



ADMINISTRATIVE RULES OF MONTANA



8.22.3003 DECLARATIONS AND SCRATCHES

- (1) No horse shall be considered scratched or declared out of an engagement until the trainer or his authorized agent shall have given due notice in writing to the racing secretary before the time stipulated by the regulations of the licensee.
- (2) For stakes races, if a horse is not named through the entry box two days before the race at the usual time of closing, the horse is automatically out.
- (3) The declaration of a horse out of an engagement is irrevocable.
- (4) All horses must be scratched at the designated scratch time.
- (5) If the miscarriage of any declaration by mail or otherwise is alleged, satisfactory proof of such miscarriage shall be required of the complainant, otherwise the declaration shall not be accepted as of the time alleged.
- (6) Any trainer who has entered a horse, will be allowed to scratch from said race prior to scratch time, if horses are present on the also eligible list. If there are more requests to withdraw than are available, permission to withdraw shall be granted first to the also eligible horses by lot, and thereafter to the in-today horses in the same manner. However, in all races involving the daily double, no entry may be withdrawn that would reduce the starting field to less than the number designated by the racing secretary, without permission of the stewards. No other entries will be excused as provided above except upon receipt of a veterinarian certificate of unfitness.
- (7) A horse which has been excused from starting by a veterinarian certificate of unfitness shall not be eligible to be entered for three calendar days excluding the day the horse was excused. Such subsequent entry must be accompanied by a certificate of fitness from the track veterinarian, and must be approved by the stewards.
- (8) Husband and wife will be considered as one entity for entry purposes.
- (9) Any horse which has qualified or drawn into a stakes race, other than an overnight stakes race, can be scratched from that stakes race for any reason prior to the start of the race. The scratch of a horse from a stake race is irrevocable.

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

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

History: Eff. 12/31/72; AMD, Eff. 5/5/74; EMERG, AMD, Eff. 7/3/74; AMD, Eff. 10/5/74; AMD, Eff. 4/4/75; AMD, Eff. 5/6/76; AMD, Eff. 4/4/77; AMD, Eff. 8/4/77; EMERG, AMD, 1978 MAR p. 995; Eff. 7/5/78; AMD, 1979 MAR p. 39, Eff. 1/21/79; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; AMD, 1982 MAR p. 484, Eff. 3/12/82; AMD, 1994 MAR p. 1282, Eff. 5/13/94; TRANS & AMD, from Dept. of Commerce, 2002 MAR p. 1500, Eff. 5/17/02; TRANS, from 32.28.803, 2015 MAR p. 2252, Eff. 12/25/15; AMD, 2017 MAR p. 132, Eff. 1/21/17.