



ADMINISTRATIVE RULES OF MONTANA



8.22.3404 IMPROPER OPERATION

- (1) If an error is made in posting the pay-off figures on the public board, it shall be corrected promptly and only the correct amounts shall be used in the pay-off, irrespective of the error on the public board, but no change shall be made in the pay-off after the cashing of winning tickets has commenced. If an error is discovered before the pay-off is started, the correct pay-off shall be posted and a statement made over the public address system stating the facts and the corrections.
- (2) All overpayments shall be borne by either the licensee or the tote company as agreed between the above parties prior to the opening of the race meet.
- (3) All underpayments shall be added to the comparative pool in the following race. (Example: If the underpayment occurs in the "win" pool of the first race, the amount is added to the "win" pool in the second race.) All underpayments not discovered until the conclusion of the racing day shall be added to the comparative net pool (i.e., the pool remaining after deduction of the legal commission) of the first race the next following day at said meeting. Any underpayment not discovered until the end of the race meeting shall become the property of the board of horse racing.
- (4) Illegible or mutilated tickets shall not be sold; further they shall be voided with ink or mutilation and accounted for by the mutuel manager and licensee in calculation of the gross pool, but not to be included as winning tickets.
- (5) Illegible or mutilated tickets issued by a ticket issuing machine shall not be sold. These tickets are to be voided by ink or mutilation and are to be attached to the calculation sheet for their respective pool and race.
- (6) The licensee shall be responsible for all seller's errors. Any customer complaint concerning a seller's error shall be immediately called to the attention of the parimutuel manager, and the parimutuel manager's decision shall be final.

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

Implementing statute(s): 23-4-301, 23-4-302, 23-4-303, MCA

History: Eff. 12/31/72; AMD, Eff. 5/4/74; AMD, Eff. 5/5/77; AMD, 1979 MAR p. 39, Eff. 1/26/79; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; TRANS & AMD, from Dept. of Commerce, 2002 MAR p. 1500, Eff. 5/17/02; TRANS, from 32.28.1604, 2015 MAR p. 2252, Eff. 12/25/15.