

TITLE 325. OKLAHOMA HORSE RACING COMMISSION

CHAPTER 15. LICENSING

SUBCHAPTER 1. GENERAL PROVISIONS

325:15-1-2. Definitions

In addition to the definitions provided in Section 200.1 of Title 3A, of the Oklahoma Statutes, the following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Act" means the Oklahoma Horse Racing Act [3A:200 et seq.].

"Apprentice Jockey" means a race rider who has ridden less than forty (40) winners or less than two (2) years since first having been licensed in any racing jurisdiction, and who otherwise meets the license qualifications of a jockey.

"Authorized Agent" means a person licensed by the Commission and appointed by a written notarized affidavit by the Owner, Trainer, Parent or Guardian of a minor in whose behalf the Agent will act, and limited to the actions as specified on the affidavit. The affidavit shall be on file with the Commission.

"Commissioner" means a member of the Oklahoma Horse Racing Commission.

"Controlling Owner" means a person or family who owns or votes fifty percent (50%) or more of the voting shares of a corporation, partnership, syndicate, or other association or entity or who is the Managing, General, or Limited Partner in a partnership which has been issued a currently valid organization license.

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

"Dark day" means a day during a live race meeting when no pari-mutuel wagering is conducted.

"Entry" means:

(A) A horse eligible for and entered in a race.

(B) Two (2) or more horses entered in the same race which have common ties of Ownership, lease, or training.

"Horse" means:

(A) any equine including and designated as mare, filly, stallion, colt, ridgeling, or gelding registered for racing;

(B) an intact equine male five (5) years of age and older.

"Horse racing facility - major pari-mutuel" means a facility having those physical and locational characteristics in accord with the Oklahoma Horse Racing Act and which will qualify it for the Breeders' Cup Series or other graded stakes races as granted by The North American Graded Stakes Committee, or both.

"Jockey" means a rider licensed to race.

"Jockey Agent" means a licensed, authorized representative of a Jockey.

"Lessee" means a licensed Owner whose interest in a horse is by virtue of a completed Commission-approved lease form attached to the Registration Certificate and on file with the Commission.

"Lessor" means the Owner of a horse that is leased.

"Occupation license" means a state requirement for any person acting in any capacity pursuant to provisions of the Act.

"Organization license" means a state requirement for any person desiring to conduct a race meeting in Oklahoma within the minimum standards as required by the Act and the rules of the Commission.

"Owner" means any person who holds in whole or in part, any right, title or interest in a horse or an Organization Licensee or any person who is a Lessee of a horse and has been duly issued a currently-valid Owner license as a person responsible for such horse.

"Program Trainer" is a licensed Trainer who, for the purposes of the official Race program, is identified as the Trainer of a horse and is acting on behalf of another individual that is either licensed or not licensed, cannot be licensed, is prohibited from racing for any reason, or is attempting to assume the appearance of being the Trainer of a horse that he/she does not have in his/her care, custody or control, or which is under the control of and/or trained by the licensed or unlicensed individual.

"Race" means a contest between horses.

"Race Day" means a day during a race meeting when pari-mutuel wagering occurs on live races conducted at that racetrack.

"Restricted area" means any area within the enclosure where access is limited to licensees whose occupation requires access. Those areas which are restricted shall include but not be limited to the barn area, paddock, test barn, Stewards' tower, racecourse, mutuel line and money rooms, or any other area designated restricted by the Organization Licensee or the Commission or both. Signs giving notice of restricted access shall be prominently displayed at all entry points.

"Rules" means the rules adopted by the Commission to implement the provisions of the Act.

"Scratch time" means the deadline for withdrawal of entries from an overnight race.

"Shareholder" means a person who owns some share of Ownership, including entitlement to potential profits or losses in a corporation, partnership, syndicate, association or other multiple Ownership entity.

"Stable name" means a name used other than the actual legal name of an Owner or Lessee which is registered with the Commission.

"Safety Steward" means a duly appointed Racing Official with powers and duties specified by statutes or rules.

"Steward" means a duly appointed Racing Official with powers and duties specified by statutes or rules.

"Trainer" means a person qualified and licensed by the Commission as a Trainer.

"Week" means a ~~calendar week~~ period of seven (7) days.

"Year" means a ~~calendar year~~ 365-day period.

325:15-5-1. Occupation licenses

In accordance with the statutory provisions of 3A O.S., §§ 204, 204.2, and 204.3, no person required to be licensed shall participate in a race meeting without ~~their~~ holding a valid license authorizing that participation. Licenses shall be obtained prior to the time such persons engage in their vocations upon such racetrack grounds at any time during the calendar year for which the organization license has been issued.

(1) A person whose occupation requires acting in any capacity within any area of an enclosure shall pay the required fee and procure the appropriate license or licenses as prescribed in (A) through (N) of this paragraph. [3A:204.2(A) and 3A:204.2(B)]

- (A) Officer, Director, or Partner of a Racing Organization
- (B) Horse Owner, Owner/Trainer, Horse Owner by Open Claim
- (C) Trainer, Jockey, Apprentice Jockey, Jockey Agent
- (D) Veterinarian, Blacksmith
- (E) Racing Official, Racing Organization Manager or Official
- (F) Bloodstock Agent
- (G) Authorized Agent, Valet, Jockey Room Attendant or Custodian or Food Service Person, Colors Attendant, Paddock Attendant
- (H) Mutuel Department Employee, Assistant to a Racing Official or Official or Manager, Assistant Starter, Assistant to the Veterinarian, Assistant Manager, Announcer, Superintendent, Flagman
- (I) Exercise Rider, Pony Rider, Outrider
- (J) Assistant Trainer, Groom, Stable Employee, Stable Agent
- (K) Video Operator, Photo Finish Operator
- (L) Security Officer, Security Guard, Stable Gateman, Fire Guard, Security Investigator
- (M) Clerical Employee or Uncategorized Employee of any Organization, Horsemen's Organization, or Concessionaire, Vendor
- (N) Volunteers of Service and/or Civic Organizations which have been Approved by the Commission.

(2) A person acting in the capacity of Authorized Agent shall register an Authorized Agent Agreement and shall pay the required fee for each agreement.

(3) A person whose license-identification badge is lost or destroyed shall pay the required fee and procure a replacement license-identification badge.

(4) The date of payment of all required fees as recorded by the Commission shall be the effective date of issuance of a continuous occupation license for the capacity in which licensed. Every original or renewal license or registration shall expire on December 31 of the year in which it is issued except a triennial license which expires on December 31 of the third year. A license renewal shall be made on an annual or triennial basis beginning January 1. [3A:204.2(B)]

(5) All license applicants shall be required to provide two (2) complete sets of fingerprints on forms provided by or acceptable to the Commission; and pay the required fee for processing the fingerprint cards through state and federal law enforcement agencies. If the fingerprints are of a quality not acceptable for processing, the licensee may be required to be ~~refingerprinted~~ fingerprinted, again, at no additional cost. [3A:204.2(E) and 3A:204.2(F); see also 3A:203.3(C)(1)]

(6) All applicants for occupation licenses, except applicants for a Horse Owner license, ~~must~~ shall be a minimum of sixteen (16) years old. However, this requirement shall not preclude dependent children under the age of sixteen (16) from working for their parents or guardian if ~~said~~ the parents or guardian are licensed as a Trainer or Assistant Trainer and permission has been obtained from the organization licensee. A Trainer or his/her authorized representative accompanying a horse in the Test Barn enclosure or signing a Test Barn Sample Tag or log ~~must~~ shall be licensed and a minimum of eighteen (18) years of age. Also, the requirement for all applicants for occupation licenses to be a minimum of sixteen (16) years old shall not preclude dependent children under the age of sixteen but over the age of fourteen from working for their

parents or guardian if ~~said~~ the parent or guardian is licensed and permission has been obtained from the organization licensee. There shall be no minimum age requirement for a Horse Owner license ~~so long as~~ if the parent or guardian of a minor is licensed by the Commission as an authorized agent.

(7) Except for authorized Commission representatives, no person shall in any manner alter, change, add to or delete any information from an occupation license identification badge.

(8) Each triennial licensee shall submit a license validation form, annually. The form shall require the licensee to provide any changes in the licensee's personal information and any alleged violation of any statute or rule in any jurisdiction that has occurred since the issuance of the licensee's previous license or annual validation.