

(2) The approved forms shall accommodate the provisions of WAC 251-20-040.

(3) The approved forms may be supplemented with other forms and/or information used by an institution to support the ratings recorded on the approved forms.

[Statutory Authority: RCW 41.06.150. 97-13-045, § 251-20-020, filed 6/13/97, effective 8/1/97. Statutory Authority: RCW 28B.16.100. 84-16-067 (Order 119), § 251-20-020, filed 7/31/84; 78-06-068 (Order 68), § 251-20-020, filed 5/25/78, effective 7/1/78.]

## Title 260 WAC HORSE RACING COMMISSION

**Chapters**

- 260-24** Association officials and employees.
- 260-32** Jockeys, apprentices and agents.
- 260-48** Mutuels.

### Chapter 260-24 WAC

#### ASSOCIATION OFFICIALS AND EMPLOYEES

**WAC**

- 260-24-010 Repealed.
- 260-24-020 Repealed.
- 260-24-040 Repealed.
- 260-24-050 Repealed.
- 260-24-060 Repealed.
- 260-24-070 Repealed.
- 260-24-080 Repealed.
- 260-24-090 Repealed.
- 260-24-100 Repealed.
- 260-24-110 Repealed.
- 260-24-120 Repealed.
- 260-24-130 Repealed.
- 260-24-140 Repealed.
- 260-24-150 Repealed.
- 260-24-160 Repealed.
- 260-24-170 Repealed.
- 260-24-180 Repealed.
- 260-24-190 Repealed.
- 260-24-200 Repealed.
- 260-24-210 Repealed.
- 260-24-220 Repealed.
- 260-24-230 Repealed.
- 260-24-240 Repealed.
- 260-24-250 Repealed.
- 260-24-260 Repealed.
- 260-24-270 Repealed.
- 260-24-280 Repealed.
- 260-24-290 Repealed.
- 260-24-300 Repealed.
- 260-24-310 Repealed.
- 260-24-320 Repealed.
- 260-24-330 Repealed.
- 260-24-340 Repealed.
- 260-24-350 Repealed.
- 260-24-360 Repealed.
- 260-24-370 Repealed.
- 260-24-380 Repealed.
- 260-24-390 Repealed.

- 260-24-400 Repealed.
- 260-24-410 Repealed.
- 260-24-420 Repealed.
- 260-24-430 Repealed.
- 260-24-440 Repealed.
- 260-24-450 Repealed.
- 260-24-460 Repealed.
- 260-24-465 Repealed.
- 260-24-470 Repealed.
- 260-24-480 Repealed.
- 260-24-500 Racing officials.
- 260-24-510 Stewards.
- 260-24-520 Racing secretary.
- 260-24-530 Horsemen's bookkeeper.
- 260-24-540 Mutuel manager.
- 260-24-550 Official veterinarian(s).
- 260-24-560 Horse identifier.
- 260-24-570 Paddock judge.
- 260-24-580 Starter.
- 260-24-590 Security director, association.
- 260-24-600 Commission security inspector(s).
- 260-24-610 Commission auditor.
- 260-24-620 Clerk of scales.
- 260-24-630 Jockey room supervisor.
- 260-24-640 Film analyst.
- 260-24-650 Clocker(s).
- 260-24-660 Race timer.
- 260-24-670 Paddock plater.
- 260-24-680 Mutuel inspector.
- 260-24-690 Outrider(s).
- 260-24-700 Any other person designated by the commission.

#### 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 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 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 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 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 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 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 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 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 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 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 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 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-140 Racing secretary—General duties. [Rule 239, filed 4/21/61.] Repealed by 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.
- 260-24-150 Racing secretary—Official program for each racing day. [Rules 240 and 241, filed 4/21/61.] Repealed by 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 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 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 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 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 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 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 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 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 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 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 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 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. 87-15-019 (Resolution No. 87-02), § 260-24-280, filed 7/8/87; 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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, 79-06-002 (Order 79-1), § 260-24-470, filed 5/4/79; Rule 427, filed 1/30/67.] Repealed by 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 98-01-145, filed 12/19/97, effective 1/19/98. Statutory Authority: RCW 67.16.040.

**WAC 260-24-010 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 260-24-020 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 260-24-040 Repealed.** See Disposition Table at beginning of this chapter.



**WAC 260-24-430 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 260-24-440 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 260-24-450 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 260-24-460 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 260-24-465 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 260-24-470 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 260-24-480 Repealed.** See Disposition Table at beginning of this chapter.

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

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

(2) The commission officials of a race meeting shall be designated prior to each race meeting and those commission officials shall be compensated by the commission.

The association officials of a race meeting shall 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 shall 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 racing jurisdiction.

(b) To qualify for appointment as a steward the appointee shall be an Association of Racing Commissioners International-accredited steward and be in good standing with all Association of Racing Commissioners International member jurisdictions. The commission may waive this requirement for Class C race meetings.

(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 and their assistants shall not:

(a) Participate in the sale or purchase, or ownership of any horse racing at the meeting; unless disclosed in advance and approved by the board of stewards;

(b) Sell or solicit horse insurance on any horse racing at the meeting;

(c) Be licensed in any other capacity without permission of the commission, or in case of an emergency, the permission of the stewards;

(d) Wager on the outcome of any race for which parimutuel wagering is conducted under the jurisdiction of the commission; or

(e) Consume or be under the influence of alcohol or any prohibited substances while performing official duties.

(6) Racing officials and their assistants shall immediately report to the stewards every observed violation of these rules.

(7) Complaints against officials:

(a) Complaints against any steward shall be made in writing to the commission and signed by the complainant;

(b) Any complaint against a racing official other than a steward shall be made to the stewards in writing and signed by the complainant. All such complaints shall be reported to the commission by the stewards, together with a report of the action taken or the recommendation of the stewards;

(c) A racing official may be held responsible by the stewards or the commission for the actions of their assistants;

(8) Appointment:

(a) A person shall not be appointed to more than one racing official position at a meeting unless specifically approved by the commission;

(b) The commission shall appoint or approve its officials for each race meeting, the officials shall perform the duties as outlined herein and such other duties as are necessary as determined by the commission or its executive secretary.

(9) Where an emergency vacancy exists among racing officials, the stewards or the association, with the stewards' approval, shall fill the vacancy immediately. Such appointment shall be reported to the commission and shall be effective until the vacancy is filled in accordance with these rules.

(10) Should any steward be absent at race time, and no approved alternate steward be available, the remaining stewards shall appoint a substitute for the absent steward. If a substitute steward is appointed, the commission and the association shall be notified by the stewards.

[Statutory Authority: RCW 67.16.040. 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 meeting shall be responsible to the commission for the conduct of the race meeting in accordance with these rules;

(b) The stewards shall enforce these rules and the racing laws of this jurisdiction;

(c) The stewards' authority includes supervision 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, declarations and scratches shall be conducted under the supervision of the stewards;

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

(f) The stewards shall take notice of any questionable conduct with or without complaint thereof;

(g) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules;

(h) Should any case occur which may not be covered by these rules of racing, it shall be determined by the stewards of the race meeting in conformity with justice and in the best interest of racing; and the stewards of the meeting are hereby given authority to exercise their full power, recommending to the commission the impositions of more severe penalties, if in their judgment the penalty should be more drastic.

(2) The stewards' period of authority shall commence 10 days prior to the beginning, or at such other time as is necessary in the opinion of the commission, of each meeting and shall terminate with the completion of their business pertaining to the meeting. One of the three stewards shall be designated as the presiding steward by the commission.

## (3) Disciplinary action:

(a) The stewards shall take notice of alleged misconduct or rule violations and initiate investigations into such matters;

(b) The stewards shall have authority to charge any licensee with a violation of these rules, to conduct hearings and to impose disciplinary action in accordance with these rules;

(c) The stewards may compel the attendance of witnesses and the submission of documents or potential evidence related to any investigation or hearing;

(d) The stewards may at any time inspect license documents, registration papers and other documents related to racing;

(e) The stewards shall have the power to administer oaths and examine witnesses;

(f) The stewards shall consult with the official veterinarian to determine the nature and seriousness of a laboratory finding or an alleged medication violation;

(g) The stewards may impose any of the following penalties on a licensee for a violation of these rules;

(i) Issue a reprimand;

(ii) Assess a fine;

(iii) Require forfeiture or redistribution of purse or award, when specified by applicable rules;

(iv) Place a licensee on probation;

(v) Suspend a license or racing privileges;

(vi) Revoke a license; or

(vii) Exclude from grounds under the jurisdiction of the commission.

(h) The stewards may suspend a license for not more than one year per violation; or they may impose a fine not to exceed \$2,500 per violation; or they may suspend and fine; or they may order that a person be ineligible for licensing. For violations covered by Chapter 260-70 WAC Medication, the stewards shall follow the penalty guidelines as set forth in WAC 260-70-690;

(i) A stewards' ruling shall not prevent the commission from imposing a more severe penalty;

(j) The stewards may refer any matter to the commission and may include recommendations for disposition. The absence of a stewards' referral shall not preclude commission action in any matter;

(k) Purses, prizes, awards and trophies shall be redistributed if the stewards or commission order a change in the official order of finish;

(l) All fines imposed by the stewards shall be paid to the commission within 48 hours after the ruling is issued, unless otherwise ordered.

(4) Protests, objections and complaints. The stewards shall cause an investigation to be conducted and shall render a decision in every protest, objection and complaint made to them. They shall maintain a record of all protests, objections and complaints. The stewards shall file daily with the commission a copy of each protest, objection or complaint and any related ruling. The stewards are vested with the power to determine the extent of disqualification in case of fouls. They may place the offending horse behind such horses as in their judgment it interfered with, or they may place it last.

## (5) Stewards' presence:

(a) On each racing day at least one steward shall be on duty at the track from 3 hours prior to first race post time. The full board of stewards shall sit in regular session to exercise their authority and perform the duties imposed on them by the rules of racing;

(b) Three stewards shall be present in the stewards' stand during the running of each race. In case of emergency, the stewards may, during the meeting, appoint a substitute subject to the confirmation of the commission.

## (6) Order of finish for parimutuel wagering:

(a) The stewards shall 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, shall be 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 shall prepare a daily report, detailing their actions and observations made during each day's race program. The report shall contain the name of the racetrack, the date, the weather and track conditions, claims, inquiries, objections and hearings and any unusual circumstances or

conditions. The report shall be signed by each steward and be filed with the commission;

(b) Not later than seven days after the last day of a race meeting, the presiding steward shall submit to the commission a written report regarding the race meeting. The report shall contain:

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

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

(9) Stewards' list:

(a) The stewards shall 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 said 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.

(10) When the stewards feel that a rule, other than a rule of the race, has been violated by any person, the procedure shall be as follows:

(a) He or she shall be summoned to a hearing before the stewards, called for that purpose;

(b) Adequate notice of said hearing shall be given to the summoned party. The stewards' decision as to what is adequate notice shall be final;

(c) No penalty shall be imposed until such hearing;

(d) Nonappearance of the summoned party after adequate notice shall be construed as a waiver of right to hearing before the stewards;

(e) No special announcement of the hearing or of the alleged infraction of rules shall be made until after said hearing. Immediately after a hearing, provided the matter is settled, the stewards shall transmit their findings in a stewards ruling to the commission and to the party in question. Thereafter, if a penalty is imposed for the infraction of the rules but only in the case of penalty, the commission may make a public statement.

(11) Nothing in this rule shall prohibit the stewards from taking necessary action to prevent or avoid the immediate danger to the public health, safety or welfare or the integrity of racing.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-510, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-520 Racing secretary.** (1) The racing secretary shall be responsible for the programming of races during the race meeting, compiling and publishing condition

books, assigning weights for handicap races, and shall receive all entries, subscriptions, declarations and scratches. The racing secretary may employ one or more assistants who may assist in performing the following duties. An assistant racing secretary shall assume the duties of the racing secretary in that person's absence.

(2) Foal, health and other eligibility certificates:

(a) The racing secretary shall be responsible for receiving, inspecting and safeguarding the 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;

(b) The racing secretary shall record the alteration of the sex of a horse on the horse's foal certificate and report such to the appropriate breed registry and past performance services;

(c) The racing secretary shall record on a horse's registration certificate when a posterior digital neurectomy (heel nerving) is performed on that horse.

(3) The racing secretary shall maintain a list of nerved horses which are on association grounds and shall make the list available for inspection by other licensees participating in the race meeting.

(4) The racing secretary shall maintain a list of all fillies or mares on association grounds who have been covered by a stallion. The list shall also contain the name of the stallion to which each filly or mare was bred and shall be made available for inspection by other licensees participating in the race meeting.

(5) It shall be the duty of the racing secretary to assign to applicants such stabling as he may deem proper to be occupied by horses in preparation for racing. He/she shall determine all conflicting claims of stable privileges and maintain a record of arrivals and departures of all horses stabled on association grounds.

(6) Conditions and eligibility:

(a) The racing secretary shall establish the conditions and eligibility for entering races and cause them to be published to owners, trainers and the commission and be posted in the racing secretary's office:

(b) For the purpose of establishing conditions, winnings shall be considered to include all monies and prizes won up to the time of the start of a race;

(c) Winnings during the year shall be calculated by the racing secretary from the preceding January 1.

(7) Listing of horses, the racing secretary shall:

(a) Examine all entry blanks to verify information as set forth therein; and

(b) Select the horses to start and the also eligible horses from those entries received in accordance with these rules.

(8) Upon completion of the draw each day, the racing secretary shall post a list of entries in a conspicuous location in his/her office and make the list available.

(9) The racing secretary shall publish the official daily program, ensuring the accuracy therein 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 such distance;

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

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

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

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

(g) Such other information as may be requested by the association or the commission.

(10) The racing secretary shall examine nominations received for early closing events, late closing events and stakes events to verify the eligibility of all such nominations and compile lists thereof for publication.

(11) The racing secretary shall be caretaker of the permanent records of all stakes and shall verify that all entrance monies due are paid prior to entry for races conducted at the meeting.

[Statutory Authority: RCW 67.16.040. 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 shall maintain the records and accounts and perform the duties described herein and maintain such other records and accounts and perform such other duties as the association and commission may prescribe.

(1) Records:

(a) The records shall include the name, mailing address, social security number or federal tax identification number, and the state or country of residence of each horse owner, trainer or jockey participating at the race meeting who has funds due or on deposit in the horsemen's account;

(b) The records shall include a file of all required statements: of partnerships, syndicates, corporations, assignments of interest, lease agreements and registrations of authorized agents;

(c) All records of the horsemen's bookkeeper shall be kept separate and apart from the records of the association;

(d) All records of the horsemen's bookkeeper including records of accounts and monies and funds kept on deposit are subject to inspection by the commission at any time;

(e) The association licensee is subject to disciplinary action by the commission for any violations of or non-compliance with the provisions of this rule.

(2) Monies and funds on account:

(a) All monies and funds on account with the horsemen's bookkeeper shall be maintained;

(i) Separate and apart from monies and funds of the association;

(ii) In an account designated as Horsemen's Account; and

(iii) In an account insured by the Federal Deposit and Insurance Corporation.

(b) The horsemen's bookkeeper shall be bonded in accordance with commission stipulations;

(c) The amount of purse money earned is credited in the currency of the jurisdiction in which the race was run.

There shall be no appeal for any exchange rate loss at the time of transfer of funds from another jurisdiction.

(3) Payment of purses:

(a) The horsemen's bookkeeper shall 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 monies that properly come into his/her possession in accordance with the provisions of commission rules;

(b) The horsemen's bookkeeper may accept monies due belonging to other organizations or recognized meetings, provided prompt return is made to the organization to which the money is due;

(c) The fact that purse money has been distributed prior to the issuance of a laboratory report shall not be deemed a finding that no chemical substance has been administered, in violation of these rules, to the horse earning such purse money;

(d) The horsemen's bookkeeper shall 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 48 hours of receipt of notification that all tests with respect to such races have cleared the drug testing;

(e) Absent a prior request, the horsemen's bookkeeper shall disburse monies to the persons entitled to receive same within 15 days after the last race day of the race meeting, including purses for official races, provided that all tests with respect to such races have cleared the drug testing laboratory and provided further that no protest or appeal has been filed with the stewards or the commission;

(f) In the event a protest or appeal has been filed with the stewards or the commission, the horsemen's bookkeeper shall disburse the purse within 48 hours of receipt of dismissal or a final non-appealable order disposing of such protest or appeal.

[Statutory Authority: RCW 67.16.040. 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 operation of the parimutuel department and shall:

(1) Be responsible for the correctness of all pay-off prices;

(2) Maintain records of all wagers and provide information regarding betting patterns;

(3) Employ licensed individuals to aid in the operation of the parimutuel department;

(4) Make emergency decisions regarding the operation of the parimutuel department; and

(5) Be responsible for the enforcement of the association policy and procedures relating to the mutuel department.

[Statutory Authority: RCW 67.16.040. 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) shall:

(1) Be employed by the commission;

(2) Be a graduate veterinarian and be licensed to practice in this jurisdiction;

(3) Recommend to the stewards any horse deemed unsafe to be raced, or a horse that it would be inhumane to allow to race;

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

(5) Place horses on the bleeder list and remove horses from the bleeder list;

(6) Supervise and control the test barn;

(7) Supervise the taking of all specimens for testing according to procedures approved by the commission;

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

(9) Provide the stewards with a written statement regarding the nature and seriousness of all laboratory reports of prohibited substances in equine samples;

(10) Have jurisdiction over the practicing licensed veterinarians within the enclosure for the purpose of these rules;

(11) Report to the commission the names of all horses humanely destroyed or which otherwise expire at the meeting and the reasons therefore;

(12) Maintain all required records of postmortem examinations performed on horses which have died on association grounds;

(13) Be available to the stewards prior to scratch time each racing day at a time designated by the stewards to inspect any horses and report on their condition as may be requested by the stewards;

(14) 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;

(15) Inspect any horse when there is a question as to the physical condition of such horse;

(16) Recommend scratching a horse to the stewards if, in his/her opinion the horse is physically incapable of exerting its best effort to win;

(17) Inspect any horse which appears in physical distress during the race or at the finish of the race; and shall report such horse together with his/her opinion as to the cause of the distress to the stewards;

(18) Refuse employment or payment, directly or indirectly, from any horse owner or trainer of a horse racing or intending to race in this jurisdiction while employed as the official veterinarian for the commission;

(19) Review and consult with the applicants and the stewards regarding commission license applications of practicing veterinarians;

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

(21) Periodically review all horse papers under the jurisdiction of the commission to ensure that all required test and health certificates are current and properly filed in accordance with these rules; and

(22) Be authorized to humanely destroy any horse deemed to be so seriously injured that it is in the best interests of racing the horse to so act.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-550, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-560 Horse identifier.** The horse identifier shall:

(1) When required, ensure the safekeeping of registration certificates and racing permits for horses stabled and/or racing on association grounds;

(2) Inspect documents of ownership, eligibility, registration or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting;

(3) Examine every starter in the paddock for sex, color, markings and lip tattoo 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; and

(4) Supervise the tattooing, branding or other method of identification approved by the appropriate breed registry and the commission for identification of any horse located on association grounds.

(5) The horse identifier shall report to the stewards any horse not properly identified or whose registration certificate is not in conformity with these rules.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-560, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-570 Paddock judge.** (1) The paddock judge shall:

(a) Supervise the assembly of horses in the paddock no later than fifteen (15) minutes before the scheduled post time for each race;

(b) Maintain a written record of all equipment, inspect all equipment of each horse saddled and report any change thereof to the stewards;

(c) Prohibit any change of equipment without the approval of the stewards;

(d) Ensure that the saddling of all horses is orderly, open to public view, free from public interference, and that horses are generally mounted at the same time, and leave the paddock for the post in proper sequence;

(e) Supervise paddock schooling of all horses approved for such by the stewards;

(f) Report to the stewards any observed cruelty to a horse;

(g) Ensure that only properly authorized persons are permitted in the paddock; and

(h) Report to the stewards any unusual or illegal activities.

(2) Paddock judge's list:

(a) The paddock judge shall maintain a list of horses which shall not be entered in a race because of poor or inconsistent behavior in the paddock that endangers the health or safety of other participants in racing;

(b) At the end of each race day, the paddock judge shall provide a copy of the list to the stewards;

(c) To be removed from the paddock judge's list, a horse must be schooled in the paddock and demonstrate to the satisfaction of the paddock judge and the stewards that the horse is capable of performing safely in the paddock.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-570, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-580 Starter.** (1) The starter shall:



(a) Have complete jurisdiction over the starting gate, the starting of horses and the authority to give orders not in conflict with the rules as may be required to ensure all participants an equal opportunity to a fair start;

(b) Appoint and supervise assistant starters who have demonstrated they are adequately trained to safely handle horses in the starting gate. In emergency situations, the starter may appoint qualified individuals to act as substitute assistant starters;

(c) Ensure that a sufficient number of assistant starters are available for each race;

(d) Assign the starting gate stall positions to assistant starters and notify the assistant starters of their respective stall positions more than 10 minutes before post time for the race;

(e) Assess the ability of each person applying for a jockey's license in breaking from the starting gate and working a horse in the company of other horses, and shall make said assessment known to the stewards; and

(f) Load horses into the gate in any order deemed necessary to ensure a safe and fair start.

(2) Assistant starters, with respect to an official race, shall 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) Apply a whip or other device, with the exception of steward-approved twitches, to assist in loading a horse into the starting gate;

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

(e) Strike or use abusive language to a jockey; or

(f) Accept or solicit any gratuity or payment other than his/her regular salary, directly or indirectly, for services in starting a race.

(3) No horse shall be permitted to start in a race unless approval is given by the starter. The starter shall maintain a starter's list of all horses which are ineligible to be entered in any race because of poor or inconsistent behavior or performance in the starting gate. Such horse shall be refused entry until it has demonstrated to the starter that it has been satisfactorily schooled in the gate and can be removed from the starter's list. Schooling shall be under the direct supervision of the starter.

(4) The starter and assistant starter shall report all unauthorized activities to the stewards.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-580, filed 12/19/97, effective 1/19/98.]

#### **WAC 260-24-590 Security director, association.**

The security director shall be employed by the association and shall be directly responsible for maintaining the security and safety of the racing association's grounds. He/she shall issue daily reports to the commission security inspector outlining staffing and any incidents or occurrences which may constitute a violation of the "rules of racing." The security director will work closely with the board of stewards and commission security inspector(s) to facilitate the licensing, regulation and supervision of licensees and the racing association grounds. The security director may be requested to perform such other specific duties as are

mutually agreed upon between the board of stewards and the racing association.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-590, filed 12/19/97, effective 1/19/98.]

#### **WAC 260-24-600 Commission security inspector(s).**

The commission security inspector(s) shall be employed by the commission and report to the commission executive secretary and the stewards. His/her duties shall include investigation of allegations of wrongdoing and violations of the "rules of racing," presentation of cases before the stewards and other duties as set forth by the commission or the stewards.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-600, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-610 Commission auditor.** The commission auditor shall be responsible for:

(1) Verifying the calculations of the parimutuel department;

(2) Calculating and/or verify the monetary commissions due;

(3) Maintaining the Washington bred owners bonus fund (including filing of tax information); and

(4) Various accounting and auditing services as requested by the commission or the stewards.

[Statutory Authority: RCW 67.16.040. 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 shall:

(1) Verify the presence of all jockeys in the jockeys' room at the appointed time;

(2) Verify that all such jockeys have a current jockey's license issued by the commission;

(3) Verify the correct weight of each jockey at the time of weighing out and weighing in and report any discrepancies to the stewards immediately;

(4) Oversee the security of the jockeys' room including the conduct of the jockeys and their attendants;

(5) Promptly report to the stewards any infraction of the rules with respect to weight, weighing, riding equipment or conduct;

(6) Record all required data on the scale sheet and submit that data to the horsemen's bookkeeper at the end of each race day;

(7) Maintain the record of applicable winning races on all apprentice certificates at the meeting;

(8) Release apprentice jockey certificates, upon the jockey's departure or upon the conclusion of the race meet; and

(9) Assume the duties of the jockey room supervisor in the absence of such employee.

[Statutory Authority: RCW 67.16.040. 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 shall:

(1) Supervise the conduct of the jockeys and their attendants while they are in the jockey room;

- (2) Keep the jockey room clean and safe for all jockeys;
- (3) Ensure all jockeys are in the correct colors before leaving the jockey room to prepare for mounting their horses;
- (4) Keep a daily video list as dictated by the stewards and have it displayed in plain view for all jockeys;
- (5) Keep a daily program displayed in plain view for the jockeys so they may have ready access to mounts that may become available;
- (6) Keep unauthorized persons out of the jockey room; and
- (7) Report to the stewards any unusual occurrences in the jockey room.

[Statutory Authority: RCW 67.16.040. 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, shall be responsible for assisting the stewards and other commission officials in the interpretation of video coverage of each race. The analyst shall perform such other duties as are designated by the board of stewards.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-640, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-650 Clocker(s).** (1) The clocker(s) shall be present during training hours at each track on association grounds, which is open for training, to identify each horse working out and to accurately record the distances and times of each horse's workout.

(2) Each day, the clocker(s) shall prepare a list of workouts that describes the name of each horse which worked, along with the distance and time of each horse's workout.

(3) At the conclusion of training hours, the clocker shall deliver a copy of the list of workouts to the stewards and the racing secretary.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-650, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-660 Race timer.** (1) The timer shall accurately record the time elapsed between the start and finish of each race.

(2) The time shall be recorded from the instant that the first horse leaves the point from which the distance is measured until the first horse reaches the finish line.

(3) At the end of a race, the timer shall post the official running time on the infield totalisator board.

(4) At a racetrack equipped with an appropriate infield totalisator board, the timer shall post the quarter times (splits) for races in fractions as a race is being run. For quarter horse races, the timer shall post the official times in hundredths of a second.

(5) For back-up purposes, the timer shall also use a stopwatch to time all races. In time trials, the timer shall ensure that at least three stopwatches are used by the stewards or their designees.

(6) The timer shall maintain a written record of fractional and finish times of each race and have same available for inspection by the stewards or the commission on request.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-660, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-670 Paddock plater.** The paddock plater shall be available during racing hours to perform emergency shoeing repairs on horses in either the receiving barn, the paddock or during the parade to post. When directed by the board of stewards, the paddock plater shall report horses which are wearing caulks and on which feet. With permission of the stewards the paddock plater may assume other duties as requested by the association.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-670, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-680 Mutuel inspector.** The mutuel inspector shall oversee parimutuel wagering activity, including but not limited to, testing of the totalisator system, working with the board of stewards, commission auditor and mutuel manager as related to chapter 260-48 WAC and shall perform other duties as directed by the commission.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-680, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-690 Outrider(s).** The duty of the outrider(s) shall be to maintain safety on the racetrack during training hours insuring that all persons entering onto the racetrack have the proper safety equipment. During racing hours, prior to each race, the outrider(s) shall be responsible for maintaining order during the post parade and insuring that the horses arrive at the starting gate at post time. The outrider(s) shall inform the stewards of any questionable conduct and shall perform other duties as directed by the stewards.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-690, filed 12/19/97, effective 1/19/98.]

**WAC 260-24-700 Any other person designated by the commission.** The commission may create additional racing official positions, as needed. Persons selected for these positions shall be considered racing officials and shall be subject to the general eligibility requirements outlined in this chapter.

[Statutory Authority: RCW 67.16.040. 98-01-145, § 260-24-700, filed 12/19/97, effective 1/19/98.]

## Chapter 260-32 WAC

### JOCKEYS, APPRENTICES AND AGENTS

#### WAC

260-32-370

Apprentice jockeys.

**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) 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.

(3) An applicant with an approved apprentice certificate may be licensed as an apprentice jockey.

(4) An apprentice certificate may be obtained from the stewards on a form provided by the commission. A person shall 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.

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

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

(7) An apprentice jockey may claim the following weight allowances in all overnight races except stakes and handicaps:

(a) Ten pound allowance beginning with the first mount and continuing until the apprentice has ridden five winners;

(b) Seven pound allowance until the apprentice has ridden an additional thirty-five winners; and

(c) If an apprentice has ridden a total of forty winners prior to the end of a period of one year from the date of riding their fifth winner, the apprentice jockey shall have an allowance of five pounds until the end of that year;

(d) If after one year from the date of the fifth winning mount, the apprentice jockey has not ridden forty winners, the applicable weight allowance shall continue for one more year or until the 40th winner, whichever comes first. In no event may a weight allowance be claimed for more than two years from the date of the fifth winning mount, unless an extension has been granted.

(8) The commission may extend the weight allowance of an apprentice jockey 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.

(9) In order to qualify for an extension, an apprentice jockey shall 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. Under exceptional circumstances, total days lost collectively will be given consideration.

(10) The commission currently licensing the apprentice jockey shall 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.

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

(12) Apprentice jockeys shall be bound by all rules for jockeys, except insofar as said rules may be in conflict with WAC 260-32-400.

[Statutory Authority: RCW 67.16.040. 98-01-146, § 260-32-370, filed 12/19/97, effective 1/19/98.]

## Chapter 260-48 WAC

### MUTUELS

#### WAC

260-48-890 Trifecta pools.

**WAC 260-48-890 Trifecta pools.** (1) The trifecta requires selection of the first three finishers, in their exact order, for a single race.

(2) The net trifecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) As a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

(c) As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

(d) The entire pool shall be refunded on trifecta wagers for that race.

(3) If less than three betting interests finish and the race is declared official, payoffs will be made based upon the order of finish of those betting interests completing the race. The balance of any selection beyond the number of betting interests completing the race shall be ignored.

(4) If there is a dead heat for first involving:

(a) Horses representing three or more betting interests, all of the wagering combinations selecting three betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.

(b) Horses representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, irrespective of order, along with the third-place betting interest shall share in a profit split.

(5) If there is a dead heat for second, all of the combinations correctly selecting the winner combined with any of the betting interests involved in the dead heat for second shall share in a profit split.

(6) If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any of the betting interests involved in the dead heat for third shall share in a profit split.

(7) There shall be only one instance of two horses having common ties in any trifecta race, stakes races are excepted with permission of the stewards.

[Statutory Authority: RCW 67.16.040. 98-01-148, § 260-48-890, filed 12/19/97, effective 1/19/98; 96-10-014, § 260-48-890, filed 4/19/96, effective 6/11/96.]