



1 PUBLIC PROTECTION CABINET
2 Kentucky Horse Racing Commission
3 (New Administrative Regulation)
4 810 KAR 4:070. Jockeys and apprentices.

5 RELATES TO: KRS 230.215, 230.260

6 STATUTORY AUTHORITY: KRS 230.215(2), 230.260(8), 230.260 (10), 230.260 (14)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) and KRS 230.260(8) authorize
8 the Kentucky Horse Racing Commission to promulgate administrative regulations prescribing
9 conditions under which all horse racing is conducted. KRS 230.260(10) authorizes the
10 commission to promulgate administrative regulations establishing minimum fees for jockeys in
11 the absence of a contract between an employing owner or trainer and a jockey. KRS 230.260(14)
12 authorizes the commission to promulgate administrative regulations to establish safety
13 standards and minimum fees for jockeys. This administrative regulation establishes the
14 requirements for jockeys and apprentice jockeys.

15 Section 1. Probationary Mounts. Any person desiring to participate in this state as a jockey,
16 who has not ridden in a race previously, may ride in three (3) races before applying for a license
17 as a jockey or apprentice jockey if:

18 (1) The person is a licensed stable employee, assistant trainer, or trainer with at least one
19 (1) year of service with a racing stable;

1 (2) A licensed trainer certifies in writing to the stewards that the person has demonstrated
2 sufficient horsemanship, as evidenced by his control of the animal while mounting, riding, and
3 dismounting in race and nonrace conditions, to be permitted the probationary mounts;

4 (3) The starter has schooled the person in breaking from the starting gate with other
5 horses and approves the person as capable of starting a horse properly from the starting gate
6 in a race;

7 (4) The stewards determine that the person:

8 (a) Intends to become a licensed jockey;

9 (b) Possesses the physical ability to be a jockey; and

10 (c) Has demonstrated the ability to ride in a race without jeopardizing the safety of horses
11 or other jockeys in the race; and

12 (5) The person has prior oral or written approval of the stewards.

13 Section 2. Qualifications for License. In addition to the requirements applicable to
14 licensees under 810 KAR 3:020, a holder of a license as a jockey or apprentice jockey:

15 (1) Shall be sixteen (16) years of age or older and licensed under his or her legal name
16 which shall be listed in the daily race program;

17 (2) Shall have served at least one (1) year with a racing stable;

18 (3) Shall have ridden in at least three (3) races; and

19 (4) Shall, if required by the stewards, to protect the health and safety of the jockey, other
20 jockeys, the horses, and the welfare of the betting public, provide a medical affidavit certifying
21 the person is physically and mentally capable of performing the activities and duties of a
22 licensed jockey.

1 Section 3. Amateur or Provisional Jockey. (1) An amateur wishing to ride in races on even
2 terms with professional riders, but without accepting fees or gratuities therefore, shall:

3 (a) Be approved by the stewards as to competency of horsemanship, as demonstrated by
4 meeting the requirements in Section 1(2), (3), and (4)(b) and (c) of this administrative
5 regulation;

6 (b) Be granted an amateur jockey's license; and

7 (c) Have his amateur status duly noted on the daily race program.

8 (2) A licensed owner or licensed trainer, upon approval by the stewards, may be issued a
9 provisional jockey's license to ride his own horse or horse registered in his care as trainer.

10 Section 4. Apprentice Allowance in Thoroughbred Racing. (1) The provisions of this Section
11 apply only to thoroughbred racing.

12 (2) Any person sixteen (16) years of age or older, who has not been licensed previously as
13 a jockey in any jurisdiction, and who is qualified under Section 2 of this administrative
14 regulation, may claim in all purse races except handicaps the following weight allowances:

15 (a) Ten (10) pounds until he or she has ridden five (5) winners;

16 (b) Seven (7) pounds until he or she has ridden an additional thirty-five (35) winners;

17 (c) If he or she has ridden a total of forty (40) winners prior to the end of one (1) year from
18 the date of riding his fifth winner, he or she shall have an allowance of five (5) pounds until the
19 end of that year; and

20 (d) If after one (1) year from the date of the fifth winner, the apprentice jockey has not
21 ridden forty (40) winners, the applicable weight allowance shall continue for one (1) additional
22 year, or until the 40th winning mount, whichever occurs first.

1 (2)(a) After the completion of conditions in subsection (1) of this section, a contracted
2 apprentice may claim three (3) pounds for one (1) year if riding horses owned or trained by his
3 or her original contract employer if his or her contract has not been transferred or sold since his
4 or her first winner.

5 (b) The original contract employer shall be the party to the contract who was the employer
6 at the time of the apprentice jockey's first winner.

7 (c) Apprentice allowance shall not be claimed for a period in excess of two (2) years from
8 the date of the rider's fifth winner unless an extension has been granted in accordance with
9 subsection (4) of this section.

10 (3) An apprentice jockey may enter into a contract with a licensed owner or licensed
11 trainer qualified under Section 5 of this administrative regulation for a period not to exceed five
12 (5) years.

13 (a) These contracts shall be:

- 14 1. Approved by the stewards;
- 15 2. Filed with the commission; and
- 16 3. Binding in all respects on the parties to the contract.

17 (b) An apprentice who has not entered into a contract pursuant to this subsection shall be
18 given an apprentice jockey certificate.

19 (4) If an apprentice jockey is unable to ride for a period of seven (7) consecutive days or
20 more because of service in the armed forces of the United States, physical disablement,
21 attendance in an institution of secondary or higher education, restrictions on racing, or other
22 valid reason, the commission, upon recommendation of the stewards and after consultation

1 with the racing entity that approved the original apprentice contract, may extend the time
2 during which the apprentice weight allowance may be claimed for a period no longer than the
3 period the apprentice rider was unable to ride.

4 (5) After completion of conditions in subsection (1) of this section, the rider shall be issued
5 a license as a jockey before accepting subsequent mounts. Under these circumstances, the
6 commission may waive collection of an additional license fee.

7 Section 5. Rider Contracts. (1) All riding contracts for terms longer than thirty (30) days,
8 and any amendments, cancellation, or transfer of the contract, shall be in writing with the
9 signatures of the parties notarized, and shall be approved by the stewards and filed with the
10 commission.

11 (2) The stewards shall approve a riding contract and permit parties to participate in racing
12 in this state if the stewards determine that:

13 (a) The contract employer is a licensed owner or licensed trainer who owns or trains at
14 least three (3) horses eligible to race when the contract is executed;

15 (b) The contract employer possesses the character, ability, facilities, and financial
16 responsibility conducive to developing a competent race rider; and

17 (c) If it is a contract for an apprentice jockey, the contract provides for fair remuneration,
18 adequate medical care, and an option equally available to both employer and apprentice jockey
19 to cancel the contract after two (2) years from the date of execution.

20 Section 6. Restrictions as to Contract Riders. A contract rider shall not:

21 (1) Ride any horse not owned or trained by his contract employer in a race against a horse
22 owned or trained by his contract employer;

1 (2) Ride or agree to ride any horse in a race without consent of his or her contract
2 employer;

3 (3) Share any money earned from riding with his contract employer; and

4 (4) Accept any present, money, or reward of any kind in connection with his or her riding
5 of any race except through his contract employer.

6 Section 7. Calls and Engagements. (1) Any rider not prohibited by contract may agree to
7 give first or second call on his race-riding services to any licensed owner or trainer.

8 (2) Any rider employed by a racing stable on a regular salaried basis shall not ride against
9 the stable which employs him.

10 Section 8. Jockey Fees in Thoroughbred Racing. (1) The fee to a jockey, in the absence of
11 special agreement to the contrary, shall be as follows:

12 (a)

Purse	Winning Mount	Second Place Mount	Third Place Mount	Fourth Place Mount	Losing Mount
Up to \$9,999	10% of Win Purse	5% of Place Purse OR \$75, whichever is greater	\$70	\$65	\$60
\$10,000-\$14,999	10% of Win Purse	5% of Place Purse	\$75	\$70	\$65
\$15,000-\$24,999	10% of Win Purse	5% of Place Purse	5% of Show Purse OR \$80, whichever is greater	\$75	\$70

\$25,000-49,999	10% of Win Purse	5% of Place Purse	5% of Show Purse	\$85	\$80
\$50,000-\$99,000	10% of Win Purse	5% of Place Purse	5% of Show Purse	\$90	\$85
\$100,000 and up	10% of Win Purse	5% of Place Purse	5% of Show Purse	5% of Fourth Place Purse	\$110

1 (b) The flat fee amounts as set out in paragraph (a) of this subsection are not percentage
2 driven.

3 (2) A jockey fee shall be considered earned by a rider if he or she is weighed out by the
4 clerk of scales, with the following exceptions:

5 (a) If a rider does not weigh out and ride in a race for which he or she has been engaged
6 because an owner or trainer engaged more than one (1) rider for the same race, the owner or
7 trainer shall pay an appropriate fee to each rider engaged for the race;

8 (b) If a rider capable of riding elects to take himself off the mount without, in the opinion
9 of the stewards, reasonable cause; or

10 (c) If a rider is replaced by the stewards with a substitute rider for a reason other than a
11 physical injury suffered by the rider during the time between weighing out and start of the race.

12 Section 9. Jockey Fees for Quarter Horse, Paint Horse, Appaloosa, and Arabian Racing. (1) The
13 fee to a jockey in all races shall be, in the absence of special agreement, as follows:

14 (a)

Purse	Winning Mount	Second Place Mount	Third Place Mount	Fourth Place Mount	Losing Mount
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Up to \$6,499	10% of Win Purse	Losing mt + \$15	Losing mt + \$10	Losing mt + \$5	\$75
\$6,500-\$9,999	10% of Win Purse	Losing mt + \$15	Losing mt + \$10	Losing mt + \$5	\$80
\$10,000-\$14,999	10% of Win Purse	5% of Place Purse	Losing mt + \$10	Losing mt + \$5	\$85
\$15,000-24,999	10% of Win Purse	5% of Place Purse	5% or (LM + \$10) whichever is greater	Losing mt + \$5	\$90
\$25,000-\$49,999	10% of Win Purse	5% of Place Purse	5% or (LM + \$10)	Losing mt + \$5	\$95
\$50,000-\$99,999	10% of Win Purse	5% of Place Purse	5% of Show Purse	Losing mt + \$5	100
\$100,000 and up	10% of Win Purse	5% of Place Purse	5% of Show Purse	5% of Fourth Place Purse	\$125

1 (2) A jockey fee shall be considered earned by a rider when he or she is weighed out by the
2 clerk of scales, with the following exceptions:

3 (a) When rider does not weigh out and ride in a race for which he or she has been engaged
4 because an owner or trainer engaged more than one (1) rider for the same race, the owner or
5 trainer shall pay an appropriate fee to each rider engaged for such race;

6 (b) When such rider capable of riding elects to take himself or herself off the mount without,
7 in the opinion of the stewards, reasonable cause; or

8 (c) When such rider is replaced by the stewards with a substitute rider for a reason other than
9 a physical injury suffered by the rider during the time between weighing out and start of the race.

1 Section 10. Revised Order of Finish After Race is Declared Official. If a winning purse is
2 forfeited through subsequent ruling of the stewards or the commission, after a race has been
3 declared official, the winning fee shall be paid to the jockey whose mount is ultimately adjudged
4 the winner, and the original winner shall be paid only a losing mount fee.

5 Section 11. Duty to Fulfill Engagements. Every rider shall fulfill his or her duly scheduled
6 riding engagements, unless excused by the stewards due to circumstances under which a jockey
7 could not reasonably be expected to be physically present at the required time. A rider shall not
8 be required to ride a horse he or she believes to be unsound, nor over a racing strip he or she
9 believes to be unsafe; however, if the stewards find a rider's refusal to fulfill a riding
10 engagement is based on a personal belief unwarranted by the facts and circumstances, the rider
11 may be subject to disciplinary action.

12 Section 12. Presence in Jockey Room. (1) Each rider who has been engaged to ride in a
13 race shall be physically present in the jockey room no later than one (1) hour prior to post time
14 for the first race he is scheduled to ride, unless excused by the stewards or the clerk of scales
15 due to circumstances under which a jockey could not reasonably be expected to ride. Upon
16 arrival each rider shall report his or her engagements to the clerk of scales. If a rider fails for any
17 reason to arrive in the jockey room no later than one (1) hour before post time of a race in which
18 he or she is scheduled to ride, the clerk of scales shall so advise the stewards who may name a
19 substitute rider and shall cause a public announcement to be made of the rider substitution
20 prior to opening of wagering on the race.

21 (2) Each rider reporting to the jockey room shall remain in the jockey room until he has
22 fulfilled all his riding engagements for the day, except to ride in a race, or to view the running

1 of a race from a location approved by the stewards. While a rider is outside of the jockey room,
2 a rider shall not have contact or communication with any person other than an owner or trainer
3 for whom he is riding, a racing official, or a media representative authorized by the stewards,
4 until the rider has fulfilled all his riding engagements for the day.

5 (3) The association shall be responsible for security of the jockey room and for excluding
6 all persons except riders scheduled to ride on the day's program, valets, authorized attendants,
7 racing officials, media representatives authorized by the stewards, and persons having special
8 permission of the stewards to enter the jockey room.

9 (4) Any rider intending to discontinue riding at a race meeting prior to its conclusion shall
10 notify the stewards of his or her intent to depart after fulfilling his or her final riding engagement
11 of the day.

12 Section 13. Weighing Out. (1) Each rider engaged to ride in a race shall report to the clerk
13 of scales for weighing out not more than one (1) hour and not less than fifteen (15) minutes
14 before post time for each race in which he or she is engaged to ride, and when weighing out,
15 the rider shall declare overweight, if any.

16 (2)(a) A rider shall not pass the scale with more than one (1) pound overweight, without
17 consent of the owner or trainer of the horse he or she is engaged to ride; and

18 (b) A rider shall not pass the scale with more than five (5) pounds overweight.

19 (3) A horse shall not be disqualified because of overweight carried.

20 (4) Riding crops, blinkers, number cloths, bridles, bits, reins, over-girth, breast collar,
21 goggles, safety helmets, and safety vests shall not be included in a rider's weight.

22 Section 14 Wagering. (1) A rider shall not:

- 1 (a) place a wager;
- 2 (b) cause a wager to be placed on his behalf;, or
- 3 (c) accept any ticket or winnings from a wager on any race except on his own mount, and
- 4 except through the owner or trainer of the horse he is riding.

5 (2) The owner or trainer placing wagers for his or her rider shall maintain a precise and

6 complete record of all of these wagers, and the record shall be available for examination by the

7 stewards at all times.

8 Section 15. Attire. (1) Upon leaving the jockey room to ride in any race, each rider shall be

9 neat and clean in appearance and wear the traditional jockey attire with all jacket buttons and

10 catches fastened.

11 (2) Each jockey shall wear:

12 (a) The cap and jacket racing colors registered in the name of the owner of the horse he

13 or she is to ride;

14 (b) Stock tie;

15 (c) White or light breeches;

16 (d) Top boots;

17 (e) A safety vest and safety helmet that meet the standards set forth in subsections (4)

18 and (5) of this section; and

19 (f) A number on his or her right shoulder corresponding to his mount's number as shown

20 on the saddle cloth and daily racing program.

21 (3) The clerk of scales and attending valet shall be held jointly responsible with a rider for

22 his neat and clean appearance and proper attire.

1 (4) A jockey mounted on a horse or stable pony at a location under the jurisdiction of the
2 commission shall wear a properly secured safety helmet at all times. If requested by a
3 commission official, the jockey shall provide sufficient evidence that his or her helmet has a tag,
4 stamp, or similar identifying marker indicating that it meets one of the following safety
5 standards:

6 (a) ASTM International Standard, ASTM F1163-04a;

7 (b) British Standards, BS EN 1384:1997 or PAS 015:1999; or

8 (c) Australian/New Zealand Standard, AS/NZS 3838:2006.

9 (5) A jockey mounted on a horse or stable pony at any location under the jurisdiction of
10 the commission shall wear a safety vest at all times. If requested by a commission official, the
11 jockey shall provide sufficient evidence that his or her safety vest has a tag, stamp, or similar
12 identifying marker indicating that it meets or exceeds one (1) of the following safety standards:

13 (a) British Equestrian Trade Association (BETA):2000 Level 1;

14 (b) Euro Norm (EN) 13158:2000 Level 1;

15 (c) ASTM International Standard, ASTM F2681-08;

16 (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue
17 3; or

18 (e) Australian Racing Board (ARB) Standard 1.1998.

19 Section 16. Advertising. (1) A jockey shall not wear advertising or promotional material of
20 any kind (whether for a nonprofit or for-profit entity) on clothing within one (1) hour before or
21 after a race, unless:

1 (a)1. The material advertises or promotes the Jockey's Guild in the form of the picture of
2 a jockey's boot or the picture of a wheelchair, with no additional picture or logo;

3 2. The material advertises or promotes the Permanently Disabled Jockey's Fund in the
4 form of the pictures of its logo, with no additional picture or logo; or

5 3. The picture or logo has previously been approved by the current owner, association,
6 and the stewards under the process set forth in this administrative regulation, and this approval
7 is reflected in the commission's official records;

8 (b) The material complies with the size restrictions of subsection (2)(b) of this section;

9 (c) The material meets the advertising standards listed in subsection (2) of this section;

10 (d) Written approval by the following is submitted to the commission:

11 1. The managing owner of the horse, or authorized agent of the managing owner;

12 2. The jockey riding the horse or the authorized agent of the jockey;

13 3. The licensed racing association, which shall grant approval if it reasonably determines
14 the material meets the standards in subsection (2)(a) of this section; and

15 4. The stewards, who shall grant approval if they reasonably determine the material meets
16 the standards in subsections (2)(b) and (3) of this section; and

17 (e) Written approval required pursuant to subsection (1)(d) of this section is evidenced by
18 completion and return to the commission of the "Request to Wear Advertising and Promotional
19 Materials" form, KHRC-4-070-1. The form shall be completed and submitted to the stewards not
20 later than 5 p.m. two (2) days prior to the day of the race in which the advertising and
21 promotional materials will be worn. Other forms of approval shall not be accepted by the
22 commission.

1 (2) Advertising or promotional material displayed on jockey clothing shall:

2 (a) Not compete with, conflict with, or infringe upon sponsorship agreements applicable
3 to the racing association race or to the race meet in progress; and

4 (b) Comply with the following size restrictions:

5 1. A maximum of thirty-two (32) square inches on each thigh of the pants on the outer
6 side between the hip and knee and ten (10) square inches on the rear of the pant at the waistline
7 at the base of the spine;

8 2. A maximum of twenty-four (24) square inches on boots and leggings on the outside of
9 each nearest the top of the boot; and

10 3. A maximum of six (6) square inches on the front center of the neck area (on a turtleneck
11 or other undergarment).

12 (3) A sponsorship shall not be permitted by a person or entity whose message, business
13 reputation, or ongoing business activity may be considered as obscene or indecent to a
14 reasonable person.

15 (4) Any party who fails to comply with this or any other provision provided in this
16 administrative regulation may be subject to penalties by the commission in accordance with KRS
17 Chapter 230 and Title 810 KAR.

18 (5) As a condition for approval of advertising or promotional material, either the owners,
19 the stewards, or the licensed racing association may require a personal viewing of the proposed
20 material as it is to be displayed, to determine compliance with this section.

1 (6) The sponsor of a licensed racing association race or race meeting may display
2 advertising or promotional material on an association saddlecloth if it does not interfere with
3 the clear visibility of the number of the horse.

4 (7) Advertising content other than that approved in accordance with this administrative
5 regulation shall not be permitted.

6 (8) This administrative regulation shall not infringe upon or limit the common law rights of
7 a racing association to eject or exclude persons, licensed or unlicensed, from association
8 grounds, or to apply the association's internal rules regarding other forms of advertising not
9 addressed in this or any other applicable statute or administrative regulation, if the internal
10 rules have been previously filed with and approved by the commission or its authorized
11 representative.

12 Section 17. Viewing Films or Tapes of Races. (1) Every rider shall check the film list posted
13 by the stewards in the jockey room the day after riding in a race.

14 (2) The posting of the film list shall be considered as notice to all riders whose names are
15 listed to present themselves when designated by the stewards to view the patrol films or video
16 tapes of races.

17 (3) Any rider may be accompanied by a representative of the jockey organization of which
18 he or she is a member in viewing the films or, with the stewards' permission, be represented at
19 the viewing by his designated representative.

20 Section 18. Material Incorporated by Reference. (1) The following material is incorporated
21 by reference:

22 (a) "Request to Wear Advertising and Promotional Material", KHRC 4-070-1.

1 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
2 law, at the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington,
3 Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m.

4 (3) This material may also be obtained from the Kentucky Horse Racing Commission Web
5 site at <http://khrc.ky.gov>.

810 KAR 4:070

READ AND APPROVED:

Franklin S. Kling, Jr.
Franklin S. Kling, Jr., Chairman
Kentucky Horse Racing Commission

11/12/18
Date

K. Gail Russell
K. Gail Russell, Acting Secretary
Public Protection Cabinet

11/13/18
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on December 28, 2018 at 10:00 a.m., at the office of the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington, Kentucky 40511. Individuals interested in being heard at this hearing shall notify the Kentucky Horse Racing Commission in writing by no later than five (5) working days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 p.m., December 31, 2018. Please send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: John L. Forgy
General Counsel
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Phone: (859) 246-2040
Facsimile: (859) 246-2039
Email: John.Forgy@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No.: 810 KAR 4:070
Contact Person: John L. Forgy, General Counsel, Kentucky Horse Racing Commission;
Telephone: (859) 246-2040; Email: John.Forgy@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the rules concerning jockeys and apprentices in thoroughbred and other flat racing.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide specific rules concerning jockeys and apprentices in thoroughbred and other flat racing.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 230.215(2) and 230.260(8) authorize the Commission to promulgate administrative regulations prescribing the conditions under which racing shall be conducted in Kentucky. This administrative regulation prescribes the conditions relating to jockeys and apprentices in thoroughbred and other flat racing.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation sets forth requirements and rules concerning jockeys and apprentices in thoroughbred and other flat racing that enhance the integrity of racing.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This is a new administrative regulation.

(b) The necessity of the amendment to this regulation: This is a new administrative regulation.

(c) How the amendment conforms to the content of the authorizing statute: This is a new administrative regulation.

(d) How the amendment will assist in the effective administration of the statutes: This is a new administrative regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Kentucky's five licensed thoroughbred

race tracks, and all individual participants in horse racing, are potentially affected by this administrative regulation's establishment of fundamental rules pertaining to the conduct of racing. In the year 2017, the Commission licensed over 22,000 individuals to participate in horse racing. This number is consistent from year to year.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Participants in horse racing, and especially owners, trainers and jockeys, will be required to adhere to the requirements and rules set forth in this administrative regulation pertaining to jockeys and apprentices in thoroughbred and other flat racing.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No significant costs are associated with complying with this administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3)? Participants in racing will benefit from clearly defined rules that enhance the integrity of racing.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There is no initial administrative cost to implement this administrative regulation.

(b) On a continuing basis: There is no continuing cost to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: No significant funding will be necessary to implement and enforce this administrative regulation. Any minimal costs will be funded from the budget of the Commission.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No additional fees or funding are necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish any new fees or increase any current fees to participate.

(9) TIERING: Is tiering applied? (Explain why tiering was or was not used.) Tiering was not applied because this administrative regulation will apply to all similarly situated entities in an equal manner.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No.: 810 KAR 4:070
Contact Person: John L. Forgy, General Counsel, Kentucky Horse Racing Commission;
Telephone: (859) 246-2040; Email: John.Forgy@ky.gov

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Horse Racing Commission will be impacted by this administrative regulation.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 230.215, 230.225, 230.240, 230.260, 230.290, 230.310, 230.320, 230.370.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This administrative regulation will not generate revenue for state or local government for the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This administrative regulation will not generate revenue for state or local government for subsequent years.

(c) How much will it cost to administer this program for the first year? No funds will be required to administer this regulation for the first year.

(d) How much will it cost to administer this program for subsequent years? No funds will be required to administer this regulation for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): Neutral
Expenditures (+/-): Neutral
Other Explanation: None

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

- (1) The "Request to Wear Advertising and Promotional Material", KHRC 4-070-1, is the 2 page form that jockeys, owners and racing associations are required to submit before a jockey may wear advertising or promotional materials in a horse race in Kentucky.