

**THE JOCKEY CLUB
THOROUGHBRED SAFETY COMMITTEE
RECOMMENDATION
AUGUST 17, 2008**

Recommendation: Uniform Penalties

Based on review of the penalties for drug rule and prohibited practices violations in multiple racing jurisdictions; review of the current Association of Racing Commissioners International (RCI) Model Rule, which was developed by the Racing Medication and Testing Consortium (RMTC); and recent discussions with multiple industry organizations and individuals, the Thoroughbred Safety Committee calls for:

“The immediate adoption and implementation by all state racing commissions of the RCI Model Rule on Uniform Classification Guidelines and Penalties which apply to trainers, veterinarians and owners.”

Further, the Thoroughbred Safety Committee calls for all state racing commissions to implement the model rule no later than December 31, 2008.

The Committee also encourages commissions when allowable by state statutes to incorporate the RCI Model Rule for Uniform Classification Guidelines and Penalties by reference to further uniformity without having to pass individual regulations in each state.

In addition, the Thoroughbred Safety Committee also calls for the RCI Model Rules Committee to consider for adoption the necessary model rules to keep suspended trainers from participating in the training of racehorses and/or benefiting financially or otherwise from said training. The proposed model rule is attached.

Persons with a Suspended or Revoked License

(1) A person shall not train a horse or practice veterinary medicine for the benefit, credit, reputation, or satisfaction of an inactive person. This prohibition shall not prevent the partners in a veterinary practice from providing services to horses as long as the inactive person does not receive a pecuniary benefit from those services.

(2) An associated person of an inactive person shall not:

(a) Assume the inactive person's responsibilities at a location under the jurisdiction of the Authority;

(b) Complete an entry form for a race on behalf of or for the inactive person or an owner or customer for whom the inactive person has worked; or

(c) Pay or advance an entry fee for on behalf of the inactive person or owner or customer for whom the inactive person has worked.

(3) An associated person who assumes the responsibility for the care, custody, or control of an unsuspended horse owned (fully or partially), leased, or trained by an inactive person shall not:

(a) Be paid a salary directly or indirectly by or on behalf of the inactive person;

(b) Receive a bonus or any other form of compensation in cash, property, or other remuneration or consideration;

(c) Make a payment or give remuneration or other compensation or consideration to the inactive person or associated person; or

(d) Train or perform veterinarian work for the inactive person or an owner or customer of the inactive person at a location under the jurisdiction of the Authority.

(4) A person who is responsible for the care, training, or veterinarian services provided to a horse formerly under the care, training, or veterinarian services of an inactive person shall:

(a) Bill customers directly on his or her bill form for any services rendered at or in connection with any race meeting;

(b) Maintain a personal checking account totally separate from and independent of that of the inactive person to be used to pay expenses of and deposit income from an owner or client of the inactive person;

(c) Not use the services, directly or indirectly, of current employees of the inactive person; and

(d) Pay bills related to the care, training, and racing of the horse from a separate and independent checking account. Copies of the invoices for such expenses shall be retained for not less than six (6) months after the date of the reinstatement of the license of the inactive person or the expiration of the suspension of the inactive person's license.

Definition of an "Associated Person"

"Associated person" means 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 horse or perform veterinarian services on a horse for the benefit, credit, reputation, or satisfaction of the inactive person.