

Chapter 260-24 WAC

ASSOCIATION OFFICIALS AND EMPLOYEES

WAC

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 260-24-150 Racing secretary—Official program for each racing day. [Rules 240 and 241, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-160 Racing secretary—To keep record of all races. [Rule 242, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-170 Racing secretary—Duties with regard to stabling. [Rule 243, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-180 Racing secretary—List of entries—Posting—Available to newspapers. [Rule 246, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-190 Starter—Duties at start of race. [See WAC 260-52-030.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-200 Starter—Appointment of assistants—Misconduct toward jockeys. [Rule 250, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-210 Starter—Schooling of horses. [Rule 251, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-220 Starter—To approve entries of two year olds. [Rule 252, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-230 Starter—May fine and suspend jockeys. [Order 73-8, § 260-24-230, filed 10/23/73; Rule 253, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-240 Stewards—Responsibility to commission. [Rule 255, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-250 Stewards—Authority over personnel and grounds. [Rule 256, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-260 Stewards—Powers as to cases not covered by rules—Increased penalties. [Rule 257, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-270 Stewards—Supervision of entries and declarations. [Rule 258, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-280 Stewards—Authority to award punishment. [Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 87-15-019 (Resolution No. 87-02), § 260-24-280, filed 7/8/87; WSR 81-08-013 (Order 81-01), § 260-24-280, filed 3/24/81; Order 72-6, § 260-24-280, filed 10/13/72; Rule 259, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-290 Stewards—Inspection of documents. [Rule 260, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-300 Stewards—Determining disqualifications in case of fouls. [Rule 261, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-310 Stewards—Duty hours—Sessions. [Rule 262, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-320 Stewards—Substitutes. [Rule 263, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

260-24-010 Officials enumerated. [Order 75.7, § 260-24-010, filed 4/30/76; Order 75.4, § 260-24-010, filed 9/4/75; Order 73.7, § 260-24-010, filed 12/3/73; Order 72-6, § 260-24-010, filed 10/13/72; Rule 233, filed 1/30/67; Rule 233, filed 8/23/66; Rule 233, filed 5/4/66; Rule 233, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-020 Officials—Duties—Qualifications. [Order 72-4, § 260-24-020, filed 6/27/72; Rule 234, filed 1/30/67; Rule 234, filed 8/23/66; Rule 234, filed 5/4/66; Rule 234, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-040 Disqualification for acting at unrecognized meeting. [Rule 235, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-050 Trafficking in horses, contracts, insurance, prohibited. [Rule 236, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-060 Wagering prohibited. [Rule 237, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-070 Duty to report violations of rules. [Rule 238, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-080 Clerk of the scales. [Order 75-1, § 260-24-080, filed 2/18/75; Rule 58, filed 1/30/67; Rules 58 through 63, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-090 Handicapper. [Rule 138, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-100 Mutuel manager. [See chapter 260-48 WAC.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-110 Paddock judge. [Rules 184, 185, and 186, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-120 Patrol judges. [Rules 200 and 201, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
 260-24-130 Placing judges. [See WAC 260-52-050.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.

- 260-24-330 Stewards—Deputies. [Rule 264, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-340 Stewards—Stewards pro tem. [Rule 265, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-350 Stewards—Report of appointment of deputy. [Rule 266, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-360 Stewards—Number in stand during race. [Rule 267, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-370 Stewards—Duty to notice questionable conduct. [Rule 268, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-380 Stewards—Substitution of jockeys. [Rule 289, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-390 Stewards—Placing horse in the temporary charge of trainer. [Rule 270, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-400 Stewards—Getting horses to gate at post time. [Rule 271, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-410 Stewards—Accident before offtime—Excusing horse. [Rule 272, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-420 Stewards—Settlement of protests and complaints. [Rule 273, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-430 Stewards—Infractions—Reports to commission. [Rule 274, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-440 Stewards—Violation of rule other than a rule of the race—Procedure. [Rule 275, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-450 Timers. [Rule 276, filed 4/21/61.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-460 Veterinarians. [Rules 358, 359 and 360, filed 4/21/61; subsection (1) amended, filed 5/4/66; subsection (3) amended, filed 8/26/65.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-465 Veterinarians—Disposal, sterilization of instruments. [Rule 426, filed 8/23/66.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-470 Clocker-identifier. [Statutory Authority: RCW 67.16.-020. WSR 79-06-002 (Order 79-1), § 260-24-470, filed 5/4/79; Rule 427, filed 1/30/67.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-480 Film analyst. [Rule 428, filed 1/30/67.] Repealed by WSR 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.

WAC 260-24-030 Commission approval of racing officials. (1) At least ten days prior to the first day of an approved race meet, the association must submit to the commission, in writing, the names of all racing officials for the race meet.

(2) At least ten days prior to the first day of an approved race meet, the executive secretary must submit to the commission, in writing, the names of all commission employees who will be serving as racing officials for the race meet.

(3) Both the association and the executive secretary may use substitutions as necessary. All substitutions must be reported to the commission, in writing, at the next regular scheduled meeting of the commission.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-030, filed 2/15/08, effective 3/17/08; Rule 232, filed 1/30/67; Rule 232, filed 4/21/61.]

WAC 260-24-500 Racing officials. (1) Officials at a race meet include the following:

- (a) Stewards;
- (b) Racing secretary;
- (c) Assistant racing secretary;
- (d) Horsemen's bookkeeper;
- (e) Mutuel manager or designee;
- (f) Official veterinarian(s);
- (g) Horse identifier;
- (h) Paddock judge;
- (i) Starter;
- (j) Assistant starters;
- (k) Security director, association;
- (l) Commission investigator(s);
- (m) Commission auditor;
- (n) Clerk of scales;
- (o) Jockey room supervisor;
- (p) Film analyst;
- (q) Clocker(s);
- (r) Race timer;
- (s) Paddock plater;
- (t) Mutuel inspector;
- (u) Outrider(s);
- (v) Any other person designated by the commission.

(2) The association officials of a race meet will include but are not limited to: Racing secretary, mutuel manager, starter, horsemen's bookkeeper, association security director, jockey room supervisor and outrider(s).

(3) Eligibility:

- (a) To qualify as a racing official, the appointee must be:
 - (i) Of good character and reputation;
 - (ii) Familiar with the duties of the position and with the commission's rules of racing;
 - (iii) Mentally and physically able to perform the duties of the job; and
 - (iv) In good standing and not under suspension or ineligible in any recognized racing jurisdiction.

(b) To qualify for appointment as a steward the appointee must be an Racing Officials Accreditation Program-accredited steward, unless the appointee has been appointed as a substitute steward as provided in WAC 260-24-510, and be in good standing with all Association of Racing Commissioners International member jurisdictions. The commission may waive this accreditation requirement for Class C race meets.

(4) The commission, in its sole discretion, may determine the eligibility of a racing official and, in its sole discretion, may approve or disapprove any such official for licensing.

(5) While serving in an official capacity, racing officials may not:

- (a) Sell or solicit horse insurance on any horse racing at the meet;
- (b) Be licensed in any other capacity without permission of the board of stewards;

If the board of stewards approves a racing official to be licensed in any other capacity, the board of stewards may

impose conditions that may include participating in the sale, purchase, claim, or ownership of any horse racing at the meet;

(c) Consume or be under the influence of alcohol and/or drugs while performing official duties.

(6) The following association officials are prohibited from wagering on the outcome of any horse race at the race meet under the jurisdiction of the commission:

- (a) Stewards;
- (b) Racing secretary;
- (c) Assistant racing secretary;
- (d) Starter;
- (e) Assistant starters;
- (f) Jockey room supervisor;
- (g) Paddock plater;
- (h) Outriders;
- (i) Mutuel manager or designee.

(7) Racing officials must immediately report to the stewards every observed violation of these rules.

(8) Complaints against officials:

(a) Any complaint against an association racing official other than a steward will be made to the board of stewards in writing and signed by the complainant. The presiding steward will report to the executive secretary the action taken or recommended by the board of stewards. The executive secretary will determine whether the matter will be referred to the commission. The board of stewards will notify the complainant, in writing, of the action taken or recommended;

(b) Any complaint against a commission racing official, including an association steward, will be made to the executive secretary. The executive secretary will, if able, notify the complainant in writing of the action taken.

(9) Should any steward be absent at race time, and no approved alternate steward be available, the remaining stewards may appoint a substitute for the absent steward. If a substitute steward is appointed, the presiding steward will notify the executive secretary and the association.

[Statutory Authority: RCW 67.16.020. WSR 11-03-048, § 260-24-500, filed 1/14/11, effective 2/14/11. Statutory Authority: RCW 67.16.020 and 67.16.-040. WSR 08-05-088, § 260-24-500, filed 2/15/08, effective 3/17/08; WSR 05-07-065, § 260-24-500, filed 3/11/05, effective 4/11/05. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-500, filed 12/19/97, effective 1/19/98.]

WAC 260-24-510 Stewards. (1) General authority:

(a) The stewards for each race meet are responsible to the executive secretary for the conduct of the race meet and the initial agency determination of alleged rule violations in accordance with these rules;

(b) The stewards will enforce the rules of racing in chapters 260-12 through 260-84 WAC, excluding chapters 260-49 and 260-75 WAC. The stewards will take notice of alleged misconduct or rule violations and initiate investigations into such matters;

(c) The stewards' authority includes regulation of all racing officials, track management, licensed personnel, other persons responsible for the conduct of racing, and patrons, as necessary to insure compliance with these rules;

(d) All nominations, entries, and scratches will be monitored by a steward;

(e) The stewards have authority to resolve conflicts or disputes related to violations of the rules of racing and to discipline violators in accordance with the provisions of these rules;

(f) The stewards have the authority to interpret the rules and to decide all questions of racing. The stewards of the race meet are hereby given authority to exercise their full power, recommending to the commission the imposition of more severe penalties if necessary.

(2) The stewards' period of authority will commence and terminate at the direction of the executive secretary. One steward will be designated as the presiding steward by the executive secretary.

(3) Stewards ruling conference regarding violations of rules of racing:

(a) The stewards have authority to charge any licensee or other person with a violation of these rules, to make rulings and to impose penalties including the following:

- (i) Issue a reprimand;
- (ii) Assess a fine not to exceed \$2,500.00, except as provided in chapter 260-84 WAC;
- (iii) Require forfeiture or redistribution of purse or award, when specified by applicable rules;
- (iv) Place a licensee on probation;
- (v) Grant a license with conditions;
- (vi) Suspend a license or racing privileges for not more than one year per violation;
- (vii) Revoke or deny a license; or
- (viii) Exclude from facilities under the jurisdiction of the commission.

(b) The stewards' imposition of reprimands, fines and suspensions will be based on the penalties in chapter 260-84 WAC.

For any violation not specifically listed in chapter 260-84 WAC, the stewards have discretion to impose the penalties as provided in (a) of this subsection.

(c) The stewards may direct a jockey to meet with the film analyst whenever a jockey is involved in questionable, unsafe or potentially dangerous riding. Jockeys referred to the film analyst must appear when directed. Failure to appear when directed will be considered a violation of the rules of racing for which penalties may be imposed.

(d) The stewards have the authority to conduct a ruling conference, and the authority to:

- (i) Direct the attendance of witnesses and commission employees;
- (ii) Direct the submission of documents, reports or other potential evidence;
- (iii) Inspect license documents, registration papers and other documents related to racing or the rule violation;
- (iv) Question witnesses; and
- (v) Consider all relevant evidence.

(e) The stewards must serve notice of a conference to person(s) alleged to have committed a violation, which must contain the following information:

- (i) A statement of the time and place the conference will be held;
- (ii) A reference to the particular sections of the WAC involved;
- (iii) A short and plain statement of the alleged violation; and

(iv) A statement that if the person does not appear, the ruling will be made in his/her absence, and that failure to appear will be considered a separate violation of the rules of racing.

(f) Failure to appear for a ruling conference will be considered a violation of the rules of racing for which penalties may be imposed.

(g) It is the duty and obligation of every licensee to make full disclosure to the board of stewards and commission investigators conducting an investigation into any alleged violation of these rules, of any knowledge he/she possesses of a violation of any rule of racing. No person may refuse to respond to questions before the stewards or commission investigators on any relevant matter within the authority of the stewards or commission, except in the proper exercise of a legal privilege, nor may any person respond falsely before the stewards or to commission investigators.

(h) At the ruling conference, the stewards will allow the person alleged to have committed a violation to make a statement regarding the alleged violation.

(i) All ruling conferences will be recorded.

(j) Every ruling by the stewards from a ruling conference must be served in writing on the person(s) or parties found in violation within five days and must include:

(i) Time and place the ruling was made;

(ii) Statement of rules violated;

(iii) Details of the violation;

(iv) Penalties to be imposed;

(v) Procedure for requesting a hearing before the commission to challenge the ruling; and

(vi) Plain statement of the options of the person found in violation, which must include:

(A) Accepting the penalty imposed by the stewards; or

(B) Requesting a hearing before the commission challenging the stewards' ruling within seven days of service of the ruling, with the exception of riding violations which must be challenged within seventy-two hours of service of the ruling.

(k) Penalties imposed by the stewards, except for those penalties in (l), (m), and (q) of this subsection, will be stayed if a request for hearing before the commission is filed within the seven days of service of the ruling, or seventy-two hours in the case of riding violations.

(l) If the stewards determine that a person's actions constitute an immediate and/or substantial danger to human and/or equine health, safety, or welfare, and a request for hearing before the commission is filed within seven days of service of the ruling, no stay will be granted except by a hearing before the commission. The hearing before the commission will occur within thirty days of filing the request for hearing before the commission.

(m) If the stewards deny an application for license or suspend or revoke an existing license for any reasons listed in WAC 260-36-120(2), and a request for hearing before the commission is filed within seven days of service of the ruling, no stay will be granted except by a hearing before the commission. A hearing before the commission over whether or not to grant a stay will occur at the discretion of the commission.

(n) The stewards' ruling will be posted and a copy provided to the racing association.

(o) If a person does not file a request for hearing before the commission within seven days or in the format required by chapter 260-08 WAC, then the person is deemed to have waived his or her right to a hearing before the commission. After seven days (or seventy-two hours for riding violations), if a request for hearing before the commission has not been filed, the stewards' penalty will be imposed. All fines are due immediately following the period a person has to challenge a ruling, unless otherwise approved by the stewards.

(p) "Service" of the notice of ruling conference or a stewards' ruling may be by either personal service to the person or by depositing the notice of ruling conference or stewards' ruling into the mail to the person's last known address in which case service is complete upon deposit in the U.S. mail.

(q) If the stewards determine that a person's actions constitute an immediate, substantial danger to human and/or equine health, safety, or welfare, the stewards may enter a ruling summarily suspending the license and/or ejecting the person from the grounds pending a ruling conference before the board of stewards. A summary suspension takes effect immediately on issuance of the ruling. If the stewards suspend a license under this subsection, the licensee is entitled to a ruling conference before the board of stewards, not later than five days after the license was summarily suspended. The licensee may waive his/her right to a ruling conference before the board of stewards on the summary suspension.

(4) Protests, objections and complaints. The stewards will ensure that an investigation is conducted and a decision is rendered in every protest, objection and complaint made to them.

(5) Stewards' presence:

(a) On each racing day at least one steward will be on duty at the track beginning three hours prior to first race post time.

(b) Three stewards must be present in the stewards' stand during the running of each race.

(6) Order of finish for parimutuel wagering:

(a) The stewards will determine the official order of finish for each race in accordance with these rules of racing;

(b) The decision of the stewards as to the official order of finish, including the disqualification of a horse or horses as a result of any event occurring during the running of the race, is final for purposes of distribution of the parimutuel wagering pool.

(7) The stewards have the authority to cancel wagering on an individual betting interest or on an entire race and also have the authority to cancel a parimutuel pool for a race or races, if such action is necessary to protect the integrity of parimutuel wagering.

(8) Records and reports:

(a) The stewards will prepare a weekly report of their regulatory activities. The report will contain the name of the racetrack, the date, the weather and track conditions, claims, inquiries, protests, objections, complaints and conferences. The report will be filed with and approved by the executive secretary;

(b) Not later than seven days after the last day of a race meet, unless approved by the executive secretary, the presiding steward will submit a written report regarding the race meet to the executive secretary. The report will contain:

(i) The stewards' observations and comments regarding the conduct of the race meet, the overall conditions of the association grounds during the race meet; and

(ii) Any recommendations for improvement by the association or action by the commission.

(9) Stewards' list:

(a) The stewards will maintain a stewards' list of the horses which are ineligible to be entered in a race because of poor or inconsistent performance or behavior on the racetrack that may endanger the health or safety of other participants in racing;

(b) The stewards may place a horse on the stewards' list when there exists a question as to the exact identification or ownership of said horse;

(c) A horse which has been placed on the stewards' list because of inconsistent performance or behavior, may be removed from the stewards' list when, in the opinion of the stewards, the horse can satisfactorily perform competitively in a race without endangering the health or safety of other participants in racing;

(d) A horse which has been placed on the stewards' list because of questions as to the exact identification or ownership of the horse, may be removed from the stewards' list when, in the opinion of the stewards, proof of exact identification and/or ownership has been established.

(e) An owner or trainer who disagrees with the stewards' decision of placing or maintaining a horse on the stewards' list may request and be granted a stewards' ruling conference to challenge the decision of the stewards.

[Statutory Authority: RCW 67.16.020. WSR 10-07-046, § 260-24-510, filed 3/11/10, effective 4/11/10. Statutory Authority: RCW 67.16.020 and 67.16.-040. WSR 08-05-088, § 260-24-510, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.020. WSR 07-03-067, § 260-24-510, filed 1/16/07, effective 2/16/07. Statutory Authority: RCW 67.16.020 and 67.16.-040. WSR 05-07-065, § 260-24-510, filed 3/11/05, effective 4/11/05. Statutory Authority: RCW 67.16.020. WSR 04-17-082, § 260-24-510, filed 8/16/04, effective 9/16/04; WSR 03-13-074, § 260-24-510, filed 6/13/03, effective 7/14/03. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-510, filed 12/19/97, effective 1/19/98.]

WAC 260-24-520 Racing secretary. The racing secretary is responsible for the following duties:

- (1) Programming of races during the race meet;
- (2) Compiling and publishing condition books;
- (3) Assigning weights for handicap races;
- (4) Receiving all entries, nominations, and scratches;
- (5) Supervising the racing office employees, including the assistant racing secretary;

(6) Receiving, inspecting, and safeguarding all required foal and health certificates, Equine Infectious Anemia (EIA) test certificates, and other documents of eligibility for all horses competing at the track or stabled on the grounds;

(7) Recording the alteration of the sex of a horse on the horse's foal papers and reporting such to the appropriate breed registry and past performance services;

(8) Recording on a horse's registration certificate when a posterior digital neurectomy (heel nerving) is performed on that horse;

(9) Maintaining a list of heel nerved horses on association grounds and making the list available for inspection by persons participating in the race meet;

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(10) Maintaining a list of all fillies or mares on association grounds that have been covered by a stallion, and making this list available for inspection by persons participating in the race meet. This list will include the name of the stallion;

(11) Assigning stalls to be occupied by horses in preparation for racing;

(12) Determining conflicting claims of stable privileges and maintaining a record of arrivals and departures of all horses arriving and departing the association grounds;

(13) Establishing the conditions and eligibility for entering races and publishing the conditions and eligibility to owners, trainers, and the commission. Conditions and eligibility will also be posted in the racing secretary's office.

(a) For the purpose of establishing conditions, winnings will be considered to include all moneys won up to the time of the start of the race;

(b) Winnings during the calendar year will be calculated by the racing secretary from the preceding January 1st;

(14) Entries of horses, which will include:

(a) Examining all entry blanks to verify correct information; and

(b) Selecting the horses to start and the "also eligible" horses, if any, from those entries received in accordance with WAC 260-52-020;

(15) Upon completion of the draw each day, posting a list of entries in a conspicuous location in the race office and making the lists available upon request;

(16) Publishing the official daily program and ensuring the accuracy of the following information:

(a) Sequence of races to be run and post time for the first race;

(b) Purse, conditions and distance for each race, and current track record for each distance;

(c) The name of licensed owners of each horse (indicate as leased, if applicable), and the description of racing colors to be carried;

(d) The name of the trainer and the name of the jockey for each horse together with the weight to be carried;

(e) The post position and the saddlecloth number or designation for each horse if there is a variance with the saddlecloth designation;

(f) Identification of each horse by name, color, sex, age, sire and dam; and

(g) Any other information that may be requested by the association or commission;

(17) Update the foal certificates on all winners to reflect type of race won and amount of purse money awarded;

(18) Accurately record on the foal certificates any transfer of ownership of horses, by either claim or bill of sale, to reflect true ownership of horse;

(19) Examining nominations received for early closing events, late closing events, and stakes events to verify the eligibility of all nominations and compile lists for publication;

(20) Maintaining the permanent records of all stakes and verifying that all entrance moneys due are paid prior to entry for races conducted at the race meet.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-520, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-520, filed 12/19/97, effective 1/19/98.]

WAC 260-24-530 Horsemen's bookkeeper. The horsemen's bookkeeper is responsible to maintain the records, moneys and funds on account, and the payment of all purses.

(1) Records: The records will include the name, mailing address, Social Security number or federal tax identification number, and the state or country of residence of all horse owners, trainers or jockeys participating at the race meet who have funds due or on deposit in the horsemen's account;

(2) All records, moneys, and funds on account will be maintained separate from moneys and funds of the association in an account designated as Horsemen's Account and in an account insured by the Federal Deposit and Insurance Corporation. The records are subject to inspection by the commission or the commission's designee at any time.

(3) Payment of purses:

(a) The horsemen's bookkeeper will receive, maintain and disburse the purses of each race and all stakes, entrance money, jockey fees, purchase money in claiming races, along with all applicable taxes and other moneys that properly come into the bookkeeper's possession in accordance with the provisions of these rules;

(b) The horsemen's bookkeeper may accept moneys due belonging to other organizations or recognized race meets, provided the moneys are promptly returned to the organization to which the money is due;

(c) The horsemen's bookkeeper will disburse the purse of each race and all stakes, entrance money, jockey fees and purchase money in claiming races, along with all applicable taxes, upon request, within forty-eight hours of receipt of notification that all tests with respect to such races have cleared the drug testing;

(d) Absent a prior request, the horsemen's bookkeeper will disburse moneys to the persons entitled to receive the same within fifteen days after the last race day of the race meet. This includes purses for official races, provided all tests on horses in races have cleared the drug testing laboratory and that no protest or appeal has been filed with the stewards or the commission;

(e) The amount of purse money earned will be credited in the currency of the jurisdiction in which the race was run. There is no right to a hearing under WAC 260-08-675 for any exchange rate loss at the time of transfer of funds to or from another jurisdiction;

(f) In the event a protest or appeal has been filed with the stewards or the commission, the horsemen's bookkeeper will disburse the purse within forty-eight hours of receipt of dismissal or a final nonappealable order disposing of the protest or appeal.

(4) The association license is subject to disciplinary action by the commission for any violation of or noncompliance with the provisions of this section.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-530, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-530, filed 12/19/97, effective 1/19/98.]

WAC 260-24-540 Mutuel manager. The mutuel manager is responsible for the following:

- (1) The overall operation of the parimutuel department;
- (2) The correctness of all pay-off prices;

- (3) To maintain records of all wagers;
- (4) To provide information regarding betting patterns to the commission, or its designee(s);
- (5) To supervise all association employees who work in the parimutuel department;
- (6) To make decisions regarding the operation of the parimutuel department; and
- (7) The enforcement of the association's policy and procedures relating to the parimutuel department.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-540, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-540, filed 12/19/97, effective 1/19/98.]

WAC 260-24-550 Official veterinarian(s). The official veterinarian(s) will be employed by the commission, and be a graduate veterinarian, licensed to practice veterinary medicine in the state of Washington. The official veterinarian(s) will perform the following duties:

(1) Recommend to the board of stewards any horse the official veterinarian believes is unsafe to be raced, or a horse that it would be inhumane to allow to race;

(2) Place and remove horses from the veterinarian's list;

(3) Place and remove horses from the bleeder list;

(4) Supervise the test barn;

(5) Supervise the collection of all specimens for testing;

(6) Provide proper safeguards in the handling of all collected specimens to prevent tampering, confusion or contamination;

(7) Provide the stewards a written report regarding the nature, seriousness, and meaning of concentration levels, if any, for all laboratory reports of prohibited substances in equine samples;

(8) Have jurisdiction over all licensed veterinarians on the grounds for the purpose of these rules;

(9) Report to the commission the names of all horses humanely destroyed or that die on the grounds at the race meet. This report will include the reason a horse was destroyed;

(10) Maintain records of postmortem examinations performed on horses that have died on association grounds;

(11) Be available to the stewards prior to scratch time each race day to inspect any horses and report on their condition;

(12) Be present in the paddock during saddling, on the racetrack during the post parade and at the starting gate until the horses are dispatched from the gate for the race;

(13) Inspect any horse when there is a question as to its physical condition or soundness;

(14) Recommend to the stewards a horse be scratched if the horse is physically incapable of exerting its best effort to win;

(15) Inspect any horse that appears in physical distress during the race or at the finish of the race and report their findings to the stewards;

(16) Work with practicing veterinarians and other regulatory agencies to take measures to control communicable and/or reportable equine diseases;

(17) Periodically review horse registration certificates to ensure that all required test and health certificates are current and properly filed in accordance with these rules; and

(18) Humanely destroy any horse so seriously injured that it is in the best interests of the horse to act.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-550, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-550, filed 12/19/97, effective 1/19/98.]

WAC 260-24-560 Horse identifier. The horse identifier is responsible for performing the following duties:

- (1) Inspect the certificate of registration or each horse scheduled to compete at the race meet to ensure the proper identification;
- (2) Examine every starter in the receiving barn or paddock for lip tattoo, sex, color, and markings or other identification method approved by the appropriate breed registry and the commission for comparison with its registration certificate to verify the horse's identity;
- (3) Approve each horse to enter and race by determining that they are properly tattooed and match their breed specific foal certificate; and
- (4) Report to the board of stewards any horse not properly identified or whose registration certificate is not in compliance with these rules.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-560, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 99-05-048, § 260-24-560, filed 2/12/99, effective 3/15/99; WSR 98-01-145, § 260-24-560, filed 12/19/97, effective 1/19/98.]

WAC 260-24-570 Paddock judge. The paddock judge is responsible for performing the following duties:

- (1) Supervise the horses in the paddock and saddling enclosure;
- (2) Inspect all equipment of each horse to ensure safety;
- (3) Monitor any equipment as requested by the board of stewards;
- (4) Prohibit any change of equipment listed in WAC 260-44-010 without approval of the board of stewards;
- (5) Ensure that all horses are generally mounted at the same time, and all horses leave the paddock for the post parade in the proper sequence;
- (6) Supervise paddock schooling of all horses approved for schooling;
- (7) Place and remove horses on the paddock list for poor or unruly behavior in the paddock. Horses placed on the paddock list will be refused entry until the horse has been satisfactorily schooled in the paddock. Schooling will be under the direct supervision of the paddock judge or his/her designee;
- (8) Ensure that only properly authorized persons are permitted in the paddock; and
- (9) Report to the stewards any unusual activities in violation of these rules.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-570, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-570, filed 12/19/97, effective 1/19/98.]

WAC 260-24-580 Starter and assistant starters. (1) The starter is responsible for the following duties:

- (a) Approve all horses which have never started to ensure that the horse is familiar with, and capable of, breaking from the starting gate;

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(b) Ensure all participants have an equal opportunity to a fair start;

(c) Supervise the assistant starters;

(d) Provide a sufficient number of assistant starters for each race;

(e) Assign the starting gate stall positions to assistant starters and notify the assistant starters of their respective stall positions, or assign a foreman to act in his behalf, before post time for each race;

(f) Assess and make recommendations to the board of stewards on the ability of each person applying for an initial jockey license in breaking from the gate and working a horse in the company of other horses;

(g) Load horses into the gate in any order necessary to ensure a safe and fair start;

(h) Recommend to the stewards horses that should be scratched because a horse at the starting gate is refusing to load or is unruly.

(2) The starter will place and remove horses on the starter's list for poor or unruly behavior in the starting gate. Horses placed on the starter's list will be refused entry until the horse has been satisfactorily schooled in the starting gate. Schooling will be under the direct supervision of the starter or his designee.

(3) The starter has complete authority over the starting gate, the starting of horses, and the authority to give orders, which are not in conflict with these rules.

(4) The starter will appoint all assistant starters. Assistant starters must first demonstrate they are adequately trained to safely handle horses in the starting gate. In emergencies the starter may appoint qualified individuals to act as substitute assistant starters.

All assistant starters, and anyone appointed by the starter to act as a substitute assistant starter, must wear a securely fastened safety vests and helmets, which meet the standards in WAC 260-12-180 (1) and (2), at all times when performing their duties.

(5) Assistant starters may not:

- (a) Handle or take charge of any horse in the starting gate without the expressed permission of the starter;

- (b) Impede the start of a race;
- (c) Strike a horse with a whip;

- (d) Use a device, unless approved by the stewards, to assist in the loading of a horse into the starting gate;

- (e) Slap, boot or otherwise dispatch a horse from the starting gate;

- (f) Strike or use abusive language to a jockey; or
- (g) Accept or solicit any gratuity or payment other than his/her regular salary, directly or indirectly, for services in starting a race.

(6) The starter and assistant starters will report all unauthorized activities to the stewards.

[Statutory Authority: RCW 67.16.020. WSR 13-03-058, § 260-24-580, filed 1/11/13, effective 2/11/13. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 10-05-064, § 260-24-580, filed 2/12/10, effective 3/15/10; WSR 09-03-008, § 260-24-580, filed 1/8/09, effective 2/8/09; WSR 08-05-088, § 260-24-580, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-580, filed 12/19/97, effective 1/19/98.]

WAC 260-24-590 Security director, association. The security director will be employed by the association and will

be responsible for maintaining the security and safety of the association's grounds. The security director will provide daily reports to the commission investigators related to any incidents or occurrences on the association grounds, which may constitute a violation of the rules in Title 260 WAC. The security director will work with the board of stewards and commission investigators in all matters related to licensing and regulation of all applicants and licensees on association grounds.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-590, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-590, filed 12/19/97, effective 1/19/98.]

WAC 260-24-600 Commission investigator(s). The commission investigator(s) report to the executive secretary or designee. The investigator(s) are responsible to investigate allegations of wrongdoing and violations of Title 260 WAC. The investigator(s) will present cases before the board of stewards, the commission, and perform any other duties as determined by the executive secretary or stewards.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-600, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-600, filed 12/19/97, effective 1/19/98.]

WAC 260-24-610 Commission auditor. The commission auditor is responsible for the following duties:

- (1) Reviewing annually the financial statements of the racing association.
- (2) Verifying the monetary commissions due to each entity as required by law, rule or agreement.
- (3) Verifying Washington-bred eligibility and the accounting for the Washington-bred owners' bonus fund.
- (4) Verifying payoffs on betting pools as requested by the commission or designee.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-610, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-610, filed 12/19/97, effective 1/19/98.]

WAC 260-24-620 Clerk of scales. The clerk of scales is responsible for the following duties:

- (1) Verifying the presence of all jockeys in the jockey's room at the time required by rule;
- (2) Verifying all jockeys are properly licensed;
- (3) Verifying the correct weight of each jockey at the time of weighting out and weighing in;
- (4) Overseeing the security of the jockey's room, including the conduct of the jockeys and their attendants;
- (5) Recording all required data on the scale sheet and submitting the completed scale sheet to the horseman's book-keeper at the end of each race day;
- (6) Maintaining the records of applicable winning races on all apprentice certificates at the race meet;
- (7) Releasing the apprentice jockey certificates when either the jockey departs or at the conclusion of the race meet;
- (8) Reporting immediately to the board of stewards any violations of the rules of racing.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-620, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW

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67.16.040. WSR 98-01-145, § 260-24-620, filed 12/19/97, effective 1/19/98.]

WAC 260-24-630 Jockey room supervisor. The jockey room supervisor is responsible for the following duties:

- (1) Supervising the conduct of the jockeys and their attendants while they are in the jockeys' room;
- (2) Keeping the jockeys' room clean and safe for all participants;
- (3) Ensuring all jockeys are in the correct colors before leaving the jockeys' room to mount their horses;
- (4) Keeping a daily program available for the jockeys so they have ready access to mounts that may come available;
- (5) Keeping unauthorized persons out of the jockeys' room;
- (6) Assisting the clerk of scales in the weighing in or out of jockeys when authorized by the stewards or clerk of scales; and
- (7) Reporting to the clerk of scales or stewards any unusual occurrences in the jockeys' room.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-630, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-630, filed 12/19/97, effective 1/19/98.]

WAC 260-24-640 Film analyst. The film analyst, when utilized, is responsible for the following duties:

- (1) Keeping a daily video list as directed by the stewards and have it displayed in plain view for all jockeys;
- (2) Reviewing with all apprentice jockeys the video record of all their rides;
- (3) Reviewing with jockeys the video record of their rides as directed by the board of stewards;
- (4) Assisting the board of stewards by reviewing all races and reporting to the board of stewards any unsafe or potentially dangerous occurrences detected;
- (5) Performing any other duties as assigned by the board of stewards.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-640, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-640, filed 12/19/97, effective 1/19/98.]

WAC 260-24-650 Clocker. (1) The clocker is responsible for the following duties:

- (a) Be present during training hours at each association to record the time and distance of each horse's official workout. (A clocker is not required to be present for any other workouts);
 - (b) Prepare a daily record of all official workouts, which must include:
 - (i) The name of each horse;
 - (ii) The name of the track and training center where the official workout occurred; and
 - (iii) The time and distance of each horse's official workout;
 - (c) Deliver the daily record of all official workouts occurring on association grounds to the racing secretary at the end of each day's training.
- (2) At those Class A racing associations designated by the commission, a commission clocker may enter into

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equibase the daily record of all official workouts occurring on association grounds as long as the commission is compensated by the racing association for the full cost associated with entering the daily record information.

(3) The clocker recording official workouts off the association grounds, during the association's scheduled race meet and training dates, will deliver the daily record of all official workouts to the racing secretary within twenty-four hours.

(4) Approval for a clocker's license will be based on the individual's knowledge of and proficiency in performing clocking activities.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 09-01-065, § 260-24-650, filed 12/11/08, effective 1/11/09; WSR 08-05-088, § 260-24-650, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.020. WSR 04-07-074, § 260-24-650, filed 3/15/04, effective 4/15/04. Statutory Authority: RCW 67.16.040. WSR 00-20-028, § 260-24-650, filed 9/27/00, effective 10/28/00; WSR 98-01-145, § 260-24-650, filed 12/19/97, effective 1/19/98.]

WAC 260-24-660 Race timer. The race timer is responsible for the following duties:

(1) Recording accurately the time elapsed between the start and finish of each race. The time will be recorded from the instant the race begins until the first horse reaches the finish line. (As a backup to the electronic timer, the race timer will also use a stopwatch to time all races. In time trials, the race timer will ensure that the board of stewards approves three designees to use at least three stopwatches.)

(2) Posting the official running time on the infield totalisator board at the end of each race. (At a racetrack equipped with an appropriate infield totalisator board, the timer will post the split times for races in fractions as a race is being run. For quarter horse races, the timer will post the official times in hundredths of a second.)

(3) Maintaining a record of fractional and finish times of each race. The record will be available for inspection by the board of stewards.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-660, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-660, filed 12/19/97, effective 1/19/98.]

WAC 260-24-670 Paddock plater. The paddock plater is responsible for the following duties:

(1) Be available during race hours to perform emergency shoeing repairs on horses in the receiving barn, paddock, or during post parade;

(2) When directed by the board of stewards, inspect the height of toe grabs, or type of shoes on all horses, either in the receiving barn or paddock.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-670, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-670, filed 12/19/97, effective 1/19/98.]

WAC 260-24-680 Mutuel inspector. The mutuel inspector is responsible to oversee the parimutuel wagering activity during the race meet. This will include, but is not limited to, testing of the totalisator system, reviewing unusual wagering patterns, providing information to the board of stewards, assisting the commission auditor and association mutuel manager, reviewing association simulcast contracts,

and performing other duties as directed by the board of stewards.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-680, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-680, filed 12/19/97, effective 1/19/98.]

WAC 260-24-690 Outrider(s). The outrider(s) is responsible for the following duties:

(1) During training hours:

(a) Maintaining safety on the racetrack;

(b) Ensuring all persons on horseback ride in a safe and prudent manner;

(c) Ensuring all persons on horseback have the proper safety equipment;

(d) Promptly reporting to the commission investigators any questionable conduct, and all injuries occurring on the track; and

(e) Reporting to the commission investigators, or stewards, unsafe riding, any persons on horseback who may be under the influence of alcohol and/or drugs.

(2) During racing hours:

(a) Maintaining order during post parade;

(b) Ensuring all persons on horseback have the proper safety equipment;

(c) Ensuring that the horses arrive at the starting gate at post time; and

(d) Reporting to the stewards any questionable conduct, and unsafe riding.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-690, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-690, filed 12/19/97, effective 1/19/98.]

WAC 260-24-700 Other racing official designated by the commission. The commission may create additional racing official positions. Persons selected to these positions will be considered racing officials and subject to the same eligibility requirements outlined in this chapter. Persons selected will be responsible to perform duties assigned to them.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-24-700, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 98-01-145, § 260-24-700, filed 12/19/97, effective 1/19/98.]