

## CHAPTER 15. LICENSING

### SUBCHAPTER 5. OCCUPATION LICENSING

#### 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 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 fingerprinted, again, at no additional cost. However, a license applicant for a temporary license (seven days or less) that has been employed by an employment agency utilizing a process the Director of Law Enforcement deems substantially similar to the Commission's process, may not be required to be fingerprinted. [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, 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 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 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 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 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.

**325:15-5-2. Application for license and payment of non-refundable fees**

(a) Each application for an occupation license shall be on a form prescribed and furnished by the Commission and shall include a search waiver. The application shall be accompanied by a non-refundable fee in an amount of not more than One Hundred Dollars (\$100.00) if renewed annually or not more than Three Hundred Dollars (\$300.00) if renewed triennially. Each application shall contain the following information concerning the applicant:

- (1) full name and address;
- (2) age;
- (3) whether the applicant was issued any prior occupation license from this state;
- (4) whether the applicant was issued any occupation license from another state;
- (5) whether an occupation license from another state is or has been denied, suspended, or revoked;
- (6) whether the applicant has been convicted of a felony in this state or any other state; and
- (7) other information as required by the Commission [3A:204.2(B)].

(b) Additional license information required by the Commission shall be established and contained in the annual and triennial occupation license applications.

(c) The Commission may refuse to take final action on any application if all license and fingerprint fees have not been paid in full. The Commission may deny the application if the applicant refuses or fails to pay all fees. Additionally, an applicant who has refused or failed to pay the required fees shall not be eligible to file any other application with the Commission until all fees are paid in full. All fees are non-refundable.

(d) A license fee schedule shall be approved annually by the Commission.

**325:15-5-3. Employment of Unlicensed Person**

No organization, Owner, Trainer or other licensee acting as an employer within the enclosure at an authorized race meeting shall employ or harbor within the enclosure any person required to be licensed by the Commission until such organization, Owner, Trainer, or other employer determines that such person required to be licensed has been issued a current license by the Commission and that license allows their participation in the capacity for which they are employed. No organization shall permit any Owner, Trainer, Jockey, Apprentice Jockey, or Exercise Rider to own, train, or ride a horse on its premises during a recognized race meeting unless such person has obtained the appropriate license(s) from the Commission. The organization or prospective employer may demand for inspection the license of any person participating or attempting to participate at its race meeting, and the organization may demand for inspection the documents relating to any horse within the enclosure. Violation of this rule may result in a fine no less than \$500.