

3.13: Licensee: Duties, Obligations, etc.

- (1) No person younger than 16 years of age shall be employed in or about the track of any association, except as may be permitted by M.G.L. c. 149, § 60.
- (2) It shall be the duty of each and every licensee of the Commission and the officers, officials and employees of said licensee to observe and enforce 205 CMR 3.00. Every license to hold a harness horse racing meeting is granted upon the condition that licensee therein named shall accept, observe and enforce 205 CMR 3.00.
- (3) Each Association licensed by the Commission shall submit to the Commission a complete list of employees ten days after the first racing day. This must contain in addition to the names and addresses of employees, the position each one is to fill or the duties he or she is to perform. All additions named to or changes in the list of employees must be promptly reported to the Commission.
- (4) The Commission shall require each Association to obtain from every person employed by them a sworn statement, on a form prescribed by the Commission, setting forth information regarding citizenship, place or places of residence during the past two years and answer to any other questions the Commission may prescribe.
- (5) Each Association shall provide and equip a first aid room within its enclosure.
- (6) Each Association running a racing meeting shall keep a separate bank account to be known as the "Horsemen's Account" with at all times sufficient funds in such account to cover all monies due horsemen in regard to purses, stakes, rewards and deposits. Withdrawals from this account shall be only for such purposes and said account shall at all times be subject to audit by the Commission.
- (7) Members of the Commission and its representatives shall have the right to full and complete entry to any and all points of the grounds of the Associations licensed to conduct harness horse racing in Massachusetts.
- (8) Each Association conducting racing shall before publishing submit to the Commission, the conditions for all races it proposes to hold, together with the stake, purse or reward, all of which shall be subject to the approval of the Commission.
- (9) Each Association shall install at the finish line at their track, and shall adequately maintain, two photo finish cameras, to be approved by the Commission, to automatically photograph the finish of races. The official photographer shall furnish promptly to the Commission a print of every photo-finish.
- (10) Each Association shall install and maintain an adequate photo patrol system approved by the Commission.
- (11) Each Association shall provide that no person shall be admitted to the stable area unless he or she is wearing an identification badge issued to him or her by the Commission. Each person whose duties or occupation requires his or her presence in the stable area shall wear his or her identification badge in view at all times.
 - (a) Each Association shall provide that each person whose presence in the Paddock Area or Testing Area is permitted by 205 CMR 3.00 shall be required to wear his or her identification badge in plain view at all times while in the Paddock and Test Area.
 - (b) The Commission will hold the Association in strict accountability for full compliance with the provisions of 205 CMR 3.13(11).
- (12) No Association shall permit bets to be made on the grounds on any race run outside said grounds except for simulcasts authorized and approved by the Gaming Commission.

(13) Warning Light System: Every licensee authorized by the Commission to conduct harness horse racing within the Commonwealth of Massachusetts shall be equipped with a three-light system of green, yellow and red beacon style lights and sirens for use in the event of an accident. It shall be the duty of the judges to monitor, control and trigger the accident-warning lights. From the time medical assistance is available, the judges will activate the green "all clear" light to signal no known problems on the racetrack.

(1) If at any point during the card the judges determine there is a condition on the

racetrack requiring the drivers to proceed with caution, the judges will activate the yellow "caution" warning light.

(2) The judges shall activate the red light and siren to declare a race a "no contest" due to safety issues. Upon the activation of the red light and siren, all drivers in a race will immediately cease racing and follow any instructions of the judges, starter, track announcer, or racing officials to get off the track as quickly and safely as they can. Drivers refusing to stop racing may be subject to a monetary penalty or suspension.

(3) When the red "no contest" light is turned off, the judges will activate the green "all clear" light as a signal for warm-ups and live racing to resume.

3.13: continued

~~(13)~~(14) No gambling device, other than permitted by law, shall be permitted on the grounds. Petty games of chance are prohibited.

~~(14)~~(15) During the term of disqualification of any participant of racing, it shall be the duty of the Association to see to it that the privileges of his or her admission badge are revoked, and that he or she is kept out of the grounds unless otherwise permitted to enter under certain conditions and at certain times as may be provided for elsewhere in 205 CMR 3.00.

~~(15)~~(16) Each Association shall furnish to the Commission the names and addresses of all persons ejected by the Association from its grounds, together with the offense or offenses alleged against them, and any other material information relating thereto.

~~(16)~~(17) Any person ejected from the grounds of an Association shall be denied admission to said grounds until written permission for his or her re-entering has been obtained from the licensee Association and written notification of such permission shall forthwith be filed with the Commission.

~~(17)~~(18) A person ejected from the grounds of an Association licensed by the Commission shall be refused admission to the grounds of all other licensed Associations in Massachusetts until he or she has been permitted to re-enter the track where he was originally ejected in accordance with the procedure provided for in 205 CMR 3.13(17).

~~(18)~~(19) Purse Money shall not be paid to the winners thereof earlier than 48 hours following their winning.

~~(19)~~(20) No percentage of winnings shall be deducted by an Association for another person, club, or body, unless at the request of the person to whom such winnings are payable and except that an Association may withhold from winnings any money due it.

~~(20)~~(21) Each Association shall provide within its grounds an office for the use and to be at the disposal of the Commission and all its officials.

~~(21)~~(22) The acceptance by an Association of so called "come back money" or other wager placed outside the enclosure of said Association is strictly prohibited. No Association shall aid or abet the acceptance of such wagers or make any special provision within or without the enclosure for the acceptance of such wagers or for the encouragement of such method of wagering. An Association shall not set up or permit the establishment of any agency within the enclosure for the receipt of wagers made outside the enclosure.

~~(22)~~(23) If the Pari-mutuel Manager is to be absent from the track for a complete racing program, the Association shall inform the Commission Accountant at the track at least ½ hour before post time of the first race of the name of the person who will perform the duties of the Pari-mutuel Manager during his or her absence.

~~(23)~~(24) Every employee of the Mutuel Department, who by nature of his or her employment comes in contact with patrons, shall be designated by name or number, that easy identification may be made by the public.

~~(24)~~(25) No minor shall be allowed to place or collect a wager and every employee of the Mutuel Department shall be so instructed by the Association.

3.14: Licenses, Registrations and Fees for Participants in Racing

(1) The following persons shall be required to take out a license from the Commission, and pay the current applicable annual fee: Driver, Trainer, Owner, Authorized Agent, Stable Employees, Veterinarian, Blacksmith, Vendors and Racing Officials.

(2) The fee shall accompany each application for license or registration. They expire December 31st of the year of issue, except stable employees whose license expire on March 31st.