

Chapter 260-56 WAC

OBJECTIONS AND PROTESTS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

260-56-020	Requisites—Time for filing. [Rules of racing, §§ 222 through 225, filed 4/21/61.] Repealed by 08-05-088, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.020 and 67.16.040.
260-56-030	Costs and expenses. [Rules of racing, §§ 226, 227, filed 4/21/61.] Repealed by 05-05-044, filed 2/14/05, effective 3/17/05. Statutory Authority: RCW 67.16.020 and 67.16.040.
260-56-070	Records and reports. [Rules of racing, § 231, filed 4/21/61.] Repealed by 08-05-088, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.020 and 67.16.040.

WAC 260-56-010 Objections (claim of foul). (1) An objection involving the running of a race, may be filed by the owner, his/her authorized agent, trainer, or jockey of a horse in the race, or by a racing official of the meeting.

(2) An objection may be received by the clerk of scales, stewards, or their designees.

(3) An objection must be filed before the race is declared official, including whenever the "quick official" method is used.

(4) The stewards will rule on all objections and determine the extent of disqualification, if any, of a horse in the race. The stewards' decision is final and cannot be challenged under WAC 260-08-675.

[Statutory Authority: RCW 67.16.020 and 67.16.040. 08-05-088, § 260-56-010, filed 2/15/08, effective 3/17/08; Rules of racing, §§ 220, 221, filed 4/21/61.]

WAC 260-56-031 Prerace protests. (1) All prerace protests to the participation of a horse entered in any race must be made in writing to the board of stewards, signed by the person making the protest, and submitted no later than fifteen minutes prior to post time for the race in question. The protest must contain the specific reason or grounds for the protest.

(2) A protest to a horse which is entered in a race may be made on, but not limited to, the following:

(a) An error or omission in the entry of a horse;

(b) The horse entered to run is not the horse it is represented to be at the time of entry;

(c) The horse is not qualified to enter under the conditions specified for the race, the weight allowances are improperly claimed, or the weight to be carried is incorrect according to the conditions of the race; or

(d) The horse is owned in whole or in part, or leased or trained by a person ineligible to participate in racing or otherwise ineligible to own a race horse as provided in these rules.

(2/15/08)

(3) The decision of a prerace protest by the board of stewards is final and may not be appealed.

[Statutory Authority: RCW 67.16.020 and 67.16.040. 08-05-088, § 260-56-031, filed 2/15/08, effective 3/17/08.]

WAC 260-56-035 Post-race protests. (1) A protest against any horse which has started in a race must be made in writing to the board of stewards, signed by the person making the protest, and submitted within seventy-two hours of the race (excluding nonrace days). If the incident for which the protest is made occurs within the last two days of the meeting, the protest must be filed within seventy-two hours of the closing day.

(2) A protest may be made on any of the following grounds:

(a) The order of finish as officially determined by the stewards was incorrect due to an oversight or errors in the number of the horses which started the race;

(b) The weight carried by a horse was improper, due to fraud or willful misconduct; or

(c) An unfair advantage was gained by violation of the rules.

(3) The time limitation on the filing of protests will not apply in any case in which fraud or willful misconduct is involved.

[Statutory Authority: RCW 67.16.020 and 67.16.040. 08-05-088, § 260-56-035, filed 2/15/08, effective 3/17/08.]

WAC 260-56-040 Disposition of moneys, prizes, pending outcome. (1) Pending the determination of a protest, any money or prize won by a protested horse, or any other money affected by the outcome of the protest will be held by the racing association until the protest is decided.

(2) If a protest is upheld by the board of stewards, any purse moneys or prizes previously distributed must be returned for redistribution.

(3) Any person who fails to return any purse moneys or other prizes for redistribution may be subject to disciplinary action by the stewards.

[Statutory Authority: RCW 67.16.020 and 67.16.040. 08-05-088, § 260-56-040, filed 2/15/08, effective 3/17/08; Rules of racing, § 228, filed 4/21/61.]

WAC 260-56-050 Withdrawal of protests. A protest may not be withdrawn without permission of the stewards.

[Rules of racing, § 229, filed 4/21/61.]

WAC 260-56-060 Frivolous protests or objections. No person may make frivolous protests or objections.

[Statutory Authority: RCW 67.16.020 and 67.16.040. 08-05-088, § 260-56-060, filed 2/15/08, effective 3/17/08; Rules of racing, § 230, filed 4/21/61.]