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**Rules of**  
**Department of Public Safety**  
**Division 45—Missouri Gaming Commission**  
**Chapter 62—Permit Holders**

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**Title 11—DEPARTMENT OF  
PUBLIC SAFETY  
Division 45—Missouri Gaming  
Commission  
Chapter 62—Permit Holders**

**11 CSR 45-62.010 General Requirements**

*PURPOSE: This rule requires permit holders to accept, observe and enforce the rules of the commission.*

(1) Every permit is granted upon the condition that the permit holder shall accept, observe and enforce the rules of the commission. It shall be the duty of each and every officer, director and every official and employee of the permit holder to observe and enforce the rules of the commission.

(2) The authority of the commission shall extend to those facilities on which horses, racing at the premises of licensed associations, are trained, boarded or cared for. This authority shall extend only to the facilities if they charge fees for the training, boarding or care, or if the horses are not the sole or partially owned property of the owner or operator of a training, boarding or care facility.

(A) The regulations of the commission as well as sections 313.500–313.710, RSMo (1986) shall apply to the facilities.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.010. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.010, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.020 Commission Offices**

*PURPOSE: This rule requires each association to furnish office space for the commission.*

(1) Each association shall furnish reasonable office space on association grounds for the exclusive use of and at the disposal of the commission for all its representatives. The commission and its employees shall have free access to all areas of the grounds while on duty.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.020. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13,*

*1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.020, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.030 Ejection**

*PURPOSE: This rule requires associations to honor ejection orders of the commission.*

(1) Associations are obliged to honor commission ejections and exclusions and to immediately eject any person found on track premises who is under an ejection order by the commission.

(2) Whenever any association shall eject any person from the premises under this rule or otherwise, it shall report the ejection to the commission.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.030. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.030, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.035 Stands for Officials—  
Thoroughbred and Quarter Horse**

*PURPOSE: This rule sets forth the requirements for stands for officials at association tracks.*

(1) Each association shall provide and maintain stands commanding an uninterrupted view of the entire racing strip for racing officials; the stands and their location shall be approved by the commission. Patrol judge stands shall be constructed so the floor shall be at least six feet (6') higher than the track rail.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.035. Original rule filed Oct. 16, 1986, effective Feb. 12, 1987. Moved to 11 CSR 45-62.035, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.040 Racing Surfaces**

*PURPOSE: This rule sets forth the requirements for racing surfaces on association tracks.*

(1) Each association shall attempt to provide—

(A) Training and racing surfaces whose construction, elevation and surfaces have received scientific approval as safe and humane.

1. Upon proof of economic hardship and a bona fide effort to comply, exemptions to this rule may be granted by the commission.

2. Application for exemptions shall be in writing.

3. Notice shall be given to all interested parties;

(B) Adequate and proper equipment to maintain training and racing surfaces;

(C) Sufficient trained personnel to properly operate equipment; and

(D) Daily records, open for inspection, of the condition of each training and racing surface.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.040. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.040, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.050 Public Information**

*PURPOSE: This rule sets forth the requirements for public information which must be provided by the association.*

(1) A printed program shall be available to the public at all meetings. All programs furnished by the association shall contain—

(A) Horse's name and sex;

(B) Color and age;

(C) Sire and dam;

(D) Owner's name;

(E) Driver's name and colors;

(F) Age and weight;

(G) In claiming races, the price for which the horse may be claimed;

(H) At least the last six (6) performance and accurate chart lines. An accurate chart line shall include:

1. Date of race, place, size of track if other than a half-mile track;

2. Symbol for free-legged pacers;

3. Track condition;

4. Type of race, distance, the fractional times of the leading horse including race time, post position, position at one quarter (1/4), one-half (1/2), three quarters (3/4) stretch with lengths behind leader and finish with lengths behind leader;



- 5. Individual time of the horse;
- 6. Closing dollar odds;
- 7. Name of the driver;
- 8. Names of the horses placed first, second and third by the judges; and
- 9. The standard symbols for breaks and park-outs shall be used where applicable;
  - (I) Indications of drivers racing with provisional licenses;
  - (J) Indications of pacers that are racing without hoppers;
  - (K) Summary of starts in purse races, earnings and best win time for current and preceding year. A horse's best win time may be earned in either a purse or nonpurse race;
  - (L) The name of the trainer;
  - (M) The consolidated line shall carry date, place, time, driver, finish, track condition and distance, if race is not at one (1) mile; and
  - (N) A listing of all horses drawn into an early closer, a late closer, stake or futurity.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.050. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.050, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.055 Program**

*PURPOSE: This rule requires publication of certain information in the daily racing program.*

- (1) Each licensed association shall list the following on the daily racing program:
  - (A) The name of the governor;
  - (B) The names of the commissioners and the commission's executive director; and
  - (C) The address of the commission's office.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.055. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.055, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.060 Numbers of Races per Performance**

*PURPOSE: This rule sets the number of races per performance.*

- (1) Unless otherwise authorized by the commission, no association shall be permitted to offer other than ten (10) races per performance on any one (1) day.
- (2) The association shall notify the commission of the post time of the first race of each performance.
- (3) The number of races per performance is also known as number of races per card.
- (4) Wagering on exhibition races, simulcast races or any races of a type not consistent with those approved as part of the permit holder's license application shall be separately approved by the commission.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.060. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.060, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.070 Appointment of Racing Officials and Department Heads**

*PURPOSE: This rule requires associations to report a list of their association racing officials and department heads to the commission.*

- (1) Each association shall submit to the commission at least thirty (30) days prior to the opening day of a meeting—
  - (A) A complete list of the association race officials set forth in chapter 30; and
  - (B) Department heads appointed for the meeting.
- (2) No person shall hold any appointment for a race meeting unless approved by the commission after a determination that the appointee is qualified for his/her duties and not prohibited by any law, rule of this state or U.S.T.A. rule from participating in racing.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.070. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.070, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.080 Trust Funds**

*PURPOSE: This rule establishes the horsemen's bookkeeper funds as trust funds.*

- (1) All horsemen's bookkeeper funds shall be held as a trust fund and shall not be commingled with any other funds.
- (2) The funds shall be held for the benefit of the horsemen and shall be bonded.
- (3) This language shall not be construed to prohibit the use of these trust funds to purchase certificates of deposit of United States Treasury notes, from which any and all interest derived shall be held for benefit of the horsemen.
- (4) Associations shall deposit purses to this fund in the amount advertised on the program on a daily basis.
- (5) The horsemen shall be considered the owners of these trust funds.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.080. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.080, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.090 Condition Book**

*PURPOSE: This rule requires a first condition book and additions to the condition books.*

- (1) The association, at least one (1) week prior to the opening of each meeting, or as soon as it is published, shall furnish to the commission a copy of its first condition book. Additional condition books or sheets shall be furnished to the commission as soon as published.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.090. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.090, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.100 Photo-Finish Equipment**

*PURPOSE: This rule requires photo-finishing equipment to be provided by the association.*



(1) Each association shall maintain photo-finish equipment to assist the placing judges and the judges in determining the order of finish of every race.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.100. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.100, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.110 VTR Equipment

*PURPOSE: This rule requires the association to furnish video tape recording equipment.*

(1) Every association shall furnish for each race a complete video tape recording of the race. The equipment and tape must be of a reliability and quality approved by the commission and capable of replay within one (1) minute after the end of any race. The association shall safeguard, for one (1) year from the date of the tape, the tapes of any race in which were lodged objections, inquiries or reports of accidents and make the tapes available for inspection by officials of the association and the commission. Equipment for replay of the tapes shall be placed in the judges' stand and in the judges' office.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.110. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.110, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.120 Photograph Posted

*PURPOSE: This rule requires a photograph or television picture of the finish of each race to be posted.*

(1) At least one (1) photograph or television picture of the finish of each race shall be posted conspicuously and promptly after each race.

(2) For the purpose of determining the placing of any horse, the nose of the respective horse shall determine the placement.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.120. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.120, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.130 Driver's Stand

*PURPOSE: This rule requires the association to provide a driver's stand.*

(1) Each association shall provide a stand located conveniently to the gate through which horses enter the track at the beginning of a race for drivers who are not competing in a particular race and who are wearing colors.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.130. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.130, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.140 Starting Gate

*PURPOSE: This rule requires the association to maintain at least two starting gates approved by the commission.*

(1) A starting gate approved by the commission shall be used in starting all races. Each association must maintain at least two (2) operable starting gates during racing hours. The association shall also make at least one (1) starting gate, along with adequate personnel, available for schooling for two (2) hours or designated days during training hours, exclusive of nonrace days.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.140. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.140, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.145 Distance Poles (Thoroughbred and Quarter Horse)

*PURPOSE: This rule requires the associations to provide distance poles.*

(1) Each association shall maintain distance poles as follows:

- (A) 1/4 poles—red and white;
- (B) 1/8 poles—green and white;
- (C) 1/16 poles—black and white;
- (D) 220 yards—green and white;
- (E) 250 yards—blue;
- (F) 300 yards—yellow;
- (G) 330 yards—black and white;
- (H) 350 yards—red;
- (I) 400 yards—black;
- (J) 440 yards—red and white;
- (K) 550 yards—black and white;
- (L) 660 yards—green and white;
- (M) 770 yards—black and white; and
- (N) 870 yards—blue and white.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.145. Original rule filed Oct. 16, 1986, effective Feb. 12, 1987. Moved to 11 CSR 45-62.145, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.150 Detention Enclosure

*PURPOSE: This rule requires the associations to provide detention enclosures.*

(1) Each association shall maintain a detention enclosure for use by the commission in securing samples of urine, saliva, blood or other bodily substances or tissues for chemical analysis from horses who have participated in a race. The enclosure shall include a wash rack, commission veterinarian office, a walking ring and at least eight (8) stalls each equipped with a window sufficiently large to allow the taking of the samples to be witnessed from outside the stall.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.150. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.150, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.160 Grounds' Facilities, Water and Sewage

*PURPOSE: This rule sets forth the requirements on the association for insect control, water and sewage, stalls, paddock equipment, isolation facilities and receiving barns.*



(1) General. Each association shall provide and maintain adequate and sanitary drinking water and toilets for all licensees, patrons and other persons invited to the track.

(2) Insect Control. When a race meeting is in progress or scheduled for opening, the association shall provide systematic and effective insect control against flies, mosquitoes and other insects.

(3) Stalls. The association veterinarian shall insure that—

(A) Horses are stabled in individual box stalls with separate feeding and watering facilities;

(B) Stables and immediate surrounding area are maintained in approved sanitary condition at all times;

(C) Satisfactory drainage is provided; and

(D) Manure and other refuse is kept in separate boxes or containers at locations distant from living quarters and promptly and properly removed.

(4) Paddocks and Equipment. Associations shall be responsible that paddocks and other equipment subjected to contact by different animals be kept in a clean condition and free of dangerous surfaces.

(5) Isolation Facilities. Associations shall provide isolation facilities for horses ordered isolated by the association or commission veterinarian. Approved sanitary measures shall be instituted in cooperation with the state livestock sanitary regulatory authority and the commission shall be kept informed.

(6) Receiving Barn. Each association shall provide a conveniently located receiving barn for the use of arriving horses during the meeting. The barn shall have adequate stable room and facilities, hot and cold water and stall bedding. The association shall employ attendants to operate and maintain the receiving barn in clean and healthy condition.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.160. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.160, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.170 Safety and Medical Aid**

*PURPOSE: This rule requires the association to maintain ambulances during racing or*

*exercising of horses.*

(1) Each association shall maintain on the association grounds—

(A) One (1) ambulance with two (2) emergency medical technicians (EMTs) for the track.

1. The requirements of this subsection shall apply whenever the track is in operation for racing or exercising; and

(B) One (1) ambulance with two (2) EMTs for the grandstands.

1. The requirements of this subsection shall apply whenever patrons are allowed to be present in the grandstands.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.170. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.170, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.180 Fire Protection**

*PURPOSE: This rule sets forth the prohibitions the association must enforce concerning fire protection.*

(1) The association, in accordance with applicable state fire codes, for the protection of persons and property from fire damage, shall prohibit the following:

(A) Smoking in horse stalls, feed rooms and under the sheds;

(B) Sleeping in feed rooms or stalls;

(C) Open fires or oil or gasoline burning lanterns or lamps in the stable area;

(D) Leaving electrical appliances unattended or in unsafe proximity to walls, beds or furnishings; and

(E) Keeping inflammable materials, including cleaning fluids or solvents, in the stable area.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.180. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to 11 CSR 45-62.180, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

**11 CSR 45-62.190 Stable and Ground Security**

*PURPOSE: This rule sets forth the requirements that each association must follow concerning the stable and ground security.*

(1) Each association shall secure the peaceful use of its grounds and stable areas to licensees and prohibit the use of the grounds to persons not authorized by license or invitation of the association.

(2) Stable Enclosure.

(A) The stable area shall be properly fenced as defined by the commission.

(B) Admission to the stables shall be permitted only in accord with rules of the commission.

(C) No person shall be admitted to the stable area except licensees whose duties require them to be in the area and who are wearing a photographic identity badge issued by the director of security and recorded in a permanent record maintained by the director of security.

(D) Temporary Pass Holders.

1. Issuance. A temporary written pass will be issued by the director of security or his/her designee for the stable area, for a maximum period of twenty-four (24) hours and a copy of the pass will be retained by the director of security and chief of track security.

2. Applicants. A temporary pass is available only to guests of the association, trainers, owners, veterinarians or other appropriately licensed individuals. Guests shall not include any person brought to the stable area for the purpose of working in any capacity requiring a commission license except for the individuals who deliver and accompany horses to association premises on nights and weekends when the commission offices for regular licensing are closed.

3. Privilege. A temporary pass to enter the stable area is not an occupational license and does not permit the holder to enter a horse in a race or in any other way participate in racing.

4. Content. A temporary pass must contain at least—

A. The bearer's name and employer;

B. The bearer's signature;

C. The date and time of issuance;

D. The date and time of expiration;

E. The reason for issuing the pass;

F. The signature of the chief of security or his/her designee; and

G. A pass number showing the sequence in which the pass was issued; and

H. The name of the individual to be visited.

(3) Twenty-four (24) Hours Security. The



association through its own employees or persons retained by the association shall maintain twenty-four (24)-hour a day security service throughout the stable enclosure during the time horses occupy the grounds, employing such electronic, telephonic, television and human guard personnel as are required to adequately police the grounds. Upon request, the association shall furnish to the commission a list of personnel employed in security services, giving for each person his/her name, duties, duty station and areas supervised.

(4) Incident Report. The security department of each association shall submit to the judges a written report describing every arrest or completed incident of security investigation or rule violation including with each person mentioned as charged in the report, his/her name, the charges against him/her and his/her present whereabouts.

(5) Records Open. Each association shall maintain current records relating to security in permanent form available for commission inspection for a period of one (1) year from the completion of the record and shall provide at the commission's request the additional information related to track security as the commission may require.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.190. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Amended: Filed Oct. 13, 1987, effective Jan. 14, 1988. Moved to II CSR 45-62.190, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.200 Electric Timing Device

*PURPOSE: This rule requires the association to use an electric timing device approved by the commission.*

(1) Any electric timing device used by the association shall be approved by the commission.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.200. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to II CSR 45-62.200, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.205 Lighting

*PURPOSE: This rule sets forth the standards for lighting at association tracks.*

(1) Each association shall provide and maintain flood lights so as to insure adequate illumination in the stable area and parking area. Adequacy of track lighting for night racing shall be determined by the commission.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.205. Original rule filed Oct. 16, 1986, effective Feb. 12, 1987. Moved to II CSR 45-62.205, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.210 Patrol Judge's Communication

*PURPOSE: This rule requires the association to provide communication between the patrol judge's station and the judges.*

(1) The association shall provide adequate communication between each patrol judge's station and the judges.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.210. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to II CSR 45-62.210, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.220 Hippodroming Ban

*PURPOSE: This rule bans hippodroming.*

(1) All races shall be bona fide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the finish. No hippodroming or other arrangement for equal distribution of the purse money among the contestants may be permitted by the association.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.220. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to II CSR 45-62.220, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.230 Communication System

*PURPOSE: This rule requires the association to provide a communication system between the judge's stand and the pari-mutuel plant.*

(1) It is the duty of each association to install and maintain in good working order, a suitable telephone system between the judges' stand and the office of the pari-mutuel plant. Each association also shall install and maintain a suitable system of electric bells for closing its pari-mutuel machines. The bells shall be operated from the judges' stand by one of the judges. The bells shall be rung simultaneously and immediately upon the ringing of the bells, the sale of pari-mutuel tickets shall stop. Any official or employee violating this rule shall be liable to immediate dismissal.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.230. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to II CSR 45-62.230, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

### 11 CSR 45-62.240 Primary and Secondary Liability

*PURPOSE: This rule makes Class A licensees primarily liable for certain facilities and equipment and to make associations secondarily liable for providing that same equipment.*

(1) The Class A licensee shall be primarily liable to provide the facilities and equipment required by the following rules:

- (A) 12 CSR 50-40.040(1)(A) and (B);
- (B) 12 CSR 50-40.140;
- (C) 12 CSR 50-40.150;
- (D) 12 CSR 50-40.160(1), (3)(A) and (C), (5) and (6); and
- (E) 12 CSR 50-40.190(2)(A).

(2) Each association shall be secondarily liable to provide the facilities and equipment enumerated in section (1).

(A) The association shall make every attempt to ensure that section (1) is complied with.

(B) The judges, the executive director or the director of security may demand the association provide the facilities or equipment



required by section (1) and may delay or cancel all or any part of a meeting until section (1) is complied with.

(3) In the event a Class A licensee fails without good cause to provide the facilities or equipment required by section (1), the commission may discipline the Class A licensee, without regard to the fact that an association has cured any deficiency under section (2) of this rule.

(4) If any association cures any deficiency of section (1) of this rule, it shall have a claim against the Class A licensee for actual costs of such cure, if the Class A licensee did not have just cause for not supplying required facilities or equipment.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.240. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Amended: Filed Oct. 13, 1987, effective Jan. 14, 1988. Moved to II CSR 45-62.240, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

#### 11 CSR 45-62.250 Listening Devices

*PURPOSE: This rule allows transmission or receiving equipment on an association premises only under supervision of the association director of security.*

(1) All radios, receivers, transmitters and other transmission or receiving equipment on an association premises of any race track shall be operated, monitored or tape recorded under the supervision of the security director of the association. Instant dismissal and further appropriate action shall be taken by the association for a person transmitting information either in vernacular or code, regarding performances of horses, races, race-results, mutuel odds, pay-off prices or any other pertinent information.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.250. Emergency rule filed June 20, 1986, effective June 30, 1986, expired Oct. 13, 1986. Original rule filed Oct. 3, 1986, effective Jan. 12, 1987. Moved to II CSR 45-62.250, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*

#### 11 CSR 45-62.260 Payment of Purses

*PURPOSE: This rule requires permit holders*

*to withhold payment of purses.*

(1) Associations shall withhold the payment of all purse monies for forty-eight (48) hours after the running of the respective race or until the commission laboratory has notified the judges that test specimens from the relevant horse have proven to be free of prohibited or foreign substances, as defined in these rules.

*AUTHORITY: section 313.540, RSMo 1986.\* This rule originally filed as 12 CSR 50-40.260. Original rule filed Oct. 16, 1986, effective Feb. 12, 1987. Moved to II CSR 45-62.260, effective Aug. 28, 1995.*

*\*Original authority: 313.540, RSMo 1986.*