

# Chapter 260-52 WAC

## THE RACE—PADDOCK TO FINISH

### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

260-52-050	Placing judges—Duties. [Order 75-1, § 260-52-050, filed 2/18/75; Rule 202, filed 1/30/67; Rule 202, filed 4/21/61.] Repealed by WSR 08-05-088, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.020 and 67.16.040.
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**WAC 260-52-010 Paddock to post.** (1) Permission must be obtained from a steward to exercise a horse between races.

(2) In a race, each horse must carry a conspicuous saddlecloth number and a head number, corresponding to its number on the official program. In the case of an entry each horse making up the entry must carry the same number (head and saddlecloth) with a distinguishing letter. For example, 1-1A, 1X. In the case of a field the horses comprising the field must carry an individual number; i.e., 12, 13, 14, 15, and so on.

(3) After the horses enter the track, and before the start of the race, no jockey may dismount and no horse may be handled by anyone other than the jockey, the starter, the starter's assistants, the outrider, the pony rider, or the official veterinarian without permission of the stewards or the starter.

(4) In the case of injury to a jockey, his/her mount, or damage to equipment, the stewards or the starter may permit the jockey to dismount and the horse to be cared for during the delay. The stewards may permit all jockeys to dismount during the delay.

(5) All horses must participate in the post parade, which includes passing the steward's stand and, all horses must carry their weight from the paddock until the finish of the race unless approved by the stewards.

(6) The post parade may not exceed twelve minutes unless approved by the stewards. When horses have reached the post, they will be started without unnecessary delay.

(7) If the jockey is injured on the way to the post, the horse will be taken to the paddock and another jockey obtained, if available.

(8) No person may wilfully delay the arrival of a horse at the post.

(9) No person other than the rider, starter, or assistant starter may strike a horse, or attempt to assist the horse in starting.

(4/11/16)

(10) A jockey is not required to carry a whip. However, in any race in which a jockey will not ride with a whip, the public will be notified prior to the race.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-52-010, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 00-06-069, § 260-52-010, filed 3/1/00, effective 4/1/00. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 81-08-013 (Order 81-01), § 260-52-010, filed 3/24/81; Rules 187 through 196, filed 4/21/61.]

**WAC 260-52-020 Post position.** Post position will be determined publicly by lot in the presence of the racing secretary or his/her deputy, a steward or steward designee. In the event of a scratch at a designated time, and if "also-eligible" horses are listed, all horses will move up in post position order; except in the case of a race on the straightaway, in which case the also-eligible must take the starting position of the horse scratched. The above rule will apply unless the association specifically states otherwise in its stakes or condition book.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-52-020, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 00-20-028, § 260-52-020, filed 9/27/00, effective 10/28/00; Order 3, § 260-52-020, filed 5/12/69; Rule 210, filed 4/21/61.]

**WAC 260-52-030 Starting the race.** (1) The starter is responsible for assuring that each participant receives a fair start.

(2) If, when the starter dispatches the field, any door at the front of the starting gate stalls does not open properly or if the action by any starting gate personnel directly cause a horse to receive an unfair start, the stewards may declare such a horse a nonstarter.

(3) Should a horse not be in the starting gate stall at the time the starting gates are opened, the horse will be declared a nonstarter by the stewards.

(4) Should an accident or malfunction of the starting gate, or other unforeseeable event occur during the running of the race, which compromises the fairness of the race or the safety of the participants, the stewards may declare individual horses to be nonstarters, exclude individual horses from all parimutuel pools or declare a "no contest" and refund all wagers except as otherwise provided in the rules involving multirace wagers.

[Statutory Authority: RCW 67.16.020. WSR 14-03-056, § 260-52-030, filed 1/13/14, effective 2/13/14. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-52-030, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 00-06-069, § 260-52-030, filed 3/1/00, effective 4/1/00; Order 74.2, § 260-52-030, filed 10/30/74; Order 73.7, § 260-52-030, filed 12/3/73; Rules 247, 248, 249 and 254, filed 4/21/61.]

**WAC 260-52-040 Post to finish.** (1) All horses must be ridden out in every race. A jockey may not ease up or coast to the finish, without reasonable cause, even if the horse has no apparent chance to win prize money. A jockey must always

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give his/her best effort during a race. Each horse must be ridden to win. No jockey may cause his/her horse to shorten its stride so as to give the appearance of having suffered a foul.

(2) If a jockey strikes or touches another jockey or another jockey's horse or equipment, his/her mount may be disqualified.

(3) When clear in a race a horse may be ridden to any part of the course. If any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, the horse may be disqualified.

(4) A horse may not interfere with another horse and thereby cause the other horse to lose ground or position, or cause the other horse to break stride. When this interference occurs in the part of the race where the other horse loses the opportunity to place where it might reasonably be expected to finish, the stewards may disqualify the interfering horse.

(5) If the stewards determine the foul was intentional, or due to careless riding, the jockey may be held responsible.

(6) In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane and interferes, impedes, or intimidates another horse, it may be considered a foul and may result in the disqualification of the offending horse.

(7) When a horse is disqualified, the stewards may place the offending horse behind the horse(s) it interfered with, place it last, or declare it unplaced and ineligible for any purse money and/or time trial qualification. In the case of multiple disqualifications, under no circumstance may a horse regain its finishing place in front of a horse that it interfered with.

(8) If a horse is disqualified, any horses that it shares a common ownership with may also be disqualified, if in the opinion of the stewards, the foul was intentional.

(9) When a horse is disqualified in a time trial race, for the purposes of qualifying only, it must receive the time of the horse it is placed behind plus one-hundredth of a second penalty or more exact measurement if photo finish equipment permits, and remain eligible to qualify for the finals or consolations of the race on the basis of the assigned time.

(10) In time trials, horses must qualify on the basis of time and order of finish. Times are determined by the official timer. If the automatic timer malfunctions, averages of a minimum of three hand times must be used for that individual race. In the instance of horses competing in the same race receiving identical times, order of finish must determine qualifiers. In the event two or more horses receive identical times for the final qualifying position, a draw by lot conducted by the stewards will determine the final qualifying positions.

(11) If a horse that qualified for the finals should be unable to enter due to racing soundness or scratched for any other reason other than a positive test or rule violation, the owner will receive last place purse money. If more than one horse is scratched from the final, then those purse moneys will be added together and distributed equally among those owners.

(12) If a qualifier for a final or consolation is disqualified for ineligibility or a rule violation after the time trials are declared official, but prior to entry for the final or consolation, the nonqualifier with the next fastest time must replace

the disqualified horse. If a qualifier is disqualified after entry for the final or consolation for any reason other than unsoundness, illness or death, the purse will be redistributed among the remaining qualifiers.

(13) Possession of any electrical or mechanical stimulating or shocking device by a jockey, horse owner, trainer or other person will be considered prima facie evidence of a violation of these rules and is sufficient grounds for the stewards to scratch or disqualify any horse involved, and summarily suspend the individual in possession of the device.

[Statutory Authority: RCW 67.16.020. WSR 10-17-070, § 260-52-040, filed 8/13/10, effective 9/13/10; WSR 10-07-050, § 260-52-040, filed 3/11/10, effective 4/11/10. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-52-040, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 00-06-069, § 260-52-040, filed 3/1/00, effective 4/1/00. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 81-08-013 (Order 81-01), § 260-52-040, filed 3/24/81; Rule 211, filed 4/21/61.]

**WAC 260-52-045 The riding crop.** (1) Only riding crops approved by the stewards and meeting the following specifications will be allowed:

- (a) Maximum weight of 8 ounces;
- (b) Maximum length (including flap) of 30 inches;
- (c) Minimum diameter of the shaft of one-half inch; and
- (d) The contact area of the shaft must be smooth with no protrusions or raised surface.

(2) The only additional feature that may be attached to the riding crop is a flap. If a flap is attached it must meet the following specifications:

- (a) Maximum length of the flap from the end of the shaft is one inch;
- (b) Maximum width of the flap is 1.6 inches, with a minimum width of 0.8 inch;
- (c) The flap, from the end of the shaft, may not contain any reinforcements or additions;
- (d) There may be no binding within 7 inches of the end of the flap;
- (e) The flap must be humane, cushioned with memory foam or other similar shock absorbing material, unaltered from the original manufacturer, and sewn down each side of the outer layer;
- (f) The flap must be dark in color and made of a material that does not harden over time; and
- (g) The requirement for the riding crop is waived for Class C race meets as defined in RCW 67.16.130.

(3) The riding crop is subject to approval by the stewards and subject to inspection by any steward, commission racing official, official veterinarian, or investigator.

(4) Although the use of a riding crop is not required, any jockey who uses a riding crop during a race may do so only in a manner consistent with exerting his/her best efforts to win. In all races where a jockey will ride without a riding crop, an announcement will be made over the public address system. No device designed to increase or retard the speed of a horse, other than an approved riding crop is permitted on the grounds of any racing association. Riding crops may not be used on 2-year-old horses before April 1 of each year.

(5) Prohibited uses of the riding crop include striking a horse:

- (a) On the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse;

(b) During the post parade or after the finish of the race, except when necessary to control the horse;

(c) Excessively or brutally causing welts or breaks in the skin;

(d) When the horse is clearly out of the race or has obtained its maximum placing;

(e) Persistently even though the horse is showing no response under the riding crop; and

(f) Striking another rider or horse.

(6) The riding crop should only be used for safety, correction, and encouragement. All riders should consider the following when using the riding crop:

(a) Showing the horse the riding crop and giving the horse time to respond before striking the horse;

(b) Giving the horse the chance to respond before using the riding crop again; and

(c) Using the riding crop in rhythm with the horse's stride.

(7) After the race or during training all horses are subject to inspection by a steward, official veterinarian, commission racing official, or investigator.

(8) Any trainer, owner, or other licensee that instructs a jockey to use the riding crop in a manner not consistent with these rules may be subject to disciplinary action.

[Statutory Authority: RCW 67.16.020. WSR 10-07-050, § 260-52-045, filed 3/11/10, effective 4/11/10.]

**WAC 260-52-060 Camera malfunctions and determining finish positions.** (1) The photo finish cameras will be used as an aid to the stewards, however, in the event of a malfunction of the camera, the decision by the stewards of the order of finish is final.

(2) In placing the horses at the finish, the position of the horses' noses only will be considered and not any other part of the body.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-52-060, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 00-07-041, § 260-52-060, filed 3/6/00, effective 4/6/00; Rule 203, filed 1/30/67; Rules 203 and 204, filed 4/21/61.]

**WAC 260-52-070 Declaring race "official."** (1) The clerk of the scales will weigh in at least the first four placing jockeys after each race, and after weighing, will notify the stewards if the weights are correct. The stewards may then declare the race official. However, the commission may authorize a racing association to employ a "quick official" method of declaring a race official when a written request is received from the racing association at least 45 days prior to the opening of the race meeting. When using the "quick official," jockeys must claim foul immediately following the running of the race, while still mounted on the race track. The association will be responsible for having an outrider or other individual situated on the race track and equipped with a communication device for relaying any objections to the stewards. Owners and trainers must claim foul directly to the stewards via telephones assigned by the association for that purpose and situated throughout the facility. No claim of foul will be considered by the stewards after a race has been declared official.

(4/11/16)

(2) Nothing in these rules will prevent the stewards from correcting an error before the display of the sign "official" or from recalling the sign, "official" in case of an error.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-52-070, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 99-05-047, § 260-52-070, filed 2/12/99, effective 3/15/99; Rules 205 and 206, filed 4/21/61.]

**WAC 260-52-075 Declaring race "official" in respect to purses.** No purse money may be officially won by the owners of any horse for which a test sample was submitted until the testing laboratory reports that the sample is clear of prohibited substances or there are no overages of permitted medications. Upon notice of a positive sample by the testing laboratory, no purse may be released to the owners of the horse in question pending a final determination of the alleged infraction.

[Statutory Authority: RCW 67.16.020. WSR 16-09-014, § 260-52-075, filed 4/11/16, effective 5/12/16.]

**WAC 260-52-080 Official time of the race.** The time recorded for the first horse to cross the finish line will be the official time of the race. (Except as provided by WAC 260-70-710.)

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-52-080, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 00-20-027, § 260-52-080, filed 9/27/00, effective 10/28/00; Rule 277, filed 4/21/61.]

**WAC 260-52-090 Dead heats.** (1) In a dead heat for first place, each horse will be declared a winner and the actual earning the horse receives will be used to determine future eligibilities.

(2) When a dead heat occurs for first place, all purses or prizes to which the first and second place horses would have been entitled to will be divided equally among them. This will apply in dividing all purses or prizes, whatever number of horses are involved in the dead heat, and for whatever places the dead heat is run.

(3) When a dead heat is run for second place and an objection or inquiry is made against the winner of the race, and the winner is disqualified, the horses that finished in the dead heat for place will both be declared winners. This will apply when determining the official placing, whatever number of horses is involved in the dead heat, and for whatever places the dead heat is run.

(4) If the owners involved in a dead heat cannot agree as to which of them is to receive a trophy, plaque, or other prize that cannot be divided, the decision will be determined by lot by the stewards or their designee.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-52-090, filed 2/15/08, effective 3/17/08.]