

205 CMR 3.00: HARNESS HORSE RACING

Section

- 3.01: Foreword
- 3.02: Definitions
- 3.03: Appeal to the Commission
- 3.04: Stable Names, Registration Fees, Restrictions, *etc.*
- 3.05: Authorized Agent: Licenses, Filing Instrument, *etc.*
- 3.06: Corporations
- 3.07: Corrupt Practices
- 3.08: Dead Heats
- 3.09: Drivers
- 3.10: Forfeitures and Suspensions
- 3.11: General Rules
- 3.12: Judges
- 3.13: Licensee: Duties, Obligations, *etc.*
- 3.14: Licenses, Registrations and Fees for Participants in Racing
- 3.15: Owners
- 3.16: Paddock Judge
- 3.17: Patrol Judges
- 3.18: Racing Officials
- 3.19: Urine, Other Tests and Examinations: (Repealed)
- 3.20: Stable Employees
- 3.21: Trainers
- 3.22: Veterinarians: (Repealed)
- 3.23: Claiming Races
- 3.24: Practicing Veterinarians
- 3.25: Official Veterinarian
- 3.26: Racing Veterinarian
- 3.27: Veterinary Practices
- 3.28: Prohibited Practices
- 3.29: Medications and Prohibited Substances
- 3.30: Out of Competition Testing for Blood and/or Gene Doping Agents
- 3.31: Physical Inspection of Horses
- 3.32: Testing
- 3.33: Postmortem Examinations
- 3.34: Environmental Contaminants and Substances of Human Use
- 3.35: Adoption of United States Trotting Association Rules and Regulations

3.01: Foreword

The Massachusetts Gaming Commission, hereinafter referred to as the Commission, was created by an act of the Legislature of the Commonwealth of Massachusetts in the year 2011. M.G.L. c. 23K as inserted by St. 2011, c. 194, § 16 and amendments, states that the Commission shall have full power to prescribe rules, regulations and conditions under which all harness horse races or harness horse racing meetings shall be conducted in the Commonwealth.

205 CMR 3.00 applies to all persons or individuals, associations or corporations, which shall hold or conduct any harness horse racing meeting within the Commonwealth of Massachusetts licensed by the Commission where harness horse racing shall be permitted for any stake, purse or reward and the definitions here given are to be considered in connection with the rules of harness horse racing and as a part of them.

All licensees and participants are charged with knowledge of 205 CMR 3.00. No licensee or other person shall engage in his or her occupation or trade at any Massachusetts harness horse race track without first reading the 205 CMR 3.00.

Should any question arise as to the meaning of any rule or regulation, the Commission or its representatives will be available to provide an explanation.

205 CMR 3.00 shall also apply to any participant in or patron of any such licensed meeting. In reading 205 CMR 3.00, unless the text otherwise requires, it shall be understood, without constant reference thereto, that they apply only in the Commonwealth of Massachusetts.

## 3.01: continued

Every license to hold a meeting is granted upon the condition that the licensee shall accept, observe and enforce 205 CMR 3.00. Furthermore, it shall be the duty of each and every officer, director and every official and employee of said licensee to observe and enforce 205 CMR 3.00. Any and all of 205 CMR 3.00 may be amended, altered, repealed or supplemented by new and additional rules.

The Commission may make exceptions to any rule or rules in individual instances as in their judgement they may deem proper.

The Commission may rescind or modify any penalty or decision or infraction of the rules imposed or made by the racing officials.

M.G.L. c. 128A, and 205 CMR 3.00 supersede the conditions of a race, or the regulations of a race meeting.

205 CMR 3.00 as promulgated by the Commission are supplemented by the State Administrative Procedure Law found in M.G.L. c. 30A. M.G.L. c. 30A provides the procedures that must be followed by all state agencies on such matters as the amending process and the adjudicatory procedure. Under M.G.L. c. 30A, any interested party has the right to attend all hearings conducted by the Commission for the purpose of the adoption or amendment of any rule or regulation. The Commission shall afford any interested person an opportunity to present data, views or arguments in regard to any proposed rule change. Upon written notice to the Commission, a person may request the adoption, amendment or repeal of any regulation with an opportunity to present data, views or arguments in support of such request.

If a dispute should arise concerning a ruling by a steward or other racing official, any party affected by such ruling has a right to an appeal to the Commission in accordance with the provisions of 205 CMR 101.02: *Review of Orders or Civil Administrative Penalties/Forfeitures Issued by the Bureau, Commission Staff, or the Racing Division.*

The rules on pari-mutuel wagering are located in an entirely separate rulebook entitled 205 CMR 6.00: *Pari-mutuel Rules for Horse Racing, Harness Horse Racing and Greyhound Racing.*

The Massachusetts Gaming Commission adopts the United States Trotting Association (USTA) Rules and Regulations as amended; and supplements those rules and regulations with 205 CMR 3.00.

In any situation where a conflict exists between the United States Trotting Association Rules and 205 CMR 3.00, 205 CMR 3.00 will govern. In any instance where a situation is not covered by the USTA Rules, 205 CMR 3.00 will govern and *vice versa*. The assessment of fines and suspensions shall be in the discretion of the Judges and the Gaming Commission.

3.02: Definitions

The following definitions and interpretations shall apply in 205 CMR 3.00, unless the text otherwise require:

Administer or Administration is the introduction of a substance into the body of a horse.

ARCI shall mean the Uniform Classification Guidelines for Foreign Substances And Recommended Penalties Model Rule, December 8, 2025, Version 19.1 as promulgated by the Association of Racing Commissioners International.

Arrears includes all monies due for entrance, forfeits, fees, forfeitures, subscriptions, stake, and also any default in money incident to the Rules.

Associated Person is the spouse of an inactive person, or a companion, family member, employer, employee, agent, partnership, partner, corporation, or other entity whose relationship, whether financial or otherwise, with an inactive person would give the appearance that such other person or entity would care for or train a racing animal or perform veterinarian service on a racing animal for the benefit, credit, reputation, or satisfaction of the inactive person.

3.02: continued

Tote or Tote Board shall mean the totalisator.

USTA shall mean the Rules and Regulations of the United States Trotting Association, Published May 1, 2025.

Year shall mean a calendar year.

3.03: Appeal to the Commission

(1) A final appeal in the case of any person penalized or disciplined by the racing officials of a meeting licensed by the Commission may be taken to the Commission, consistent with the provisions of 205 CMR 101.02: *Review of Orders or Civil Administrative Penalties/Forfeitures Issued by the Bureau, Commission Staff, or the Racing Division.*

3.04: Stable Names, Registration Fees, Restrictions, etc.

- (1) Each stable name must be duly registered with the Commission.
- (2) In applying to race under a stable name, the applicant must disclose the identity or identities behind a stable name.
- (3) If a corporation is involved in the identity behind a stable name, 205 CMR 3.06 must be complied with.
- (4) Changes in identities must be reported immediately to and approval obtained from the Commission.
- (5) A person cannot register more than one stable name at the same time nor can he or she use his or her real name for racing purposes so long as he or she has a registered one.
- (6) Any person who has registered under a stable name may at any time cancel it after he or she has given written notice to the Commission.
- (7) A stable name may be changed at any time by registering a new stable name and by paying the required fee.
- (8) A person cannot register as his or her stable name one that has been registered by any other person with any Association conducting a recognized meeting.
- (9) A person may not register as his or her stable name one which is the real name of any owner of race horses nor one which is the real or assumed name of any prominent person not owning race horses.
- (10) A stable name shall be plainly distinguishable from that of another duly registered stable name.

3.04: continued

(11) A corporate name shall be considered a stable name for the purpose of 205 CMR 3.00, but the Commission reserves the right to refuse any corporation the privilege of registering a stable name.

(12) A trainer, who is a licensed owner or part owner, may use a stable name as owner or part owner. However, no trainer may be licensed as a trainer other than in his or her legal name.

3.05: Authorized Agent: Licenses, Filing Instrument, etc.

(1) Each authorized agent must obtain a license from the Commission.

(2) Application for a license must be filed for each owner represented.

(3) If a written instrument signed by the owner accompanies the application it shall clearly set forth among the delegated powers whether or not said agent is empowered to collect money from the Association.

(4) If the written instrument is a power of attorney, it shall be filed permanently with the Racing Secretary. If, however, the powers are properly delegated by the owner on the application form for a license then said application shall be in duplicate with both copies signed and sworn to before a Notary Public and one copy filed permanently with the Racing Secretary.

(5) An Authorized Agent may appoint a sub-agent only when specifically authorized so to do by the above said written instrument and, to be effective, notice of such appointment must be given immediately in writing to the Commission.

(6) Any changes must be in writing and filed as provided in 205 CMR 3.05(4).

(7) If an agent represents more than one owner a separate written instrument shall be filed for each owner and a separate fee paid in each case.

(8) The term of the license shall be the calendar year unless the owner revokes the agent's appointment or the Commission revokes the license.

(9) An owner's revocation of an authorized agent's authority must be filed in writing with the Commission and with the Racing Secretary.

3.06: Corporations

(1) Corporations racing horses in Massachusetts shall furnish the following information:

(a) The corporation shall furnish to the Commission and the Judges a statement giving the names of all persons connected with the corporation including officers, directors and stockholders.

(b) The corporation shall furnish to the Commission and the Judges a certificate stating that no person or persons connected with the corporation (officer, director or stockholder) have any beneficial interest in any horse or horses running in their name or the name of any other person or persons racing at the same track where the corporation-owned horses are running.

(c) The corporation shall designate to the Commission and the Judges the name of one individual, preferably an officer (not the trainer), who shall act as agent for the corporation.

(2) All licensed persons listed in the corporation shall be liable for entry fees and penalties against horses raced by the corporation.

(3) In the event that one of the persons listed in the corporation is suspended all horses owned by the corporation may be suspended.

(4) Each of the persons holding a beneficial interest in the corporation shall be in good standing in racing.