



ADMINISTRATIVE RULES OF MONTANA



8.22.3301 GENERAL PROVISIONS

- (1) No persons shall use profane or obscene language to any racing official or any employee or representative of the board.
- (2) No person shall in any manner or at any time, disturb the peace or interfere with the lawful activity of any racing official on the grounds of a race meeting.
- (3) No person shall knowingly or intentionally make and submit or cause to be submitted to any racing official any false or intentionally misleading sworn statement.
- (4) No person shall give, offer, or promise, directly or indirectly, either on his own behalf or in behalf of another, to anyone, any bribe, gift, or gratuity in any form, for the purpose of improperly influencing the result of a race, or which would tend to do so.
- (5) No racing official or his assistant, no owner, trainer, jockey, or agent, and no persons having charge or access to accept on his own behalf or on behalf of another, any bribe, gift, or gratuity in any form to influence the result of race, or which would tend to do so.
- (6) No person shall enter, or cause to be entered, or start, a horse which he knows or believes to be ineligible or disqualified.
- (7) No person shall offer or receive money or any other benefit for declaring an entry from a race.
- (8) No person shall make a bet for the account of any jockey except the owner or trainer of the horse the jockey is riding and then only on the horse being ridden by said jockey.
- (9) No person shall offer to give a jockey any money or other benefit in relation to a race unless said person is the owner or trainer of the horse ridden in said race by said jockey.
- (10) No electrical or mechanical device or other appliance designed to increase or decrease the speed of a horse (or that would tend to do so) other than the ordinary whip shall be possessed by any one or applied by any one to a horse at any time on the grounds of a race meeting, during a meeting, whether in a race or otherwise.
- (11) No person shall improperly tamper or attempt to tamper with any horse in such a way as to affect his speed in a race, nor shall he counsel or in any way aid or abet such tampering.
- (12) No person shall assume or pay, directly or indirectly, a fine imposed upon a jockey.
- (13) No owner or trainer shall compensate a jockey for the purpose of preventing him from riding in any race.
- (14) All fines, forfeitures and suspensions shall be enforced by the stewards or by the board. No other racing official shall have the right to impose a fine or suspension although any racing official may

recommend to the stewards that disciplinary action be taken against a named person. Each racing official shall report to the stewards any observed violation of the rules of racing.

- (15) All fines or suspensions imposed by the stewards shall be promptly reported in writing to the board.
- (16) All fines shall be made payable to the board and delivered to the state steward or his duly authorized representative within 24 hours after imposition and shall be turned over to the board at the end of the race meeting. Failure to pay any fine within the time specified shall result in an automatic suspension which shall continue until such time as the fine is paid or the ruling imposing the fine is overturned by the board or a court of law.
- (17) All suspensions for a specified period of time shall be considered in calendar or racing days. The ruling shall specify the first and last day of the suspension.
- (18) No racing official shall directly or indirectly buy or sell any contract upon any jockey or apprentice for himself or another, nor shall he write or solicit horse insurance.
- (19) No racing official shall directly or indirectly wager money or anything of value on the result of any race at any licensed race meeting at which he/she presides.
- (20) Any trainer, owner or other licensed racing person who knowingly harbors or conceals anyone not provided with proper credentials or not licensed as required by these rules shall be reported to the stewards and subject to disciplinary action.
- (21) No person shall make a hand book or a foreign book on the grounds of a race meeting.
- (22) No person shall solicit for a bet with a hand book or a foreign book on the grounds of a race meeting.
- (23) No person who is a bookmaker, or who is known or reputed to be a bookmaker, or who is a fugitive from justice, or whose conduct at a race track in Montana or elsewhere, now or heretofore, has been detrimental to the best interests of racing, shall enter or remain upon the premises of any licensee conducting a horse racing meet or meeting under the jurisdiction of the board, and all such persons shall upon discovery or recognition be forthwith ejected from race tracks in the state by licensees in this state and/or by the representatives and agents of the board.
- (24) Violators of any rule of the board shall be subject to ejection from the grounds, fine, suspension or revocation of license and/or such other penalty permissible under the authority delegated by law to the board, including the suspension of a named horse. The penalties provided in this section shall be applicable to every section of these rules the same as though it were a part of each and every section of these rules.
- (25) Any person ejected from the grounds of a race meeting or simulcast facility shall be denied admission to said grounds or facility until permission for re-entering has been obtained from the board.
- (26) When a person is ruled off or suspended, every horse owned in whole or in part by him or under his care, management, training or superintendence shall be ineligible to be entered or to start in any race until said horse or horses have been reinstated by the termination or rescission of the penalty or by transfer of the horse or horses through bona fide sale, or by placement of the horse or horses in the hands of a licensed trainer approved by the board.

- (27) Any person or horse ruled off or suspended by any recognized turf authority shall be prohibited from participating in racing in Montana according to the terms of the ruling made by said recognized turf authority.

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

Implementing statute(s): 23-4-104, 23-4-106, 23-4-202, MCA

History: Eff. 12/31/72; AMD, Eff. 10/5/74; AMD, 1980 MAR p. 1277, Eff. 4/25/80; 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, 1989 MAR p. 2189, Eff. 12/22/89; AMD, 1991 MAR p. 355, Eff. 3/29/91; 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 32.28.1501, 2015 MAR p. 2252, Eff. 12/25/15.