810 KAR 4:100. Trainers.

RELATES TO: KRS 230.215, 230.260, 230.290, 230.310, 230.320, Chapter 342
STATUTORY AUTHORITY: KRS 230.215(2), KRS 230.310
NECESSITY, FUNCTION, AND CONFORMITY: KRS 23.0215(2) authorizes the Kentucky Horse Racing Commission to promulgate administrative regulations prescribing conditions under which horse racing shall be conducted in Kentucky. KRS 230.310 requires any person who desires to participate in racing in Kentucky to apply to the commission for a license. The function of this administrative regulation is to outline the requirements for trainers to participate in horse racing in Kentucky.

Section 1. Trainer's License Required. A horse shall not be raced in this state unless the trainer has been granted a current trainer's license by the commission.

Section 2. Trainer's License Limitations.

(1) A holder of a trainer's license shall:

(a) Be a person eighteen (18) years of age or older;

(b) Be qualified by experience or competence to care for and train race horses as determined by a standard examination prescribed and given at any time by the stewards; and

(c) Have in his or her charge a horse eligible to race.

(2) A trainer shall not be licensed to train under an assumed or stable name.

(3) A trainer shall not engage in an activity directly or indirectly involving the racing performance of horses on association grounds other than those registered as being in his or her charge.

(4) A licensed trainer shall not also be currently licensed to participate in racing in this state as a jockey, apprentice jockey, jockey's agent, veterinarian, assistant veterinarian, dental technician, farrier, apprentice farrier, or as an association racing department employee, except as established in 810 KAR 4:070.

(5) The commission may deny, suspend, or revoke the trainer's license of the spouse, or any member of the immediate family or household, or a licensee ineligible to hold a trainer's license, unless there is a showing on the part of the applicant or licensed trainer, and the commission so finds, that his or her participation in racing as a trainer shall not circumvent the intent of this administrative regulation by permitting a person, under the control or direction of a licensee ineligible to hold a trainer's license, to serve in essence as a substitute for the ineligible person.

Section 3. Duties and Responsibilities.

(1) In the absence of substantial evidence to the contrary, a licensed trainer shall bear primary responsibility for the proper care, health, training condition, safety, and protection against the administration of prohibited drugs or medication of horses in his or her charge.

(2) A licensed trainer:

(a) Shall register with the racing association security all persons in his or her employ and insure that those persons are duly licensed within twenty-four (24) hours after the employees arrive on association grounds or are employed. Upon discharge of an employee, a trainer shall promptly notify track security and the commission license administrator;

(b) Shall carry workers' compensation insurance covering his or her employees in connection with racing as required by KRS Chapter 342;

(c) Shall register with the racing secretary all horses in his or her charge. A licensed trainer shall not take or keep in his or her charge a horse owned wholly or in part, or controlled by, a person unlicensed as an owner. A licensed trainer shall not assume

responsibility for a horse not under his or her active care and supervision, except as established by subsection (4) of this section;

(d) In the absence of substantial evidence to the contrary, shall bear primary responsibility for horses he or she enters as to eligibility; weight allowance claimed; physical fitness to perform creditably at the distance entered; absence of prohibited drugs or medications; proper shoes, bandages, and equipment; and timely arrival in the saddling paddock. A licensed trainer shall bear joint responsibility with the licensed owner for horses he or she enters as to stakes payments and jockey fees due;

(e) Shall furnish the name of the jockey engaged to ride each horse entered at the time of entry. If no rider has been named at the time of entry or the rider named is unavailable, then the stewards shall name a rider;

(f) Shall personally attend his or horses in the paddock and supervise the saddling thereof, unless excused by the stewards. If a licensed trainer is to be absent from association grounds where his or her horses are stabled, he or she shall provide a substitute to attend the saddling of horses already entered. The substitute shall:

1. Be his or her assistant trainer or another licensed trainer;
2. Be approved by the stewards; and
3. Assume complete responsibility for horses to be entered;

(g) May attend the taking of urine, blood, or other biological sample approved by the commission from a horse in his or her charge by the commission veterinarian, or may delegate one (1) of his or her licensed employees to do so;

(h) Shall maintain the stable area assigned in a clean, neat, and sanitary condition at all times, and ensure that fire-prevention laws established by the racing association are strictly observed; and.

(i) Shall promptly report to the commission veterinarian or stewards any sickness or death of any horse in his or her charge.

Section 4. Ownership Restrictions. A licensed trainer shall not have any interest, by ownership or lease in the racing or breeding qualities, in a horse of which he or she is not the trainer at any race meeting at which the trainer is in charge of a racing stable.

Section 5. Suspension. A horse in the charge of a trainer whose license has been revoked or suspended shall not be permitted to race during such suspension. Upon application by the owners of the suspended horse, the stewards may approve the transfer of the horse to the care of another licensed trainer and, upon the approved transfer, the horse may be entered to race.

Section 6. Assistant Trainer.

(1) A licensed trainer may employ an assistant trainer.

(2) An assistant trainer shall be:

(a) Licensed before acting in on behalf of his or her employer; and

(b) Qualified by experience or competence to care for race horses as determined by a standard examination prescribed and given at any time by the stewards.

(3) A licensed assistant trainer shall assume the same duties and responsibilities as a licensed trainer.

(4) A licensed trainer shall be jointly liable and responsible with his or her licensed assistant trainer for all acts and omissions of the assistant trainer in a racing matter.

(45 Ky.R. 1938; 3126; eff. 5-31-2019.)