



ADMINISTRATIVE RULES OF MONTANA



8.22.2809 STEWARDS

- (1) Stewards are selected as follows:
 - (a) The board shall maintain a listing of the licensed racing officials who are qualified for the position of steward, and the selection of stewards shall be made by the board from this list. There shall be three stewards to supervise each race meet, who will comprise the Board of Stewards for the race meet. One steward shall be designated by the board to be the presiding steward. All stewards shall be compensated by the board at an amount set by the board. The selection of stewards for a race meeting shall be made as soon as possible after the allocation of dates for a racing meet, but in no event later than 30 days before the race meeting.
 - (b) The board shall refuse to license as a steward any person not having sufficient training or education to meet the requirements of the office.
 - (c) Eye tests shall be given by competent opticians to all stewards, when directed by the board, the test to include particularly distance and colors, and the original reports thereof shall be kept on file at the office of the board.
 - (d) Failure of any steward to enforce the rules of racing or to meet the responsibility of the office shall be just cause for the board not to approve licensure as a steward in future years.
- (2) The state steward shall supervise the conduct of the racing officials and shall have full authority to enforce the rules adopted by the board or as provided by the laws of Montana and such additional duties as set forth in the rules or as ordered by the board.
- (3) The state steward shall represent the board in all matters pertaining to the interpretation of the rules as prescribed by the board. At the close of each race meeting the state steward shall make a written report to the board of the condition of the meeting and any recommendations he deems advisable.
- (4) The stewards shall be strictly responsible to the board for the conduct of all racing meetings in every detail, directly or indirectly pertaining to the laws and rules of the board relating to racing.
- (5) The stewards have general supervision over owners, trainers, jockeys, grooms or other persons attendant on horses and also over the premises where the meeting is conducted.
- (6) Should any case occur which may not be covered by the rules of racing herein outlined, it shall be determined by the stewards of the race meet in conformity with justice and in the interest of racing; and the stewards of the meeting are hereby given authority to exercise their full power, recommending to the board the imposition of more severe penalties, if in their judgment the penalty should be more drastic.

- (7) All entries and declarations shall be under the supervision of the stewards.
- (8) The stewards' jurisdiction in any matter extends for 30 days after the conclusion of the race meeting, and commences at such time as entries are taken for the first day of racing at such meeting. The stewards may suspend the license of anyone whom they have the authority to supervise for a period not to exceed two years, or they may impose a fine not to exceed \$1000, or they may impose both such fine and suspension. All such fines and suspensions shall be reported to the board.
- (9) Interest on fines levied or imposed by stewards is payable at the rate of 10% per annum.
- (10) Penalty on fines levied or imposed by stewards is payable at the rate of 50% in all cases in which the fine is not paid within 30 days after the order imposing the fines becomes final and effective.
- (11) Where the penalty the stewards have jurisdiction to impose is insufficient in the opinion of the stewards, they shall so report to the board, and they may order the suspension of the licensee and refer the matter to the board. In such event, the board shall accept the matter for hearing and adjudication.
- (12) The stewards are vested with the power to determine the extent of disqualification in case of fouls. They may place the offending horse behind such horses as in their judgment it interfered with, or they may place it last.
- (13) On each racing day at least one steward shall be on duty at the track from 8:00 a.m. until the close of the racing program for the day, and the full board of stewards shall sit in regular session to exercise the authority and perform the duties imposed on them by the rules of racing.
- (14) In case of emergency, the stewards may appoint a substitute subject to the confirmation of the board. A substitute shall serve only for one day.
- (15) If only two stewards are present at race time, they shall by agreement appoint a deputy for the absent steward.
- (16) If none of the stewards are present at race time, the board may take such action as they deem necessary.
- (17) Appointments of any deputy or deputies for a steward or stewards shall be reported immediately to the board.
- (18) There shall be three stewards in the stand when a race is being run.
- (19) The stewards shall take notice of any questionable conduct with or without complaint thereof.
- (20) The stewards may substitute a jockey of their selection on any horse.
- (21) The stewards may place any horse in the temporary charge of a trainer of their selection.
- (22) It shall be the duty of the stewards to see that horses arrive at the starting gate as near to post time as possible, with exceptions being made in case of accident to horse or jockey, or equipment failure or for any other reasonable cause.
- (23) The stewards must investigate promptly and render a decision in every complaint properly made to them.

- (24) In all matters coming before the stewards, a majority vote of the stewards shall govern. Each race day a written record of all votes shall be made in the minutes of the stewards. Any stewards in the minority may file a separate minority report with the board.
- (25) When the stewards feel that a rule, other than a rule of the race, has been violated by any person, the procedure shall be as follows:
- (a) He shall be summoned to a meeting before the stewards, called for that purpose.
 - (b) Adequate notice of said meeting shall be given to the summoned party. The steward's decision as to what is adequate notice shall be final.
 - (c) No penalty shall be imposed until such hearing.
 - (d) Non-appearance of the summoned party after adequate notice shall be construed as a waiver of right to hearing before the stewards.
 - (e) No special announcement of the hearing or of the alleged infraction of rules shall be made until after said hearing. Immediately after a hearing, provided the matter is settled, the stewards shall transmit their findings and conclusions in a signed, written statement to the board and to the party in question.
- (26) The stewards shall decide which horse wins and assign their respective places in the race to as many horses as they think proper. When the stewards differ, the majority shall govern. In determining the places of the horses at the finish of a race, the stewards shall consider only the respective noses of such horses.
- (27) The board shall require an adequate camera to be installed as an aid to the stewards. However, in all cases, the camera is merely an aid and the decision of the stewards shall be final.
- (28) Nothing in these rules shall be construed to prevent the stewards from correcting an error before the display of the sign official or from recalling the sign official if it has been displayed through error.

Authorizing statute(s): 23-4-104, 23-4-202, MCA

Implementing statute(s): 23-4-104, 23-4-201, 23-4-202, 23-4-301, MCA

History: Eff. 12/31/72; AMD, Eff. 5/4/74; AMD, Eff. 4/4/77; AMD, 1979 MAR p. 39, Eff. 1/26/79; AMD, 1980 MAR p. 1277, Eff. 4/25/80; AMD, 1981 MAR p. 423, Eff. 5/1/81; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; AMD, 1983 MAR p. 1082, Eff. 8/12/83; AMD, 1984 MAR p. 320, Eff. 2/17/84; AMD, 1987 MAR p. 100, Eff. 1/30/87; TRANS & AMD, from Dept. of Commerce, 2002 MAR p. 1500, Eff. 5/17/02; AMD, 2005 MAR p. 383, Eff. 3/18/05; TRANS, from 32.28.609, 2015 MAR p. 2252, Eff. 12/25/15.