

ILLINOIS REGISTER
ILLINOIS RACING BOARD
NOTICE OF ADOPTED RULES

PART 1305
RACE TRACK OPERATORS AND THEIR DUTIES

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Section 1305.10 Definition of Race Track Operator

The term "operator" means an individual, firm, racing association, partnership, corporation, trustee or legal representative, licensed to conduct harness race meets under the provisions of the Illinois Horse Racing Act of 1975.

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Section 1305.20 Application

Application for licenses to conduct harness racing meets shall be made on forms furnished by the Board. Such applications shall be verified under oath. If circumstances change or events occur after the application is filed so that the application no longer presents the correct facts, the applicant shall submit an amended answer to the question of the application form so affected.

Section 1305.30 Time for Filing Applications

- a) All applications for licenses to conduct race meetings for each calendar year shall be filed with the Board prior to November 1 of any year. The Board may receive applications at a subsequent date if unusual need can be proven to the Board's satisfaction.*
- b) When the Board approves an application and notifies said applicant of its approval, that applicant shall within 10 days after receipt of the written notice of approval deliver to the Board the total per diem fee for the entire race meeting and file with the Board the bond required by section 20 (j) of the Illinois Harness Racing Act of 1975.
- c) Failure to comply with the 10-day time limit shall cause the application for license to be considered withdrawn and of no effect.

*(Editor's Note: Section 20 of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch.8, par. 37-20) provides that subsequent to November 1975 applications shall be filed with the Board prior to September 1 of the year in which application is made.)

Section 1305.40 Conditions of License

Imposed on each race track operator is the duty of enforcing the Rules and Regulations imposed by the Board under which the licenses are granted, the Board reserving the right to amend, alter or repeal any rule, regulation or condition herein imposed or to supplement said Rules and Regulations by giving the race track operator three days' notice, except where shorter notice is herein otherwise provided.

Section 1305.50 Written Disclosure

Prior to November 1 of any year, all officers, directors, creditors, and substantial owners of any beneficial interest of every association, corporation or other business entity desiring to hold or conduct a race meeting within the State of Illinois during any calendar year shall make a written disclosure on forms prescribed by the Board for approval of their participation in racing in the State of Illinois. Said forms shall be submitted under oath as prescribed in the form. A person owning 5 per cent or more of the equity of an applicant for racing dates shall be considered a substantial owner for the purposes of this rule. A person extending credit for more than one year or extending credit in excess of \$10,000 for less than one year, but more than 30 days, shall be considered a creditor for purposes of this

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rule, provided that, a horseman to whom moneys are owed as reflected in accounts maintained by the horsemen's bookkeeper shall not be considered a creditor.

Section 1305.55 Written Disclosure for Corporations

Where a corporation owns 25 percent or more of the equity of an applicant for dates, holders of 10 per cent or more of its capital stock shall make written disclosure under these rules and regulations on the forms prescribed; provided, however, that this rule shall not apply to any corporation, the securities of which are registered with the Securities and Exchange Commission pursuant to the Securities Act of 1933 and the rules and regulations issued thereunder. Corporations qualifying under this exemption shall file with the Board copies of all papers filed with the Securities and Exchange Commission.

Section 1305.60 Notice of Changes

Within 10 days after election, appointment, acquisition of substantial ownership, or extending of credit, the Board shall be notified of the identity of each new officer, director, substantial owner, or creditor of a race track operator. Each new officer, director, substantial owner, or creditor shall make a written disclosure to the Board on forms prescribed by the Board for approval of their participation in racing in Illinois.

Section 1305.80 Termination of License

Racing dates and the license to conduct a horse race meeting are deemed personal in nature and non-transferable, and will terminate upon a substantial change of ownership of the race track operator, unless the Board has granted prior approval. The sale or transfer of 25 per cent or more of the equity of a race track operator shall be considered a substantial change of ownership.

Section 1305.90 Wagering on Races Conducted Off of Premises

No race track operator conducting a race meeting under a license issued by the Board shall permit bets to be made on the grounds of said race track operator on any race held outside of the grounds, and no foreign book or gambling device of any kind shall be permitted on said grounds.

Section 1305.100 Reciprocal Suspensions

No race track operator shall permit any person who is under suspension by, or has been ruled off the member courses of the United States Trotting Association, or by any state racing commission, to participate in any manner in a harness racing meet licensed by the Board, or in the conduct of such meet.

Section 1305.110 Horse Ambulance

There shall be a horse ambulance at all race tracks under the jurisdiction of the Board for the safe and expedient removal of crippled animals from the track. Horse ambulances must

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be equipped with a screen for use when an animal must be destroyed in view of the general public, a winch to lift dead or injured animals on to the ambulance, and a removable floor or other satisfactory device for the safe loading of a recumbent horse. Drugs for use by the State Veterinarians, when emergency medication is required, shall be stored in a locked box under their continuous, direct supervision.

Section 1305.140 Emergency Medical Services

Each organization licensee shall submit its emergency medical services plan to the Board, for the Board's approval, thirty (30) days prior to the start of its meet. The plan shall include all information relative to emergency medical services to be provided to racing participants and patrons, including but not limited to the name of any resource hospitals, agreements with any ambulance services (private and municipal), and the number and certification level of all emergency medical technicians. In approving an emergency medical service plan the Board shall consider the proximity of the racetrack to its resource hospital, the size of the racetrack, and the type of racing to be conducted at the racetrack. Each plan shall also be certified by the Illinois Department of Public Health, Division of Emergency Medical Services.

Section 1305.150 Illinois Racing Board Office

Each race track operator shall provide within its grounds an office for the use of the members of the Illinois Racing Board or any of its representatives, that meets with the approval of said persons.

Section 1305.180 Judges' Stand

The judges' stand shall be so located and constructed as to afford to the officials an unobstructed view of the entire track and no obstruction shall be permitted upon the track, or the centerfield which shall obscure the officials' vision of any portion of the track during the race. Any violation of this section shall subject the track to a fine not exceeding \$500 and immediate suspension of license.

Section 1305.190 Drivers' Bench

Every race track operator conducting pari-mutuel betting shall provide a bench, located conveniently to the gate through which horses enter the track at the beginning of a race, for drivers who are not competing in a particular race and who are wearing colors.

Section 1305.200 Stabling of Horses

Any horse racing at a licensed meeting must be stabled within the confines of that track; provided, however, in case of necessity such a horse may be stabled within the confines of an adjacent Illinois race track, or in another location approved by the Board. The race track operator holding the race meeting shall provide for temporary stabling of horses, eligible to race, which are brought to the races from approved outside stable space.

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Section 1305.220 Stall Numbers and Distance Poles

Race track operators shall number each stall where horses are quartered and all distance poles shall be of standard color designations, namely:

Quarter poles - red and white, Eighth poles - green and white, and Sixteenth poles - black and white

Section 1305.230 Licensed Outrider

The race track operator shall furnish a licensed outrider who is to be on duty and suitably mounted each day during racing hours. The outrider must display excellent riding ability. Among his duties shall be:

- a) Leading tough horses;
- b) Holding a horse during an equipment change before a race;
- c) Controlling the horses until they reach the gate;
- d) Catching the horses if they stray at the gate or after an accident;
- e) Detouring other horses away from an accident.

Section 1305.240 Drinking Fountains and Rest Rooms

The race track operator shall furnish an adequate number of free drinking fountains, comfort stations, and wash rooms throughout its grounds and buildings for the use of the public.

Section 1305.250 Telephones

Telephone use shall be disallowed in the paddock area, except under the direct supervision of the Board or its delegates.

Section 1305.260 Broadcasting and Telecasting

Permission shall be first secured in writing from the Board before any race track operator may allow the telecast or radio broadcast of any race.

Section 1305.270 Pest Control

The race track operator shall maintain systematic, effective control against flies, mosquitoes, other insects and rats at all times during a meeting. Horses must be stabled in individual box stalls with appropriate feeding and watering facilities. Stables and immediate surrounding areas must be kept in a sanitary condition at all times. Satisfactory drainage must be provided and manure and other refuse must be promptly and

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properly removed. These regulations apply to any stabling areas that the Board has approved for the race track operator. The Board or its official representatives will make periodic inspections of a track. Failure to comply with sanitary practices or provide any pest control will result in loss of racing dates.

Section 1305.280 Alcohol Sales

No race track operator shall sell or permit to be sold, on the backstretch or in any other area used by it for stabling of horses, any alcoholic beverages, beer excepted.

Section 1305.290 Track Lights

- a) Lights used to illuminate the track at night shall not be turned on or off while a race is in progress, or off while horses are on the track. The state steward shall declare a race off if total darkness occurs during the running of a race.
- b) The stable area must be properly lighted, so that it will be entirely void of darkness in all sections; lights will be turned on at dusk and they shall remain on until one hour after the last race.
- c) Parking areas must be properly lighted, so they will be entirely void of darkness in all sections; lights will be turned on at dusk and they shall remain on until one hour after the last race or until all cars have departed, whichever may first occur.
- d) If for any reason the races scheduled for the night cannot be fulfilled by midnight, the stewards will postpone the remaining race or races.

Section 1305.300 Fire Prevention

Race track operators shall make adequate provision for fire prevention, protection against fire, and fire suppression within the enclosure. Before any license is granted, the race track operator must gain approval from the Board of its fire prevention facilities.

Section 1305.310 Backstretch Paging System

Each organization shall have in place a suitable backstretch paging system.

Section 1305.330 Inspection Report

At least 30 days prior to the beginning of any racing meeting, the race track operator shall submit to the Board copies of inspection reports issued by appropriate state or local governmental authorities relating to the condition of the buildings, the health and sanitation of the facilities, and the fire prevention, detection, and suppression equipment at

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the race track at which the racing meeting is to be conducted. Said inspections shall be made no earlier than 45 days prior to the beginning of a racing meeting.

Section 1305.350 Off-Track Betting Agencies of Other States

- a) No race track operator shall, without the prior approval of the Board, enter into or implement an agreement with any legally constituted off-track betting agency of any other state providing for pari-mutuel wagering to be conducted in such state on races held at licensed meetings in Illinois.
- b) Any race track operator seeking Board approval of an agreement with any legally constituted off-track betting agency of any other state shall submit a copy of the proposed agreement together with such request and shall supply such other information relative to the proposal as the Board may require.

Section 1305.370 Reporting of Horsemen's Purse Account

Each organization licensee shall weekly submit to the Board Secretary a report reflecting the current status of the "Horsemen's Purse Account." Said report shall be submitted on forms provided by the Board.

Section 1305.380 Notification of Change

- a) Each organization licensee shall have the authority to change its hours of operation if the hours are different than provided in the licensee's racing dates application subject to notification to the Board. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change of hours of operation.
- b) Each organization licensee shall have the authority to change prices charged for goods and services subject to notification to the Board. Goods and services shall include, but not be limited to, admission prices, parking fees and official racing programs and shall exclude food, beverages, and merchandise. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change.
- c) Each organization licensee shall have the authority to change prices charged for wagering products (subject to Sections 26 and 26.2 of the Act) subject to notification to the Board. Wagering products shall include, but not be limited to, take-out or retention rates and minimum wager amounts. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change.
- d) *The Board may disapprove of any business practices by organization licensees identified in subsection (a), (b) or (c) if the Executive Director finds that such practices are detrimental to the public interest based upon industry standards (e.g. a national survey of comparable race tracks) or opposition from the public or interested parties.*
[230 ILCS 5/20.1]

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