

TITLE 325. OKLAHOMA HORSE RACING COMMISSION

CHAPTER 50. HUMAN SUBSTANCE ABUSE TESTING

325:50-1-2. 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.].

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

"Controlled substance" means any substance included in the five schedules of the Oklahoma Uniform Controlled Dangerous Substances Act.

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

"Month" means a calendar month.

"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.

"Prima Facie evidence" means evidence that, until its effect is overcome by another evidence, will suffice as proof of fact in issue.

"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.

"Random testing" means a strategy for testing for alcohol or controlled substances not based on a reasonable belief that an individual has drugs or alcohol in his/her system. The strategy assures all affected individuals have an equal probability of being selected for testing.

"Reasonable cause/reasonable suspicion testing" means a strategy for testing for alcohol or controlled substances based on a Commission Steward or Law Enforcement Agent having good reason to believe a licensee has alcohol or controlled substances in his/her system.

"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.

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

"Substance" means any kind of physical matter existing in a solid, liquid, or gaseous state or some combination thereof and includes any drugs or medications referred to under the provisions of the Oklahoma Horse Racing Act, Section 200 et seq. of Title 3A of the Oklahoma Statutes.

"Substantial evidence" means evidence which a reasoning mind would accept as sufficient to support a particular conclusion and consists of more than a mere scintilla of evidence but may be somewhat less than a preponderance.

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

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