

Dear Legislators:

The Minnesota Racing Commission intends to adopt rule amendments relating to horse racing. We plan to publish a Notice of Intent to Adopt Rules in the January 20, 2026, State Register and are now sending the Notice under section 14.14. As required under section 14.116, we are sending you a copy of the Notice and the Statement of Need and Reasonableness. We are also enclosing a copy of the proposed rules. If you have any questions or concerns, please contact me at joseph.newton@state.mn.us.

Sincerely,

E. Joseph Newton

General Counsel

Minnesota Racing Commission

Enclosures:

- Notice of Intent to Adopt Rules
- Statement of Need and Reasonableness
- Proposed Rules

cc: Legislative Coordinating Commission

Legislative Referenced Library

R-04965

Minnesota Racing Commission

STATEMENT OF NEED AND REASONABLENESS

Proposed Amendments to Rules Governing Horse Racing: Definitions, Licensure, Pari-Mutuel Rules, Facilities and Equipment, Racetrack Security Officers, Stewards, Thoroughbred/Quarter Horse Races, Harness Races, Horse Medication, Physical Examination, Breeder’s Fund, and Prohibited Acts; Chapters 7869, 7870, 7873, 7875, 7878, 7879, 7883, 7884, 7890, 7891, 7895, and 7897.

INTRODUCTION

The Minnesota Racing Commission (MRC) continuously strives to keep its rules current and relevant as the industry evolves. This rulemaking initiative will modify, clarify, and update various existing MRC rules pertaining to licensing, animal welfare, and the safety of all participants. There is an emphasis on horse health, veterinary practices, medications, and racing rules. Many of these changes are necessitated by new Federal legislation. Following is a summary of the changes.

7869.0100 Subp. 54a. **Scoring.**

This definition is being added to define “scoring” which is used elsewhere in the rules.

7869.0100 Subp. 67a. **Traction device.**

This definition is being added to define “traction device” which is used elsewhere in the rules and comes directly from the 2000 series of the HISA rules and regulations.

7869.0100 Subp. 68a. **Wager.**

This definition is being added to define “wager” which is used elsewhere in the rules.

7870.0480 Subpart 1A. **Medical facilities, equipment, and personnel.**

This part is being removed because it is no longer necessary for an association to have a fully equipped first aid room with at least two beds. The human ambulance that is required to be on-site has the appropriate equipment.

7870.0480 Subpart 1B. **Medical facilities, equipment, and personnel.**

This rule is being renumbered from subpart “1B” to subpart “1A.”

7870.0480 Subpart 1C. **Medical facilities, equipment, and personnel.**

This rule is being renumbered from subpart “1C” to subpart “1B.”

7873.0193 **PLACE PICK (n).**

This section is being changed from “PLACE PICK ALL” to “PLACE PICK (n).”

7873.0193 Subpart 1. **Scope.**

This subpart is being amended to match the new name of the specific type of wager, which will be “place pick (n).”

7873.0193 Subpart 1A. **Scope.**

This rule is being added to specify requirements of a place pick (n) wager. This type of wager will require a bettor to select the first place or second place finisher in each of a designated number of contests ranging from as few as three contests to as many as 16 contests.

7873.0193 Subpart 1B. **Scope.**

This rule is being added to specify that all contests subject to a specific place pick (n) wager must be held on a single racing day.

7873.0193 Subp. 2. **Ticket is evidence of binding contract.**

This subpart is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 3. **Place pick (n) may be given a distinctive name.**

This subpart is being renamed and amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 3a. **Specific requirements for commission approval.**

This proposed rule is being added to specify that an association must outline each type of place pick (n) wager to be offered within its pari-mutuel request to be considered for approval by the commission.

7873.0193 Subp. 3a. A. **Specific requirements for commission approval.**

This proposed rule is being added to specify that an association must include the number of contests the place pick (n) wager will comprise in its pari-mutuel request to be considered for approval by the commission.

7873.0193 Subp. 3a. B. **Specific requirements for commission approval.**

This proposed rule is being added to specify that an association must include any specific name the association wishes to give the wager in its pari-mutuel request to be considered for approval by the commission.

7873.0193 Subp. 3a. C. **Specific requirements for commission approval.**

This proposed rule is being added to specify that an association must include a designation of one of the methods of payment outlined within subpart 6 of this section in its pari-mutuel request to be considered for approval by the commission. This must include a description of the relevant percentages chosen by the association specific to the chosen method of calculation.

7873.0193 Subp. 4. **Place pick (n) pool.**

This subpart is being renamed and amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 5. **Coupled entries and fields.**

This rule is being amended to match the new name of the wager which will be “place pick (n).”

7873.0193 Subp. 6A. Calculation of pool.

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 6B. Calculation of pool.

This rule is being amended so that one hundred percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the most winning selections officially finishing first or second in each of the races comprising the place pick (n) wager, rather than that day’s racing program.

7873.0193 Subp. 6C. 1. Calculation of pool.

This proposed rule change is being amended to change the entire racing day program to the Place Pick “n” wager as the wager depends on the “n” or the number of races and not the entire racing day.

7873.0193 Subp. 6C. 2. Calculation of pool.

This proposed rule change is being amended to change the entire racing day program to the Place Pick “n” wager as the wager depends on the “n” or the number of races and not the entire racing day.

7873.0193 Subp. 6E. Calculation of pool.

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 6F. 1. Calculation of pool.

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 6G. **Calculation of pool.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 6H. **Calculation of pool.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 7. **Actual favorite substituted for scratched horse.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7875.0100 Subp. 4. **Racing surfaces.**

This proposed rule change updates when an association must submit to the commission evidence that the construction, elevation, and composition of racing and training surfaces have received engineering and veterinarian approval as safe and humane. For a racetrack under the jurisdiction of HISA, the timeline is being updated from within seven days after a race meeting commences to as soon as the association receives the report from HISA.

7875.0200 Subp. 9C. **External communications.**

This rule is being removed as it is no longer needed.

7877.0120 Subpart 1GG. **License fees.**

This rule is being amended to allow for a new part to be added.

7877.0120 Subpart 1HH. **License fees.**

This rule is being amended to allow for a new part to be added.

7877.0120 Subpart 1II. **License fees.**

This rule is being added to provide a specific racing commission licensing fee of zero charge for veterinary student externs.

7877.0125 Subp. 4. **Access to backside of racetrack.**

This rule is being added to clarify that a person who is ineligible to receive a racing commission license may not have access to the backside of the racetrack and may not receive a 72-hour guest pass or be signed in by a trainer, assistant trainer, or any other MRC licensee, as a guest.

7877.0175 Subp. 8b. C. **Veterinarian's list.**

This rule is being amended to allow a Thoroughbred horse that has passed the workout and post work-out assessment to enter, but not race, before the post-workout drug test results are returned.

7878.0130 Subpart 1H. **Basic Course.**

This rule is being amended to allow a newly hired security officer at an association to complete the required cardiopulmonary resuscitation (CPR) training within 30 days of their first scheduled training shift rather than before they can start working in that capacity.

7878.0160 Subp. 2. **Notification of searches.**

This rule is being amended to require any illegal contraband seized because of a search by an association or its security personnel, to be delivered to the local law enforcement agency or commission investigator within 24 hours of the search, rather than immediately following the search.

7879.0200 Subpart 1M. **General authority of stewards.**

This rule is being added to grant stewards the authority to summarily suspend a racing commission license pending a hearing, if the stewards determine that a licensee's actions constitute an immediate danger to the public health, safety, or welfare, are not in the best interest of racing, or compromise the integrity of operations at a track or satellite facility.

7879.0200 Subpart 1M. 1. **General authority of stewards.**

This rule is being added to give a licensee whose racing commission license has been summarily suspended, the ability to request a hearing within 48 hours following a written request to the commission.

7879.0200 Subpart 1M. 2. **General authority of stewards.**

This rule is being added to require the stewards to conduct a hearing on a summary suspension in the same manner as other disciplinary hearings. The sole issue at a hearing on a summary suspension is whether the licensee's racing commission license should remain suspended pending final disciplinary hearing and ruling.

7883.0100 Subp. 16I. **Workout requirements.**

This rule is corrected as horses requiring a workout are on the veterinarian's list and not the steward's list.

7883.0100 Subp. 20. **Quarter Horses must stand in the gate.**

This rule is being removed as it was too cumbersome for the trainer and starter. The starting gate is not always available the day before or the day of racing so there would be no opportunity for the horse to stand in the gate.

7883.0110 Subp. 2. **In-today horses.**

This rule is being amended to update the word "the" to "a" to include more than just one future race date.

7883.0120 Subp. 1b. C. **Procedure for scratching horses.**

This rule is being amended to increase the number of horses required to remain in a field for horses to be scratched from a race without penalty. Currently, the rule dictates that horses may be scratched down to a field of seven without penalty. This rule change updates that to a field of eight.

7883.0120 Subp. 1b. E. **Procedure for scratching horses.**

This rule is being added to clarify that a scratch requested by a trainer, owner, or authorized agent on a race day is not final until all scratches requested by a commission veterinarian have been submitted and approved by the stewards. It also clarifies that every entered horse must be examined by a commission veterinarian regardless of a potential scratch.

7883.0120 Subp. 1d. **Horse drawn into two races.**

This rule is being amended to clarify that main-track-only and stakes horses are excluded from being scratched out of the first race they are entered in if they are drawn into the body of another race within seven days or fewer.

7883.0150 Subp. 15. **Tongue ties.**

This rule is being added to require tongue ties that are tied so tightly that the tongue appears blue or purple when the horse reaches the saddling paddock to be loosened before the horse may be saddled. The paddock veterinarian will be responsible for determining if a tongue is tied too tightly.

7883.0150 Subp. 16. **Questionable weather events.**

This rule is added to specify what websites and applications will be used to track inclement weather events. The Air Quality Index (AQI) will be monitored using the AirNow application or <https://www.airnow.gov>. The Heat Index will be monitored using the OSHA Heat Index application or <https://www.osha.gov/heat/>. Lightning strikes within a set number of miles from the racetrack will be monitored using the My Lightning Tracker Pro application. National Oceanic and Atmospheric Administration (NOAA) weather reports and the National Weather Service RADAR will be used to confirm weather patterns and directions.

7883.0150 Subp. 16A. **Questionable weather events.**

This rule is being added to specify cancellation and postponement procedures when the AQI for the racetracks zip code is elevated due to an extreme air pollutant event, including when smoke from wildfires is forecasted or detected.

7883.0150 Subp. 16A. 1. **Questionable weather events.**

This rule is being added to specify that when the AQI for the racetracks zip code reaches a level of 150, both equine and human participants will be provided the option to withdraw from competition without penalty.

7883.0150 Subp. 16A. 2. **Questionable weather events.**

This rule is being added to specify that when the AQI for the racetracks zip code reaches a level of 175 or higher, no horse racing or training will be conducted.

7883.0250 Subp. 16B. **Questionable weather events.**

This rule is being added to specify that when the heat index for the racetracks zip code is projected to reach 105 or higher for more than two consecutive hours, the chief commission veterinarian will recommend to the association that horseracing be postponed or canceled.

7883.0150 Subp. 16C. **Questionable weather events.**

This rule is being added to introduce the procedure that must be followed when lightning first strikes within an 8-mile radius of the racetrack.

7883.0150 Subp. 16C. 1. **Questionable weather events.**

This rule is being added to specify that when lightning first strikes within an 8-mile radius of the racetrack, the association must suspend or cancel racing in coordination with MRC stewards. Racing activity may resume after 30 minutes from the last lightning strike within 8 miles of the racetrack, or earlier if an all-clear may be established by weather patterns.

7883.0150 Subp. 16C. 2. **Questionable weather events.**

If the suspension lasts greater than one hour, the MRC chief veterinarian will discuss cancelling a partial amount of the remaining card or enact a plan to cancel the remainder of the race card.

7883.0160 Subp. 14A. **Horse becomes disabled or otherwise unable to finish.**

This rule is being amended to require a horse that bleeds excessively during or immediately after a race to be transported by horse ambulance to the detention barn for further examination by a commission veterinarian.

7883.0170 A3. a. **Equipment.**

This rule is being amended for Thoroughbreds only.

7883.0170 A3. ai. **Equipment.**

This rule is being amended to match updated HISA regulations on horseshoes for Thoroughbreds.

7883.0170 A3. aii. **Equipment.**

This rule is being amended to match updated HISA regulations on horseshoes for Thoroughbreds.

7883.0170 A3. aiii. **Equipment.**

This rule is being amended to match updated HISA regulations on horseshoes for Thoroughbreds.

7884.0120 Subp. 13D. **Horses denied entry.**

This rule is being added to deny entry of a horse with no physiological abnormalities having two consecutive TCO₂ concentrations greater than 35 mMoles/L.

7884.0120 Subp. 19

This rule is being added to require all races with a purse less than \$30,000 to be drawn electronically, unless an exception is granted by the executive director.

7884.0130 Subp. 1a. A3. a. **Preference date.**

This rule is being added to give a state bred horse preference over a non-state bred horse when the same date has occurred for two consecutive races.

7884.0230 Subp. 9. **Tongue ties.**

This rule is being added to require tongue ties that are tied so tightly that the tongue appears blue or purple when the horse comes onto the track be loosened before the horse may continue to race. The track veterinarian is responsible for determining if the tongue is tied too tightly.

7884.0240 Subp. 1a. Cancellation and postponement.

This rule is being amended to add the specific measurement websites and applications that will be used to track inclement weather events. The Air Quality Index (AQI) will be monitored using the AirNow application or <https://www.airnow.gov>. The Heat Index will be monitored using the OSHA Heat Index application or <https://www.osha.gov/heat/>. Lightning strikes within a set number of miles from the racetrack will be monitored using the My Lightning Tracker Pro application. National Oceanic and Atmospheric Administration (NOAA) weather reports and the National Weather Service RADAR will be used to confirm weather patterns and directions.

7884.0240 Subp. 1a. A. Cancellation and postponement.

This rule is being added to specify cancellation and postponement procedures when the AQI for the racetracks zip code is elevated due to an extreme air pollutant event, including when smoke from wildfires is forecasted or detected.

7884.0240 Subp. 1a. A1. Cancellation and postponement.

This rule is being added to specify that when the AQI for the racetracks zip code reaches a level of 150, both equine and human participants will be provided the option to withdraw from competition without penalty.

7884.0240 Subp. 1a. A2. Cancellation and postponement.

This rule is being added to specify that when the AQI for the racetracks zip code reaches a level of 175 or higher, no horse racing, training, or jogging will be conducted.

7884.0240 Subp. 1a. B. Cancellation and postponement.

This rule is being added to specify that when the heat index for the racetracks zip code is projected to reach 105 or higher for more than two consecutive hours, the chief commission veterinarian will recommend to the association that horseracing be postponed or canceled.

7884.0240 Subp. 1a. C. **Cancellation and postponement.**

This rule is being added to introduce the procedure that must be followed when lightning first strikes within an 8-mile radius of the racetrack.

7884.0240 Subp. 1a. C1. **Cancellation and postponement.**

This rule is being added to specify that when lightning first strikes within an 8-mile radius of the racetrack, the association must suspend or cancel racing in coordination with MRC stewards. Racing activity may resume after 30 minutes from the last lightning strike within 8 miles of the racetrack, or earlier if an all-clear may be established by...

7884.0240 Subp. 1a. C2. **Cancellation and postponement.**

If the suspension lasts greater than one hour, the MRC chief veterinarian will discuss cancelling a partial amount of the remaining card or enact a plan to cancel the remainder of the race card.

7884.0260 Subp. 2T. **Conduct after word “go” is given.**

This rule is being amended to allow changes related use of the whip.

7884.0260 Subp. 2T. 1. **Conduct after word “go” is given.**

This rule is being amended to change the length of the whip from 36 to 48 inches with an added snapper of 3 inches. It also specifies that the whip cannot be made of leather, tape can only be used on the handle, and the snapper cannot be knotted. The new whip specification and requirement rules discussed in subp. 2T are now codified in a new subpart 13.

7884.0260 Subp. 2T. 1a. **Conduct after word “go” is given.**

This rule is being re-lettered from number 1

7884.0260 Subp. 2T. 1b. **Conduct after word “go” is given.**

This rule is being re-lettered from number 2.

7884.0260 Subp. 2T. 1c. **Conduct after word “go” is given.**

This rule is being re-lettered from number 3.

7884.0260 Subp. 2T. 1d. **Conduct after word “go” is given.**

This rule is being re-lettered from number 4.

7884.0260 Subp. 2T. 1e. **Conduct after word “go” is given.**

This rule is being re-lettered from number 5.

7884.0260 Subp. 2T. 2. **Conduct after word “go” is given.**

This rule is being added so the penalty(ies) for a whipping offense are clearly understood.

7884.0260 Subp. 2T. 2a. **Conduct after word “go” is given.**

This rule is being added to provide the penalty(ies) for whip welt.

7884.0260 Subp. 2T. 2b. **Conduct after word “go” is given.**

This rule is being added to provide the penalty(ies) for whip violations not associated with a whip welt.

7884.0260 Subp. 2W. **Conduct after word “go” is given.**

This rule is being amended to allow for a new part to be added.

7884.0260 Subp. 2X. **Conduct after word “go” is given.**

This rule is being amended to allow for a new part to be added.

7884.0260 Subp. 2Y. **Conduct after word “go” is given.**

This rule is being added to require a driver's arms to always stay below shoulder level while urging a horse during a race. It also restricts driver's from using any exaggerated movement of either arm while urging the horse.

7884.0260. Subp. 3A. **Breaks.**

This rule is being amended to allow a driver to take a horse that has broken gait to either the inside or outside of other horses where clearance exists to do so.

7884.0260 Subp. 11B. 2. **Pylon violations.**

This rule is being amended to allow for a new part to be added.

7884.0260 Subp. 11B. 3. **Pylon violations.**

This rule is being amended to allow for a new part to be added. The word "judges" is also being updated to "stewards" as a housekeeping change.

7884.0260 Subp. 11B. 4. **Pylon violations.**

This rule is being added describe how the trainer of horse that breaks gait and is taken to the inside of the pylons must proceed. If no unfair advantage is gained by the trainer the horse may remain in the position without a placing.

7884.0260 Subp. 13. **Use of the Whip.**

The whip specification and requirement rules discussed above in subp. 2T are now codified in a new subpart 13.

7890.0100 Subp. 13a. E. **Medication.**

This rule is being added to allow Omeprazole to be administered 24 hours prior to a race and provides the concentration in the test sample that may not be exceeded.

7890.0110 Subp. 8a. B. **Intra-articular injections.**

This rule is being amended to require X-rays of the fetlock to be taken for any horse receiving a corticosteroid injection in the same fetlock joint within a 60-day period.

7890.0160 F. RESPONSIBILITY OF VETERINARIAN.

This rule is being added to require a physical examination to be performed and the results, including temperature, pulse, and respiratory rate, be reported to a commission veterinarian for emergency cases not requiring treatment where a race day scratch is requested.

7891.0101 ENTRY EXAMINATION BY ATTENDING VETERINARIAN.

This section is being added to ensure that every horse entered to race has been examined by a practicing veterinarian after the horse is entered but before it races.

7890.0101 Subpart 1. Horses subject to entry examination by attending veterinarian.

This subpart is being added to specify requirements for a Thoroughbred or Quarter Horse to start in a race.

7890.0101 Subpart 1A. Horses subject to entry examination by attending veterinarian.

This rule is being added to provide a time frame for the entry examination.

7890.0101 Subpart 1B. Horses subject to entry examination by attending veterinarian.

This rule is being added to specify how the entry examination results are transmitted to the Chief Commission Veterinarian

7890.0101 Subpart 1B. 1. Horses subject to entry examination by attending veterinarian.

This rule is being added to describe what a minimum examination includes.

7890.0101 Subpart 1B. 2. Horses subject to entry examination by attending veterinarian.

This rule is being added to provide a timeline for transfer of diagnostic test results from the practicing veterinarian to the commission veterinarian

7891.0110 Subp. 2C. Test samples to be taken for analysis.

This rule is being added to require that blood, urine, and cerebral spinal fluid (CSF) samples be taken from a horse with a suspected or known neurological disease prior to or directly after euthanasia and submitted to the appropriate laboratory for analysis.

7895.0300 Subp. 3B. **Distribution of money.**

This rule is being amended to state when Quarter Horse purse earnings do not count towards qualified earnings and stallion awards.

7895.0350 Subp. 3. **Foal registration.**

This rule is being amended to update the term “Minnesota-sired” to “Minnesota-bred.”.

7897.0100 Subp. 7. **Cooperation with security officers.**

This rule is being amended to include regulatory veterinarians in the group of racing officials that people must cooperate with.

7897.0100 Subp. 26. **Furosemide and oral diuretic supplementation.**

This rule is being added to prohibit the possession of furosemide and other diuretic oral solutions, tablets, paste, or other forms, unless it is prescribed for a horse with a documented medical condition and has been approved by a commission veterinarian.

ALTERNATIVE FORMAT

Upon request, this Statement of Need and Reasonableness can be made available in an alternative format, such as large print, Braille, or audio. To make a request, contact E. Joseph Newton at the Minnesota Racing Commission, 15201 Zurich Street, Suite 212, Columbus, MN 55025; phone 651-356-1200; fax 651-925-3954; or email joseph.newton@state.mn.us. TTY users may call the Racing Commission at 800-627-3529.

STATUTORY AUTHORITY

The Racing Commission's statutory authority to adopt the rules is set forth in Minnesota Statutes section 240.03, 240.23 and 240.24.

Minnesota Statutes section 240.03 specifies Racing Commission power and duties which include regulating horse racing in Minnesota to ensure that it is conducted in the public interest and to take all necessary steps to ensure the integrity of racing in Minnesota.

Minnesota Statutes section 240.23 provides the racing commission statutory authority to adopt the rules, as follows:

The Commission has the authority, in addition to all other rulemaking authority granted elsewhere in this chapter to promulgate and adopt rules governing: a) the conduct of horse races held at licensed racetracks in Minnesota, including but not limited to the rules of racing, standards of entry, operation of claiming races, filing and handling of objections, carrying of weights, and declaration of official results, b) wire and wireless communications between the premises of a licensed racetrack and any place outside the premises, c) information on horse races which is sold on the premises of a licensed racetrack, d) liability insurance which it may require of all racetrack licensees, e) the auditing of the books and records of a licensee by an auditor employed or appointed by the Commission, f) emergency action plans maintained by licensed racetracks and their periodic review, g) safety, security, and sanitation of stabling facilities at licensed racetracks, h) entry fees and other funds received by a licensee in the course of conducting racing which the Commission determines must be placed in an escrow account, i) affirmative action in employment and contracting by licensed racetracks, and j) procedures for the sampling and testing of any horse that is eligible to race in Minnesota for substances or practices that are prohibited by law or rule; and k) any other aspect of horse racing or pari-mutuel betting which in its opinion affects the integrity of racing or the public health, welfare, or safety.

Minnesota Statutes section 240.24 authorizes the Racing Commission to “make and enforce rules governing medication and medical testing for horses running at licensed racetracks.”

REGULATORY ANALYSIS

(1) A description of the classes of persons who probably will be affected by the proposed rules, including classes that will bear the costs of the proposed rules and classes that will benefit from the proposed rules.

The people probably affected by these proposed rule changes are racetracks, horse owners, trainers and drivers, and other persons involved in horse racing. All stakeholders will benefit from the updating, simplification, and clarification of existing rules.

(2) The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rules and any anticipated effect on state revenues.

There are no anticipated changes in costs to the Racing Commission or to any other state or local agency due to these proposed amendments.

(3) A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rules.

The Racing Commission believes the proposed changes will not be intrusive, as they mainly seek to clarify and simplify existing rules or bring current rules into alignment with industry standards. The cost to implement them will be minimal. The Racing Commission has not identified any less costly or less intrusive methods for achieving the purposes of the proposed rules.

(4) A description of any alternative methods for achieving the purpose of the proposed rules that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rules.

There were no alternative methods available. Several meetings were held with industry participants and stakeholders. Many of the proposed rules reflect changes in national racing standards and were presented by industry participants and stakeholders. Other rule changes were proposed to update, clarify, or simplify existing rules.

(5) The probable costs of complying with the proposed rules, including the portion of the total costs that will be borne by identifiable categories of affected

parties, such as separate classes of governmental units, businesses, or individuals.

There are no significant anticipated costs to governmental units and businesses. Most of these proposals seek to clarify or simplify existing rules, conform the rules to industry practices, or conform rules to national trade association rules to keep them up-to-date and consistent with requirements in other racing jurisdictions.

(6) The probable costs or consequences of not adopting the proposed rules, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals.

The consequences of not adopting the proposed rules would be that Thoroughbred racing in Minnesota would not be HISA compliant. In addition, some of Minnesota's medication and horse racing rules would be outdated and inconsistent with national practices. This could lead to confusion in the Minnesota horse industry as horses move from state to state and less ability to detect prohibited drugs in racehorses. Without the proposed rule changes, detection, and prevention of the administration of prohibited medications would be more difficult, leading to an unsafe environment.

(7) An assessment of any differences between the proposed rules and existing federal regulations and a specific analysis of the need for and reasonableness of each difference.

In January 2021, federal legislation was enacted creating the Horse Racing Safety and Integrity Authority. There are new federal regulations in place regarding Thoroughbred horse racing and the regulations are updated and modified yearly. There are no current differences between the federal regulations regarding these proposed rule changes and the proposed rules harmonize them. Non-Thoroughbred horse racing is regulated by the various individual state racing commissions. Several of the proposed rules are aimed at achieving uniformity across states, reciprocity with other jurisdictions, and adoption of industry model rules and safety initiatives and to stay abreast of current Federal regulation.

(8) An assessment of the cumulative effect of the rules with other federal and state regulations related to the specific purpose of the rule.

These rules are specific to horse racing but when required, are consistent with state regulations for the Boards of Animal Health and Veterinary Medicine and USDA Animal and Plant Health Inspection Service (APHIS) requirements. Many of these proposed rules are meant to align with the new federal HISA program which went into effect on July 1, 2022. The cumulative effect is unknown as the program is new and regulations are being updated yearly. The remainder of the rules are updates to minor changes to existing rules with no specific cumulative effects.

PERFORMANCE-BASED RULES

These rules are proposed to support the horse breeding industry consistent with the Racing Commission's mission. As required by Minnesota Statutes, section 14.002, they were developed with every effort to emphasize superior achievement in meeting the agency's regulatory objectives and maximum flexibility for the regulated parties and the agency in meeting those goals. We consulted with staff, commissioners, the Office of the Attorney General, interested industry members, and regulators from other states. We also reviewed model rules and rules in effect in other states.

ADDITIONAL NOTICE

The Racing Commission began work on these rule proposals in August of 2025 after receiving recommendations from racing stewards, racetracks, Racing Commission staff and industry members. Several stakeholder meetings were held to discuss the proposals. Meetings were held at various times with Class A and Class B license holders and industry stakeholder groups. Horse trainers, owners, racetrack representatives, racing officials, horsepersons groups, the Jockey's Guild, and Racing Commission staff were consulted. The public was encouraged to submit additional proposals.

The proposed rules were revised and then thoroughly discussed at a public meeting of the Racing Commission's Racing Committee, a panel comprised of four commissioners, on

November 10, 2025. Members of the public provided valuable input at this meeting. The Racing Committee unanimously voted to recommend the rules to the full Racing Commission with some minor modifications. On November 20, 2025, the full Minnesota Racing Commission met and accepted the Racing Committee's recommendation and voted to publish the Notice of Intent to Adopt Rules. The rules discussion was clearly included on all agendas duly prepared and mailed or e-mailed 7 days prior to these public meetings. Agendas were also posted on the Racing Commission's website. Minutes and recordings of the meetings are available on the Racing Commission's website at <https://mn.gov/mrc/>.

Our Additional Notice Plan includes:

1. Publishing the Request for Comments in the September 2nd, 2025, edition of the State Register.
2. Posting the Request for Comments on the Commission's website at <https://mn.gov/mrc/rules-resources/specific/> with a link to the Court of Administrative Hearings rulemaking e-comments website.
3. Posting the Request for Comments on the Court of Administrative Hearings rulemaking e-comments website with a link from the Commission's website.
4. Posting the Request for Comments on the Commission's Facebook page.
5. E-mailing the Request for Comments to everyone registered to be on any Commission's mailing list, in addition to those persons on the rulemaking list required under Minnesota Statutes, section 14.14, subdivision 1a.
6. E-mailing the Request for Comments to each of the Commission's contact persons with Class A & B licenses.
7. E-mailing the Request for Comments to each person holding a Class C license from the Commission to work as a racing veterinarian in the past two years.
8. E-mailing the Request for Comments separately to each of our contacts at the five horsepersons organizations that are affected by horse racing in Minnesota, along with a specific request that they post it on their website or otherwise communicate it to their members. These organizations include: the Minnesota Horsemen's Benevolent and Protective Association, Minnesota Harness Racing Inc., the Minnesota Quarter

Horse Racing Association, the Jockey's Guild, and the United States Trotting Association.

9. E-mailing the Request for Comments to organizations in Minnesota that we have identified as having an interest in animal health, including the Minnesota Board of Animal Health, the Minnesota Board of Veterinary Medicine, the Minnesota Humane Society, the Minnesota Veterinary Medical Association, and the University of Minnesota College of Veterinary Medicine. We will request that these organizations disseminate the Request for Comments to their members and constituents as they see fit.
10. The start of this rulemaking project was announced at the August 18th, 2025, public meeting of the Minnesota Racing Commission.
11. Commission staff will hold a public stakeholder meeting to obtain input from interested persons. This meeting will be announced at a Commission meeting, via our website, and via our mailing lists as described above.
12. Commission staff will update the Commission and the public on the progress of rule development at each regularly scheduled public meeting of the Minnesota Racing Commission.

CONSULT WITH MMB ON LOCAL GOVERNMENT IMPACT

As required by Minnesota Statutes, section 14.131, the Racing Commission will consult with Minnesota Management and Budget (MMB). We will do this by sending MMB copies of the documents that we send to the Governor's Office for review and approval. We will do this before the Racing Commission publishes the Notice of Intent to Adopt. The documents will include: the Governor's Office Proposed Rule and SONAR Form; the proposed rules; and the SONAR. The Racing Commission will submit a copy of the cover correspondence, and any response received from Minnesota Management and Budget to CAH with the documents it submits for ALJ review.

DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION

As required by Minnesota Statutes, section 14.128, subdivision 1, the agency has considered whether these proposed rules will require a local government to adopt or amend any ordinance or other regulation to comply with these rules. The Racing Commission has determined that they will not, because all activity that these amendments affect occurs on licensed racetrack grounds or private farms, not in the local or rural community. There are times where we may have to contact local law enforcement or county/city attorney offices, but that is in the normal course of fulfilling our duties and responsibilities when events warrant. It is not anticipated that these amendments will either increase or decrease those contacts.

COST OF COMPLYING FOR SMALL BUSINESS OR CITY

As required by Minnesota Statutes, section 14.127, the Racing Commission has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small business or small city. The Racing Commission has determined that the cost of complying with the proposed rules will be negligible and could not exceed \$25,000 for a small business. The Racing Commission has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed \$25,000 for any small city.

LIST OF WITNESSES

If these rules go to a public hearing, the Racing Commission anticipates having the following principal witnesses testify in support of the need for and reasonableness of the rules:

1. Kyle Gustafson, Executive Director, Minnesota Racing Commission.
2. Dr. Lynn Hovda, Chief Commission Veterinarian, Minnesota Racing Commission.
3. E. Joseph Newton, General Counsel, Minnesota Racing Commission.

Additional witnesses could be called as needed. The Racing Commission does anticipate calling non-agency witnesses.

RULE BY RULE ANALYSIS

7869.0100 DEFINITIONS

Subp. 54a. Scoring

This definition is needed as it is used in the proposed rule 7884.0230, Subp. 9 and there is no definition present in rules. (Exhibit 1, Exhibit 2, Exhibit 3)

Subp. 67a. Traction device

This definition is needed as it is used in proposed rule change 7883.0170 A (3) (a), where limitations of traction devices for specific racing surfaces are provided for Thoroughbred racehorses. (Exhibit 4)

Subp. 68a. Wager.

This definition is used throughout proposed rule change 7873.0193 and is needed to provide a clear understanding of what a wager is. (Exhibit 5, Exhibit 6)

7870.0480 MEDICAL SERVICES.

Subp. 1A. Medical facilities, equipment, and personnel.

This rule is struck as there is no longer a need for a fully equipped first aid room. In more recent years, Emergency Medical Services (EMS) personnel have become mobile, carrying first aid equipment with them as they go about their daily duties. The use of radios and cell phones has made it easier and less time consuming for them to go directly to the site of a medical emergency where they can address injuries or medical needs until, if necessary, outside medical personnel arrive.

This is a reasonable change as the time it takes to direct a person to the first aid room and have them met by a paramedic or EMT may result in a more adverse outcome, especially in older individuals at risk of cardiovascular disease. It is far more expedient for the EMS to go directly to the individual, address their issues, and call for outside assistance if needed.

Subpart 1B. Medical facilities, equipment, and personnel.

This is a housekeeping change needed to renumber subpart “1B” to subpart “1A.”

Subp. 1C. Medical facilities, equipment, and personnel.

This is a housekeeping change needed to renumber “1C” to “1B”

7873.0193 PLACE PICK ALL(n).

This proposed change is needed as the current rule “PLACE PICK ALL” is being modified and renamed “PLACE PICK (n).”

Subp. 1. Scope

This proposed change is needed to accommodate the change of the wager from place pick “all” to place pick “n”.

Subp. 1A. Scope.

A place wager is a bet where the horse finishes in first or second place. This proposed rule replaces the current place pick “all” rule with a place pick “n”. The current place pick “all” is a horse racing wager where a bettor must select a horse in every race on the card that finishes **in** either first or second place (i.e. place). The proposed place pick “n” is a horse racing wager where a bettor must select a horse in a designated number (“n”) of races that either finishes first or second (i.e., place). The wager is offered by the tote company and used at other racetracks. (Exhibit 7, Exhibit 8, Exhibit 9)

The proposed rule is reasonable as it provides flexibility for the bettor and racetrack. Under the current place pick “all” rule, every race on that day’s race card is involved, whereas under the place pick “n” rule selective races can be chosen, with “n” becoming then number of races wagered on. Under this new rule, “n” can be as few as 3 races and as many as 16 races. This proposed change allows the racetrack to offer place wagering (i.e. a first or second place finish) on a portion or subset of that day’s race card rather than having to include all races on the card. For instant, “n” could include only Thoroughbred races, only Quarter Horse races, only stakes races, or some other combination of races. It is a needed addition, as some bettors like only Thoroughbred racing, others may follow only Quarter Horse racing, and some are interested only in stakes races.

Subp. 1B. Scope.

This subpart provides that all races is a specific place pick “n” wager must be held on the same race day. It is needed and reasonable as attempting to have this type of wager over several days would not be in the best interest of horse racing or the betting public. Other factors such inclement weather, veterinary and trainer scratches, and an infectious disease outbreak with quarantine could result in a significant change in the type (Quarter Horse, Thoroughbred, stakes) entered or more importantly, the “n”, number of horse races each day.

Subp. 2. Ticket is evidence of binding contract.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 3. Place pick (n) may be given a distinctive name.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 3a. Specific requirements for commission approval.

The proposed rule provides more oversight by the Racing Commission for this type of race. Language on how the place pick “n” will operate and specific requirements that the association must meet for the Racing Commission to approve a place pick “n” wager are included in this proposed rule. It also specifies how many races are included in a specific place pick “n”, how each place pick “n” is named, how payout will be made to the successful bettor, and what occurs with the pari-mutuel pool should there be no successful bettor. These new rules are needed so wagering proceeds fairly under the observation of the Racing Commission. They are reasonable requirements as they hold the Association to some very specific language for this type of wager and help ensure that the betting public is protected from a poorly managed wagering event.

Subp. 3a. A. Specific requirements for commission approval.

This proposed rule change is needed to require the Association to provide the number of contests in the place pick “n” wager. It is reasonable as it allows oversight by the Racing Commission, which regulates racing.

Subp. 3a. B. Specific requirements for commission approval.

This proposed rule change is needed to require the Association to provide any name they wish to use for the place pick “n” wager. It is reasonable as it allows oversight by the Racing Commission, which regulates racing.

Subp. 3a. C. Specific requirements for commission approval.

This proposed rule change is needed to require the Association to provide the Racing Commission with information, including method and percentages, on how payment will be made to the successful bettor. It is reasonable as it allows oversight by the Racing Commission, which regulates racing.

Subp. 4. Place pick (n) pool.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 5. Coupled entries and fields.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 6A. Calculation of pool.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 6B. Calculation of pool.

This proposed change is needed as “n” or the number of races in the place pick (n) wager will be used in calculation of the pool rather than the day’s racing program. It is reasonable this rule is specific to the races place pick “n” and not all the races on the program.

Subp. 6C. 1. Calculation of pool.

This proposed rule change is needed and reasonable as the wager in place pick “n” depends on the number of races and not every race in the racing day.

Subp. 6C. 2. Calculation of pool.

This rule describes how the pools are dispersed when no bettor has correctly identified a horse finishing first or second in the place pick “n” wager rather than the day’s racing program. The proposed rule change is needed and reasonable as the dispersal essentially stays the same, but the language is updated for the place pick “n” wager where n depends on the number of races.

Subp. 6E. Calculation of pool.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 6F. 1. Calculation of pool.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 6G. Calculation of pool.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 6H. Calculation of pool.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

Subp. 7. Actual favorite substituted for scratched horse.

This proposed change is needed to match the new name of the specific type of wager which will be “place pick (n).”

7875.0100 FACILITIES.

Subp. 4. Racing surfaces.

The Racing Surfaces Testing Laboratory, working under the jurisdiction of the Horse Integrity and Safety Authority (HISA), evaluates and tests the racetrack surface just prior to or directly at the onset of racing. Several different types of samples are obtained from numerous points around and on the track itself for a complete HISA mandated analysis. While this is completed early in the season, reporting is often delayed as many other HISA tracks are opening at the same time.

This proposed change for a Thoroughbred track racing under HISA is needed so the Association is not held by a strict, unenforceable timeline. It is reasonable as it allows an Association racing under HISA rules to submit their report when it is has been received from HISA. (Exhibit 10)

7875.0200 EQUIPMENT.

Subp. 9. External communications.

This rule is struck as mobile phones have substantially replaced the use of public telephones. It is a reasonable change as ongoing advancements in technology, such as mobile phones, text, and email have significantly increased accessibility and made communication with individuals with disabilities easier and more effective than a TDD device.

7877.0120 FEES.

Subp. 1GG. License fees.

This is a housekeeping rule update needed for the addition of a new category.

Subp. 2HH. License fees.

This is a housekeeping rule update needed for the addition of a new category.

Subpart 1II. License fees.

The Racing Commission's veterinary office is a registered site for the University of Minnesota College of Veterinary Medicine externship program and the Racing Medication Testing Consortium externship program. Two to four veterinary students take part in the racetrack externship program each year and there is a need for a method to license them. Without a license the extern cannot gain access to the backside of the racetrack, which is where a good portion of veterinary work and teaching occurs. This proposed rule change is needed and reasonable because it provides a licensing category for student externs as there is no other licensing category for them.

7877.0125 CRITERIA FOR DETERMINING ELIGIBILITY.

Subp. 4. Access to backside of racetrack.

This proposed rule is necessary to ensure that the backside of the racetrack is safe for all individuals living and working there. Depending on the racetrack, as many as 60 children less than 16 years of age and several vulnerable adults live or are present on the backside. A few Racing Commission employees start working very early in the morning and most work well into late evening hours. All these people need to feel safe and be protected.

Under the current rule, any individual, regardless of licensing status, can be signed in by a trainer for a day and some people receive a pass allowing them backside access for 72 hours. Some individuals, deemed by the Racing Commission as ineligible for licensing, simply should not be on the backside, either as a threat to humans or horses. Felony convictions, pending criminal cases, and sexual complaints against a minor are some of the common reasons for ineligibility as are animal neglect and abuse. This rule is reasonable as it will keep these ineligible individuals from gaining access and needed to provide a safeguard for those for live and work on the backside of a Minnesota racetrack.

7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

Subp. 8b. Veterinarian's list.

Racehorses are placed on the veterinarian's list for many different reasons, with the most common being lameness or unsoundness. Any Thoroughbred horse in a HISA jurisdiction on the veterinarian's list for unsoundness or lameness must have an official timed workout in front of a commission veterinarian with sampling of the horse's blood prior to removal from the list (HISA rules 2241 and 2242). Urine or hair samples may be required for horses placed on the veterinarian's list for other reasons. HISA rule 2241 prevents an unsound or lame horse from working in front of a commission veterinarian for a minimum of 14 days. The turnaround time for receipt of blood sampling results from HISA is 5 to 7 days and a slightly longer period for

urine and hair, if required. Entries are taken 7 days in advance of a race which means that a Thoroughbred horse could miss, at a minimum, 26 days of racing. (Exhibit 11, Exhibit 12)

This proposed rule is needed to allow a Thoroughbred horse to enter after a successful official time workout but not race until the blood, urine, or hair sample results are returned as negative. It is a reasonable rule change for Thoroughbreds as it provides a window for them to enter and prepare for a race, rather than just being idle, which is not necessarily in the best interest of a racehorse. This rule is specific for Thoroughbreds, as Quarter Horses and Standardbreds do not run under HISA rules. For these two breeds, the specified time on the veterinarian's list is shorter and blood samples are returned far more quickly.

7878.0130 BASIC COURSE.

Subp. 1H.

This proposed rule is needed to allow time for cardiopulmonary resuscitation (CPR) training to be scheduled once a security officer has been hired. Typically, this takes anywhere from several days to a few weeks. It is reasonable as the proposed rule aligns with requirements set by other state agencies. For instance, University of Minnesota Public Safety personnel are required to complete certification within 30 days of employment, and Minnesota Zoo employees must obtain First Aid certification within three months. (Exhibit 13, Exhibit 14)

7878.0160 SECURITY COOPERATION.

Subp. 2. Notification of searches.

This proposed rule is needed to maintain a chain of custody for confiscated illegal contraband. Racing Commission investigators are not on site 24 hours a day, 7 days a week so all illegal contraband must be inventoried and kept safe by the Association personnel until the Racing Commission investigators have been contacted. The proposed rule further provides that transfer and disposal of illegal contraband depends on the applicable law. This is reasonable as some confiscated items thought to be illegal may be of no significance and can be discarded by an appropriate individual and other items, such as controlled medications or illegal street drugs, must be transferred directly to the local law enforcement agency for them to discard.

7879.0200 AUTHORITY AND DUTIES OF STEWARDS. Subp. 1M. General authority of stewards.

A summary suspension is an immediate and temporary action, taken before a hearing can be held, to remove a Racing Commission licensee from the grounds of the racetrack. This is done

when there is probable cause to believe the licensee's actions are not in the best interest of racing or for other reasons described in this rule.

This proposed rule is needed and reasonable as there currently are no specific rules in place to deal with egregious conduct by a Racing Commission licensee. This has left the Stewards, who typically deal with this kind of behavior, in a gray area on how to proceed. The rule is reasonable as it provides clear language on what activities determine the need for a summary suspension, how the licensee must proceed, and how the Stewards must handle the hearing. Similar rules are present in at least one other racing jurisdiction. (Exhibit 15)

Subp. 1M. 1. General authority of stewards

This proposed rule is needed to allow a summarily suspended Racing Commission licensee rapid access to a hearing. It is reasonable as it guarantees a hearing within 48 hours once the licensee has provided a written request to the Stewards. Typically, a summarily suspended licensee is immediately denied access to the grounds, and for trainers, this may result in turning their business over to an assistant trainer or another person. Rapid access to a hearing alleviates many of a trainer's concerns about racing, entries, and care of horses and allows longer term planning should it be required. Other individuals, like a jockey's agent or tack store owner, may have their business impacted, so again rapid access to a hearing is imperative for them so they can plan their next steps.

Subp. 1M (2). General authority of stewards

The proposed rule clearly describes how the hearing should be conducted and is needed to ensure that no other matters other than whether the Racing Commission licensee should remain suspended are brought to the hearing. It is reasonable as it narrows the scope of the hearing to the facts on hand and keeps other extraneous matters from entering the conversation.

7883.0100 ENTRIES AND SUBSCRIPTIONS.

Subp. 16I. Workout requirements.

This proposed rule change is a correction to the rules as horses needing a workout to be removed from the list are on the veterinarian's list (7877.0175, Subp.8b, C) and not the steward's list.

Subp. 20. Quarter Horses must stand in the gate.

This rule is struck as it does not align with the current practice of using the starter's discretion and starter's list to determine whether a Quarter Horse needs to stand in the gate before racing. Quarter Horses, in particular younger horses, are not always well behaved and the starter keeps accurate records of poorly behaved horses, frequently adding them to a Starter's List, which is binding at other jurisdictions. Trainers are notified immediately by the starter when a horse is

placed on the starter's list. This list is posted on the bulletin board directly outside the veterinarian's office, so every trainer has access to it. If a specific horse does not stand quietly in the starting gate, the starter can require the horse to stand more than a single time or require additional training. In addition, this rule, as currently written, is not always enforceable as inclement weather like smoke, pouring rain, or excessive heat may mean the racetrack is closed for training and starting gate unavailable for a horse to stand. In this instance, under the current rule, a horse would need to be scratched, which is not in the best interest of the horse or owner.

7883.0110 PREFERENCE SYSTEM.

Subp. 2. In-today horses.

This proposed rule, applicable to Thoroughbred and Quarter Horse races where entries are taken 7 days in advance, is needed to ensure that trainers enter horses in an equitable manner. The preference system is utilized to provide a fair and equal opportunity for every horse to be entered into the body of a race. A horse that is already entered with an opportunity to race should be given last preference behind a horse that is not entered and currently has no opportunity to race. An "in today" horse, other than an "also eligible", is a horse entered and scheduled to participate in a race for which entries have closed and been drawn. Under the current rule, only the following race day is used when designating the horse as "in today". This means that a horse entered several days out would not be given last preference and could exclude other horses from entering and racing. The proposed rule changes the language, so it is not only the following race day but for all race days that have been entered and drawn. Under the proposed rule, a horse entered, for example 3 or 4 race days out, would be given last preference, allowing other horses an opportunity to enter and race. The proposed rule is reasonable as it aligns the preference date for each horse with all entered races and not just the next race day.

7883.0120 SCRATCHES AND NONSTARTERS.

Subp. 1b. C. Procedure for scratching horses.

Scratching a racehorse means a request has been made to the Stewards to withdraw a horse from a race. Once granted by the Stewards, it becomes official (7892.0200, subp. 1. J and Subp. 2. G). Under current rule, the Stewards can allow the trainers to request a scratch for a horse down to a field of seven without a penalty or the horse being placed on the Steward's List. This is generally referred to as a "trainer's scratch." The proposed rule increases the field size to eight, which is needed to protect and maintain the field size for races that have already been drawn. It is reasonable as it encourages a "enter to race" mentality rather than a horse being entered with no intention of racing and ensures that trainers wanting to enter and race a horse are not shut out by trainers who enter and then promptly scratch a horse.

Subp. 1b. E. Procedure for scratching horses.

Another means of scratching or taking a horse out of a race is a “veterinary scratch.” These may be done in advance for emergency situations or more often, after prerace examinations by the commission veterinarians are complete. It is not unusual for the commission veterinarians to recommend to the Stewards a veterinary scratch for 3 to 5 horse each race day, sometimes with 2 or 3 horses in the same race. This quickly becomes a problem should the commission veterinarians have 2 necessary veterinary scratches in a field of 10 horses and the Stewards have already granted 2 trainer’s scratches. The field size has then dropped from a robust 10 to 6. This proposed rule change is reasonable as it gives the Stewards an opportunity to consider and grant a requested trainer’s scratches only after all veterinary scratches have been submitted and granted. This change is reasonable as it will help maintain the field size and prevent trainers from requesting unnecessary scratches.

Commission veterinarians begin each race day by going to the barns and completing a pre-race examination on each entered horse. It is not unusual for a trainer to state that a horse has been given a trainer’s scratch by the Stewards and doesn’t need an examination, yet final approval has not yet been granted. Should the Stewards not grant a trainer’s scratch then a commission veterinarian must go back to the barns, find the trainer who may or may not be present, find the horse which may or may not be present, and proceed with a prerace examination. All of this takes extra time and adds an unexpected burden on race day. In addition, regardless of whether the horse has been scratched, all entered horses must be examined as sometimes the trainer is trying to avoid having an unsound or lame horse examined or may be hiding a horse with an infectious disease.

Subp. 1d. Horse drawn into two races.

Under current rule, horses can only race once every seven days. Should a horse be entered into a second race to be run in fewer days, it must be scratched. The current exception is for the weather dependent “main track only” horses that are entered into a turf race, but only race if the turf race is moved to the main (dirt) track. The proposed rule change includes stakes horses, which would give the trainer the option to choose between staying in the overnight race or competing in a Stakes race. Stakes horses, the top level of horses, and stakes races, the top level of horse racing, are generally excluded from the restrictions of an overnight race. Payment is made in advance for a stakes horse to be nominated, enter and start in a stakes race. The racing surface places a significant part in determining where and when a stakes horse runs. Some horses race only on turf and some only on dirt. Rainstorms may mean that a turf horse entered in that day’s stakes race is scratched, but stays in an overnight turf race run 3 days later. This proposed rule change is needed to allow the trainer of a stakes horse to determine which race to is best for a particular horse. This change is reasonable as it lets the trainer decide, after *assessing several*

factors including the track surface, inclement weather, and the horse's physical and mental condition, which race is the best fit for that horse.

7883.0150 PADDOCK TO POST.

Subp. 15. Tongue ties.

A tongue tie is a piece of soft cotton material tied around a horse's tongue and lower jaw to prevent the horse from getting its tongue over the bit and swallowing it while racing. These are often put on in the saddling paddock. In past years more and more horses have come to the saddling paddock with the tongue already tied. When tied too tightly or tied tightly and left on too long, the tongue turns a bluish/purple color and, in some horses, hangs outside the mouth. This proposed rule change is needed and reasonable as tightly tied tongue ties are not only a welfare and misuse/abuse issue, but tissue and nerve damage can occur if the tie is not loosened. In this instance the commission veterinarian, who is the paddock when horses come to be saddled, is the most responsible person for notifying the trainer and observing that it must be loosened. (Exhibit 16)

Subp. 16. Questionable weather events.

Adverse weather events that impact training and racing happen with some frequency. It is important that all participants be on the same page, or in this instance, website, when tracking these events. Adding specific weather-related websites is needed to allow a coordinated response for those individuals involved in making decisions impacting the health and welfare of humans and horses. Their use also provides an identifiable source of information for owners and trainers to consider what may be best for their horses. This is a reasonable rule change as it prevents confusion from other, perhaps less scientific websites, and ensures that everyone has access to the same consistent and accurate information.

Subp. 16A.1. Questionable weather events.

The Air Quality Index (AQI), developed by the Environmental Protection Agency (EPA), is used by racetracks to monitor the quality of polluted air that a human or horse is exposed to.

The AQI is a color-coded tool that converts the concentrations of air pollutants to a single number scale from 0 to 500. Values less than 100 are considered healthy for most groups, while those above 100 indicate unhealthy air quality, first for sensitive groups, then for everyone as the numbers get higher. Numbers from 151 to 200 indicate unhealthy air for all participants and values over 200 trigger a health alert. (Exhibit 17)

Use of a single number scale makes it is easy to determine when air is unhealthy, and individuals may be at risk. Polluted air may be due to small particulate matter present in smoke from

wildfires or other sources or ground level ozone associated with smog. Smoke is visible; low level ozone cannot always be seen. As the AQI increases, damage to the lungs and respiratory system increases in all racing participants, not just horses. In horses, the mucosa in the trachea is not able to filter small particles from smoke and they are inhaled into the lungs where they can cause inflammation, equine asthma, pneumonia, and other respiratory problems. Excessive levels of ozone irritate the airways, resulting in coughing and decreased lung function. In humans, asthma and increased susceptibility to infections are potential complications. (Exhibit 18, Exhibit 19)

This proposed rule is reasonable as it follows simple, straightforward recommendations from the EPA for determining when it is safe for humans and horses to participate in training and racing. The AQI numbers provided in this proposed rule are compliant with HISA Rule 2164 (b), which provides an option for humans and horses to withdraw from competition when the AQI is between 150 and 175. (Exhibit 20)

Subp. 16A.2. Questionable weather events.

The AQI numbers provided in this proposed rule are compliant with HISA Rule 2164 (b), which prevents timed workouts, training and racing when the AQI is greater than 175.

Subp. 16B. Questionable weather events

Heat exhaustion and heat stroke are major concerns for any athlete, human or horse, participating in a sporting event during extreme heat. Both can occur when the heat index, a combined measure of heat and humidity, reaches 103F or greater, but becomes especially dangerous when the heat index is 105F or higher. At this index, weather services recommend extreme caution when exercising. (Exhibit 21, Exhibit 22)

While jockeys and horses are both affected, an elevated a heat index greater than 105F is especially dangerous for racehorses. Under cooler weather conditions, blood circulates to the skin for cooling. As the ambient temperature increases, blood no longer goes to the skin and the horse must depend on sweating to cool their bodies. A horse's dense hair coat acts as a barrier for sweating, exacerbating the problem. Higher levels of humidity mean that any sweat produced cannot evaporate and the core body temperature quickly rises until the horse deteriorates into heat exhaustion, and left untreated, heat stroke and death. Exhibit 23

There are no specific HISA or Association of Racing Commissions International (ARCI) rules for racing in extreme heat, leaving it to the Racing Commission to promulgate a rule. This proposed rule is needed to provide guidance for horseracing when the heat index reaches extreme levels. Using a heat index of 105F is reasonable as mirrors information provided by the National

Weather Service for athletes and provides solid number that can be understood by all participants. (Exhibit 24)

Subp. 16C. Questionable weather events

This portion of the proposed rule is needed and reasonable to protect the horses, fans and individuals working directly on the racing surface. While the potential for lightning in the area poses specific hazards to participants standing outside in an open area, a jockey and horse warming up on the track, the starter and assistant starters at the starting gate, and mounted riders assisting the jockeys are at a high risk of lightning strike. Horses and these participants can be struck directly by lightning, or it can strike the ground, traveling through it and entering the body through part of their body or a horse's feet. Not only is the track surface an open, unprotected area but the starting gate and some fences are made of metal. Most are grounded; some are not. Metal conducts lightning so the consequences of lightning striking a starting gate, loaded with horses and riders is beyond hazardous, if not deadly.

HISA rules address lightning [2164 [a. 5] but specific rules are left to the discretion of the Racing Commission. The Association of Racing Commissioners International (ARCI,) however, has an established model rule for lightning safety (ARCI -007-020M) based on National Weather Service's information and this portion of the proposed rule is taken from there. The National Weather Service policy for individuals outside in a thunder and lightning storm provides an 8-mile radius for when to stop working and seek shelter. While 8 miles seems far away, a fast-moving storm could move into the racetrack within 10 to 12 minutes, leaving only a short period of time to evacuate the racing surface. (Exhibit 25, Exhibit 26)

Subp. 16C.1. Questionable weather events

The Weather Service policy also recommends a thirty-minute window to ensure safety before individuals return to an activity and the time period in this proposed rule mirrors that recommendation. It is possible that an all clear can be given and racing resumed earlier if an expected storm failed to form or rapidly moved away from the area, but this would be a rare event. Should this occur, racing would only resume earlier after consultation with the National Weather Service.

Subp. 16C.2. Questionable weather events

A suspension in racing longer than one hour should be addressed by a commission veterinarian to determine if it is safe for those horses that have received furosemide to control Exercise Induced Pulmonary Hemorrhage (EIPH) to return to racing. Furosemide is given just 4 hours before racing and has a very short half-life, so a good deal of the medication is already eliminated from the body by one hour. In this instance, to protect the airways and prevent

extreme bleeding, part of the card would need to be cancelled. Two old year-old racehorses in Minnesota, however, do not receive furosemide so those races could be moved and the remainder of the card maintained. It is a balancing act with the commission veterinarian the most knowledgeable person to determine which horses are at a greater risk and those that *are not*.

7883.0160 POST TO FINISH.

Subp. 14. Horse becomes disabled or otherwise unable to finish.

There are two components to bleeding in this rule. The first is a horse that “bleeds” or shows signs of EIPH, and the second is a horse that bleeds from a cut obtained coming out of the starting gate or while racing or returning to the finish line after the race is completed.

This proposed rule is needed and reasonable as it allows a regulatory veterinarian, present on the racetrack or observing at the finish line, to effectively manage excessive bleeding in a horse.

EIPH or “bleeding” is a condition observed in racehorses where bleeding occurs in the lungs during intense exercise. Blood leaks into the airways as the paper-thin walls of the capillary fail. Most of the time, bleeding is internal and only recognized with an endoscopic examination; external bleeding is generally more severe with blood not only around the nostrils but present on the chest and legs. Despite years of research the underlying cause of EIPH remains unknown. Common clinical signs include poor performance, stopping completely, exhaustion and difficulty breathing. Factor in the welfare issue and the unpleasant or even gruesome picture presented to bettors and fans, a horse bleeding excessively from EIPH should be sent home on the horse ambulance. There is recent concern among regulatory veterinarians that EIPH plays a role in sudden death as blood in the airways is a common component present in necropsy results. Detaining the horse at the detention barn for a few moments allows the regulatory veterinarian time to auscultate or listen to the heart and determine if any cardiovascular signs or abnormalities are present. Every Racing Commission regulatory veterinarian carries or has immediate access to an enhanced cardiac stethoscope (EKO scope) that intensifies the detection of abnormal rates, rhythms, and murmurs and can record an electrocardiogram of any abnormality to be shared with the attending veterinarian. (Exhibit 27)

The second cause of bleeding is a horse that suffers a cut or laceration severe enough to result in blood running down a body part such as an ankle, leg, or shoulder or a head wound with blood running into the eyes. These are often just surface cuts but occasionally a deeper injury occurs that requires rapid attention. Like horses with severe EIPH, this is a welfare issue that presents an unpleasant or even gruesome picture to bettors and fans, and for this reason alone a horse bleeding excessively from a deep cut or laceration should be sent home on the horse ambulance. Stopping at the detention barn is just good veterinary medicine. It reasonable as it allows the regulatory detention barn veterinarian to evaluate the wound and apply a compression bandage if

needed until the attending veterinarian is present. Often the attending veterinarian has been notified and will be present at the detention barn ready to examine and treat the horse before it is returned by horse ambulance to the backside.

7883.0170 RACING EQUIPMENT.

A3. Equipment.

This proposed rule change, specific to Thoroughbreds, is the current HISA rule [(2276 (a) (1), (2), (3)]. This proposed rule is needed to comply with the HISA rule, which specifies which traction devices are appropriate for an individual racing surfaces. It is a reasonable rule change as the use of elevated toe grabs and other traction devices has been associated with skeletal muscle and boney injury in Thoroughbreds. (Exhibit 28a, Exhibit 28b)

A3.ai. Equipment.

This proposed change is needed and reasonable as it identifies what devices can be worn by a Thoroughbred horse racing on a dirt surface.

A3.a.ii. Equipment.

This rule is needed and reasonable as it identifies what traction devices can be worn by a Thoroughbred horse racing on a turf surface.

A3.a.iii. Equipment.

This rule is needed and reasonable as it identifies what traction devices can be worn by a Thoroughbred horse racing on a synthetic surface.

7884.0120 ELIGIBILITY AND ENTERING.

Subp. 13D. Horses denied entry.

Total carbon dioxide (TCO₂) is a measure of the amount of bicarbonate, dissolved CO₂, and carbonic acid in the bloodstream. The normal physiological concentration of TCO₂ in horses of all breeds varies widely but should be in the range of 23 to 29mMoles/L. Standardbred racehorses tend to be on the higher side, with an extrapolated non race day range of 24.4 to 33.2mMoles/L reported in a study of 500 Standardbred horses. The misuse and frank abuse of sodium bicarbonate and other alkalizing agents, however, makes it difficult to determine what the actual “normal” range should be. Data from Running Aces Harness Park shows a four-year range of 23 to 36.9 and a four-year average of 31.8mMoles/L. This data set includes concentrations from all sampled horses including those treated with sodium bicarbonate or other alkalizing agents. One reference provides a range 23 to 38mMoles/L and another states that 23 to 39mMoles/L is a normal range for Standardbreds. The higher end in these studies represents a

varied population and doesn't necessarily reflect healthy or ideal TCO₂ ranges. The maximum allowable concentration in blood set by MRC rule (7890.0110, subp. 6.) is 37mMoles/L, which is like most other racing jurisdictions. Australia varies a bit as they use 36mMole/ as the upper limit. (Exhibit 29, Exhibit 30)

Minnesota rule 7890.0110, Subp 7. prohibits the use of agents, including sodium bicarbonate, that elevate the TCO₂ level above those existing naturally in the untreated horse at a physiological concentration. Sodium bicarbonate is administered illegally to horses on race day, particularly to Standardbreds, to prevent the development of lactic acidosis that occurs as working muscles fatigue. Typically, lactic acidosis occurs in longer races, which is why Standardbred racehorses, racing a mile, are at higher risk of abuse. High levels of lactic acidosis are associated with weakness, pain, and decreased performance. Some unethical trainers push the limit and attempt to gain an unfair advantage by adding sodium bicarbonate to a horse's diet. A few trainers have become effective at titrating the serum TCO₂ concentration up to 36 or 37mMoles. This is not in the best interest of a horse as continued high levels of TCO₂ are associated with lethargy, profuse sweating, cardiovascular and respiratory difficulties, and sudden death. It also unfair to those trainers who have the best interest of their horses and horse racing in mind and do not administer sodium bicarbonate. (Exhibit 31)

Single spikes or elevations of TCO₂ occur for a variety of reasons; continued high elevations, except in rare cases, are abnormal. It is estimated that 50 horses in one million have a continuously elevated TCO₂ concentration. (Exhibit 29) A quarantine period of 8 to 12 hours with serial TCO₂ and electrolyte testing is used to identify a horse that falls into this category. This rule is needed as prevents overuse and abuse of bicarbonate by some unethical trainers and levels the playing field. It allows for the presence of documented physiological changes like fever, dehydration from long distance travel, electrolyte abnormalities, and excessive training but keeps horses from continually having elevated high concentrations of TCO₂. One abnormal level of greater than 35 under these situations is acceptable, two in a row may be a misuse or abuse issue needing further investigation. This proposed rule is reasonable as would allow an honest trainer time to identify the source of an elevated TCO₂ concentration and prevent unethical trainers that repeatedly abuse the system from gaining an unfair advantage by continually abusing bicarbonate or other alkalizing agents.

Subp. 19.

This proposed rule is needed to align the Racing Commission rules with those of the United States Trotting Association (USTA), where an electronic draw program is provided under Etrack. (USTA "Online Services" at ustrotting.com). It is estimated that the system is used by least 95%

of harness tracks in the United States and Canada. The USTA electronic draw uses a total random generator to assign post positions for horses entered into a race that are independent of sex, prior earnings, or age. It also allows a trainer to enter horses in races from a mobile device or laptop without having to contact the racing office and to check entries and post positions online once the draw is complete. The proposed change is reasonable as it provides a completely random draw and allows the trainers the flexibility to enter their own horses, check the results, and change drivers if need be. (Exhibit 32)

The older method of using numbered pills and a bottle, done directly in front horsepersons, is reserved for races with a purse greater than \$30,000. This dollar amount corresponds to the purse in most stakes races. For these races, the pageantry of the physical draw done with old fashioned pills and a bottle attracts owners and trainers and becomes a festive and celebratory event for everyone involved.

7884.0130 PREFERENCE SYSTEM.

Subp. 1a. Preference date

In Standardbred horse racing, the preference date is used to determine which horses get priority to race when a given race has more entries than available starting spots. When two horses have matching dates, preference is determined by a random draw. It would be rare for two horses to have the same preference date for two consecutive races, but should it happen, this proposed rule change would give preference to a state-bred horse (i.e. a horse bred in Minnesota) over a nonstate bred horse. This is a reasonable change as protects, to a limited extent, the racing industry in Minnesota as it gives preference to a Minnesota bred horse and encourages breeding, as it funnels purse money toward owners with Minnesota bred horses.

7884.0230 RACING EQUIPMENT.

Subp. 9. Tongue ties.

A tongue tie is a piece of soft cotton material tied around a horse's tongue and lower jaw to a keep a horse from getting its tongue over the bit and swallowing its tongue during racing. Generally, these are put on in the paddock just prior to when the horse goes onto the track to warm up, which may be 30 minutes or longer before it races. When tied too tightly or tied tightly and left on too long, the tongue turns a bluish/purple color and, in some horses, hangs outside the mouth. This proposed rule change is needed and reasonable as this is not only a welfare and misuse/abuse issue, but tissue and nerve damage can occur if the tie is not loosened. In this instance the track veterinarian who is responsible for observing the horses as they come onto the and score down is the most responsible person for notifying the trainer that the tie must be loosened. (Exhibit 16)

7884.0240 POST TIME AND STARTING.

Subp. 1a. Cancellation and postponement.

Adverse weather events that impact training and racing happen with some frequency. It is important that all participants be on the same page, or in this instance, website, when tracking these events. Adding specific weather-related websites is needed to allow a coordinated response for those individuals involved in making decisions impacting the health and welfare of humans and horses. Their use also provides an identifiable source of information for owners and trainers to consider what may be best for their horses. This is a reasonable rule change as it prevents confusion from other, perhaps less scientific websites, and ensures that everyone has access to the same consistent and accurate information.

Subp. 1a. A. Cancellation and postponement

The Air Quality Index (AQI), developed by the Environmental Protection Agency (EPA), is used by racetracks to monitor the quality of polluted air that a human or horse is exposed to.

The AQI is a color-coded tool that converts the concentrations of air pollutants to a single number scale from 0 to 500. Values less than 100 are considered healthy for most groups, while those above 100 indicate unhealthy air quality, first for sensitive groups, then for everyone as the numbers get higher. Numbers from 151 to 200 indicate unhealthy air for all participants and values over 200 trigger a health alert. (Exhibit 17)

Use of a single number scale makes it is easy to determine when air is unhealthy, and individuals may be at risk. Polluted air may be due to small particulate matter present in smoke from wildfires or other sources or ground level ozone associated with smog. Smoke is visible; low level ozone cannot always be seen. As the AQI increases, damage to the lungs and respiratory system increases in all racing participants, not just horses. In horses, the mucosa in the trachea is not able to filter small particles from smoke and they are inhaled into the lungs where they can cause inflammation, equine asthma, pneumonia, and other respiratory problems. Excessive levels of ozone irritate the airways, resulting in coughing and decreased lung function. In humans, asthma and increased susceptibility to infections are potential complications. (See Exhibit 18, Exhibit 19)

This proposed rule is reasonable as it follows simple, straightforward recommendations from the EPA for determining when it is safe for humans and horses to participate in training and racing. The AQI numbers provided in this proposed rule are compliant with HISA Rule 2164, Hazardous Weather, which provides an option for humans and horses to withdraw from competition when the AQI is between 150 and 175 and prevents timed workouts, training and racing when then AQI is greater than 175. Standardbreds do not race under HISA, but in this instance HISA recommendations provide sound guidance for all breeds of racehorses and are included here.

Subp. 1a. A.1. Cancellation and postponement

The AQI numbers provided in this proposed rule are compliant with HISA Rule 2164, Hazardous Weather, which provides an option for humans and horses to withdraw from competition when the AQI is between 150 and 175. Standardbreds do not race under HISA, but in this instance HISA recommendations provide sound guidance for all breeds of racehorses and are used here.

Subp. 1a. A.2. Cancellation and postponement

The AQI numbers provided in this proposed rule are compliant with HISA Rule 2164, Hazardous Weather prevents timed workouts, training, and racing when the AQI is greater than 175. Standardbreds do not race under HISA, but in this instance HISA recommendations provide sound guidance for all breeds of racehorses and are used here. Prevention of jogging has been added to the Standardbred rule as it is a training method and neither driver nor horse need to be exposed to air with an AQI > 175.

Subp. 1a. B. Cancellation and postponement

Heat exhaustion and heat stroke are major concerns for any athlete, human or horse, participating in a sporting event during extreme heat. Both can occur when the heat index, a combined measure of heat and humidity, reaches 103F or greater, but becomes especially dangerous when the heat index is 105F or higher. At this index, weather services recommend extreme caution when exercising. (Exhibit 21, Exhibit 22)

While drivers and horses are both affected, an elevated a heat index greater than 105F is especially dangerous for racehorses. Under cooler weather conditions, blood circulates to the skin for cooling. As the ambient temperature increases, blood no longer goes to the skin and the horse must depend on sweating to cool their bodies. A horse's dense hair coat acts as a barrier for sweating, exacerbating the problem. Higher levels of humidity mean that any sweat produced cannot evaporate and the core body temperature quickly rises until the horse deteriorates into heat exhaustion, and left untreated, heat stroke and death. (Exhibit 23)

There are no specific HISA or Association of Racing Commissions International (ARCI) rules for racing in extreme heat, leaving it to the Racing Commission to promulgate a rule. This proposed rule is needed to provide guidance for horseracing when the heat index reaches extreme levels. Using a heat index of 105F is reasonable as mirrors information provided by the National Weather Service for athletes and provides solid number that can be understood by all participants.

Subp. 1a. C. Cancellation and postponement

This portion of the proposed rule is needed and reasonable to protect the fans and individuals working directly on the racing surface. While the potential for lightning in the area poses specific hazards to participants standing outside in an open area, a driver and horse warming up on the track, the starter with the starting gate, and the outrider are at high risk when lightning strikes. Horses and these participants can be struck directly by lightning, or it can strike the ground, traveling through it and entering the body through part of their body or a horse's feet. Not only is the track surface an open, unprotected area but the starting gate and some fences are made of metal. Most are grounded; some are not. Metal conducts lightning so the consequences of lightning striking a starting gate, loaded with horses and drivers is beyond hazardous. USTA rules require a starting gate shield, where the arms have a screen or shield, often padded, in front of each horse's position which may offer some protection, and some gates may have an integrated system where lightning is channeled directly to the ground. (Exhibit 33)

Subp. 1a. C1. Cancellation and postponement

The Association of Racing Commissioners International (ARCI) has an established model rule for lightning safety (ARCI -007-020M) based on National Weather Service's information and this portion of the proposed rule models is taken from there. The National Weather Service policy for individuals outside in a thunder and lightning storm provides an 8-mile radius for when to stop working and seek shelter. While 8 miles seems far away, a fast-moving storm could move into the racetrack within 10 to 12 minutes, leaving only a short period of time to evacuate the racing surface. The Weather Service policy also recommends a thirty-minute window to ensure safety before individuals return to an activity and the time period in this proposed rule mirrors that recommendation. It is possible that an all clear can be given and racing resumed earlier if an expected storm failed to form or rapidly moved away from the area, but this would be a rare event. Should this occur, racing would only resume earlier after consultation with the National Weather Service. (Exhibit 25)

Subp. 1a. C2. Cancellation and postponement

A suspension in racing longer than one hour should be addressed by a commission veterinarian to determine if it is safe for those horses that have received furosemide to control Exercise Induced Pulmonary Hemorrhage (EIPH) to return to racing. Furosemide is given just 4 hours before racing and has a very short half-life, so a good deal of the medication is already eliminated from the body by one hour. In this instance, to protect the airways, part of the card would need to be cancelled. Two old year-old racehorses in Minnesota, however, do not receive furosemide so those races could be moved and the remainder of the card maintained. It is a

balancing act with the commission veterinarian the most knowledgeable person to determine which horses are at a greater risk and those that are not.

7884.0260 DRIVING RULES.

Subp. 2T. Conduct after word “go” is given.

This rule is being amended to allow changes related use of the whip.

Subp.2T. 1. Conduct after word “go” is given

Whips used during Standardbred racing are meant to encourage and guide the horse and prevent accidents when a horse breaks stride or veers in or out. They are not meant to injure the horse in any manner. This proposed change to the whip rule coordinates with USTA rule 18.08 (b) for size and description. It is needed and reasonable as trainers each year travel to several different USTA racetracks that comply with USTA rules and Minnesota, while there is no data to document this, seems to be the only racetrack continuing to use a shorter whip. Under USTA rule, the snapper should be 6 inches or less. In this proposed rule change the length of the snapper is kept at 3 inches which may prevent the snapper from accidentally wrapping around a horse’s leg and cutting it. Other descriptions applied to the whip like no tape on the handle are like USTA rules. (Exhibit 34, Exhibit 35). The new whip specification and requirement rules discussed in subp. 2T are now codified in a new subpart 13 of this rule.

Subp. 2T. 1a. Conduct after word “go” is given

This is a housekeeping change to re-letter from number 1 to a.

Subp. 2T.1b. Conduct after word “go” is given

This is a housekeeping change to re-letter from number 2 to b.

Subp.2T.1c. Conduct after word “go” is given

This is a housekeeping change to re-letter from number 3 to c.

Subp.2T.1d. Conduct after word “go” is given

This is a housekeeping change to re-letter from number 4 to d.

Subp.2T.1e. Conduct after word “go” is given

This is a housekeeping change to re-letter from number 5 to e.

Subp.2T. 2. Conduct after word “go” is given

This rule is needed so each driver understands how a whipping offense penalty is determined by the Stewards in Minnesota. It clearly states that both the total number of offenses and the time frame in which they occur are considered by the Stewards. It is a reasonable rule as it prevents any confusion and grumbling by the drivers when a whipping ruling with penalty is made by the Stewards. (Exhibit 36)

Subp. 2T.2a. Conduct after word “go” is given

There are two kinds of whipping offenses – those that leave welts on a horse and those that are related primarily to body or whip position like arms raised too high, sitting too far back in the cart, etc. This subpart of the proposed change addresses whip welts. The presence of a whip welt is a welfare issue and associated with animal abuse. This new rule addresses the penalty for whip welts and puts a driver on notice that welts are taken seriously by the Racing Commission. It is needed so every single driver understands that the penalty for causing a whip welt is severe and reasonable as animal abuse is never acceptable.

Subp. 2T.2b. Conduct after word “go” is given

This subpart of the proposed rule change provides penalties for whipping offense unrelated to whip welts. The penalty guideline is needed and reasonable as it provides a straightforward table of fines and suspension days for each increasing offense, which should again, prevent any misunderstanding or complaints by the trainers that a whip ruling with penalty is unfair.

Subp. 2W. Conduct after word “go” is given

This is a needed change to allow for a new part (Subp.2Y).

Subp. 2X. Conduct after word “go” is given

This is a needed change to allow for a new part (Subp. 2Y).

Subp. 2Y. Conduct after word “go” is given

The USTA [18.08 c (3)] and MRC [7884.0260, Subp. 3, T (5)] rules already prohibit drivers from raising their whipping arm above the shoulder. This proposed rule change includes keeping both arms below the shoulder and not using any exaggerated motion when urging a horse during a race. Exaggerated motion includes not only up and down motion, but side to side, and circular motion which could occur when one or both arms are used. Any exaggerated motion of one or both arms may result in whip welts and pain to the racehorse. The proposed change is needed so a trainer knows to keep both arms where they belong, helps protect the racehorse from whip abuse, and supports the Stewards in decision making. It is reasonable to add these descriptions to the current rule as it requires the trainer to keep both arms quiet and guarantees less arm motion

by the trainer, both of which are safer for the racehorse. Quiet arms and less motion also make it easier for the Stewards to see if any rule infractions have occurred. (Exhibit 37)

Subp. 3A. **Breaks.**

A standardbred racehorse must maintain a specific gait throughout a race, either a pace or trot. A horse breaking gait switches from a its normal gait to a gallop. When this occurs, the driver must pull the horse back until it transitions to the correct gait, which can cause the horse to lose ground, finish poorly, or be disqualified. This proposed rule change is needed to correct a safety issue where trainers are encouraged to take a horse breaking gait to the outside of other horses or wherever they find an opening (clearance). This may not always be possible, especially in two-year-old trotters, that are not always easy to control, or when a horse is boxed in between two horses. In the instances, the best route may be to take the horse to the inside of other horses. It is reasonable to change this rule as it allows the driver of a horse to guide or take the horse in the safest direction possible to avoid accidents.

Subp. 11B. 2. **Pylon violations.**

This is a housekeeping change needed to allow a new part to be added.

Subp. 11B.3 **Pylon violations**

This change is needed as the correct terminology is Stewards and not Judges (240.01, Subd. 21).

Subp. 11B.4 **Pylon violations**

Pylons are poles marking the inner boundary of the racetrack. Any ground beyond the pylons is not part of the racetrack and a horse taken beyond the pylons is generally considered off track. This proposed rule would allow a driver to take a horse beyond the pylons, either because it had broken gait or was in an unsafe position and come back onto the racing surface without penalty if this does not result in interference with other horses or allow the horse to gain ground. Horses that break gait often accelerate rapidly into a full gallop making them difficult to control and dangerous to other horses and drivers. Many drivers attempt to gain control while staying on the racetrack, so they don't lose a placing in the race or are disqualified. This is not always the safest procedure. This proposed rule is reasonable as it allows a driver to deal effectively with an unsafe horse and needed to provide a means of doing so without fear of disqualification. (Exhibit 38)

Subp. 13 **Use of the Whip**

The whip specification and requirement rules discussed above in subp. 2T are now codified in a new subpart 13.

7890.0100 DEFINITIONS.

Omeprazole, an FDA approved equine medication marketed as Ulcerguard or Gastroguard, is used for the prevention and treatment of gastric ulcers in horses. There are no generic products. Omeprazole functions as a proton pump inhibitor (PPI), blocking the system responsible for gastric acid secretion and decreasing the amount of gastric acid in the stomach. Omeprazole is the only PPI approved for administration in horses. It is administered once every 24 hours for 7 to 14 continuous days.

It is estimated that 44 to 87% of Standardbred racehorses have gastric ulcers, most often attributable to diet, exercise, and stress. Many of them receive daily omeprazole for this condition. Discontinuing omeprazole abruptly in any species, including the racehorse, often results in rebound acid hypersecretion (RAHS), where the stomach compensates for the suppression of acid by increasing acid production when omeprazole is stopped. Higher levels of stomach acid lead to new ulcers being formed, particularly if the underlying causes of ulceration have not been addressed or if there is a start and stop approach to treatment. (Exhibit 39, Exhibit 40)

Standardbred horses train and race more often than other breeds, sometimes training daily and racing every 6 to 7 days. Current MRC statute requires that most medications be discontinued 48 hours before racing (240.24, Subd.1.). This means that a horse could be without omeprazole for 2 – 3 days thus increasing the chance of RAHS. The proposed rule, already an ARCI rule with a reported threshold, is needed so omeprazole can be administered 24 hours prior to racing and again shortly after so there is no disruption of treatment. This is a reasonable rule as should help decreased the incidence of RAHS in Standardbreds and follows the Minnesota statute [Statute 240.24 Subd 2, (5)] for 24-hour administration of a medication with an established regulatory threshold. (Exhibit 41, Exhibit 42, Exhibit 43)

7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.

Subp. 8a.B. Intra-articular injections.

This proposed rule is needed to ensure that there are no identified boney reasons for continued fetlock (often referred to as ankle) pain, swelling and lameness. The fetlock joint is a particularly vulnerable area in the horse's body with most catastrophic injuries in Thoroughbreds related to damage to this area. Corticosteroid injections into the fetlock joint space are used to decrease inflammation and pain, but frequent injections may be associated with degeneration of the cartilage or further damage to the bones. HISA Rule 2271(a) (12) precludes racing within thirty

days of a single injection into the fetlock joint to allow time for inflammation and pain to resolve but does not require an X-ray prior to this injection. This rule is needed to require an X-ray should healing be incomplete at 30 days and the attending DVM believes a second injection into the same joint is needed within 60 days. It is reasonable because an X-ray taken prior to a *second* injection could identify any boney change(s) like a hairline crack in the sesamoid bone that could result in a catastrophic injury to the horse and rider. A few states are including California have passed a similar rule; Arkansas this past year developed a house rule where an X-ray is required for second injection within 45 days. (Exhibit 44, Exhibit 45, Exhibit 46)

7890.0160 F. RESPONSIBILITY OF VETERINARIAN.

Veterinary scratches can be requested by an attending veterinarian in case of an emergency where a regulatory veterinarian is not on site (7890.0160 D). This proposed rule is needed to address the use of an emergency veterinary scratch by an attending veterinarian. The proposed rule requires the attending veterinarian to physically examine a horse prior to determining whether an emergency scratch is necessary, rather than just accepting a trainer's text or voice request. This rule is reasonable as it requires the attending veterinarian to practice veterinary medicine and not just be a trainer's clerk. Further, it puts the attending veterinarian in front of horse that may truthfully be ill, which could prevent one sick horse from turning into an infectious disease outbreak.

7891.0101 ENTRY EXAMINATION BY ATTENDING VETERINARIAN

This proposed rule is needed to ensure that every horse entered to race has been examined at least once by an attending veterinarian prior to racing.

Subp. 1. Horses subject to entry examination by attending veterinarian.

This subpart is needed as it outlines in the following subparts when Quarter Horse and Thoroughbred racehorse can start.

Subp. 1. A. Horses subject to entry examination by attending veterinarian.

This proposed rule is needed to guarantee that every entered racehorse is examined and certified as racing sound by an attending veterinarian prior to racing. It is reasonable as it requires the attending veterinarian for an entered horse to physically examine an entered horse within three days after entry and at least two days prior to the race, which allows time for additional diagnostics if needed. Examination at that time also helps prevent any unexpected regulatory surprises during a prerace examination that can result in a veterinary scratch. Not only do late scratches have a deleterious effect on field size, but owners, who may have traveled a long distance to watch their horse race, are angry and judgmental when late veterinary scratches occur. This proposed rule is reasonable as it confirms that an entered horse is sound enough to

race, encourages a good working relationship between the attending and regulatory veterinarians and provides a reasonable amount of time for any diagnostics to be obtained and interpreted. This rule has been adopted in Kentucky. (Exhibit 47)

Subp. 1. B. Horses subject to entry examination by attending veterinarian.

This subpart of the proposed rule is needed to establish how results should be communicated between the attending veterinarian and commission veterinarian. The commission veterinarian's office has a well-established electronic mailbox used daily by attending veterinarians making it reasonable to continue use this method.

Subp. 1. B. 1. Horses subject to entry examination by attending veterinarian.

This subpart is needed to describe in plain language what components of the entry examination are required. It is reasonable to do this, so the attending veterinarian and more importantly, the trainer clearly understand that this is not an examination done by standing outside the stall, rather it involves a hands-on examination by the attending veterinarian.

Subp. 1. B. 2. Horses subject to entry examination by attending veterinarian.

It would not be unusual for an attending veterinarian to find an unexpected abnormality during this examination. This can vary from an unexplained soft tissue lump to a new lameness to neurological disease with each one needing some type of diagnostic test. This proposed subpart is needed to provide a time frame for reporting results of these tests to the commission veterinarian. It is reasonable to require submission to the commission veterinarian at least one day prior to racing so there is adequate time to examine test results and reach a conclusion that is best for the horse, other horses on the backside, and the betting public.

7891.0110 POSTMORTEM EXAMINATION.

Subp. 2C. Test samples to be taken for analysis.

This proposed rule is needed so any horse with a suspected or known neurological disease receives the correct diagnostic testing. This proposed rule is reasonable as many of the equine neurological diseases are infectious in nature and accurate results are needed to isolate and prevent the spread of an infectious disease outbreak. Cerebral spinal fluid (CSF), the standard for diagnosing many equine neurological diseases, should be paired and submitted with blood samples because poorly obtained blood and nasal swabs may result in a false negative result. Timely diagnosis of an infectious disease is necessary so the sample should be sent to the laboratory that can not only accurately perform the test(s) but return the results in the shortest amount of time possible. Funding shortfalls in most state diagnostic laboratories have made this an important factor for the Racing Commission, as many expensive tests are no longer run in

house but outsourced, increasing the time until results are returned. For instance, tests for equine herpes myeloencephalopathy (EHM) are best sent to the virology laboratory at the University of California - Davis where the turnaround time is 24 hours. Other tests, however, like a suspected rabies virus have a human component and must first go through the University of *Minnesota* Veterinary Diagnostic Laboratory before any other samples are taken, again making the choice of an appropriate laboratory important to the outcome.

7895.0300 QUARTER HORSE BREEDERS' FUND.

Subp. 3B. Distribution of money.

The published live race meet at Canterbury Park is from mid-May to mid-September. Thoroughbreds race from the first day until the last day of the published meet. Quarter Horses in Minnesota do not follow this timeline and currently race at Canterbury Park from mid-June until mid-to-late August, although the exact date varies from year to year. They begin racing at a time when there are enough Minnesota Quarter Horses on the backside to support Quarter Horse racing. This leaves several weeks on each side of the Canterbury Park live race meet when Minnesota-bred Quarter Horses may be racing out of state. This proposed rule is needed to provide a time frame of eligibility for Breeder's Fund Stallion Awards when there is no Quarter Horse racing at Canterbury Park, and horses are racing in other jurisdictions. This change is also necessary to align the Quarter Horse Breeders' Fund Awards and the Stallion Awards. The Quarter Horse Breeders' Fund awards adopted this change in the previous 2024 rule change request. It is a reasonable change as it clearly spells out that once the Minnesota Quarter Horse racing begins with a scheduled live Quarter Horse race and continuing through the last scheduled live Quarter Horse race, purse earnings in a North American race outside of Minnesota are not eligible for stallion awards.

7895.0350 QUARTER HORSE REGISTRATION.

Subp. 3. Foal registration.

This proposed rule is needed to correct an error in the Quarter Horse rules regarding how foals bred in Minnesota are registered. Minnesota-bred is the correct terminology for this section and it is used correctly for foal registrations in Thoroughbreds (7895.0125, subp. 3), Standardbreds (7895.0275, subp. 2), and Arabian racehorses (7895.0450, subp.3). It is reasonable to correct this error because the entire subpart describes how foals are born and registered in Minnesota and nowhere in the subpart is the sire mentioned or discussed.

7897.0100 PROHIBITED ACTS.

Subp. 7. Cooperation with security officers and racing officials.

This proposed rule is expanded to include all racing officials including regulatory veterinarians. Regulatory veterinarians are specifically added as they have hourly and daily contact with trainers, owners, grooms, and others on the backside and interactions are not always handled by some of these individuals in a calm, nonaggressive manner. This proposed rule is needed to allow a regulatory veterinarian to complete work they are hired for without harassment or offensive language from other individuals on the backside. It is reasonable because when requested by a regulatory veterinarian, no trainer should refuse to present a horse for a prerace examination, no groom should refuse to bring a heat exhausted horse to a hose for water, and no racing official or regulatory veterinarian should have to deal with offensive language or verbal threats from a trainer or owner when their horses is scratched in the saddling paddock or starting gate.

Subp. 26. Furosemide and oral diuretic supplementation.

Furosemide is very tightly controlled prescription diuretic used in most racehorses to prevent EIPH. It is the sole race day medication allowed in Minnesota racehorses and is given only by intravenous injection under observation of the Racing Commission detention barn technicians. Oral forms of furosemide are not allowed on race day and should only be prescribed to a racehorse with specific medical condition for nonrace day administration. Generally, this is a serious condition, such leg or pulmonary edema precludes a horse from racing. This proposed rule is needed to prevent unethical trainers from using oral furosemide or other unenforceable diuretics on race day to provide an extra edge or boost for their horse. The rule is reasonable as it limits the number of diuretic medications on the backside and allows the regulatory veterinarian to be involved early in what may become a difficult medical condition needing advanced care.

EXHIBITS

Exhibit 1	United States Trotting Association (USTA) Rule 4.162
Exhibit 2	New York Gaming Commission Definitions
Exhibit 3	Delaware Harness Definitions
Exhibit 4	HISA Series 2000 Definition
Exhibit 5	Association of Racing Commissioners Int. (ARCI) Rule 004-007 parimutuel wagering
Exhibit 6	United States Trotting Association (USTA) Rule 4.128
Exhibit 7	AmTote showing Place Pick N as wager
Exhibit 8	ARCI Model Rule 2023 H. Pick N pools
Exhibit 9	California Pick N 1976.9
Exhibit 10	HISA Rule 2154
Exhibit 11	HISA Rule 2141

Exhibit 12	HISA Rule 2142
Exhibit 13	University of Minnesota (UMN) Public Safety Security Requirements
Exhibit 14	MN Zoo Security Officer Job Description
Exhibit 15	Indiana State Code 71 IAC 10-2-3
Exhibit 16	Visual of Tongue Tie
Exhibit 17	AirNow Example
Exhibit 18	Air Quality Index (AQI) Color Coded Chart
Exhibit 19	Kim LD. The effects of ambient air pollution exposure on Thoroughbred racehorses. <i>Eq Vet J</i> 2025; 57:712-722.
Exhibit 20	HISA Rule 2164 (b)
Exhibit 21	Heat Exhaustion and Heat Stroke in Humans
Exhibit 22	Heat Index Chart NOAA's National Weather Service
Exhibit 23	United States Polo Association Heat Index Warning
Exhibit 24	HISA Rule 2164 (a)
Exhibit 25	ARCI-007-020M
Exhibit 26	HISA Rule 2164 (a. 5)
Exhibit 27	Example of EKO digital Cardioscope
Exhibit 28a	HISA Rule 2276 Horseshoes
Exhibit 28b	Visual of Horseshoe with 2mm toe grab in middle
Exhibit 29	Auer et al. Detection of bicarbonate administration (milk shaking) in Standardbred racehorses. <i>Aus Vet J</i> 1993;70(9):336-340.
Exhibit 30	Australian Rules of Racing Sched 1. Part 2. Division 3.
Exhibit 31	Photo of several bicarbonate containing products
Exhibit 32	USTA Etrack Manual. Online Entries version 6 May 8 2023
Exhibit 33	USTA Rule 16.15 Gate and arms
Exhibit 34	USTA Rule 18.08 (a) Description of Whip
Exhibit 35	Example of current USTA Standard Whip
Exhibit 36	Fine Schedule used by MRC Standardbred stewards in 2025
Exhibit 37	USTA Rule 18.08 (c. 3)
Exhibit 38	Visual of pylon location on racetrack
Exhibit 39	Omeprazole oral administration information (Illinois)
Exhibit 40	Namikawa K. Rebound hypersecretion after withdrawal of long-term PPI. <i>J Mol Sci</i> 2024; 25(10)-05459.
Exhibit 41	ARCI Controlled Therapeutic Medications Schedule
Exhibit 42	ARCI-007-025 (A. A. 3.)
Exhibit 43	RMTC Scientific Advisory Committee Omeprazole Threshold Calculation

Exhibit 44	James J et al. Common lesions of the distal end of the third carpal/metacarpal bone in racehorse catastrophic injures. J Vet Diag 2017;29(4):431-436.
Exhibit 45	CA Horse racing board proposed rule 1866.3_Notice_1-24-24
Exhibit 46	Oaklawn fetlock X-ray house rule; Paulick Report 2024.
Exhibit 47	Kentucky 810 KAR 4:030, Section 17 (entry examinations)

CONCLUSION

Based on the foregoing, the proposed rules are both reasonable and necessary to protect the integrity of racing in Minnesota.



Date: January 8, 2026
This document available for public review
on this date.

Kyle Gustafson
Executive Director
Minnesota Racing Commission

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Minnesota Racing Commission

Proposed Amendments to Rules Governing Horse Racing: Definitions, Licensure, Pari-Mutuel Rules, Facilities and Equipment, Racetrack Security Officers, Stewards, Thoroughbred/Quarter Horse Races, Harness Races, Horse Medication, Physical Examination, Breeder's Fund, and Prohibited Acts; Chapters 7869, 7870, 7873, 7875, 7878, 7879, 7883, 7884, 7890, 7891, 7895, and 7897; Revisor's ID R-04965; CAH 24-9011-41097.

Introduction. The Minnesota Racing Commission intends to adopt rules without a public hearing following the procedures in the rules of the Court of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules, until Thursday, February 19, 2026, 2026.

Subject of Rules. The proposed rule updates strive to keep Minnesota Racing Commission rules current and relevant as the industry evolves. This rulemaking initiative will modify, clarify, and update various existing MRC rules pertaining to pari-mutuel rules, licensing, animal welfare, and the safety of all participants. There is an emphasis on horse health, veterinary practices, and racing rules. Following is a summary of the changes.

7869.0100 Subp. 54a. **Scoring.**

This definition is being added to define "scoring" which is used elsewhere in the rules.

7869.0100 Subp. 67a. **Traction device.**

This definition is being added to define "traction device" which is used elsewhere in the rules and comes directly from the 2000 series of the HISA rules and regulations.

7869.0100 Subp. 68a. **Wager.**

This definition is being added to define "wager" which is used elsewhere in the rules.

7870.0480 Subpart 1A. **Medical facilities, equipment, and personnel.**

This part is being removed because it is no longer necessary for an association to have a fully equipped first aid room with at least two beds. The human ambulance that is required to be on-site has the appropriate equipment.

7870.0480 Subpart 1B. **Medical facilities, equipment, and personnel.**

This rule is being renumbered from subpart "1B" to subpart "1A."

7870.0480 Subpart 1C. **Medical facilities, equipment, and personnel.**

This rule is being renumbered from subpart "1C" to subpart "1B."

7873.0193 **PLACE PICK (n).**

This section is being renamed from "PLACE PICK ALL" to "PLACE PICK (n)."

7873.0193 Subpart 1. **Scope.**

This subpart is being amended to match the new name of the specific type of wager, which will be “place pick (n).”

7873.0193 Subpart 1A. **Scope.**

This rule is being added to specify requirements of a place pick (n) wager. This type of wager will require a bettor to select the first place or second place finisher in each of a designated number of contests ranging from as few as three contests to as many as 16 contests.

7873.0193 Subpart 1B. **Scope.**

This rule is being added to specify that all contests subject to a specific place pick (n) wager must be held on a single racing day.

7873.0193 Subp. 2. **Ticket is evidence of binding contract.**

This subpart is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 3. **Place pick (n) may be given a distinctive name.**

This subpart is being renamed and amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 3a. **Specific requirements for commission approval.**

This proposed rule is being added to specify that an association must outline each type of place pick (n) wager to be offered within its pari-mutuel request to be considered for approval by the commission.

7873.0193 Subp. 3a. A. **Specific requirements for commission approval.**

This proposed rule is being added to specify that an association must include the number of contests the place pick (n) wager will comprise in its pari-mutuel request to be considered for approval by the commission.

7873.0193 Subp. 3a. B. **Specific requirements for commission approval.**

This proposed rule is being added to specify that an association must include any specific name the association wishes to give the wager in its pari-mutuel request to be considered for approval by the commission.

7873.0193 Subp. 3a. C. **Specific requirements for commission approval.**

This proposed rule is being added to specify that an association must include a designation of one of the methods of payment outlined within subpart 6 of this section in its pari-mutuel request to be considered for approval by the commission. This must include a description of the relevant percentages chosen by the association specific to the chosen method of calculation.

7873.0193 Subp. 4. **Place pick (n) pool.**

This subpart is being renamed and amended to match the new name of the specific type of wager

which will be “place pick (n).”

7873.0193 Subp. 5. **Coupled entries and fields.**

This rule is being amended to match the new name of the wager which will be “place pick (n).”

7873.0193 Subp. 6A. **Calculation of pool.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 6B. **Calculation of pool.**

This rule is being amended so that one hundred percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the most winning selections officially finishing first or second in each of the races comprising the place pick (n) wager, rather than that day’s racing program.

7873.0193 Subp. 6C. 1. **Calculation of pool.**

This proposed rule change is being amended to change the entire racing day program to the Place Pick “n” wager as the wager depends on the “n” or the number of races and not the entire racing day.

7873.0193 Subp. 6C. 2. **Calculation of pool.**

This proposed rule change is being amended to change the entire racing day program to the Place Pick “n” wager as the wager depends on the “n” or the number of races and not the entire racing day.

7873.0193 Subp. 6E. **Calculation of pool.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 6F. 1. **Calculation of pool.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 6G. **Calculation of pool.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 6H. **Calculation of pool.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7873.0193 Subp. 7. **Actual favorite substituted for scratched horse.**

This rule is being amended to match the new name of the specific type of wager which will be “place pick (n).”

7875.0100 Subp. 4. **Racing surfaces.**

This proposed rule change updates when an association must submit to the commission evidence

that the construction, elevation, and composition of racing and training surfaces have received engineering and veterinarian approval as safe and humane. For a racetrack under the jurisdiction of HISA, the timeline is being updated from within seven days after a race meeting commences to as soon as the association receives the report from HISA.

7875.0200 Subp. 9C. **External communications.**

This rule is being removed as it is no longer needed.

7877.0120 Subpart 1GG. **License fees.**

This rule is being amended to allow for a new part to be added.

7877.0120 Subpart 1HH. **License fees.**

This rule is being amended to allow for a new part to be added.

7877.0120 Subpart 1II. **License fees.**

This rule is being added to provide a specific racing commission licensing fee of zero charge for veterinary student externs.

7877.0125 Subp. 4. **Access to backside of racetrack.**

This rule is being added to clarify that a person who is ineligible to receive a racing commission license may not have access to the backside of the racetrack and may not receive a 72-hour guest pass or be signed in by a trainer, assistant trainer, or any other MRC licensee, as a guest.

7877.0175 Subp. 8b. C. **Veterinarian's list.**

This rule is being amended to allow a Thoroughbred horse that has passed the workout and post work-out assessment to enter, but not race, before the post-workout drug test results are returned.

7878.0130 Subpart 1H. **Basic Course.**

This rule is being amended to allow a newly hired security officer at an association to complete the required cardiopulmonary resuscitation (CPR) training within 30 days of their first scheduled training shift rather than before they can start working in that capacity.

7878.0160 Subp. 2. **Notification of searches.**

This rule is being amended to require any illegal contraband seized because of a search by an association or its security personnel, to be delivered to the local law enforcement agency or commission investigator within 24 hours of the search, rather than immediately following the search.

7879.0200 Subpart 1M. **General authority of stewards.**

This rule is being added to grant stewards the authority to summarily suspend a racing commission license pending a hearing, if the stewards determine that a licensee's actions constitute an immediate danger to the public health, safety, or welfare, are not in the best interest of racing, or compromise the integrity of operations at a track or satellite facility.

7879.0200 Subpart 1M. 1. **General authority of stewards.**

This rule is being added to give a licensee whose racing commission license has been summarily suspended, the ability to request a hearing within 48 hours following a written request to the commission.

7879.0200 Subpart 1M. 2. **General authority of stewards.**

This rule is being added to require the stewards to conduct a hearing on a summary suspension in the same manner as other disciplinary hearings. The sole issue at a hearing on a summary suspension is whether the licensee's racing commission license should remain suspended pending final disciplinary hearing and ruling.

7883.0100 Subp. 16I. **Workout requirements.**

This rule is corrected as horses requiring a workout are on the veterinarian's list and not the steward's list.

7883.0100 Subp. 20. **Quarter Horses must stand in the gate.**

This rule is being removed as it was too cumbersome for the trainer and starter. The starting gate is not always available the day before or the day of racing so there would be no opportunity for the horse to stand in the gate.

7883.0110 Subp. 2. **In-today horses.**

This rule is being amended to update the word "the" to "a" to include more than just one future race date.

7883.0120 Subp. 1b. C. **Procedure for scratching horses.**

This rule is being amended to increase the number of horses required to remain in a field for horses to be scratched from a race without penalty. Currently, the rule dictates that horses may be scratched down to a field of seven without penalty. This rule change updates that to a field of eight.

7883.0120 Subp. 1b. E. **Procedure for scratching horses.**

This rule is being added to clarify that a scratch requested by a trainer, owner, or authorized agent on a race day is not final until all scratches requested by a commission veterinarian have been submitted and approved by the stewards. It also clarifies that every entered horse must be examined by a commission veterinarian regardless of a potential scratch.

7883.0120 Subp. 1d. **Horse drawn into two races.**

This rule is being amended to clarify that main-track-only and stakes horses are excluded from being scratched out of the first race they are entered in if they are drawn into the body of another race within seven days or fewer.

7883.0150 Subp. 15. **Tongue ties.**

This rule is being added to require tongue ties that are tied so tightly that the tongue appears blue or purple when the horse reaches the saddling paddock to be loosened before the horse may be saddled. The paddock veterinarian will be responsible for determining if a tongue is tied too tightly.

7883.0150 Subp. 16. **Questionable weather events.**

This rule is added to specify what websites and applications will be used to track inclement weather events. The Air Quality Index (AQI) will be monitored using the AirNow application or <https://www.airnow.gov>. The Heat Index will be monitored using the OSHA Heat Index application or <https://www.osha.gov/heat/>. Lightning strikes within a set number of miles from the racetrack will be monitored using the My Lightning Tracker Pro application. National Oceanic and Atmospheric Administration (NOAA) weather reports and the National Weather Service RADAR will be used to confirm weather patterns and directions.

7883.0150 Subp. 16A. **Questionable weather events.**

This rule is being added to specify cancellation and postponement procedures when the AQI for the racetracks zip code is elevated due to an extreme air pollutant event, including when smoke from wildfires is forecasted or detected.

7883.0150 Subp. 16A. 1. **Questionable weather events.**

This rule is being added to specify that when the AQI for the racetracks zip code reaches a level of 150, both equine and human participants will be provided the option to withdraw from competition without penalty.

7883.0150 Subp. 16A. 2. **Questionable weather events.**

This rule is being added to specify that when the AQI for the racetracks zip code reaches a level of 175 or higher, no horse racing or training will be conducted.

7883.0250 Subp. 16B. **Questionable weather events.**

This rule is being added to specify that when the heat index for the racetracks zip code is projected to reach 105 or higher for more than two consecutive hours, the chief commission veterinarian will recommend to the association that horseracing be postponed or canceled.

7883.0150 Subp. 16C. **Questionable weather events.**

This rule is being added to introduce the procedure that must be followed when lightning first strikes within an 8-mile radius of the racetrack.

7883.0150 Subp. 16C. 1. **Questionable weather events.**

This rule is being added to specify that when lightning first strikes within an 8-mile radius of the racetrack, the association must suspend or cancel racing in coordination with MRC stewards. Racing activity may resume after 30 minutes from the last lightning strike within 8 miles of the racetrack, or earlier if an all-clear may be established by weather patterns.

7883.0150 Subp. 16C. 2. **Questionable weather events.**

If the suspension lasts greater than one hour, the MRC chief veterinarian will discuss cancelling a partial amount of the remaining card or enact a plan to cancel the remainder of the race card.

7883.0160 Subp. 14A. **Horse becomes disabled or otherwise unable to finish.**

This rule is being amended to require a horse that bleeds excessively during or immediately after a race to be transported by horse ambulance to the detention barn for further examination by a commission veterinarian.

7883.0170 A3. a. **Equipment.**

This rule is being amended for Thoroughbreds only.

7883.0170 A3. ai. **Equipment.**

This rule is being amended to match updated HISA regulations on horseshoes for Thoroughbreds.

7883.0170 A3. aii. **Equipment.**

This rule is being amended to match updated HISA regulations on horseshoes for Thoroughbreds.

7883.0170 A3. aiii. **Equipment.**

This rule is being amended to match updated HISA regulations on horseshoes for Thoroughbreds.

7884.0120 Subp. 13D. **Horses denied entry.**

This rule is being added to deny entry of a horse with no physiological abnormalities having two consecutive TCO₂ concentrations greater than 35 mMoles/L.

7884.0120 Subp. 19

This rule is being added to require all races with a purse less than \$30,000 to be drawn electronically, unless an exception is granted by the executive director.

7884.0130 Subp. 1a. A3. a. **Preference date.**

This rule is being added to give a state bred horse preference over a non-state bred horse when the same date has occurred for two consecutive races.

7884.0230 Subp. 9. **Tongue ties.**

This rule is being added to require tongue ties that are tied so tightly that the tongue appears blue or purple when the horse comes onto the track be loosened before the horse may continue to race. The track veterinarian is responsible for determining if the tongue is tied too tightly.

7884.0240 Subp. 1a. **Cancellation and postponement.**

This rule is being amended to add the specific measurement websites and applications that will be used to track inclement weather events. The Air Quality Index (AQI) will be monitored using the AirNow application or <https://www.airnow.gov>. The Heat Index will be monitored using the OSHA Heat Index application or <https://www.osha.gov/heat/>. Lightning strikes within a set number of miles from the racetrack will be monitored using the My Lightning Tracker Pro application. National Oceanic and Atmospheric Administration (NOAA) weather reports and the National Weather Service RADAR will be used to confirm weather patterns and directions.

7884.0240 Subp. 1a. A. **Cancellation and postponement.**

This rule is being added to specify cancellation and postponement procedures when the AQI for the racetracks zip code is elevated due to an extreme air pollutant event, including when smoke from wildfires is forecasted or detected.

7884.0240 Subp. 1a. A1. **Cancellation and postponement.**

This rule is being added to specify that when the AQI for the racetracks zip code reaches a level of 150, both equine and human participants will be provided the option to withdraw from competition without penalty.

7884.0240 Subp. 1a. A2. **Cancellation and postponement.**

This rule is being added to specify that when the AQI for the racetracks zip code reaches a level of 175 or higher, no horse racing, training, or jogging will be conducted.

7884.0240 Subp. 1a. B. **Cancellation and postponement.**

This rule is being added to specify that when the heat index for the racetracks zip code is projected to reach 105 or higher for more than two consecutive hours, the chief commission veterinarian will recommend to the association that horseracing be postponed or canceled.

7884.0240 Subp. 1a. C. **Cancellation and postponement.**

This rule is being added to introduce the procedure that must be followed when lightning first strikes within an 8-mile radius of the racetrack.

7884.0240 Subp. 1a. C1. **Cancellation and postponement.**

This rule is being added to specify that when lightning first strikes within an 8-mile radius of the racetrack, the association must suspend or cancel racing in coordination with MRC stewards. Racing activity may resume after 30 minutes from the last lightning strike within 8 miles of the racetrack, or earlier if an all-clear may be established by...

7884.0240 Subp. 1a. C2. **Cancellation and postponement.**

If the suspension lasts greater than one hour, the MRC chief veterinarian will discuss cancelling a partial amount of the remaining card or enact a plan to cancel the remainder of the race card.

7884.0260 Subp. 2T. **Conduct after word “go” is given.**

This rule is being amended to allow changes related use of the whip.

7884.0260 Subp. 2T. 1. **Conduct after word “go” is given.**

This rule is being amended to change the length of the whip from 36 to 48 inches with an added snapper of 3 inches. It also specifies that the whip cannot be made of leather, tape can only be used on the handle, and the snapper cannot be knotted. The whip specification and requirement rules discussed in subp. 2T are now codified in a new subpart 13.

7884.0260 Subp. 2T. 1a. **Conduct after word “go” is given.**

This rule is being re-lettered from number 1

7884.0260 Subp. 2T. 1b. **Conduct after word “go” is given.**

This rule is being re-lettered from number 2.

7884.0260 Subp. 2T. 1c. **Conduct after word “go” is given.**

This rule is being re-lettered from number 3.

7884.0260 Subp. 2T. 1d. **Conduct after word “go” is given.**

This rule is being re-lettered from number 4.

7884.0260 Subp. 2T. 1e. **Conduct after word “go” is given.**

This rule is being re-lettered from number 5.

7884.0260 Subp. 2T. 2. **Conduct after word “go” is given.**

This rule is being added so the penalty(ies) for a whipping offense are clearly understood.

7884.0260 Subp. 2T. 2a. **Conduct after word “go” is given.**

This rule is being added to provide the penalty(ies) for whip welt.

7884.0260 Subp. 2T. 2b. **Conduct after word “go” is given.**

This rule is being added to provide the penalty(ies) for whip violations not associated with a whip welt.

7884.0260 Subp. 2W. **Conduct after word “go” is given.**

This rule is being amended to allow for a new part to be added.

7884.0260 Subp. 2X. **Conduct after word “go” is given.**

This rule is being amended to allow for a new part to be added.

7884.0260 Subp. 2Y. **Conduct after word “go” is given.**

This rule is being added to require a driver’s arms to always stay below shoulder level while urging a horse during a race. It also restricts driver’s from using any exaggerated movement of either arm while urging the horse.

7884.0260. Subp. 3A. **Breaks.**

This rule is being amended to allow a driver to take a horse that has broken gait to either the inside or outside of other horses where clearance exists to do so.

7884.0260 Subp. 11B. 2. **Pylon violations.**

This rule is being amended to allow for a new part to be added.

7884.0260 Subp. 11B. 3. **Pylon violations.**

This rule is being amended to allow for a new part to be added. The word “judges” is also being updated to “stewards” as a housekeeping change.

7884.0260 Subp. 11B. 4. **Pylon violations.**

This rule is being added describe how the trainer of horse that breaks gait and is taken to the inside

of the pylons must proceed. If no unfair advantage is gained by the trainer the horse may remain in the position without a placing.

7884.0260 Subp. 13. Use of the Whip.

The whip specification and requirement rules discussed above in subp. 2T are now codified in a new subpart 13.

7890.0100 Subp. 13a. E. Medication.

This rule is being added to allow Omeprazole to be administered 24 hours prior to a race and provides the concentration in the test sample that may not be exceeded.

7890.0110 Subp. 8a. B. Intra-articular injections.

This rule is being amended to require X-rays of the fetlock to be taken for any horse receiving a corticosteroid injection in the same fetlock joint within a 60-day period.

7890.0160 F. RESPONSIBILITY OF VETERINARIAN.

This rule is being added to require a physical examination to be performed and the results, including temperature, pulse, and respiratory rate, be reported to a commission veterinarian for emergency cases not requiring treatment where a race day scratch is requested.

7891.0101 ENTRY EXAMINATION BY ATTENDING VETERINARIAN.

This section is being added to ensure that every horse entered to race has been examined by a practicing veterinarian after the horse is entered but before it races.

7890.0101 Subpart 1. Horses subject to entry examination by attending veterinarian.

This subpart is being added to specify requirements for a Thoroughbred or Quarter Horse to start in a race.

7890.0101 Subpart 1A. Horses subject to entry examination by attending veterinarian.

This rule is being added to provide a time frame for the entry examination.

7890.0101 Subpart 1B. Horses subject to entry examination by attending veterinarian.

This rule is being added to specify how the entry examination results are transmitted to the Chief Commission Veterinarian

7890.0101 Subpart 1B. 1. Horses subject to entry examination by attending veterinarian.

This rule is being added to describe what a minimum examination includes.

7890.0101 Subpart 1B. 2. Horses subject to entry examination by attending veterinarian.

This rule is being added to provide a timeline for transfer of diagnostic test results from the practicing veterinarian to the commission veterinarian

7891.0110 Subp. 2C. Test samples to be taken for analysis.

This rule is being added to require that blood, urine, and cerebral spinal fluid (CSF) samples be taken from a horse with a suspected or known neurological disease prior to or directly after euthanasia and submitted to the appropriate laboratory for analysis.

7895.0300 Subp. 3B. **Distribution of money.**

This rule is being amended to state when Quarter Horse purse earnings do not count towards qualified earnings and stallion awards.

7895.0350 Subp. 3. **Foal registration.**

This rule is being amended to update the term “Minnesota-sired” to “Minnesota-bred.”.

7897.0100 Subp. 7. **Cooperation with security officers.**

This rule is being amended to include regulatory veterinarians in the group of racing officials that people must cooperate with.

7897.0100 Subp. 26. **Furosemide and oral diuretic supplementation.**

This rule is being added to prohibit the possession of furosemide and other diuretic oral solutions, tablets, paste, or other forms, unless it is prescribed for a horse with a documented medical condition and has been approved by a commission veterinarian.

Statutory Authority. The Racing Commission's statutory authority to adopt the rules is set forth in Minnesota Statutes section 240.03, 240.23 and 240.24.

Minnesota Statutes section 240.03 specifies Racing Commission power and duties which include regulating horse racing in Minnesota to ensure that it is conducted in the public interest and to take all necessary steps to ensure the integrity of racing in Minnesota.

Minnesota Statutes section 240.23 provides the racing commission statutory authority to adopt the rules, as follows:

The Commission has the authority, in addition to all other rulemaking authority granted elsewhere in this chapter to promulgate and adopt rules governing: a) the conduct of horse races held at licensed racetracks in Minnesota, including but not limited to the rules of racing, standards of entry, operation of claiming races, filing and handling of objections, carrying of weights, and declaration of official results, b) wire and wireless communications between the premises of a licensed racetrack and any place outside the premises, c) information on horse races which is sold on the premises of a licensed racetrack, d) liability insurance which it may require of all racetrack licensees, e) the auditing of the books and records of a licensee by an auditor employed or appointed by the Commission, f) emergency action plans maintained by licensed racetracks and their periodic review, g) safety, security, and sanitation of stabling facilities at licensed racetracks, h) entry fees and other funds received by a licensee in the course of conducting racing which the Commission determines must be placed in an escrow account, i) affirmative action in employment and contracting by licensed racetracks, and j) procedures for the sampling and testing of any horse that is eligible to race in Minnesota for substances or practices that are prohibited by law or rule;

and k) any other aspect of horse racing or pari-mutuel betting which in its opinion affects the integrity of racing or the public health, welfare, or safety.

Minnesota Statutes section 240.24 authorizes the Racing Commission to “make and enforce rules governing medication and medical testing for horses running at licensed racetracks.”

Publication of Proposed Rules. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is E. Joseph Newton at the Minnesota Racing Commission, 15201 Zurich Street STE 212, Columbus MN, 55025 at 651-356-1200 (phone), 651-925-3953 (fax), and joseph.newton@state.mn.us (email).

Public Comment. You have until 4:30 p.m. on Thursday, February 19, 2026, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Minnesota Racing Commission hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Thursday, February 19, 2026. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Minnesota Racing Commission will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to affect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The Minnesota Racing Commission might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Minnesota Racing Commission follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the State Register, the Minnesota Racing Commission will publish a notice of adoption in the State Register. If the final rules are different from the rules originally published in the State Register, the Minnesota Racing Commission must publish a copy of the changes in the State Register.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The Minnesota Racing Commission will submit the rules and supporting documents to the Court of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules, and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

Alternative Format/Accommodation

Upon request, this Statement of Need and Reasonableness can be made available in an alternative format, such as large print, Braille, or audio. To make a request or if you need an accommodation to make the hearing accessible, contact E. Joseph Newton at the Minnesota Racing Commission, 15201 Zurich Street, Suite 212, Columbus, MN 55025; phone 651-356-1200; fax 651-925-3954; or email joseph.newton@state.mn.us. TTY users may call the Racing Commission at 800-627-3529.

Dated: January 8, 2026



Kyle Gustafson
Executive Director,

1.1 **Minnesota Racing Commission**

1.2 **Proposed Permanent Rules Relating to Horse Racing**

1.3 **7869.0100 DEFINITIONS.**

1.4 *[For text of subparts 1 to 54, see Minnesota Rules]*

1.5 Subp. 54a. **Score.** "Score" means the preliminary practice given to horses after the
1.6 post parade and prior to being called to line up for the start of a race by the official starter.

1.7 *[For text of subparts 55 to 67, see Minnesota Rules]*

1.8 Subp. 67a. **Traction device.** "Traction device" means inserts, wear plates, rims, toe
1.9 grabs, bends, jar calks, stickers, ice nails, frost nails, mud nails, or any other device that
1.10 extends beyond the ground surface of the horseshoe.

1.11 Subp. 68. **USTA.** "USTA" means the United States Trotting Association.

1.12 Subp. 68a. **Wager.** "Wager" means a bet placed on the outcome of a pari-mutuel race
1.13 or races.

1.14 Subp. 69. **Walkover.** "Walkover" means a race in which there are not two or more
1.15 horses of separate interest sent postward.

1.16 **7870.0480 MEDICAL SERVICES.**

1.17 **Subpart 1. Medical facilities, equipment, and personnel.** A licensed racetrack must
1.18 provide at least the following medical facilities, equipment, and personnel:

1.19 ~~A. a fully equipped first aid room with at least two beds;~~

1.20 ~~B.~~ A. a licensed physician or paramedic, who has been trained in assessing
1.21 concussions, on the grounds during live racing hours; and

2.1 ~~€.~~ B. an emergency response team of not less than two emergency medical
2.2 technicians must be on the grounds and equipped with essential emergency equipment
2.3 during qualifying and live racing, training, or horse exercising hours.

2.4 *[For text of subpart 2, see Minnesota Rules]*

2.5 **7873.0193 PLACE PICK ~~ALL~~ (N).**

2.6 Subpart 1. **Scope.**

2.7 A. The place pick ~~all~~ (n) pari-mutuel pool is not a parlay and has no connection
2.8 with or relation to any other pari-mutuel pool conducted by the association.

2.9 B. Place pick (n) wagers require selection of the first place or second place finisher
2.10 in each of a designated number (n) of contests ranging from as few as three contests to as
2.11 many as 16 contests.

2.12 C. All contests subject to a specific place pick (n) wager must be held on a single
2.13 racing day.

2.14 Subp. 2. **Ticket is evidence of binding contract.** A place pick ~~all~~ (n) ticket shall be
2.15 evidence of a binding contract between the holder of the ticket and the racing association
2.16 and the ticket shall constitute an acceptance of the place pick ~~all~~ (n) provisions and rules.

2.17 Subp. 3. **Place pick ~~all~~ (n) may be given a distinctive name.** A place pick ~~all~~ (n)
2.18 may be given a distinctive name to be selected by the association conducting these races,
2.19 subject to the approval of the commission.

2.20 Subp. 3a. **Specific requirements for commission approval.** To be considered for
2.21 approval, the association must specifically outline each type of place pick (n) wager to be
2.22 offered within its pari-mutuel pools request. The pari-mutuel pools request must contain
2.23 each of the following for every place pick (n) wager that the association desires to offer:

2.24 A. the number of contests the place pick (n) wager will comprise;

3.1 B. any specific name the association wishes to give the wager as allowed in subpart
3.2 3; and

3.3 C. a designation of one of the methods of distribution provided in subpart 6. This
3.4 includes a description of the relevant percentages chosen by the association specific to the
3.5 chosen method of calculation.

3.6 Subp. 4. **Place pick ~~all~~ (n) pool.** The place pick ~~all~~ (n) pari-mutuel pool consists of
3.7 amounts contributed for a selection finishing first or second in each of the races designated
3.8 by the association with the approval of the commission. Each person purchasing a place
3.9 pick ~~all~~ (n) ticket shall designate a horse that officially finishes first or second in each of
3.10 the races comprising ~~that day's racing program~~ the wager.

3.11 Subp. 5. **Coupled entries and fields.** Horses constituting an entry of coupled horses
3.12 or horses coupled to constitute the mutuel field in a race comprising the place pick ~~all~~ (n),
3.13 shall race as a single wagering interest for the purpose of the place pick ~~all~~ (n) pari-mutuel
3.14 pool calculations and payouts to the public. However, if any part of either an entry or the
3.15 field racing as a single wagering interest is a starter in a race, the entry or the field selection
3.16 shall remain as the designated selection to win in that race for the place pick ~~all~~ (n)
3.17 calculation, and the selection shall not be deemed a scratch.

3.18 Subp. 6. **Calculation of pool.**

3.19 A. The place pick ~~all~~ (n) pari-mutuel pool must be calculated according to one of
3.20 the two methods provided in item B or C, as approved by the commission.

3.21 B. One hundred percent of the net amount in the pari-mutuel pool subject to
3.22 distribution among winning ticket holders shall be distributed among the holders of
3.23 pari-mutuel tickets which correctly designate the most winning selections officially finishing
3.24 first or second in each of the races comprising ~~that day's racing program~~ the place pick (n)
3.25 wager.

4.1 C. (1) One hundred percent of the net amount in the pari-mutuel pool subject to
4.2 distribution among winning ticket holders shall be distributed among the holders of
4.3 pari-mutuel tickets which correctly designate a horse that officially finishes first or second
4.4 in each of the races comprising ~~that day's racing program~~ the wager.

4.5 (2) In the event there is no pari-mutuel ticket properly issued ~~which~~ that
4.6 correctly designates a horse ~~that~~ officially ~~finishes~~ finishing first or second in each of the
4.7 races comprising ~~that day's racing program~~ the wager, 75 percent of the pari-mutuel pool
4.8 ~~shall~~ must not be distributed but ~~shall~~ must be retained by the association as a distributable
4.9 amount ~~and shall~~. This distributable amount must be carried over and included in the place
4.10 pick ~~all~~ (n) pari-mutuel pool for the next succeeding racing date as an additional net amount
4.11 to be distributed among the holders of pari-mutuel tickets which correctly designate the
4.12 official ~~winner in each of the four~~ first or second place finisher in each of the races
4.13 comprising the place pick four ~~four~~ (n) pool that day. The remaining 25 percent shall be distributed
4.14 among the holders of place pick ~~all~~ (n) tickets that correctly designate the most horses
4.15 officially finishing first or second in each of the races comprising ~~that day's racing program~~
4.16 the wager.

4.17 *[For text of item D, see Minnesota Rules]*

4.18 E. Should no distribution be made pursuant to item B or C on the last day of the
4.19 association's meeting, then the entire distributable pool and all money accumulated in the
4.20 pool shall be distributed to the holders of tickets correctly designating the most winning
4.21 selections of the races comprising the place pick ~~all~~ (n) for that day. If, for any reason, the
4.22 final day of racing is canceled or the place pick ~~all~~ (n) pool has not been distributed, the
4.23 pool shall be escrowed by the association, and the pool, as well as all accrued interest, shall
4.24 be carried over and included in the place pick ~~all~~ (n) pari-mutuel pool for the next succeeding
4.25 racing date as an additional net amount to be distributed.

4.26 F. With the permission of the director, a licensee may declare a mandatory payout:

5.1 (1) on the next consecutive race day after the place pick ~~all~~ (n) carryover pool
5.2 has reached a previously approved amount; or

5.3 (2) on a day during which a special event has been scheduled.

5.4 G. Should no distribution be made pursuant to item B or C, then the entire
5.5 distributable pool and all money accumulated in the pool must be distributed to the holders
5.6 of the tickets correctly designating the most winning selections of the races comprising the
5.7 place pick ~~all~~ (n) for that day.

5.8 H. If, for any reason, the day of racing is canceled, or the place pick ~~all~~ (n) pool
5.9 has not been distributed, the pool must be carried over and included in the place pick ~~all~~ (n)
5.10 pari-mutuel pool for the next succeeding racing day as an additional net amount to be
5.11 distributed.

5.12 Subp. 7. **Actual favorite substituted for scratched horse.** In the event a place pick
5.13 ~~all~~ (n) pari-mutuel ticket designates a selection in any one or more of the races comprising
5.14 the place pick ~~all~~ (n) and that selection is scratched, excused, or determined by the stewards
5.15 to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in
5.16 the win pool at the time of the start of the race, will be substituted for the nonstarting selection
5.17 for all purposes, including pool calculations and payoffs.

5.18 **7875.0100 FACILITIES.**

5.19 *[For text of subparts 1 to 3, see Minnesota Rules]*

5.20 Subp. 4. **Racing surfaces.** Within seven days after a race meeting commences, the
5.21 association must submit to the commission evidence that the construction, elevation, and
5.22 composition of racing and training surfaces have received engineering and veterinarian
5.23 approval as safe and humane. A class D licensee must make the submission seven days
5.24 before the race meeting. For a racetrack under the jurisdiction of HISA, the racing surfaces
5.25 report must be submitted to the commission as soon as it is received by the association.

6.1 [For text of subparts 5 to 7, see Minnesota Rules]

6.2 **7875.0200 EQUIPMENT.**

6.3 [For text of subparts 1 to 8, see Minnesota Rules]

6.4 Subp. 9. **External communications.**

6.5 [For text of items A and B, see Minnesota Rules]

6.6 ~~C. At least one of the public telephones allowed at an association shall be equipped~~
6.7 ~~with a TDD device.~~

6.8 **7877.0120 FEES.**

6.9 Subpart 1. **License fees.** Each application for a Class C license, or its renewal, shall
6.10 be accompanied by the payment of an annual fee according to the following schedule:

6.11 [For text of items A to FF, see Minnesota Rules]

6.12 GG. tip sheet provider, \$100; ~~and~~

6.13 HH. commission staff or contractor, no charge; and

6.14 II. veterinary student extern, no charge.

6.15 [For text of subparts 2 to 4, see Minnesota Rules]

6.16 **7877.0125 CRITERIA FOR DETERMINING ELIGIBILITY.**

6.17 [For text of subparts 1 to 3, see Minnesota Rules]

6.18 Subp. 4. Access to backside of racetrack. A person deemed ineligible for a license
6.19 is denied access to the backside of the racetrack and cannot receive a 72-hour pass or be
6.20 signed in by a trainer, assistant trainer, or any other commission licensee as a guest.

6.21 **7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.**

6.22 [For text of subparts 1 to 8a, see Minnesota Rules]

7.1 Subp. 8b. **Veterinarian's list.**7.2 *[For text of items A and B, see Minnesota Rules]*

7.3 C. All workouts required by a commission veterinarian for the purpose of
7.4 potentially removing a horse from the veterinarian's list must be conducted under the same
7.5 medication requirements as those for race days. Horses requiring an official timed workout
7.6 must have documentation from the attending veterinarian that the horse is sound to work
7.7 as provided in part 7877.0170, subpart 9, item N, have a published workout observed by a
7.8 commission veterinarian, and pass a post-workout assessment of racing condition by a
7.9 commission veterinarian, and complete medical testing. Thoroughbred horses are eligible
7.10 to enter but cannot race before a negative post-workout drug test is obtained under chapter
7.11 7892.

7.12 *[For text of items D and E, see Minnesota Rules]*7.13 *[For text of subparts 8c to 15, see Minnesota Rules]*7.14 **7878.0130 BASIC COURSE.**

7.15 Subpart 1. **Applicant shall successfully complete basic course.** No security officer
7.16 may work in that capacity, except under the continuous direct supervision of an experienced
7.17 security officer, until the association furnishes proof to the commission that the security
7.18 officer has successfully completed a basic course that includes at least 16 hours of instruction
7.19 in the following subject areas:

7.20 *[For text of items A to G, see Minnesota Rules]*

7.21 H. cardio pulmonary resuscitation (CPR) to be completed within 30 days of the
7.22 first scheduled training; and

7.23 I. report writing.

7.24 *[For text of subparts 2 and 3, see Minnesota Rules]*

8.1 **7878.0160 SECURITY COOPERATION.**8.2 *[For text of subpart 1, see Minnesota Rules]*

8.3 Subp. 2. **Notification of searches.** Within 24 hours of any searches conducted by an
8.4 association or its security personnel, the Racing Commission director of racing security or
8.5 his or her designee must be notified of the searches and any relative circumstances involved.
8.6 A copy of the inventory sheet of all items confiscated during the searches must accompany
8.7 the notification. All illegal contraband seized as a result of a search ~~must be immediately~~
8.8 ~~delivered to the local law enforcement agency~~ must be secured by the association until
8.9 contact is made with commission investigators. After consultation with commission
8.10 investigators, all contraband must be transferred or disposed of according to applicable law.
8.11 Under no circumstances shall the association or its security personnel destroy or otherwise
8.12 dispose of any illegal contraband.

8.13 **7879.0200 AUTHORITY AND DUTIES OF STEWARDS.**

8.14 Subpart 1. **General authority of stewards.** The stewards shall exercise immediate
8.15 supervision, control, and regulation of racing at each licensed race meeting on behalf of the
8.16 commission and shall be responsible only to the commission. The powers of the stewards
8.17 shall include:

8.18 *[For text of items A to J, see Minnesota Rules]*

8.19 K. for all county fair meets in which the average daily handle for the preceding
8.20 year was less than \$150,000, the rules of horse racing and pari-mutuel rules shall apply
8.21 unless waived by the commission after a determination by the commission that the integrity
8.22 of the race meet and safety to humans or animals would not be affected. In the event
8.23 circumstances during a race meet require an immediate change so as to expedite the
8.24 completion of the race day, the board of stewards, after consultation with the director of
8.25 security, commission veterinarian, or director of pari-mutuels, as determined appropriate
8.26 under the circumstance, shall thereafter approve the change. In the event the board of

9.1 stewards is unable to consult with the appropriate commission staff member after a reasonable
9.2 time, the board of stewards shall approve the change without such consultation; ~~and~~

9.3 L. for a period of 90 days after the conclusion of a race meeting at a licensed
9.4 facility or a county fair meet, jurisdiction to hold hearings and take action with regard to
9.5 any aspect of racing at the meet shall continue with the board of stewards or, if considered
9.6 by the commission to be more practical or convenient for the parties concerned, may be
9.7 exercised by a single knowledgeable person designated by the commission. Any person
9.8 acting in lieu of the board of stewards under this part shall have all of the authority granted
9.9 to the board of stewards under this part or any other applicable rule. A person may appeal
9.10 from any action taken, in the same manner as an appeal may be taken from a steward's
9.11 hearing; and

9.12 M. the authority to summarily suspend a commission license pending a hearing,
9.13 should the stewards determine that a licensee's actions constitute an immediate danger to
9.14 the public health, safety, or welfare; are not in the best interest of racing; or compromise
9.15 the integrity of operations at a track or satellite facility. A licensee whose commission license
9.16 has been summarily suspended by the stewards is entitled to a hearing within 48 hours
9.17 following a written request for a hearing by the licensee. The stewards must conduct a
9.18 hearing on the summary suspension in the same manner as other disciplinary hearings. At
9.19 a summary suspension hearing, the sole issue is whether the licensee's commission license
9.20 should remain suspended pending a final disciplinary hearing and ruling.

9.21 *[For text of subparts 2 and 3, see Minnesota Rules]*

9.22 **7883.0100 ENTRIES AND SUBSCRIPTIONS.**

9.23 *[For text of subparts 1 to 15a, see Minnesota Rules]*

9.24 Subp. 16. **Workout requirements.** In order to be eligible:

9.25 *[For text of items A to H, see Minnesota Rules]*

10.1 I. For the purpose of removing a horse from the ~~stewards'~~ veterinarian's list, all
10.2 workouts must be conducted under the same medication requirements as those for race days.

10.3 *[For text of item J, see Minnesota Rules]*

10.4 *[For text of subparts 17 to 19, see Minnesota Rules]*

10.5 Subp. 20. [See repealer.]

10.6 **7883.0110 PREFERENCE SYSTEM.**

10.7 *[For text of subpart 1, see Minnesota Rules]*

10.8 Subp. 2. **In-today horses.** When a horse is entered on one day and has an opportunity
10.9 to start other than in a stakes race or as a main-track-only entry and is also entered for ~~the~~
10.10 following a subsequent race day, the second entry will be an "in-today" and will not be
10.11 considered unless the race underfills, nor will such horse be considered on the preferred
10.12 list.

10.13 *[For text of subparts 3 and 4, see Minnesota Rules]*

10.14 **7883.0120 SCRATCHES AND NONSTARTERS.**

10.15 *[For text of subparts 1 and 1a, see Minnesota Rules]*

10.16 Subp. 1b. **Procedure for scratching horses.**

10.17 *[For text of items A and B, see Minnesota Rules]*

10.18 C. Horses may be scratched down to a field of ~~seven~~ eight without penalty. Any
10.19 horse that scratches below a field of ~~seven~~ eight horses without a reason allowed by this
10.20 part must be placed on the stewards' list for a minimum of seven days and may not start
10.21 until they are off the list.

10.22 D. Any racing office request for a scratch must not be allowed unless the horse
10.23 is coming out of a race to make a race of equal or lesser field size.

11.1 E. With the exception of stakes races, a scratch requested by the trainer, owner,
11.2 or authorized agent on race day is not final until all scratches requested by a commission
11.3 veterinarian have been submitted and approved by the stewards. Every entered horse must
11.4 be examined by a commission veterinarian regardless of a potential scratch.

11.5 *[For text of subpart 1c, see Minnesota Rules]*

11.6 Subp. 1d. **Horse drawn into two races.** A horse drawn into the body of a race that
11.7 has drawn into the body of another race to be run within seven days or fewer shall be
11.8 scratched from the first race. Main-track-only and stakes horses are excluded.

11.9 *[For text of subparts 2 to 7, see Minnesota Rules]*

11.10 **7883.0150 PADDOCK TO POST.**

11.11 *[For text of subparts 1 to 14, see Minnesota Rules]*

11.12 Subp. 15. **Tongue ties.** Tongue ties tied so tightly that the tongue appears blue or
11.13 purple when the horse reaches the saddling paddock must be loosened before the horse may
11.14 be saddled. The paddock veterinarian is responsible for determining if a tongue is tied too
11.15 tightly.

11.16 Subp. 16. **Questionable weather events.** For the purposes of tracking the following
11.17 weather events, the Air Quality Index (AQI) must be monitored via <https://www.airnow.gov>
11.18 or via the AirNow application. The heat index must be monitored via
11.19 <https://www.osha.gov/heat/> or via the Occupational Safety and Health Administration
11.20 (OSHA) heat index application. The My Lightning Tracker Pro application must be used
11.21 to measure lightning strikes within a set number of miles from the racetrack. National
11.22 Oceanic and Atmospheric Administration (NOAA) weather reports and the National Weather
11.23 Service RADAR must be used to confirm weather patterns and directions.

12.1 A. When the AQI for the racetrack's zip code is elevated due to an extreme air
12.2 pollutant event, including when smoke from wildfires is forecasted or detected, the following
12.3 procedures must be followed:

12.4 (1) when the AQI for the racetrack's zip code reaches a level of 150 degrees
12.5 Fahrenheit, both equine and human participants must be provided the option to withdraw
12.6 from competition without penalty; and

12.7 (2) when the AQI for the racetrack's zip code is at or above 175 degrees
12.8 Fahrenheit, no horse racing or training may be conducted.

12.9 B. When the heat index for the racetrack's zip code is projected to reach 105
12.10 degrees Fahrenheit or higher for more than two consecutive hours, the chief commission
12.11 veterinarian must recommend to the association that horse racing be postponed or canceled.

12.12 C. When lightning first strikes within an eight-mile radius of the racetrack, the
12.13 following procedures must be followed:

12.14 (1) the racetrack must suspend or cancel racing, in coordination with the
12.15 commission stewards. Racing activity may resume after 30 minutes from the last lightning
12.16 strike within eight miles of the racetrack, or earlier if an all-clear is established; and

12.17 (2) if the suspension lasts longer than one hour, the commission chief
12.18 veterinarian must discuss with the association canceling a partial amount of the remaining
12.19 card or implement a plan to cancel the remainder of the race card.

12.20 **7883.0160 POST TO FINISH.**

12.21 [For text of subparts 1 to 13, see Minnesota Rules]

12.22 **Subp. 14. Horse becomes disabled or otherwise unable to finish.** Items A to E apply
12.23 if a horse during the running of a race becomes disabled or otherwise obviously unable to
12.24 finish.

13.1 A. The horse shall be dismounted, unsaddled by the jockey or another ~~MRC~~
13.2 commission licensee, and removed from the course by horse ambulance. A horse observed
13.3 by a regulatory veterinarian to be bleeding excessively during or immediately after a race
13.4 must be transported by horse ambulance to the detention barn for further examination.

13.5 *[For text of items B to E, see Minnesota Rules]*

13.6 **7883.0170 RACING EQUIPMENT.**

13.7 A. Equipment.

13.8 *[For text of subitems (1) and (2), see Minnesota Rules]*

13.9 (3) Horseshoes are subject to the following specifications:

13.10 ~~(a) For Thoroughbreds, toe grabs, other than wear plates with a height~~
13.11 ~~no greater than two millimeters (0.07874 inches), bends, jar caulks, stickers, and any other~~
13.12 ~~traction device worn on the front shoes of Thoroughbred horses while racing or training on~~
13.13 ~~all racing surfaces are prohibited.~~

13.14 (a) For Thoroughbreds:

13.15 i. on dirt surfaces, traction devices, other than full rims two
13.16 millimeters or less in height from the ground surface of the horseshoe, are prohibited on
13.17 forelimb horseshoes while racing or training. Traction devices, other than full rims four
13.18 millimeters or less in height from the ground surface of the horseshoe or toe grabs four
13.19 millimeters or less in height from the ground surface of the horseshoe, are prohibited on
13.20 hindlimb horseshoes while racing or training;

13.21 ii. on turf surfaces, traction devices are prohibited on forelimb and
13.22 hindlimb horseshoes; and

14.1 iii. on synthetic surfaces, traction devices other than full rims that
14.2 are two millimeters or less in height from the ground surface of the horseshoes are prohibited
14.3 on forelimb or hindlimb horseshoes.

14.4 *[For text of unit (b), see Minnesota Rules]*

14.5 B. Once inspected and approved by the stewards, no changes may be made in the
14.6 equipment covered by this part, without subsequent approval of the stewards.

14.7 **7884.0120 ELIGIBILITY AND ENTERING.**

14.8 *[For text of subparts 1 to 12, see Minnesota Rules]*

14.9 Subp. 13. **Horses denied entry.**

14.10 *[For text of items A to C, see Minnesota Rules]*

14.11 D. A horse with no documented physiological abnormalities having two
14.12 consecutive TCO₂ concentrations as defined in part 7890.0100, subpart 16b, greater than
14.13 35 mmol/L must be placed on a TCO₂ restricted list and be unable to enter for seven days.
14.14 Each subsequent concentration greater than 35 mmol/L must result in the horse being placed
14.15 on the TCO₂ restricted list and unable to enter for 14 days.

14.16 *[For text of subparts 14 to 18, see Minnesota Rules]*

14.17 Subp. 19. **Races with a purse less than \$30,000.** All races with a purse less than
14.18 \$30,000 must be drawn electronically unless the association requests an exception to this
14.19 subpart from the executive director. The executive director shall approve the association's
14.20 request if it is jointly made with the organization representing the majority of horsepersons
14.21 racing at that race meeting.

14.22 **7884.0130 PREFERENCE SYSTEM.**

14.23 Subpart 1. [Repealed, 49 SR 1123]

15.1 Subp. 1a. **Preference date.** Preference dates shall be given to horses in all overnight
15.2 events at extended pari-mutuel tracks in accordance with the following:

15.3 A. The date of the horse's last previous start in a purse race during the current
15.4 year is the horse's preference date with the following exceptions:

15.5 *[For text of subitems (1) and (2), see Minnesota Rules]*

15.6 (3) Wherever horses have equal preference in a race, the actual preference
15.7 of said horses in relation to one another shall be determined ~~from the most recent previous~~
15.8 ~~starts that do not result in equal preference,~~ when matching dates occur for two consecutive
15.9 dates, by giving preference to state-bred horses over non-state-bred horses.

15.10 *[For text of subitem (4), see Minnesota Rules]*

15.11 *[For text of items B to D, see Minnesota Rules]*

15.12 Subp. 2. [Repealed, 11 SR 543]

15.13 Subp. 3. [Repealed, 11 SR 543]

15.14 **7884.0230 RACING EQUIPMENT.**

15.15 *[For text of subparts 1 to 8, see Minnesota Rules]*

15.16 Subp. 9. **Tongue ties.** Tongue ties tied so tightly that the tongue appears blue or purple
15.17 when the horse comes onto the track must be loosened before the horse may continue to
15.18 race. The track veterinarian is responsible for determining if a tongue is tied too tightly.

15.19 **7884.0240 POST TIME AND STARTING.**

15.20 *[For text of subpart 1, see Minnesota Rules]*

15.21 Subp. 1a. **Cancellation and postponement.** In the case of questionable racetrack or
15.22 racing conditions due to weather, the presiding judge shall call a meeting consisting of an
15.23 agent of the track member, a representative of the ~~horseman~~ horsepersons, and the chief

16.1 commission veterinarian to determine if cancellation or postponement of races is necessary.
16.2 The presiding judge has the final authority to cancel or postpone races. For the purposes of
16.3 tracking the following weather events, the Air Quality Index (AQI) must be monitored via
16.4 https://www.airnow.gov or via the AirNow application. The heat index must be monitored
16.5 via https://www.osha.gov/heat/ or via the Occupational Safety and Health Administration
16.6 (OSHA) heat index application. The My Lightning Tracker Pro application must be used
16.7 to measure lightning strikes within a set number of miles from the racetrack. National
16.8 Oceanic and Atmospheric Administration (NOAA) weather reports and the National Weather
16.9 Service RADAR must be used to confirm weather patterns and directions.

16.10 A. When the AQI for the racetrack's zip code is elevated due to an extreme air
16.11 pollutant event, including when smoke from wildfires is forecasted or detected, the following
16.12 procedures must be followed:

16.13 (1) when the AQI for the racetrack's zip code reaches a level of 150, both
16.14 equine and human participants must be provided the option to withdraw from competition
16.15 without penalty; and

16.16 (2) when the AQI for the racetrack's zip code is at or above 175, no
16.17 horseracing, training, or jogging may be conducted.

16.18 B. When the heat index for the racetrack's zip code is projected to reach 105
16.19 degrees Fahrenheit or higher for more than two consecutive hours, the chief commission
16.20 veterinarian must recommend to the association that horseracing be postponed or canceled.

16.21 C. When lightning first strikes within an eight-mile radius of the racetrack, the
16.22 following procedures must be followed:

16.23 (1) the racetrack must suspend or cancel racing, in coordination with the
16.24 commission stewards. Racing activity may resume after 30 minutes from the last lightning
16.25 strike within eight miles of the racetrack, or earlier if an all-clear is established; and

17.1 (2) if the suspension lasts longer than one hour, the commission chief
17.2 veterinarian must discuss with the association canceling a partial amount of the remaining
17.3 card or implement a plan to cancel the remainder of the race card.

17.4 [For text of subparts 2 to 10, see Minnesota Rules]

17.5 **7884.0260 DRIVING RULES.**

17.6 [For text of subpart 1, see Minnesota Rules]

17.7 Subp. 2. **Conduct after word "go" is given.** After the word "go" is given, no driver
17.8 shall:

17.9 [For text of items A to S, see Minnesota Rules]

17.10 ~~T. use a whip exceeding 36 inches in length, including a built-in popper no longer~~
17.11 ~~than three inches in length, or use unreasonable or unnecessary force in the whipping of a~~
17.12 ~~horse, nor whip any horse causing visible injury, nor whip any horse about the head including~~
17.13 ~~but not limited to trailing horses, nor whip any horse after the finish line has been crossed~~
17.14 ~~except when it has been deemed by the board of stewards necessary to control the horse.~~
17.15 ~~The board of stewards must notify a commission veterinarian to conduct any postrace~~
17.16 ~~examination on any horse deemed to have been subject to unreasonable or unnecessary~~
17.17 ~~force. The following actions shall be considered indiscriminate, unreasonable, or unnecessary~~
17.18 ~~uses of the whip:~~

17.19 (1) ~~any one-handed whipping;~~

17.20 (2) ~~the use of the whip other than the area inside and above the level of the~~
17.21 ~~shafts of the sulky and between the sulky shafts;~~

17.22 (3) ~~whipping under the arch or shafts of the sulky, use of the whip as a goading~~
17.23 ~~or poking device, or placing the whip between the legs of the horse;~~

18.1 ~~(4) using the whip when it does not appear that the horse is advancing its~~
18.2 ~~position in the race and appears exhausted or not in contention; or~~

18.3 ~~(5) any whipping other than by wrist action only or where the whipping arm~~
18.4 ~~is raised above the driver's shoulder height;~~

18.5 T. violate the whip requirements of subpart 13;

18.6 U. punch, jab, or kick a horse;

18.7 V. allow his or her horse to break from its gait for the purpose of losing a race;

18.8 W. fail to keep a line in each hand, with both hands in front of the driver, until
18.9 the finish of the race; ~~and~~

18.10 X. lay back at an angle greater than 45 degrees; and

18.11 Y. use any exaggerated movement of either arm while urging the horse. Arms
18.12 must stay below shoulder level at all times while urging a horse during the race.

18.13 Subp. 3. **Breaks.** When a horse breaks from its gait the driver shall:

18.14 A. take the horse to either the inside or outside of other horses ~~or~~ where clearance
18.15 exists;

18.16 B. properly attempt to pull the horse to its gait; and

18.17 C. drop back from the field while on the break.

18.18 [For text of subparts 4 to 10, see Minnesota Rules]

18.19 Subp. 11. **Pylon violations.**

18.20 [For text of item A, see Minnesota Rules]

18.21 B. For purposes of placing, the following apply:

18.22 [For text of subitem (1), see Minnesota Rules]

19.1 (2) if a horse while on stride, or any part of the horse's sulky, goes inside
19.2 three or more consecutive pylons, the offending horse shall be placed last; ~~or~~

19.3 (3) if in the opinion of the ~~judges~~ stewards a horse while on stride, or part of
19.4 the horse's sulky, goes inside a pylon or pylons and that action gave the horse an unfair
19.5 advantage over other horses in the race or the action helped improve its position in the race,
19.6 the horse may be placed at the discretion of the ~~judges~~ stewards; or

19.7 (4) if a driver takes a horse to the inside of the pylons, the horse must
19.8 continuously lose ground and reenter the racing surface as soon as possible without causing
19.9 interference to other horses. If the driver complies with this subitem and the stewards
19.10 determine that no unfair advantage has been gained, the horse may remain in its position
19.11 without a disqualification. The steward's decision on the matter is final.

19.12 Subp. 12. **Double riders on sulky.** At no time may there be more than one individual
19.13 on a single-seat sulky.

19.14 Subp. 13. Use of the whip.

19.15 A. A driver must not:

19.16 (1) use a whip exceeding 48 inches (four feet) in length, plus a snapper no
19.17 longer than three inches in length,

19.18 (2) use unreasonable or unnecessary force in the whipping of a horse;

19.19 (3) whip any horse causing visible injury;

19.20 (4) whip any horse about the head, including a trailing horse; or

19.21 (5) whip any horse after the finish line has been crossed except when it has
19.22 been deemed by the board of stewards necessary to control the horse.

19.23 B. No leather or unusual materials may be used.

20.1 C. The snapper must not be knotted, and tape is only permitted on the handle of
20.2 the whip.

20.3 D. All other modifications of the whip are prohibited.

20.4 E. The board of stewards must notify a commission veterinarian to conduct any
20.5 postrace examination on any horse deemed to have been subject to unreasonable or
20.6 unnecessary force.

20.7 F. The following actions are considered indiscriminate, unreasonable, or
20.8 unnecessary uses of the whip:

20.9 (1) any one-handed whipping;

20.10 (2) the use of the whip other than the area inside and above the level of the
20.11 shafts of the sulky and between the sulky shafts;

20.12 (3) whipping under the arch or shafts of the sulky, use of the whip as a goading
20.13 or poking device, or placing the whip between the legs of the horse;

20.14 (4) using the whip when it does not appear that the horse is advancing its
20.15 position in the race and appears exhausted or not in contention; or

20.16 (5) any whipping other than by wrist action only or where the whipping arm
20.17 is raised above the driver's shoulder height.

20.18 G. A driver's penalty is based on the number of whipping offenses that the driver
20.19 has had over the 90-day period that includes and immediately precedes the date of the most
20.20 recent offense.

20.21 (1) For penalties associated with welts, the fine schedule starts at \$500 and
20.22 a three-day driving suspension per offense.

20.23 (2) For penalties not associated with welts, the fine schedule below is used.

	<u>Offense</u>	<u>Fine</u>	<u>Driving Day Suspension</u>
21.1			
21.2	<u>1st</u>	<u>\$250</u>	<u>0</u>
21.3	<u>2nd</u>	<u>\$500</u>	<u>3</u>
21.4	<u>3rd</u>	<u>\$1,000</u>	<u>6</u>
21.5	<u>4th</u>	<u>\$2,000</u>	<u>12</u>

21.6 **7890.0100 DEFINITIONS.**

21.7 *[For text of subparts 1 to 13, see Minnesota Rules]*

21.8 Subp. 13a. **Medication.** "Medication" is a substance, compound, or element, or
 21.9 combination thereof, which is or can be administered to a horse for the purpose of preventing,
 21.10 curing, or alleviating the effects of any disease, condition, ailment, or infirmity, or symptom
 21.11 thereof, or for altering in any way the behavior, attitude, temperament, or performance of
 21.12 a horse, including athletic performance. Medication includes all alkalizing agents,
 21.13 analgesics, anesthetics, depressants, narcotics, stimulants, tranquilizers, and other
 21.14 classifications of medications. Nothing herein shall be deemed to include:

21.15 *[For text of items A to D, see Minnesota Rules]*

21.16 E. Omeprazole, provided that the medication has not been administered within
 21.17 24 hours of racing. The concentration of omeprazole in the test sample must not exceed
 21.18 more than 10ng/mL plasma or serum.

21.19 *[For text of subparts 13b to 21, see Minnesota Rules]*

21.20 **7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.**

21.21 *[For text of subparts 1 to 8, see Minnesota Rules]*

21.22 Subp. 8a. **Intra-articular injections.**

21.23 A. For Thoroughbreds and Quarter Horses, the use of any intra-articular injection
 21.24 within 14 days of the race in which the horse is entered is prohibited.

22.1 B. For Thoroughbreds, the use of a corticosteroid injection in the fetlock joint is
22.2 prohibited within 30 days of the race in which the horse is entered. X-rays of the fetlock
22.3 must be taken for any horse receiving a corticosteroid injection in the same fetlock joint
22.4 within a 60-day period.

22.5 C. For Standardbreds, the use of any intra-articular injection within seven days
22.6 of the race in which the horse is entered is prohibited.

22.7 [For text of subparts 9 to 13, see Minnesota Rules]

22.8 **7890.0160 RESPONSIBILITY OF VETERINARIAN.**

22.9 [For text of items A to E, see Minnesota Rules]

22.10 F. For emergency cases not requiring treatment where a race day scratch is
22.11 requested, the attending veterinarian must perform a physical examination on the horse and
22.12 report the results, including temperature, pulse, and respiratory rate, to a commission
22.13 veterinarian.

22.14 **7891.0101 ENTRY EXAMINATION BY ATTENDING VETERINARIAN.**

22.15 A. A Thoroughbred or Quarter Horse must only start if:

22.16 (1) the horse has been examined by an attending veterinarian licensed by the
22.17 Racing Commission in the jurisdiction where the examination occurs within three days after
22.18 the close of entries and no later than two days before the start of the race; and

22.19 (2) the attending veterinarian certifies and electronically submits a report to
22.20 the chief commission veterinarian or designee that the horse is in serviceable and sound
22.21 racing condition.

22.22 B. The examination required under this part shall include, at a minimum,
22.23 examination of the legs and observation of the horse at rest and while jogging.

23.1 C. If the attending veterinarian examining the horse prescribes a diagnostic test
23.2 as part of the soundness examination, the test results shall be provided to the commission
23.3 veterinarian no later than one day before the horse is set to start.

23.4 **7891.0110 POSTMORTEM EXAMINATION.**

23.5 *[For text of subpart 1, see Minnesota Rules]*

23.6 **Subp. 2. Test samples to be taken for analysis.**

23.7 *[For text of items A and B, see Minnesota Rules]*

23.8 C. Blood, urine, and cerebral spinal fluid samples from a horse with a suspected
23.9 or known neurological disease must be obtained prior to or directly after euthanasia and
23.10 submitted to the appropriate laboratory for analysis.

23.11 *[For text of subparts 3 to 5, see Minnesota Rules]*

23.12 **7895.0300 QUARTER HORSE BREEDERS' FUND.**

23.13 *[For text of subparts 1 and 2, see Minnesota Rules]*

23.14 **Subp. 3. Distribution of money.** The award money available from the Quarter Horse
23.15 breeders' fund shall be distributed as follows:

23.16 *[For text of item A, see Minnesota Rules]*

23.17 B. "Stallion awards" shall be paid to the stallion owner or recorded lessee (at the
23.18 time of breeding) of a Minnesota-bred and sired horse that earns purse earnings in any North
23.19 American pari-mutuel race. The amount of award shall be a percentage of the total amount
23.20 available for all awards. Purse earnings earned in any North American race that is conducted
23.21 outside of Minnesota ~~during the~~ on or after the first scheduled Minnesota Quarter Horse
23.22 raeing meeting live race and on or before the last scheduled Minnesota Quarter Horse live
23.23 race shall not count toward qualified earnings. A horse's earnings in any single race must

24.1 not be worth more than the winner's share of the largest purse offered during the Minnesota
24.2 Thoroughbred racing meeting.

24.3 *[For text of subparts 4 to 7, see Minnesota Rules]*

24.4 **7895.0350 QUARTER HORSE REGISTRATION.**

24.5 *[For text of subparts 1 to 2, see Minnesota Rules]*

24.6 Subp. 3. **Foal registration.** For a horse foaled in Minnesota to be registered as a
24.7 ~~Minnesota-sired~~ Minnesota-bred horse, the following requirements must be met:

24.8 *[For text of items A to E, see Minnesota Rules]*

24.9 *[For text of subparts 4 to 6, see Minnesota Rules]*

24.10 **7897.0100 PROHIBITED ACTS.**

24.11 *[For text of subparts 1 to 6a, see Minnesota Rules]*

24.12 Subp. 7. **Cooperation with security officers and racing officials.** No person shall
24.13 fail to comply with orders of security officers or racing officials, including regulatory
24.14 veterinarians, or interfere with security officers or racing officials, including regulatory
24.15 veterinarians, in the performance of their official duties. No racing official shall fail to
24.16 comply with orders of a steward while in the performance of the steward's duties.

24.17 *[For text of subparts 8 to 25, see Minnesota Rules]*

24.18 Subp. 26. **Furosemide and oral diuretic supplementation.** Unless prescribed for a
24.19 horse with a documented medical condition and approved by the chief commission
24.20 veterinarian, the possession of furosemide and other diuretic oral solutions, tablets, paste,
24.21 or other forms is prohibited.

24.22 **REPEALER.** Minnesota Rules, part 7883.0100, subpart 20, is repealed.