

Chapter 260-32 WAC

JOCKEYS, APPRENTICES AND AGENTS

WAC

JOCKEYS

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**DISPOSITION OF SECTIONS FORMERLY
 CODIFIED IN THIS CHAPTER**

260-32-020 Riding prior to licensure. [Rules of racing, §§ 141, 142, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-030 Apprentice may ride in same race with jockeys. [Rules of racing, § 143, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-050 Stable prerequisite to contract holding. [Rules of racing, § 170, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-060 Riding for other than contract employer. [Rules of racing, § 145, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-090 Riding against starter of contract employer. [Rules of racing, § 148, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-110 Protective helmet. [Rules of racing, §§ 150, 151, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-115 Safety vests. [Statutory Authority: RCW 67.16.040. WSR 93-23-010, § 260-32-115, filed 11/5/93, effective 12/6/93.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-200 When suspension commences. [Rules of racing, § 161, filed 4/21/61.] Repealed by WSR 04-19-044, filed 9/13/04, effective 10/14/04. Statutory Authority: RCW 67.16.020.
 260-32-240 Priority of retainers. [Rules of racing, § 165, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06,

effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-310 Contracts—Form—Filing. [Rules of racing, §§ 167, 168, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-320 Contracts—Transfers. [Rules of racing, § 169, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-330 Stable prerequisite to contract holding. Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-335 Apprentice certificates. [Order 77.1, § 260-32-335, filed 4/22/77.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-340 Application for license—Supporting documents. [Rules of racing, § 171, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-350 Riding for other than contracted employer—Fee entitlement. [Order 73.7, § 260-32-350, filed 12/3/73; Rules of racing, § 172, filed 4/21/61.] Repealed by WSR 06-07-065, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
 260-32-360 Apprentice allowances and extensions. [Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 83-08-057 (Order 83-01), § 260-32-360, filed 4/4/83; Order 77.1, § 260-32-360, filed 4/22/77; Order 73.7, § 260-32-360, filed 12/3/73; Order 3, § 260-32-360, filed 5/12/69; Rules of racing, § 173, filed 4/21/61, subsections 1(a) amended, filed 3/11/65; 1(c) amended, filed 8/26/65; 2(d) added, filed 1/21/64.] Repealed by WSR 98-07-070, filed 3/17/98, effective 4/17/98. Statutory Authority: RCW 67.16.040.

JOCKEYS

WAC 260-32-010 Minimum requirements to obtain a jockey's license. In order to obtain a jockey license a person must meet the following minimum requirements:

- (1) Be at least sixteen years of age; and
- (2) Be engaged by a trainer to ride in a race.

[Statutory Authority: RCW 67.16.020. WSR 11-03-049, § 260-32-010, filed 1/14/11, effective 2/14/11. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-010, filed 3/10/06, effective 4/10/06. Rules of racing, §§ 139, 140, filed 4/21/61.]

WAC 260-32-040 Jockey as an owner or trainer. (1) A jockey shall not be a trainer of any horse competing at the race meet where the jockey is riding.

(2) A jockey may be an owner of a horse(s) competing at the race meet where the jockey is riding under the following conditions:

(a) A jockey may not enter more than one horse in an overnight race in which they have an ownership interest in.

(b) A jockey may not ride any horse in a race in which he/she has an ownership interest except the horse that they own.

(c) A jockey is not eligible to claim as an owner.

[Statutory Authority: RCW 67.16.020. WSR 12-03-075, § 260-32-040, filed 1/13/12, effective 2/13/12. Statutory Authority: RCW 67.16.020 and

67.16.040. WSR 06-07-065, § 260-32-040, filed 3/10/06, effective 4/10/06. Rules of racing, § 144, filed 4/21/61.]

WAC 260-32-070 Weighing out. Jockeys are required to present themselves to be weighed out as directed by the clerk of the scales.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-070, filed 3/10/06, effective 4/10/06. Rules of racing, § 146, filed 4/21/61.]

WAC 260-32-080 Must fulfill engagements. All jockeys shall faithfully fulfill all engagements in respect to racing, unless excused by the board of stewards or a physician.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-080, filed 3/10/06, effective 4/10/06. Rules of racing, § 147, filed 4/21/61.]

WAC 260-32-100 Appearance and costume. In riding a race a jockey must be neat in appearance. All riders must be dressed in clean jockey attire, caps, and jackets of silk or waterproof material, white jockey's pants and jockey boots. During off-track conditions protective rain pants may be of a different color.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-100, filed 3/10/06, effective 4/10/06. Rules of racing, § 149, filed 4/21/61.]

WAC 260-32-105 Safety equipment. (1) It shall be mandatory that jockeys wear a protective helmet and safety vest in compliance with WAC 260-12-180.

(2) The weight of the protective helmet shall not be included in the jockey's weight.

(3) The safety vest shall weigh no more than two pounds and shall not be included in the jockey's weight.

(4) Safety vests shall not be altered.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-105, filed 3/10/06, effective 4/10/06.]

WAC 260-32-120 Spurs or steels. The use of spurs or steels is prohibited.

[Rules of racing, § 152, filed 4/21/61.]

WAC 260-32-130 Colors. A jockey must wear the colors of the owner or owners of the horse he/she is riding (except by special permission of the stewards), and a number on the saddle cloth corresponding to the number of the horse in the official program.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-130, filed 3/10/06, effective 4/10/06. Rules of racing, § 153, filed 4/21/61.]

WAC 260-32-140 Numbers. A jockey may be required to wear a number on his/her right arm. The number on the jockey's arm and the saddle cloth number shall correspond to the number of the horse in the official program.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-140, filed 3/10/06, effective 4/10/06. Rules of racing, § 154, filed 4/21/61.]

WAC 260-32-150 Reporting in prior to race—Attendance pending engagements. Every jockey who is engaged

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in a race shall report to the scale room on the day of the race at the time required by the officials. He/she shall then report his/her engagements and overweight, if any, to the clerk of scales, and thereafter, except with the permission of the stewards, shall not leave the jockey room, except to view the races from a point approved by the stewards or to ride in a race, until all of his/her engagements of the day have been fulfilled.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-150, filed 3/10/06, effective 4/10/06. Rules of racing, § 155, filed 4/21/61.]

WAC 260-32-160 Physical examinations. During the conduct of a meeting, if the board of stewards has reasonable concerns that a jockey may be unfit to ride due to physical ailment, the board of stewards may require that any jockey be examined by a physician and may refuse to allow said jockey to ride until he/she presents a physician's statement that the jockey is physically fit to ride.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-160, filed 3/10/06, effective 4/10/06. Rules of racing, § 156, filed 4/21/61.]

WAC 260-32-170 Betting. (1) A jockey shall only be allowed to wager on a race in which the jockey is riding, and then only if:

(a) The owner or trainer of the horse, which the jockey is riding, makes the wager for the jockey;

(b) The jockey only wagers on his/her mount to win or finish first in combinations with other horses in multiple wagers; and

(c) Records of such wagers are kept and available for presentation upon request by the stewards.

(2) A jockey shall be allowed to wager on any race as long as the jockey has fulfilled his/her riding engagements for the day and left the jockey's quarters.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-170, filed 3/10/06, effective 4/10/06. Rules of racing, § 157, filed 4/21/61.]

WAC 260-32-180 Fees. (1) The commission must approve jockey riding fees prior to the beginning of a race meet.

(a) If any owner or trainer engages two or more jockeys for the same race, he/she shall pay the losing fee for each jockey not riding in the race, as well as the proper fee to the jockey who does ride. In the event an owner or trainer elects to remove a jockey from his/her mount after scratch time or such other time as designated by the stewards, the stewards may require a double jockey fee to be paid. The double jockey fee to be paid may be equal to that earned by the jockey who rode the race or a losing fee, as determined by the board of stewards.

(b) A jockey's fee shall be considered earned when the clerk of scales weighs out the jockey. The fee shall not be considered earned if the jockey, of his/her own free will, takes himself/herself off his/her mount, where injury to the horse or rider is not involved. Any conditions or considerations not covered by the above ruling shall be at the discretion of the stewards.

(2) In a dead heat the jockeys involved shall divide equally the sum total of the fees they would have received individually had one beaten the other or others. Likewise, the owners of the horses involved shall pay their equal share.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-180, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.040. WSR 98-07-070, § 260-32-180, filed 3/17/98, effective 4/17/98; Order 4, § 260-32-180, filed 12/24/69. Rules of racing, §§ 158, 159, filed 4/21/61.]

WAC 260-32-190 Temporary suspension. (1) If a jockey is suspended for an offense not involving fraud, and the suspension is for ten days or less, then the jockey may ride in those stakes races, futurity races, futurity trials, or other races which are designated by the board of stewards as races in which the jockey may compete, even though under suspension.

(2) A listing of the designated races shall be posted in the jockey's room, and any other such place deemed appropriate by the stewards.

(3) A suspended jockey must be named at the time of entry to participate in any designated race.

(4) A day in which a jockey participated in a designated race while on suspension shall count as a suspension day, except:

(a) A day in which a suspended jockey participates in more than one designated race in Washington shall not count as a suspension day; and

(b) A day in which a jockey participates in one or more designated races in another jurisdiction shall not count as a suspension day.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-190, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.040. WSR 91-15-036, § 260-32-190, filed 7/16/91, effective 8/16/91. Rules of racing, § 160, filed 4/21/61.]

WAC 260-32-210 Payment of fines. All fines must be paid by the jockey. Any other person paying a jockey's fine shall be subject to disciplinary action.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-210, filed 3/10/06, effective 4/10/06. Rules of racing, § 162, filed 4/21/61.]

WAC 260-32-220 Jockey limited to one agent who shall make all engagements. A jockey may have only one agent. All engagements to ride shall be made by his/her agent. All jockeys are bound by agreements made on their behalf by their jockey agent.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-220, filed 3/10/06, effective 4/10/06. Rules of racing, § 163, filed 4/21/61.]

WAC 260-32-230 Attendants. No jockey shall have an attendant other than those provided by the association.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-230, filed 3/10/06, effective 4/10/06. Rules of racing, § 164, filed 4/21/61.]

(3/15/13)

JOCKEY APPRENTICES (CONTRACTS—REGISTRATION—APPLICATION FOR LICENSES)

WAC 260-32-300 Application of rules for jockeys. Jockey apprentices must comply with all the rules for jockeys.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-300, filed 3/10/06, effective 4/10/06. Rules of racing, § 166, filed 4/21/61.]

WAC 260-32-305 Probationary mounts. The board of stewards may grant a temporary license to a jockey apprentice allowing them to ride up to three probationary mounts.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-305, filed 3/10/06, effective 4/10/06.]

WAC 260-32-370 Apprentice jockeys. (1) An applicant for an apprentice jockey license may be prohibited from riding until the stewards or the commission has sufficient opportunity (not to exceed 14 days) to verify the applicant's previous riding experience.

(2) An apprentice jockey may be granted an apprentice certificate by the board of stewards. The apprentice certificate will grant an apprentice all the allowances and conditions stated in these rules.

(3) An apprentice jockey that has ridden less than five winners may not accept mounts on two year olds and first time starters, without prior approval of the board of stewards.

(4) The conditions of an apprentice jockey license do not apply to quarter horse or mixed breed racing. A jockey's performances in quarter horse or mixed breed racing do not apply to the conditions of an apprentice jockey.

(5) An applicant with an approved apprentice certificate from another jurisdiction may be licensed as an apprentice jockey.

(6) An apprentice certificate may be obtained from the stewards on a form provided by the commission. A person may not receive more than one apprentice certificate. In case of emergencies, a copy of the original may be obtained from the commission where it was issued.

(7) The apprentice jockey will be responsible to have his/her apprentice certificate with them at all times. Prior to riding, the apprentice certificate will be submitted to the clerk of scales at each racing association in which the apprentice is licensed and riding.

(8) The apprentice jockey must keep an accurate updated record of his/her first forty winners, to be recorded on the certificate by the clerk of scales.

(9) An apprentice jockey may claim a five-pound allowance beginning with his/her first mount and for one full year from the date of his/her fifth winning mount. If after riding one year from the date of his/her fifth winning mount, the apprentice jockey has failed to ride a total of forty winners he/she may continue to ride with a five-pound weight allowance for one additional year from the date of his/her fifth winner or until he/she has ridden forty winners, whichever comes first.

(a) Apprentice allowances may be waived at the time of entry by the owner, trainer, or authorized agent.

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(b) Apprentice allowances may not be claimed in stakes and handicap races.

(10) The commission may extend the period in which an apprentice jockey is allowed a weight allowance when, at the discretion of the commission, an apprentice jockey is unable to continue riding due to:

- (a) Physical disablement or illness;
- (b) Military service;
- (c) Attendance in an institution of secondary or higher education;
- (d) Restriction on racing;
- (e) Other valid reasons.

(11) In order to qualify for an extension, an apprentice jockey must have been rendered unable to ride for a period of not less than seven consecutive days during the period in which the apprentice was entitled to an apprentice weight allowance.

(12) The commission currently licensing the apprentice jockey will have the authority to grant an extension to an eligible applicant, but only after the apprentice has produced documentation, verifying time lost as defined by this regulation.

(13) An apprentice may petition the jurisdictions in which he or she is licensed and riding for an extension of the time for claiming apprentice weight allowances granted by the commission, and the apprentice will be bound by the decision of the jurisdiction so petitioned.

[Statutory Authority: RCW 67.16.020. WSR 13-03-059, § 260-32-370, filed 1/11/13, effective 2/11/13; WSR 12-03-076, § 260-32-370, filed 1/13/12, effective 2/13/12. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-370, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.040. WSR 98-01-146, § 260-32-370, filed 12/19/97, effective 1/19/98.]

JOCKEY AGENTS

WAC 260-32-400 Powers and duties. (1) Each jockey agent must be licensed by the commission.

(2) A jockey agent may be the owner of a horse under the following conditions:

- (a) A jockey agent may only enter one horse that they have an ownership interest in for any overnight race.
- (b) A jockey agent may not claim a horse.
- (c) A jockey whom the jockey agent represents must ride the horse, unless approved by the stewards, or no other jockey that the jockey agent represents may compete against the horse.

(3) A jockey agent may represent up to three jockeys.

(4) No jockey agent shall make or assist in making any engagement for any rider other than those he is licensed to represent, without prior approval of the board of stewards, which may be granted for a temporary time period not to exceed ten days.

(5) If a jockey agent is absent for a period of more than ten days, the jockey will be required to engage another jockey agent.

(6) Each jockey agent shall keep, on a form provided by the association, a record by races of all engagements made by him of the riders he is representing. This record must be kept up to date and held ready at all times for the inspection by the stewards.

(7) If any jockey agent gives up the making of engagements for any rider, he/she shall immediately notify the stewards, and he/she shall also turn over to the stewards a list of any unfilled engagements he/she may have made for that rider. A jockey agent may not drop a rider without notifying the board of stewards in writing. The stewards will decide all rival claims for the services of a rider. Jockey agents who fail to honor commitments made are subject to disciplinary action.

[Statutory Authority: RCW 67.16.020. WSR 13-07-043, § 260-32-400, filed 3/15/13, effective 4/15/13. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-400, filed 3/10/06, effective 4/10/06. Statutory Authority: RCW 67.16.040. WSR 92-21-027, § 260-32-400, filed 10/13/92, effective 11/13/92. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 80-01-073 (Order 79-03), § 260-32-400, filed 12/24/79. Rules of racing, § 174, filed 3/11/65; filed 4/21/61.]

WAC 260-32-410 Touting prohibited. A jockey agent shall not give to any one, directly or indirectly any information or advice pertaining to a race or engage in the practice commonly known as "touting" for the purpose of influencing any person, or that would tend to do so, in the making of a wager on the result of any race.

[Rules of racing, § 175, filed 4/21/61.]

WAC 260-32-420 Prohibited areas. A jockey agent is prohibited from entering the jockey quarters, winner's circle, racing surface, paddock or saddling enclosure unless permitted by the stewards.

[Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-07-065, § 260-32-420, filed 3/10/06, effective 4/10/06; WSR 82-09-016 (Order 82-03), § 260-32-420, filed 4/9/82.]