

## **810 KAR 2:010. Racing Commission and administrative staff.**

RELATES TO: KRS 230.230, 230.240

STATUTORY AUTHORITY: KRS 230.240(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.240(1) authorizes the executive director of the commission to employ staff deemed by the executive director to be essential at or in connection with any horse race meeting and in the best interest of racing. This administrative regulation establishes the positions and duties of certain commission staff members.

Section 1. Stewards and Judges. The commission shall employ:

- (1) A chief state steward and presiding judge, responsible for overall supervision of commission matters pertaining to horse racing; and
- (2) A state steward and state judge, responsible for commission matters at horse racing meetings to which he or she is assigned and for other duties as may be directed.

Section 2. Commission Licensing Administrator.

- (1) The commission shall employ a person who shall be responsible for:
  - (a) Processing license applications of persons required to be licensed by 810 KAR 3:020; and
  - (b) Collecting licensing fees.
- (2) The licensing administrator or his or her assistants shall:
  - (a) Be present on association grounds prior to the opening of a race meeting to accept license applications;
  - (b) Maintain an office on association grounds to accept license applications during the race meeting;
  - (c) File daily reports to the commission to include:
    1. A list of license applications; and
    2. An accounting of fees received;
  - (d) Forward fees to the commission; and
  - (e) Be responsible for photographing license applicants for whom same is required.

Section 3. Commission Director of Pari-mutuel Wagering.

- (1) The commission shall employ or designate a supervisor who shall be responsible for:
  - (a) Verifying daily handle for live wagering, simulcast wagering, advance deposit wagering, and historical horse racing wagering;
  - (b) Reviewing advance deposit wagering and totalizator license applications;
  - (c) Overseeing wagering investigations;
  - (d) Testing totalizator services before each race meeting, and ensuring that totalizator standards are met;
  - (e) Reviewing requests for new pari-mutuel wagers;
  - (f) Submitting reports to the Department of Revenue summarizing wagering activities;
  - (g) Reviewing tax statements and totalizator reports for accuracy;
  - (h) Implementing pari-mutuel wagering policies and procedures; and
  - (i) Performing other duties related to pari-mutuel wagering as the commission or the executive director may assign.
- (2) The commission director of pari-mutuel wagering or his or her representative shall have access to association books, records, and pari-mutuel equipment.

Section 4. Commission Veterinarian. The commission shall employ a veterinarian licensed in Kentucky and experienced in equine medicine and practice.

- (1) The commission veterinarian shall:
  - (a) Advise the commission on matters related to equine health and the practice of veterinary medicine;

- (b) Supervise and control the detention area;
  - (c) Direct and supervise the collection of samples for the testing of horses for prohibited medication;
  - (d) Inspect and record findings concerning racing soundness for horses entered;
  - (e) Maintain and post on the commission website the veterinarian's list of horses that are ineligible to race because of sickness or unsoundness;
  - (f) Report observed cruel or inhumane treatment of horses to the stewards;
  - (g) Be attendant on the stewards and the racing secretary at scratch time each day;
  - (h) Examine horses as racing officials may request;
  - (i) Make prompt reports to racing officials;
  - (j) Be present in the paddock for saddling;
  - (k) Inspect the horses for:
    - 1. Physical fitness;
    - 2. General conditions; and
    - 3. Any unsoundness;
  - (l) Accompany each field to the starting gate;
  - (m) Observe horses after the finish of each field.
- (2) The commission veterinarian shall have the authority to determine that:
- (a) A horse has suffered an injury:
    - 1. While in the paddock;
    - 2. During the post parade; or
    - 3. At the starting gate; and
  - (b) A horse is unfit to race. Upon such a determination, the commission veterinarian shall recommend to the stewards that the horse be excused and placed on the veterinarian's list.
- (3) Upon the request of the stewards or judges, a horse requested to be scratched for physical reasons after scratch time shall be inspected by a commission veterinarian, who shall report the condition of the horse to the stewards or judges.
- (4) Except as provided in 810 KAR 8:010, Section 6, the commission veterinarian shall not:
- (a) Treat, prescribe, or sell any drug supplies for any horse registered to race at a race track where the veterinarian is employed, except in case of emergency;
  - (b) Buy or sell, for himself or another, a horse under his or her supervision;
  - (c) Be employed by or receive any compensation whether directly or indirectly from any licensed owner or trainer;
  - (d) Wager on a race under his or her supervision;
  - (e) Sell Equine insurance; or
  - (f) Be licensed to participate in racing in any other capacity.

Section 5. Commission Director of Enforcement. The commission shall employ an investigator experienced in police work who shall:

- (1) Maintain a current file on persons against whom rulings have been issued in racing jurisdictions and reported through the Association of Racing Commissioners International and the breed registry organization applicable to the horse. The file shall as necessary contain reports:
  - (a) Received from law enforcement agencies as to investigations, arrest records, and related information; and
  - (b) As to ejections or exclusions from association grounds in Kentucky and other racing jurisdictions;
- (2) Investigate and ascertain the truth of statements made on license applications;
- (3) Investigate possible infractions of racing rules at the request of the commission or stewards;

- (4) Participate and cooperate with members of the track security, and state and local police on other investigations and conduct pertaining to racing in the Commonwealth;
- (5) Investigate and perform background checks on any person on association grounds or any license applicant whose conduct or reputation reflects on the honesty and integrity of thoroughbred racing or interferes with the orderly conduct of thoroughbred racing; and
- (6) Perform such other duties related to security and enforcement as the commission or the executive director may direct.

Section 6. Director of Incentives and Development. The commission shall employ a director of incentives and development who shall:

- (1) Oversee the operation of statutory breeders' incentive and development funds; and
  - (2) Perform such other duties as the commission or the executive director may direct.
- (45 Ky.R. 1866; 3078; eff. 5-31-2019.)