

TRAINERS AND GROOMS**§ 203.21. Eligibility for trainer's license.**

(a) A person shall not train horses or be programmed as trainer of record at race meetings without first being duly licensed by the Commission. The applicant must satisfy the Commission that the applicant possesses the necessary qualifications, both mental and physical, to perform the duties required. The Commission may deem a trainer as qualified for licensing if the applicant has obtained a USTA trainer's license for the current year.

(b) In addition to the general licensing requirements set forth in Chapter 185 (relating to occupational licenses—temporary regulations), an applicant for a license as a standardbred trainer shall comply with the provisions set forth in the USTA, Rule 17 and the following:

- (1) Be at least 18 years of age;
- (2) Submit evidence of good moral character;
- (3) Furnish a complete and truthful application;
- (4) If requested, submit evidence of the applicant's physical ability to train and manage horses or a physical examination;

(5) Submit names of at least six currently licensed trainers or currently licensed drivers, or both.

(c) Evidence of qualifications, as determined by the Commission, shall also require passing all of the following:

- (1) A written examination;
- (2) A demonstration of practical skills including the ability to harness and equip a horse properly and to establish proficiency in handling a horse; and
- (3) An interview with the Judges.

(d) Upon timely request to the Judges due to disability or other factors affecting the applicant's ability to effectively complete the trainer's test (such as illiteracy or language barriers), reasonable accommodations may be made for the applicant including, but not limited to oral administration of the examination, use of a pre-approved translator and aid from pre-approved assistant where deemed appropriate by the Judges administering the examination.

§ 203.22. Trainer responsibility rule.

(a) The trainer is responsible for the condition of the horse entered in an official workout or race and is charged with the responsibility to guard and protect the horse at all times regardless of the trainer's location. The trainer shall be responsible for the presence of any prohibited drug, medication, agent or other substance, including permitted medications in excess of the maximum allowable level, in the horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by the Commission's testing laboratory, is prima facie evidence of a violation of this rule. In the absence of substantial evidence to the contrary, the trainer shall be responsible.

(b) A trainer shall prevent the administration, attempted administration or passive contamination by others, including the trainers' employees and assistants who have care, custody and control of the horse from any drug, medication or other prohibited substance that may cause a violation of these rules.

(c) A trainer shall immediately report to the Judges and the Commission Veterinarian if the trainer knows, or has cause to believe, that a horse in the trainer's care, custody or control has received any prohibited drugs or medications.

§ 203.23. Duties of trainers.

(a) A licensed trainer may represent the owner in entries, declarations and other racing related matters. A licensed trainer may not have an interest, whether by ownership or lease, in a horse not being trained by the licensed trainer at a race meeting where the trainer is operating.

(b) A trainer who represents or files an application for an unlicensed owner shall file with the Commission an affidavit certifying that the trainer will secure a license for the owner within 30 days. The trainer or owner shall be jointly responsible for ensuring the timely and accurate filing of the owner's application. Failure of either to properly secure a license for the owner, may subject both the owner and trainer to a sanction or penalty.

(c) When a trainer is to be absent from the trainer's stable or the grounds where the trainer's horses are racing for a period of more than 2 days and horses are entered or are to be entered, the trainer shall provide a licensed trainer to assume the complete responsibility of the horses entered to run or running. The licensed trainer shall sign in the presence of the Judges a form furnished by the Commission accepting complete responsibility for the horses being entered and running. This section does not apply to trainers having in their employ a licensed assistant trainer.

(d) A trainer may not enter or start a horse that:

(1) Is not in serviceable, sound racing condition;

(2) Has its median, volar or plantar nerves either blocked or removed. The horse is not permitted to race on

a Commonwealth standardbred racetrack. A horse which has been nerved below the fetlock (digital nerves) may be permitted to start;

(3) The trainer knows or has reason to know that the horse has been given, either internally or externally, a stimulant, depressant, narcotic drug, medication or other foreign substance prior to the race; and

(4) Is on the Judges' List, Starter's List or Veterinarian's List in any racing jurisdiction.

§ 203.24. Other duties and responsibilities of trainers.

In addition to the duties and responsibilities set forth in §§ 203.22 and 203.23 (relating to trainer responsibility rule; and duties of trainers), a trainer shall also be responsible for:

(1) The condition and contents of stalls, tack rooms, feed rooms and other areas which have been assigned by the licensed racing entity;

(2) Maintaining the assigned stable area in a clean, neat and sanitary condition at all times;

(3) Ensuring that fire prevention rules are strictly observed in the assigned stable area;

(4) Providing a list to the Commission of the trainer's employees on the racetrack grounds and any other area under the jurisdiction of the Commission. The list shall include each employee's name, occupation, social security number and occupational license number. The Judges shall be notified by the trainer, in writing, within 24 hours of any change to the employee list;

(5) Ensuring the adequate care, custody, condition, fitness, health, safety and security of horses under the trainer's care, custody and control;

(6) Disclosing the true and entire ownership of each horse the trainer's care, custody or control. Any change in ownership shall be reported immediately to, and approved by, the Judges and recorded by the race secretary;

(7) Training all horses owned wholly or in part by the trainer which are participating at the race meeting;

(8) Registering with the race secretary each horse in the trainer's charge within 24 hours of the horse's arrival on the licensed racetrack facility grounds;

(9) Ensuring that, at the time of arrival at a licensed racetrack, each horse in the trainer's care, custody or control is accompanied by a valid health certificate (Coggins) which shall be filed with the race secretary;

(10) Immediately reporting the alteration of the sex of a horse in the trainer's care to the horse identifier and the race secretary, whose office shall note the alteration on the certificate of registration;

(11) Promptly reporting to the race secretary and the Commission Veterinarian any horse on which a posterior digital neurectomy (heel nerving) is performed and ensuring that the fact is designated on its certificate of registration;

(12) Promptly notifying the Commission Veterinarian of any suspected or actual knowledge of a reportable disease and any unusual incidence of a communicable illness in any horse in the trainer's care;

(13) Promptly reporting the death of any horse in the trainer's care while on the licensed racing entity grounds to the Judges and the Commission Veterinarian and complying with the rules and regulations governing post-mortem examinations;

(14) Representing an owner in making entries and scratches and in all other matters pertaining to racing;

(15) Horses entered as to eligibility and by gait, age, sex, number of wins, earnings or claiming price;

(16) Ensuring the fitness of a horse to perform reasonably at the distance entered;

(17) For having the entered horse standing by and ready for the pre-race veterinary examination (racing soundness examination) to be conducted by the Commission Veterinarian or designee. The trainer shall have all bandages, blankets and muzzles off and horse's legs clean and free of substances, sweats or leg medications;

(18) For participating and assisting the Commission Veterinarian with pre-race examination tasks including the safe restraint of the horse, tattoo identification or jogging the horse as requested. Failure by the trainer or assistant trainer to comply with the direction, request or requirement issued by the Commission Veterinarian during the course of a pre-race examination shall result in the horse being scratched from the race and disciplinary action being taken against the trainer;

(19) Ensuring that the trainer's horses are properly shod, bandaged and properly equipped;

(20) Ensuring that all Lasix horses entered to compete shall be present on racetrack grounds no less than 4 hours prior to the scheduled post time of the race for which the horse is entered to compete and non-Lasix horses shall be present on racetrack grounds no less than 2 hours prior to the scheduled post time of the race. Horses not arriving on racetrack grounds in accordance with the previously mentioned times may be scratched or fined with discretion given to the Board of Judges to consider extenuating circumstances;

(21) Presenting the horse in the paddock at least 2 hours before post time or at a time otherwise appointed before the race in which the horse is entered and personally attending to the horse in the paddock, unless excused by the Judges;

(22) Instructing the driver to give the driver's best effort during a race and that each horse shall be driven to win;

(23) Attending the collection of post-race urine and blood samples from the horse in the trainer's charge or delegating a licensed employee or the owner of the horse to do so; and

(24) Notifying horse owners upon the revocation or suspension of the trainer's license. A trainer whose license has been suspended or whose license has expired or been revoked; or license application has been denied, must inform the horse owners that until the license is restored the trainer can no longer be involved with the training, care, custody or control of their horses, nor receive any compensation from them for the training, care, custody or control of their horses. Upon application by the owner, the Judges may approve the transfer of the horses to the care of another licensed trainer, and upon approved transfer, the horses may be entered to race. Upon transfer of the horse, the inactive trainer shall not be involved in any arrangements related to the care, custody or control of the horse and shall not benefit financially or in any other way from the training of the horse.

§ 203.25. Trainer treatment records.

(a) A trainer shall accurately document and maintain a record or log of all trainer treatments for every horse in

the trainer's care, custody or control. Each treatment by the trainer shall be recorded within 24 hours of administration. The trainer treatment log shall be maintained electronically or on paper.

(1) Treatment, for the purposes of this section, means any medication or procedure containing a medication administered to a horse by a licensed trainer or the trainer's designee.

(2) Treatment, for the purposes of this section, specifically excludes medications or procedures administered by a veterinarian licensed by the Commission.

(3) This section includes the administration of medications that are prescribed by a veterinarian but administered by the trainer or his or her designee.

(4) This section also includes those treatments that are administered by a veterinarian not licensed by the Commission.

(b) Trainer treatment records or log as required in subsection (a) must include the following information:

(1) The name of the horse (or, if unnamed, the registered name of the dam and year of foaling);

(2) The generic name of the drug (for example, phenylbutazone, methocarbamol);

(3) The name and address of the prescribing veterinarian;

(4) The brand name of the drug if a non-generic is used;

(5) The date of the treatment;

(6) The route and method of administration;

(7) The dosage administered;

(8) The approximate time (to the nearest hour) of each treatment;

(9) The first and last name of the individual that administered the treatment; and

(10) The treating veterinarian shall sign or initial the trainer's treatment log on the first day a horse receives a prescription medication.

(c) The trainer's treatment records or log shall be made available for inspection upon a request by the Commission in the course of an investigation of a possible violation of the medication and drug rules. Failure to provide accurate and complete trainer treatment records shall result in disciplinary action

(d) Copies of trainer treatment records must be maintained for at least 6 months.

§ 203.26. Corticosteroid and intra-articular injection reporting requirements.

(a) Trainers or their designees shall accurately keep and maintain complete records of all corticosteroid and intra-articular injections for all horses in the trainer's care, custody or control. Complete corticosteroid and intra-articular injection reports shall include:

(1) The date of the injection;

(2) The name of the veterinarian performing the injection;

(3) The articular space or structure injected;

(4) The medication or biologicals used to inject each articular space; and

(5) The dose in milligrams of each corticosteroid used.

(b) This information shall be maintained for a minimum of 60 days to facilitate compliance with this regulation. If a horse is successfully claimed by a new owner, the trainer of record at the time of that claiming race must provide that horse's complete corticosteroid and intra-articular injection report for the previous 30 days.

(c) The previous reports shall be maintained in whatever format the trainer elects. However, if the Commission requests a copy of the report, it must be provided in electronic form.

(d) The report must be provided to the new trainer within 48 hours of the transfer of the horse. The trainer or the trainer's designee shall notify the Commission Veterinarian when the records have been provided.

(e) Submission of the report and records may be delegated to the treating veterinarian, who shall provide the report to the new trainer within 48 hours of the transfer of the horse.

(f) Failure of the trainer to provide the reports as required shall result in disciplinary action.

§ 203.27. Restrictions on wagering.

A trainer shall only be allowed to wager on the trainer's horse or entries to win or to finish first in combination with other horses.

§ 203.28. Assistant trainers.

(a) A trainer may employ an assistant trainer as approved by the Judges. The trainer shall notify the Race Secretary of the use of an assistant trainer. The assistant trainer shall be duly licensed prior to acting in this capacity on behalf of the trainer. Qualifications for obtaining an assistant trainer's license shall be prescribed by the Judges and the Commission and may include those requirements prescribed in this chapter.

(b) An assistant trainer may substitute for and shall assume the same duties, responsibilities and restrictions as imposed on the licensed trainer. In which case, the trainer shall be jointly responsible for the assistant trainer's compliance with the rules governing racing and all the duties and responsibilities set forth in §§ 203.22 and 203.23 (relating to trainer responsibility rule; and duties of trainers).

(c) While currently employed by a trainer, an assistant trainer shall not enter a horse or otherwise compete in the same race as the employer/trainer.

§ 203.29. Substitute trainer.

(a) A trainer absent for more than 2 days from the duties and responsibilities as a licensed trainer or on a day in which the trainer has a horse in a race, shall obtain another licensed trainer to substitute.

(b) A substitute trainer shall accept full responsibility for the horses in writing and must be approved by the Judges.

(c) A substitute trainer and the absent trainer shall be jointly responsible as absolute insurers of the condition of their horses entered in an official workout or race under § 203.22 (relating to trainer responsibility rule) of these regulations.

§ 203.30. Owners authorized agents.

(a) A person undertaking or purporting to act as an authorized agent of an owner shall apply and secure a license from the Commission prior to this representation. An application for an authorized agent license shall be filed for each owner represented.

(b) A written instrument signed by the owner shall accompany the application and shall clearly set forth the delegated powers of the authorized agent. The owner's signature on the written instrument shall be acknowledged before a notary public.

(c) If the written instrument is a power of attorney it shall be filed with the Commission and attached to the regular application form.

(d) Any changes shall be made in writing and filed as set forth previously.

(e) The authorized agent's appointment may be terminated by the owner, in writing, acknowledged before a notary public and filed with the Commission whereupon the license shall not be valid.

§ 203.31. Powers and duties of an authorized agent.

(a) A licensed authorized agent may perform on behalf of the licensed owner-principal all acts relating to racing, as specified in the agency appointment, that could be performed by the principal if the principal were present.

(b) In executing any document on behalf of the principal, the authorized agent shall clearly identify the authorized agent and the owner-principal.

(c) When an authorized agent enters a claim for the account of a principal, the name of the licensed owner for whom the claim is being made and the name of the authorized agent shall appear on the claim slip or card.

(d) Authorized agents are responsible for disclosure of the true and entire ownership of each horse for which they have authority. Any change in ownership shall be reported immediately to, and approved by, the Judges and recorded by the race secretary.

§ 203.32. Eligibility for groom's license.

(a) An applicant for a license as a groom must satisfy the Commission that the application possesses the necessary qualifications, both mental and physical, to perform the duties required. Elements to be considered, among others, shall be character, reputation, temperament, experience, knowledge of the rules of racing and of the duties of a groom.

(b) In addition to the requirements set forth in Chapter 185 (relating to occupational licenses—temporary regulations) an applicant shall furnish a complete, accurate and truthful application.

DRIVERS

§ 203.51. Application and qualifications for driver's license.

(a) In addition to the licensing requirements set forth in Chapter 185 (relating to occupational licenses—temporary regulations), all license requirements for drivers will be in accordance with the USTA Rule 17, except a restricted license as provided for in the USTA Rule A-1, section 3.

(1) The Commission shall deem a driver as qualified to compete if he has obtained a USTA license, either Provisional (P), Restricted (V) or Full Drivers (A). In cases where drivers are Provisional (P), it shall be so noted on the program. In addition to any other requirements mentioned herein the applicant shall:

(i) Furnish a complete application form.

(ii) Produce a driver's license for the current year issued by the USTA.

(2) All penalties imposed on any driver will be recorded on the reverse side of their USTA driver's license by the Presiding Judge.

(3) In the event any person is involved in an accident on the track, the Commission may order the person to submit to a physical examination and this examination must be completed within 30 days from the request or their license may be suspended until compliance therewith.

(4) This license shall be presented to the clerk of course before driving.

§ 203.52. Racing colors.

(a) No driver or trainer shall be permitted to drive in any race or other public performance unless wearing the driver's own registered colors or the owner's registered colors.

(b) Drivers must wear distinguishing colors. No driver shall be permitted to start in a race or other public performance unless, in the opinion of the Judges, the driver is properly dressed, including a clean driving outfit. All drivers in a race must wear white driving pants.

(c) During inclement weather conditions, drivers must wear rain suits in either of their colors or made of a transparent material through which their colors can be distinguished.