

61D-13.001 General Rules.

(1) Chapter 61D-13, Florida Administrative Code, applies to all permitholders and occupational licensees participating in thoroughbred horseracing in Florida.

(2) Prior to the beginning of the meet, permitholder management shall notify the division of the post time of the first race of each performance of the meet.

(3) Racing permitholders shall at all times maintain their track surfaces in good condition and shall have proper implements to maintain a uniform track surface, weather conditions permitting.

(4) Any person who exercises, breezes, or races horses on the permitholder's grounds shall wear a protective helmet and vest.

(5) It shall be a violation of these rules for any person to:

(a) Leave unattended any needle or syringe in a stall or horse barn.

(b) Smoke in horse stalls, feed rooms, and under the sheds.

(c) Sleep in any of the feed rooms or stalls at any time.

(d) Lock stalls occupied by horses.

(e) Permit open fires anywhere in the stable area, or to use any oil or gas burning lanterns or lamps.

(f) Possess electrical appliances that are not in safe working condition to be used in the stable area.

(g) Permit the accumulation of debris in the alleyway in front of the stalls and blockage of the alleyway that would prevent easy access to each stall door in case of fire.

Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History—New 8-15-04.

61D-13.002 Stewards.

(1) During each racing meet there shall be a Board of Stewards at each thoroughbred permitholder facility which consists of three (3) stewards, one (1) of whom shall be the State Steward selected and hired by the division, and two (2) of whom shall be hired by the permitholder.

(2) The Board of Stewards shall have the authority to enforce the laws of the State of Florida and the rules of the division regarding racing (collectively referred to as the "Racing Laws"), and shall have jurisdiction over all racing officials, occupational licensees, and patrons under the Racing Laws. The Board of Stewards' period of authority shall commence at the beginning of each race meet and shall terminate with the completion of their business pertaining to the race meet, which may include hearings, which occur after the race meet, for disciplinary action for violations occurring during the race meet. No racing official other than the stewards shall have the right to impose a fine or suspension of license for a violation of state laws or rules.

(3) The Board of Stewards shall take notice of alleged misconduct or violations of the Racing Laws, and initiate investigations into alleged misconduct or violations. The Board of Stewards shall investigate promptly and render a decision in every protest, objection and complaint made under the Racing Laws. They shall maintain a record of all protests, objections and complaints. The Board of Stewards shall file daily with the division and the permitholder a copy of each protest, objection or complaint and any related ruling.

(4) The Board of Stewards shall conduct all proceedings in accordance with the provisions of Rule 61D-3.001, Florida Administrative Code. The State Steward shall be the presiding steward in any hearings or proceedings conducted by the Board of Stewards in regard to the Racing Laws. The Board of Stewards shall impose any of the following penalties on an occupational licensee for a violation of the Racing Laws:

- (a) Issue a reprimand or suspend imposition of a penalty pending a similar violation;
- (b) Impose a civil penalty not to exceed \$1,000 for each count or separate offense;
- (c) Scratch or disqualify a horse from racing;
- (d) Require forfeiture or redistribution of a purse or award, when specified by law;
- (e) Suspend a license for not more than sixty (60) days for each count or separate; or
- (f) Impose any combination of penalties as set forth in paragraphs (a) through (f) of this rule.

(5) For racing violations, notice of hearings of the Board of Stewards shall be oral notice to the licensee. Failure to appear at the time and place designated shall automatically result in suspension until appearance. The Board of Stewards shall grant a continuance of hearing for a reasonable length of time upon good cause being shown. Good cause shown shall include, but is not necessarily limited to, the availability of the results of a split sample requested pursuant to Section 550.2415(5), Florida Statutes, the availability of witnesses or other matter outside of the control of the parties involved in the hearing.

(6) Each of the stewards shall be present in the Board of Stewards' stand during the running of each race. The Board of Stewards shall have the authority to interpret and enforce the Racing Laws, and to decide all questions regarding racing relating to the Racing Laws.

(7) The decision of the Board of 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 the purposes of distribution of the pari-mutuel wagering pool. When the stewards determine that a horse shall be disqualified for interference, they shall place the offending horse behind any such horse or horses as in their judgment such horse interfered with, or if the interference was intentional, placed other horses and jockeys at risk of injury or altered the finishing position of the horse or horses interfered with, they shall place it last.

(8) The Board of Stewards has the authority to cancel wagering on an individual betting interest or on an entire race and also has the authority to cancel a pari-mutuel pool for a race or races, if such action is necessary to protect the integrity of pari-mutuel wagering.

(9) The stewards shall, within 72 hours after the close of each racing day, file with the division, a signed report of any and all infractions of the laws and rules coming under their observation, and shall file with the division any and all rulings on infractions or otherwise as soon as said rulings are made.

Specific Authority 120.80(4)(a), 550.0251(3), (11), 550.1155 FS. Law Implemented 120.80(4)(a), 550.0251, 550.1155 FS. History--New 8-15-04.

61D-13.003 Jockeys.

(1) Each jockey and apprentice jockey must obtain an occupational license from the division and abide by the rules outlined in this section. References to jockeys under this section shall be deemed to include apprentice jockeys.

(2) A jockey shall fulfill all riding engagements unless excused by a licensed physician. If a jockey fails to fulfill all riding engagements for any reason (including excused absentees), then the jockey will not be permitted to ride on the subsequent race day even if the jockey has been previously engaged to do so. Notwithstanding the foregoing, the Board of Stewards may grant a jockey relief from the provisions of this rule, but only in the event good cause is demonstrated by the jockey. Good cause shall include, but not necessarily be limited to, an event beyond the jockey's control or the jockey being committed to participate in a race designated as a stakes race by the permitholder.

(3) A jockey under temporary suspension shall not ride in a race during the period of the suspension except that the jockey may fulfill any designated stake race engagements on file with the stewards at the beginning of the meet.

(4) No jockey shall make a bet on any race nor accept the promise or the token of any bet, with respect to the race in which the jockey is participating, except through or from the owner or trainer of the horse the jockey rides, and then only on that horse to win or place first in any multiple horse type wager.

(5) The use of spurs by a jockey is prohibited.

(6) Jockeys shall keep their feet in the stirrups at all times during the race.

Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History–New 8-15-04.

61D-13.004 Maintaining a Straight Course.

(1) If the stewards determine that a racing infraction was intentional, or due to careless riding or driving, the jockey shall be held responsible.

(2) When the way is clear in a race, a horse may be ridden or driven to any part of the course, but if any horse swerves, or is ridden to either side so as to interfere with, impede, or intimidate any other horse, it is a racing infraction.

(3) The offending horse shall be disqualified if, in the opinion of the stewards, the racing infraction altered the outcome of the race, regardless of whether the infraction was accidental, willful, or the result of careless riding.

(4) A horse crossing another horse so as actually to impede that horse shall be disqualified, unless the impeded horse was partly in fault or the crossing was wholly caused by the fault of some other horse or jockey.

(5) If a horse or jockey jostles another horse, the aggressor shall be disqualified, unless the jostle was wholly caused by the fault of some other horse or jockey or had no impact upon the outcome of the race.

(6) If a jockey willfully strikes another horse or jockey, or rides willfully or carelessly so as to injure another horse which is in no way in fault, or so as to cause other horses to do so, his horse is disqualified.

(7) When a horse is disqualified under the rules, the other horse or horses in the same race coupled as an entry shall be disqualified, unless the stewards determine that the offense committed by the horse or jockey did not assist the coupled horse or horses.

(8) Complaints under this rule can only be received from the owner, trainer, or jockey of the horse alleged to be aggrieved and must be made to the Outrider, Clerk of Scales or to the stewards prior to the race being made official. Nothing in this section shall prevent the stewards taking notice on their own recognizance of a riding or driving foul.

(9) Any jockey against whom a foul is claimed shall be given the opportunity to present his case to the stewards before they make any decision.

(10) A jockey whose horse has been disqualified or who unnecessarily causes his horse to shorten its stride with a view to complain or so as to give the appearance of having suffered a racing infraction, or an owner, trainer or jockey who complains frivolously that his horse has been crossed or jostled, shall be disciplined pursuant to subsection 61D-13.002(4), Florida Administrative Code.

(11) All horses and jockeys are expected to give their best effort to win all races in which they participate, and any instructions or advice to the jockeys, or any handling of their horses by the jockeys other than for the purpose of winning are forbidden. All persons violating this rule will be subject to fines or license suspension, or both, by the stewards.

(12) The decision of the stewards as to the extent of a disqualification of any horse in any race shall be final.

Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History—New 8-15-04.

61D-13.005 Disqualification.

(1) When the stewards determine that a horse shall be disqualified for interference, they shall place the offending horse behind such horse or horses it interfered with. However, if the interference was intentional, placed other horses and jockeys at risk of injury or altered the finishing position of the horse or horses interfered with, they shall place it last.

(2) Possession of any electrical or mechanical stimulating or shocking device by a jockey, horse owner, trainer, or other person authorized to handle or attend to a horse, shall be grounds for the stewards to scratch or disqualify the horse and impose penalties upon the possessors of such devices pursuant to subsection 61D-13.002(4), Florida Administrative Code.

(3) The stewards shall determine the appropriate placement or whether a horse shall be unplaced for the purpose of purse distribution for a violation of Section 550.2415(1)(a), Florida Statutes.

Specific Authority 550.0251(3), (11), 550.2415(13) FS. Law Implemented 550.0251, 550.2415 FS. History—New 8-15-04.

61D-13.006 Use of Whips.

Specific Authority 550.0251(3), (11), 550.1155 FS. Law Implemented 550.0251, 550.1155 FS. History—New 8-15-04, Amended 1-4-05, Repealed 12-30-08.