Regulatory Analysis

Notice of Intended Action to be published: 491—Chapter 10
"Thoroughbred and Quarter Horse Racing"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 99D.7, 99D.8A, 99D.9, 99D.9B, 99D.10, 99D.11, 99D.22, 99D.23, 99D.25 and 99D.25A

State or federal law(s) implemented by the rulemaking: Iowa Code chapter 99D

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

November 18, 2025	6200 Park Avenue, Suite 100
9 a.m.	Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Iowa Racing and Gaming Commission no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Iowa Racing and Gaming Commission
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Email: barb.blake@iowa.gov

Purpose and Summary

In accordance with Executive Order 10, the Commission is reviewing all of its rules prior to the agency review date of December 31, 2026. The Commission administers and enforces Iowa Code chapter 99D, which authorizes horse racing in Iowa. The Commission is reviewing rules related to racing before 2026 to make any repromulgated rules effective in time for the 2026 racing season, which is scheduled to start in May.

Chapter 10 of the Commission's rules provides standards for thoroughbred and quarter horse racing, including parameters for the track and facilities; conduct guidelines for occupationally licensed racing personnel; and guidelines for other aspects of racing, such as the process for claiming horses in a claiming race.

The proposed rulemaking consolidates or eliminates some rules according to Executive Order 10 while repromulgating others. Some specific subrules are proposed for reorganization into standalone rules. In particular, the proposed rulemaking splits off Commission steward and Commission veterinarian information into a standalone rule and also splits off jockey information into a standalone rule (jockeys were previously included in the same rule as trainers). These proposed changes increase the number of rules but result in a net reduction in word count.

In addition, the proposed rulemaking includes some rules that had been previously discussed with industry stakeholders but not yet completed through the rulemaking process, including amendments to allowable nonsteroidal anti-inflammatory drug levels and revamped jockey agent guidelines. Also, the proposed rulemaking includes some new substantive provisions, such as authorizing the stewards to postpone or cancel races with input from stakeholders, and providing additional details about the process for claiming horses in claiming races.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

The costs of compliance will be borne by licensees or prospective licensees. These classes of persons are already bearing the costs of compliance with Chapter 10.

- **Classes of persons that will benefit from the proposed rulemaking:**

The proposed rulemaking will continue to provide clarity and set expectations for racing officials and other racing participants.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

The proposed rulemaking could impact industry stakeholders by causing them to incur incidental additional costs. One nonexhaustive example could be the cost to obtain appropriate veterinary assistance unburdened by potential conflicts as required by proposed subparagraph 10.9(4)"d"(1).

- **Qualitative description of impact:**

In particular, the portions of the proposed rulemaking that adopt federal standards from the Horseracing Integrity and Safety Authority (HISA) in certain areas are qualitatively beneficial because they promote uniformity across racing jurisdictions including Iowa and reduce patchwork regulatory frameworks as participants move from state to state. In addition, licensees in Iowa already are (or should be) complying with these standards, because HISA's authority preempts State authority with respect to many areas of thoroughbred racing.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The proposed rulemaking is not anticipated to increase implementation and enforcement costs for the Commission.

- **Anticipated effect on State revenues:**

The proposed rulemaking is not anticipated to affect State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The proposed rulemaking is required under Executive Order 10.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

Not applicable.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

HISA sets a uniform federal standard for thoroughbred racing. One option would be to fully adopt the HISA standards in Iowa, significantly reducing the word count in Chapter 10 and deferring in large part to the federal regulations.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Although uniformity can be valuable, a wholesale adoption of HISA standards is not optimal in this circumstance. First, HISA only oversees thoroughbred racing, whereas Chapter 10 also regulates quarter horse racing in Iowa, and quarter horse racing is subject to some important differences in regulation. Second, some provisions in Chapter 10 may helpfully explain or fill in a gap that exists in HISA's regulations. Third, HISA is subject to ongoing federal litigation, so retaining Iowa-specific language, even while adopting HISA standards in a few particular areas, would preserve the Commission's ability to resume all regulation without necessitating significant emergency rulemaking if HISA regulations are later invalidated or repealed.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rules are not anticipated to have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 491—Chapter 10 and adopt the following **new** chapter in lieu thereof:

CHAPTER 10
THOROUGHBRED AND QUARTER HORSE RACING

491—10.1(99D) Definitions. As used in this chapter, unless the context otherwise requires, the following definitions apply:

"Administrator" means the administrator of the commission appointed under Iowa Code section 99D.6(2) or the administrator's designee.

"Age" means the age of a horse calculated from the first day of January of the year of foaling.

"Allowance race" means an overnight race for which eligibility and weight to be carried are determined according to specified conditions that include age, sex, earnings, and number of wins.

"Also eligible" means:

1. A number of eligible horses, properly entered, that were not drawn for inclusion in a race but that become eligible according to preference or lot when an entry is scratched prior to the scratch time deadline; or
2. The next preferred nonqualifier for the finals or consolation from a set of elimination trials that will become eligible in the event a finalist is scratched by the stewards for a rule violation or that is otherwise eligible if written race conditions permit.

"Appeal" means a request for the commission or its designee to investigate, consider, and review any decisions or rulings of stewards.

"Arrears" means all moneys owed by a licensee, including subscriptions, jockey fees, forfeitures, and any default incident to these rules.

"Authorized agent" means a person licensed by the commission and appointed by a written instrument, signed and acknowledged before a notary public by the owner on whose behalf the agent will act.

"Bleeder" means the same as defined in Iowa Code section 99D.25A(1)*"a."*

"Chemist" means any official racing chemist or laboratory designated by the commission.

"Claiming race" means a race in which any horse starting may be claimed (purchased for a designated amount) in conformance with the rules. (More information can be found in the waived claiming rule in paragraph 10.8(15)*"k."*)

"Commission representative" means a gaming representative, steward, or any person designated by the commission or administrator.

"Conditions" means qualifications that determine a horse's eligibility to be entered in a race.

"Contest" means a competitive racing event on which pari-mutuel wagering is conducted.

"Coupled entry" means two or more contestants in a contest that are treated as a single betting interest for pari-mutuel wagering purposes. (See also "entry.")

"Day" means a 24-hour period ending at midnight.

"Dead heat" means when the noses of two or more horses reach the finish line of a race at the same time.

"Declaration" means the act of withdrawing an entered horse from a race prior to the closing of entries.

"Detention barn" means the barn designated for the collection from horses of test samples under the supervision of the commission veterinarian.

"Entry" means a horse made eligible to run in a race; or two or more horses, entered in the same race, that have common ties of ownership, lease, or training. (See also "coupled entry.")

"Facility" means an entity licensed by the commission to conduct pari-mutuel wagering or gaming operations in Iowa.

"Facility premises" means all real property utilized by the facility in the conduct of its race meeting, including the racetrack, grandstand, concession stands, offices, barns, stable area, employee housing facilities, parking lots, and any other areas under the jurisdiction of the commission.

"Field or mutuel field" means a group of two or more horses upon which a single bet may be placed. A mutuel field is required when the number of horses starting in a race exceeds the capacity of the track totalizator. The highest numbered horse within the totalizator capacity and all the higher-numbered horses following are then grouped together in the mutuel field.

"Foreign substances" means all substances, except those that exist naturally in the untreated horse at normal physiological concentration.

"Forfeit" means money due from a licensee because of an error, fault, neglect of duty, breach of contract, or penalty imposed by the stewards or the commission.

"Handicap" means a race in which the weights to be carried by the horses are assigned by the racing secretary or handicapper for the purpose of equalizing the chances of winning for all horses entered.

"Horse" means any equine (including equine designated as a mare, filly, stallion, colt, ridgeling, or gelding) registered for racing, specifically, an entire male five years of age and older.

"Hypodermic injection" means any injection into or under the skin or mucosa, including intradermal injection, subcutaneous injection, submucosal injection, intramuscular injection, intravenous injection, intra-arterial injection, intra-articular injection, intrabursal injection, and intraocular or intraconjunctival injection.

"Inquiry" means an investigation by the stewards of potential interference in a contest prior to declaring the result of said contest official.

"Jockey" means a professional rider licensed to ride in races.

"Meet" or *"meeting"* means the specified period and dates each year during which a facility is authorized by the commission to conduct pari-mutuel wagering on horse racing.

"Nomination" means the naming of a horse to a certain race or series of races generally accompanied by payment of a prescribed fee.

"Nominator" means the person or entity in whose name a horse is nominated for a race or series of races.

"Objection" means:

1. A written complaint made to the stewards concerning a horse entered in a race and filed not later than one hour prior to the scheduled post time of the first race on the day in which the questioned horse is entered; or

2. A verbal claim of foul in a race lodged by the horse's jockey, trainer, owner, or the owner's authorized agent before the race is declared official.

"Official starter" means the official responsible for dispatching the horses for a race.

"Official time" means the elapsed time from the moment the first horse crosses the starting point until the first horse crosses the finish line.

"Overnight race," also known as a purse race, means a contest for which entries close at a time set by the racing secretary.

"Owner" means a person or entity that holds any title, right or interest, whole or partial, in a horse, including the lessee and lessor of a horse.

"Paddock" means an enclosure in which horses scheduled to compete in a contest are saddled prior to racing.

"Performance" means a schedule of 8 to 12 races per day unless otherwise authorized by the commission.

"Post position" means the preassigned position from which a horse will leave the starting gate.

"Post time" means the scheduled time for horses to arrive at the starting gate for a contest.

"Prize" means the combined total of any cash, premium, trophy, and object of value awarded to the owners of horses according to order of finish in a race.

"Purse" means the total cash amount for which a race is contested.

"Purse race" means a race for money or other prize to which the owners of horses entered do not contribute money toward its purse.

"Race" means a running contest between horses ridden by jockeys for a purse, prize, or other reward run at a facility in the presence of the stewards of the meeting. This includes purse races, overnight races and stakes races.

"Recognized meeting" means any meeting with regularly scheduled flat races for horses in a jurisdiction having reciprocal relations with this state and the commission for the mutual enforcement of rulings relating to horse racing.

"Scratch" means the act of withdrawing an entered horse from a contest after the closing of entries.

"Scratch time" means the deadline set by the facility for withdrawal of entries from a scheduled performance.

"Stakes race" means a contest in which nomination (if applicable), entry, and starting fees contribute to the purse. No overnight race is considered a stakes race. Special designations or classifications for stakes races such as "graded stakes" or "black type" will be determined by the appropriate breed registries or recognized authorities.

"Starter" means a horse that becomes an actual contestant in a race by virtue of the starting gate opening in front of it upon dispatch by the official starter.

"Steward" means a duly appointed racing official with powers and duties specified by rules.

"Subscription" means moneys paid for nomination, entry, eligibility, or starting of a horse in a stakes race.

"Test level" means the concentration of a foreign substance found in the test sample.

"Test sample" means any bodily substance, including but not limited to blood, urine, or hair, taken from a horse under the supervision of the commission veterinarian and as prescribed by the commission for the purpose of analysis.

"Totalizator" means the system used for recording, calculating, and disseminating information about ticket sales, wagers, odds, and payoff prices to patrons at a pari-mutuel wagering facility.

"Veterinarian" means a veterinarian holding a current unrestricted license issued by the state of Iowa veterinary regulatory authority and licensed by the commission.

"Winner" means the horse whose nose reaches the finish line first or is placed first through disqualification by the stewards.

"Year" means a calendar year.

491—10.2(99D) Facilities' responsibilities.

10.2(1) *Stalls.* A facility must ensure racing animals are stabled in individual box stalls; that the stables and immediate surrounding area are maintained in approved sanitary condition at all times; that satisfactory drainage is provided; and that manure and other refuse are kept in separate boxes or containers at locations distant from living quarters and are promptly and properly removed.

10.2(2) *Paddocks and equipment.* A facility must ensure that paddocks, starting gates, and other equipment subject to contact by different animals are kept in a clean condition and free of dangerous surfaces.

10.2(3) *Receiving barn and stalls.* A facility must provide a conveniently located receiving barn or stalls for the use of horses arriving during the meeting. The barn must have adequate stable room and facilities, hot and cold water, and stall bedding. A facility must employ attendants to operate and maintain the receiving barn or stalls in a clean and healthy condition.

10.2(4) *Fire safety and prevention.* The facility must develop and implement a program for fire safety and prevention on facility premises in accordance with applicable state fire codes and with Horseracing Integrity and Safety Authority rule 2163—Fire Safety as amended to [effective date of the rulemaking], approved by the Federal Trade Commission. The facility must instruct employees working on facility premises in procedures for fire prevention and evacuation. The facility must, in accordance with state fire codes, prohibit the following:

a. Smoking in horse stalls, in feed and tack rooms, and in the alleyways.

b. Sleeping in feed rooms or stalls.

c. Open fires and oil- or gasoline-burning lanterns or lamps in the stable area.

d. Leaving any electrical appliance unattended or in unsafe proximity to walls, beds, or furnishings.

e. Keeping flammable materials, including cleaning fluids or solvents, in the stable area.

f. Locking a stall that is occupied by a horse.

The facility must post a notice in the stable area that lists the prohibitions outlined in paragraphs 10.2(4)*"a"* through *"f"* above.

10.2(5) *Starting gate.*

a. During racing hours a facility must provide at least two operable padded starting gates that have been approved by the commission.

b. During designated training hours a facility must make at least one starting gate and qualified starting gate employee available for schooling.

c. If a race is started at a place other than in a chute, the facility must provide and maintain in good operating condition backup equipment for moving the starting gate. The backup equipment must be immediately available to replace the primary moving equipment in the event of failure.

10.2(6) *Distance markers.* A facility must provide and maintain starting point markers and distance poles in a size and position that can be clearly seen from the steward's stand. The starting point markers and distance poles will be marked as approved by the stewards.

10.2(7) *Detention enclosure.* Each facility must maintain a detention barn or enclosure for use by the commission.

a. The detention barn will be under the supervision of the commission veterinarian.

b. The detention barn will be used for securing samples of urine, saliva, blood, hair, or other bodily substances or tissues for chemical analysis from horses, or any other tests required by the commission.

c. The detention barn must include a wash rack, a commission veterinarian office, a walking ring, at least four stalls, a workroom for the sample collectors with hot and cold running water, refrigeration, and glass observation windows for viewing of the horses from the office and workroom.

d. An owner, trainer, or designated representative licensed by the commission must be with a horse in the detention barn at all times.

e. A security guard must be in attendance at each access to the detention barn as designated by the commission.

f. The building, location, arrangement, furnishings, and facilities are subject to commission approval.

10.2(8) *Ambulance.* A facility must maintain, on the premises during every day that its track is open for racing or exercising, an ambulance for humans and an ambulance for horses, equipped according to prevailing standards and staffed by medical doctors, paramedics, or other personnel trained to operate them. When an ambulance is used for transfer of a horse or patient to medical facilities, a replacement ambulance must be furnished by the facility to comply with this rule.

10.2(9) *Helmets and vests.* Any person on horseback on facility grounds must wear a protective helmet and safety vest that comply with the safety standards for helmets and vests set forth in the most current edition of the Horseracing Integrity and Safety Authority Rulebook, rule 2293—Equipment as amended to [effective date of the rulemaking], approved by the Federal Trade Commission.

10.2(10) *Racetrack surface and rails.* The surface and rails of a racetrack, including track cushion, subsurface, base, inside rails, and outside rails, must be designed, constructed, and maintained to provide for the safety of the jockeys and horses in accordance with the most current edition of the Horseracing Integrity and Safety Authority Rulebook, rule 2153—Racetrack Facilities, paragraphs (a), (b), and (c) as amended to [effective date of the rulemaking], approved by the Federal Trade Commission.

10.2(11) *Films, recordings, and photographs.* A facility must provide:

a. A video or digital recording system approved by the commission. Cameras must be located to provide clear panoramic and head-on views of each race. Separate monitors, which simultaneously display the images received from each camera and are capable of simultaneously displaying a synchronized view of the recordings of each race for review, must be provided in the stewards' stand. The location and construction of video towers must be approved by the commission.

b. One camera, designated by the commission, to record the prerace loading of all horses into the starting gate and to continue to record until the field is dispatched by the starter.

c. One camera, designated by the commission, to record the apparent winner of each race from the finish line until the horse has returned, the jockey has dismounted, and the equipment has been removed from the horse.

d. At the discretion of the stewards, video camera operators to record the activities of any horses or persons handling horses prior to, during, or following a race.

e. That races run on an oval track be recorded by at least three video cameras. Races run on a straight course must be recorded by at least two video cameras.

f. Upon request of the commission, without cost, a copy of a video recording or photo finish of a race.

g. That video recordings recorded prior to, during, and following each race be maintained by the facility for not less than six months after the end of the race meeting, or such other period as may be requested by the stewards or the commission.

h. A viewing room in which, on approval by the stewards, an owner, trainer, jockey, or other interested individual may view a video recording of a race.

i. Following any race in which there is an inquiry or objection, the replays of the incident in question that were utilized by the stewards in making their decision. The facility will display to the public these replays on designated monitors.

10.2(12) *Communications.*

a. Each facility must provide and maintain in good working order a communication system between:

(1) The stewards' stand;
(2) The racing office;
(3) The tote room;
(4) The jockeys' room;
(5) The paddock;
(6) The test barn;

(7) The starting gate;
(8) The weigh-in scale;
(9) The video camera locations;
(10) The clocker's stand;
(11) The commission veterinarian;
(12) The track announcer;
(13) The location of the ambulances (equine and human); and
(14) Other locations and persons designated by the commission.

b. A facility must provide and maintain a public address system capable of clearly transmitting announcements to the patrons and to the stable area.

491—10.3(99D) Facility policies. It is each occupational licensee's affirmative responsibility and continuing duty to follow and comply with facility policies published in literature distributed by a facility, listed in the condition book, or posted in a conspicuous location.

491—10.4(99D) Racing officials appointed or employed by the commission.

10.4(1) *Stewards.* There will be three stewards for each racing meet. Two stewards will be appointed or employed by the commission and one will be nominated by the facility under rule 491—10.5(99D), subject to commission approval. Facility nominees for the steward position, and biographical information describing the nominees' experience and qualifications, are due to the commission no later than 45 days before a race meeting begins.

a. Stewards' general authority.

(1) General. The board of stewards for each racing meet oversees the conduct of the racing meet in accordance with the laws of this state, the rules adopted by the commission, and the facility's policies and condition book. The stewards have authority to regulate and to resolve conflicts or disputes among all other racing officials, licensees, and those persons addressed by 491—paragraph 4.6(5)*"e"* that are reasonably related to the conduct of a race or races and to discipline violators of these rules in accordance with these rules.

(2) Period of authority. The stewards' authority commences 30 days prior to the beginning of each racing meet and terminates 30 days after the end of each racing meet or with the completion of their business pertaining to the meeting.

(3) Attendance. Three stewards will be present in the stand during the running of each race.

(4) Appointment of substitute. Should any steward be absent at race time, the state stewards will appoint a deputy for the absent steward. If any deputy steward is appointed, the stewards will immediately notify the administrator.

(5) Initiate action. The stewards will take notice of questionable conduct or law or rule violations with or without complaint, will initiate investigations promptly, and will render a decision on every objection and every complaint made to them.

(6) General enforcement provisions. Stewards enforce the laws of Iowa and the rules of the commission. The laws of Iowa and the rules of racing apply equally during periods of racing. They supersede the conditions of a race or meet and, in matters pertaining to racing, the orders of the stewards supersede the orders of the officers of a facility. The decision of the stewards as to the extent of a disqualification of any horse in any race is final.

b. Other powers and authority.

(1) The stewards have the power to interpret the rules and to decide all questions not specifically covered by them.

(2) All questions within their authority are determined by a majority of the stewards.

(3) The stewards have control over and access to all areas of facility premises.

(4) The stewards have the authority to determine all questions arising with reference to entries and racing. Persons entering horses to run at licensed facilities agree in so doing to accept the decision of the stewards on any questions relating to a race or racing. The stewards, in their sole discretion,

are authorized to determine whether two or more individuals or entities are operating as a single financial interest or as separate financial interests. In making this determination, the stewards consider all relevant information, including but not limited to the following:

1. Whether the parties pay bills from and deposit receipts in the same accounts.

2. Whether the parties share resources such as employees, feed, supplies, veterinary and farrier services, exercise and pony riders, tack, and equipment.

3. Whether the parties switch horses or owner/trainer for no apparent reason, other than to avoid restrictions of being treated as a single interest.

4. Whether the parties engage in separate racing operations in other jurisdictions.

5. Whether the parties have claimed horses, or transferred claimed horses, for the other's benefit.

6. If owners, whether one owner is paying the expenses for horses not in the owner's name as owner.

7. If trainers, whether the relationship between the parties is more consistent with that of a trainer and assistant trainer.

(5) The stewards have the authority to discipline, for violation of the rules, any person subject to their jurisdiction and, in their discretion, to impose fines or suspensions or both for infractions.

(6) The stewards have the authority to order the exclusion or ejection from all premises and enclosures of the facility any person who is disqualified for corrupt practices on any race course in any country.

(7) The stewards have the authority to request proof that a horse is itself not disqualified in any respect or nominated by or, wholly or in part, the property of a disqualified person. If proof is not provided to the stewards' satisfaction, the stewards may declare the horse disqualified.

(8) The stewards have the authority at any time to order an examination of any horse entered for a race or that has run in a race.

(9) To maintain necessary safety and health conditions and to protect public confidence in horse racing as a sport, the stewards may authorize one or more persons on their behalf to enter into or upon the buildings, barns, motor vehicles, trailers, or other places within the premises of a facility; to examine the same; to inspect and examine the person, personal property, and effects of any person within such place; and to seize any illegal articles or any items as evidence found.

(10) The stewards will maintain a log of all infractions of the rules and of all rulings of the stewards upon matters coming before them during the race meet.

(11) The state stewards must give prior approval for any person other than the commissioners or commission representative to be allowed in the stewards' stand.

c. Emergency authority.

(1) Substitute officials. When, in an emergency, any official is unable to discharge the official's duties, the stewards may approve the appointment of a substitute and will report the substitution immediately to the administrator.

(2) Substitute jockeys. The stewards have the authority, in an emergency, to place a substitute jockey on any horse in the event the trainer does not do so. Before using that authority, the stewards will in good faith attempt to inform the trainer of the emergency and to afford the trainer the opportunity to appoint a substitute jockey. If the trainer cannot be contacted, or if the trainer is contacted but fails to appoint a substitute jockey and inform the stewards of the substitution by 30 minutes prior to post time, then the stewards may appoint under this rule.

(3) Substitute trainer. The stewards have the authority in an emergency to designate a substitute trainer for any horse.

(4) Excuse horse. In case of accident or injury to a horse, or any other emergency deemed by the stewards before the start of any race, the stewards may excuse the horse from starting.

(5) Exercise authority. No person may exercise a horse on the track between races unless upon the approval of the stewards.

(6) Nonstarter. At the discretion of the stewards, any horse(s) precluded from having a fair start may be declared a nonstarter, and any wagers involving said horse(s) may be ordered refunded.

d. Investigations and decisions.

(1) Investigations. The stewards may, upon direction of the administrator, conduct inquiries and recommend to the commission the issuance of subpoenas to compel the attendance of witnesses and the production of reports, books, papers, and documents for any inquiry. The commission stewards have the power to administer oaths and examine witnesses. The stewards will maintain records of every such inquiry made by them.

(2) Form reversal. The stewards will take notice of any marked reversal of form by any horse and will conduct an inquiry of the horse's owner, trainer, or other persons connected with the horse including any person found to have contributed to the deliberate restraint or impediment of a horse in order to cause it not to win or finish as near as possible to first.

(3) Fouls.

1. Extent of disqualification. Upon any claim of foul submitted to them, the stewards will determine the extent of any disqualification and place any horse found to be disqualified behind others in the race with which it interfered, or may place the offending horse last in the race. The stewards at their discretion may determine if there was sufficient interference or intimidation to affect the outcome of the race and take the appropriate actions thereafter.

2. Jockey guilty of foul. The stewards may discipline any jockey whose horse has been disqualified as a result of a foul committed during the running of a race.

(4) Protests and complaints. The stewards will investigate promptly and render a decision in every protest and complaint made to them. They will keep a record of all protests and complaints and any rulings made by the stewards and will provide regular reports as requested by the administrator.

1. Involving fraud. Protests involving fraud may be made by any person at any time. The protest is made to the stewards.

2. Not involving fraud. Protests, except those involving fraud, may be filed only by the owner of a horse, authorized agent, trainer, or the jockey of the horse in the race over which the protest is made. The protest must be made to the clerk of scales, the stewards, or a person designated by the stewards before the race is declared official. If the placement of the starting gate is in error, no protest may be made, unless entered prior to the start of the race.

3. Protest to clerk of scales. A jockey who intends to enter a protest following the running of any race, and before the race is declared official, must notify the clerk of scales, or a person designated by the stewards, of this intention immediately upon the arrival of the jockey at the scales.

4. Prize money of protested horse. During the time of determination of a protest, any money or prize won by a horse protested or otherwise affected by the outcome of the race will be paid to and held by the horsemen's bookkeeper until the protest is decided.

5. Protest in writing. A protest, other than one arising out of the actual running of a race, must be in writing, signed by the complainant, and filed with the stewards not later than one hour before post time of the race out of which the protest arises.

6. Frivolous protests. No person may make a frivolous protest, nor may any person withdraw a protest without the permission of the stewards.

e. Cancel wagering. The stewards have the authority to cancel wagering on an individual betting interest or on an entire race, and also have 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.

f. Postpone or cancel races. The stewards have the authority to postpone or cancel races upon the advice of the commission veterinarians and after receiving input from the facility, the association or associations representing horse owners, and a jockey representative for one or more of the following reasons:

(1) Inclement weather, including but not limited to lightning or extreme heat or humidity;

(2) Air quality;

(3) Track conditions;

(4) Any other circumstance or condition that may endanger the safety and welfare of horses, racing participants, or both;

(5) Any other circumstance or condition that may call into question the integrity of racing.

10.4(2) *Commission veterinarians.*

a. The commission veterinarians employed or appointed by the commission advise the commission and the stewards on all veterinary and animal welfare matters.

b. The commission veterinarians have supervision and control of the detention barn for the collection of test samples for the testing of horses for prohibited substances as provided in Iowa Code sections 99D.23(2) and 99D.25(9). The commission may employ or appoint persons to assist the commission veterinarians in maintaining the detention barn area and collecting test samples.

c. The commission veterinarians cannot buy or sell any horse under their supervision, wager on a race under their supervision, or be licensed to participate in racing in any other capacity.

d. The stewards or commission veterinarians may request any horse entered in a race to undergo an examination on the day of the race to determine the general fitness of the horse for racing. During the examination, the commission veterinarians may request all bandages be removed by the groom and the horse be exercised outside the stall to determine the condition of the horse's legs and feet. The examining veterinarian will report any unsoundness in a horse to the stewards.

e. A commission veterinarian will inspect all of the horses in a race at the starting gate and, after the finish of a race, will observe the horses upon their leaving the track.

f. The commission veterinarian will place any horse determined to be sick or too unsafe, unsound, or unfit to race on a veterinarian's list that will be posted in a conspicuous place available to all owners, trainers, and officials.

g. A horse placed on the veterinarian's list in Iowa, bleeders exempt, may be allowed to enter only after it has been approved by the commission veterinarian. Any horse placed on the veterinarian's list will be removed from any future race in which the horse has been entered. Requests for the removal of any horse from the veterinarian's list will be accepted only after at least three calendar days have elapsed from the placing of the horse on the veterinarian's list. Removal from the list is at the discretion of the commission veterinarian, who may require satisfactory workouts or examinations to adequately demonstrate that the problem that caused the horse to be placed on the list has been rectified. Horses that are entered to race and then placed on the veterinarian's list for any reason will not be allowed to enter a race for at least three calendar days beginning the day after the horse was scheduled to race.

h. Every confirmed bleeder, regardless of age, will be placed on the bleeder list and be ineligible to race for the following time periods:

(1) First incident – 14 days.

(2) Second incident within 365-day period – 30 days.

(3) Third incident within 365-day period – 180 days.

(4) Fourth incident within 365-day period – barred for racing lifetime.

When counting the number of days a horse is ineligible to run, the day the horse bled externally is the first day of the recovery period. The voluntary administration of furosemide without an external bleeding incident will not subject the horse to the initial period of ineligibility specified in subparagraph 10.4(2)*"h"*(1). A horse may be removed from the bleeder list only upon the direction of the official veterinarian, who must certify in writing to the stewards the recommendation for removal. A horse that has been placed on a bleeder list in another jurisdiction pursuant to these rules will be placed on a bleeder list in this jurisdiction.

i. The commission veterinarians supervise and ensure that the administration of furosemide and phenylbutazone complies with Iowa Code section 99D.25A.

j. The commission veterinarian or commission representative takes receipt of veterinary reports required by Iowa Code section 99D.25(10) and these rules.

491—10.5(99D) Facility racing officials.

10.5(1) *General description.* A facility conducting a race meeting appoints at least the following officials:

a. One of the members of the three-member board of stewards;
b. Racing secretary;
c. Assistant racing secretary;
d. Paddock judge;
e. Horse identifier;
f. Starter;
g. Clocker/timer;
h. Three placing judges;
i. Jockey room custodian;
j. Mutuel manager;
k. Clerk of scales;
l. Minimum of two outriders;
m. Horsemen's bookkeeper; and
n. Any other person designated by the commission.

10.5(2) *Officials' prohibited activities.* No racing official or racing official's assistant(s) listed in subrule 10.5(1) while serving in that capacity during any meeting may engage in any of the following:

a. Conduct prohibited by Iowa Code section 99D.5(5)*"a"*;
b. Participation in the sale, purchase, or ownership of any horse racing at the meeting;
c. Involvement in any way in the purchase or sale of any contract on any jockey racing at the meeting;
d. Selling or soliciting horse insurance on any horse racing at the meeting, or any other business sales or solicitation not a part of the official's duties;
e. Accepting or receiving money or anything of value for the official's assistance in connection with the official's duties;
f. Consuming or being under the influence of alcohol or any prohibited substance while performing official duties.

10.5(3) *Single official appointment.* No official appointed to any meeting, except placing judges, may hold more than one official position listed in subrule 10.5(1) unless, in the determination of the stewards or commission, holding more than one appointment would not subject the official to a conflict of interest or duties in the two appointments.

10.5(4) *Racing secretary.*

a. General authority. The racing secretary is responsible for setting the conditions for each race of the meeting, regulating the nomination of entries, determining the amounts of purses and to whom they are due, and recording race results. The racing secretary can permit no person other than licensed racing officials to enter the racing secretary's office or work areas until such time as all entries are closed; drawn; and reviewed for correctness, eligibility, weight allowances, and medications. Exceptions to this rule may only be granted with the stewards' approval.

b. Conditions. The racing secretary establishes the conditions and eligibility for entering the races of the meeting and causes them to be published to owners, trainers, and the commission. Corrections to the conditions must be made before entries are taken.

c. Posting of entries. Upon the closing of entries each day, the racing secretary posts a list of entries in a conspicuous location in the office of the racing secretary and furnishes that list to local media.

d. Stakes and entrance money records. The racing secretary is the caretaker of the permanent records of all stakes, entrance moneys, and arrears paid or due in a race meeting and keeps permanent records of the results of each race of the meeting.

e. Record of racing. The racing secretary will, no later than the day following each race, attach or endorse on the registration certificate of each horse winning in any race the fact of that winning performance and the distance, date of the race, and type or conditions of the race.

f. Daily program. The racing secretary publishes the official daily program, ensuring the accuracy therein of the following information:

(1) The sequence of races to be run and post time for the first race;

(2) The purse, conditions and distance for each race, and current track record for such distance;

(3) The name of licensed owners of each horse, indicated as leased, if applicable, and description of racing colors to be carried;

(4) The name of the trainer and the name of the jockey named for each horse together with the weight to be carried;

(5) The post position and saddle cloth number or designation for each horse if there is a variance with the saddle cloth designation;

(6) The identification of each horse by name, color, sex, age, sire and dam;

(7) A notice that all jockeys will carry approximately three pounds more than the published weight to account for safety equipment (vest and helmet) that is not included in required weighing-out procedures; and

(8) Such other information as may be requested by the association or the commission.

g. Handicapping. The racing secretary, or a handicapper assigned by the racing secretary, assigns the weight to be carried by each horse in a handicap when weights are not stated in the condition of the race:

(1) Scale of weights for age. The scale of weights for age hereinafter listed are carried when conditions of races do not otherwise specify:

Distance	Age	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	Two Years	X	X	X	X	X	X	X	105	108	111	114	114
HALF	Three Years	117	117	119	119	121	123	125	126	127	128	129	129
MILE	Four Years	130	130	130	130	130	130	130	130	130	130	130	130
	Five Years and Up	130	130	130	130	130	130	130	130	130	130	130	130
	Two Years	X	X	X	X	X	X	X	102	105	108	111	111
SIX	Three Years	114	114	117	117	119	121	123	125	126	127	128	128
FURLONGS	Four Years	129	129	130	130	130	130	130	130	130	130	130	130
	Five Years and Up	130	130	130	130	130	130	130	130	130	130	130	130
	Two Years	X	X	X	X	X	X	X	X	96	99	102	102
ONE	Three Years	107	107	111	111	113	115	117	119	121	122	123	123
MILE	Four Years	127	127	128	128	127	126	126	126	126	126	126	126
	Five Years and Up	128	128	128	128	127	126	126	126	126	126	126	126
	Two Years	X	X	X	X	X	X	X	X	X	X	X	X
MILE AND	Three Years	101	101	107	107	111	113	116	118	120	121	122	122
A QUARTER	Four Years	125	125	127	127	127	126	126	126	126	126	126	126
	Five Years and Up	127	127	127	127	127	126	126	126	126	126	126	126
	Two Years	X	X	X	X	X	X	X	X	X	X	X	X
MILE AND	Three Years	98	98	104	104	108	111	114	117	119	121	122	122
A HALF	Four Years	124	124	126	126	126	126	126	126	126	126	126	126
	Five Years and Up	126	126	126	126	126	126	126	126	126	126	126	126
	Two Years	X	X	X	X	X	X	X	X	X	X	X	X
TWO MILES	Three Years	96	96	102	102	106	109	112	114	117	119	120	120
	Four Years	124	124	126	126	126	126	126	125	125	124	124	124
	Five Years and Up	126	126	126	126	126	126	126	125	125	124	124	124

(2) Weights listed.

1. In races of intermediate lengths, the weights for the shorter distance are to be carried.
2. In a race exclusively for two-year-olds, the weight is 122 pounds.
3. In a race exclusively for three-year-olds or four-year-olds, the weight is 126 pounds.

(3) Minimum weight.

1. Thoroughbreds. In all overnight races for two-year-olds, three-year-olds, or four-year-olds and older, the minimum weight is 112 pounds, subject to sex and apprentice allowance. This rule does not apply to handicaps or to races written for three-year-olds and older.

2. Quarter horse and mixed races. In all overnight races for two-year-olds, the weight is 120 pounds; for three-year-olds, the weight is 122 pounds; and for four-year-olds and older, the weight is 124 pounds.

3. Quarter horse and mixed races. In qualifying for a speed index, standard weight is 120 pounds. Should any horse carry less than this amount in a race, one-tenth of a second will be added to the official time for each four pounds or fraction thereof less than 120 pounds.

(4) Sex allowances. In thoroughbred racing, sex allowances are obligatory. Sex allowances will be applied in all thoroughbred races unless the conditions of the race expressly state to the contrary. If the conditions of the race are silent as to sex allowances, a sex allowance will be applied. Sex allowances cannot be declined. Two-year-old fillies are allowed three pounds; mares three years old and older are allowed five pounds before September 1 and three pounds thereafter. Sex allowances are not applicable for quarter horse or mixed races.

(5) Iowa-foaled horse allowance. Iowa-foaled horses that are properly registered and whose papers are stamped, physically or digitally, by the Iowa department of agriculture and land stewardship are allowed an additional three pounds beyond the stated conditions of the race if the race is not limited to Iowa-foaled horses. This allowance does not apply to stakes races.

h. Penalties not cumulative. Penalties and weight allowances are not cumulative unless so declared in the conditions of a race by the racing secretary.

i. Winnings.

(1) All inclusive. For the purpose of the setting of conditions by the racing secretary, winnings are considered to include all moneys and prizes won up to the time of the start of a race, including those races outside the United States. Foreign winnings are determined on the basis of the normal rate of exchange prevailing on the day of the win. The amount of purse money earned is credited in United States currency, and there is no appeal for any loss on the exchange rate at the time of transfer from United States currency to that of another country.

(2) Winnings considered from January 1. Winnings during the year are reckoned by the racing secretary from the preceding January 1.

(3) Winner of a certain sum. "Winner of a certain sum" means the winner of a single race of that sum, unless otherwise expressed in the condition book by the racing secretary. In determining the net value to the winner of any race, the sums contributed by its owner or nominator will be deducted from the amount won. In all stakes races, the winnings will be computed on the value of the gross earnings.

j. Cancellation of a race. The racing secretary has the authority to withdraw, cancel, or change any race that has not been closed. In the event the race is canceled, any and all fees paid in connection with the race will be refunded.

k. Coggins test. The racing secretary will ensure that all horses have a current negative Coggins test. The racing secretary will report all expired certificates to the stewards.

l. Registrations and supporting documents. The racing secretary is responsible for receiving, inspecting, and safeguarding all registrations and supporting documents submitted by the trainer while the horses are located on facility premises. Upon notification from a trainer of an alteration of the sex of a horse, the racing secretary will note such alteration on the certificate of registration. Disclosure is made for the benefit of the public and all documents pertaining to the ownership or lease of a horse filed with the racing secretary are available for public inspection.

10.5(5) *Paddock judge.*

a. General authority. The paddock judge:

(1) Supervises the assembly of horses in the paddock no later than 15 minutes before the scheduled post time for each race;

(2) Maintains a written record of all equipment, inspects all equipment of each horse saddled, and reports any change thereof to the stewards;

(3) Prohibits any change of equipment without the approval of the stewards;

(4) Ensures that the saddling of all horses is orderly, open to public view, and free from public interference and that horses are mounted at the same time and leave the paddock for the post in proper sequence;

(5) Supervises paddock schooling of all horses approved for such by the stewards;

(6) Reports to the stewards any observed cruelty to a horse; and

(7) Ensures that only properly authorized persons are permitted in the paddock.

b. Paddock judge's list.

(1) The paddock judge maintains a list of horses that cannot be entered in a race because of poor or inconsistent behavior in the paddock that endangers the health or safety of other participants in racing.

(2) At the end of each day, the paddock judge provides a copy of the list to the stewards.

(3) To be removed from the paddock judge's list, a horse must be schooled in the paddock and demonstrate to the satisfaction of the paddock judge and the stewards that the horse is capable of performing safely in the paddock.

10.5(6) *Horse identifier.* The horse identifier:

a. When required, ensures the safekeeping of registration certificates and racing permits for horses stabled or racing on facility premises;

b. Inspects documents of ownership, eligibility, registration, or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting;

c. Examines every starter in the paddock for sex, color, markings, microchip, lip tattoo, or digital tattoo for comparison with its registration certificate to verify the horse's identity;

d. Supervises the tattooing, digital tattooing, microchipping or branding for identification of any horse located on facility premises; and

e. Reports to the stewards any horse not properly identified or whose registration certificate is not in conformity with these rules.

10.5(7) *Starter.*

a. General authority. The starter:

(1) Has complete jurisdiction over the starting gate, the starting of horses, and the authority to give orders not in conflict with the rules as may be required to ensure all participants an equal opportunity to a fair and safe start;

(2) Appoints and supervises assistant starters who have demonstrated they are adequately trained to safely handle horses in the starting gate. In emergency situations, the starter may appoint qualified individuals to act as substitute assistant starters;

(3) Assigns the starting gate stall positions to assistant starters and notifies the assistant starters of their respective stall positions on race day before post time for each race;

(4) Assesses the ability of each person applying for a jockey's license in breaking from the starting gate and working a horse in the company of other horses, and makes said assessment known to the stewards; and

(5) Loads horses into the gate in any order deemed necessary to ensure a safe and fair start.

b. Assistant starters. With respect to an official race, the assistant starters cannot:

(1) Handle or take charge of any horse in the starting gate without the expressed permission of the starter;

(2) Impede the start of a race;

(3) Use excessive force, a whip or other device, with the exception of steward-approved tongs, to assist in loading a horse into the starting gate;

(4) Slap, boot, or otherwise dispatch a horse from the starting gate;

(5) Strike or use abusive language to a jockey; or

(6) Accept or solicit any gratuity or payment other than their regular salary, directly or indirectly, for services in starting a race.

c. Starter's list. No horse may start in a race unless approval is given by the starter. The starter maintains a starter's list of all horses that are ineligible to be entered in any race because of poor or inconsistent behavior or performance in the starting gate. Any horse on the starter's list will be refused entry until the horse has demonstrated to the starter that it has been satisfactorily schooled in the gate and can be removed from the starter's list. Schooling will be under the direct supervision of the starter.

10.5(8) *Timer/clocker.*

a. General authority—timer.

(1) The timer must accurately record the official time.

(2) At the end of a race, the timer posts the official running time on the infield totalizator board on instruction by the stewards.

(3) At a facility equipped with an appropriate infield totalizator board, the timer will post the quarter times (splits) for thoroughbred races in fractions as a race is being run. For quarter horse races, the timer will post the official times in hundredths of a second.

(4) For backup purposes, the timer must also use a stopwatch to time all races. In time trials, the timer should ensure that at least two stopwatches are used by the stewards or their representatives.

(5) The timer maintains, and makes available for inspection by the stewards or the commission on request, a written record of fractional and finish times of each race.

b. General authority—clocker.

(1) The clocker will be present during training hours at each track on facility premises that is open for training to identify each horse working out and to accurately record the distances and times of each horse's workout.

(2) Each day, the clocker prepares a list of workouts that includes the name of each horse that worked along with the distance and time of each horse's workout.

(3) At the conclusion of training hours, the clocker delivers a copy of the list of workouts to the stewards and the racing secretary.

10.5(9) *Placing judges.*

a. General authority. The placing judges determine the order of finish in a race as the horses pass the finish line and, with the approval of the stewards, may display the results on the totalizator board.

b. Photo finish.

(1) In the event the placing judges or the stewards request a photo of the finish, the photo finish sign will be posted on the totalizator board.

(2) Following their review of the photo finish, the placing judges, with the approval of the stewards, determine the exact order of finish for all horses participating in the race and will immediately post the numbers of the first four finishers on the totalizator board.

(3) In the event a photo was requested, the placing judges will cause a photograph of said finish to be produced. The finish photograph, when needed, will be used by the placing judges as an aid in determining the correct order of finish.

(4) Upon determination of the correct order of finish of a race in which the placing judges have utilized a photograph to determine the first four finishers, the placing judges will cause said photograph to be displayed publicly in the grandstand and clubhouse areas of the facility.

c. Dead heats.

(1) If the placing judges determine that two or more horses finished the race simultaneously and cannot be separated as to their order of finish, a dead heat will, with the approval of the stewards, be declared.

(2) If one or more of the first four finishers of a race are involved in a dead heat, the placing judges will post the dead heat sign on the totalizator board and cause the numbers of the horse or horses involved to blink on the totalizator board.

10.5(10) *Jockey room custodian.* The jockey room custodian:

a. Supervises the conduct of the jockeys and their attendants while they are in the jockey room;

b. Keeps the jockey room clean and safe for all jockeys;

c. Ensures all jockeys are in the correct colors and wearing the correct arm number before leaving the jockey room to prepare for mounting their horses;

d. Keeps a daily film list as dictated by the stewards and has it displayed in plain view for all jockeys;

e. Keeps a daily program displayed in plain view for the jockeys;

f. Keeps unauthorized persons out of the jockey room;

g. Reports to the stewards any unusual occurrences in the jockey room or infraction of the rules with respect to helmets and vests;

h. Assists the clerk of scales as required;

i. Supervises the care and storage of racing colors; and

j. Assigns to each jockey a locker for the use of storing the jockey's clothing, equipment, and personal effects.

10.5(11) *Mutuel manager.* The mutuel manager is responsible for the operation of the mutuel department. The mutuel manager ensures that any delays in the running of official races caused by totalizator malfunctions are reported to the stewards. The mutuel manager will submit a written report on any delay when requested by the state steward.

10.5(12) *Clerk of scales.* The clerk of scales will:

a. Verify the presence of all jockeys in the jockey room at the appointed time;

b. Verify that each jockey has a current jockey's license issued by the commission;

c. Verify the correct weight of each jockey at the time of weighing out and weighing in and report any discrepancies to the stewards immediately;

d. Oversee the security of the jockey room including the conduct of the jockeys and their attendants;

e. Record all required data on the scale sheet and submit that data to the horsemen's bookkeeper at the end of each race day;

f. Maintain the record of applicable winning races on all apprentice certificates at the meeting;

g. Release apprentice jockey certificates, upon the jockey's departure or upon the conclusion of the race meet;

h. Assume the duties of the jockey room custodian in the absence of such employee; and

i. Promptly report to the stewards any infraction of the rules with respect to riding equipment; safety equipment, including but not limited to helmets and vests; riding crops; or conduct.

10.5(13) *Outrider.*

a. The facility must appoint a minimum of two outriders on the main track for each race of a performance and during workouts. The facility must appoint one outrider on the training track during all workouts. The outriders must be neat in appearance, wear approved helmets with the chin straps securely fastened, and wear approved safety vests while on the main track or training track.

b. The outriders:

(1) Accompany the field of horses from the paddock to the post;

(2) Ensure the post parade is conducted in an orderly manner, with all jockeys and pony riders conducting themselves in a manner in conformity with the best interests of racing as determined by the stewards;

(3) Assist jockeys with unruly horses;

(4) Render assistance when requested by a jockey;

(5) Are present during morning workouts to assist exercise riders as required by regulations;

(6) Promptly report to the stewards any unusual conduct that occurs while performing the duties of an outrider;

(7) Ensure individuals using the track(s) are appropriately licensed; and

(8) Promptly report jockey objections to the stewards after the finish of each race.

10.5(14) *Horsemen's bookkeeper.*

a. General authority. The horsemen's bookkeeper maintains the records and accounts and performs the duties described herein and maintains such other records and accounts and performs such other duties as the facility and commission may prescribe.

b. Records.

(1) The records will include the name, mailing address, social security number or federal tax identification number, and the state or country of residence of each horse owner, trainer, or jockey participating at the race meeting who has funds due or on deposit in the horsemen's account.

(2) The records will include a file of all required statements of partnerships, syndicates, corporations, assignments of interest, lease agreements, and registrations of authorized agents.

(3) All records of the horsemen's bookkeeper must be kept separate and apart from the records of the facility.

(4) All records of the horsemen's bookkeeper including records of accounts and moneys and funds kept on deposit are subject to inspection by the commission at any time.

c. Moneys and funds on account.

(1) All moneys and funds on account with the horsemen's bookkeeper must be maintained:

1. Separate and apart from moneys and funds of the facility;
2. In a trust account designated as "horsemen's trust account"; and
3. In an account insured by the Federal Deposit Insurance Corporation.

(2) The horsemen's bookkeeper must be bonded.

d. Payment of purses.

(1) The horsemen's bookkeeper receives, maintains, and disburses the purses of each race and all stakes, entrance money, jockey fees, purchase money in claiming races, all applicable taxes, and other moneys that properly come into the horsemen's bookkeeper's possession in accordance with the provisions of commission rules.

(2) The horsemen's bookkeeper may accept moneys due, belonging to other organizations or recognized meetings, provided prompt return is made to the organization to which the money is due.

(3) The horsemen's bookkeeper will disburse the purse of each race and all stakes, entrance money, and jockey fees, upon request, within two race days of the conclusion of the race day for all horses that were not selected for postrace drug testing.

(4) For horses that were selected for postrace drug testing, the horsemen's bookkeeper will disburse the purse of such horses for each race and all stakes, entrance money, and jockey fees, upon request, within two race days of receipt of notification that all tests with respect to such horses have cleared the drug testing laboratory (commission chemist) as reported by the stewards. Minimum jockey mount fees may be disbursed prior to notification that the tests have cleared the testing laboratory.

(5) Absent a prior request, the horsemen's bookkeeper will disburse moneys to the persons entitled to receive same within 15 days after the last race day of the race meeting, including purses for official races, provided that all tests with respect to such horses that have been selected for postrace drug testing have cleared the drug testing laboratory as reported by the stewards, and provided further that no protest or appeal has been filed with the stewards or the commission.

(6) If a protest or appeal has been filed with the stewards or the commission, the horsemen's bookkeeper will disburse the purse of such horses having been selected for postrace drug testing within two race days of receipt of dismissal or a final nonappealable order disposing of such protest or appeal.

e. No portion of purse money other than jockey fees may be deducted by the facility for itself or for another, unless so requested in writing by the person to whom purse moneys are payable or the person's duly authorized representative. The horsemen's bookkeeper will mail to each owner a duplicate of each record of all deposits, withdrawals, or transfers of funds affecting the owner's racing account at the close of each race meeting.

f. Purse money presumption. The fact that purse money has been distributed prior to the issuance of a laboratory report is not a finding that no chemical substance has been administered, in violation of these rules, to the horse earning the purse money.

10.5(15) *Patrol judges.*

a. General authority. A facility may employ patrol judges who observe the running of the race and report information concerning the running of the race to the stewards.

b. Duty stations. Each patrol judge will have a duty station assigned by the stewards.

491—10.6(99D) Trainers and assistant trainers.

10.6(1) *Trainer responsibility.*

a. The trainer is responsible for:

(1) The condition of horses entered in an official workout or race and, in the absence of substantial evidence to the contrary, for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses, regardless of the acts of third parties. A positive test for a prohibited drug, medication, or substance, including permitted medication in excess of the maximum allowable level, as reported by a commission-approved laboratory, is prima facie evidence of a violation of this rule or Iowa Code chapter 99D.

(2) Preventing the administration of any drug, medication, or other prohibited substance that may cause a violation of these rules. An "in-today" sign must be placed by 8 a.m. on race day next to the stall of a horse that is scheduled to race on that day. For horses shipping in on race day, the sign must be placed upon the horse's arrival.

(3) Any violation of rules regarding a claimed horse's participation in the race in which the trainer's horse is claimed.

(4) The condition and contents of stalls, tack rooms, feed rooms, sleeping rooms, and other areas that have been assigned to the trainer by the facility and maintaining the assigned stable area in a clean, neat, and sanitary condition at all times.

(5) Ensuring that fire prevention rules are strictly observed in the assigned stable area.

(6) Being present to witness the administration of furosemide during the administration time and sign as the witness on the affidavit form. A licensed designee of the trainer may witness the administration of the furosemide and sign as the witness on the affidavit form; however, this designee cannot be another practicing veterinarian or veterinary assistant. If the trainer or designee is not present or does not allow for the administration of furosemide to a horse to be run on furosemide, said horse will be placed on the steward's list for a minimum of five days starting the day after the violation.

(7) The proper identity, custody, care, health, condition, and safety of horses in the trainer's charge.

(8) Disclosure to the racing secretary of the true and entire ownership of each horse in the trainer's care, custody, or control. Any change in ownership must be reported immediately to, and approved by, the stewards and recorded by the racing secretary. The disclosure, together with all written agreements and affidavits setting out oral agreements pertaining to the ownership for or rights in and to a horse, must be attached to the registration certificate for the horse and filed with the racing secretary.

(9) Training all horses owned wholly or in part by the trainer that are participating at the race meeting.

(10) Registering with the racing secretary each horse in the trainer's charge within 24 hours of the horse's arrival on facility premises.

(11) Ensuring that, at the time of arrival at the facility, each horse in the trainer's care is accompanied by a valid health certificate that is filed with the racing secretary.

(12) Having each horse in the trainer's care that is racing or stabled on facility premises tested for equine infectious anemia (EIA) in accordance with state law and for filing evidence of such negative

test results with the racing secretary. The test must have been conducted within the previous 12 months and must be repeated upon expiration. The certificate must be attached to the foal certificate or otherwise accessible by the commission or racing association.

(13) Using the services of those veterinarians licensed by the commission to attend horses that are on facility premises.

(14) Properly recording the sex of the horses in the trainer's care with the horse identifier and the racing secretary and immediately reporting the alteration of the sex of a horse in the trainer's care to the horse identifier and the racing secretary.

(15) Promptly reporting to the racing secretary and the commission veterinarian any horse on which a posterior digital neurectomy (heel nerving) has been performed and ensuring that such fact is designated on its certificate of registration. More information can be found in Iowa Code section 99D.25(1) through 99D.25(3).

(16) Promptly reporting to the stewards and the commission veterinarian the serious illness of any horse in the trainer's charge.

(17) Promptly reporting the death of any horse in the trainer's care on facility premises to the stewards, owner, and the commission veterinarian and complying with Iowa Code section 99D.25(5) governing postmortem examination.

(18) Maintaining a knowledge of the medication record and status of all horses in the trainer's care.

(19) Immediately reporting to the stewards and the commission veterinarian if the trainer knows, or has cause to believe, that a horse in the trainer's custody, care, or control has received any prohibited drugs or medication.

(20) Representing an owner in making entries and scratches and in all other matters pertaining to racing.

(21) Eligibility of horses entered and weight or other allowance claimed.

(22) Ensuring the fitness of a horse to perform creditably at the distance entered.

(23) Ensuring that the trainer's horses are properly shod, bandaged, and equipped.

(24) Presenting the trainer's horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered. Any horse failing to report to the paddock will be placed on the steward's list for a minimum of five days starting the day after the violation.

(25) Personally attending to the trainer's horses in the paddock and supervising the saddling thereof, unless excused by the stewards.

(26) Instructing the jockey to give the jockey's best effort during a race and instructing the jockey that each horse must be ridden to win.

(27) Witnessing the collection of bodily substances, including but not limited to urine, blood, or hair sample, from the horse in the trainer's charge or delegating a licensed employee or the owner of the horse to do so.

(28) Notifying horse owners upon the revocation or suspension of their trainer's license. A trainer whose license has been suspended for more than 30 days, whose license has expired or been revoked, or whose license application has been denied must inform the horse owners that, until the license is restored, the trainer can no longer be involved with the training, care, custody or control of their horses, nor receive any compensation from the owners for the training, care, custody or control of their horses. Upon application by the horse owner, the stewards may approve the transfer of such horse(s) to the care of another licensed trainer, and upon such approved transfer, such horse(s) may be entered to race. Upon transfer of such horse(s), the inactive trainer must not be involved in any arrangements related to the care, custody or control of the horse(s) and must not benefit financially or in any other way from the training of the horse(s).

(29) Ensuring that all individuals in their employ are properly licensed by the commission.

b. Restrictions on wagering. A trainer with a horse(s) entered in a race may wager only on that horse(s) or that horse(s) in combination with other horses.

10.6(2) *Assistant trainers.*

a. Upon the demonstration of a valid need, a trainer may employ an assistant trainer as approved by the stewards. The assistant trainer must be licensed prior to acting in such capacity on behalf of the trainer.

b. Qualifications for obtaining an assistant trainer's license will be prescribed by the stewards and the commission and may include requirements set forth in 491—Chapter 6.

c. An assistant trainer may substitute for and assume the same duties, responsibilities and restrictions as are imposed on the licensed trainer, in which case the trainer is jointly responsible for the assistant trainer's compliance with the rules.

10.6(3) *Substitute trainers.*

a. A trainer absent for more than five days from responsibility as a licensed trainer, or on a day in which the trainer has a horse in a race, must obtain another licensed trainer to substitute.

b. A substitute trainer must accept responsibility for the horses in writing and must be approved by the stewards.

c. A substitute trainer and the absent trainer are jointly responsible as absolute insurers of the condition of their horses entered in an official workout or race.

491—10.7(99D) Jockeys, apprentice jockeys, and jockey agents.

10.7(1) *Jockey responsibility.*

a. A jockey shall give a best effort during a race, and each horse shall be ridden to win.

b. A jockey cannot have a valet attendant except one provided and compensated by the facility.

c. No person other than the licensed contract employer or a licensed jockey agent may make riding engagements for a rider, except that a jockey not represented by a jockey agent may make the jockey's own riding engagements.

d. A jockey may have no more than one jockey agent.

e. No revocation of a jockey agent's authority is effective until the jockey notifies the stewards in writing of the revocation of the jockey agent's authority.

f. A jockey must promptly report objections to the outrider(s) following the finish of the race.

10.7(2) *Jockey betting.* A jockey may wager only on a race in which the jockey is riding. A jockey may wager only if:

a. The owner or trainer of the horse that the jockey is riding makes the wager for the jockey;

b. The jockey only wagers on the jockey's own mount to win or finish first in combination with other horses in multiple-type wagers; and

c. Records of such wagers are kept and available for presentation upon request by the stewards.

10.7(3) *Jockey's spouse.* A jockey cannot compete in any race against a horse that is trained or owned by the jockey's spouse.

10.7(4) *Fees and engagements.*

a. Duty to fulfill engagements. Jockeys must fulfill their duly scheduled riding engagements unless excused by the stewards. Jockeys cannot be forced to ride a horse they believe to be unsound or over a racing strip they believe to be unsafe. If the stewards find a jockey's refusal to fulfill a riding engagement is based on personal belief unwarranted by the facts and circumstances, the jockey may be subject to disciplinary action. Jockeys are responsible to their agent for any engagements previously secured by the agent.

b. Entitlement. Any apprentice or contract rider is entitled to the regular jockey fees, except when riding a horse owned in part or solely by the contract holder. An interest in the winnings only (such as trainer's percent) does not constitute ownership.

c. Fee earned. A jockey's fee is considered earned when the jockey is weighed out by the clerk of scales. The fee is not considered earned when injury to the horse or rider is not involved and jockeys, of their own free will, take themselves off their mounts. Any conditions or considerations not covered by the above are at the discretion of the stewards.

d. Multiple engagements. If any owner or trainer engages two or more jockeys for the same race, the owner or trainer is required to pay each of the jockeys the appropriate fee whether the jockeys ride in the race or not.

e. Competing engagements. Whenever two or more licensees claim the services of one jockey for a race, first call has priority and any dispute may be resolved by the stewards.

f. Dead heats. Jockeys finishing a race in a dead heat will divide equally the totals they individually would have received had one jockey won the race alone. The owners of the horses finishing in the dead heat will pay equal shares of the jockey fees.

10.7(5) *Jockey conduct.*

a. Clothing and appearance. A jockey wears the racing colors furnished by the owner of the horse the jockey is to ride, plus solid white riding pants, top boots, and a number on the right shoulder on the saddlecloth corresponding to the mount's number given as shown on the saddlecloth and in the daily program. The stewards, at their discretion, may allow a jockey to wear solid black riding pants during poor weather or track conditions. The Jockeys' Guild logo, the Permanently Disabled Jockeys Fund logo, or the jockey's name may be displayed on the pants. The size of the display of the jockey's name on the pants is limited to a maximum of 32 square inches on each thigh of the pants on the outer sides between the hip and the knee, and 10 square inches on the rear at the base of the spine. A jockey cannot wear advertising or promotional material of any kind on clothing during a race, unless the following criteria are met:

(1) A maximum of 32 square inches on each thigh of the pants on the outer side between the hip and knee and 10 square inches on the rear of the pant at the waistline at the base of the spine.

(2) A maximum of 24 square inches on boots and leggings on the outside of each nearest the top of the boot.

(3) A maximum of six square inches on the front center of the neck area (on a turtleneck or other undergarment).

(4) Such advertising or promotional material does not compete with, conflict with, or infringe upon any current sponsorship agreement to the racing association race or race meet.

(5) The stewards, at their discretion, may disallow any advertising that is not in compliance with this rule, any other rules of racing, or any advertising the stewards deem to be inappropriate, indecent, in poor taste, or controversial.

b. Competing against contractor. No jockey may ride in any race against a starting horse belonging to the jockey's contract employer unless the jockey's mount and the contract employer's horse are both trained by the same trainer.

c. Confined to jockey room. Jockeys engaged to ride a race must report to the jockey room on the day of the race at the time designated by the facility officials. The jockeys then report their engagements and any overweight to the clerk of scales. Thereafter, they cannot leave the jockey room, except by permission of the stewards, until all of their riding engagements of the day have been fulfilled. Once jockeys have fulfilled their riding engagements for the day and have left the jockeys' quarters, they will not be readmitted to the jockeys' quarters until after the entire racing program for that day has been completed, except upon permission of the stewards. Jockeys are not allowed to communicate with anyone but the trainer while in the room during the performance except with approval of the stewards. On these occasions, they will be accompanied by a security guard.

d. Whip prohibited. Jockeys cannot use a whip on a two-year-old horse before April 1 of each year, nor may a jockey or other person engage in excessive or indiscriminate whipping of any horse at any time.

e. Spurs prohibited. Jockeys cannot use spurs.

f. Possessing drugs or devices. Jockeys must not have in their care, control, or custody any drugs, prohibited substances, or electrical or mechanical device that could affect a horse's racing performance.

10.7(6) *Jockey effort.* A jockey must exert every effort to ride the horse to the finish in the best and fastest run of which the horse is capable. No jockey may ease up or coast to a finish, without adequate cause, even if the horse has no apparent chance to win prize money.

10.7(7) *Riding interference and riding infractions.*

a. When the way is clear in a race, a horse may be ridden 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 foul.

b. The offending horse may be disqualified if, in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful, or the result of careless riding. When a horse causes interference under this rule, every horse in the same race entered by the same owner or trainer who benefited from the interference may be disqualified at the discretion of the stewards.

c. If the stewards determine the foul was intentional, or due to careless riding, the jockey will be held responsible.

d. In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it started. If a horse is ridden, drifts, or swerves out of its lane in such a manner that it interferes with, impedes, or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

e. Partial fault/third-party interference. If a horse or jockey interferes with or jostles another horse, the aggressor may be disqualified, unless the interfered or jostled horse or jockey was partly at fault or the infraction was wholly caused by the fault of some other horse or jockey.

f. Careless riding. A jockey must not ride carelessly or willfully permit the mount to interfere with, intimidate, or impede any other horse in the race. A jockey must not strike at another horse or jockey so as to jostle, impede, interfere with, or injure or potentially injure the other horse or jockey. If a jockey rides in a manner contrary to this rule, the horse may be disqualified; the jockey may be fined, suspended, or otherwise disciplined; or other penalties may apply.

10.7(8) *Jockey weighing.*

a. Jockeys must be weighed for their assigned horse not more than 30 minutes before the time fixed for the race.

b. A jockey's weight includes the jockey's clothing, boots, and saddle and its attachments. A safety vest is mandatory and must be consistent with subrule 10.2(9).

c. All other equipment is excluded from the weight.

d. Overweight limited. No jockey may weigh more than two pounds or, in the case of inclement weather, four pounds over the weight the horse is assigned to carry unless with consent of the owner or trainer and unless the jockey has declared the amount of overweight to the clerk of scales at least 60 minutes before the scheduled post time of the first race. However, a horse cannot carry more than seven pounds overweight, except in inclement weather when nine pounds is allowed. The overweight will be publicly announced and posted in a conspicuous place both prior to the first race of the day and before the running of the race.

(1) Weigh in. Upon completion of a race, jockeys must ride promptly to the winner's circle and dismount. Jockeys riding the first four finishers, or at the discretion of the stewards a greater number, must present themselves to the clerk of scales to be weighed in. If a jockey is prevented from riding the mount to the winner's circle because of accident or illness either to the jockey or the horse, the jockey may walk or be carried to the scales unless excused by the stewards.

(2) Unsaddling. Jockeys, upon completion of a race, must return to the unsaddling area and unsaddle their own horse, unless excused by the stewards.

(3) Removing horse's equipment. No person except the valet attendant for each mount may assist the jockey in removing the horse's equipment that is included in the jockey's weight, unless the stewards permit otherwise. To weigh in, jockeys carry to the scales all pieces of equipment with which they weighed out. Thereafter they may hand the equipment to the valet attendant.

(4) Underweight. When any horse places first, second, or third in a race and thereafter the horse's jockey is weighed in short by more than two pounds of the weight of which the jockey was weighed out, the mount may be disqualified and all purse moneys forfeited.

(5) Overweight. If the jockey is overweight, the jockey is subject to fine, suspension, or both.

10.7(9) *Jockey fines and forfeitures.* Jockeys must pay any fine or forfeiture from their own funds within 48 hours of the imposition of the fine or at a time deemed proper by the stewards. No other person may pay jockey fines or forfeitures for the jockey.

10.7(10) *Jockey suspension.*

a. Offenses involving fraud. Suspension of a licensee for an offense involving fraud or deception in racing begins immediately after the ruling unless otherwise ordered by the stewards or commission.

b. Offenses not involving fraud. Suspension for an offense not involving fraud or deception in racing begins on the third day after the ruling or at the stewards' discretion.

c. Withdrawal of appeal. Withdrawal by the appellant of a notice of appeal filed with the commission, whenever imposition of the disciplinary action has been stayed or enjoined pending a final decision by the commission, is deemed a frivolous appeal and referred to the commission for further disciplinary action in the event the appellant fails to show good cause to the stewards why the withdrawal should not be deemed frivolous.

d. Riding suspensions of ten days or less and participating in designated races. The stewards appointed for a race meeting will, prior to the commencement of that meeting, designate the stakes, futurities, futurity trials, or other races in which a jockey will be permitted to compete, notwithstanding the fact that such jockey is under suspension for ten days or less for a careless riding infraction at the time the designated race is to be run.

(1) Official rulings for riding suspensions of ten days or less will state: "The term of this suspension does not prohibit participation in designated races."

(2) A listing of the designated races will be posted in the jockey room and any other such location deemed appropriate by the stewards.

(3) A suspended jockey must be named at time of entry to participate in any designated race.

(4) A day in which a jockey participated in one designated race while on suspension counts as a suspension day. If a jockey rides in more than one designated race on a race card while on suspension, the day does not count as a suspension day. Each designated trial race for a stake is considered one race. A jockey who rides in more than one designated race may be named to ride other races on a card, and such race card does not count as a suspended race day.

10.7(11) *Apprentice jockeys.* Unless excepted under these rules, apprentices are subject to all rules governing jockeys and racing.

a. Upon completion of licensing requirements, the stewards may issue an apprentice jockey certificate allowing the holder to claim a weight allowance only in overnight races.

b. Apprentice jockey weight allowance.

(1) An apprentice jockey may ride with a five-pound weight allowance beginning with the first mount and continuing for one full year from the date of the jockey's fifth winning mount.

(2) If, after riding one full year from the date of the fifth winning mount, the apprentice jockey has not ridden 40 winners, the applicable weight allowance continues for one more year or until the fortieth winner, whichever comes first. A weight allowance cannot be claimed for more than two years from the date of the fifth winning mount, unless an extension has been granted.

(3) The stewards may extend the weight allowance of an apprentice jockey in their discretion upon proof of the apprentice's incapacitation for a period of seven or more consecutive days. The allowance may be claimed for a period not to exceed the period such apprentice was unable to ride.

(4) The apprentice jockey is responsible for possessing the apprentice certificate at all times and for keeping an updated record of the first 40 winners. Prior to riding, the jockey submits the certificate to the clerk of scales, who will record the apprentice's winning mounts.

10.7(12) *Jockey agent.*

a. Responsibilities.

(1) A jockey agent cannot make or assist in making engagements for a jockey other than the jockeys the agent is licensed to represent.

(2) A jockey agent must file written proof of all agencies and changes of agencies with the stewards.

(3) A jockey agent must notify the stewards, in writing, prior to withdrawing from representation of a jockey and submit to the stewards a list of any unfulfilled engagements made for the jockey. A jockey agent cannot withdraw from the representation of any jockey unless written notice to the stewards has been provided.

(4) All persons permitted to make riding engagements must maintain current and accurate records of all engagements made. Such records are subject to examination by the stewards at any time.

(5) No jockey agent may represent more than three jockeys during any single race card, as specified below:

1. During a mixed race card or quarter horse race card, a jockey agent may represent up to three jockeys who ride only quarter horses.

2. During a mixed race card or thoroughbred race card, a jockey agent may represent up to two jockeys who ride thoroughbreds, and one apprentice jockey.

(6) A jockey agent must honor a first call given to a trainer or the trainer's assistant trainer.

b. Prohibited areas. A jockey agent is prohibited from entering the jockey room, winner's circle, racing strip, paddock, or saddling enclosure during the hours of racing unless advance written permission has been granted from the stewards.

491—10.8(99D) Conduct of races.

10.8(1) *Horses ineligible.* Any horse ineligible to be entered for a race, or ineligible to start in any race, that competes in that race may be disqualified and the stewards may discipline the persons responsible for the horse competing in that race.

a. A horse is ineligible to enter a race when:

(1) The nominator has failed to identify the horse that is being entered for the first time, by name, color, sex, age, and the names of sire and dam as registered.

(2) A horse has been knowingly entered or raced in any jurisdiction under a different name, with an altered registration certificate, altered microchip, or altered lip or digital tattoo by a person having lawful custody or control of the horse for the purpose of deceiving any facility or regulatory agency.

(3) A horse has been allowed to enter or start by a person having lawful custody or control of the horse who participated in or assisted in the entry or racing of some other horse under the name of the horse in question.

(4) A horse is wholly or partially owned by a disqualified person or a horse is under the direct or indirect management of a disqualified person.

(5) A horse is wholly or partially owned by the spouse of a disqualified person or a horse is under the direct or indirect management of the spouse of a disqualified person. In such cases, a presumption that may be rebutted is that the disqualified person and spouse constitute a single financial entity with respect to the horse.

(6) A horse is owned in whole or in part by an undisclosed person or interest.

(7) A horse has been nerved by surgical neurectomy.

(8) A horse has been trachea-tubed to artificially assist breathing.

(9) A horse has impaired eyesight in both eyes.

(10) A horse appears on the Iowa veterinarian's list, notwithstanding a horse appearing on the veterinarian's list as a "bleeder." In addition, a horse appearing on any starter's, stewards', or paddock judge's list, or the veterinarian's list in another jurisdiction, is ineligible unless the horse is removed from the list by the day of the race and approved by the board of stewards to enter.

(11) A horse is barred from racing in any racing jurisdiction.

(12) A horse under four years of age has been injected with bisphosphonates. A horse four years of age or older may only be administered bisphosphonate if the bisphosphonate is Food and Drug Administration-approved for use in the horse, is for a diagnosed case of navicular disease, and is administered in accordance with the label requirements. If bisphosphonate is administered as permitted by rule, the commission must be notified within 24 hours of the administration. If bisphosphonate is detected in sampling or if a horse is administered bisphosphonate, the horse will be placed on the veterinarian's list for no less than six months.

(13) A horse has had any intra-articular joint injection within the past six days. When counting the number of days a horse is ineligible to run following an intra-articular injection, the day of injection is the first day. The detection of two or more corticosteroids constitutes a stacking violation.

(14) A horse has been administered thyroxine and thyroid modulators/hormones, including but not limited to those containing T4 (tetraiodothyronine/thyroxine), T3 (triiodothyronine), or combinations thereof. This excludes a horse that has been individually prescribed thyroxine and thyroid modulators/hormones.

b. A horse is ineligible to start a race when:

(1) The horse is not stabled on the premises of the facility by the time designated by the stewards.

(2) The horse's breed registration certificate is not on file, physically or digitally, with the racing secretary, or horse identifier, except where the racing secretary has submitted the certificate to the breed registry for correction or transfer of ownership. The stewards may, in their discretion, waive the requirement provided the registration certificate is in the possession of another board of stewards, a copy of the registration certificate is on file with the racing secretary, and the horse is otherwise properly identified. For claiming races, if the claimed horse has been approved by the stewards to run without the registration certificate on file in the racing office, then the registration certificate must be provided to the racing office within seven business days for transfer to the new owner before claiming funds will be approved for transfer by the stewards.

(3) The horse is not fully identified by an official tattoo on the inside of the upper lip or digital tattoo or microchip.

(4) A horse is brought to the paddock and is not in the care of and saddled by a currently licensed trainer or assistant trainer unless excused by the stewards.

(5) No current negative Coggins test or current negative equine infectious anemia test certificate is attached to the horse's registration certificate or otherwise accessible by the commission or racing association.

(6) The stakes or entrance money for the horse has not been paid.

(7) The horse appears on the starter's list, stewards' list, paddock list, or veterinarian's list, including as a bleeder.

(8) The horse is a first-time starter not approved by the starter and does not have a minimum of two official workouts for quarter horses or a minimum of three official workouts for thoroughbreds.

(9) Within the past calendar year, the horse has started in a race that has not been reported in a nationally published monthly chartbook, unless, at least 48 hours prior to entry, the owner of the horse provides to the racing secretary performance records that show the place and date of the race, distance, weight carried, amount carried, and the horse's finishing position and time.

(10) In a stakes race, a horse has been transferred with its engagements, unless prior to the start, the fact of transfer of the horse and its engagements has been filed with the racing secretary.

(11) A horse is subject to a lien that has not been approved by the stewards and filed with the horsemen's bookkeeper.

(12) A horse is subject to a lease not filed with the stewards.

(13) A horse is not in sound racing condition.

(14) A horse has been blocked with alcohol or injected with any other foreign substance or drug to desensitize the nerves of the leg.

(15) A thoroughbred has shoes (racing plates) that have toe grabs with a height greater than two millimeters (0.07874 inches), bends, jars, caulks, stickers or any other traction device on the front hooves while racing or training on all racing surfaces.

(16) A quarter horse has front shoes that have toe grabs with a height greater than four millimeters (0.15748 inches), bends, jars, caulks, stickers or any other traction device worn on the front shoes.

10.8(2) *Entries.*

a. The facility provides forms for making entries and declarations with the racing secretary. Entries and declarations must be in writing, or by telephone or fax subsequently confirmed in writing by the owner, trainer, or licensed designee. When any entrant or nominator claims failure or error in the receipt by a facility of any entry or declaration, the entrant or nominator may be required to submit evidence within a reasonable time of the filing of the entry or the declaration. Individuals who hold a jockey agent license, regardless of other licenses held, are not permitted to make entries after a time set by the stewards.

b. Upon the closing of entries the racing secretary will promptly compile a list of entries and cause it to be conspicuously posted.

c. Coupling. There will be no coupled entries in any race. In races, excluding stakes races, that overfill, trainers must declare preference of runners with identical ownership at time of entry. Same-owner, second-choice horses will be least preferred. A trainer, owner or licensed designee cannot enter more than three horses in a race unless the race is split or divided.

d. Split or divided races.

(1) In the event a race is canceled or declared off, the facility may split any overnight race for which post positions have not been drawn.

(2) Where an overnight race is split, forming two or more separate races, the racing secretary will give notice of not less than 15 minutes before such races are closed to grant time for making additional entries to each split race.

(3) A trainer may enter more than the maximum number of entries allowed under paragraph 10.8(2)*"c"* if the entries are declared at time of entry as "split entry only" and preference is given by the trainer for the trainer's first three entries.

(4) The racing secretary will split an overnight race so that common ownership, identical ownership, or common trainers will divide as equally as possible between two or more races.

e. Entry weight. Owners, trainers, or any other duly authorized person who enters a horse for a race should ensure the entry is correct and accurate as to the weight allowances available and claimed for the horse under the conditions set for the race. After a horse is entered and has been assigned a weight to carry in the race, the assignment of weight will not be changed except in the case of error and with the stewards' approval. Weight allowances may be waived with the approval of the stewards.

f. Consecutive days. No horse may run twice within four consecutive calendar days. For the purpose of this rule, the day after the start is the first day.

g. Foreign entries. For the purposes of determining eligibility, weight assignments, or allowances for horses imported from a foreign nation, the racing secretary will take into account the standards established by the European Pattern Committee and the International Federation of Horseracing Authorities (IFHA).

h. Weight conversions. For the purpose of determining eligibility, weight assignments, or allowances for horses imported from a foreign nation, the racing secretary will convert metric distances to English measures by reference to the following scale:

1 sixteenth	= 100 meters
1 furlong	= 200 meters
1 mile	= 1600 meters

i. Name. The "name" of a horse means the name reflected on the certificate of registration, racing permit, or temporary racing permit issued by the breed registry. Imported horses must have a suffix, enclosed by brackets, added to their registered names showing the country of foaling. This

suffix is derived from the international code of suffixes and constitutes part of the horse's registered name. The registered names and suffixes, where applicable, will be printed in the official program.

j. Bona fide entry. No person may enter or attempt to enter a horse for a race unless that entry is a bona fide entry, made with the intention that the horse is to compete in the race for which the horse was entered.

k. Registration certificate to reflect correct ownership. Every breed registry foal certificate filed physically or digitally with the racing secretary to establish the eligibility of a horse to be entered for any race must accurately reflect the correct and true ownership of the horse. The name of the owner that is printed on the official program for the horse must conform to the ownership as declared on the certificate of registration or eligibility certificate unless a stable name has been registered with the commission for the owner or ownership.

l. Naming/engaging of riders. Riders are named at the time of entry. If, at the conclusion of the draw of a race, a trainer does not have a rider, all riders who are available will be made known to the trainer at that time via telephone or in person by the stewards or their designee. A trainer who does not name a rider prior to the conclusion of the draw of a race, and reasonable attempts have been employed to contact the trainer with no response, will have an available rider engaged at the facility placed on the horse, determination of which will be drawn by lot. Riders properly engaged as a first or second call in a race must fulfill their engagements as required in subrule 10.7(4).

m. More than one race. No horse may be entered in more than one race, with the exception of stakes races, to be run on the same day on which pari-mutuel wagering is conducted.

n. Iowa-foaled horse. An Iowa-foaled horse cannot enter a race limited to Iowa-foaled horses unless the horse is registered with and the papers are either physically or digitally stamped by the department of agriculture and land stewardship. An Iowa-foaled horse may run in an open race without the stamp but is ineligible for Iowa-bred supplement, Iowa-bred breeders awards, and Iowa-bred breeders supplement.

10.8(3) *Sweepstakes entries.*

a. Entry and withdrawal. The entry of a horse in a sweepstakes is a subscription to the sweepstakes. Before the time of closing, any entry or subscription may be altered or withdrawn.

b. Entrance money. Entrance money is paid by the nominator to a race. In the event of the death of the horse or a mistake made in the entry of an otherwise eligible horse, the nominator subscriber continues to be obligated for any stakes, and the entrance money will not be returned.

c. Quarter horse scratches and qualifiers unable to participate in finals. If a horse is scratched from the time trial finals, the horse's owner is not eligible for a refund of the fees paid. If a horse that qualified for the final is unable to enter due to racing soundness, or scratched for any reason other than a positive drug test report or a rule violation, the horse will be deemed to have earned, and the owner will receive, last place money. If more than one horse is unable to enter due to racing soundness, or is scratched for any reason other than a positive drug test report or a rule violation, then those purse moneys will be added together and divided equally among the horse owners.

10.8(4) *Closing of entries.*

a. Overnight entries. The racing secretary will close entries for overnight racing at 10 a.m. unless the racing secretary establishes or the stewards approve a later closing.

b. Sweepstakes entries. If an hour for closing is designated, entries and declarations for sweepstakes cannot be received thereafter. However, if a time for closing is not designated, entries and declarations may be mailed or faxed until midnight of the day of closing, if they are received in time to comply with all other conditions of the race. In the absence of notice to the contrary, entries and declarations for sweepstakes that close during or on the day preceding a race meeting will close at the office of the racing secretary in accordance with any requirements the secretary sets. Closing for sweepstakes not during race meetings will be at the office of the facility.

c. Exception. Nominations for stakes races will not close, nor will any eligibility payment be due, on a day when the United States Postal Service is not operating.

10.8(5) *Prohibited entries.*

a. Entry by disqualified person. An entry made by a disqualified person or the entry of a disqualified horse is void. Any money paid for the entry will be returned, if the disqualification is disclosed at least 45 minutes before post time for the race. Otherwise, the entry money will be paid to the winner.

b. Limited partner entry prohibited. No person other than a managing partner of a limited partnership or a person authorized by the managing partner may enter a horse owned by that partnership.

c. Altering entries prohibited. No alteration may be made in any entry after the closing of entries, but the stewards may permit the correction of an error in an entry.

d. Limitation on overnight entries. If the number of entries to any purse or overnight race is in excess of the number of horses that may be accommodated due to the size of the track, the starters for the race and their post positions will be determined by lot conducted in public by the racing secretary.

e. Stake race entry limit. In a stake race, the number of horses that may compete is limited only by the number of horses nominated and entered. In any case, the facility's lawful race conditions govern.

f. Stewards' denial of entry. The stewards may, after notice to the entrant, subscriber, or nominator, deny entry of any horse to a race if the stewards determine the entry to be in violation of these rules or the laws of this state or to be contrary to the interests of the commission in the regulation of pari-mutuel wagering or to public confidence in racing.

10.8(6) *Preferences and eligibles.*

a. Also eligible. A list of no more than eight names may be drawn from entries filed in excess of positions available in the race. These names will be listed as "also eligible" to be used as entries if originally entered horses are withdrawn. Any owner, trainer, or authorized agent who has entered a horse listed as an "also eligible" and who does not wish to start will file a scratch card with the secretary not later than the scratch time designated for that race. "Also eligibles" have preference to scratch.

b. Preference system. A system using dates or stars will be used to determine preference for horses being entered in races. The system used is at the option of the racing secretary and approved by the stewards. A preference list will be kept current by the racing secretary and made available to horsemen upon request.

c. Disputed decision. When the decision of a race is in dispute, all horses involved in the dispute, with respect to the winner's credit or earnings, are liable to all weights or conditions attached to the winning of that race until a winner has been finally adjudged.

10.8(7) *Post positions.* Post positions will be determined by the racing secretary publicly and by lot. Post positions will be drawn from "also eligible" entries at scratch time. In all races, horses drawn into the race from the "also eligible" list take the outside post positions, except in straightaway quarter horse racing. In straightaway quarter horse racing, the post position of the scratched horse is assigned to the horse "drawing in." If there is more than one scratch, the post positions will be assigned by lot.

10.8(8) *Scratch; declaring out.*

a. Notification to the secretary. No horse is considered scratched, declared out, or withdrawn from a race until the owner, agent, or other authorized person has given notice in writing to the racing secretary before the time set by the facility as scratch time. All scratches must be approved by the stewards.

b. Declaration irrevocable. Scratching or the declaration of a horse out of an engagement for a race is irrevocable.

c. Limitation on scratches. No horse may be scratched from a race if the horses remaining in the race number fewer than seven betting interests, unless the stewards permit a lesser number. When the number of requests to scratch would, if granted, leave a field of fewer than seven, the stewards will determine by lot which entrants may be scratched and permitted to withdraw from the race. Veterinarian scratches will be preferred and accepted without regard to the number of entries.

d. Scratch time. Unless otherwise set by the stewards, scratch times are as follows:

(1) Stakes races. Scratch time will be at least 45 minutes before post time.

(2) Other races. Scratch time will be set by the stewards prior to the start of the meet.

10.8(9) *Workouts.*

a. Thoroughbreds, when required.

(1) No horse may start unless the horse has raced in an official race or has had an approved official timed workout satisfactory to the stewards, and adheres to the following for horses that are not first-time starters:

1. A horse that has not started for a period of 60 days or more must have had an official workout satisfactory to the stewards prior to the day of the race in which the horse started, and the horse must have had an official workout within the previous 30 days.

2. A horse that has not started for a period of 180 days or more must have had two official workouts, one of which must have occurred within the previous 30 days prior to the day of the race in which the horse started.

3. A horse that has not started for a period of 365 days or more must fulfill the following requirements before being allowed to start:

- The horse must have had three official workouts.
- One of the three official workouts must have been from the starting gate going at least one-half mile, within 60 days of starting.

(2) No first-time starter may race unless it has had three official workouts, with one having occurred from the gate within the previous 60 days, and is approved to start from the gate by the starter.

b. Quarter horses, when required.

(1) No horse may start unless the horse has raced in an official race or has had an approved official timed workout satisfactory to the stewards, and adheres to the following for horses that are not first-time starters:

1. A horse that has not started for a period of 60 days or more is ineligible to race until it has had an official workout satisfactory to the stewards prior to the day of the race in which the horse started, and the horse must have had an official workout within the previous 60 days.

2. A horse that has not started for a period of 180 days or more must have had two official workouts, one of which must have occurred within the previous 60 days.

3. A horse that has not started for a period of 365 days or more must fulfill the following requirements before being allowed to start:

- The horse must have had two official workouts.
- One of the two official workouts must have been from the starting gate within 60 days of starting.

(2) No first-time starter may race unless it has had two official workouts, with one having occurred from the gate within the previous 60 days, and is approved to start from the gate by the starter.

c. Counting of days. For the purpose of counting the number of days a horse is ineligible to start, the day after the workout is the first day.

d. Identification. The timer or the stewards may require licensees to identify a horse in their care being worked. The owner, trainer, or jockey may be required to identify the distance the horse is to be worked and the point on the track where the workout will start.

e. Information dissemination. If the stewards approve the timed workout so as to permit the horse to run in a race, they will require this information to be furnished to the public in advance of the race, including but not limited to the following means:

(1) Announcement over the facility's public address system;

(2) Transmission on the facility's message board;

(3) Posting in designated conspicuous places in the racing enclosure; and

(4) Exhibit on track TV monitors at certain intervals if the track has closed circuit TV. If the workout is published prior to the race in either the Daily Racing Form or the track program, then it is not necessary to make the announcements set forth above.

f. Restrictions. No horse may be taken onto the track for training or a workout except during hours designated by the facility.

10.8(10) *Equipment.*

a. Whip and bridle limitations. Unless permitted by the stewards, no whip or substitute for a whip may exceed one pound or 30 inches, and no bridle may exceed two pounds.

b. Equipment change. No licensee may change the equipment used on a horse from that used in the horse's last race, unless with permission of the stewards. No licensee may add blinkers or cheek pieces to a horse's equipment, or discontinue their use, without the prior approval of the starter. First-time starters must race with or without blinkers or cheek pieces in accordance with the gate approval card issued by the starter. In the paddock prior to a race, a horse's tongue may be tied down with clean bandages, clean gauze, or with a tongue strap.

10.8(11) *Racing numbers and silks.*

a. Number display. Each horse in a race will carry a conspicuous saddle cloth number corresponding to the official number given that horse on the official program.

b. Field horses. In a combined field of horses, each horse in the field will carry a separate number.

c. Racing silks. Racing silks are turned in to the racing office or jockey room custodian upon arrival to the facility.

(1) All horses running in a race must race in an owner's silk or trainer's silk.

(2) In the case of a partnership, the horse will run with a managing partner's silk or a trainer's silk if no partnership silk is available.

(3) Under special circumstances, the stewards in their discretion may permit a horse to run in a house silk.

10.8(12) *Dead heats.*

a. When two horses run a dead heat for first place, all purses or prizes to which first and second horses would have been entitled will be divided equally between them; this applies in dividing all purses or prizes whatever the number of horses running a dead heat and whatever places for which the dead heat is run.

b. In the event of a dead-heat finish for second place and thereafter, when an objection to the winner of the race is sustained, the horses in the dead heat are considered to have run a dead heat for first place.

c. If a prize includes a cup, plate, or other indivisible prize, owners will draw lots for the prize in the presence of at least two stewards.

10.8(13) *Equine infectious anemia (EIA) test.*

a. Certificate required. No horse may start or be stabled on the premises of the facility unless a valid negative Coggins test or other laboratory-approved negative EIA test certificate is on file with the racing secretary.

b. Trainer responsibility. In the event of claims, sales, or transfers, it is the new trainer's responsibility to ascertain the validity of the certificate for the horse within 24 hours. If the certificate is either unavailable or invalid, the previous trainer is responsible for any reasonable cost associated with obtaining a negative EIA laboratory certificate.

c. Positive test reports. Whenever any owner or trainer is furnished a positive Coggins test or positive EIA test result, the horse must be removed by the owner or trainer from facility premises or approved farms within 24 hours of actual notice to the owner or trainer of the infection.

10.8(14) *Race procedures.*

a. Full weight. Each horse must carry the full weight assigned for that race from the paddock to the starting point and will parade past the stewards' stand, unless excused by the stewards.

b. Touching and dismounting prohibited. After the horses enter the track, jockeys cannot dismount or entrust their horse to the care of an attendant unless due to an accident occurring to the jockey, the horse, or the equipment, and then only with the prior consent of the starter. During any delay during which a jockey is permitted to dismount, all other jockeys may dismount and their horses may be attended by others. After the horses enter the track, only the hands of the jockey, the starter, the assistant starter, the commission veterinarian, an outrider on a lead pony, or persons approved by the stewards may touch the horse before the start of the race. If a horse throws its jockey on the way from the paddock to the post, the horse must be returned to the point where the jockey was thrown, where the horse will be remounted and then proceed over the route of the parade to the post. The horse must carry its assigned weight from paddock to post and from post to finish.

c. Jockey injury. If a jockey is seriously injured on the way to the post, the horse will be returned to the paddock, a replacement jockey obtained, and both the injured jockey and the replacement jockey will be paid by the owner.

d. Twelve-minute parade limit. After entering the track, all horses will proceed to the starting post in not more than 12 minutes unless approved by the stewards. After passing the stewards' stand in parade, the horses may break formation and proceed to the post in any manner. Once at the post, the horses will be started without unnecessary delay. All horses must participate in the parade carrying their weight and equipment from the paddock to the starting post, and any horse failing to do so may be disqualified by the stewards. A lead pony leading a horse in the parade cannot obstruct the public's view of the horse being led except with permission of the stewards.

e. Striking a horse prohibited. In assisting the start of a race, no person other than the jockey, starter, assistant starter, or veterinarian may strike a horse or use any other means to assist the start.

f. Loading of horses. Horses will be loaded into the starting gate in numerical order or in any other fair and consistent manner determined by the starter and approved by the stewards.

g. Delays prohibited. No person may obstruct or delay the movement of a horse to the starting post.

10.8(15) *Claiming races.*

a. Eligibility.

(1) Registered to race or open claim. No person may file a claim for any horse unless the person:

1. Is a licensed owner at the meeting who either has foal paper(s) registered with the racing secretary's office or has started a horse at the meeting; or

2. Is a licensed authorized agent, authorized to claim for an owner eligible to claim; or

3. Has a valid open claim certificate. Any person not licensed as an owner, or a licensed authorized agent for the account of the same, or a licensed owner not having foal paper(s) registered with the racing secretary's office or who has not started a horse at the current meeting may request an open claim certificate from the commission. The person must submit a completed application for a prospective owner's license to the commission. The applicant must disclose or list the name of the trainer licensed by the commission who will be responsible for the claimed horse. A nonrefundable fee must accompany the application along with any financial information requested by the commission. The names of the prospective owners will be prominently displayed in the offices of the commission and the racing secretary. The application will be processed by the commission; and when the open claim certificate is exercised, an owner's license will be issued; or

4. Is not a family member related within the second degree of affinity or consanguinity to the person or ownership entity who owns the horse. For the purpose of determining whether an ownership entity is excluded from claiming a horse or having a horse claimed, a family member within the second degree of affinity or consanguinity means a parent, child, grandparent, grandchild, sibling, or in-law who owns or controls 5 percent or more of said entity.

(2) Number of claims.

1. An ownership entity (sole owner, partnership, limited liability partnership, racing stable, corporation, limited liability corporation, or owner/trainer acting as an owner) cannot claim more than

one horse in a race. Any commonality of ownership prohibits more than one claim in a race by any of those entities.

2. An authorized agent or trainer acting on behalf of an ownership entity cannot submit more than two claims in a race with two separate ownership interests.

3. A trainer cannot receive more than two horses from any claiming race.

b. Procedure for claiming. To make a claim for a horse, an eligible person must:

(1) Deposit to the person's account with the horsemen's bookkeeper the full claiming price, as printed in the official program, and applicable taxes as established by the racing secretary's conditions.

(2) File in a locked claim box maintained for that purpose by the racing secretary the claim filled out completely in writing and with sufficient accuracy to identify the claim on forms provided by the facility at least ten minutes before the post time of the race.

c. Claim box.

(1) The claim box will be approved by the commission and kept locked until ten minutes prior to the start of the race, when it will be presented to the stewards or their representatives for opening and publication of the claims.

(2) The claim box will also include a time clock that automatically stamps the time on the claim envelope prior to its being dropped in the box.

(3) No official of a facility may give any information as to the filing of claims therein until after the race has been run.

d. Claim irrevocable. After a claim has been filed in the claim box, it cannot be withdrawn.

e. Multiple claims on single horses. If more than one claim is filed on a horse, the successful claim will be determined by lot conducted by the stewards or their representatives. After title to the claimed horse is determined by lot, all other claims on that horse are deemed null and void. If the winning claim determined by lot is subsequently ruled invalid for any reason, title to the horse will be returned to the owner of the horse prior to the lot draw. The successful claimant is responsible for all care and maintenance of the horse from the time the horse is transferred to the claimant until the time the horse is returned to the prior owner after invalidation of the claim.

f. Successful claims; later races.

(1) Sale or transfer. No successful claimant may sell or transfer a horse, except in a claiming race, for 30 days from the date of claim.

(2) Eligibility price. A horse claimed cannot start in a race in which the claiming price is less than the amount for which it was claimed. After 30 days, a horse may start for any claiming price. This provision does not apply to starter handicaps in which the weight to be carried is assigned by the handicapper or for starter allowances. No right, title, or interest for any claimed horse may be sold or transferred except in a claiming race for a period of 30 days following the date of claiming. To calculate the 30-day period, the day claimed does not count, and the following calendar day is the first day.

(3) Racing elsewhere. A horse that was claimed under these rules cannot participate at a race meeting other than that at which it was claimed until the end of the meeting, except with written permission of the stewards. This limitation does not apply to stakes races.

(4) Same management. A claimed horse cannot remain in the same stable or under the control or management of its former owner or trainer. No person may claim their own horse or cause their own horse to be claimed, directly or indirectly, for their own account.

(5) When a horse is claimed out of a claiming race, the horse's engagements are included.

g. Transfer after claim.

(1) Forms. Upon a successful claim, the stewards will issue in triplicate, on forms approved by the commission, an authorization of transfer of the horse from the original owner to the claimant. Copies of the transfer authorization will be forwarded to and maintained by the commission, the stewards, and the racing secretary.

(2) No claimed horse will be delivered by the original owner to the successful claimant until the claim is approved by the stewards. Every horse claimed races for the account of the original owner,

but title to the horse is transferred to the claimant at the moment the horse becomes a starter, and the successful claimant becomes the owner of the horse unless the claim is voided by the stewards. Only a horse that is officially a starter in the race may be claimed. A subsequent disqualification of the horse by order of the stewards has no effect upon the claim.

(3) The stewards will void the claim and return the horse to the original owner if:

1. The claimed horse suffers a fatality during the running of the race, dies, or is euthanized before leaving the track.

2. The commission veterinarian, during the veterinarian's observation of the horse coming off the track or upon its arrival to the test barn, determines the horse will be placed on the veterinarian's list. The stewards will not void the claim if, prior to the race in which the horse is claimed, the claimant elects to claim the horse regardless of whether the commission veterinarian determines the horse will be placed on the veterinarian's list. An election made under this rule will be entered on the claim form.

3. The race is called off, canceled, or declared no contest.

4. The proper credit balance has not been established with the horsemen's bookkeeper.

5. The claim is otherwise inconsistent with Iowa law and the commission's rules.

(4) Other-jurisdiction rules. The commission will recognize and be governed by the rules of any other jurisdiction regulating title and claiming races when ownership of a horse is transferred or affected by a claiming race conducted in that other jurisdiction.

(5) Determination of sex and age. The claimant, within 48 hours, is responsible for determining the age and sex of the horse claimed notwithstanding any designation of sex and age appearing in the program or in any racing publication. Horses that are spayed or gelded must be properly identified in the program. If the claimant finds that a mare is in fact spayed or that the status of a male horse is inaccurate as stated by the program, the claimant may return the horse for full refund of the claiming price.

(6) Affidavit by claimant. The stewards may, if they determine it necessary, require any claimant to execute a sworn statement that the claimant is claiming the horse for the claimant's own account or as an authorized agent for a principal and not for any other person.

(7) Delivery required. No person may refuse to deliver a properly claimed horse to the successful claimant. The claimed horse is disqualified from entering any race until delivery is made to the claimant.

(8) Obstructing the rules of claiming. No person or licensee may obstruct or interfere with another person or licensee in claiming any horse, enter into any agreement with another to subvert or defeat the object and procedures of a claiming race, or attempt to prevent any horse entered from being claimed.

h. Elimination of stable. An owner whose stable has been eliminated by claiming may claim for the remainder of the meeting at which eliminated or for 30 racing days, whichever is longer. With the permission of the stewards, stables eliminated by fire or other casualty may claim under this rule.

i. Disallowance of claim. The stewards may cancel and disallow any claim within 24 hours after a race if they determine that a claim was made upon the basis of a lease, sale, or entry of a horse made for the purpose of fraudulently obtaining the privilege of making a claim; or if an eligible claimant improperly obtains information or access to horses by being present in the paddock during the claiming race unless the claimant has a horse in that claiming race, as determined solely by the stewards. In the event of a disallowance, the stewards may further order the return of a horse to its original owner and the return of all claim moneys. To disallow a claim, it must be shown by clear and convincing evidence that there is a direct and substantial connection between the eligible claimant and the owner or owner's trainer of the horse to be claimed wherein the eligible claimant improperly gained information about the horse to be claimed and the information was otherwise unavailable to other licensed owners or ownership entities.

j. Protest of claim. A protest to any claim must be filed with the stewards before noon of the day following the date of the race in which the horse was claimed. Nonracing days are excluded from

this rule. Should the stewards void a claim for reasons other than failure to follow the procedure for claiming, when there are multiple claims on a singular horse, said claim will not be voided until after the determination by lot.

k. Waived claiming rule. At the time of entry into claiming races, the owner, trainer, or any authorized agent may opt to declare a horse ineligible to be claimed provided:

(1) The horse has not been an official starter at any racetrack for a minimum of 120 days since the horse's last race as an official starter (at time of race);

(2) The horse's last race as an official starter was one in which the horse was eligible to be claimed;

(3) The horse is entered for a claiming price equal to or greater than the claiming price at which the horse last started as an official starter;

(4) Failure of declaration of ineligibility at time of entry cannot be remedied; and

(5) Ineligibility to be claimed applies only to the horse's first start as an official starter following each such 120-day or longer layoff.

l. Eligibility of in-foal filly or mare. An in-foal filly or mare is eligible to be entered into a claiming race only if the following conditions are fulfilled:

(1) Full disclosure of such fact is on file with the racing secretary and such information is posted in the secretary's office;

(2) The stallion service certificate has been deposited with the racing secretary's office before the horse runs;

(3) All payments due for the service in question and for any live progeny resulting from that service are paid in full;

(4) The release of the stallion service certificate to the successful claimant at the time of claim is guaranteed; and

(5) The cutoff for racing is 150 days of gestation.

10.8(16) *Quarter horse time trial races.*

a. Except in cases where the starting gate physically restricts the number of horses starting, each time trial will consist of no more than ten horses.

b. The time trials will be raced under the same conditions as the finals. If the time trials are conducted on the same day, the horses with the ten fastest times qualify to participate in the finals. If the time trials are conducted on two days, the horses with the five fastest times on the first day and the horses with the five fastest times on the second day qualify to participate in the finals. When time trials are conducted on two days, the racing office should make every attempt to split owners with more than one entry into separate days so that the owner's horses have a chance at all ten qualifying positions.

c. If the facility's starting gate has fewer than ten stalls, the maximum number of qualifiers will correspond to the maximum number of starting gate post positions.

d. If only 11 or 12 horses are entered to run in time trials from a gate with 12 or more stalls, the facility may choose to run finals only. If 11 or 12 horses participate in the finals, only the first 10 finishers will receive purse money.

e. In the time trials, horses qualify on the basis of time and order of finish. The times of the horses in the time trial will be determined to the limit of the timer. The only exception is when two or more horses have the same time in the same trial heat. Then the order of finish also determines the preference in the horses' qualifying for the finals. Should two or more horses in different time trials have the same qualifying time to the limit of the timer for the final qualifying position(s), then a draw by public lot will be conducted as directed by the stewards. Under no circumstances should stewards or placing judges attempt to determine horses' qualifying times in separate trials beyond the limit of the timer by comparing or enlarging a photo finish picture.

f. Except in the case of disqualification, under no circumstances will a horse qualify ahead of a horse that finished ahead of that horse in the official order of finish in a time trial.

g. Should a horse be disqualified for interference during the running of a time trial, it will receive the time of the horse it is immediately placed behind plus one hundredth of a second, or the maximum accuracy of the electronic timing device. No adjustments will be made in the times recorded in the time trials to account for headwind, tailwind, and off track. In the case where a horse is disqualified for interference with another horse causing loss of rider or the horse not to finish the race, the disqualified horse may be given no time plus one hundredth of a second, or the maximum accuracy of the electronic timing device.

h. Should a malfunction occur with an electronic timer on any time trial, finalists from that time trial will then be determined by official hand times operated by three official and disinterested persons. The average of the three hand times will be utilized for the winning time, unless one of the hand times is clearly incorrect. In such cases, the average of the two accurate hand times will be utilized for the winning time. The other horses in that race will be given times according to the order and margins of finish with the aid of the photo finish strip, if available.

i. Unless the conditions of the stakes race provide otherwise, when there is a malfunction of the timer during the time trials, but the timer operates correctly in other time trials, the accurate electronic times should not be discarded in favor of the average of the hand times used for all time trials.

j. Where the accuracy of the electronic timer or the average of the hand times is questioned, the video of a time trial may be used to estimate the winning time by counting the number of video frames in the race from the moment the starting gate stall doors are fully open parallel to the racing track. This method is accurate to approximately .03 seconds. If the timer malfunctions and there are no hand times, the stewards have the option to select qualifiers based on the video time.

k. Should there be a malfunction of the starting gate and one or more stall doors not open or open after the exact moment when the starter dispatches the field, the stewards may declare the horses in stalls with malfunctioning doors to be nonstarters. The stewards have the option, however, to allow any horse whose stall door opened late but still ran a time fast enough to qualify to be declared a starter for qualifying purposes. If a horse breaks through the stall door or the stall door opens prior to the exact moment the starter dispatches the field, the horse will be declared a nonstarter and all entry fees refunded. If one or more, but not all, stall doors open at the exact moment the starter dispatches the field, these horses should be considered starters for qualifying purposes, and placed according to their electronic times. If the electronic timer malfunctions in this instance, the average of the hand times, or, if not available, the video time, should be utilized for the horses that were declared starters.

l. There will be an also eligible list only in the case of a disqualification for a positive drug test report, ineligibility of the horse according to the conditions of the race, or a disqualification by the stewards for a rule violation. Should a horse be disqualified for a positive drug test report, ineligibility of the horse according to the conditions of the race, or a disqualification by the stewards for a rule violation, the next fastest qualifier assumes the disqualified horse's position in the finals.

m. If a horse is scratched from the time trials, the horse's owner will not be eligible for a refund of the fees paid, and that horse will not be allowed to enter the finals under any circumstances. If a horse that qualified for the finals is unable to enter due to racing soundness or is scratched for any reason other than a positive drug test report or a rule violation, the horse is deemed to have earned, and the owner will receive, last place purse money. If more than one horse is scratched from the finals for any reason other than a positive drug test report or a rule violation, then the purse moneys will be added together and divided equally among the owners.

491—10.9(99D) Medication and administration, sample collection, chemists, and practicing veterinarian.

10.9(1) *Medication and administration.*

a. No horse, while participating in a race, may carry in its body any medication, drug, foreign substance, or metabolic derivative thereof, which is a narcotic or which could serve as a local anesthetic or tranquilizer or which could stimulate or depress the circulatory, respiratory, or central nervous system of a horse, thereby affecting its speed.

b. Any drugs or foreign substances that might mask or screen the presence of the prohibited drugs, or prevent or delay testing procedures, are also prohibited.

c. Proof of detection by the commission chemist of the presence of a medication, drug, foreign substance, or metabolic derivative thereof, prohibited by paragraph 10.9(1)*"a"* or *"b,"* in any bodily substances including but not limited to saliva, urine, blood, or hair sample duly taken under the supervision of the commission veterinarian from a horse immediately prior to or promptly after running in a race is prima facie evidence that the horse was administered, with the intent that it would carry or that it did carry in its body while running in a race, a prohibited medication, drug, or foreign substance in violation of this rule.

d. Administration or possession of drugs.

(1) No person shall administer, cause to be administered, or participate or attempt to participate in any way in the administration of any medication, drug, foreign substance, or treatment by any route to a horse registered for racing on the day of the race prior to the race in which the horse is entered.

(2) No person except a veterinarian shall have in the person's possession any prescription drug. Prescriptions must be written or dispensed or both only by duly licensed veterinarians in the context of a valid veterinarian-client-patient relationship and based upon a specific medical diagnosis. However, a person may possess a noninjectable prescription drug for animal use if all of the following are met:

1. The person actually possesses, within the racetrack enclosure, documentary evidence that a prescription has been issued to said person for such a prescription drug.

2. The prescription contains a specific dosage for the particular horse or horses to be treated by the prescription drug.

3. The horse or horses named in the prescription are in said person's care within the racetrack enclosure.

(3) No veterinarian or any other person shall have in their possession or administer to any horse within any racetrack enclosure any chemical or biological substance that:

1. Has not been approved for use on equines by the Food and Drug Administration pursuant to the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 301 et seq., and implementing regulations, without the prior written approval from a commission veterinarian, after consulting with the board of stewards.

2. Is on any of the schedules of controlled substances as prepared by the Attorney General of the United States pursuant to 21 U.S.C. Sections 811 and 812, without the prior written approval from a commission veterinarian after consultation with the board of stewards. The commission veterinarian will not give approval unless the person seeking the approval can produce evidence in recognized veterinary journals or by recognized equine experts that such chemical substance has a beneficial therapeutic use in horses.

(4) No veterinarian or any other person shall dispense, sell, or furnish any feed supplement, tonic, veterinary preparation, medication, or any other substance that can be administered or applied to a horse by any route, to any person within the premises of the facility unless it is labeled in conformance with this rule or is otherwise labeled as required by law. A substance does not comply with this rule if the label is missing, illegible, tampered with, or altered.

1. Labels for all substances must include the name of the substance dispensed; the name of the dispensing person; the name of the horse or horses for which the substance is dispensed; the purpose for which the substance is dispensed; the dispensing veterinarian's recommendations for withdrawal before racing, if applicable; and the name of the person to whom dispensed.

2. Labels for medications or other prescribed substances must include all items from paragraph 10.9(1)*"d"* and, in addition, the date the prescription was filled, name of the trainer or owner of the horse for whom the product was dispensed, dose, dosage, route of administration, duration of treatment of the prescribed product, and expiration date.

(5) No person shall have in the person's possession or in areas under said person's responsibility on facility premises any feed supplement, tonic, veterinary preparation, medication, or any substance

that can be administered or applied to a horse by any route unless it complies with the labeling requirements in subparagraph 10.9(1)*"d"*(4).

(6) Unless approved by the commission veterinarian, no person shall possess, use, or distribute a compounded medication within the premises of the facility if there is a Food and Drug Administration-approved equivalent of that substance available for purchase. Veterinary drugs must be compounded in accordance with all applicable state and federal laws. Compounded medication may be dispensed only by prescription issued by a licensed veterinarian to meet the medical needs of a specific horse and for use only in that specific horse. All compound medications must be labeled as required by law.

(7) Any drug or medication for horses that is used or kept on facility premises and that requires a prescription must be prescribed in compliance with applicable state law and regulations by a veterinarian who is duly licensed by the commission, the Iowa veterinary board, or the state in which the horse was located at the time of the examination, diagnosis, and prescription.

e. Any person found to have administered, or caused, participated in, or attempted to participate in any way in the administration of a medication, drug, or foreign substance that caused or could have caused a violation of this rule is subject to disciplinary action.

f. The owner, trainer, groom, or any other person having charge, custody, or care of the horse is obligated to protect the horse properly and guard it against the administration or attempted administration of a substance in violation of this rule. If the stewards find that any person has failed to show proper protection and guarding of the horse, or if the stewards find that any owner, lessee, or trainer is guilty of negligence, they will impose discipline and take other action they deem proper under any of the rules, including referral to the commission.

g. In order for a horse to be placed on the bleeder list in Iowa through reciprocity, that horse must be certified as a bleeder in another state or jurisdiction. A certified bleeder is a horse that has raced with furosemide in another state or jurisdiction in compliance with the laws governing furosemide in that state or jurisdiction.

h. The possession or use of blood doping agents, including but not limited to those listed below, on the premises of a facility under the jurisdiction of the commission is forbidden:

(1) Erythropoietin;

(2) Darbepoetin;

(3) Oxyglobin®; and

(4) Hemopure®.

i. The use of extracorporeal shock wave therapy or radial pulse wave therapy is not permitted unless the following conditions are met:

(1) Any treated horse cannot race for a minimum of ten days following treatment;

(2) The use of extracorporeal shock wave therapy or radial pulse wave therapy machines is limited to veterinarians licensed to practice by the commission;

(3) Any extracorporeal shock wave therapy or radial pulse wave therapy machines on the association grounds must be registered with and approved by the commission or its designee before use;

(4) All extracorporeal shock wave therapy or radial pulse wave therapy treatments must be reported to the official veterinarian on the prescribed form not later than the time prescribed by the official veterinarian.

j. The use of a nasogastric tube longer than six inches for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or designee.

k. Nonsteroidal anti-inflammatory drugs (NSAIDs) in thoroughbreds.

(1) The use of one of three approved NSAIDs is permitted under the following conditions, unless preempted by federal law:

1. The level does not exceed the following permitted serum or plasma threshold concentrations that are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:

- Phenylbutazone (or its metabolite oxyphenylbutazone) – 2 micrograms per milliliter;
- Flunixin – 20 nanograms per milliliter;
- Ketoprofen – 2 nanograms per milliliter.

2. The NSAIDs listed in numbered paragraph 10.9(1)*"k"*(1)"1" or any other NSAIDs are prohibited from being administered within the 24 hours before post time for the race in which the horse is entered.

3. The presence of more than one of the three approved NSAIDs, with the exception of phenylbutazone in a concentration below 0.3 micrograms per milliliter, flunixin in a concentration below 3 nanograms per milliliter, or ketoprofen in a concentration below 1 nanogram per milliliter of serum or plasma, or the presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted. The use of all but one of the approved NSAIDs must be discontinued at least 48 hours before the post time for the race in which the horse is entered.

(2) Any horse to which an NSAID has been administered is subject to having a blood sample(s), urine sample(s) or both taken at the direction of the official veterinarian to determine the quantitative NSAID level(s) or the presence of other drugs that may be present in the blood or urine sample(s).

l. NSAIDs in quarter horses.

(1) "Approved NSAIDs" means only phenylbutazone (or its metabolite oxyphenylbutazone), flunixin, or ketaprofen. "Approved NSAIDs" does not include any other substance.

(2) The use of one of three approved NSAIDs is permitted under the circumstances set forth in this paragraph. The presence of more than one of the three approved NSAIDs, with the exception of phenylbutazone in a concentration below 1 microgram per milliliter of serum or plasma, is not permitted. The presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted.

(3) The permissible level for approved NSAIDs cannot exceed concentrations that are consistent with administration by a single intravenous injection at least 48 hours before the post time for the race in which the horse is entered: 0.3 micrograms of phenylbutazone or oxyphenylbutazone per milliliter of serum or plasma; 5 nanograms of flunixin per milliliter of serum or plasma; or 2 nanograms of ketoprofen per milliliter of serum or plasma.

(4) Approved NSAIDs, or any other NSAIDs, cannot be administered within the 48 hours before post time for the race in which the horse is entered. Use of all but one approved NSAID must be discontinued at least 48 hours before the post time for the race in which the horse is entered.

10.9(2) *Sample collection of bodily substances.*

a. Under the supervision of the commission veterinarian, urine, blood, hair, and other bodily substances may be taken and tested from any horse that the stewards, commission veterinarian, or commission's representatives may designate. The samples will be collected by the commission veterinarian or other person or persons the commission may designate. Each sample is marked or numbered and bears information essential to its proper analysis, but the identity of the horse from which the sample was taken or the identity of its owners or trainer is not revealed to the official chemist or the staff of the chemist. The container of each sample is sealed as soon as the sample is placed therein.

b. No unauthorized person may be admitted at any time to the building or the area utilized for the purpose of collecting the required samples or the area designated for the retention of horses pending the obtaining of samples.

c. During the taking of samples from a horse, the owner, responsible trainer, or a representative designated by the owner or trainer may be present and witness the taking of the sample and so signify in writing. Failure to be present and witness the collection of the samples constitutes a waiver by the owner, trainer, or representative of any objections to the source and documentation of the sample.

d. The commission veterinarian, the board of stewards, agents of the division of criminal investigation, or a commission representative may take samples of any medicine or other materials suspected of containing improper medication, drugs, or other substance that could affect the racing condition of a horse in a race that may be found in barns or elsewhere on facility premises or in the possession of any person connected with racing, and the samples will be delivered to the official chemist for analysis.

e. Nothing in these rules is intended to prevent:

(1) Any horse in any race from being subjected by the order of a steward or the commission veterinarian to tests of bodily substances for the purpose of determining the presence of any foreign substance.

(2) The state steward or the commission veterinarian from authorizing the splitting of any sample.

(3) The commission or commission veterinarian from requiring bodily substances to be stored in a frozen state for future analysis.

f. Before leaving the racing surface, the trainer will ascertain the testing status of the horse under the trainer's care from the commission veterinarian or designated detention barn representative.

10.9(3) *Chemists or laboratory.*

a. Tests are to be under the supervision of the commission, which will employ one or more chemists or contract with one or more qualified chemical laboratories to determine by chemical testing and analysis of bodily substances whether a foreign substance, medication, drug or metabolic derivative thereof is present.

b. All bodily substance samples taken by or under direction of the commission veterinarian or commission representative will be delivered to the laboratory of the official chemist for analysis.

c. The commission chemist is responsible for safeguarding and testing each sample delivered to the laboratory by the commission veterinarian.

d. The commission chemist conducts individual tests on each sample, screening them for prohibited substances, and conducting other tests to detect and identify any suspected prohibited substance or metabolic derivative thereof with specificity. Pooling of samples is permitted only with the written approval of the administrator.

e. Upon the finding of a test negative for prohibited substances, the remaining portions of the sample may be discarded. Upon the finding of a test suspicious or positive for prohibited substances, the test will be reconfirmed and the remaining portion, if available, of the sample will be preserved and protected for one year following close of meet.

f. The commission chemist submits a written report to the commission as to each sample tested, indicating by sample tag identification number, whether the sample was tested negative or positive for prohibited substances. The commission chemist will not report test findings to any person other than commission representatives designated by the administrator.

g. If the commission chemist finds a sample suspicious for a prohibited medication, additional time for test analysis and confirmation may be requested.

h. In reporting to the commission representative a finding of a test positive for a prohibited substance, the commission chemist will present documentary or demonstrative evidence acceptable in the scientific community and admissible in court in support of the professional opinion as to the positive finding.

i. No action will be taken by the state steward until an official report signed by the chemist properly identifying the medication, drug, or other substance as well as the horse from which the sample was taken has been received.

j. The cost of the testing and analysis will be paid by the commission to the official chemist. The commission will then be reimbursed by each facility on a per-sample basis so that each facility bears only its proportion of the total cost of testing and analysis. The commission may first receive payment from funds provided in Iowa Code chapter 99D, if available.

10.9(4) *Practicing veterinarian.*

a. Prohibited acts.

(1) Ownership. A licensed veterinarian practicing at any meeting cannot hold any ownership, directly or indirectly, in any racing animal racing during the meeting.

(2) Wagering. Veterinarians licensed by the commission as veterinarians cannot place any wager of money or other thing of value directly or indirectly on the outcome of any race conducted at the meeting at which the veterinarian is furnishing professional service.

(3) Furnishing injectable materials. No veterinarian shall within the facility premises furnish, sell, or loan any hypodermic syringe, needle, or other injection device, or any drug, narcotic, or prohibited substance to any other person unless with written permission of the stewards.

(4) Contact with entered horse within 24 hours before post time. Practicing veterinarians cannot have contact with an entered horse within 24 hours before the scheduled post time of the race in which the horse is scheduled to compete unless (1) approved by the state veterinarian or (2) in the case of emergency. In case of an emergency, the state veterinarian must be notified prior to entering the stall. A documented attempt to contact the state veterinarian prior to entering the stall complies with the notification requirements of this rule. Any unauthorized contact may result in the horse being scratched from the race in which it was scheduled to compete and may result in further disciplinary action by the stewards.

b. Syringes, hypodermic needles, and infusion tubes. The use of other than single-use disposable syringes and infusion tubes on facility premises is prohibited. Whenever a veterinarian has used a hypodermic needle or syringe, the veterinarian must destroy the needle and syringe and remove the needle and syringe from the facility premises.

c. Required reports. Practicing veterinarians must submit reports to the commission veterinarian as follows:

(1) Medication and other substance reports in accordance with Iowa Code section 99D.25(10), including the racing animal; trainer; procedure; medication or other substance; dosage or quantity; route of administration; and the date and time administered, dispensed, or prescribed.

(2) A copy of an updated logbook of procedures and other professional services or treatments, as described in Iowa Code section 99D.25(10), within 24 hours after the procedure, professional service, or treatment is provided or completed.

(3) Immediately upon discovering or diagnosing any illness presenting unusual or unknown symptoms in a racing animal entrusted to the veterinarian's care.

(4) Immediately upon euthanizing any horse on facility premises.

d. Additional scope-of-practice parameters. Practicing veterinarians are subject to the professional scope and standards of practice established by the state of Iowa veterinary regulatory authority. In addition, practicing veterinarians are subject to the following scope-of-practice parameters while caring for and treating racing animals:

(1) Practicing veterinarians may have employees licensed as veterinary assistants working under their direct supervision. Activities of these employees cannot include direct treatment or diagnosis of any animal. The practicing veterinarian must be present if a veterinary assistant is to have access to injection devices or injectables. The practicing veterinarian assumes all responsibility for a veterinary assistant. A veterinary assistant cannot engage in activities that a practicing veterinarian is prohibited from engaging in, including performing other work that would put the assistant in contact with an entered horse within 24 hours before post time.

(2) Equine dentistry is considered a function of veterinary practice by the Iowa veterinary practice Act. Any dental procedures performed at the facility must be performed by a licensed veterinarian or a licensed veterinary assistant.

These rules are intended to implement Iowa Code chapter 99D.