IDAPA 11 – IDAHO STATE POLICE

Idaho State Racing Commission

11.04.14 – Rules Governing Owners, Trainers, Authorized Agents, Jockeys, Apprentice Jockeys, and Jockey Agents

Who does this rule apply to?
Racing officials/stewards, Idaho State Racing Commission, racing owners/participants/jockeys, industry associations/stakeholders, and members of the general public who engage in betting/wagering

What is the purpose of this rule?
These rules provide regulatory safeguards for the integrity of imminent horse races, the safety of horses and personnel involved in races, and the prevention of monetary fraud upon racing industry members and the public. They also create consistent enforcement during racing seasons on all those involved in those races.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

Professions, Vocations, and Businesses -
Horse Racing:

- Section 54-2506, Idaho Code – Duties of Commission and Licensees — License Fee
- Section 54-2507, Idaho Code – Authority of commission
- Section 54-2508, Idaho Code – License – Application therefor – Type and Number of Races — Fee per day — Refund — Cancellation — Hearing — Simulcast Purse Moneys Fund
- Section 54-2509, Idaho Code – Penalty for Violations of Law — Power of Commission
- Section 54-2512, Idaho Code – Pari-Mutuel Betting — Other Betting Illegal
- Section 54-2513, Idaho Code – Horse Racing — Distributions of Deposits — Breakage
- Section 54-2514, Idaho Code – Dog Racing — Distribution of Deposits — Breakage

Who do I contact for more information on this rule?

Idaho State Police
Idaho State Racing Commission
Monday through Friday, 8:00 a.m. to 5:00 p.m
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000. LEGAL AUTHORITY.
This chapter is adopted pursuant to the legal authority of Title 54, Chapter 25, of the Idaho Code. (3-29-10)

001. TITLE AND SCOPE.

01. Title. These rules are cited as IDAPA 11.04.14, "Rules Governing Owners, Trainers, Authorized Agents, Jockeys, Apprentice Jockeys, and Jockey Agents". (3-29-10)

02. Scope. These rules govern the conduct of Owners, Trainers, Authorized Agents, Jockeys, Apprentice Jockeys, and Jockey Agents in Idaho. (3-29-10)

002. -- 009. (RESERVED).

010. DEFINITIONS.
In addition to the definitions in Title 54, Chapter 25, Idaho Code, the following apply: (3-20-20)

01. Apprentice Jockey. A Jockey who has ridden less than one (1) year and less than forty-five (45) thoroughbred winners since first having been licensed in any racing jurisdiction and who otherwise meets the requirements and qualifications for a license as a Jockey. (3-29-10)

02. Authorized Agent. A person appointed by a written instrument signed and acknowledged before a notary public by the Owner and filed in accordance with these rules. (3-29-10)

03. Bleeder. Any horse known to have bled from its nostrils during a workout or race, and so designated by the Commission Veterinarian. (3-29-10)

04. Bribe. Anything of value not limited to money. (3-29-10)

05. Chemical. A substance composed of chemical elements or obtained by chemical processes. (3-29-10)

06. Declaration. The act of withdrawing an entered horse from a race before the closing of overnight entries. (3-29-10)

07. Disqualified Person. A person whose license is suspended. (3-29-10)

08. Drug. Any chemical compound or any noninfectious biological substance not used for its mechanical properties, which may be administered to or used on or for patients, either human or animal, as an aid in diagnosis, treatment or prevention of disease or other abnormal condition, for the relief of pain or suffering, or to control or improve any physiological or pathological condition. (3-29-10)

09. Engagement. An agreement between a Jockey and an Owner or Trainer. (3-29-10)

10. Entry. A horse made eligible to run a race. (3-29-10)

11. Equipment. As applied to a horse means whips, blinkers, tongue straps, muzzle, nosebands, bits, shadow rolls, martingales, breast plate, bandages, boots, hoods, flipping halters, goggles and plates. (3-29-10)

12. Gifts. Anything of value not limited to money. (3-29-10)

13. Gratuities. Anything of value not limited to money. (3-29-10)

14. Grounds. Any area owned or leased by any licensed Racing Association, which is operated for the purpose of conducting pari-mutuel wagering. (3-29-10)

15. Horse. Any filly, mare, colt, horse or gelding includes filly, mare, colt, horse and gelding in general; when referring to sex, a filly becomes a mare when five (5) years old; a horse is an intact male when five (5) years old or older. (3-29-10)

16. Jockey. A person licensed by the Racing Commission to ride in races. (3-29-10)

17. **Jockey Agent**. A person who helps a Jockey obtain mounts in return for a portion of the Jockey's earnings. (3-29-10)

18. **Jockey's Fees**. The approved amount of money a Jockey receives for riding in a race. (3-29-10)

19. **Month**. A calendar month. (3-29-10)

20. **Nerved**. A surgical procedure in which the nerve supply to the navicular area is removed. The toe and remainder of the foot have feeling. (3-29-10)

21. **Nomination**. Submitting the name of a horse to run in a certain race or series of races accompanied by the payment of any prescribed fee. (3-29-10)

22. **Nominator**. A person in whose name a horse is entered for a race. (3-29-10)

23. **Overnight Race**. A race for money or any other prize to which the Owners of the horses do not contribute. (3-29-10)

24. **Owner**. Includes the owner, part owner and lessee of any horse. An interest only in the earnings of a horse does not constitute ownership. In case of husband and wife, it is presumed that joint ownership exists. (3-29-10)

25. **Paddock**. An enclosure in which horses scheduled to compete in a contest are saddled prior to racing. (3-29-10)

26. **Person**. Any individual, association, partnership, firm, joint stock company, joint venture, trust, estate, political subdivision, public or private corporation, or any legal entity, which is recognized by law as the subject of rights and duties. (3-29-10)

27. **Place**. Means first, second or third and in that order is called "Win," "Place," and "Show." (3-29-10)

28. **Race**. A contest between horses for purse, stake or reward on any licensed race track and in the presence of a Judge or Judges. (3-29-10)

29. **Race Meet**. The entire consecutive period for which a license to race has been granted to any one (1) racing association by the Racing Commission. (3-29-10)

30. **Racing Association**. Any person licensed by the Racing Commission to conduct live or simulcast pari-mutuel wagering. (3-29-10)

31. **Racing Colors**. Racing silks, the jacket and cap worn by Jockeys. Silks can be generic and provided by the track or specific to one (1) Owner. (3-29-10)

32. **Recognized Race Meet**. Any race meet wherever held, which is under the jurisdiction of the Racing Commission. The Racing Commission will recognize all race meets conducted under the jurisdiction of members of the Association of Racing Commissioner International, or associate members or state and other recognized authority. (3-29-10)

33. **Ringer**. Any horse which runs under the name and identity of another or under a fictitious name. (3-29-10)

34. **Safety Equipment**. Any safety equipment to be worn as specified by these rules. (3-20-20)

35. **Scratch**. The act of withdrawing an entered horse from the race after closing of overnight entries. (3-29-10)

36. **Scratch Time**. The time set by the Racing Association for the closing of applications for permission to withdraw from the races of that day. (3-29-10)

37. **Sound**. A horse that is in competitive racing condition. (3-29-10)

38. **Stake Race**. A race to which nominators of the engaged entries contribute to a purse; to which money, or any other award, may be added; but no overnight race, regardless of its conditions, may be deemed a stake race. (3-29-10)

39. **Steward**. A horse racing official who presides over a race meet, has jurisdiction over all racing officials, rules on protests and claims of foul, and imposes fines and suspensions. (3-29-10)

40. **Suspension**. Punishment for infraction of the rules. The offender is denied privileges of the racetrack for a specified period of time. (3-29-10)

41. **Trainer**. The person who conditions and prepares a race horse for racing, with the absolute responsibility to ensure the physical condition and eligibility of the race horse. (3-29-10)

42. **Valet**. An employee who takes care of a Jockey's equipment, ensures that the correct silks are at the Jockey's locker, and the Jockey has the proper weight in the lead pad. (3-29-10)

43. **Weight In**. Post-race weight of the Jockey and equipment. (3-29-10)

44. **Weight Out**. Pre-race weight of the Jockey and equipment. (3-29-10)

45. **Winner**. The horse whose nose reaches the finish line first or is place first through disqualification by stewards. (3-29-10)

46. **Year**. A calendar year. (3-29-10)

011. -- 019. (RESERVED)

020. OWNERS AND TRAINERS.
All Owners and Trainers of horses and their stable employees are subject to the Laws of Idaho and the Rules promulgated by the Racing Commission upon occupancy of stabling accommodations on the grounds of a Racing Association or upon entering a horse to run in a race on a Racing Association track. (3-29-10)

021. -- 024. (RESERVED)

025. ENTER, SEARCH, AND INSPECT.
Every Racing Association, the Racing Commission, the Stewards or trained and qualified Agents of the Idaho State Police, has the right to enter, search and inspect the buildings, stables, rooms and other places where horses which are eligible to race are kept, or where property and effects of the licensee are kept within the grounds of the Racing Association. Any licensee is deemed to have consented to such search and to the seizure of any non-approved or prohibited materials, chemicals, drugs or devices and anything apparently intended to be used in connection therewith. (3-29-10)

026. -- 029. (RESERVED)

030. EMPLOYEES.
Any Owner or Trainer that employs any person in a capacity that needs to be licensed by the Racing Commission prior to the Racing Commission granting such a license will be subject to suspension or fine, or both, to be determined by the Board of Stewards. (3-20-20)

031. -- 034. (RESERVED)

035. BRIBES, GIFTS, AND GRATUITIES.
No Owner or Trainer may accept or offer, directly or indirectly, any bribe, gift or gratuity in any form which might influence the result of any race or tend to do so. (3-29-10)

036. -- 039. (RESERVED)

040. ILLNESS OF HORSES.
The Owner or Trainer or their representative must immediately report any illness or an unusual condition of his horse to the Racing Secretary, Board of Stewards or Commission Veterinarian. (3-29-10)

041. -- 049. (RESERVED)

050. TRAINER CHANGES.
If an Owner changes trainers, the racing secretary and stewards must be notified within twenty-four (24) hours. (3-29-10)

051. -- 059. (RESERVED)

060. REPRESENTATION FOR ENTRIES.
A Trainer licensed in Idaho may represent the Owner in the matter of entries, declarations and the employment of Jockeys. (3-29-10)

061. -- 069. (RESERVED)

070. RESTRICTIONS ON OWNERS AND TRAINERS.
No Owner or Trainer may enter or start a horse that: (3-29-10)

01. Is Not Sound. Is not in sound competitive racing condition. (3-29-10)

02. Has Been Nerved. (3-29-10)

a. Horses that have had posterior digital neurectomy (heel nerved) may be permitted to race subject to the pre-race veterinary examination and subject to posting with the racing secretary and being recorded on its foal certificate. (3-29-10)

b. Horses that have been nerved, blocked with alcohol or any other medical drug that desensitizes the nerves, other than posterior digital nerves, will not be permitted to race. (3-29-10)

03. Impaired Vision. Has impaired vision in both eyes. (3-29-10)

071. -- 079. (RESERVED)

080. POWERS AND DUTIES OF AUTHORIZED AGENTS.
A licensed Authorized Agent may perform on behalf of a licensed owner-principal all acts as relate to racing, as specified in the Racing Commission approved agency appointment, that could be performed by the principal if such principal were present. The acts of the Authorized Agent are deemed the acts of his licensed principal and the principal accepts responsibility for the Authorized Agent's acts. (3-29-10)

01. Documents. In executing any document on behalf of the principal, the Authorized agent must clearly identify the Authorized Agent and the owner-principal. (3-29-10)

02. Ownership Disclosure. Authorized Agents are responsible for disclosure of the true and entire ownership of each horse for which they have authority. Any change in ownership must be reported immediately to, and approved by, the stewards and recorded by the racing secretary. (3-29-10)

03. Entering a Claim. When an Authorized Agent enters a claim for the account of a principal, the name of the licensed Owner for whom the claim is being made and the name of the Authorized Agent must appear on

the claim slip or card. (3-29-10)

081. -- 099. (RESERVED)

100. TRAINER IS ABSOLUTE INSURER.
The Trainer is the absolute insurer of, and responsible for, the condition of the horses entered in a race regardless of the acts of third parties. (3-29-10)

01. Chemical Tests. Should the analysis of blood or urine samples or tests of other materials prove positive, showing the presence of any chemical or drug of any kind or description, except as permitted in IDAPA 11.04.11, "Rules Governing Equine Veterinary Practices, Permitted Medications, Banned Substances and Drug Testing of Horses," the Trainer of the horse will be fined or suspended, or both. (3-29-10)

02. Trainer Absent. When a Trainer is absent from the stable or the grounds for a period of more than two (2) days and the Trainer's horses are to be entered, a substitute licensed Trainer must assume the complete responsibility of the horses entered or running. Such licensed Trainer must sign a form in the presence of the Stewards accepting complete responsibility for the horse or horses being entered or running. (3-29-10)

101. -- 109. (RESERVED)

110. SAFETY EQUIPMENT.
The Trainer is responsible to ensure that every Jockey and exercise person wears an approved helmet properly fastened when exercising horses. (3-29-10)

111. -- 114. (RESERVED)

115. DISQUALIFIED PERSON.
No Trainer may have charge or supervision of any horse owned, in whole or part, by a disqualified person. (3-29-10)

116. -- 129. (RESERVED)

130. HORSES IN PADDOCK AT APPOINTED TIME.
All Trainers must have their horses in the paddock in accordance with IDAPA 11.04.10, "Rules Governing Live Horse Races," Subsection 050.02. (3-29-10)

131. -- 139. (RESERVED)

140. TRAINER'S PRESENCE IN PADDOCK.
All Trainers must attend their horses in the paddock and be present to supervise saddling unless the permission of a steward has been obtained to send another licensed Trainer to substitute. (3-29-10)

141. -- 199. (RESERVED)

200. PREVENTING JOCKEYS FROM RIDING.
No Owner or Trainer may employ a Jockey for the purpose of preventing him from riding for another Trainer in any race. (3-29-10)

201. -- 219. (RESERVED)

220. PHYSICAL EXAMINATION.
The Stewards may require any Jockey to be examined by a licensed medical professional at any time and may refuse to allow any Jockey to ride until such examination has been satisfactorily completed. (3-29-10)

221. -- 224. (RESERVED)

225. JOCKEY FALLS FROM HORSE.
In the event any Jockey falls or is thrown from a mount prior to, during or after a race, the Stewards may refuse to

allow that Jockey to ride until examined by a licensed medical professional and determined by such examiner to be physically fit to ride. (3-29-10)

226. -- 229. (RESERVED)

230. JOCKEYS OBLIGATIONS.
All Jockeys must faithfully fulfill all engagements to ride except when excused by the stewards. An excuse may be given by a medical professional with the approval of the stewards. (3-29-10)

231. -- 244. (RESERVED)

245. RACING COLORS.
All Jockeys must wear the colors of the Owner or Owners of the horse being ridden, except by special permission of the Stewards or where approved standard colors are used. (3-29-10)

246. -- 249. (RESERVED)

250. SAFETY EQUIPMENT.
All Jockeys must wear the following safety equipment: (3-29-10)

01. Helmet. When mounted, a fastened protective helmet approved by the Jockey Guild. (3-20-20)

02. Safety Vest. A safety vest when riding in any official or exhibition race that weighs no more than two (2) pounds, and is designed to provide shock absorbing protection to the upper body of at least a rating of five (5), as defined by the British Equestrian Trade Racing Association. (3-20-20)

251. -- 254. (RESERVED)

255. JOCKEY'S VALET.
No Jockey may have a valet other than one (1) provided by the Racing Association. (3-29-10)

256. -- 259. (RESERVED)

260. JOCKEYS WEIGHED.
Every Jockey who is engaged in a race must report to the Jockey's Room on the day of the race at the time required by the Stewards. (3-29-10)

01. Engagements. The Jockey's engagements and overweight, if any, must then be reported to the clerk of the scales and, thereafter, the Jockey may 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 engagements of the day have been fulfilled. (3-29-10)

02. Weighed Out. Jockeys need to present themselves to be weighed out at the time fixed by the clerk of the scales. (3-20-20)

261. -- 269. (RESERVED)

270. RESTRICTIONS ON JOCKEYS.

01. Owner. No licensed Jockey may be the Owner or Trainer of any race horse. (3-29-10)

02. Betting. No Jockey may make a bet on any race nor accept the promise or the token of any bet with respect to the race in which riding, except through or from the Owner or Trainer of the horse being ridden and then only that horse. (3-29-10)

03. Spurs. No Jockey may use spurs or steels of any kind in an official or exhibition race. (3-29-10)

271. -- 279. (RESERVED)

280. JOCKEY'S FEES.
Jockey's riding fees for a race meet must be approved by the Racing Commission. (3-29-10)

01. Engagements. If any Owner or Trainer engages two (2) or more Jockeys for the same race, each engaged Jockey not riding in the race must be paid the losing fee. The proper fee must be paid the Jockey riding. (3-29-10)

02. Fees. A Jockey's fee is considered earned when the Jockey is weighed out by the Clerk of the Scales. The fee is not considered earned if the Jockey takes himself off of his mount where injury to the horse or rider is not involved. Any conditions or considerations not covered by this Section are at the discretion of the stewards. (3-29-10)

03. Posted Fees. The fee to a Jockey in all races must be posted prominently and provided to the Horsemen's Bookkeeper by the Racing Association at each race meet. (3-29-10)

04. Dead Heat. In a dead heat the Jockeys involved will divide equally the total fees they would have received individually had one (1) beaten the other or others. The Owners of the horses involved must pay an equal share of the fees. (3-29-10)

281. -- 289. (RESERVED)

290. JOCKEY SUSPENSIONS.
A Jockey who is under suspension will not be permitted to fulfill any engagements, including stake races. (3-29-10)

01. Suspended in Another Jurisdiction. A Jockey under suspension in any other State will not be permitted to ride in Idaho during such suspension. (3-29-10)

02. Time Suspension Begins. The suspension of a Jockey for an offense not including fraud begins at the time set by the stewards. (3-29-10)

03. Temporary Suspensions. A Jockey temporarily suspended may be permitted by the stewards to exercise or gallop horses during the morning hours. (3-29-10)

291. -- 299. (RESERVED)

300. APPRENTICE JOCKEYS.
Apprentice Jockeys are bound by all the rules for Jockeys, except in the instance of a specific exception for an Apprentice Jockey. (3-29-10)

01. End of Apprenticeship. The apprenticeship automatically terminates one (1) year from the date of the apprentice's fifth winning ride or on the first anniversary of the date of issuance of the license as an Apprentice Jockey if during such first year the apprentice has ridden at least forty-five (45) thoroughbred winners. Otherwise, the apprenticeship automatically terminates after the first anniversary date on the date of the forty-fifth winning mount is ridden by the apprentice or on the date of the third anniversary of the first apprentice license, whichever comes first. (3-29-10)

02. Extend Apprenticeship Termination. For good cause, the Racing Commission may extend the termination date of any apprenticeship or the conditions under which the apprenticeship may be granted. (3-29-10)

03. Races Considered. Races other than recognized thoroughbred races in the United States, Canada or Mexico reported in the Daily Racing Form or other similar official publication will not be considered in determining eligibility for a license as Apprentice Jockey; provided, however, that any person who has ridden as a licensed Jockey at any recognized meeting in the United States or other country will have the burden of establishing that the granting of an apprentice license to such person is in the best interest of thoroughbred racing in Idaho. (3-29-10)

301. -- 319. (RESERVED)

320. MANAGEMENT OF APPRENTICE JOCKEYS.
No person other than an Owner, Trainer, Jockey Agent or an Authorized Agent of an Owner may make engagements for or manage Apprentice Jockeys. (3-29-10)

321. -- 329. (RESERVED)

330. APPRENTICE WEIGHT ALLOWANCE.
An Apprentice Jockey must ride with a five (5) pound weight allowance beginning with the first mount for one (1) full year from the date of the fifth winning mount. (3-29-10)

01. After One Year. If after riding one (1) full year from the date of the fifth winning mount the Apprentice Jockey has failed to ride a total of forty (40) winners from the date of the first winning mount, the apprentice must continue to ride with a five (5) pound weight allowance for one (1) more year from the date of the fifth winning mount or until the apprentice has ridden a total of forty (40) winners, whichever comes first. (3-29-10)

02. Unable to Ride. If an Apprentice Jockey is unable to ride for a period of fourteen (14) consecutive days or more from the date of the apprentice's fifth winning mount because of service in the Armed Forces of the United States or because of physical disablement, the Racing Commission may extend the time during which such apprentice weight allowance may be claimed for a period not to exceed the period such Apprentice Jockey was unable to ride. (3-29-10)

331. -- 339. (RESERVED)

340. APPRENTICE JOCKEY CONTRACTS.
An Apprentice Jockey may be granted an apprentice certificate in lieu of an apprentice contract. The apprentice certificate grants an apprentice all the allowances and conditions granted to the apprentice who is under contract. (3-29-10)

01. Forms. Apprentice contracts entered into in the state of Idaho must be made on forms supplied by the Idaho State Racing Commission and a copy be filed with the Racing Commission. (3-29-10)

02. Filed With Racing Commission. A copy of all apprentice contracts, wherever entered into, must be filed with the Racing Commission. (3-29-10)

03. Contract Transferred. If an apprentice contract is transferred, said transfer must be approved by the stewards and registered with the Racing Commission by both the transferrer and the transferor. (3-20-20)

04. Certificate. An application for a license as an Apprentice Jockey must be accompanied by an original or photo static copy of his birth certificate or an apprentice certificate. (3-29-10)

341. -- 349. (RESERVED)

350. ONLY ONE JOCKEY AGENT.
No Jockey may have more than one (1) agent. All engagements to ride, other than those for contract employers, must be made by the Jockey's Agent. A Jockey may make his own engagements. (3-29-10)

351. -- 359. (RESERVED)

360. JOCKEY AGENT.
No person may act as a Jockey Agent prior to being licensed by the Racing Commission. Each Jockey Agent is permitted to make the riding engagements of three (3) riders only; two (2) Jockeys and one (1) Apprentice Jockey. (3-29-10)

01. Other Jockeys. No Jockey Agent may make or assist in making any engagement for any rider other than those he is licensed to represent. (3-29-10)

02. Records. Each Jockey Agent must keep a record of all engagements made for the represented riders that is up to date and ready at all times for inspection by the Stewards. (3-20-20)

03. Notify Stewards. If any Jockey Agent gives up the making of engagements for any rider, the Stewards must be immediately provided a written list of any unfilled engagements. All rival claims for the services of a rider will be adjusted by the Stewards. (3-29-10)

361. -- 369. (RESERVED)

370. GIVING INFORMATION.
No Jockey Agent may give to anyone, 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 or tending to influence any person in the making of a wager on any race. (3-29-10)

371. -- 379. (RESERVED)

380. JOCKEY AGENT ACCESS.
No Jockey Agent is permitted within the saddling enclosure during racing hours; nor may said Agent have access to the Jockey Room at any time; nor may said Agent be allowed on the race track at the conclusion of any race run; nor may said Agent communicate with any Jockey during racing hours except with the approval of the Stewards. (3-29-10)

381. -- 999. (RESERVED)

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