

**THE JOCKEY CLUB  
THOROUGHBRED SAFETY COMMITTEE  
RECOMMENDATION  
August 12, 2012**

**Recommendation: Timing of Title Transfer with Claimed Horses**

The Thoroughbred Safety Committee commends racing jurisdictions taking steps to ensure the safety of horse and rider by creating regulations voiding the claim of horses suffering fatalities during the conduct of the race. The Thoroughbred Safety Committee also commends racing jurisdictions with regulations voiding the claim of horses determined to have violated relevant drug or medication rules.

In an effort to target improvements to a racetrack's safety and injury mitigation programs, the Thoroughbred Safety Committee calls for:

“All racing regulatory authorities and the Association of Racing Commissioners International develop and implement a rule to discourage the entry of horses in claiming races by connections knowing of heightened risks for racing injury with the intent to transfer to unsuspecting claimants.

The Thoroughbred Safety Committee recommends the following amendments to the Association of Racing Commissioner Model Rules:

***ARCI-009-010 General Provisions***

- (1) A person entering a horse in a claiming race warrants that the title to said horse is free and clear of any existing claim or lien, either as security interest mortgage, bill of sale, or lien of any kind; unless before entering such horse, the written consent of the holder of the claim or lien has been filed with the stewards and the racing secretary and its entry approved by the stewards. A transfer of ownership arising from a recognized claiming race will terminate any existing prior lease for that horse.
- (2) Title to a claimed horse shall be vested in the successful claimant at the time the horse leaves the paddock is declared a starter and crosses the finish line with rider. If the claimed horse does not return to the designated unsaddling area the successful claimant shall have thirty minutes after the race is declared official to request the stewards to void the claim. The successful claimant shall then become the owner of the horse whether it be alive or dead, sound or unsound or injured at any time after leaving the paddock, during the race or after. However, the successful claimant may request on the claim blank at the time he/she makes the claim that the horse be tested for the presence of equine infectious anemia via a Coggins test., or other test as approved by the official veterinarian Should this test prove positive, it shall be cause for voiding the claim. The expense of the test and the maintenance of the horse during the period requested for the test, shall be the responsibility of the successful claimant, unless the test proves positive, wherein the owner(s) of the horse at the time of entry shall be responsible.

### **ARCI-009-015 Claiming Of Horses**

- (1) Any horse starting in a claiming race is subject to be claimed for its entered price by any:
  - (a) licensed owner;
  - (b) holder of a valid claim certificate; or
  - (c) licensed authorized agent acting on behalf of an eligible claimant.
- (2) Every horse claimed shall race for the account of the original owner, but title to the horse shall be transferred to the claimant at the time the horse ~~leaves the paddock is declared a starter and crosses the finish line with rider. If the claimed horse does not return to the designated unsaddling area the successful claimant shall have thirty minutes after the race is declared official to request the stewards to void the claim. The successful claimant shall become the owner of the horse, regardless of whether it is alive or dead, sound or unsound, or injured prior to, during or after the race.~~”

Further the committee calls for the Association of Racing Commissioners International to develop a model rule that:

- Voids the claim of any horse with a post-race positive medication test.