

3.01 : continued

Every license to hold a meeting is granted upon the condition that the licensee shall accept, observe and enforce 205 CMR 3.00. Furthermore, it shall be the duty of each and every officer, director and every official and employee of said licensee to observe and enforce 205 CMR 3.00. Any and all of 205 CMR 3.00 may be amended, altered, repealed or supplemented by new and additional rules.

The Commission may make exceptions to any rule or rules in individual instances as in their judgement they may deem proper.

The Commission may rescind or modify any penalty or decision or infraction of the rules imposed or made by the racing officials.

M.G.L. c. 128A, and 205 CMR 3.00 supersede the conditions of a race, or the regulations of a race meeting.

205 CMR 3.00 as promulgated by the Commission are supplemented by the State Administrative Procedure Law found in M.G.L. c. 30A. M.G.L. c. 30A provides the procedures that must be followed by all state agencies on such matters as the amending process and the adjudicatory procedure. Under M.G.L. c. 30A, any interested party has the right to attend all hearings conducted by the Commission for the purpose of the adoption or amendment of any rule or regulation. The Commission shall afford any interested person an opportunity to present data, views or arguments in regard to any proposed rule change. Upon written notice to the Commission, a person may request the adoption, amendment or repeal of any regulation with an opportunity to present data, views or arguments in support of such request.

If a dispute should arise concerning a ruling by a steward or other racing official, any party affected by such ruling has a right to an appeal to the Commission in accordance with the provisions of 205 CMR 101.02.

The rules on pari-mutuel wagering are located in an entirely separate rulebook entitled 205 CMR 6.00: *Pari-mutuel Rules for Horse Racing, Harness Horse Racing and Greyhound Racing*.

The Massachusetts Gaming Commission adopts the United States Trotting Association (USTA) Rules and Regulations as amended; and supplements those rules and regulations with 205 CMR 3.00.

In any situation where a conflict exists between the United States Trotting Association Rules and 205 CMR 3.00, 205 CMR 3.00 will govern. In any instance where a situation is not covered by the USTA Rules, 205 CMR 3.00 will govern and *vice versa*. The assessment of fines and suspensions shall be in the discretion of the Judges and the Gaming Commission.

3.02 : Definitions

The following definitions and interpretations shall apply in 205 CMR 3.00, unless the text otherwise require:

Administer or Administration is the introduction of a substance into the body of a horse.

ARCI shall mean the Uniform Classification Guidelines for Foreign Substances And Recommended Penalties Model Rule, December 8, 2025, Version 19.1 as promulgated by the Association of Racing Commissioners International.

Arrears includes all monies due for entrance, forfeits, fees, forfeitures, subscriptions, stake, and also any default in money incident to the Rules.

Associated Person is the spouse of an inactive person, or a companion, family member, employer, employee, agent, partnership, partner, corporation, or other entity whose relationship, whether financial or otherwise, with an inactive person would give the appearance that such other person or entity would care for or train a racing animal or perform veterinarian service on a racing animal for the benefit, credit, reputation, or satisfaction of the inactive person.

3.02: continued

Association is any person or persons, associations, or corporations licensed by the Commission to conduct harness horse racing within the Commonwealth of Massachusetts for any stake, purse or reward.

Assumed Name shall be a name other than the given name or legal name of an individual. Assumed names shall include but shall not be confined to racing, stable names, farm names, association, corporations, partnerships (when the actual legal names of the partners are not used), *Nam de Course, etc.*

Authorized Agent is a person appointed by a written instrument signed by the owner and filed in accordance with 205 CMR 3.05.

Bleeder is a horse which has demonstrated external evidence of exercise induced pulmonary hemorrhage.

Bleeder List is a tabulation of all bleeders to be maintained by the Commission.

Breeder of a Horse is the owner of its dam at the time of foaling.

Breeding Place is the place of horse's conception.

Calendar Day is 24 hours ending at midnight.

Controlled Therapeutic Medication is any medication approved by the Association of Racing Commissioners International for which the regulatory analyte concentration in the sample(s) may not exceed specified regulatory limits published in 205 CMR 3.00.

Declaration shall mean the naming of a particular horse to a particular race as a starter.

Ejected shall mean the removal from the grounds of an Association.

Entry shall mean according to the requirements of the text:

- (a) a horse made eligible to run in a race,
- (b) two or more horses which are entered or run in a race owned by the same owner or trained by the same trainer.

Equipment, as applied to a horse, shall mean harness, hobbles, bits, shadow rolls, blinkers, poles, tongue straps, bandages, boots, toe weights, gaiting straps, shoes, head numbers, saddle numbers, sulkies, whips, spurs, etcetera.

Field, when the individual horses competing in a race exceed the numbering capacity of the Tote, the highest numbered horses within the capacity of the Tote, and all horses of a higher number shall be grouped together and called the "Field."

Forfeit shall mean money due because of an error, fault, neglect of duty, breach of contract, or a penalty.

Forfeiture shall mean any money imposed as a penalty by the Judges or Starter of the meeting.

Furosemide List means a tabulation of all horses eligible to participate in a race with furosemide in their system.

Inactive Person is any person whose license has been suspended for more than 30 days; whose license has expired or been revoked; or whose license application has been denied.

Judges shall mean the Judges of the meeting or their duly appointed deputies.

3.02: continued

Law or Laws shall mean M.G.L. c. 128A.

Licensee shall mean any Association receiving a license from the Commonwealth of Massachusetts to conduct harness horse racing.

Medication is any substance or metabolite capable of exerting a pharmacological effect on the horse's system with an accepted use in the diagnosis, cure, treatment or prevention of a veterinary medical condition.

Meeting is the whole consecutive period for which license to race has been granted to any one Association by the Commission.

Month is a calendar month.

Nominator is the person in whose name a horse is entered for a race.

Owner includes sole owner, part owner or lessee of a horse. An interest only in the winnings of a horse does not constitute part ownership.

Place in racing shall mean first, second, third or fourth position at the finish of a race and in that order is called "Win," "Place," "Show" and "Fourth."

Post Position is the position assigned to the horse at the start of the race.

Post Time is the time set for the arrival at the starting point of the horses in a race and must be shown a reasonable time prior to the race on a clock device, provided for that purpose, prominently displaced and clearly readable from the grandstand.

Race. A contest between horses for purse, stakes, premium, wager for money or admission fees on any course and in the presence of a judge or judges.

Race Day means any period of 24 hours beginning at midnight and included in the period of a race meeting and in the matter of penalties the word "day" means a "race day."

Recognized Meeting shall be any meeting wherever held under the sanction of the United States Trotting Association having reciprocal relations with the Massachusetts Gaming Commission for the mutual enforcement of rulings imposed on persons guilty of fraudulent turf practices of any kind.

Rule Off shall mean the act of debarring from the grounds of an Association and denying all racing privileges.

Rules shall mean all the rules and regulations of the USTA and 205 CMR 3.00.

Scratch shall mean the act of withdrawing an entered horse from a race after the closing of overnight entries.

Scratch Time shall mean the time set by the Association for the closing of applications for permission to withdraw from races of that day.

Starter. A horse is a "starter" for a race when the Starter dispatches the horses with the word "Go."

Subscription shall mean the act of nominating to a stake race.

Suspended shall mean that any privilege granted to a licensee of the Commission by the officials of a racing meeting or by the Commission has been withdrawn.

3.02 : continued

Tote or Tote Board shall mean the totalisator.

USTA shall mean the Rules and Regulations of the United States Trotting Association, Published May 1, 2025.

Year shall mean a calendar year.

3.03 : Appeal to the Commission

(1) A final appeal in the case of any person penalized or disciplined by the racing officials of a meeting licensed by the Commission may be taken to the Commission, consistent with the provisions of 205 CMR 101.02: *Review of Orders or Civil Administrative Penalties/Forfeitures Issued by the Bureau, Commission Staff; or the Racing Division.*

3.04 : Stable Names, Registration Fees, Restrictions, etc.

- (1) Each stable name must be duly registered with the Commission.
- (2) In applying to race under a stable name, the applicant must disclose the identity or identities behind a stable name.
- (3) If a corporation is involved in the identity behind a stable name, 205 CMR 3.06 must be complied with.
- (4) Changes in identities must be reported immediately to and approval obtained from the Commission.
- (5) A person cannot register more than one stable name at the same time nor can he or she use his or her real name for racing purposes so long as he has a registered one.
- (6) Any person who has registered under a stable name may at any time cancel it after he or she has given written notice to the Commission.
- (7) A stable name may be changed at any time by registering a new stable name and by paying the required fee.
- (8) A person cannot register as his or her stable name one that has been registered by any other person with any Association conducting a recognized meeting.
- (9) A person may not register as his or her stable name one which is the real name of any owner of race horses nor one which is the real or assumed name of any prominent person not owning race horses.
- (10) A stable name shall be plainly distinguishable from that of another duly registered stable name.