

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Racing Rules
- 2) Code Citation: 11 Ill. Adm. Code 1318
- 3) Section Number: 1318.90 Adopted Action:
Amendment
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rulemaking: March 1, 2016
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's central office and is available for public inspection.
- 9) Notice of Proposal Published in *Illinois Register*: 39 Ill. Reg. 7408; May 29, 2015
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? Yes
- 13) Will these amendments replace any emergency amendments currently in effect? No
- 14) Are there any other proposed amendments pending in this Part? No
- 15) Summary and purpose of rulemaking: This rulemaking will help ensure the welfare of the horse and promote the safety of the racing participants. Drivers of standardbred horses shall keep a line in each hand from the start of the race until the 7/8 mile pole or the beginning of the open stretch, whichever applies. One-handed whipping from the beginning of the 7/8 mile pole, or the open stretch, to the finish of the race is restricted to elbow and wrist action only. The whipping arm shall not be raised above shoulder height or behind the driver. This rulemaking also increases existing penalties for violations of the whip rule.

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

- 16) Information and questions regarding this adopted amendment shall be directed to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph
Suite 5-700
Chicago, Illinois 60601

(312) 814-5017
Mickey.ezzo@illinois.gov

The full text of the Adopted Amendment begins on the next page:

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER f: RULES AND REGULATIONS OF HARNESS RACING

PART 1318
RACING RULES

Section

1318.10	Racing Conduct
1318.20	Complaints
1318.30	Disqualification of Entries
1318.40	Penalties
1318.50	Unsatisfactory Driving
1318.60	Driver Substitution
1318.70	Failure to Finish
1318.80	Improper Conduct
1318.90	Use of the Whip
1318.100	Goading Devices (Repealed)
1318.110	Accidents
1318.120	Use of Hopples
1318.130	Breaking
1318.140	Breaking on Purpose
1318.150	Call Out Breaks
1318.160	Right of Course
1318.170	Penalties
1318.180	Harness Tracks Without a Continuous Hub Rail
1318.190	Open Stretch Racing

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Published in Rules and Regulations of Harness Racing (original date not cited in publication); adopted December 22, 1977, filed December 30, 1977; codified at 5 Ill. Reg. 10945; amended at 5 Ill. Reg. 13719, effective December 2, 1981; emergency amendment at 15 Ill. Reg. 15610, effective October 10, 1991, for a maximum of 150 days; emergency expired March 8, 1992; amended at 16 Ill. Reg. 7489, effective April 27, 1992; amended at 17 Ill. Reg. 19303, effective October 25, 1993; amended at 22 Ill. Reg. 7049, effective May 1, 1998; amended at 28 Ill. Reg. 14658, effective November 1, 2004; amended at 29 Ill. Reg. 14043, effective September 1, 2005; amended at 30 Ill. Reg. 9188, effective May 1, 2006; amended at

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

34 Ill. Reg. 2324, effective January 27, 2010; amended at 35 Ill. Reg. 8500, effective May 23, 2011; amended at 40 Ill. Reg. _____, effective March 1, 2016.

Section 1318.90 Use of the Whip

- a) Drivers will be allowed whips not to exceed 4 feet in total length plus a snapper not longer than 6 inches. All whips are subject to inspection and measurement by the Board. Whips shall not be modified and snappers shall not be knotted. ~~Alteration of whips, in any manner, shall be considered a violation of this Section.~~
- b) Whipping below the shafts, including but not limited to the stifle area, is prohibited.
- c) The following actions shall be considered as ~~include, but not limited to~~, excessive and/or abusive:
 - 1) Whipping a horse during a post parade, scoring down, or after the finish of a race, except when necessary to control the horse;
 - 2) Use of the ~~butt end of the whip~~ as a poking or goading device;
 - 3) Striking any part of the horse under the tail ~~and/or~~ between the legs;
 - 4) Whipping a horse that is not advancing or is out of contention ~~no longer in contention and showing no response to the whip~~;
 - 5) Causing visible injury; ~~or~~
 - 6) Use of any object or stimulating device ~~and/or application~~.
- d) Whipping a horse during the race, when it is necessary to control the horse, shall not be considered excessive and/or abusive.
- e) Drivers shall keep a line in each hand from the start of the race until the beginning of the open stretch or the 7/8 mile pole, as applicable. One-handed whipping from the beginning of the open stretch or the 7/8 mile pole to the finish of the race is restricted to elbow and wrist action only. The whipping arm shall not be raised above shoulder height or behind the driver. One-handed whipping shall be prohibited entering the stretch the first time on a 1/2 mile racetrack.

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

f) Penalties

1) Penalties for violation of any of the provisions of this Section are as follows:

1A) 1st offense – minimum fine of \$200~~\$100 fine~~ to a maximum fine of \$500;

2B) 2nd offense within a 365 day period after the 1st offense – minimum fine of \$400~~\$300 fine~~ to a maximum fine of \$1,000;

3C) 3rd offense within a 365 day period after the 1st offense – minimum fine of \$1,000~~\$500 fine~~ and a 7~~3~~ day suspension;

4D) For a 4th or subsequent offense within a 365 day period after the 1st offense - minimum fine of \$2,000~~\$1,000 fine~~ and a 10~~5~~ day suspension.

2) ~~Subsequent offenses shall be referred to the Board for determination of penalties.~~

(Source: Amended at 40 Ill. Reg. _____, effective March 1, 2016)