7.730 - Except where circumstances justify otherwise, every starter shall be ridden to win. Whenever a horse is ridden in a manner inconsistent with winning a race, the jockey shall immediately report the reason for doing so to the stewards who shall determine whether or not there was justification for the jockey's actions.

Use of Whips

7.740 - A whip shall not be applied by anyone in an abusive manner at any time.

7.742 - If a horse races without the use of a whip it shall be announced over the public address system.

Returning After the Finish

7.750 - After a race, jockeys shall be weighed immediately after pulling up and unsaddling unless excused by the stewards. If a jockey is prevented from riding the horse to the area where the scales are located, the jockey may be excused by the stewards.

7.752 - All horses shall be unsaddled by their respective jockeys upon pulling up at the end of a race. Attendants may hold a horse by the bridle only and may not otherwise assist a jockey in unsaddling. Exceptions to this rule must have the approval of the stewards.

Weighing In

7.760 - If a jockey fails to weigh in or weighs in more than two (2) pounds lighter than the weigh out weight or is guilty of any fraudulent practice with respect to weighing out and in, the clerk of scales shall report to the stewards and the horse may be disqualified and declared unplaced and an appropriate penalty assessed against the jockey.

7.762 - If a horse carries more than two (2) pounds over its proper or declared weight, the clerk of scales shall report to the stewards and appropriate action may be taken against the jockey; however, should the stewards rule that the excess weight was caused by rain or mud, action shall not be taken.

Dead Heats

7.770 - When horses run a dead heat all monies and prizes to which the horses would have been entitled shall be divided equally. When horses run a dead heat for first place, each horse shall be deemed a winner.

7.772 - If the dividing owners cannot agree as to which of them is to have a cup or other prize which cannot be divided, the questions shall be determined by lot in the presence of one (1) or more of the stewards.

Protests, Objections, and Inquiries

7.780 - The stewards shall be cognizant of foul riding. Objections shall be considered only from the jockey, trainer or owner of a horse that has met interference. No frivolous claims of foul shall be made.

Winnings

7.790 - Winnings shall include all money up to the time appointed for the start, and shall apply to all races in any country, and embrace walking over or receiving forfeit, but not second and third money, or the value of any prize not of money or not paid in money. Winnings during the year shall be reckoned from January 1st, preceding.

7.792 - Winner of a certain sum shall mean winner of a single race of that value unless otherwise stated in the conditions.

CHAPTER 8
--- CLAIMING RACES ---

100's --- GENERAL PROVISIONS

8.100 - A horse that has a claim against it, whether by mortgage, bill of sale or lien of any kind, may not be entered in a claiming race unless written consent of the holder of the mortgage, bill of sale or lien is filed with the racing secretary and stewards prior to entering the horse in a claiming race.

8.101 – (*Modified Effective date May 15, 2016*) Subject to Rule 8.109, title to a claimed horse vests in the successful claimant from the time the horse steps onto the racetrack for its designated race and the successful claimant is the owner of the horse whether it be alive or dead, sound or unsound, or injured during the race, or after it. At the time of filing the claim form claimants may on the designated claim form request a post-race test of the claimed horse for prohibited substances per Colorado Racing Commission guidelines.

8.102 - The trainer shall be responsible for having obtained the owner's consent to enter a horse in a claiming race for the price entered. The claiming price of each horse shall be printed in the official program. Incorrect printing of prices in the program shall be reported to the stewards by the trainer.

8.104 - Owners who withdraw all of their horses from a meet or withdraw or permit the withdrawal of the registration certificates of all horses owned by them from the office of the racing secretary forfeit immediately their right to claim at the said meet but may re-earn that right by again registering a horse at that meet and fully complying with the rules contained herein.

8.106 - The stewards, or their designated representative, shall open the claim envelopes for each race as soon as, but not until, the horses for the race enter the racing strip on the way from the paddock to post.

8.108 - Title to a claimed horse shall be vested in the successful claimant from the time the horse steps onto the racetrack for it's designated race and the successful claimant shall then become the owner of the horse whether it be alive or dead, sound or unsound, or injured during the race, or after it.

8.109 – (*Added Effective date May 15, 2016*) In the event a request is made for a post-race test, the claimed horse shall be taken to the test barn immediately after the race, a blood sample shall be drawn by the Commission Veterinarian, and the sample submitted to the Commission's primary testing laboratory.

The successful claimant shall be responsible for paying the cost for the test. The horse shall not be tested unless payment accompanies the claim card and the request for post-race testing is clearly marked on the claim card.
The successful claimant shall have the right to void the claim if the post-race test is positive for a prohibited substance. In the event of a positive test, the original trainer of the horse may be subject to disciplinary action.

8.110 - Claims which are not made in accordance with these Rules shall be void. The stewards may at any time require any person to file a written affidavit that the claim was made in accordance with these Rules. The stewards shall make the final determination as to the validity of a claim.

8.112 - A claim shall, in all cases, represent a *bona fide* offer by the claimant to buy and by the owner to sell at the claiming price. The stewards shall inquire into any and all circumstances leading them to believe that this is not true.

8.114 - A successful claimant shall have either forty-eight (48) hours from the established post time of the race from which the horse was claimed, to file an objection concerning the claim or upon receipt of testing. The objection must be filed in writing and contain an affidavit giving all available evidence to support the objection. If the sex of a claimed horse is not the same as is printed in the official program, the stewards shall, at the request of the successful claimant declare the claim to be void.

8.118 - A claimed horse shall not race elsewhere for a period of thirty (30) days or until after the close of the meet, whichever comes first, except by special permission of the stewards at the meet where the horse was claimed.

8.120 - If a horse is claimed at a recognized race meet governed by the rules of another racing jurisdiction and is entered in a race in Colorado, the claiming rules of Colorado shall control.

200's --- CLAIMING OF HORSES

8.200 - Horses racing in a claiming race are for sale for the advertised price in accordance with the claiming rules.

8.202 - A horse that starts in a claiming race may be claimed for its entered price by any licensed owner, or the authorized agent who has been granted authority to claim for a licensed owner, who has a horse registered to race at the meet, or by any person who has received a claim certificate.

8.204 - For claiming purposes, if a horse is owned by more than one owner, the total ownership shall be considered a single entity.

8.206 - A claimed horse shall run the race from which it was claimed in the interest and for the account of the owner from whom the horse was claimed.

8.208 – (*Added Effective date May 15, 2016*) The successful claimant shall have forty-eight (48) hours to exercise his or her right to void the claim following a positive test. The successful claimant shall be responsible for all expenses for the care and maintenance of the horse from the time the horse is transferred to the claimant until the time the horse is returned to the prior owner following a voidance of the claim. Further, the horse shall be designated as ineligible to be drawn until the test results are returned.

300's --- CLAIM CERTIFICATE

8.300 - When a stable has been eliminated by claiming or as a result of a natural disaster, the affected owner shall have the right to claim at any meet in Colorado during the next thirty (30) calendar days without having to obtain a claim certificate. The day the stable is eliminated by

claim or the day the disaster occurs shall be counted as the first day for the purposes of this rule.

400's --- PROHIBITIONS

8.400 - An optional claiming race is a contest in which selected horses are entered to be claimed for a stated claiming price. In the case of horses entered to be claimed in such a race, the race shall be considered, for the purpose of these rules, a claiming race. In the case of horses entered not to be claimed, the race shall be considered an allowance race.

8.402 - An owner may not claim a horse racing in that owner's trainer's stable.

8.404 - A person shall not offer, or enter into an agreement to claim or not to claim, or attempt to prevent another person from claiming any horse in a claiming race and shall not attempt by intimidation to prevent anyone from running a horse in any claiming race. An owner or trainer shall not make any agreement with one another for the protection of each other's horses in a claiming race.

8.406 - A claimed horse shall not remain in or return to the same stable or under the care or management of the owner or owners, or trainer from whom it was claimed.

8.408 - A horse claimed in a claiming race shall not be sold or transferred, wholly or in part, to anyone within thirty (30) days after the day it was claimed except in another claiming race.

500's --- PROCEDURE FOR CLAIMING

8.500 - All claims shall be made in writing by an owner or authorized agent on forms and in envelopes furnished by the association and approved by the Division. Both forms and envelopes must be filled out completely and must be sufficiently accurate to identify the claim, otherwise the claim will be void.

8.502 - For claiming purposes each member of a partnership or the partnership's authorized agent must sign the claim form.

8.504 - A claim must be deposited in the claim box and have the time of day that the claim is entered, recorded on the claim envelope, by mechanical clock or hand written and initialed by a racing official if the mechanical clock is not operational, at least ten (10) minutes before the post time for the race in which the claim is being made. Post time for claiming purposes is the first time posted on the tote board or announced over the public address system.

8.506 - Money or its equivalent shall not be put in the claim box. For a claim to be valid the person making the claim must have a credit balance with the association's horsemen's bookkeeper of not less than the amount of the claim.

8.508 - Except as provided for elsewhere in these Rules, claims are irrevocable.

8.510 - If more than one valid claim is filed for the same horse, the title to the horse shall be determined by lot under the supervision of one or more of the stewards or their designated representative.

8.512 - An official or association employee shall not give any information as to the filing of claims

until after the race has been run.

600's --- TRANSFER OF CLAIMED HORSES

8.600 - *(Modified Effective date May 15, 2015)* When a horse is claimed from a race, it shall be taken to the test barn after the race for delivery to the successful claimant or representative. Authorization from the stewards shall be given before the original owner delivers the horse to the successful claimant. A person shall not refuse to deliver a claimed horse to the successful claimant. In the event of refusal, both the person and the horse may be disqualified until delivery is made. The successful claimant or representative must report to the test barn immediately after the race to take possession of the horse claimed.

8.602 - If a claimed horse has been designated for post race testing, the liability for the tests taken shall rest with the former trainer who may be present.

8.604 - In claiming races engagements follow the horse unless the conditions of the race specifically state to the contrary.

8.606 - *(Modified Effective date May 15, 2015)* When a horse is claimed it is the duty of the successful claimant to register the change with the racing secretary. The foal certificate of a claimed horse must remain in the custody of the racing secretary until the proper transfer of ownership has been completed, which shall include a copy of the Brand Inspection from the Colorado Department of Agriculture, Division of Brand Inspection. Cost of the Brand Inspection shall be paid by the seller.

CHAPTER 9
--- SPECIAL RULES OF THE STATE OF COLORADO ---

100's --- REGISTRATION

Thoroughbred horses

9.100 - The *American Stud Book* and register of the Jockey Club shall be the sole registry for thoroughbred horses.

9.102 - *(Modified Effective date May 15, 2015)* The *Daily Racing Form* **™** charts shall be the official past performance chart for thoroughbred racing. A similar publication approved by the Commission may be considered in determining the eligibility or past performance for thoroughbred horses.

Quarterhorses

9.110 - The *Official Stud Book* and registry for quarterhorses shall be the American Quarter Horse Association, Amarillo, Texas.

9.112 - *(Modified Effective date May 15, 2015)* The Daily Racing form shall of the official past performance chart for Quarterhorse Racing. A similar publication approved by the Commission may be considered in determining the eligibility or past performance for Quarterhorse horses.

Appaloosas

9.120 - The *Official Stud Book* and registry for appaloosa horses shall be the Appaloosa Horse Club, Inc., Moscow, Idaho.

9.122 - *(Modified Effective date May 15, 2015)* The *Daily Racing Form* shall be the official Past performance charts for Appaloosa racing. A similar publication approved by the Commission may be considered in determining the eligibility or past performance for Appaloosa horses.

Paints

9.130 - The *Official Stud Book* and registry for paint horses shall be the American Paint Horse Association, Fort Worth, Texas.

9.132 - *(Modified Effective date May 15, 2015)* The *Daily Racing Form* shall be the official Past performance charts for AMERICAN PAINT HORSE racing. A similar publication approved by the Commission may be considered in determining the eligibility or past performance for PAINT horses.

Standardbreds

9.140 - *(Deleted Effective date May 15, 2015)*

9.142 - *(Deleted Effective date May 15, 2015)*

Arabians

9.150 - *(Modified Effective date May 15, 2015)* The *Official Stud Book* and registry for Arabian horses shall be the Arabian Horse Registry of America, P.O. BOX 271355, Littleton, CO.

9.152 - *(Modified Effective date May 15, 2015)* The Daily Racing Form ™ shall be the official Past performance charts for Arabian racing.

200's --- COLORADO BRED RULE

9.200 - For the purpose of encouraging the breeding of race horses in the State of Colorado, at least one race of each day's live meet shall consist of "Colorado bred" horses, provided that "Colorado bred" horses are available.

9.202 - *(Modified Effective date May 15, 2015)* The Colorado Thoroughbred Breeders Association will act as the official registry for Colorado bred thoroughbred horses. The Rocky Mountain Quarterhorse Association will act as the official registry for Colorado bred quarterhorses. The Colorado Appaloosa Racing Association will act as the official registry for Colorado bred appaloosa horses. The Rocky Mountain Paint Racing Club will act as the official registry for Colorado bred paint horses. The Colorado Owners and Breeders of Racing Arabians, Inc., will act as the official registry for Colorado bred Arabian horses.

9.204 - Before a Colorado bred horse is eligible for a breeders' award, the horse's papers must be stamped, "Colorado bred," with the official seal of the relevant official Colorado breed registry. The "Colorado bred" stamp of an official Colorado breed registry on the horse's papers shall mean that the breed registry has certified that the horse meets each of the criteria of the "Colorado bred" definition in these rules and not any other definition which may be in use in other contexts by the breed registry.

9.208 - A Colorado sired horse is a horse whose foal certificate is stamped as Colorado sired by the official Colorado breed registry.

9.211 - Before a Colorado bred horse is eligible to be entered into any race designated specifically for Colorado bred horses, the horse must have its foal certificate stamped, "Colorado bred," with the official seal of the relevant official Colorado breed registry, as provided for in these rules.

9.212 - All Colorado bred thoroughbreds, quarterhorses, appaloosa, paint and Arabian horses shall be identified on racing programs at the various racetracks in Colorado and when entered in an open or non-Colorado bred race shall be entitled to claim a weight allowance of three (3) pounds at time of entry except in handicaps and/or stakes races..

300's --- THE COLORADO HORSE BREEDERS AND OWNERS AWARDS AND SUPPLEMENTAL PURSE FUND

9.300 - The Colorado horse breeders and owners awards and supplemental purse fund shall derive

its money from the following sources pursuant to Section 12-60-701(2)(b), C.R.S.:

:1 - All persons licensed to conduct live horse races or to receive simulcast horse races shall pay to the Division one-half (1/2) of one percent (1%) of the gross receipts of pari-mutuel wagering on win, place and show on such races and one and one-half percent (1 1/2%) of the gross pari-mutuel receipts from all other pari-mutuel wagering on such races; and

:2 - In addition, the proceeds derived from all unclaimed pari-mutuel tickets from each live horse race meet and from each simulcast race of horses received by an in-state simulcast facility shall be paid to the Division for the horse breeders and owners awards and supplemental purse fund after a period of one year following the end of the live or simulcast race meet in connection with which such live or simulcast races were conducted.

Distribution of Colorado horse breeders and owners awards and supplemental purse funds

9.310 - All money in the funds shall be distributed to the breeder organizations for distribution as breeder and/or owner awards or supplemental purse funds according to Section 9.316.

9.312 - Money from the funds received by the breeder organizations shall be distributed to award recipients according to the bylaws of the respective breeder organizations.

9.314 - Distribution of funds in the Horse Breeders and Owners Awards and Supplemental Purse Fund created by Section 12-60-704, C.R.S. as amended, shall be accomplished on a fiscal year basis not consistent with the state's general fiscal-year period. For the purpose of this rule, the fiscal year shall run from January 1 through December 31, or as otherwise determined by the Commission.

9.316 - All funds collected pursuant to Section 12-60-701(2)(b), C.R.S., will be distributed annually to each breeder's organization as Breeder's and Owner's Awards and Supplemental Purse Funds. These funds will be distributed according to the percentage of the actual handle, as calculated by the association, that each horse breed generated from all live and simulcast races conducted as part of all live race meets within that year. No breed shall receive more than eighty percent (80%). The handle on a mixed race will be considered generated proportionally by breed according to the number of starters in that race. The association shall report at least quarterly, or as requested by the Director, to the Division, the percentage of races each breed has participated in and total dollars accumulated in the owners and breeders fund.

9.318 - Unclaimed ticket money collected pursuant to Section 12-60-704(2), C.R.S., will be distributed annually to each breeder's organization for Breeder's and Owner's Awards and Supplemental Purse Funds using the same percentages as in part (b) in the year the tickets were issued.

Functions of breeder organizations

9.320 - Each breeder organization shall set up and maintain stallion, broodmare, foal and owners registries for their breed.

9.322 - Each breeder organization shall maintain accurate records of Colorado bred horses of their breed which are race winners as well as money won in order to compile statistics needed for the

preparation of that breed's annual awards distribution proposal.

9.324 - For the purpose of supplementing purses for Colorado bred races, a breed organization may request no later than April 1 a percentage, not to exceed seventy-five percent (75%), of monies estimated due that breed organization as of June 30 of that fiscal year. The request shall be submitted to the Commission and must include the breed organization's plan of distribution as set out in the organizations bylaws. Monies approved by the Commission for supplementing purses shall be released as soon after June 30 as practical. Monies not used to supplement purses shall be held in escrow by the breed organization until the end of the calendar year and distributed according to the bylaws of such breed organization. Five percent (5%) of the monies approved by the Commission may be used for administrative expenses as specified by Colorado statute. Each breed organization receiving early distribution of money pursuant to this rule shall file with the Division a report prior to the end of such calendar year specifying use of such monies.

9.326 - Division personnel will insure that associations make proper deposits of uncashed tickets due in owners and breeder awards in the Colorado horse breeders and owners awards and supplemental purse fund.

9.328 – Once approval is given by the Commission, the Division shall take steps necessary for distribution of breeder and owner awards. The Association shall be responsible for the accuracy of the breed percentages. If any of the Colorado breed organizations disagree with the distribution percentages, they shall provide the documentation to show where variances occur. In the case of disagreements with the distribution percentages, the Commission may delay disbursement of the fund until such time as the disagreement is settled or the Commission determines the distribution amounts.

400's --- COLORADO GREYHOUND PURSE, WELFARE, AND ADOPTION FUND

9.400 - The Colorado greyhound purse, welfare, and adoption fund shall derive its money from the following source pursuant to section 12-60-701(2)(a)(II)(B), C.R.S.:
:1 – An instate simulcast facility that receives simulcast races of greyhounds, pursuant to section 12-60-602(5)(a)(III), shall deposit in the purse trust fund, one-fourth of one percent of the gross receipts of all pari-mutuel wagering, except on win, place or show, at greyhound simulcast races.

9.410 – (*Modified Effective date May 15, 2016*) At least once a year, during its regularly scheduled meeting, the Commission shall entertain requests for distribution of the monies deposited in the purse trust fund pursuant to sections 12-60-701 (2)(a)(II)(B) and 12-60-702 (1)(e)(II), C.R.S. The Commission may accept requests for reimbursement. Requests shall be filed with the division 30 days prior to the scheduled meeting. The division director shall review all requests and forward those requests that meet all requirements to the Commission, with a recommendation for disbursement based on funds available at the time and best use of the funds for overall greyhound welfare. All requests must be from: greyhound welfare and adoption organizations. In order to request reimbursement, the entity or organization must meet the following:
A: - Must be a licensee in good standing and subject to all the rules and regulations of the

Commission, and
B: - Must be on a form approved by the Commission, and
C: - Must be an entity or organization that does not act in the opposition of greyhound racing.

CHAPTER 10
--- ACCOUNT WAGERING ---

100's- ELECTRONIC ACCOUNT WAGERING

10.102 – The Colorado Racing Commission authorized pari-mutuel wagering entity may offer a system of electronic wagering whereby, wagers and withdrawals are debited and winning payoffs and deposits are credited to an account held by an authorized wagering entity on behalf of an account holder provided:

(1) Prior Commission approval is granted for the account wagering system.

(2) Accounts are restricted for pari-mutuel wagering purposes only.

(3) Account wagers are deemed to be racing simulcast common pool wagers for all purposes.

10.104 – Authorized pari-mutuel wagering entities are authorized to conduct Electronic Wagering Account activity pursuant to the written plan of operation approved by the Commission. The plan of operation shall include, at a minimum:

(1) Systems of processing wagers.

(2) Internal controls for account wagering.

(3) Account wagering rules.

(4) A plan for disbursement of funds from dormant accounts.

10.106 – Accounts shall be used for wagering purposes only. Authorized pari-mutuel wagering entities may establish/open accounts for individuals provided the following minimum requirements are met:

(1) An account holder shall be a natural person eighteen (18) years of age or older.

(2) Accounts shall be opened in accordance with procedures set forth in a plan of operation approved by the Commission.

(3) Account holders shall provide their age, address, mailing address, phone, and date of birth.

(4) The application shall be signed by the applicant.

(5) A copy of each properly validated credential will be maintained with the appropriate account application.

(6) Account is non-transferable.

(7) The authorized pari-mutuel wagering entity shall provide rules governing the conduct of

account wagering to the account holder either in person or online.

(8) The authorized pari-mutuel wagering entity shall notify the account holder whenever rules have changed and provide a copy of such changes either in person or online.

(9) The authorized pari-mutuel wagering entity may require a minimum balance consistent with their internal controls.

(10) Bank account number and other necessary information are required if the account holder desires to make electronic fund transfers.

10.108 – The address listed on the account wagering application is deemed the account holder's official address for purposes of this section. The authorized pari-mutuel wagering entity shall use the official address for all mailings, including notices, checks, withdrawal slips, account statements and other correspondence.

10.110 – The authorized pari-mutuel wagering entity shall provide a method for the account wagering holder to make official changes to his/her account information. The method shall include the name, date, address, account wagering identification number, PIN, and signature.

10.112 –

(1) The authorized pari-mutuel wagering entity may exclude anyone from opening an account based on business judgment.

(2) The authorized pari-mutuel wagering entity shall refuse an account to:

(a) Known or reputed bookmakers;

(b) Any person who engages in any activity, which is deemed to be a gambling offense under Colorado Law.

(c) A known fugitive from justice; and

(d) Persons on the entity's self-exclusion list.

10.114 –

(1) Electronic Account wagers shall only be transacted through an electronic account wagering center.

(2) The authorized pari-mutuel wagering entity may accept account wagers via any wired or wireless communications device, including but not limited to, wireline telephones, wireless telephones and the internet, subject to applicable laws, rules and the approved plan of operation.

(3) The authorized pari-mutuel wagering entity shall:

(a) Require the account holder to provide the account wagering identification number

and PIN before an account wager is accepted.

(b) Confirm all account wagering transactions before acceptance of an account wager.

(c) Verify that the account has sufficient funds to pay for the wager. No wager or portion of wager shall be accepted if the account fails to have sufficient funds to cover the wager.

(d) Debit the total amount of the wager from the account immediately after verifying wager.

(e) Not accept any account wager if the recording devices are inoperable.

10.116 – For purposes of this section, all wagers placed through the account wagering system are deemed pari-mutuel tickets and are subject to all rules and laws governing pari-mutuel tickets.

10.118 – Withdrawals may be made by completing a request for withdrawal in accordance with procedures set forth in a plan of operation approved by the commission. The request for withdrawal shall include, at a minimum:

(1) The account holder's name;

(2) The account identification number;

(3) The account holders signature, (except for electronic fund transfers) and;

(4) The date the request for withdrawal was made.

(5) Fund transfers may be made via alternate means pursuant to an approved plan.

(6) Withdrawals can be for all or any portion of the account holder's balance.

(7) The authorized pari-mutuel wagering entity shall process all requests for withdrawals made via mail within five business days of receiving the request. All other requests for withdrawals shall be processed immediately. If the request is incomplete or required information is missing, the authorized pari-mutuel wagering entity must notify the account holder of the required information as soon as possible.

(8) If the account does not contain sufficient funds to cover the requested withdrawal, the authorized pari-mutuel wagering entity shall release the remaining funds and notify the account holder.

10.120 –

(1) Deposits to existing accounts may be made by an account holder in the form of cash, cash equivalent, check, or other method as specified in the plan of operation.

(2) Deposits shall be credited to the account promptly after receipt and verification of funds; personal checks will be held for a period of up to 10 business days before crediting the account.

(3) Funds from winning wagers shall be credited to the account immediately after a race is declared official. However, funds from winning wagers subject to Internal Revenue Service reporting requirements shall be held and not available for use until compliance with applicable State of Colorado Intercept Regulations and Internal Revenue Service reporting requirements have been met.

(4) Credits for other transactions are only permitted to the extent of the approved plan of operation.

10.122 –

(1) Upon written request, the authorized pari-mutuel wagering entity shall make available to the account holder any monthly statement from the current or the previous calendar year.

(2) Upon written request, the authorized pari-mutuel wagering entity shall make available to the account holder a statement beginning on the last day of the prior requested period through the date of written request.

10.124 –

(1) The authorized pari-mutuel wagering entity shall maintain records of every deposit, withdrawal, wager, winning payoff and other credit and debits to an account for a period of 18 months.

(2) The authorized pari-mutuel wagering entity shall ensure that wagers are accepted only at designated telephone numbers and account wagering centers.

(3) The authorized pari-mutuel wagering entity shall record electronic wagering accounts as a separate liability on its books and records.

10.126 – The authorized pari-mutuel wagering entity, its employees and agents may not divulge any account information without the express written permission of the account holder, except to the Commission, by Commission order, or as may otherwise be prescribed by law.

10.128 – Accounts may be closed at the request of an account holder made in-person or by mail or other method consistent with the plan of operation. For those requests made by mail, authorized pari-mutuel wagering entities shall mail to the account holder's official address or send via electronic funds transfer to the account specified in the account wagering application, all funds within five business days of receiving such request.

10.130 – The authorized pari-mutuel wagering entity shall deactivate all accounts if there is no account wagering activity during a period of 12 consecutive months. All monies in such dormant accounts shall be distributed in accordance with the entity's approved plan of operation.

10.132 – All funds in an electronic wagering account shall remain the property of the electronic wagering account holder.

10.134 – For purposes of this section, vouchers are not accounts or account wagers. Vouchers

may only be used to place wagers in-person and only pursuant to an approved plan of operation.

10.136 – Authorized pari-mutuel wagering entities shall audit or caused to have audited, the electronic wagering account system's data input and account updates, not less than once during each calendar year. Such reports shall be provided to the Division upon request.

10.138 – Subject to applicable laws, customer disputes concerning account transactions shall be addressed by the electronic wagering department supervisor, or such other pari-mutuel supervisor as may be designated by the authorized pari-mutuel wagering entity's management. Such designation must be in writing. The electronic wagering department supervisor or appropriate designee shall approve all final resolutions of account disputes. Documentation of all disputes and final resolutions shall be maintained by the authorized pari-mutuel wagering entity for a period of one (1) year from the end of the year the dispute was resolved.

10.140 – If the Division determines that a certain computer printout, mutuel report, or other totalisator or mutuel record is needed to perform the official's regulatory duties, the official shall request the item from the electronic wagering department supervisor or his designee and/or totalisator company representative. On receipt of a request under this section, the electronic wagering supervisor and/or totalisator company representative shall make the information available to the official no later than the deadline established by the official or provisions of this sub-chapter.

200's---LICENSING OF PERSONS ACCEPTING WAGERS FROM COLORADO RESIDENTS AND OPERATION OF OUT-OF-STATE PARI-MUTUEL WAGERING FACILITIES

10.202 – Pursuant to Section 12-60-501(2)(d), C.R.S., prior to accepting wagers from Colorado residents, a person or persons operating an out-of-state pari-mutuel wagering facility, shall file an application for, and be granted a license by, the Colorado Racing Commission.

10.204 – Each licensed and authorized pari-mutuel wagering entity located out-of-state, shall utilize totalisator company equipment and software that are in compliance with the Colorado Racing Commission totalisator standards and satisfies the record keeping and reporting requirements of the Commission.

10.206 – A source market fee as established pursuant to Sections 12-60-501(2)(d) and 12-60-202(3)(h), C.R.S., and Rule #3.105, shall be paid monthly by an authorized licensed advanced deposit wagering service provider for the source market fee area on all accounts that have Colorado as the principal residence address. Source market fees imposed on persons licensed, shall not exceed ten percent of the gross receipts of all pari-mutuel wagering by Colorado residents conducted by such persons at out-of-state simulcast facilities. The source market fee shall be paid to the Racing Cash Fund established in Section 12-60-205, C.R.S., through the Division on the tenth business day of the month immediately following the month in which each performance took place. If payment is via wire transfer and the fees are due on a Saturday, Sunday or holiday, the transfer may be made on the next business day.

10.208 – The authorized pari-mutuel wagering entity shall make available all electronic wagering account information to the Colorado Division of Racing Events as requested.

CHAPTER 11
--- ASSOCIATIONS/SIMULCAST FACILITIES ---

100's --- GENERAL PROVISIONS

11.100 - Associations shall comply with all federal, state and municipal laws and cooperate with law enforcement agencies in order to insure the integrity of racing and in order to maintain all areas of racetracks and simulcast facilities in a safe and clean manner.

11.102 - As a condition of licensing, associations are expected to enforce these Rules.

200's --- APPLICATION PROCEDURES

Race/Simulcast Dates

11.200 - Applications for live or simulcast racing dates must be in the Division Office on or before a date set by the Commission. All contracts for simulcast races must specify the date simulcasting is proposed to commence and the date simulcasting is proposed to end for each individual contract. Any association applying for live or simulcast race dates should be aware of the provisions of the law.

Race/Simulcast Meet Applications

11.210 - Renewal applications must be on file with the Commission sixty (60) days prior to the opening of a meet and shall contain the names of all racing officials, first aid room staff for the host association and simulcast facilities which are employed by the association for Commission approval; and other persons as the Commission may designate because of their importance in the conduct of racing. Once approved, any changes in the above personnel must be submitted to the Division Director or designee for further approval.

11.211 – At the time of racetrack application, each association shall propose take-out rates for all pari-mutuel wagers. The Commission may reconsider take-out rates during a meet to reflect the association licensure costs.

11.212 - An application to receive simulcast programs must be filed with the Commission 60 days prior to the proposed beginning of the simulcast race meet. Prior approval must be obtained from the Commission.

Commencement of Race/Simulcast Meet

11.220 - Any person who has been granted an initial race meet license or who has been approved to conduct a simulcast race meet must conduct such meet within a period of one (1) year after the granting of such license or approval. If a meet is not conducted within one (1) year, the license or approval shall expire.

11.222 - Any association who has conducted a live or simulcast race meet who does not submit a renewal application for a live or simulcast race meet within the next calendar year will be deemed to have relinquished the original license or approval for the live or simulcast race meet.

11.224 - An association shall submit to the Division the names of all persons it employs who would be subject to licensure at both the live track and all simulcast facilities, not more than fourteen (14) days after requested by the Division. Thereafter, during the duration of the meet or its operation as a simulcast facility, the association shall submit a list of changes, including new hires or terminations, to the Division in a time frame which coincides with the regular payroll period of the association.

11.226 – (*Deleted Effective date May 15, 2016*)

11.228 - Associations shall not employ any person under the age of eighteen (18) years of age at a live track or simulcast facilities as a mutuel clerk or as an employee of the mutuel department.

Racing Schedule

11.230 - Each association shall conduct racing at the time, place and date(s) as indicated in the license application unless the Division veterinarian or director in consultation with the Commission deems the track or facility to be unfit for racing.

Reports

11.240 - Host Associations and each simulcast facility acting as a hub shall make a daily report to the Division on forms approved by the Division showing a breakdown of the mutuel handle, and any other requested mutuel information for the host association as well as all simulcast facilities receiving the broadcast.

11.242 - Associations shall supervise the activities of sellers of merchandise or services who have entry to the racetrack or simulcast facility but shall not, by virtue of this rule or otherwise, restrict the free enterprise of business when properly conducted.

11.244 - Solicitation or sale of tickets or collections for any organization, charitable or otherwise, shall not be permitted at the racetrack or simulcast facility without prior approval of the Commission or Director.

11.246 - Each association shall submit to the respective breeder organizations at the end of each race meet accurate records of Colorado bred horses that win races at their respective racetracks as well as money won.

11.248 - Each association shall submit to the Division accounting records and a check for the total amount of unclaimed ticket money one (1) year after the end of each race meet or simulcast race meet for deposit in the Colorado horse breeders and owners awards and supplemental purse fund.

300's --- FINANCIAL REQUIREMENTS

Insurer of the Race Meeting

11.300 - Associations conducting a live meet shall keep a separate bank account to be known as the "Horsemen's Account" with sufficient funds in the account to cover all monies due horsemen in regard to purses, stakes, rewards, claims, and deposits. Any interest accrued from this account does not belong to the association and shall be used exclusively for supplementing purses at the meet. Withdrawals from this account shall be subject to audit by the Division.

11.302 - Pursuant to section 12-60-702, C.R.S., horse purse funds payable by a licensee or operator shall be retained by the licensee or operator in a trust account in a commercial bank located in Colorado until such date as the purse funds are paid to the horse owners. With the prior approval of the Commission, the operator of a horse track may withdraw moneys from such trust account to make up for shortfalls in the amounts of revenue derived from other sources which were reasonably anticipated to cover payments made on purses during a licensed race meet held at such track in the current year or a prior year.

Bond Requirements

11.310 - In lieu of the surety bond required by Law to conduct a meet, the licensee may deliver to the Commission evidence of a savings account, deposit or certificate of deposit meeting the requirements of 11-35-101 and 12-60-509(2.5)(a), C.R.S., as amended. This savings account, deposit or certificate of deposit shall be assigned to the Commission, on a form approved by the Commission for a period of fifteen (15) months from the effective date of the license. During the period of assignment, the interest earned on this account, or deposit may be paid to the licensee only when an amount equal to the maximum penalty and interest that will be forfeited due to withdrawal prior to termination or maturity of the account or deposit is accrued and retained in the account or deposit.

11.312 - If an organization representing the majority of the owners of racing animals participating in any race meet request the licensee conducting such race meet to provide a surety bond, the association shall deliver to the Commission evidence of a bond meeting the requirements of 11-35-101 and 12-60-509(2), C.R.S.

11.314 - Surety bonds or alternatives posted by licensees in accordance with the Law shall be assignable to the Commission or its assigns upon written request by the director or his agent to the holding institution. Any change in form, status or otherwise in the surety bond or its alternative by the licensee, its assigns or by the holding institution must be approved in writing by the Commission thirty (30) days prior to the change. Failure to do so is grounds for revocation of the license.

11.316 - The period of liability of the licensee shall be fifteen (15) months from the effective date of the original or renewal license.

11.318 - The form assigning any savings account deposit or certificate of deposit shall be approved as to form by the Attorney General's Office.

Disposal of Assets

11.320 - No association shall sell, mortgage, or otherwise pledge or dispose of ten (10) percent or more of the total amount of racing assets listed and described on an application for a license or renewal license without thirty (30) days' prior written notice to the commission.

The commission may approve or disapprove the disposition of the assets upon good cause shown.

The total dollar value of racing assets subject to this rule section shall be listed separately

on the balance sheet of the financial statements submitted as part of a license or renewal license application.

Capital Improvements Fund

11.330 - All monies collected pursuant to Section 12-60-702(1), C.R.S., as amended and expenditures of said monies shall be reported to the Commission on an annual basis commencing with the date said monies revert to the licensee. For the purposes of this rule, capital improvements shall be deemed to be improvements to business assets which will be used for more than one year if the improvements add to the value of an asset, appreciably lengthen the time that an asset may be used, or adapt an asset to a different use. Capital improvements include the cost or restoration, reconditioning, or replacements that stop deterioration and add to the life of the live racing facility. Improvements to be included in this definition include those made by the licensee at its live racetrack in any area used in support of the live racing event, including but not limited to areas such as the general office, the snack bars, the racing surface, or any vehicles used for maintenance activities.

In the event a licensee expends an amount that exceeds the amount collected for a specific meet, the licensee may petition the Commission to apply the excess to future amounts collected pursuant to Section 12-60-702(1).

All monies collected from unclaimed pari-mutuel wagering tickets for greyhounds pursuant to Section 12-60-702(1) shall be expended for capital improvements within one year of the date the funds reverted to the licensee.

Payment of Purses

11.340 - Purses shall be released promptly after the results of the saliva, blood, urine or other tests have been analyzed and approved by the Division or its authorized representative unless otherwise provided by these rules. Purses released prior to approval shall be the responsibility of the association. Any positive test which results in a loss of purse money shall require such purse money be returned to the association for redistribution.

11.342 - *(Deleted Effective date May 15, 2015)*

11.344 - *(Deleted Effective date May 15, 2015)*

400's --- FACILITIES AND EQUIPMENT

Facilities for Patrons and Licensees

11.400 - *(Modified Effective date May 15, 2015)* Associations shall provide adequate office space and accommodations at all live tracks and simulcast facilities so as to enable Division personnel to perform their duties.

11.402 - During live racing hours, scheduled official workout hours, and special events, all associations and simulcast facilities shall insure that there is a medical response team available within a reasonable distance from the pari-mutuel facility to respond to emergencies. During live racing hours and scheduled official workouts at a horse racetrack, an ambulance shall either be on

the premises or within range to effectively respond to an emergency.

11.404 - Associations may allow telephones in their respective racetrack or simulcast facilities during their meet for the benefit of the public and press for transacting ordinary business during a race program. Transmitting any race information through the use of a telephone or other device at the racetrack or simulcast facility is prohibited, unless express authorization is granted by the Commission or Director.

11.406 - No licensee shall permit, participate in or allow any unapproved or unauthorized pari-mutuel wagering or other gambling activity to occur within any facility or on any race meet approved by the Commission.

Officials' Stands

11.410 - No person shall be allowed in the Board's stand unless previous permission is obtained from the Board.

Audio and Visual Equipment

11.420 - Associations shall be required to install an automatic timing device approved by the Commission.

11.422 - Associations shall install at all racetracks a proper and adequately maintained photo-finish camera which shall be tested before each performance. However, in all cases the camera is merely an aid and the decision of the Board shall be final. The type of equipment used is to be approved by the Commission. Each association shall keep on file for a period of six months after the close of the meet each digital image or film of each live race for reference or reproduction upon request of the Commission.

11.424 - *(Deleted Effective date May 15, 2015)*

11.426 - Associations must provide direct, adequate communication systems between the starter and the board and other communications systems as deemed advisable by the Commission.

Receiving Area for Testing

11.430 - Associations shall provide for a receiving area with sufficient facilities to enable urine or other samples to be collected from animals designated to be tested.

11.440 - *(Deleted Effective date May 15, 2015)*

11.442 - *(Deleted Effective date May 15, 2015)*

11.444 - *(Deleted Effective date May 15, 2015)*

11.450 - *(Deleted Effective date May 15, 2015)*

11.452 - *(Deleted Effective date May 15, 2015)*

Horse Racetrack

11.462 - Associations shall take the necessary steps to provide a proper, well lighted, consistent and safe racing strip.

11.464 - When the safe condition of the racing surface is in doubt prior to the commencement of the first race, a meeting may be requested in a timely manner by representatives from the Division, the association, the horsemen or the jockeys to determine whether or not the racing surface is in safe condition.

11.466 - If during the running of a live racing program inclement weather causes a condition where injuries could occur to the horses and/or jockeys, or if the racing strip is in such condition that formful and safe racing cannot be conducted, then the Division veterinarian, stewards and association shall cancel whatever remains of the racing program.

11.468 - All distance pole-markers shall be painted as follows:

1/4 poles.....Red and White
1/8 poles.....Green and White
1/16 poles.....Black and White

11.470 - Associations shall provide a properly equipped and manned horse ambulance for the removal of disabled horses from the racetrack.

Stable Area

11.480 - Any horse racing at a meet wherein pari-mutuel wagering is conducted must be stabled on the grounds of a racing association licensed by the Commission or at an Off-track Stabling Location or Training Facility meeting the licensing requirements of the Commission. All horses located at an Off-track Stabling Location or Training Facility meeting the licensing requirements of the Commission are subject to the same rules and regulations as if they were stabled on the grounds of a racing association licensed by the Commission. Associations shall provide temporary stabling for horses eligible to race which are brought to the races from approved Off-track Stabling Locations or Training Facilities meeting the Licensing requirements of the Commission.

1. Any horse in training or entered to start stabled on such a farm or training center must be under the care and custody of a licensed owner or trainer. It shall be the responsibility of the trainer to insure that only those persons who, at the time, are licensable by and are in good standing with the Commission are employed in any capacity of caretaker, groom or other attendant with respect to the care, custody and training of such a horse. Nothing in this section shall be deemed to apply to brood mares, foals, weanlings, yearlings, stallions or other horses not in training.

2. The provisions of this Rule shall also apply to the vehicular transportation of any horse from a stabling location outside the State of Colorado to the grounds of a racing association licensed by the Commission to any racing association to start.

11.481 - The stable area shall become a restricted area twenty-one (21) days before the start of the

race meet and for twenty-four hours after the running of the last race on the final race day of the current meet.

1. The association shall provide twenty-four (24) hour security to ensure only authorized personnel and horses are admitted to the stable area.

11.482 - All stalls and barns on the grounds of a racing association licensed by the Commission must be clearly and properly numbered.

11.484 - Proper records must be maintained of the arrival and departure of all horses from the stable area on the grounds of a racing association licensed by the Commission.

11.486 - Associations shall make every reasonable effort to provide stall space to resident Colorado owners.

500's --- GENERAL OPERATIONS

Daily Program

11.500 - Post time for the first race of the day must be advertised in a conspicuous place in the daily racing program.

11.502 - At least once daily, all official programs sold shall contain the following information: the names of the Commissioners, Director, Board members, Racing and Security Coordinators and Veterinarian for the Division; the Officers and Directors of the Association and the Racing Officials for the meet as set out by Commission and/or Division directive or policy. The following statement shall also be included in the daily program: "This racetrack is licensed by the Colorado Racing Commission and operates under its regulations."

Simulcast locations may conspicuously post the above information in lieu of printing it in the program.

11.504 - At least once daily, all official programs (or form sheet(s) for out-of-state races) sold shall contain the following information: exact location of the Division of Racing Events office, the period of time and procedures for uncashed tickets and how uncashed tickets can be redeemed. Simulcast locations may conspicuously post the above information in lieu of printing it in the program.

11.506 - All official programs sold must contain a prominent notice that there are information/complaint windows throughout the live or simulcast racing facility where complaints may be made or filed in writing and the exact locations of these windows must be set forth in the notice.

Simulcast locations may conspicuously post the above information in lieu of printing it in the program.

11.508 - *(Modified Effective date May 15, 2015)* The program or form sheet must carry not less than the two most recent racing lines or official workouts/schoolings from a racetrack approved by the Commission.

11.510 - *(Modified Effective date May 15, 2015)* The program or form sheet must also contain: animal's name; color; sex; age (horse); breeding; rider's name and weight (horse); number of official starts; number of times finishing first, second and third; name of the registered owner(s) and lessee(s) if any; trainer's name; distance of the race; track record; and any other information as will enable the public to properly assess the animal's ability.

11.512 - Once the official program (or form sheet for out-of-state races) is printed and placed on sale to the public, there will be no changes in the program (or form sheet for out-of-state races) unless an animal is scratched, except the Board in its discretion may correct printer's errors. When the Board in its discretion determines that an error(s) in the official program for in-state races only cannot be corrected over the public address system to the full protection of the wagering public, the animal(s) affected by the error(s) shall be scratched from the race by the Board.

11.514 - The stable/kennel name shall be carried on the official program with the name of at least one (1) owner; and if the stable/kennel name represents more than one (1) owner, it shall be indicated by the use of the name of one (1) owner and the words "et al."

11.516 - *(Modified Effective date May 15, 2015)* The weight regulations provided in Chapter 2, as specified by the Commission, shall be printed in the daily program (or form sheet for out-of-state races) only.

11.518 - *(Modified Effective date May 15, 2015)* If an animal's name is changed: its new name shall be registered with the appropriate official registry, and; its new name, together with its former name, shall be published in the official entries and program (or form sheet for out-of-state races) until after the horse has started three (3) times.

Performances (Tip Sheets)

11.520 - Two (2) tip sheets will be permitted at a racetrack and/or simulcast facility, each to be independently handicapped; each handicapper must sign and deliver the sheet at least one (1) hour before post time to a Division representative at the racetrack or simulcast facility.

General Security

11.530 - All security guards employed by the association or simulcast facility and licensed by the Division must present proof of proficiency for the weapon they are carrying or are required to carry by virtue of their employment. Such proficiency must be certified by a qualified firearms instructor and be renewed at least annually.

11.532 - Members of the Commission and Division representatives in the course of their duties shall have the right to full and complete entry to any and all parts of the racetrack, simulcast facility, farms or kennels/stables at which animals are housed for the purpose of inspecting and examining the personal effects and property of all persons licensed by the Division.

11.534 - At all times, associations shall maintain and furnish adequate security in and about the racetrack and at all simulcast facilities. The host track shall provide at the live meet twenty-four (24) hour security at the association's kennel compound/stable area and a night watchman at the live racetrack facility while operating live. The security personnel shall be visually identifiable as

such.

Associations and simulcast facilities through its employees or security staff shall submit a copy of every written complaint received and shall make written or verbal reports to the Division security staff within twenty-four (24) hours of all incidents, arrests, expulsions, disorderly conduct and investigations coming under their jurisdiction. The reports shall, if possible, include names, addresses and alleged violations or offenses of those involved as well as the action taken by the security personnel.

All written reports shall be submitted to the Division offices at the racetrack or simulcast facility at which the event occurred. If the Division field office is not open during that period, then the report shall be submitted, either by hand delivery or facsimile (FAX), to and received by the Division's main office with forty-eight (48) hours.

11.536 - Associations are charged with the responsibility of cooperating with local authorities and Division personnel in assuring the good behavior and proper demeanor of all persons in any way connected with the racetrack and/or simulcast facility and the live or simulcast race meet.

11.537 – Every Association and Simulcast facility shall comply with the current video Standards as adopted by the Commission. Failure to comply with the minimum procedures or standards approved pursuant to this section may result in a fine, penalty, or revocation of license.

Licensees will be provided written notice of any changes to the minimum procedures or standards approved pursuant to this section and will have thirty (30) days, unless otherwise specified, in which to comply with such changes.

11.538 - The Commission and/or Division or the Board investigating for violations of the Law or these Rules shall have the power to permit persons authorized by either of them to search the person, or enter and search the paddock, lock-out kennels, stables, tack rooms, vehicles, or other places about the racetrack or simulcast facility at which a live or simulcast race meet is held, or other racetracks or places where animals eligible to race at the meet are kept, of all persons licensed by the Commission, and of all employees and agents of any association licensed by the Division, and of all vendors who are permitted by the association to sell and distribute their merchandise about the racetrack or simulcast facility, in order to inspect and examine the personal effects or property of the persons or kept in such paddock, lock-out kennels, stables, tack rooms, vehicles, or other place about the racetrack or any facility or kennels/stables at which animals are housed.

11.540 - Pursuant to 12-60-507(1)(k), C.R.S., a licensed individual shall not be permitted in the restricted areas of any racetrack if the animals which they were licensed to train or care for or which they own are no longer participating in racing at that racetrack, regardless of whether their license has expired.

11.541 – The Division shall adopt policies and guidelines for the conduct of licensees while in restricted and secure areas of the racetrack, simulcast facilities, kennel compounds and stable areas. These policies and guidelines governing conduct of licensees should include but are not limited to smoking, drinking, eating, and use of cell phone and pagers while in certain areas of the paddock, test barn, sample collection areas, lock out kennels and on the track surface during post parades.

11.542 - Associations shall take all due precaution to prevent accidents and fires, especially in the stable area and kennel compound. Associations shall appoint an employee who shall be responsible for enforcing all safety and fire rules and regulations.

11.544 - The Division shall conduct inspections of racing stables including tackrooms where racing horses are housed to ensure the proper maintenance and operation of such facility. The Division shall ensure the facility provides proper housing, adequate sanitation, fire safety, and controls for the secure and proper racing operations for the human and animal participants. The Commission by policy will establish standards of maintenance and operations and specify those areas of the racing stables to be inspected including but not limited to, tackrooms, shedrows and their immediate surrounding areas. Any failure to comply with the requirements to maintain and operate the facility will be referred to the Board of Stewards, a hearing officer, or the Commission.

:1 - All stable facilities under the jurisdiction of the Division and Commission will be subjected to pre-meet inspection to ensure that they meet the facility standards adopted by the Commission.

:2 - An owner/ trainer must ensure that stable facilities, which house their horses under their care, meet the stable standards adopted by the commission. Stables requiring repairs during a race meet must complete a maintenance request form provided by the association. The association will have ten (10) days to complete the request depending on the situation.

:3 - The stable that an owner/ trainer houses his/ her horses in must meet the facility standards adopted by the commission. An owner/trainer will not be issued or allowed to retain a meet validation if the facilities in which they house his/her horses in fails to meet these standards.

:4 - An owner/ trainer who continues to house their horses in stable facilities that fail to meet the Commission's standards may have his/ her licenses suspended or revoked.

:5 - All stable facilities under the jurisdiction of the Division and Commission shall be subjected to inspections by representatives of the Division/ Commission. Failure to permit inspection may result in administrative license sanctions including fines, license suspension or revocation.

Stable Standards

:1 - The purpose of the stable facility standards is to provide minimum guidelines to ensure the health, safety and general well-being for the racing horse.

:2 - Housing facilities must be designed and constructed so that they are structurally sound, kept in good repair and protect the animals housed in such facility from injury.

:3 - The association must provide stable housing facilities: at a minimum the facilities must include the following, unless otherwise approved in advance by the commission:

a) Locks to protect against illegal entry into tackrooms including those for medicine cabinets and grain storage areas.

b) Lighting to adequately illuminate all areas of the inside of the stable building and shedrows to permit routine inspection and cleaning of the facilities.

1. Electrical outlets with coverplates, electrical wiring and lights shall be recessed into the walls or surrounding structures or otherwise to protect against damage by or to the horses.

2. Electrical devices in use shall be connected directly to an electrical outlet and/ or one device connected to an extension cord placed in a safe location.

c) Shedrows and suitable stall flooring shall be free of potholes and ruts.

1. Bedding must be adequate to absorb moisture from manure and urine and provide proper cushioning.

2. All manure shall be removed from each stall daily and bedding replaced as needed. horses should not have access to manure storage areas because of the danger to exposure to gastrointestinal parasites.

d) All stable buildings shall have easily accessible outside water faucets with a minimum of one faucet for every ten (10) stalls.

e) All stable buildings must have adequate stall space with available solid doors.

1. Minimum stall dimensions shall be ten (10) feet by ten (10) feet and five (5) feet by nine (9) feet respectively.

2. Stall door dimensions should be approximately four (4) feet wide.

3. Each stall shall have solid walls a minimum of five (5) feet high with open guard rails spaced at least four (4) inches apart to aid in ventilation.

4. Minimum ceiling height should be at least ten (10) feet high.

5. Hayracks should be at least four (4) feet above the stall floor.

6. Each stable building must have at least two (2) fire extinguishers or one for every ten (10) stalls, which are in working order.

f) Food and bedding storage shall be in a manner that protects them from the elements.

1. Food supplies must be stored off the ground.

2. All open grain, supplements and like products must be kept in leak proof containers.

g) All outer perimeter fences for stables and open exercise areas shall be a minimum of seven (7) feet high. materials used for fencing shall be such that the health and safety of the horse are not endangered.

1. The track and/or exercise areas must have a large enough gate for a vehicle to drive through for easy access to conduct maintenance routines.

h) Shedrows must allow for complete unobstructed passage for both horses and humans with adequate space for walkers. parking restrictions will be set forth by the association.

1. Stable and immediate surrounding areas must be free of sharp or protruding objects and shall be kept clean and reasonably uncluttered at all times with weeds not exceeding six (6) inches in height.

2. Rakes and pitchforks and other implements must be safely stored to protect against damage by or to the horse.

3. Drainage in shedrows and surrounding areas shall be adequate to prevent standing water and impassable areas of mud.

4. Driveways shall be constructed of concrete and/or asphalt or asphalt base material.

11.550 - *(Deleted Effective date May 15, 2015)*

11.552 - *(Deleted Effective date May 15, 2015)*

11.554 - *(Deleted Effective date May 15, 2015)*

11.556 - *(Modified Effective date May 15, 2015)* The Commission and/or Division reserves the right to disapprove any persons or business firms who deal in raw greyhound food or greyhound food additives or supplements used by racing greyhounds if the Commission finds that the source of greyhound food products their handling thereof, method of delivery, and security in relation thereto are unsatisfactory.

11.558 – (*Modified Effective date May 15, 2016*) All kennel facilities under the jurisdiction of the Division and Commission shall be subjected to inspections by representatives of the Division/ Commission. Failure to permit inspection may result in administrative license sanctions including fines, license suspension or revocation.

Kennel Standards

:1 - The purpose of the kennel facility standards is to provide minimum guidelines to

ensure the health, safety, and general well-being for the racing greyhound.

:2 - Housing facilities must be designed and constructed so that they are structurally sound, kept in good repair and protect the animals housed in such facilities from injury. The association and/or public housing kennel facilities, which shall mean any facility where other greyhounds besides those owned or trained by the owner of the facility are kenneled, must include the following, unless otherwise approved in advance by the Commission. These standards will also apply to a kennel located on a farm housing racing greyhounds whether or not these racing greyhounds are currently active.

a) Locks to protect against illegal entry into a kennel including those for medicine cabinets and grain storage areas. When kennels are unattended by authorized personnel, all doors must be locked, including medicine cabinets and food refrigerators.

b) Climate control system to regulate temperature between 68 degrees and 85 degrees.

    1. Each building in addition shall have windows that can be opened with screens and screen doors.

c) A trainer must thoroughly inspect the housing kennels before leaving the kennel and immediately upon return to determine if unauthorized persons have entered the kennel.

d) Before a trainer uses run-out pens these pens must be inspected for any foreign matter or for any signs of unauthorized entry.

e) Should an unauthorized entry into a kennel be detected, a report of the entry shall immediately be made to the Division so that an investigation may be initiated and samples may be taken from all greyhounds.

f) Housing kennel areas must be equipped with sufficient lighting.

    1. Electrical outlets with coverplates, electrical wiring and lights shall be recessed into the walls or surrounding structures or otherwise to protect against damage by or to the greyhound.

    2. Electrical devices in use shall be connected directly to an electrical outlet and/ or one device connected to an extension cord placed not more than 50 feet long.

g) All outer perimeter fences for kennels and open exercise areas constructed or reconstructed after July 1, 1998 shall be a minimum of 5’ high. All run-out pens, enclosure gates and open exercise area gates are to be fitted with ample locking devices. All run-out pen fences shall be a minimum of 5’ high. Materials used for fencing shall be such that the health and safety of the greyhounds are not endangered. Fences must be maintained in satisfactory repair. Fences must have Division approval with regard to the standards set forth in these Rules.

    1. Each kennel building shall have adequate turnout pens a minimum

of 1000 square feet with interconnecting gates.

2. Each turnout pen shall have a minimum of three (3) to four (4) inches of sand with a base that has been routinely aerated to provide an adequate drainage system to minimize areas of standing water.

3. Each turn out pen must have a gate a minimum of 36 inches wide for easy access to conduct maintenance routines.

4. Kennels and immediate surrounding area shall be free of sharp or protruding objects and kept clean and reasonably uncluttered at all times. All manure must be picked up and removed from the kennel area daily. Manure buckets must have lids, and the lids kept over manure buckets except when in use.

h) Floors impervious to moisture and easily cleanable waterproof walls high enough to clean around the crates and kitchens with splashguards.

i) Partitioned kitchens and crate areas with hot and cold running water and easily accessible outside water faucets.

j) All housing kennels must have at least two (2) fire extinguishers, which are in working order. In addition, temperature detectors, and alarm with outside warning lights must be attached to each building.

k) Maximum of 60 crates in each kennel building with crates located on the ground level if possible.

1. Crates should be constructed of metal or fiberglass with removable wood floors and castors, for easier moving to clean under and behind such structures.

2. Minimum crate dimensions shall be 29 inches by 40 inches by 29 inches.

3. Only one greyhound per inside crate will be allowed.

l) Food and bedding storage shall be in a manner that protects from spoilage, contamination and vermin infestation.

1. The food and bedding supplies must be stored off the floor and away from walls for easy cleaning around the area.

2. Food requiring refrigeration must be stored accordingly to prevent contamination and deterioration.

3. All open food and bedding supplies must be kept in leak proof containers.

m) All openings must be screened with ordinary fly screen and covered with mesh wire.

11.560 - *(Modified Effective date May 15, 2015)* Public housing kennel facilities constructed after March 1, 1980 shall be subject to the following additional requirements. Further, any public housing kennel facility which changes ownership after March 1, 1980 will be subject to these same provisions unless otherwise approved by the Division.
:1 - Public housing kennel facilities shall mean any facility where other greyhounds besides those owned or trained by the owner of the facility are kenneled.

11.562 - *(Deleted Effective date May 15, 2015)*

Horse Security

11.570 - All stable enclosures must be properly fenced and admission granted only to persons showing proper credentials.

11.572 - Associations shall establish regulations which will designate those persons who shall be within the stable enclosure.

11.574 - Associations shall exercise strict supervision over the stable area "kitchen" and any place in the stable area where food or drink is dispensed.

11.576 - A horse shall not be ordered off the grounds without at least seventy-two (72) hours notice to the person in charge of the horse. Compliance is not necessary when a notice of less than seventy-two (72) hours is given. Failure to remove a horse shall subject the owner and/or trainer to suspension and/or a fine, or both. (Subject to Chapter 5, Section 5.224 and orders of the State Veterinarian or the Department of Agriculture.)

11.578 - Animals sold to any person or stable not registered for racing must be removed from the grounds within seventy-two (72) hours unless approved by the Board.

600's --- MUTUEL DEPARTMENT OPERATIONS

[See Chapter 12 – Pari-Mutuel Wagering]

CHAPTER 12
--- PARI-MUTUEL AND SIMULCAST WAGERING ---

100's & 200's --- ASSOCIATION DUTIES AND GENERAL PROVISIONS

General Provisions

12.100 - Associations shall maintain a satisfactory totalisator system and equipment or shall insure that the association has access to and the use of a totalisator system and equipment within the state that meets the internal control procedures and the totalisator standards as approved by the Commission and defined in these Rules.

12.102 - For the purposes of this Section, every reference to "association" shall also include all simulcast facilities approved by the Commission and utilized by that association to conduct its meet.

12.104 - Each association shall conduct wagering in accordance with applicable laws and these rules. Such wagering shall employ a pari-mutuel system approved by the Commission.

12.106 - The association shall permit the Commission and Division unrestricted access at all times to its facilities and equipment and to all books, ledgers, accounts, documents, and records of the association that relate to pari-mutuel wagering.

12.108 - An association that desires to offer new forms of wagering must apply in writing to the Division and receive from the Commission approval prior to implementing the new wagering format.

12.110 - If requested by the Division, each association and simulcast facility shall provide adequate office space to the Division mutuel representative within the totalisator area.

12.112 - An information/I.R.S. window shall be conveniently located and shall be easily identifiable on each wagering line.

12.114 - The association shall make available in the general offices and at all Information/I.R.S. windows the rules for wagering on all pari-mutuel pools and shall state in the programs that these rules are available.

12.116 - All associations shall provide to the Division upon request a full inventory and system specifications list for all hardware, software and communications equipment.

12.118 - Any requested changes in the racing or simulcast schedule must be submitted to the Division for approval forty-eight (48) hours prior to the effective date of such change.

12.120 - The officers, officials and employees of the association shall promptly give the Division any information requested, and shall freely and fully cooperate in every way so that the Division may be assured that the mutuel department is properly and efficiently operated pursuant to the law and the rules and regulations of the Commission.

Mutuel Department Operation

12.122 - Every association which operates a track or simulcast facility shall operate its own mutuel department for the wagering on all live and simulcast races at such track or simulcast facility and in

no event shall sub-contract or lease to concessionaires any part of the operation of the mutuel department, without the prior approval of the Commission.

Each mutuel department shall implement and comply with the internal control procedures and the totalisator standards set forth by the Commission.

:1 - Failure to comply with the minimum procedures or standards approved pursuant to this section may result in a fine, penalty, or revocation of license.

:2 - Licensees will be provided written notice of any changes to the minimum procedures or standards approved pursuant to this section and will have thirty (30) days, unless otherwise specified, in which to comply with such changes.

12.124 - Each individual licensee and his or her supervisor shall make reasonable efforts to perform his or her work in an accurate and timely manner. All mutuel department licensees shall conduct themselves in a dignified manner at all times when on duty.

12.126 - All ticket-issuing machines must be located in places easily accessible and in plain view of the public, except as otherwise authorized by the Commission or Director. At least one pari-mutuel window shall be made accessible to handicapped persons in accordance with applicable building codes.

Payment of State Commissions

12.128 – All racetrack license fees shall be paid via wire transfer or through another method approved by the Commission or Director. Fees shall be paid to the Racing Cash Fund, as established in 12-60-205, through the Division on the tenth business day of the month immediately following the month in which each performance took place. If payment is via wire transfer and the fees are due on a Saturday, Sunday or holiday, the transfer may be made on the next business day.

Records

12.130 - The association shall maintain accurate records of all wagering transactions for the Division's review. Such records for any race shall include the opening line, subsequent odds fluctuation, the amount and at which window wagers were placed on any betting interest and such other information as may be required. Such wagering records shall be retained by each association and safeguarded for a period of 365 days after the end of the meet, or as otherwise specified by the Commission. The Commission and/or Division may require that certain of these records be made available to the wagering public at the completion of each race.

12.132 - All computer tapes, computer programs, and books and records used to record, display, calculate, or report funds due the state which are maintained by the association or the totalisator company shall be stored in chronological order in a disaster-proof environment to insure the integrity of the data. These records shall be kept for a period of 365 days after the end of the meet, or until otherwise released by the Commission and/or Division. This information shall be made available for inspection, at any time without advance notice, in a format compatible with the Division's equipment.

12.134 - The association shall provide the Division with a list of all individuals afforded access to

pari-mutuel records and equipment at the wagering facility. Such list shall be subject to Commission approval.

Prohibition of Wagering by Minor

12.136 - Every association shall prohibit persons under the age of 18 from placing or collecting a wager, and shall conspicuously post this rule at entrance gates and throughout wagering areas of the track and at all simulcast facilities. In addition, associations are charged with designating restricted areas and prohibiting minors, with the intent to wager, from entering within 15 feet of any ticket-issuing machine.

Pari-Mutuel Tickets

12.138 - A pari-mutuel ticket is evidence of a contribution to the pari-mutuel pool operated by the association and is evidence of the obligation of the association to pay to the holder thereof such portion of the distributable amount of the pari-mutuel pool as is represented by such valid pari-mutuel ticket.

12.140 - To be deemed a valid pari-mutuel ticket, such ticket shall have been issued by a pari-mutuel ticket-issuing machine operated by the association. Such ticket holder will be entitled to a share of the pari-mutuel pool and contain imprinted information as to:

:1 - the name of the association operating the meet;

:2 - a unique identifying number or code;

:3 - identification of the terminal at which the ticket was issued;

:4 - a designation of the performance for which the wagering transaction was issued;

:5 - the race number for which the pool is conducted;

:6 - the type(s) of wagers represented;

:7 - the number(s) representing the betting interests for which the wager is recorded; and

:8 - the amount(s) of the contributions to the pari-mutuel pool(s) for which the ticket is evidence.

Pari-Mutuel Ticket Sales

12.142 - Pari-mutuel tickets shall not be sold by anyone other than an association or a simulcast facility licensed and/or authorized to conduct pari-mutuel wagering.

12.144 - No pari-mutuel ticket may be sold on a race (or series of races) for a pool in which wagering has already been closed for that race (or series of races).

12.146 - In the event a gate/box malfunction delays the start of a race, the Board may authorize the re-opening of the wagering pools. However, in the event the pools are re-opened, refunds and/or

exchanges must be offered to the public and appropriate announcements must be made. The totalisator company's equipment shall enable the Board to re-open wagering in such event.

12.148 - Payment on winning pari-mutuel wagers shall be made based on the order of finish posted and declared "official". Once a sign "official" has been displayed, the order of finish posted on such official display shall be final for purposes of calculations of prices and payoffs of wagers. If an error is discovered by the Board in the order of finish in any race after the sign "official has been displayed, the Board shall promptly notify the Division and association of such error; and, if such error is the result of negligence or willful misconduct on the part of the association, the Division shall have the power to order the association to pay the claims of wagerers whose tickets would have been paid but for such error.

12.150 - To indicate that the ticket has been cashed, the association shall distinguish, in a consistent manner, each cashed, canceled or refunded ticket or cashed voucher, but shall not destroy the identifying codes on the ticket.

Cancellation of Tickets

12.152 – Cancellation or exchange of tickets issued shall not be permitted after a patron has left a seller's window except in accordance with written policies established by the Association and approved by the Commission.

12.154 - All tickets that are either manually refunded or canceled must be preserved for audit inspection for a period of eighteen (18) months from the end of the live or simulcast race meet with information provided on the ticket identifying the number of the window or machine where it was paid.

Claims for Payment from Pari-Mutuel Pool

12.158 - Claims pertaining to a mistake on an issued or unissued ticket or on an amount of money delivered must be made by the wagerer prior to leaving the mutuel seller's window.

12.160 - At designated Information/I.R.S. windows throughout the racetrack or simulcast wagering facility any claim for payment from a pari-mutuel pool shall be accepted by the association in writing in any case where the association has withheld payment or has refused to cash a pari-mutuel ticket. The claim shall be made on forms approved by the Commission or Director. The claimant shall make such claim under penalty of perjury. The original claim shall be forwarded to the Division within 48 hours.

12.162 - In the case of a claim made for payment on a pari-mutuel ticket, or for a lost or mutilated ticket, the Commission or Division may adjudicate the claim and may order payment thereon from the outs pool or by the association, or may deny the claim, or may make such other order as it may deem proper.

12.164 - Associations shall establish a procedure granting patrons an opportunity to file a claim on lost mutuel tickets on a form provided by the Division. The association shall determine a claim's validity based upon all information available.

Cancelled Contests

12.168 - If a race is canceled or declared a "no race", refunds shall be granted on valid wagers in accordance with these rules.

12.170 - *(Deleted Effective date May 15, 2015)*

Refunds

12.172 - If a runner remains in the gate/box when the doors open there shall be no refund; but, if the door(s) in front of a gate/box fails to open, thereby preventing a runner from starting when the field is dispatched, a refund of all money wagered on any runner so affected shall be made; provided, however, that there shall be no refund if such runner is part of any coupled entry or mutuel field.

12.174 - Unless otherwise provided, a wager on a betting interest which is scratched or withdrawn shall be refunded.

Uncashed Tickets

12.176 - The value of all expired uncashed tickets to be retained by the operator at each in-state simulcast facility shall be identified. Such identification shall be indicated in the "outs book" which is to be provided to the Division at the end of each simulcast race meet.

12.178 - Vouchers not cashed by the end of the race meet shall be valid for a minimum of one year from the date issued. At that time, the value of any uncashed vouchers shall revert to the association that issued them. Any currently outstanding vouchers from previous years shall revert to the association that issued them on December 31, 2004. The expiration policy for all vouchers shall be published daily in the racing program and posted at the racing facility.

Outs Summary Reports

12.180 - The association or simulcast facility mutuel manager shall be responsible for delivering the Outs Summary Report ("outs book") to the Division Representative at the time it is printed, which shall be no later than twenty-four (24) hours after the end of the meet unless otherwise authorized by the Commission and/or Division pursuant to Section 12.194.

12.182 - The Outs Summary Report ("Outs Book") shall show the following information for all uncashed winning tickets and all tickets due to be refunded that are retained in the totalisator system:

:1 - The unique ticket identification number;

:2 - The wagers on the ticket;

:3 - The date, meet and performance number for which the ticket is outstanding;

:4 - The value of the winning wagers and/or the amount to be refunded; and

:5 - The issuing machine location and number.

12.184 - A Division representative must be present at the time of printing or electronic creation. The Division may modify and/or waive this requirement when the totalisator system location that contains the outs book information is located out of state.

12.186 - No subsequent sets of outs books may be printed or electronically created without written approval of the Commission.

12.188 - The Division shall hereby prohibit the totalisator operator from printing an "outs book" without direct authorization from the Commission. For security purposes, the security access code for this procedure must be maintained at the totalisator company headquarters.

12.190 - All tickets and/or vouchers manually cashed after the end of the meet must be maintained for a period of eighteen (18) months after the end of the live or simulcast race meet with information provided on the ticket to identify the amount paid; the payee's name, address and phone number.

12.192 - Where wagering data is transmitted computer to computer, the authorized receivers shall maintain separate summary reports for intertrack wagers placed at the simulcast facility. The simulcast facilities must be able to produce, upon request, a listing of outs purged.

12.194 - With the prior approval of the Commission and/or Division, an association may elect to keep its outs liability account in the tote system for a specified period of time, but in no event more than one year after the close of the meet.

12.196 - An association electing to keep the outs liability account in the tote system shall:

:1 - within twenty-four (24) hours after the close of the meet, file with the Division a tote generated outs summary report along with a written report including the following—

(1) the total amount of outstanding tickets and vouchers;

(2) the exact locations of all facilities where outstanding tickets and vouchers can be cashed by the public;

(3) the name(s) of the person(s) responsible for maintaining the outs and voucher accounts; and

(4) the name(s) of the person(s) responsible for preparation of the daily report to the Division to include:

(A) the outs and voucher account status;

(B) the purged ticket and voucher serial numbers;

(C) the dollar amount of the purged tickets and vouchers; and

(D) the types of wagers on the purged tickets.

:2 - provided information to the public through the program and public address system of the exact locations where outstanding tickets and vouchers may be cashed.

:3 - within twenty-four (24) hours after the end of the Commission approved and specified period, comply with Section 12.180.

12.198 - At all times an association shall insure the security of purged tickets and the integrity of the outstanding ticket records and files including electronic media. Such security measures shall include but not be limited to:

:1 - access by tote employees to purged ticket storage areas shall be prohibited;

:2 - purged tickets shall be maintained in a two-hour fire resistant enclosure;

:3 - the purged ticket enclosure shall be secured by a separate locking system;

:4 - only the mutuel manager or designee shall have access to purged ticket storage facilities;

:5 - access to the magnetic tape logs or comparable mediums and tote library tapes by the mutuel manager or staff shall be prohibited; and

:6 - possession of the magnetic tape logs and library tapes shall be retained by the association for a period of two (2) years from the end of the race meet.

Overpayments/Underpayments

12.200 - If, during any race meet, there should be overpayments or underpayments of the amount actually due to the wagerers, the amount of the excess underpayments over and above overpayments to wagerers shall, no later than 30 days from the end of the meet, revert and belong to the State. These funds shall be paid to the Division and become a part of its fund.

Coupled Entries and Mutuel Fields

12.202 - Horses coupled for wagering purposes as either a coupled entry or mutuel field shall be considered part of a single betting interest for the purpose of price calculations and distribution of pools. Should any horse in a coupled entry or mutuel field be officially withdrawn or scratched, the remaining horses in that coupled entry or mutuel field shall remain valid betting interests and no refunds will be granted. If all horses within a coupled entry or mutuel field are scratched, tickets on such betting interests shall be refunded, notwithstanding other provisions of these rules.

12.204 - For the purpose of price calculations only, coupled entries and mutuel fields shall be calculated as a single finisher, using the finishing position of the leading horse in that coupled entry or mutuel field to determine order of placing. This rule shall apply to all circumstances, including situations involving a dead heat, except as otherwise provided by these rules.

12.206 - *(Deleted Effective date May 15, 2015)*

12.208 - *(Deleted Effective date May 15, 2015)*

Pool Formats

12.210 -- At the time the pools are opened for wagering, unless the Commission otherwise provides, the association:

:1 - shall offer win, place, and show wagering on all races when five (5) or more betting interests leave the paddock for the post; except in horse racing, show wagering may, with the prior approval of the Division, be cancelled by the Association and, if cancelled, all show bets refunded, when less than five (5) betting interests start the race.

:2 - shall prohibit Quiniela, Exacta, Quiniela Double or Twin Quiniela wagering on any race when less than four (4) betting interests leave the paddock for the post;

:3 - shall prohibit Trifecta, Superfecta, or Super Five, wagering on any race when less than six (6) betting interests leave the paddock for the post, and;

:4 - shall prohibit Twin Trifecta, Twin Superfecta or Tri-Superfecta wagering on any race when less than seven (7) betting interests leave the paddock for the post.

Method of Wagering

12.212 - All wagers on any race meet licensed or approved by the Colorado Racing Commission shall be made in person at a licensed facility unless the wager is incidental to a bona fide social relationship.

12.213 – Association and Simulcast facilities shall set up wagering accounts in conjunction with an onsite portable wagering unit that is checked out to an individual customer of the facility. Accounts shall only be opened with a cash deposit, and shall at no time have a negative balance. Units used in conjunction with the account must be approved in advance by the division.

Closing of Wagering in a Contest

12.214 - The association shall maintain an operable system approved by the Commission for closing wagering.

12.216 - The close of wagering shall be signaled by the Board.

300's --- SIMULCAST WAGERING

General Provisions

12.302 - All contracts entered into by a track or in-state simulcast facility shall include a provision that the out-of-state host will provide to the in-state simulcast facility, without delay, any and all information necessary for the in-state simulcast facility's accounting of its pari-mutuel activities and shall provide to the Division any information required for auditing purposes. This rule shall also apply to any cross simulcasting between facilities.

12.304 - All simulcast contracts shall include a starting and ending date for each simulcast race meet.

12.306 - Every effort shall be made to provide simulcast outlets video content that contains all relevant information available to patrons at the host association.

12.308 - At least 30 minutes prior to the commencement of the performance of pari-mutuel races for each day or night, the host association and simulcast facilities shall verify proper operation of the system. Including video and data communications.

12.310 - At all associations and/or simulcast facilities, there shall be a working facsimile machine and separate telephone accessible to all mutuel departments to relay information in instances where there are communication system failures.

12.320 – (*Modified Effective date May 15, 2016*) The means of obtaining consent for the location of additional wagering facilities within fifty (50) miles of any class b horse track operated by another licensee, which has held, within the previous twelve (12) months, or is licensed and scheduled to hold within the next twelve (12) months, a qualifying race meet, shall be as follows:

:1 - Such consent shall be reduced to writing and authorized by the appropriate management of the racetrack;

:2 - Such consent shall be filed with the Commission, and shall state the expiration date of the consent given;

:3 - Such consent shall remain valid as to the successor owners for the period of time stated in the consent.

Duties of Simulcast Host

12.330 - Every host association wishing to simulcast its performance may contract with authorized receivers with the approval of the Commission.

12.332 - A host association is responsible for the content of the simulcast and shall use all reasonable efforts to present a broadcast which offers an exemplary depiction of each performance. A host association that fails to provide such depiction may have it's approval to simulcast suspended or withdrawn by the director or designee.

12.333 - If the video signals are lost, where the totalisator hub is located, the mutuel manager shall issue a command to the tote operator and the mutuel sellers to cease wagering on the broadcast performance at all wagering facilities betting through that hub until such time as the video is reestablished. In the case of intrastate simulcasting, wagering may continue if direct communication via phone can be established and maintained between the board, at the live meet, and the totalisator operator at the hub.

12.334 - In-state photo finish pictures or video representation will be provided to the Division representatives at the simulcast facilities in a timely manner upon request.

12.336 - An association may open, close or change the hours of operation at an in-state simulcast facility. Signs shall be posted informing the public as directed by the division. Should a simulcast

facility close or alter its hours of operation, notice shall be made to the division.

12.338 - The association shall make all programs or other wagering information available at all tracks and simulcast facilities at which its races are wagered upon and to the Division representatives.

12.340 - The host association is responsible for reporting to simulcast facilities any problems or delays so that the public may be informed via a public address system or the video monitors.

12.342 - An in-state host track shall provide:

:1 - adequate transmitting and receiving equipment of acceptable broadcast quality. All transmissions shall be of acceptable broadcast quality and meet the applicable Federal Communication Commission (F.C.C.) and Commission regulations and appropriate safeguards, as approved by the Commission;
:2 - pari-mutuel terminals, monitors displaying pari-mutuel odds, modems and switching units enabling pari-mutuel data transmissions, and data communications between the host association and simulcast facilities; and

:3 - a voice communication system to link the host association with each simulcast facility to provide timely voice contact among the Division Representatives, the Board and pari-mutuel departments.

:4 – an electronic feed in a format approved by the Division, via electronic mail or other means in addition to voice and fax, to all simulcast facilities, that will update and broadcast to an on-site monitor(s) through a dedicated channel, scratched horses, changes in jockeys, scratched greyhounds or other wagering format changes including wagers not merged and refunded races.

12.344 - Scratched horses, changes in jockeys, scratched greyhounds or other wagering format changes including wagers not merged and refunded races must be communicated immediately in the following manner:

:1 - the mutuel manager at the host association shall communicate this information to the mutuel managers at all simulcast facilities receiving such simulcast broadcast and the information shall be announced and posted; and

:2 - where a hub system is being used, the host mutuel manager shall communicate this information to the hub site manager who in turn will relay it to each simulcast facility and enter the required information into the system and shall announce and post such information.

:3 – Continuous display by posting, video or electronic means shall be the responsibility of each simulcast facility. All non-merged pools and refunds shall be announced and posted immediately and displayed for the remainder of the facilities operating day.

:4 – current information provided by the in-state host pursuant to rule 12.342:4 shall be updated as changes become available and broadcast to an on-site monitor through a dedicated channel.

12.346 - In-state host tracks shall not delay post times for purposes of accumulating wagers from in-state or out-of-state tracks or other simulcast facilities. Should failures occur that require additional time to merge pools prior to official posting of prices mutuel and totalisator personnel shall use efforts to make the merge in a timely manner. While attempting to merge pools the host track shall not be permitted to exceed fifteen (15) minutes without permission of the board.

Duties of Simulcast Receiver

12.350 - All simulcast facilities shall conduct pari-mutuel wagering pursuant to the applicable Commission rules.

12.354 - The simulcast facility acting as a hub shall, in conjunction with the host association or associations for which it operates pari-mutuel wagering, provide the Division with a report of its pari-mutuel operations as requested by the Commission or Director.

12.358 - A simulcast facility shall have video signals at the start of every simulcast wagering performance in order for wagering to begin. A video signal shall include the actual broadcast of the live race and/or prices and approximate odds and any usual and customary information displayed as received from the host.

12.360 - A simulcast facility shall provide:

1: - adequate transmitting and receiving equipment which shall not interfere with the closed circuit TV system of the host association. All transmissions shall be of acceptable broadcast quality and meet the applicable Federal Communication Commission (F.C.C.) and Commission regulations and orders. This equipment may include approved microwave transmitters, with appropriate safeguards, as approved by the Commission;

2: - pari-mutuel terminals, modems and switching units enabling pari-mutuel data transmissions and data communications between the host association HUB and simulcast facilities; and

3: – a public address system or comparable system that can be accessed immediately by the mutuel manager in the main mutuel area.

12.362 - Any wagering format or method of calculation not offered in Colorado which shall be offered as part of the simulcast program shall have prior approval of the Commission or Director. The in-state hub mutuel manger shall maintain a copy of the rules governing such wagers or calculations.

400's --- INTERSTATE COMMON POOL WAGERING

General

12.400 - All contracts governing participation in interstate common pools along with the host state's commission approval, shall be submitted to the Division for approval by the Commission at least two business days prior to the effective date of such contract and/or agreement. These contracts shall include but are not limited to horsemen's agreements and simulcast contracts.

12.402 - Pari-mutuel pools may be combined for computing odds and calculating payoffs, but will be held separately for auditing and all other purposes.

12.404 - Any surcharges or withholdings in addition to the takeout shall only be applied in the jurisdiction imposing such surcharges or withholdings.

12.406 - In determining whether to approve an interstate common pool which does not include the host track, the Commission may consider and approve: use of a wagering format which is not utilized at the host track; application of a takeout rate not in effect at the host track; or other factors which are presented to the Commission.

12.408 - The content and format for the visual display of racing and wagering information at facilities in other jurisdictions where wagering is permitted in the interstate common pool need not be identical to the racing and wagering information required to be displayed under these rules.

12.410 - Any host association or simulcast facility participating in an interstate common pool shall provide to the Commission all pari-mutuel information pertaining to the interstate common pool and wagers placed in Colorado which were part of the interstate common pool.

12.412 - Wagering at simulcast facilities involved in interstate common pools shall cease upon receipt of the electronic stop betting command via the computer to computer link. Should it appear that this command may be delayed, it shall be the responsibility of the Mutuel Manager and the totalisator operator to signal the close of wagering.

Participation in Interstate Common Pools

12.420 - With the prior approval of the Commission, wagers placed in Colorado may be accepted into interstate common pools pursuant to section 12-60-703, C.R.S., in accordance with these rules, in the host state or with corresponding pools established by one or more other jurisdictions.

12.422 - In the event an in-state simulcast facility receives a broadcast of an out-of-state race and in turn transmits the broadcast to other simulcast facilities, that in-state simulcast facility shall act as the host association for the purposes of holding the common pool and calculating the payoff on all wagers placed in Colorado.

12.424 - Rules of racing governing live races held in this State shall also apply to interstate common pools on such races. In addition, the rules of racing governing the live race shall apply to the merged pool.

12.426 - The payoffs and takeouts for wagers placed in Colorado on races conducted at an out-of-state racetrack shall be governed by these rules unless otherwise provided by the Commission.

12.428 - If, for any reason, it becomes impossible to successfully merge wagers placed into the interstate common pool, the association or simulcast facility shall refund the wagers placed at their facility. Announcements and public postings shall be made, in accordance with rule #12.360, immediately at all facilities.

12.430 - An association licensed to conduct a live race meet may determine, with the prior

approval of the Commission, that one or more of its races be utilized for pari-mutuel wagering at simulcast facilities in other states. An association may also determine, with the prior approval of the Commission, that out-of-state pari-mutuel pools may be combined with corresponding wagering pools established by it as the host track.

12.432 - Prior approval by the Commission of all agreements governing the distribution of breakage made between the association and other participants in interstate common pools must be obtained.

Takeout Rates in Interstate Common Pools

12.440 - In the event the interstate common pool is formed in Colorado, the odds and prices will be calculated in accordance with these rules utilizing the current Colorado takeout and breakage.

12.442 - The total takeout applicable to the wagers received in Colorado shall be distributed in accordance with Colorado statutes. Any gains or losses caused by a difference in takeout and/or breakage shall be part of the in-state simulcast facility's revenue and expenses from the interstate broadcast.

12.444 - The Commission, in accordance with applicable laws, may permit adjustment of the takeout from the interstate common pool so that the takeout rate in this jurisdiction is identical to that at the out-of-state host track or identical to that of other jurisdictions participating in a merged pool.

12.446 - In the event takeout rates in the merged pool are not identical, the net price calculation shall be the method by which the differing takeout rates are applied.

500's --- TOTALISATOR PROVISIONS

General

12.500 - Each licensed association and approved simulcast facility shall utilize totalisator company equipment and software that satisfies the record keeping and reporting requirements of the Commission.

12.502 – Each association conducting a live race meet or acting as a hub for simulcasting purposes, shall either have a totalisator system and equipment located within the state of Colorado, or conduct totalisator activities at an out-of-state hub that has been approved by the Colorado Racing Commission and conforms to the tote standards as set forth by the Colorado Racing Commission. Additionally, for totalisator systems located outside of Colorado, the Division may require and approve a monitoring device located in Colorado at a location acceptable to the Division. Such system shall make all records available to the Division and shall be the expense of the licensed totalisator company. This totalisator system will be available to record, classify, accumulate wagering data and perform calculations. Two or more associations shall be permitted to utilize the same equipment during the running of simultaneous live performances or other simulcasting activity.

12.504 - Every totalisator service provider shall have an Emergency Disaster/Power Failure Plan submitted to and approved by the Commission prior to the opening of the live or simulcast race

meet. Emergency communication contingencies shall be provided as part of this plan.

12.506 - A totalisator company is subject to licensure, inspection and regulation by the Commission to insure the integrity of the information obtained by use of its software and equipment.

12.508 - Every totalisator service provider shall comply with the current Totalisator Standards as adopted by the Commission.

Failure to comply with the minimum procedures or standards approved pursuant to this section may result in a fine, penalty, or revocation of license.

Licensees will be provided written notice of any changes to the minimum procedures or standards approved pursuant to this section and will have thirty (30) days, unless otherwise specified, in which to comply with such changes.

12.510 - An adequate number of totalisator technicians must be present during hours of operation at each track and reliable replacement equipment must be available at all times at all wagering facilities. Totalisator repairs and maintenance shall be performed only by a licensed totalisator technician. Regular inspection and maintenance of equipment shall be performed at least semi-monthly at each track and simulcast facility, and a log of such maintenance shall be kept and be made available to the Division upon request.

12.512 - Every totalisator system service provider shall install a security system and/or safeguard mechanisms to prevent unauthorized access and/or operation of the totalisator, computer equipment and storage facilities.

12.514 - The Board and a Division representative shall be verbally notified immediately of any malfunctions of the totalisator equipment or operations. Any faulty operation of the totalisator shall be corrected only after the Board or Commission representative has been notified and has granted approval for the change or correction. The malfunction shall be explained by the host totalisator manager in a written detailed report submitted to the host mutuel manager and to the Division representative within 24 hours.

Totalisator Systems Provisions

12.520 - The Commission or Division may, at any time, test, audit or inspect totalisator company equipment and software as they pertain to or affect operations in Colorado. The association, simulcast facilities and the totalisator company shall permit and assist in such inspection without prior notice.

12.522 - All associations and in-state simulcast facilities shall have a totalisator completely installed and submit it to a practical test three (3) days prior to the opening of its live or simulcast race meet or at such time as the Commission or Division may direct. The test shall be made under the supervision and direction of the Division or its appointed representative. The license or approval to conduct a live or simulcast race meet shall not be issued until the test has been made and the totalisator conforms to the requirements of these rules and meets the approval of the Commission.

12.524 - The totalisator shall be designed to calculate the total amount wagered, and the amounts wagered on each runner, entry or field from time to time as the wagering progresses.

12.526 - No changes or enhancements in programming or upgrade in the computer hardware or software shall be made after the tests are completed without the written notification and prior approval of the Commission or Director detailing such changes.

12.528 - A totalisator system must be able to produce and provide in a timely manner to the Division upon request:

:1 - a copy of all data necessary to re-create the wagering activity of any race performance that the Division may request, in a format prescribed by the Division;

:2 - a copy of the system log in a format prescribed by the Division; and

:3 - any other computer files as specified by the Division.

12.530 - All totalisator systems are required to have at least one back up computer. A system is not considered to be fully operational if only one computer is able to record, classify, and accumulate wagering data and perform calculations.

12.532 - All totalisator hub systems shall comply with an industry standard protocol which has been agreed upon by all totalisator companies involved.

12.534 - The association and the totalisator service provider shall install two separate devices which activate the stop betting function of the totalisator system. The primary device will be accessible to the Board to issue the stop betting command during normal operations and activate the "off bell". The second device "back-up" is to be installed in the tote room to enable the tote operator to issue the stop betting command in the event of a totalisator malfunction or human error which prevents the tote system from activating the stop betting function at the appropriate time.

12.536 - The totalisator system shall restrict canceling of wagers to a limited number or dollar amount as set by association policy, with prior Commission approval pursuant to Section 12.152.

12.538 - Any transactions not completed before the ticket-issuing machines are locked for wagering on that race are void.

12.540 - Appropriate hardware and software changes to the totalisator system shall ensure that when the Board signals "betting off", the totalisator system shall simultaneously cause all ticket-issuing machines to lock out wagering for that race.

12.542 - No override of the race lock out will be permitted without the approval of the Board.

Manual Merges

12.550 – Manual merges will not be allowed.

12.562 - If the host totalisator system fails during the wagering period, the simulcast facilities may continue to wager until the host totalisator manager has determined whether a total system failure has occurred. A total system failure of more than thirty (30) minutes shall result in the cancellation of the remainder of that performance, unless otherwise authorized by the Commission, Director or their designee.

12.564 - If a total system failure occurs of:

:1 - the host totalisator system prior to the running of the race, all wagers placed at all locations shall be refunded;

:2 - the host totalisator system during the running of the race, all wagers placed in the system shall be paid once the totalisator system is operational. If the totalisator system problem is not corrected immediately after the race is completed, wagers on the remaining races shall not be accepted at the simulcast facilities;

:3 - a simulcast facility totalisator system prior to the running of the race, all wagers placed at that location may be refunded or the total amount wagered prior to the failure may remain in the system. If wagers are to remain in the system, the prices for that race shall not be
posted until the simulcast facility totalisator system failure has been corrected and the amount wagered at that facility can be determined. If the problem cannot be corrected immediately, all subsequent wagering at that facility shall be canceled and all wagers from that facility shall be refunded;

:4 - a simulcast facility totalisator system during the running of the race and the problem cannot be corrected immediately, prices shall not be posted on that race until the problem can be corrected. If the system cannot be corrected by the next race, then wagering may continue at the host track but will stop at the simulcast facility utilizing the totalisator system in question. All wagers made on the subsequent races will be refunded; and

:5 - a simulcast facility totalisator system for more than thirty (30) minutes, wagering shall cease at such facility for the remainder of that performance, unless otherwise authorized by the Commission or Director.

Tote Board/Video Display Provisions

12.566 - Tote board and/or video display system malfunction shall include, but not be limited to:

:1 - the inability to display correct wagering information; and

:2 - failure of transmission of data to the host tracks and/or simulcast facilities.

12.568 - The Board and a Division representative shall be verbally notified immediately of any faulty operation of the tote board or other methods of displaying wagering information to the public. Malfunctions of the tote board or other methods of displaying wagering information shall be corrected only after the Board or Commission representative has been notified and has granted approval for the change or correction. The malfunction shall be explained by the host totalisator manager in a written detailed report submitted to the host mutuel manager and to the Commission representative within 24 hours.

12.570 - In the event of a discrepancy within the totalisator system between the sum total of the wagers on individual runners as compared with the grand total, the larger amount shall be used as the base for computing the payoff(s). The larger amount shall also be used as the base on which the commissions are computed and paid to the association and to the State.

If, after a race is made official and payoffs have commenced, it is determined that a payoff has been made on an incorrect pool total resulting in an overpayment to the public, the totalisator company shall only be responsible for the overpayment to the public and not for the commissions that were based on an incorrect pool total.

12.572 - If the payoff prices for a race posted on the tote board or video display are incorrect (because they do not reflect the official order of finish as displayed by the Board, because of an error in calculation, or for some other reason), the association shall promptly correct such error and post corrected prices on the tote board or video display and the public shall be advised of the correction by announcement over the public address system. The corrected amounts shall be used in the payoff, irrespective of the erroneous payoff prices previously posted.

12.574 - Whenever the totalisator fails and is incorrect as to the amounts wagered, all figures on the tote board or video display that are affected shall be removed immediately and the payoff shall be correctly re-calculated on the sums wagered in each pool.

12.576 - There shall be operated, in connection with the totalisator, one or more tote boards or video display at the host track and each simulcast facility. During the wagering period, the approximate odds or approximate payoffs shall be calculated and displayed at intervals of not more than ninety (90) seconds.

12.578 - The tote board(s) and/or video displays at the racetrack and simulcast facility shall provide the following information:

:1 - approximate odds or will pays for win and quiniela wagers;

:2 - daily double will pays;

:3 - total amount wagered in the win and quiniela pools and, at simulcast locations, the amount wagered in the trifecta pools shall also be displayed;

:4 - race results and actual payoffs for all wagers;
:5 - minutes to post;

:6 - actual time of day; and

:7 - the name of the track from which the broadcast emanates.

12.580 - Associations conducting live and simulcast greyhound/horse racing must advertise the post time of each race upon their tote board or video display.

12.582 - The tote board and video monitor(s) at the racetrack and/or simulcast facilities shall be clearly visible to all patrons who wish to view the tote board or monitor.

Totalisator Liability

12.590 - The Commission, the Division, the totalisator company, the association, and the simulcast facility assume no responsibility to the wagerer for any transactions not completed before the

ticket-issuing machines are closed for wagering on a particular race or series of races. The association, the simulcast facility and the totalisator company shall be responsible to the wagerer for the purchase value of any incorrect wagers issued as the result of a totalisator malfunction which cannot be corrected before the ticket-issuing machines are locked.

12.592 - Every totalisator service contract shall include provisions for liability in the event of any totalisator malfunction, unauthorized merging of pools or communication breakdown. A copy of each totalisator service contract shall be submitted to the Commission at the time of renewal. Such contract provisions shall be subject to Commission approval.

12.594 - The association shall be held accountable for any loss of State money due to a totalisator company error.

600's, 700's, & 800's --- CALCULATION OF PAYOUTS AND DISTRIBUTION OF POOLS

General

12.600 - All pari-mutuel wagering pools shall be separately and independently calculated and distributed. Takeout shall be deducted from each gross pool as stipulated by State law. The remainder of the monies in the pool shall constitute the net pool for distribution as payoff on winning wagers.

12.602 - For each pari-mutuel wagering pool, the amount wagered on the winning betting interest or wagering combinations is deducted from the net pool to determine the profit; the profit is then divided by the amount wagered on the winning betting interest or combinations, such quotient being the profit per dollar.

12.604 - Either the standard or net price calculation procedure may be used to calculate single commission pools with the approval of the Commission prior to commencement of the meet, while the net price calculation procedure must be used to calculate multi-commission pools.

12.606 - Ticket denominations shall be specified and approved by the Commission at the time of renewal application, but in no case shall be less than $1.00.

1: Except as authorized in rule #12.900.

12.608 - All minimum wagers for pari-mutuel tickets shall be approved by the Commission.

Standard Price Calculation Procedure

12.620 - The Standard Price Calculation Procedure shall be as follows:

:1 - SINGLE PRICE POOL (WIN POOL)

gross pool =	sum of wagers on all betting interests - refunds
takeout =	gross pool x percent takeout / 100
net pool =	gross pool - takeout
profit =	net pool - gross amount wagered on winner

profit per dollar =	profit / gross amount wagered on winner
$1 unbroken price =	profit per dollar + $1.00
$1 broken price =	$1.00 unbroken price rounded down to the nearest $.10
total payout =	$1.00 broken price x gross amount wagered on winner
total breakage =	net pool - total payout

:2 - PROFIT SPLIT (PLACE POOL)

Profit is the net pool less the gross amount wagered on all place finishers. Finishers split the profit 1/2 and 1/2 (place profit), then divide by the gross amount wagered on each place finisher for two unique unbroken base prices.

:3 - PROFIT SPLIT (SHOW POOL)

Profit is the net pool less the gross amount wagered on all show finishers. Finishers split the profit 1/3 and 1/3 and 1/3 (show profit), then divide by the gross amount wagered on each show finisher for three unique unbroken base prices.

Net Price Calculation Procedure

12.630 - The Net Price Calculation Procedure shall be as follows:

:1 - SINGLE PRICE POOL (WIN POOL)

gross pool =	sum of the wagers on all betting interests - refunds
takeout =	gross pool x percent takeout / 100

*for each source:

net pool =	gross pool - takeout
net wagered on winner =	gross amount wagered on winner x (1-percent takeout / 100)
total net pool =	sum of all sources net pools
total net wagered on winner =	sum of all sources net wagered on winner
total profit =	total net pool - total net wagered on winner
profit per dollar =	total profit / total net wagered on winner
$1 unbroken base price =	profit per dollar + $1.00

*for each source:

$1 unbroken price =	$1.00 unbroken base price x (1-percent takeout / 100)
$1 broken price =	$1.00 unbroken price rounded down to the nearest $.10
total payout =	$1.00 broken price x gross amount wagered on winner
total breakage =	net pool - total payout

:2 - PROFIT SPLIT (PLACE POOL)

Total profit is the total net pool less the total net amount wagered on all place finishers.

Finishers split the total profit 1/2 and 1/2 (place profit), then divide by the total net amount wagered on each place finisher for two unique unbroken base prices.

:3 - PROFIT SPLIT (SHOW POOL)

Total profit is the total net pool less the total net amount wagered on all show finishers. Finishers split the total profit 1/3 and 1/3 and 1/3 (show profit), then divide by the total net amount wagered on each show finisher for three unique unbroken base prices.

:4 - If a profit split results in only one covered winning betting interest or combinations it shall be calculated the same as a single price pool.

:5 - The individual pools outlined in these rules may be given alternative names by each association, provided prior approval is obtained from the Commission.

Win Pools

12.640 - For the purposes of this section, every reference to "pool" shall mean the net win pool, and every reference to "race" shall mean the race for which the win pool is created.

:1 - The amount wagered on the betting interest which finishes first is deducted from the pool, the balance remaining being the profit; the profit is divided by the amount wagered on the betting interest finishing first, such quotient being the profit per dollar wagered to Win on that betting interest.

:2 - The pool shall be distributed as a single price pool to winning wagers in the following precedence, based upon the official order of finish:

(a) To those whose selection finished first; but if there are no such wagers, then

(b) To those whose selection finished second; but if there are no such wagers, then

(c) To those whose selection finished third; but if there are no such wagers, then

(d) The entire pool shall be refunded.

:3 - If there is a dead heat for first involving:

(a) runners representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

(b) runners representing two or more betting interests, the pool shall be distributed as a profit split.

Place Pools

12.650 - For the purposes of this section, every reference to "pool" shall mean the net place pool, and every reference to "race" shall mean the race for which the place pool is created.

:1 - The amounts wagered to Place on the first two betting interests to finish are deducted from the pool, the balance remaining being the profit; the profit is divided into two equal

portions, one being assigned to each winning betting interest and divided by the amount wagered to Place on that betting interest, the resulting quotient is the profit per dollar wagered to Place on that betting interest.

:2 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) If runners of a coupled entry or mutuel field finished in the first two places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise

(b) As a profit split to those whose selection is included within the first two finishers; but if there are no such wagers, then

(c) As a single price pool to those who selected the one covered betting interest included within the first two finishers; but if there are no such wagers, then

(d) As a single price pool to those who selected the third-place finisher, but if there are no such wagers, then

(e) The entire pool shall be refunded.

:3 - If there is a dead heat for first involving:

(a) runners representing the same betting interest, the pool shall be distributed as a single price pool.

(b) runners representing two or more betting interests, the pool shall be distributed as a profit split.

:4 - If there is a dead heat for second involving:

(a) runners representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

(b) runners representing two or more betting interests, the pool is divided with one-half (1/2) of the profit distributed to wagers on the betting interest finishing first and the remainder is distributed equally.

Show Pools

12.660 - For the purposes of this section, every reference to “pool” shall mean the net show pool, and every reference to “race” shall mean the race for which the show pool is created.

:1 - The amounts wagered to Show on the first three betting interests to finish are deducted from the pool, the balance remaining being the profit; the profit is divided into three equal portions, one being assigned to each winning betting interest and divided by the amount wagered to Show on that betting interest, the resulting quotient being the profit per dollar wagered to Show on that betting interest.

:2 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) If runners of a coupled entry or mutuel field finished in the first three places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise

(b) If runners of a coupled entry or mutuel field finished as two of the first three finishers, the profit is divided with two-thirds (2/3) distributed to those who selected the coupled entry or mutuel field and one-third (1/3) distributed to those who selected the other betting interest included within the first three finishers; otherwise

(c) As a profit split to those whose selection is included within the first three finishers; but if there are no such wagers, then

(d) As a profit split to those who selected one of the two covered betting interests included within the first three finishers; but if there are no such wagers, then

(e) As a single price pool to those who selected the one covered betting interest included within the first three finishers; but if there are no such wagers, then

(f) As a single price pool to those who selected the fourth-place finisher; but if there are no such wagers, then

(g) The entire pool shall be refunded.

:3 - If there is a dead heat for first involving:

(a) two runners representing the same betting interest, the profit is divided with two-thirds (2/3) distributed to those who selected the first-place finishers and one-third (1/3) distributed to those who selected the betting interest finishing third.

(b) three runners representing a single betting interest, the pool shall be distributed as a single price pool.

(c) runners representing two or more betting interests, the pool shall be distributed as a profit split.

:4 - If there is a dead heat for second involving:

(a) runners representing the same betting interest, the profit is divided with one-third (1/3) distributed to those who selected the betting interest finishing first and two-thirds (2/3) distributed to those who selected the second-place finishers.

(b) runners representing two betting interests, the pool shall be distributed as a profit split.

(c) runners representing three betting interests, the pool is divided with one-third

(1/3) of the profit distributed to Show wagers on the betting interest finishing first and the remainder is distributed equally amongst Show wagers on those betting interests involved in the dead heat for second.

:5 - If there is a dead heat for third involving:

(a) runners representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

(b) runners representing two or more betting interests, the pool is divided with two-thirds (2/3) of the profit distributed to Show wagers on the betting interest finishing first and second and the remainder is distributed equally amongst Show wagers on those betting interests involved in the dead heat for third.

Daily Double Pools

12.660 - For the purposes of this section, every reference to "pool" shall mean the net daily double pool, and every reference to "races" shall mean the races for which the daily double pool is created.

:1 - Before post time of the second-half of the Daily Double, there shall be posted on the tote board and/or video display and announced to the public the possible payoff on each combination coupled with the winner of the first-half of the Daily Double.

:2 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) As a single price pool to those whose selection finished first in each of the two races, but if there are no such wagers, then

(b) As a profit split to those who selected the first-place finisher in either of the two races, but if there are no such wagers, then

(c) As a single price pool to those who selected the one covered first-place finisher in either race, but if there are no such wagers, then

(d) The entire pool shall be refunded.

:3 - If there is a dead heat for first in either of the two contests involving:

(a) Contestants representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

(b) Contestants representing two or more betting interests, the pool shall be distributed as a profit split if there is more than one covered winning combination.

:4 - Should a betting interest in the first-half of the Daily Double be scratched prior to the first race being declared official, all money wagered on combinations including the scratched betting interest shall be deducted from the pool and refunded.

:5 - Should a betting interest in the second-half of the Daily Double be scratched prior to the close of wagering on the first race, all money wagered on combinations including the scratched betting interest shall be deducted from the pool and refunded.

:6 - Should a betting interest in the second-half of the Daily Double be scratched after the close of wagering on the first race, all wagers combining the winner of the first race with the scratched betting interest in the second race shall be allocated a consolation payoff. In calculating the consolation payoff the pool shall be divided by the total amount wagered on the winner of the first race and an unbroken consolation price obtained. The broken consolation price is multiplied by the dollar value of wagers on the winner of the first race combined with the scratched betting interest to obtain the consolation payoff. Breakage is not utilized in this calculation. The consolation payoff is deducted from the pool before calculation and distribution of the winning payoff. Dead heats including separate betting interests shall result in a consolation payoff calculated as a profit split.

:7 - If either of the races are canceled prior to the first race, or the first race is declared a "no race", the entire pool shall be refunded.

:8 - If the second race is canceled or declared a "no race", after the conclusion of the first race, the pool shall be distributed as a single price pool to wagers selecting the winner of the first race. In the event of a dead heat, the pool shall be distributed as a profit split.

Select Three Pools

12.680 - For the purposes of this section, every reference to "pool" shall mean the net Select Three pool, and every reference to "races" shall mean the races for which the Select Three pool is created.

:1 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) As a single price pool to those whose selection finished first in each of the races; but if there are no such wagers, then

(b) As a single price pool to those who selected the first-place finisher in any two of the races; but if there are no such wagers, then

(c) As a single price pool to those who selected the first-place finisher in any one of the races; but if there are no such wagers, then

(d) The entire pool shall be refunded.

:2 - If there is a dead heat for first in any of the three contests involving:

(a) Contestants representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

(b) Contestants representing two or more betting interests, the pool shall be

distributed as a single price pool with each winning wager receiving an equal share of the profit.

:3 - Should a betting interest in any of the Select Three races be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the close of wagering on that race, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interest(s) which became winner(s) as a result of the substitution, in addition to the normal winning combination.

:4 - If all races are canceled or declared "no races", the entire pool shall be refunded.

:5 - If one or two of the races are canceled or declared "no race(s)", the pool will remain valid and shall be distributed in accordance with :1.

Select (n) Pools

12.690 - For the purposes of this section, every reference to "pool" shall mean the net Select (n) pool; every reference to "races" shall mean the races for which the Select (n) pool is created; and every reference to "jackpot" shall mean the Select (n) jackpot.

:1 - At the beginning of each meet, the association must obtain written approval from the Commission concerning the scheduling of Select (n) races, the percentage of the pool to be retained for the jackpot, and the designated amount of any cap to be set on the jackpot. Any subsequent changes to the Select (n) scheduling requires prior approval from the Commission or Director.

:2 - The pool, along with the jackpot, shall be distributed to winning wagers selecting the first-place finisher in each of the races, based upon the official order of finish; but if there are no such wagers, then

(a) A designated percentage of the pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of races, and

(b) The remainder, if any, of the pool shall be retained and added to the corresponding pool of the next performance. The additional pool resulting from such a carryover shall be termed the "Select (n) jackpot".

:3 - If there is a dead heat for first in any of the races involving:

(a) runners representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

(b) runners representing two or more betting interests, the pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

:4 - Should a betting interest in any of the races be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the close of wagering on that race, shall be substituted for the scratched runner(s) for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the runner with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination.

:5 - The pool shall be canceled and all wagers shall be refunded if:

(a) at least three races comprising the Select 4, 5 or 6 are canceled or declared a "no "race".

(b) at least four races comprising the Select 7, 8 or 9 are canceled or declared a "no race".

(c) at least five races comprising the Select 10 are canceled or declared a "no race".

:6 - If at least one race included as part of a Select (n) is canceled or declared a "no race", but not more than the number specified in :5, the pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of races for that performance. Such distribution shall include the portion ordinarily retained for the jackpot but not the jackpot carryover from previous performances.

:7 - The jackpot shall be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the jackpot equals or exceeds the designated cap, the jackpot will be frozen until it is won or distributed under other provisions of this rule. After the jackpot is frozen, 100 percent of the pool, part of which ordinarily would be added to the jackpot, shall be distributed to those whose selection finished first in the greatest number of races for that performance.

:8 - A written request for permission to distribute the jackpot on a specific performance may be submitted to the Commission if it can be demonstrated that such an action would be in the best interest of the wagering public. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution. The benefit to both the public and State will be weighed in determining whether to approve such a request.

:9 - Should the jackpot be designated for distribution on a specified date and performance in which there are no wagers selecting the first-place finisher in each of the races, the entire pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of races. If there are no wagers selecting the first-place finisher in any of the races comprising the Select (n), all tickets will become winners and will receive 100 percent of that day's pool and any existing jackpot as a single price pool. The jackpot shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) Upon written approval from the Commission as provided in :8.

(b) Upon written approval from the Commission when there is a change in the jackpot cap, a change from one type of Select (n) wagering to another, or when the Select (n) is discontinued.
(c) On the closing performance of the meet or split meet.

:10 - If, for any reason, the jackpot must be carried over to the corresponding pool of a subsequent meet, the jackpot shall be deposited in an interest-bearing account approved by the Commission. The jackpot plus accrued interest shall then be added to the net Select (n) pool of the following meet on a date and performance so designated by the Commission.

:11 - With the written approval of the Commission, the association may contribute to the jackpot a sum of money up to the amount of any designated cap.

:12 - With the exception of the total amount of the pool at the close of Select (n) wagering, the pari-mutuel system shall suppress all information related to Select (n) wagering activity until the conclusion of the final race comprising the pool. Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining is strictly prohibited.

:13 - Any stakes race within the State of Colorado wherein the privilege of scratching a single entry from the race extends to within forty-five (45) minutes of post time shall not be included in any of the races comprising the pool.

:14 - No ticket for the pool shall be sold, exchanged or canceled after the time of the closing of wagering in the first race.

Quiniela Pools

12.700 - For the purposes of this section, every reference to "pool" shall mean the net Quiniela pool; every reference to "races" shall mean the races for which the Quiniela pool is created.

:1 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) If runners of a coupled entry or mutuel field finish as the first two finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; otherwise

(b) As a single price pool to those whose combination finished as the first two betting interests; but if there are no such wagers, then

(c) As a profit split to those whose combination included either the first-or second-place finisher; but if there are no such wagers, then

(d) As a single price pool to those whose combination included the one covered betting interest included within the first two finishers; but if there are no such wagers, then

(e) The entire pool shall be refunded.

:2 - If there is a dead heat for first involving:

(a) runners representing the same betting interest, the pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish.

(b) runners representing two betting interests, the pool shall be distributed as if no dead heat occurred.

(c) runners representing three or more betting interests, the pool shall be distributed as a profit split.

:3 - If there is a dead heat for second involving runners representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

:4 If there is a dead heat for second involving runners representing two or more betting interests, the pool shall be distributed to wagers in the following precedence, based upon the official order of finish:

(a) As a profit split to those combining the winner with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then

(b) As a single price pool to those combining the winner with the one covered betting interest involved in the dead heat for second; but if there are no such wagers, then

(c) As a profit split to those combining the betting interests involved in the dead heat for second; but if there are no such wagers, then

(d) As a profit split to those whose combination included the winner and any other betting interest and wagers selecting any of the betting interests involved in the dead heat for second; but if there are no such wagers, then

(e) The entire pool shall be refunded.

:5 - In the event any runner(s) are scratched or excused by the Board or prevented from starting because of a failure of the doors of the starting gate/box to open, all money wagered on the runners shall be promptly refunded.

Quiniela Double Pools

12.710 - For the purposes of this section, every reference to “pool” shall mean the net Quiniela Double pool; every reference to “races” shall mean the races for which the Quiniela Double pool is created.

:1 - All persons purchasing Quiniela Double tickets shall designate their selections in both of the two consecutive designated races for which the tickets are sold at the time of purchase prior to the first race running.

:2 - In the first race only, winning wagers shall be determined using the following precedence, based upon the official order of finish:

(a) Those whose combination finished as the first two runners shall be winners; but if there are no such wagers, then

(b) Those whose combination included the first or second place finisher shall be winners; but if there are no such wagers, then

(c) Those whose combination included the one covered runner included within the first two finishers shall be winners; but if there are no such wagers, then

(d) The entire pool shall be refunded.

:3 - In the first race only, if there is a dead heat for first involving runners representing three or more betting interests, winning wagers shall be determined using the following precedence, based on the official order of finish:

(a) Those whose combination included any two of the runners finishing in the dead heat shall be winners; but if there are no such wagers, then

(b) Those whose combination included any one of the runners finishing in the dead heat shall be winners; but if there are no such wagers, then

(c) The entire pool shall be refunded.

:4 - In the first race only, if there is a dead heat for second, winning wagers shall be determined using the following precedence, based on the official order of finish:

(a) Those who combined the first place finisher with any of the runners finishing in the dead heat for second shall be winners; but if there are no such wagers, then

(b) Those combining the wagering interests involved in the dead heat for second shall be winners; but if there are no such wagers, then

(c) Those whose combination included any one of the runners finishing either first or in the dead heat for second shall be winners; but if there are no such wagers, then

(d) The entire pool shall be refunded.

:5 - In the second race only, to those winning wagers from the first race that have satisfied :2, :3, or :4, the pool shall be distributed to the winning wagers in the following precedence, based upon the official order of finish for the second race:

(a) As a single price pool to those whose combination finished as the first two runners shall be winners; but if there are no such wagers, then

(b) As a profit split to those whose combination included either the first or second-place finisher; but if there are no such wagers, then

(c) As a single price pool to those whose combination included the one covered betting interest included within the first two finishers; but if there are no such wagers, then

(d) As a single price pool in accordance with :2, :3, or :4, as applicable.

:6 - In the second race only, if there is a dead heat for first involving runners representing three or more betting interests, to those winning wagers from the first race that have satisfied :2, :3, or :4, the pool shall be distributed as a profit split to the winning wagers in the following precedence, based upon the official order of finish for the second race:

(a) Those whose combination included any two of the runners finishing in the dead heat; but if there are no such wagers, then

(b) Those whose combination included any one of the runners finishing in the dead heat shall be winners; but if there are no such wagers, then

(c) As a single price pool in accordance with :2, :3, or :4, as applicable.

:7 - In the second race only, if there is a dead heat for second involving runners representing two or more betting interests, to those winning wagers from the first race that have satisfied :2, :3, or :4, the pool shall be distributed as a profit split to the winning wagers in the following precedence, based upon the official order of finish for the second race:

(a) Those who combined the first place finisher with any of the betting interests involved in the dead heat for second; but if there are no such wagers, then

(b) Those combining the wagering interests involved in the dead heat for second shall be winners; but if there are no such wagers, then

(c) Those whose combination included any one of the runners finishing either first or in the dead heat for second shall be winners; but if there are no such wagers, then

(d) As a single price pool in accordance with :2, :3, or :4, as applicable.

:8 - Should a runner in the first-half race be scratched, those wagers including the scratched runner shall be refunded.

:9 - Should a runner in the second-half of the Quiniela Double be scratched after the close of wagering on the first race, all wagers combining the winning combination in the first race as defined in :2 (a-c), :3 (a-b), or :4 (a-c) with a combination including the scratched runner(s) in the second race shall be allocated a consolation payoff. In calculating the consolation payoff, the pool shall be divided by the total amount wagered on the winning combination in the first race and an unbroken consolation price obtained. The broken consolation price is multiplied by the dollar value of wagers on the winning combination in the first race combined with a combination including the scratched runner(s) in the second

race to obtain the consolation payoff. Breakage is not utilized in this calculation. The consolation payoff shall be deducted from the pool before calculation and distribution of the winning payoff.

:10 - If either of the races is canceled prior to the first race or the first race is declared a “no race”, the entire pool shall be refunded.

:11 - If the second race is canceled or declared a “no race” after the conclusion of the first race, the pool shall be distributed as a single price pool to wagers selecting the winning combination(s) in the first race as defined in :2, :3, or :4. If the second race is canceled or declared a “no race”, there shall be no consolation payoff(s) as defined in :9.

:12 - No more than two (2) entries shall be allowed in each race comprising the Quiniela Double from the same kennel, stable, trainer, or any combination of the above.

Exacta Pools

12.720 - For the purposes of this section, every reference to “pool” shall mean the net Exacta pool; every reference to “races” shall mean the races for which the Exacta pool is created.

:1 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) If runners of a coupled entry or mutuel field finish as the first two finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; otherwise

(b) As a single price pool to those whose combination finished in correct sequence as the first two betting interests; but if there are no such wagers, then

(c) As a profit split to those whose combination included either the first-place betting interest to finish first or the second-place betting interest to finish second; but if there are no such wagers, then

(d) As a single price pool to those whose combination included the one covered betting interest to finish first or second in the correct sequence; but if there are no such wagers, then

(e) The entire pool shall be refunded.

:2 - If there is a dead heat for first involving:

(a) runners representing the same betting interest, the pool shall be distributed as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish.

(b) runners representing two or more betting interests, the pool shall be distributed as a profit split.

:3 - If there is a dead heat for second involving runners representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

:4 - If there is a dead heat for second involving runners representing two or more betting interests, the pool shall be distributed to ticket holders in the following precedence, based upon the official order of finish:

(a) As a profit split to those combining the first-place betting interest with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then

(b) As a single price pool to those combining the first-place betting interest with the one covered betting interest involved in the dead heat for second; but if there are no such wagers, then

(c) As a profit split to those wagers correctly selecting the winner for first-place and those wagers selecting any of the dead-heated betting interests for second-place; but if there are no such wagers, then

(d) The entire pool shall be refunded.

:5 - In the event any runner(s) are scratched or excused by the Board or prevented from starting because of a failure of the doors of the starting gate/box to open, all money wagered on the runner(s) shall be promptly refunded.

Trifecta Pools

12.730 - For the purposes of this section, every reference to "pool" shall mean the net Trifecta pool; every reference to "races" shall mean the races for which the Trifecta pool is created.

:1 - For Trifecta price calculations only, the highest placed finisher of any part of a coupled entry is used, eliminating all other parts of that coupled entry from consideration regardless of finishing order.

:2 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) As a single price pool to those whose combination finished in correct sequence as the first three runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination correctly selected the first-place runner only, but if there are no such wagers, then

(d) The entire pool shall be refunded.

:3 - If there is a dead heat for first involving:

(a) runners representing three or more betting interests, all of the wagering combinations selecting three betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.

(b) runners representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, irrespective of order, along with the third-place betting interest shall share in a profit split.

:4 - If there is a dead heat for second, all of the combinations correctly selecting the winner combined with any of the betting interests involved in the dead heat for second shall share in a profit split.

:5 - If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any of the betting interests involved in the dead heat for third shall share in a profit split.

:6 - In horse racing, if less than three betting interests finish and the race is declared official, payoffs will be made based upon the order of finish of those betting interests completing the race. The balance of any selection beyond the number of betting interests completing the race shall be ignored.

Superfecta Pools

12.740 - For the purposes of this section, every reference to "pool" shall mean the net Superfecta pool; every reference to "races" shall mean the races for which the Superfecta pool is created.

:1 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) As a single price pool to those whose combination finished in correct sequence as the first four runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first three runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(d) As a single price pool to those whose combination correctly selected the first-place runner; but if there are no such wagers, then

(e) The entire pool shall be refunded.

:2 - In horse racing, if less than four runners finish and the race is declared official, payoffs will be made based upon the order of finish of those runners completing the race. The balance of any selection beyond the number of runners completing the race shall be ignored.

:3 - If there is a dead heat for first involving:

(a) runners representing four or more betting interests, all of the wagering combinations selecting four betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.

(b) runners representing three betting interests, all of the wagering combinations selecting the three dead-heated betting interests, in any order, along with the fourth-place betting interest shall share in a profit split.

(c) runners representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, in any order, along with the third-place and fourth-place betting interests shall share in a profit split.

:4 - If there is a dead heat for second involving:

(a) runners representing three or more betting interests, all of the wagering combinations correctly selecting the winner combined with any of the three betting interests involved in the dead heat for second shall share in a profit split.

(b) runners representing two betting interests, all of the wagering combinations correctly selecting the winner, the two dead-heated betting interests, in any order, and the fourth-place betting interest shall share in a profit split.

:5 - If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any two of the betting interests involved in the dead heat for third shall share in a profit split.

:6 - If there is a dead heat for fourth, all wagering combinations correctly selecting the first three finishers, in correct sequence, along with any of the betting interests involved in the dead heat for fourth shall share in a profit split.

:7 - No more than two (2) entries shall be allowed in the race from the same kennel, stable, trainer, or any combination of the above.

Super Five Pools

12.750 - For the purposes of this section, every reference to “pool” shall mean the net Super Five pool; every reference to “races” shall mean the races for which the Super Five pool is created.

:1 - The pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) As a single price pool to those whose combination finished in correct sequence as the first five runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first four runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination included, in correct sequence, the first three runners; but if there are no such wagers, then

(d) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(e) As a single price pool to those whose combination correctly selected the first-place runner; but if there are no such wagers, then

(f) The entire pool shall be refunded.

:2 - If less than five runners finish and the race is declared official, payoffs will be made based upon the order of finish of those runners completing the race. The balance of any selection beyond the number of runners completing the race shall be ignored.

:3 - If there is a dead heat for first involving:

(a) Runners representing five or more betting interests, all of the wagering combinations selecting five betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.

(b) Runners representing four betting interests, all of the wagering combinations selecting the four dead-heated betting interests, in any order, along with the fifth-place betting interest shall share in a profit split.

(c) Runners representing three betting interests, all of the wagering combinations selecting the three dead-heated betting interests, in any order, along with the fourth-place and fifth-place betting interest, in correct sequence, shall share in a profit split.

(d) Runners representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, in any order, along with the third-place, fourth-place, and fifth-place betting interests, in correct sequence, shall share in a profit split.

:4 - If there is a dead heat for second involving:

(a) Runners representing four or more betting interests, all of the wagering combinations correctly selecting the winner combined with any of the four betting interests involved in the dead heat for second shall share in a profit split.

(b) Runners representing three betting interests, all of the wagering combinations correctly selecting the winner, the three dead-heat betting interests, in any order, along with the fifth-place betting interest shall share in a profit split.

(c) Runners representing two betting interests, all of the wagering combinations correctly selecting the winner, the two dead-heated betting interests, in any order, and the fourth-place and fifth-place betting interest, in correct sequence, shall share in a profit split.

:5 - If there is a dead heat for third involving:

(a) Runners representing three or more betting interests, all of the wagering combinations correctly selecting the first two finishers, in correct sequence, combined with any of the three betting interests involved in the dead heat for third shall share in a profit split.

(b) Runners representing two betting interests, all of the wagering combinations correctly selecting the first two finishers, in correct sequence, the two dead-heat betting interests, in any order, along with the fifth-place betting interest shall share in a profit split.

:6 - If there is a dead heat for fourth, all wagering combinations correctly selecting the first three finishers, in correct sequence, along with any of two of the betting interests involved in the dead heat for fourth shall share in a profit split.

:7 - If there is a dead heat for fifth, all wagering combinations correctly selecting the first four finishers, in correct sequence, along with any of the betting interests involved in the dead heat for fifth shall share in a profit split.

:8 - Coupled entries and mutuel fields shall be prohibited in Super Five races.

:9 - No more than two (2) entries shall be allowed in the race from the same kennel, stable, owner or trainer, or any combination of the above.

Twin Quiniela Pools

12.760 - For the purposes of this section, every reference to "pool" shall mean the net Twin Quiniela pool; every reference to "races" shall mean the races for which the Twin Quiniela pool is created.

:1 - Each winning ticket for the first race must be exchanged for a free ticket in the second race to remain eligible for the second-half pool. Twin Quiniela tickets may be exchanged only at attended ticket windows prior to the second race. There will be no monetary reward for winning the first race. Both of the designated races shall be included in only one pool. The association shall be required to provide one race between the race designated as the first-half and the race designated as the second-half.

:2 - In the first race only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first race:

(a) Those whose combination finished as the first two runners shall be winners; but if there are no such wagers, then

(b) Those whose combination included either the first or second place finisher shall be winners; but if there are no such wagers, then

(c) Those whose combination included the one covered runner included within the first two finishers shall be winners; but if there are no such wagers, then

(d) The entire pool shall be refunded.

:3 - In the first race only, if there is a dead heat for first involving runners representing three or more betting interests, those whose combination included any two of the runners finishing in the dead heat shall be winners.

:4 In the first race only, if there is a dead heat for second involving those who combined the first place finisher with any of the runners involved in the dead heat for second shall be winners.

:5 In the second race only, the pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second race:

(a) Those whose combination finished as the first two runners shall be winners; but if there are no such wagers, then

(b) As a profit split to those whose combination included either the first- or second-place finisher; but if there are no such wagers, then

(c) As a single price pool to those whose combination included the one covered betting interest included within the first two finishers; but if there are no such wagers, then

(d) As a single price pool to all the exchange ticket holders for that race; but if there are no such tickets, then

(e) In accordance with :2.

:6 - In the second race only, if there is a dead heat for first involving runners representing three or more betting interests, the pool shall be distributed as a profit split to those whose combination included any two of the runners finishing in the dead heat.

:7 - In the second race only, if there is a dead heat for second involving runners representing two or more betting interests, the pool shall be distributed as a profit split to those who combined the first-place finisher with any of the betting interests involved in the dead heat for second.

:8 - If a winning ticket for the first-half of the Twin Quiniela is not presented for exchange prior to the close of betting on the second-half race, the ticket holder forfeits all rights to any distribution of the pool resulting from the outcome of the second race.

:9 - Should a runner interest in the first-half be scratched, those wagers including the scratched runner shall be refunded.

:10 - Should a runner in the second-half be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second race, the ticket holder forfeits all rights to the pool.

:11 - If either of the races is canceled prior to the first race, or the first race is declared a “no race, the entire pool shall be refunded.

:12 - If the second-half race is canceled or declared a “no race” after the conclusion of the first race, the pool shall be distributed as a single price pool to wagers selecting the winning combination in the first race and all valid exchange tickets. If there is no such wager, the pool shall be distributed as described :2.

:13 - No more than two (2) entries shall be allowed in each race comprising the Twin Quiniela from the same kennel, stable, trainer, or any combination of the above.

Twin Trifecta Pools

12.770 - For the purposes of this section, every reference to “pool” shall mean the net Twin Trifecta pool; every reference to “races” shall mean the races for which the Twin Trifecta pool is created; and every reference to “jackpot” shall mean the Twin Trifecta jackpot.

:1 - Each winning ticket for the first race must be exchanged for a free ticket on the second race in order to remain eligible for the second-half pool. Twin Trifecta tickets may be exchanged only at attended ticket windows prior to the second race. The association shall be required to provide one race between the race designated as the first-half and the race designated as the second-half. It shall be the association’s responsibility to provide adequate notice to the wagering public of the deadline for making the exchange. Winning first-half wagers will receive both a free exchange and a monetary payoff. Both of the designated races shall be included in only one Twin Trifecta pool. The Twin Trifecta will not be conducted in conjunction with any other wager requiring an exchange of tickets. Exchange tickets shall be non-transferable. Holders of transferred exchange tickets shall not be entitled to any winnings. The persons involved in unauthorized transfer of exchange tickets shall be subject to ejection.

:2 - After wagering closes for the first-half and commissions have been deducted from the pool, the pool shall then be divided into separate pools: the first-half pool and the second-half pool.

:3 - In the first race only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first race:

(a) As a single price pool to those whose combination finished in correct sequence as the first three runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination correctly selected the first-place runner only, but if there are no such wagers, then

(d) The entire pool shall be refunded and the second-half shall be canceled.

:4 - If no first-half ticket selects the first three finishers of that race in exact order, winning ticket holders shall not receive any exchange tickets for the second-half pool. In such case, the second-half pool shall be retained and added to any existing carryover pool.

:5 - Winning tickets from the first-half shall be exchanged for tickets selecting the first three finishers of the second-half. The second-half pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second race:

(a) As a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first three betting interests; but if there are no such tickets, then

(b) The entire second-half pool for that race shall be added to any existing carryover monies and retained for the corresponding second-half pool of the next consecutive performance. The additional second-half monies resulting from such carryover shall be termed the "Twin-Trifecta jackpot".

:6 - If a winning first-half ticket is not presented for cashing and exchange prior to the second-half race, the ticket holder may still collect the monetary value associated with the first-half pool but forfeits all rights to any distribution of the second-half pool.

:7 - Coupled entries and mutuel fields shall be prohibited in Twin Trifecta races.

:8 - Should a runner in the first-half be scratched, those wagers including the scratched runner shall be refunded.

:9 - Should a runner in the second-half be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched runner. If tickets have not been exchanged prior to the close of betting for the second race, the ticket holder forfeits all rights to the second-half pool.

:10 - If, due to a late scratch, the number of runners in the second-half is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half pool for that race as a single price pool, but not the jackpot.

:11 - If there is a dead heat or multiple dead heats in either the first- or second-half, all wagers selecting the correct order of finish, counting a runner involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

(a) the first-half, the payoff shall be calculated as a profit split.

(b) the second-half, the payoff shall be calculated as a single price pool.

:12 - If either races are canceled prior to the first race, or the first race is declared a "no race", the entire pool shall be refunded and the second-half shall be canceled.

:13 - If the second-half race is canceled or declared a “no race”, all exchange tickets and outstanding first-half winning tickets shall be entitled to the pool for that race as a single price pool, but not the jackpot. If there are no such tickets, the pool shall be distributed as described in :3.

:14 - The jackpot shall be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the jackpot equals or exceeds the designated cap, the jackpot will be frozen until it is won or distributed under other provisions of this rule. After the jackpot is frozen, 100 percent of the pool for each individual race shall be distributed to winners of the first-half of the pool.

:15 - A written request for permission to distribute the jackpot on a specific performance may be submitted to the Commission if it can be demonstrated that such an action would be in the best interest of the wagering public. The request must contain justification for the distribution, an explanation of the benefit to be derived and the intended date and performance for the distribution. The benefit to both the public and State will be weighed in determining whether to approve such a request.

:16 - The jackpot shall be designated for distribution on a specified date and performance only under the following circumstances.

(a) Upon written approval from the Commission as provided in :15.

(b) Upon written approval from the Commission when there is a change in the jackpot cap or when the Twin Trifecta is discontinued.

(c) On the closing performance of the meet or split meet.

:17 - Should the jackpot be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second-half after completion of the first-half:

(a) As a single price pool to those whose combination finished in correct sequence as the first three runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination correctly selected the first-place runner; but if there are no such wagers, then

(d) As a singe price pool to holders of valid exchange tickets.

(e) As a single price pool to holders of outstanding first-half winning tickets.

:18 - Contrary to :4, during a performance designated to distribute the jackpot, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half. If there are no such wagers, then exchange tickets shall be issued for combinations correctly selecting the first- and second

place betting interests. If there are no such wagers, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no wagers selecting the first-place betting interest only in the first-half, all first-half tickets will become winners and will receive 100 percent of that day's pool and any existing jackpot as a single price pool.

:19 - If the Twin Trifecta carryover is designated for distribution on a specified date and performance, the following precedence shall be followed in the event of a "no race" in either contest:

(a) If the first-half Twin Trifecta contest is canceled or declared a "no race", all first-half tickets shall be considered as winners, eligible for exchange tickets in the second-half, and receive no monetary payoff contrary to Section :1 above. All of the day's net pool shall be added into the carryover jackpot.

(b) If the second-half Twin Trifecta contest is canceled or declared a "no race", all exchange tickets and outstanding first-half winning Twin Trifecta tickets shall be entitled to the net Twin Trifecta pool for that contest as a single price pool, including the Twin Trifecta carryover.

:20 - If, for any reason, the jackpot must be carried over to the corresponding pool of a subsequent meet, the jackpot shall be deposited in an interest-bearing account approved by the Commission. The jackpot plus accrued interest shall then be added to the second-half pool of the following meet on a date and performance so designated by the Commission

:21 - With the exception of the total amount of the pool at the close of first-half wagering, the pari-mutuel system shall suppress all information related to Twin Trifecta wagering activity until the conclusion of the second-half race. Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is STRICTLY prohibited.

:22 - At the beginning of each meet the association must obtain written approval from the Commission concerning the scheduling of races, the percentages of the net pool added to the first-half pool and second-half pool, and the designated amount of the cap to be set on the jackpot. Any subsequent changes to scheduling, percentages or jackpot caps require prior approval from the Commission or Director.

:23 - No more than two (2) entries shall be allowed in each race comprising the Twin Trifecta from the same kennel, stable, trainer, or any combination of the above.

Tri-Superfecta Pools

12.780 - For the purposes of this section, every reference to "pool" shall mean the net Tri-Superfecta pool; every reference to "races" shall mean the races for which the Tri-Superfecta pool is created; and every reference to "jackpot" shall mean the Tri-Superfecta jackpot.

:1- Each winning ticket for the first race must be exchanged for a free ticket on the second race in order to remain eligible for the second-half pool. Tri-Superfecta tickets may be exchanged only at attended ticket windows prior to the second race. Winning first-half

tickets will receive both an exchange and a monetary payoff. Both of the designated races shall be included in only one pool. The association shall be required to provide one race between the race designated as the first-half and the race designated as the second-half.

:2 - After wagering closes for the first-half and commissions have been deducted from the pool, the pool shall then be divided into two separate pools: the first-half pool and the second-half pool.

:3 - In the first race only, winning tickets shall be determined using the following precedence, based upon the official order of finish for the first race:

(a) As a single price pool to those whose combination finished in correct sequence as the first three runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination correctly selected the first-place runner only, but if there are no such wagers, then

(d) The entire pool shall be refunded and the second-half shall be canceled.

:4 - If no first-half ticket selects the first three finishers of that race in exact order, winning ticket holders shall not receive any exchange tickets for the second-half pool. In such case, the second-half pool shall be retained and added to any existing carryover pool.

:5 - Winning tickets from the first-half shall be exchanged for tickets selecting the first four finishers of the second-half. The second-half pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second race:

(a) As a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first four betting interests; but if there are no such tickets, then

(b) The entire second-half pool for that race shall be added to any existing carryover monies and retained for the corresponding second-half pool of the next performance. The additional second-half monies resulting from such a carryover shall be termed the “Tri-Superfecta jackpot”.

:6 - If a winning first-half ticket is not presented for cashing and exchange prior to the second-half race, the ticket holder may still collect the monetary value associated with the first-half pool but forfeits all rights to any distribution of the second-half pool.

:7 - Coupled entries and mutuel fields shall be prohibited in Tri-Superfecta races.

:8 - No more than two (2) entries shall be allowed in each race comprising the tri-superfecta from the same kennel, stable, trainer, or any combination of the above.

:9 - No more than one Tri-Superfecta race will be allowed per performance.

:10 - Should a runner in the first-half be scratched, those tickets including the scratched runner shall be refunded.

:11 - Should a runner in the second-half be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second race, the ticket holder forfeits all rights to the second-half pool.

:12 - If, due to a late scratch, the number of runners in the second-half is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half pool for that race as a single price pool, but not the jackpot.

:13 - If there is a dead heat or multiple dead heats in either the first- or second-half, all tickets selecting the correct order of finish, counting a runner involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

(a) the first-half, the payoff shall be calculated as a profit split.

(b) the second-half, the payoff shall be calculated as a single price pool.

:14 - If either of the races are canceled prior to the first race or the first race is declared a "no race", the entire pool shall be refunded and the second-half shall be canceled.

:15 - If the second-half race is canceled or declared a "no race", all exchange tickets and outstanding first-half winning tickets shall be entitled to the pool for that race as a single price pool, but not the jackpot. If there are no such tickets, the pool shall be distributed as described in :3.

:16 - The jackpot shall be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the jackpot equals or exceeds the designated cap, the jackpot will be frozen until it is won or distributed under other provisions of this rule. After the second-half jackpot is frozen, 100 percent of the pool for each individual race shall be distributed to winners of the first-half.

:17 - A written request for permission to distribute the jackpot on a specific performance may be submitted to the Commission if it can be demonstrated that such an action would be in the best interest of the wagering public. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution. The benefit to both the public and State will be weighed in determining whether to approve such a request.

:18 - The jackpot shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) Upon written approval from the Commission as provided in :18.

(b) Upon written approval from the Commission when there is a change in the

jackpot cap or when the Tri-Superfecta is discontinued.

(c) On the closing performance of the meet or split meet.

:19 - Should the jackpot be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second-half after completion of the first-half:

(a) As a single price pool to those whose combination finished in correct sequence as the first four runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first three runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(d) As a single price pool to those whose combination included, in correct sequence, the first-place runner; but if there are no such wagers, then

(e) As a single price pool to holders of valid exchange tickets.

(f) As a single price pool to holders of outstanding first-half winning tickets.

:20 - Contrary to :4, during a performance designated to distribute the jackpot, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half. If there are no such wagers correctly selecting the first three finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first- and second-place betting interests. If there are no such wagers, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no such wagers, then all first-half tickets will become winners and will receive 100 percent of that day's pool and any existing jackpot as a single price pool.

:21 - If the Tri-Superfecta carryover is designated for distribution on a specified date and performance, the following precedence shall be followed in the event of a "no race" in either contest:

(a) If the first-half Tri-Superfecta contest is canceled or declared a "no race", all first-half tickets shall be considered as winners, eligible for exchange tickets in the second-half, and receive no monetary payoff contrary to Section :1 above. All of the day's net pool shall be added into the carryover jackpot.

(b) If the second-half Tri-Superfecta contest is canceled or declared a "no race", all exchange tickets and outstanding first-half winning Tri-Superfecta tickets shall be entitled to the net Tri-Superfecta pool for that contest as a single price pool, including the Tri-Superfecta carryover.

:22 - If, for any reason, the jackpot must be carried over to the corresponding pool of a

subsequent meet, the jackpot shall be deposited in an interest-bearing account approved by the Commission. The jackpot plus accrued interest shall then be added to the second-half pool of the following meet on a date and performance so designated by the Commission.

:23 - With the exception of the total amount of the pool at the close of first-half wagering, the pari-mutuel system shall suppress all information related to Tri-Superfecta wagering activity until the conclusion of the second-half. Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is STRICTLY prohibited.

:24 - At the beginning of each meet the association must obtain written approval from the Commission concerning the scheduling of Tri-Superfecta races, the percentages of the pool added to the first-half pool and second-half pool, and the designated amount of the cap to be set on the jackpot. Any subsequent changes to the Tri-Superfecta scheduling, percentages or jackpot cap require prior approval from the Commission.

Twin Superfecta Pools

12.790 - For the purposes of this section, every reference to "pool" shall mean the net Twin Superfecta pool; every reference to "races" shall mean the races for which the Twin Superfecta pool is created; and every reference to "jackpot" shall mean the Twin Superfecta jackpot.

:1 - Each winning ticket for the first race must be exchanged for a free ticket on the second race in order to remain eligible for the second-half pool. Twin Superfecta tickets may be exchanged only at attended ticket windows prior to the second race. Winning first-half tickets will receive both an exchange and a monetary payoff. Both of the designated races shall be included in only one pool. The association shall be required to provide one race between the race designated as the first-half and the race designated as the second-half.

:2 - After wagering closes for the first-half and commissions have been deducted from the pool, the pool shall then be divided into two separate pools: the first-half pool and the second-half pool.

:3 - In the first race only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first race:

(a) As a single price pool to those whose combination finished in correct sequence as the first four runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first three runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(d) As a single price pool to those whose combination correctly selected the first-place runner only; but if there are no such wagers, then

(e) The entire pool shall be refunded and the second-half shall be canceled.

:4 - If no first-half ticket selects the first four finishers of that race in exact order, winning ticket holders shall not receive any exchange tickets for the second-half pool. In such case, the second-half pool shall be retained and added to any existing carryover pool.

:5 - Winning tickets from the first-half shall be exchanged for tickets selecting the first four finishers of the second-half. The second-half pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second race:

(a) As a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first four betting interests; but if there are no such tickets, then

(b) The entire second-half pool for that race shall be added to any existing carryover monies and retained for the corresponding second-half pool of the next performance. The additional second-half monies resulting from such a carryover shall be termed the "Twin Superfecta jackpot".

:6 - If a winning first-half ticket is not presented for cashing and exchange prior to the second-half race, the ticket holder may still collect the monetary value associated with the first-half pool but forfeits all rights to any distribution of the second-half pool.

:7 - Coupled entries and mutuel fields shall be prohibited in Twin Superfecta races.

:8 - No more than two (2) entries shall be allowed in each race comprising the Twin Superfecta from the same kennel, stable, trainer, or any combination of the above.

:9 - No more than one Twin Superfecta will be allowed per performance.

:10 - Should a runner in the first-half be scratched, those tickets including the scratched runner shall be refunded.

:11 - Should a runner in the second-half be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched runner. If tickets have not been exchanged prior to the close of betting for the second race, the ticket holder forfeits all rights to the second-half pool.

:12 - If, due to a late scratch, the number of runners in the second-half is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half pool for that race as a single price pool, but not the jackpot.

:13 - If there is a dead heat or multiple dead heats in either the first- or second-half, all tickets selecting the correct order of finish, counting a runner involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

(a) the first-half, the payoff shall be calculated as a profit split.

(b) the second-half, the payoff shall be calculated as a single price pool.

:14 - If either race is canceled prior to the first race, or the first race is declared a “no race”, the entire pool shall be refunded and the second-half shall be canceled.

:15 - If the second-half race is canceled or declared a “no race”, all exchange tickets and outstanding first-half winning tickets shall be entitled to the pool for that race as a single price pool, but not the jackpot. If there are no such tickets, the pool shall be distributed as described in :3.

:16 - The jackpot shall be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the jackpot equals or exceeds the designated cap, the jackpot will be frozen until it is won or distributed under other provisions of this rule. After the second-half jackpot is frozen, 100 percent of the pool for each individual race shall be distributed to winners of the first-half.

:17 - A written request for permission to distribute the jackpot on a specific performance may be submitted to the Commission if it can be demonstrated that such an action would be in the best interest of the wagering public. The request must contain justification for the distribution, an explanation of the benefit to be derived and the intended date and performance for the distribution. The benefit to both the public and State will be weighed in determining whether to approve such a request.

:18 - The jackpot shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) Upon written approval from the Commission as provided in :18.

(b) Upon written approval from the Commission when there is a change in the jackpot cap or when the Twin Superfecta is discontinued.

(c) On the closing performance of the meet or split meet.

:19 - Should the jackpot be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second-half after completion of the first-half:

(a) As a single price pool to those whose combination finished in correct sequence as the first four runners; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first runners; but if there are no such wagers, then

(c) As a single price pool to those whose combination included, in correct sequence, the first two runners; but if there are no such wagers, then

(d) As a single price pool to those whose combination correctly selected the first place runner only; but if there are no such wagers, then

(e) As a single price pool to holders of valid exchange tickets

(f) As a single price pool to holders of outstanding first-half winning tickets.

:20 - Contrary to :4, during a performance designated to distribute the jackpot, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half. If there are no wagers correctly selecting the first four finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-, second-, and third-place runners. If there are no such wagers, then exchange tickets shall be issued for combinations correctly selecting the first- and second-place runners. If there are no such wagers, then exchange tickets shall be issued for combinations correctly selecting the first-place runner only. If there are no such wagers, then all first-half tickets will become winners and will receive 100 percent of that day's pool and any existing jackpot as a single price pool.

:21 - If the Twin Superfecta carryover is designated for distribution on a specified date and performance, the following precedence shall be followed in the event of a "no race" in either contest:

(a) If the first-half Twin Superfecta contest is canceled or declared a "no race", all first-half tickets shall be considered as winners, eligible for exchange tickets in the second-half, and receive no monetary payoff contrary to Section :1 above. All of the day's net pool shall be added into the carryover jackpot.

(b) If the second-half Twin Superfecta contest is canceled or declared a "no race", all exchange tickets and outstanding first-half winning Twin Superfecta tickets shall be entitled to the net Twin Superfecta pool for that contest as a single price pool, including the Twin Superfecta carryover.

:22 - If, for any reason, the jackpot must be carried over to the corresponding pool of a subsequent meet, the jackpot shall be deposited in an interest bearing account approved by the Commission. The jackpot plus accrued interest shall then be added to the second-half pool of the following meet on a date and performance so designated by the Commission.

:23 - With the exception of the total amount of the pool at the close of first-half wagering, the pari-mutuel system shall suppress all information related to Twin Superfecta wagering activity until the conclusion of the second-half race. Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is STRICTLY prohibited.

:24 - At the beginning of each meet the association must obtain written approval from the Commission concerning the scheduling of Twin Superfecta races, the percentages of the net pool added to the first-half pool and second-half pool and the designated amount of the cap to be set on the jackpot. Any subsequent changes to the Twin Superfecta scheduling, percentages or jackpot cap require prior approval from the Commission.

Place Pick (n) Pools

12.800 - For the purposes of this section, every reference to "pool" shall mean the net Place Pick (n) pool; every reference to "races" shall mean the races for which the Place Pick (n) pool is created; and every reference to "jackpot" shall mean the Place Pick (n) jackpot.

:1 - At the beginning of each meet, the association must obtain written approval from the Commission concerning the scheduling of Place Pick (n) races, the percentage of the pool to be retained for the jackpot, and the designated amount of any cap to be set on the jackpot. Any subsequent changes to the Place Pick (n) scheduling requires prior approval from the Commission or Director.

:2 - The pool, along with the jackpot, shall be distributed to winning wagers selecting the first- or second-place finisher in each of the Place Pick (n) races, based upon the official order of finish; but if there are no such wagers, then

(a) The designated percentage of the pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of races, and

(b) The remainder, if any, of the pool shall be retained and added to the corresponding pool of the next performance. The additional pool resulting from such a carryover shall be termed the "Place Pick (n) jackpot".

:3 - If there is a dead heat for first in any of the races involving:

(a) Runners representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

(b) Runners representing two or more betting interests, the pool shall be distributed as a single price pool with each winning wager including each betting interest involved in the dead heat receiving an equal share of the profit.

:4 - If there is a dead heat for second in any of the races involving:

(a) Runners representing the same betting interest, the pool shall be distributed as if no dead heat occurred.

(b) Runners representing two or more betting interests, the pool shall be distributed as a single price pool with each winning wager including the betting interest which finished first or any betting interest involved in the dead heat for second receiving an equal share of the profit.

:5 - Should a betting interest in any of the races be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the close of wagering on that race, shall be substituted for the scratched runner(s) for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the runner with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination.

:6 - The pool shall be canceled and all wagers shall be refunded if:

(a) At least two races comprising the Place Pick 3 are canceled or declared a “no race”.

(b) At least three races comprising the Place Pick 4, 5, or 6 are canceled or declared a “no race”.

(c) At least four races comprising the Place Pick 7, 8, or 9 are canceled or declared a “no race”.

(d) At least five races comprising the Place Pick 10 (or more) are canceled or declared a “no race”.

:7 - If at least one race included as part of a Place Pick (n) is canceled or declared a “no race”, but not more than the number specified in :6, the pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of races for that performance. Such distribution shall include the portion ordinarily retained for the jackpot but not the jackpot carryover from previous performances.

:8 - The jackpot shall be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the jackpot equals or exceeds the designated cap, the jackpot will be frozen until it is won or distributed under other provisions of this rule. After the jackpot is frozen, 100 percent of the pool, part of which ordinarily would be added to the jackpot, shall be distributed to those whose selection finished first or second in the greatest number of races for that performance.

:9 - A written request for permission to distribute the jackpot on a specific performance may be submitted to the Commission if it can be demonstrated that such an action would be in the best interest of the wagering public. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution. The benefit to both the public and State will be weighed in determining whether to approve such a request.

:10 - Should the jackpot be designated for distribution on a specified date and performance in which there are no wagers selecting the first- or second-place finisher in each of the races, the entire pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of races. If there are no wagers selecting the first- or second-place finisher in any of the races comprising the Place Pick (n), all tickets will become winners and will receive 100 percent of that day’s pool and any existing jackpot as a single price pool.

:11 - The jackpot shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) Upon written approval from the Commission as provided in :9.

(b) Upon written approval from the Commission when there is a change in the jackpot cap, a change from one type of Place Pick (n) wagering to another, or when the Place Pick (n) is discontinued.

(c) On the closing performance of the meet or split meet.

:12 - If, for any reason, the jackpot must be carried over to the corresponding pool of a subsequent meet, the jackpot shall be deposited in an interest-bearing account approved by the Commission. The jackpot plus accrued interest shall then be added to the net Place Pick (n) pool of the following meet on a date and performance so designated by the Commission.

:13 - With the written approval of the Commission, the association may contribute to the jackpot a sum of money up to the amount of any designated cap.

:14 - With the exception of the total amount of the pool at the close of Place Pick (n) wagering, the pari-mutuel system shall suppress all information related to Place Pick (n) wagering activity until the conclusion of the final race comprising the pool. Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining is strictly prohibited.

:15 - Any stakes race within the State of Colorado wherein the privilege of scratching a single entry from the race extends to within forty-five (45) minutes of post time shall not be included in any of the races comprising the pool.

:16 - No ticket for the pool shall be sold, exchanged or canceled after the time of the closing of wagering in the first race.

900's --- FRACTIONAL WAGERING AND POOLING OF WAGERS

12.900 - Fractional wagering will be allowed with the minimum wager amount to be ten (10) cents only on mutuel pools authorized in advance by the Division director.

12.910 - The pooling of wagers will be allowed based upon a minimum investment of twenty dollars ($20.00).

1: Selections shall be pre-announced.

2: Wagers will be placed in the specified pools and payoffs will be proportionate to amount wagered.

3: The daily mutuel pool wager must be signed by the handicapper and submitted to the Division track office 30 minutes before the mutuel windows open.