

01 DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

017 HARNESS RACING COMMISSION

Chapter 5: TRACKS

SUMMARY: This chapter contains the requirements of the racing Associations to conduct race meets in the state and includes, but is not limited to: equipment, bonding, licensing, personnel, and the regulations of racing.

Section 1. License

During the course of its race meeting, each licensed Harness Racing Association shall display the license issued by the Commission for the current year. Each Association shall display evidence that it is in membership with or has contracted for the services of the United States Trotting Association.

Section 2. Certified Track Measurement

In order that the performances thereon may be recognized and/or published as official, every track not having done so heretofore and since January 1, 1939, shall forthwith cause to be filed with the Maine State Harness Racing Commission and the United States Trotting Association the certificate of a duly licensed civil engineer or land surveyor that he has subsequently to January 1, 1939, measured the said track from wire to wire three feet out from the pole or inside hub rail thereof and certifying in linear feet the result of such measurement. Each track shall be measured and recertified in the event of any changes or relocation of the hub rail prior to any licensed racing on the track.

Section 2-A. Insurance

Every licensed harness racing association shall carry policies of insurance providing indemnity to drivers and trainers for injury sustained while racing or training horses at its race meeting. A certificate stating the benefits of such policy shall be prominently displayed in the office of the Racing Secretary.

Section 3. Programs

1. A printed race program, in a format approved by the Commission, shall be published and offered to the public, with or without cost, by each association offering live and/or simulcast pari-mutuel wagering.
2. Post Time. Correct Post Time for the first race of each program must be printed on the official racing program. Post Time for the first race shall not be delayed unless permission is granted by the State Steward.
3. Program Information. At licensed pari-mutuel meetings, the program shall provide the name, sex, color, age, sire, dam, owner, trainer, driver, and driver's colors for every horse. It shall separately give the number of starts of the current year and previous year on the gait that it is raced, state the number of times the horse was first, second, or third, the fastest winning time, and the money winnings in each of those years, show the lifetime record, and lifetime money winnings on that gait.

The program shall give at least the following particulars of at least the five most recent races on that gait of each horse:

- A. The date and place of each race.
- B. The condition of the racing strip.
- C. The class of each race and the distance.
- D. The name and time of the winner and the names of the horses finishing second and third.
- E. The post positions and the position at the quarter, half, three-quarter, head of the stretch and finish of the race.
- F. The beaten lengths and individual time .
- G. The dollar odds of the wagering on said horse, if any.
- H. The name of the driver and a notation by the appropriate letter if his license to drive is other than a full license.
- I. Fractional times.
- J. A symbol will be shown on the program for a pacer racing without hobbles and a symbol for a trotter racing with hobbles.

- K. Complete past performance lines must be carried on 2 and 3 year old Maine Standardbred Breeders stake races whether programmed as betting or non betting events.
- L Any horse that was sired by a stallion registered with the Commission whose progeny becomes eligible to the Maine Standardbred Breeders Stakes will be identified in each program by the symbol "ME" following the horse's name.
- M. Any horse scratched from a race must have that information published in the program of that horse's next start.
- N. Amendment to the racing program shall be inserted into the program prior to sale.

4. Race Records

Where a horse has not raced either in the current or preceding year at the gait he is entered for on the program, such program shall contain the following additional information:

- A. Summary of his last year of racing at said gait which shall include his mark for that year, number of starts, number of times finishing first, second and third, and money won.
- B. This information must be given even though the horse has competed in a qualifying event and will be continued until he has two starts in the current year.
- C. Each program shall carry an explanation of the Commission rules covering the start and breaking horses as well as the pari-mutuel wagering rules.
- D. Where performance lines of any horse span two calendar years in the program, there shall be inserted a symbol separating the performance of each calendar year.
- E. Owners, drivers, or others found guilty of providing inaccurate information on a horse's performance, or of attempting to have misleading information given on a program may be suspended or expelled.
- F. At the end of each live race program, the licensee will provide two officially marked programs to the State Steward
- G. Morning Line. All race programs shall carry a morning line Each Association shall notify the Department prior to the opening of the meet of

the name of the person who will make the selections as they appear in the program.

Section 4. Equipment Requirements

1. Ambulance: Each Association must arrange for the services of an ambulance which complies with Title 32, Maine Revised Statutes, Sections 81-90 for all pari-mutuel and qualifying races. The ambulance must be available one hour before post time and remain until after the last race.
2. Horse Ambulance: Each Association shall supply at the track an appropriate means of transporting an injured or deceased horse from the track. The owner shall be responsible for immediate removal and proper disposal of the deceased horse unless a postmortem examination is required as designated in Chapter 1 Section 20.
3. Tape Recorder: All Associations shall have a tape recorder, approved by the Department, which is in good order, available during its race meet. These recorders will be made available to the judges and the tapes shall be maintained as prescribed by the Commission.
4. Video Cassette Recorder: All associations shall have a video cassette recorder, approved by the Commission which is in good order, available during its race meet. These recorders will be made available to the judges and the tapes shall be maintained as prescribed by the Commission.
5. Notice of Fines and Suspensions: The Association shall post daily, in public view, the Judges' suspensions revocations and fines for the previous days of the race.
6. Equipment approval required. Starting Gate, photofinish equipment, head numbers, and saddle pads, and equipment cards must be provided by each association for all pari-mutuel race meets as well as secure storage facilities for the testing programs. Heat and communication devices will be made available by the Association for the testing area. Persons or organizations providing such services and the equipment to be furnished must be approved by the Commission.
 - A. Starting Gate: Every Association shall have a starting gate and a back up gate of a type and quality approved by the Commission unless special permission to start races by other means is given by the Commission or its representative.
 - (1) The starting gate shall be equipped with a rotating beacon plainly visible to the drivers.

- (2). Each mobile starting gate shall be equipped with a mechanical loudspeaker for the sole purpose of communication with the drivers.
 - (3) Each starting gate shall be equipped with two-way radio communication with the Judge's stand.
 - (4) No person shall be allowed to ride in the starting gate except the Starting Judge and his or her driver or operator unless permission is granted by the Association and the State Steward.
- B. Photo Finish: Every Association shall provide photo finish service of a type and quality approved by the Commission, as an aid to the Judges in determining the order of finish.
- C. Timing device: Each Association shall supply a timing device at the 1/4 mile pole and the 1/2 mile pole, visible to participants on the race track and one manual timer in addition to the operator of such electrical device.
- D. Head and Pad Numbers: Each Association shall have head and saddle numbers of a style, type, and design approved by the Commission. Coupled entries shall be designated by the same head and saddle number coupled with a letter or letters. Horses coupled in the field shall be designated by the highest consecutive numbers used.
- E. Accident Lights: Each Association shall provide a flashing red or amber beacon at the half-mile and quarter mile poles.
- F. TV/Video Patrol. Each Association shall provide video recording service of a type and quality sufficient for the Judges and the Commission to review the races in determining racing violations and the order of finish.
- G. Unless specifically exempted by the Commission, in every race or performance against time, the time of each heat or dash shall be accurately taken by an electrical timing device approved by the Commission. There shall be one manual timer in addition to the operator of such electrical device.
- H. Refrigeration: Each Association shall provide refrigerated storage for test samples as required by the commission.

Section 5. Purse Money

1. Purse money. Harness racing purse checks shall be made available no later than five (5) business days after the race has become official. Any purse check that is to be mailed must be postmarked no later than five (5) business days after the race has become official. In the case of purse money relating to Sires Stakes races, purse checks must be paid in person, or, if mailed, postmarked, by the later of five business days after the race has become official or three business days after the Association has received purse money for that race from the Department. The owner of a horse must file the necessary documentation required by the Association to fulfill the requirement(s) of the United States Internal Revenue Service. The Association may withhold payment until the necessary documentation is filed with the Association. The said information must be posted in the race secretary's office and be conspicuously posted in the paddock. Any portion of a purse affected by an appeal or protest shall be held until the appeal or protest is finalized.
2. Payment of Purses: Any association that defaults in the payment, of purses in accordance with these rules shall, after a hearing before the Commission, be suspended, together with its officers.
3. Payments: If at a meeting of a licensed Association, a race is contested which has been promoted by another party or parties, and the promoters thereof default in the payment of the amount raced for, the same liability shall attach to the licensed Association as if the race had been offered by such licensed Association.

Section 6. Facilities

Every Association shall provide:

1. Judges stands: The Judge's stands shall be so located and constructed as to afford to the officials a least restrictive view of the entire track and no obstruction shall be permitted upon the track, or the centerfield, which shall obscure the officials' vision of any portion of the track during the race.
2. A paddock. Each race paddock must include flush toilets, hot and cold running water, and adequate lighting. Paddock areas must be enclosed and capable of being secure to the passage of people and things. Only towels, soap and other equipment as approved by the State Steward is permitted in the paddock.
3. A public viewing area is an extension of the paddock where horses may be housed for public view prior to their race. This area must be approved by the Commission and must be secure from public entrance. Each horse must be accompanied by a licensed person and housed in a secure stall.

4. State Testing Area: Each Association shall provide and area as required by the Commission for the purpose of obtaining and storing test samples and provide adequate space to house the necessary staff to carry out the state testing program(s).
 5. Commission Office Space. Each Association will provide sufficient space as required by the Commission to house the necessary staff to oversee regulatory functions.
 6. Lighting: An Association shall provide lighting for the racetrack and the patron facilities that is adequate to ensure the safety and security of the patrons, licensees and horses. Lighting to ensure the proper operation of the videotape and photo finish equipment.
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STATUTORY AUTHORITY: 8 MRSA §§ 263-A, 268, 275-C, 279-A, 279-B, 281

REPEALED AND REPLACED:

February 22, 1993 (this revision incorporates sections from previous Chapters 1, 5, 6, 7, 12, 16, 18 & 24)

AMENDED:

April 11, 1995
January 27, 1996

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 17, 1997

NON-SUBSTANTIVE CORRECTIONS:

March 2, 2000 - converted to MS Word

REPEALED AND REPLACED:

May 24, 2001

AMENDED:

December 17, 2001 - relocated Section 3 Sub-Section 2-A as a separate Section 2-A