



ADMINISTRATIVE RULES OF MONTANA



8.22.3001 GENERAL REQUIREMENTS

- (1) No horse may start unless a registration certificate is first filed with the racing secretary. All entry forms shall be in the correct form as required by the board, shall be signed and shall be kept by the tract management for the duration of the meet, and for 30 days thereafter.
- (2) All thoroughbred horses shall be registered with the New York Jockey Club.
- (3) The official stud book and registry of the American Quarter Horse Association shall be recognized as the sole official registry for quarter horses.
- (4) Other officially recognized breeds must be registered with their officially sanctioned breeding or registry associations and each association must be approved by the board before the registration certificate issued by said association will be accepted for purposes of entering and starting in a race.
- (5) The rules of the board shall govern all races regardless of the breed of horse or type of race insofar as they are applicable. When not applicable the stewards may enforce the rules of the appropriate, recognized and approved association as long as such rules are not inconsistent with the rules of the board.
- (6) For the purpose of encouraging the breeding within the state of valuable thoroughbreds, quarter horses, appaloosa and other purebred registered horses, at least one race each day at each race meeting shall be limited to Montana bred horses. If sufficient competition cannot be obtained among the Montana bred horses, said race shall be opened with Montana breeds being preferred.
- (7) A sum equal to 10% of the first-place money of every purse won by a Montana bred horse shall be paid to the board for a breeder bonus and an equal sum shall be paid to the board for an owner bonus. Such amount shall be paid within 14 days from the date the race is won. The board shall distribute the bonuses to the appropriate breeders and owners within 30 days of the end of the race meet in which the bonus was earned. Such amount shall not be deducted from the advertised purse. Only the money contributed by the licensee conducting the race meet may be considered in computing the bonus.
- (8) Licensees shall recognize as Montana bred any horse whose registration papers indicate that such horse was foaled in Montana. In the absence of positive identification of where the horse was foaled appearing on the registration papers, the owner must file with the board satisfactory written evidence showing that the horse was foaled in Montana before the horse may be entered in a Montana bred race or may claim a breeders allowance or a Montana bred weight allowance.
- (9) All Montana bred horses shall be allowed a weight allowance of five pounds in all races except handicaps, and stakes, Montana bred races and quarter horse races.

- (10) When six horses are entered in a Montana bred race under six separate entries, such race shall be considered filled and shall be run. If a race is canceled through a lack of that number of entries, the names of all horses entered in such canceled race shall be immediately posted by the racing secretary. No race shall be canceled without the approval of the stewards.
- (11) If a stakes race is declared off, all subscription and entrance fees paid in connection with that race shall be refunded.
- (12) Entries and declarations shall be made in writing and assigned by the assistant trainer, trainer or owner of the horse. Each race meeting shall provide blank forms on which entries and declarations are to be made.
- (13) Entries may be made by telephone or facsimile but must be confirmed in writing.
- (14) No person not having an interest in a horse, equal at least to the interest or property of any other one person is entitled to enter the horse in a race as the owner.
- (15) Joint subscriptions and entries may be made by any one or more of the owners. However, all partners and each of them shall be jointly and separately liable for all fees and forfeitures.
- (16) If entered for the first time, a horse shall be identified by stating his name, color, sex and age, and the name of his sire and dam, as registered. This description must be repeated in every entry until a description of the horse with his name has been published on the official program or the list of entries of the race meet, or in such other publication as the board may designate. In every entry after such publication, his name, color, sex and age will be sufficient.
- (17) No horse shall be allowed to start in any race unless it has been tattooed, micro-chipped, and fully identified; however, Arabians may be identified by either tattoo or freeze brand.
- (18) No horse shall be allowed to start in any race that has not been fully identified and the certificate of registration properly endorsed to the current owner and on file in the office of the racing secretary. The stewards also may require that the certificate of registration be on file at the time of entry.
- (19) A horse which during the past calendar year has started in a race shall not be entered at a Montana track unless and until the owner or trainer shall have furnished to the racing secretary at least 36 hours prior to such entry, performance records, as hereinafter designated. Such performance records shall show where and when said horse raced in his last three starts, the distance of each, the weight carried in each, amount earned in each, said horses finishing position in each and the official time in each. Such performance records furnished to the racing secretary shall be signed by the owner or trainer of the horse. Every licensee must post such performance records in five conspicuous spaces in the parimutuel area at least 30 minutes before post time of every day's race.
- (20) If the name of a horse is changed, the new name, together with the former name, shall be published in the official entries for the first three starts after the change has been made. No change of names will be acceptable unless first granted by the New York Jockey Club, the American Quarter Horse Association or other registry under which the horse is registered. Violation of any part of this rule shall cause the horse to be name a "ringer" and the horse and all persons connected with the violation shall be ruled off.
- (21) No horse shall be permitted to enter or to start unless he is in the care of and saddled by a licensed trainer.

- (22) No horse shall be permitted to start that has not been fully identified. Responsibility in the matter of establishing either the identity of a horse or his complete and actual ownership shall be as binding on the persons so identifying or undertaking to establish as it is on the person having the horse requiring identification and the same penalty shall apply to them in case of fraud or attempted fraud.
- (23) All ownerships in a horse, except a trainer's percentage of his winnings, shall be filed with the racing secretary, before the horse shall start, as shall every change in ownership thereafter during the meeting.
- (24) All horses must be eligible to start at time of entry.
- (25) For purposes of further encouraging the breeding within the state of valuable purebred registered horses and to increase the market value and salability of said horses, at least 50% of all maiden races run each day at every Montana parimutuel race shall be written with Montana bred maidens preferred.
- (26) A maiden seven-year-old or older shall not be eligible to enter or start in any race unless such horse has started in a race within the last 365 days and has recently had a successful veterinarian's examination. For purposes of this rule only, a maiden horse is a horse which at the time of starting has never won a race on the flat in any country.
- (27) No Arabian shall run on any track in the state of Montana until it is a three year old.
- (28) Any horse over 12 years old can run in Montana provided they have had one win in the previous season.
- (29) A horse shall not be qualified to be entered or to start in any race if owned in whole or in part, or if under the management, directly or indirectly of a disqualified person.
- (30) In any entry from a disqualified person or a disqualified horse is received, such entry shall be void and any money paid for such entry shall be returned if the disqualification is disclosed 45 minutes before post time for the race. Otherwise, any such money shall be paid to the winner.
- (31) No horse on the starter's schooling list shall be entered for a race.
- (32) No horse on the veterinarian's list shall be qualified to enter, or to start.
- (33) No horse on the bleeders list shall be qualified to enter or to start.
- (34) If a horse is sold to a disqualified person, said horse's racing engagement shall be void as of the date of sale.
- (35) No trainer may enter more than two horses in a purse race or overnight event. When making a double entry in the same ownership or trainership, the owner or trainer must express a preference, and in no case may two horses start in the same ownership or trainership to the exclusion of a single entry unless that single entry is an "in today" horse.
 - (a) If a race is divided or split into two or more divisions, horses under the same ownership or trainership shall be placed in separate divisions, but the division in which they compete shall be drawn by lot.
 - (b) Multiple horses owned by the same racing interests shall be uncoupled in overnight races and stakes races for wagering purposes.

- (c) An owner may enter multiple horses in stakes races. Stakes preferences and conditions will be used to determine eligibility in stakes races.
- (36) The race secretary shall have the right to withdraw or change any unclosed race.
- (37) If a race is declared off because of insufficient entries, the licensee may split any overnight race which may have closed and cause a new drawing for post positions.
- (38) An entry of a horse in a sweepstakes is a subscription to the sweepstakes. An entry or subscription may, before the time of closing, be altered or withdrawn.
- (39) A horse shall not become a starter for a race unless there has been duly paid any stakes or entrance money payable in respect to that race.
- (40) Entrance money is not refunded on the death of a horse, or his failure to start.
- (41) The nominator is liable for the entrance money, and the death of a horse or mistake in its entry when eligible, does not release the subscriber from liability. The entrance money to a purse shall not be returned on the death of a horse or its failure to start for any cause whatever.
- (42) Entries shall be closed at an advertised time, and no entry accepted thereafter. The racing secretary, however, with the consent of the stewards may postpone closing of overnight races.
- (43) In the absence of notice to the contrary entrance and declarations for sweepstakes, which close during or on the eve of a race meeting, close at the office of the racing secretary, who shall make provisions therefor. Closing at all other times for sweepstakes shall be at the office of the race meet.
- (44) When an hour for closing is designated, entries and declaration for sweepstakes cannot be received afterward; but if an hour is not designated, they may be mailed or telegraphed up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race.
- (45) If a miscarriage of any entry or declaration in a stake is alleged, satisfactory proof that it was mailed or telegraphed must be presented within a reasonable time or it shall not be received.
- (46) Entries which have closed shall be compiled without delay by the racing secretary and conspicuously posted.
- (47) No alterations shall be made in any entry after closing of entries, but an error may be corrected.
- (48) If the number of entries to any purse race is in excess of the number of starters for the race that may, because of limitations, be permitted to start, the post positions and the starters for the race shall be determined by lot in the presence of those making the entries. Four of those not drawn may be placed on the overnight sheet as also eligible. In the event that any of the first group of starters declare out, horses shall be drawn from the group of also eligibles to fill the vacancies in the race.
- (49) Any horse which is entered and has drawn a post position in a race shall be termed an "in today" horse. Any "in today" horse shall not be eligible to enter for the following calendar day to the exclusion of any other horse.
- (50) A horse on the also eligible list shall not be considered as an "in today" horse until it has actually been drawn into the race and given a post position.

- (51) The racing secretary may divide a race and take double entries, in which case the double entry shall have preference over an "in today" horse.
- (52) If the entries exceed the number required for a full field and an also eligible list, the racing secretary shall keep a list of horses eliminated from the race, and they are to have precedence in any race of similar distance and similar conditions, in which they may be afterward entered and each subsequent time that a horse is so eliminated the horse shall gain an advance position on the preferred list.
- (53) A copy of the preferred list shall be posted each afternoon of entries, and any claim of error must be made by 8:00 a.m. the following day, and no claim of error not made within the prescribed time will be recognized by the stewards. In entering horses on the preferred list, a claim of preference must be made at time of entry and noted on the entry blank or the preference shall be lost and no claim of error will be considered by the stewards if the person making the entry has signed the entry blank.
- (54) If a scratch card is deposited for a horse listed as also eligible the horse shall lose its position on the preferred list.
- (55) Horses excluded as part of an entry shall not receive a place on the preferred list.
- (56) Any horse which is withdrawn from a race after the overnight entries are closed shall be deemed a scratch and shall lose all accrued preference up to that date.
- (57) Scratch time shall be 7:00 a.m. the morning of the day preceding the day scheduled for the running of the race from which the scratch is made. A licensee may request a different scratch time, for good cause shown. Any change in scratch time may be approved by the stewards.
- (58) Preferred list preference and weight allowance is waived if not claimed at time of entry. The stewards will adjust no claims after the close of entries.
- (59) The racing secretary may in event a stakes or handicap does not fill, replace such race with an overnight race carrying a guaranteed purse consistent with the daily average purse.
- (60) If the racing secretary declares a race off, the names of entrants in that race shall be posted on the official bulletin board that day, identifying the race by number as it appears in the condition book.
- (61) Post positions shall be determined publicly by lot in the presence of the stewards, and racing secretary or his assistant. In thoroughbred races only, after a regularly carded horse or horses have been excused from the race, all horses shall move up in post-position order. In quarter horse and mixed races utilizing the straightaway, a horse or horses shall assume the post position or positions of the horse or horses excused.
- (62) Winnings shall include all purse money up to the time appointed for the start, and shall apply to all races in any country, and embrace walking over or forfeit, but not second, third, fourth or less not the value of any prize not paid or paid in money. Winnings during the year shall be reckoned from January 1 preceding. Winner of a certain sum shall mean winner of a single race of that value unless otherwise expressed in the conditions.
 - (a) Foreign winnings shall be estimated on the basis of the normal rate of exchange prevailing on the day of the winnings.
 - (b) The entrance money, starting and subscription fees in every race shall go to the winner unless otherwise provided in its conditions, but if for any reason a race is not run, all stakes or entrance money shall be refunded to those entries remaining eligible at time of decision

to cancel or postpone. If the trials of said race have been run and the finals are cancelled due to unforeseeable circumstances, the remaining qualifiers will equally divide the entrance, starting and subscription fees.

- (c) Any horse failing to start or finish in any race shall not share in the purse distribution of that race, except a horse that has qualified for that race through a trial race.
- (63) In the event that management prefers to use a date system of preference rather than the preferred list referred to in (52) then the racing secretary shall post and adhere to the following procedure. At tracks which choose to use date system, this rule will supersede those rules set down for other forms of determining preference.
- (a) Horses will not be eligible to receive a date in a race until their papers are on file in the racing office.
 - (b) All horses with registration papers on file with the racing office prior to the first day of racing shall receive an opening day entry date. This date is the earliest possible date a horse may receive. A horse keeps its opening day date until it races or scratches. All horses registered with the racing secretary after the first racing date will receive an entry date corresponding to the date registered with the racing secretary.
 - (c) Horses that run will receive a running date corresponding to the date on which they are entered, and lose all dates previously held.
 - (d) Horses which scratch or are scratched must re-enter to reestablish a date.
 - (e) Horses on the vet's, steward's, or starter's paddock lists shall forfeit their designated date, and cannot establish a date until removed from said category.
 - (f) In all cases, an entry date takes preference over a running date of the same day.
 - (g) Horses which have established a date at a current meet will lose that preference date should they race elsewhere or demonstrate intent to race elsewhere by entering at such tracks and must re-enter to reestablish a preference date at the current meet.
 - (h) Stakes races are not a part of the preference system.
 - (i) In no way does the claiming, ownership transfer or trainer transfer of a horse affect the preference rule.
 - (j) Second choices of entries in overfilled races receive no consideration and should not be given a preference date unless they have different owners.
 - (k) In all races, winners have preference. Maidens will receive no consideration in races other than maiden races.
- (64) In all thoroughbred races where qualifying races are held to select finalists, the method of determining those finalists will be by order of finish in each qualifying heat. In quarter horse trials, finalists will be selected based on fastest times.
- (65) In handicap races, high weighted horses shall be preferred regardless of ownership or trainer.
- (a) When horses have equal handicap weights, preference shall be determined by lots regardless of ownership or trainer.

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

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

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