

Dear Senators McKENZIE, Jorgenson & Stennett, and  
Representatives LOERTSCHER, Anderson & Mary Lou Shepherd:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Idaho State Racing Commission: IDAPA 11.04.03 - Rules Governing Licensing and Fees - Docket No. 11-0403-0801.

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 1-8-09. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 2-5-09.

\_\_\_\_\_The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-2475, or send a written request to the address or FAX number indicated on the memorandum enclosed.

## MEMORANDUM

TO: Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee

FROM: Katharine Gerrity, Principal Legislative Research Analyst

DATE: December 18, 2008

SUBJECT: Idaho State Police - Idaho State Racing Commission

IDAPA 11.04.03 - Rules Governing Licensing and Fees -

Docket No. 11-0403-0801

While researching some background on a series of twelve Racing Commission rules that Legislative Services just received, in an effort to determine whether the twelve rules have been published in a bulletin, we discovered that the above-noted docket number was published in the December 3, 2008 Bulletin as an adopted pending fee rule and amendment to temporary rule. Legislative Services never received the rule when it was temporary and proposed. Our staff contacted the Office of Administrative Rules which indicated that we should have received the rule in January of 2008. In searching through our staff's detailed logging/tracking records, there is no indication that this rule was ever received in our office. We have enclosed a copy of the above-noted notice and the original temporary and proposed rule as amended and published in the December 3, 2008 Bulletin.

According to the Commission the temporary and proposed rule sets forth various fees charged by the Commission for licenses. The Commission states that they have been charging fees for licenses but never provided for fees in their rules. Negotiated rulemaking was not conducted. According to the Commission, the amendment to the temporary rule is necessary to include language that was inadvertently omitted from the temporary and proposed rule when initially submitted and to bring the rule chapter into uniformity with other rule chapters which have subsequently been rewritten.

We contacted the Commission to inquire about the fee amounts that were being charged prior to adoption of this rule. Commission personnel indicate that the fees were raised in the rule in varying amounts.

We have no additional comments relating to this rule. The rule appears to be authorized by Section 54-2506, Idaho Code.

cc: Idaho Racing Commission, Dennis Jackson

LEGISLATIVE SERVICES OFFICE  
RECEIVED  
DEC 16 2008  
BOISE, IDAHO

**IDAPA 11 - IDAHO STATE POLICE  
IDAHO STATE RACING COMMISSION**

**11.04.03 - RULES GOVERNING LICENSING AND FEES**

**DOCKET NO. 11-0403-0801**

**NOTICE OF RULEMAKING**

**ADOPTION OF PENDING FEE RULE AND AMENDMENT TO TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the amended temporary rule is January 1, 2008. This pending rule has been adopted by the agency and is now pending review by the 2009 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending rule will not become final and effective until it has been approved, amended, or modified by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

**AUTHORITY:** In compliance with Section 67-5224 and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule and amended a temporary rule. The action is authorized pursuant to Sections 54-2506 and 54-2508, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for adopting the pending rule and amending the temporary rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This temporary rule needs to be amended to include language that was inadvertently omitted and also to bring this rule chapter into uniformity with other rule chapters which have subsequently been rewritten.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Rather than keep the temporary rule in place while the pending rule awaits legislative approval, the Idaho State Racing Commission amended the temporary rule with the same revisions which have been made to the pending rule. Only the sections that have changes that differ from the proposed text are printed in this bulletin. The original text of the proposed rule was published in the January 2, 2008 Idaho Administrative Bulletin, Vol. 08-1, pages 58 through 71. Only those sections with changes that differ from the proposed rule are being published with this notice.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger. This fee or charge is being imposed pursuant to Sections 54-2506 and 54-2508, Idaho Code. The following is a specific description of the fee or charge imposed or increased:

The Idaho State Racing Commission has been charging fees for licenses; however, the fees have never gone through the rule making process. In order to regulate racing in Idaho, charging fees for licensing is required.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: None.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the pending rule, contact Dennis Jackson, Executive Director, at 884-7080.

DATED this 3rd day of November, 2008.

Dennis Jackson  
Executive Director  
Idaho State Racing Commission  
PO Box 700  
800 Stratford Drive  
Meridian, ID 83680  
Phone: 208-884-7080 / Fax: 208-884-7098

**DOCKET NO. 11-0403-0801 - ADOPTION OF PENDING FEE RULE  
AND AMENDMENT TO TEMPORARY RULE**

Substantive changes have been made to the pending rule.  
*Italicized text that is underscoring is new text that is being added.*  
*Italicized text that is ~~struck through~~ is codified temporary text that is being removed from the temporary rule. This is also an amendment to the pending rule text.*

Only those Sections with changes are being reprinted in this docket.

The text of the temporary/proposed rule was published in the Idaho Administrative Bulletin, Volume 08-1, January, 2008, pages 58 through 71.

This rule has been adopted as a pending rule by the Agency and is now awaiting review and approval by the 2009 Idaho State Legislature for final adoption.

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**THE FOLLOWING IS THE AMENDED TEXT OF THE PENDING RULE AND  
THE AMENDED TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 11-0403-0801**

**003. ADMINISTRATIVE APPEALS.**

Persons may be entitled to appeal Racing Commission actions authorized under these rules pursuant to Title 67, Chapter 52, Idaho Code. ~~(1-1-08)T~~(1-1-08)T

**(BREAK IN CONTINUITY OF SECTIONS)**

**010. DEFINITIONS.**

- 01. Add-on.** When a person adds an additional license category to an existing license. (1-1-08)T
- 02. Admissions.** A ~~an~~ racing association employee who collects admission money for entrance to the racetrack. ~~(1-1-08)T~~(1-1-08)T
- 03. Authorized Agent.** A person appointed by a written instrument signed and acknowledged before a notary public empowered to transact the business of a stable owner or horse breeder. (1-1-08)T
- 04. Apprentice Jockey.** A jockey who has not ridden a certain number of winners within a specified period of time. (1-1-08)T
- 05. Announcer.** A person employed by a ~~an~~ racing association to announce during the running of the races. ~~(1-1-08)T~~(1-1-08)T
- 06. Assistant Starter.** The employee of a ~~an~~ racing association who, under direct supervision of the starter, helps place the starting gate for a race, leads horses into the gate, helps jockeys and handles horses while in the gate until the start. ~~(1-1-08)T~~(1-1-08)T
- 07. Association.** ~~Any person licensed by the Commission to conduct live and simulcast pari-mutuel~~

- ~~wagering.~~ (1-1-08)T
- 087. Chart Person.** An official who compiles the statistical “picture” of a race which shows the position and margin of each horse at designated points of call during the race and other data. (1-1-08)T
- 098. Clerk of Scales.** The employee of a ~~an~~ *rac*ing association responsible for sequestering all jockeys each racing day, weighing all jockeys out and in from races, checking their assigned riding weights versus their actual weights, and reporting all changes. (1-1-08)T(1-1-08)T
- 102. Clocker.** A person who times workouts and races. (1-1-08)T
- 11. Commission.** ~~The Idaho State Racing Commission or its designee.~~ (1-1-08)T
- 120. Concessionaire.** A person that offers goods or services for sale to the public at a racetrack. (1-1-08)T
- 131. Concession Employee.** An employee of a concessionaire or a *rac*ing association employee offering goods or services for sale to the public. (1-1-08)T(1-1-08)T
- 142. Duplicate.** Replacement license for a license that has been lost or destroyed. (1-1-08)T
- 153. Emergency Medical Technician.** An emergency responder trained and certified to provide emergency medical services to the critically ill and injured person. (1-1-08)T
- 164. Exercise Person.** A rider who exercises horses at a racetrack. (1-1-08)T
- 175. Groom.** A person hired by a trainer who cares for a horse at a racetrack. (1-1-08)T
- 186. Horsemen’s Bookkeeper.** A bonded *rac*ing association employee who manages the horsemen’s accounts which covers all monies due horseman in regards to purses, stakes, rewards, claims and deposits. (1-1-08)T(1-1-08)T
- 197. Identifier.** The employee of a *rac*ing association who checks the lip tattoo, other identification, and markings of each horse as it enters the paddock to make sure the correct horses are running in the race. (1-1-08)T(1-1-08)T
- 2018. Jockey.** A professional rider licensed to ride in races. (1-1-08)T
- 212. Jockey Agent.** A person who helps a jockey obtain mounts in return for a portion of the jockey’s earnings. (1-1-08)T
- 220. Jocks Room Custodian.** A *rac*ing association employee authorized to regulate the conduct of the jockeys, ensure good order is maintained, and monitors the jockeys. (1-1-08)T(1-1-08)T
- 231. Maintenance.** A *rac*ing association employee hired to maintain the grounds and facility of the racetrack. (1-1-08)T(1-1-08)T
- 242. Medical Professional.** A doctor, physician’s assistant, or emergency medical technician licensed or certified in the state of Idaho. (1-1-08)T
- 253. Mutuel Employee.** A *rac*ing association *employee* that accepts the patrons’ money and issues the betting ticket. (1-1-08)T(1-1-08)T
- 264. Office Personnel.** A *rac*ing association employee who works in the office of the racetrack. (1-1-08)T(1-1-08)T
- 275. Official.** Persons licensed by the state to ensure the rules of racing are enforced. (1-1-08)T

~~286.~~ **Outrider.** The employee of a *rac*ing association who leads the post parade at a racetrack and gets the horses and jockeys to the starting gates on time. ~~(1-1-08)F(1-1-08)T~~

~~297.~~ **Owner.** The person that has legal title to, or has financial control of, a horse utilized for racing in Idaho. However, an interest in the winnings of a horse does not itself constitute ownership. (1-1-08)T

~~3028.~~ **Owner/Trainer.** An owner who conditions and prepares his own horse for racing, with the absolute responsibility to ensure the physical condition and eligibility of the race horse. (1-1-08)T

~~3129.~~ **Paddock Judge.** The employee of a *rac*ing association responsible for getting jockeys and horses in order to go to the starting gate; also checks the equipment used by each horse and supervises the saddling of the horses. ~~(1-1-08)F(1-1-08)T~~

~~320.~~ **Person.** Any individual, association, partnership, firm, joint stock company, joint venture, trust, estate, political subdivision, public or private corporation, or any legal entity, which is recognized by law as the subject of rights and duties. (1-1-08)T

~~331.~~ **Photographer.** A person who takes photographs of the winning horses in the winner's circle. (1-1-08)T

~~342.~~ **Plater.** A blacksmith who shoes horses at a racetrack. (1-1-08)T

~~353.~~ **Pony Person.** A person on horseback who accompanies a horse and jockey to the starting gate. (1-1-08)T

~~364.~~ **Racetrack.** The grounds and enclosures of any *rac*ing association where horse racing or pari-mutuel betting occurs under the authority and supervision of the *Racing* Commission. ~~(1-1-08)F(1-1-08)T~~

~~35.~~ **Racing Association.** *Any person licensed by the Racing Commission to conduct a race meet and pari-mutuel wagering.* (1-1-08)T

~~36.~~ **Racing Commission.** *Three (3) member Idaho State Racing Commission created by Section 54-2503, Idaho Code, or its designee.* (1-1-08)T

~~37.~~ **Racing Secretary.** The employee of a *rac*ing association, who writes the conditions for the races, assigns the weights for handicap races, receives entries, conducts the draw, and is responsible for the operation and organization of the race office. ~~(1-1-08)F(1-1-08)T~~

~~38.~~ **Stable Name.** An assumed business name used by a person for his horse racing operation. (1-1-08)T

~~39.~~ **Stall Superintendent.** A *rac*ing association employee hired to assign applicants such stabling as deemed proper to be occupied by horses in preparation for racing and shall determine all conflicting claims to stable space. ~~(1-1-08)F(1-1-08)T~~

~~40.~~ **Starter.** The employee of a *rac*ing association responsible for dispatching the horses for a race. ~~(1-1-08)F(1-1-08)T~~

~~41.~~ **State Veterinarian.** A veterinarian employed by the *Racing* Commission to serve as professional adviser and consultant to the *Racing* Commission on veterinary matters including all regulatory aspects of the application and practice of veterinary medicine at racetracks. ~~(1-1-08)F(1-1-08)T~~

~~42.~~ **Steward.** A horse racing official who presides over a race meeting, has jurisdiction over all racing officials, rules on protests and claims of foul, and imposes fines and suspensions. (1-1-08)T

~~43.~~ **Tote Employee.** An employee of a company providing the automated pari-mutuel system that

dispenses and records betting tickets, calculates and displays odds and payoffs, and provides the mechanism for cashing winning tickets. (1-1-08)T

44. **Track Superintendent.** The employee of a racing association responsible for maintaining acceptable racing and training track conditions during a race meet. (~~1-1-08~~)T(~~1-1-08~~)T

45. **Track Security.** A person responsible to provide security at a racetrack. (1-1-08)T

46. **Trainer.** The person who conditions and prepares a race horse for racing, with the absolute responsibility to ensure the physical condition and eligibility of the race horse. (1-1-08)T

47. **Valet.** A person who attends riders and keeps their wardrobe and equipment in order. (1-1-08)T

48. **Veterinarian.** A private veterinary practitioner employed by owners or trainers on an individual case or contract basis. (1-1-08)T

49. **Vet Assistant.** A person who assists a state veterinarian. (1-1-08)T

50. **Video Employee.** An employee hired by a photo/video provider to operate the equipment during the running of horse races for the benefit of the stewards and racetracks. (1-1-08)T

**(BREAK IN CONTINUITY OF SECTIONS)**

**030. REFUSAL TO ISSUE LICENSE.**

The Racing Commission may refuse to issue a license and may revoke any license already issued to any person: (~~1-1-08~~)T(~~1-1-08~~)T

01. **Convicted.** Who has been convicted of any felony and whose civil rights have not yet been restored pursuant to Section 18-310(2), Idaho Code. (1-1-08)T

02. **Felony Probation.** Who is on probation, or parole for a conviction or withheld judgment for any felony. (1-1-08)T

03. **Misrepresentation.** Who has made any material misrepresentation or false statement to the Racing Commission or its agents in his application for license or otherwise, or who fails to answer any material question on any application for a license. (~~1-1-08~~)T(~~1-1-08~~)T

04. **Unqualified.** Who is unqualified by age, skill, knowledge or ability to engage in the activities for which a license is required. (1-1-08)T

05. **Ownership.** Who fails to disclose the true ownership or interest in any or all horses as required by any application. (1-1-08)T

06. **Ejection.** Who is subject to exclusion or ejection from the racing enclosure or is within the classes of persons prohibited from participating in pari-mutuel wagering. (1-1-08)T

07. **Conduct.** Who has committed an act or acts demonstrating financial instability, intemperate habits or has a bad reputation for truth, honesty and integrity, or other similar conduct contrary to the best interest of racing. (1-1-08)T

08. **Narcotics.** Who has been convicted of possession, use, or sale of any narcotic, dangerous drug, or marijuana if such conviction was a misdemeanor, within two (2) years prior to the date of making application for any license. (1-1-08)T



**09. Drug Probation.** Who is on probation or parole for a conviction or withheld judgment for misdemeanor possession, use, or sale of any narcotic, dangerous drug, or marijuana. (1-1-08)T

**10. Not Permitted.** Who is not permitted by law or statute to engage in the occupation for which the license is sought. (1-1-08)T

**11. Violated Rules.** Who has violated or who aids or abets or conspires with any person to violate any provision of the Racing Commission rules or of Sections 54-2501 through 54-2516, Idaho Code. ~~(1-1-08)T~~(1-1-08)T

**12. Age.** No person under sixteen (16) years of age shall be issued a license by the Racing Commission with the exception that a person under sixteen (16) years of age may be licensed as a co-owner with a parent or guardian if the person under sixteen (16) years of age submits an Assumption of Liability form signed by the parent or guardian and notarized by a notary public. This co-ownership is not intended to allow an underage person access to any areas of the track facility. ~~(1-1-08)T~~(1-1-08)T

**13. Deny or Revoke.** The Racing Commission may deny a license to, or revoke the license of, any person who has had a license revoked or denied by any recognized jurisdiction. ~~(1-1-08)T~~(1-1-08)T

**031. -- 0439. (RESERVED).**

**040. CRUELTY TO ANIMALS.**

No licensee shall violate Title 25, Chapter 35, Idaho Code, "Cruelty to Animal," while on the grounds of a racing association. The stewards will be the sole judges of whether or not a violation of Title 25, Chapter 35, Idaho Code, has occurred on racing association grounds. The penalty for a first offense may include a fine or a suspension or both. A second violation within a calendar year will include a mandatory suspension, the length of which will be at the discretion of the stewards. (1-1-08)T

**041. -- 049. (RESERVED).**

**050. FINGERPRINTS.**

All persons between the ages of eighteen (18) and sixty-nine (69) applying for licensing pursuant to this chapter must submit to finger printing. ~~(1-1-08)T~~(1-1-08)T

**01. Existing Licensees.** Any person that currently holds a valid license from the Racing Commission shall be re-fingerprinted at least every five (5) years. ~~(1-1-08)T~~(1-1-08)T

**02. New Applicants.** Any person that applies for a license from the Racing Commission and is not currently licensed must be fingerprinted prior to a license being issued. ~~(1-1-08)T~~(1-1-08)T

**03. Fees.** There is a five dollar (\$5) fee for the finger printing and a ten dollar (\$10) fee for processing the finger prints. (1-1-08)T

**051. -- 089. (RESERVED).**

**090. APPLICATIONS.**

All application forms must be filled out completely and legibly. (1-1-08)T

**01. Application Forms.** All applications must be submitted to the Racing Commission on forms obtained from the Racing Commission. ~~(1-1-08)T~~(1-1-08)T

**02. Other Forms.** All other forms required to be submitted to the Racing Commission by this chapter must be of a type approved by the Racing Commission. ~~(1-1-08)T~~(1-1-08)T

**03. Age.** Applicants between sixteen (16) and eighteen (18) years of age are required to submit an Assumption of Liability Form signed by their guardian and notarized by a notary public. (1-1-08)T

**091. -- 094. (RESERVED).**

**095. ADD-ON.**

Any qualified person may add an additional license category to an existing license by paying the add-on fee unless:  
(1-1-08)T

**01. Higher Fee.** The fee for the category added is higher than the fee for the existing license category.  
(1-1-08)T

**02. Additional License.** If the fee for the license category that is requested is higher than the fee for the existing license category, the person must pay the Racing Commission the higher fee.  
(1-1-08)T(1-1-08)T

**096. DUPLICATE LICENSE.**

The Racing Commission may issue a duplicate license in the event an existing license has been lost or destroyed.  
(1-1-08)T(1-1-08)T

**097. -- 099. (RESERVED).**

**100. ADMISSIONS LICENSE.**

All persons applying for an admissions license must submit a completed application signed by an racing association.  
(1-1-08)T(1-1-08)T

**101. -- 109. (RESERVED).**

~~**110. AUTHORIZED AGENT LICENSE.**~~

~~All persons applying for an authorized agent license must submit a completed application and a notarized authorized agent form.~~  
(1-1-08)T

~~**111. -- 119. (RESERVED).**~~

~~**120. APPRENTICE JOCKEY LICENSE.**~~

~~All persons applying for an apprentice jockey license must submit a completed application signed by a steward and an apprentice jockey certificate signed by a licensed starter, two (2) licensed jockeys, a licensed outrider, and a steward.~~  
(1-1-08)T

~~**121. -- 129. (RESERVED).**~~

~~**130. ANNOUNCER LICENSE.**~~

~~All persons applying for an announcer license must submit a completed application signed by an racing association.~~  
(1-1-08)T(1-1-08)T

~~**131. -- 139. (RESERVED).**~~

~~**140. ASSISTANT STARTER LICENSE.**~~

~~All persons applying for an assistant starter license must submit a completed application signed by a licensed starter.~~  
(1-1-08)T

~~**131. -- 139. (RESERVED).**~~

~~**140. AUTHORIZED AGENT LICENSE.**~~

~~All persons applying for an authorized agent license must submit a completed application and a notarized authorized agent form.~~  
(1-1-08)T

~~**01. Each Owner Represented.** A separate authorized agent form must be filed for each owner represented.  
(1-1-08)T~~

~~**02. Written Instrument.** A written instrument signed by the owner must accompany the application and must clearly set forth the delegated powers of the authorized agent. The owner's signature on the written instrument~~

*must be acknowledged before a notary public.*

*(1-1-08)T*

**03. Power of Attorney. *If the written instrument is a power of attorney, it must be filed with the Racing Commission and attached to the regular application form.***

*(1-1-08)T*

**04. Changes. *Any changes must be made in writing and filed with the Racing Commission as described in Subsection 140.02 of these rules.***

*(1-1-08)T*

**05. Termination. *The authorized agent's appointment may be terminated by the owner, in writing, acknowledged before a notary public and filed with the Racing Commission whereupon the license is no longer valid.***

*(1-1-08)T*

**141. -- 1494. (RESERVED).**

**145. BAD CHECKS.**

*Any licensee who make, draw, order or deliver a check, draft or order for the payment of money to another Idaho licensee, Racing Association, Racing Commission or employee of said Association, Racing Association or Racing Commission, which check, draft or order for the payment of money is invalid on its face or non-negotiable, or there are not sufficient funds on deposit for full payment of such check, draft or order, may be subject to suspension or disciplinary action, or both, by the Racing Commission.*

*(1-1-08)T*

**146. - 149. (RESERVED).**

**(BREAK IN CONTINUITY OF SECTIONS)**

**170. CLOCKER LICENSE.**

All persons applying for a clocker license must submit a completed application that is signed by a racing association.

*(1-1-08)T(1-1-08)T*

**171. -- 179. (RESERVED).**

**180. CLERK OF SCALES LICENSE.**

All persons applying for a clerk of scales license must submit a completed application signed by a racing association.

*(1-1-08)T(1-1-08)T*

**181. -- 189. (RESERVED).**

**190. EMERGENCY MEDICAL TECHNICIAN LICENSE.**

All persons applying for an emergency medical technician license must submit a completed application signed by a racing association and a copy of Emergency Medical Technician Certification.

*(1-1-08)T(1-1-08)T*

**(BREAK IN CONTINUITY OF SECTIONS)**

**220. HORSEMEN'S BOOKKEEPER LICENSE.**

All persons applying for a horsemen's bookkeeper license must submit a completed application signed by a racing association.

*(1-1-08)T(1-1-08)T*

**221. -- 229. (RESERVED).**

**230. IDENTIFIER LICENSE.**

All persons applying for an identifier license must submit a completed application signed by a racing association.

*(1-1-08)T(1-1-08)T*

231. -- 239. (RESERVED).

240. JOCKEY LICENSE.

**01. Application for License.** All persons applying for a jockey license must submit a completed application and a current physical evaluation from a medical professional. ~~(1-1-08)F(1-1-08)T~~

**02. First Time Licensed.** The application for a person that has not been previously licensed as a jockey in Idaho must be signed by a steward, ~~and~~. ~~(1-1-08)F(1-1-08)T~~

~~02. Physical. The application must be accompanied by a current physical evaluation from a medical professional.~~ ~~(1-1-08)T~~

241. -- 249. (RESERVED).

250. JOCKEY AGENT LICENSE.

All persons applying for a jockey agent license must submit a completed application and a list of licensed jockeys represented. Each jockey agent may represent no more than two (2) jockeys and one (1) apprentice jockey. ~~(1-1-08)F(1-1-08)T~~

251. -- 259. (RESERVED).

260. JOCKS ROOM CUSTODIAN LICENSE.

All persons applying for a jocks room custodian license must submit a completed application signed by a ~~an~~ racing association. ~~(1-1-08)F(1-1-08)T~~

261. -- 269. (RESERVED).

270. MAINTENANCE LICENSE.

All persons applying for a maintenance license must submit a completed application signed by a ~~an~~ racing association. ~~(1-1-08)F(1-1-08)T~~

271. -- 279. (RESERVED).

280. MUTUEL EMPLOYEE LICENSE.

All persons applying for a mutuel employee license must submit a completed application signed by a ~~an~~ racing association and be at least eighteen (18) years of age. ~~(1-1-08)F(1-1-08)T~~

281. -- 289. (RESERVED).

290. OFFICE PERSONNEL LICENSE.

All persons applying for an office personnel license must submit a completed application signed by a ~~an~~ racing association. ~~(1-1-08)F(1-1-08)T~~

291. -- 299. (RESERVED).

300. OFFICIAL LICENSE.

All persons applying for an official license must submit a completed application signed by a ~~an~~ racing association or Racing eCommission. ~~(1-1-08)F(1-1-08)T~~

**(BREAK IN CONTINUITY OF SECTIONS)**

320. OUTRIDER LICENSE.

All persons applying for an outrider license must submit a completed application signed by a ~~an~~ racing association.  
(1-1-08)F(1-1-08)T

321. -- 329. (RESERVED).

**330. OWNER LICENSE.**

All persons applying for an owner license must submit a completed application. All persons listed on the registration papers must obtain an owners license. (1-1-08)T

01. **Financial Responsibility.** If the Racing Commission has reason to doubt the financial responsibility of an applicant for an owner's license, the applicant may be required to complete a verified financial statement. (1-1-08)T

02. **Transfer of Horse Prohibited.** The Racing Commission may refuse, deny, suspend or revoke an owner's license for the spouse or member of the immediate family or household of a person ineligible to be licensed as an owner, unless there is a showing on the part of the applicant or licensed owner, and the Racing Commission determines that participation in racing will not permit a person to serve as a substitute for an ineligible person. The transfer of a horse to circumvent the intent of a Racing Commission rule or ruling is prohibited. (1-1-08)T

03. **Multiple Owners.** If the legal owner of any horse is a partnership, corporation, limited liability company, syndicate or other racing association or entity, each shareholder, member or partner must be licensed as an owner. (1-1-08)T

04. **Lease Agreements.** A horse may be raced under lease provided a completed breed registry or other lease form acceptable to the Racing Commission is attached to the certificate of registration and on file with the Racing Commission. The lessee must be licensed as a horse owner. (1-1-08)T

331. -- 339. (RESERVED).

**340. PADDOCK JUDGE LICENSE.**

All persons applying for a paddock judge license must submit a completed application signed by a ~~an~~ racing association. (1-1-08)F(1-1-08)T

**(BREAK IN CONTINUITY OF SECTIONS)**

**380. RACING SECRETARY LICENSE.**

All persons applying for a racing secretary license must submit a completed application signed by a ~~an~~ racing association. (1-1-08)F(1-1-08)T

381. -- 389. (RESERVED).

**390. STABLE NAME LICENSE.**

All persons applying for a stable name license must submit a completed application which includes the identity or identities of the ownership interests involved in the horse racing operation. (1-1-08)T

**01. Changes of Ownership.** Any change in ownership of the horse racing stable must be reported immediately to and approved by the Racing Commission. (1-1-08)F(1-1-08)T

**02. Trainer.** A trainer who is licensed as an 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 legal name. (1-1-08)T

**391. STABLE NAME CHANGE.**

**01. Cancellation.** Any person who has been granted a stable name license may at anytime cancel the

stable name license if written notice has been submitted to the Racing Commission and the Racing Commission approves the cancellation. ~~(1-1-08)F(1-1-08)T~~

**02. Name Change.** A stable name may be changed at anytime by canceling the existing stable name and submitting a new stable name application with the appropriate fee. (1-1-08)T

**392. STABLE NAMES PROHIBITED.**  
No stable name may be: (1-1-08)T

**01. Registered.** Registered by any other person with a racing association conducting a recognized meeting, or the Jockey Club (N.Y.) or with another racing authority; ~~(1-1-08)F(1-1-08)T~~

**02. Real Name.** The real name of any owner of race horses nor the real or assumed name of any prominent person not owning race horses; (1-1-08)T

**03. Misleading.** Misleading to the public or unbecoming to the sport; (1-1-08)T

**04. Distinguishable.** All stable names must be plainly distinguishable from all other licensed stable names. (1-1-08)T

**05. One Name.** No individual may license more than one (1) stable name. (1-1-08)T

**393. -- 399. (RESERVED).**

**400. STALL SUPERINTENDANT LICENSE.**  
All persons applying for a stall superintendent license must submit a completed application signed by a racing association. ~~(1-1-08)F(1-1-08)T~~

**401. -- 409. (RESERVED).**

**410. STARTER LICENSE.**  
All persons applying for a starter license must submit a completed application signed by a racing association. ~~(1-1-08)F(1-1-08)T~~

**411. -- 419. (RESERVED).**

**420. STATE VETERINARIAN LICENSE.**  
All persons applying for a state veterinarian license must submit a completed application and have a signed contract on file in the Racing Commission office. ~~(1-1-08)F(1-1-08)T~~

**421. -- 429. (RESERVED).**

**430. STEWARD LICENSE.**  
All persons applying for a steward license must meet the Stewards Qualifications, as set down in IDAPA 11.04.06, "Rules Governing Racing Officials," Section 050, and must submit a completed license application signed by the Racing Commission. ~~(1-1-08)F(1-1-08)T~~

**(BREAK IN CONTINUITY OF SECTIONS)**

**450. TRACK SUPERINTENDENT LICENSE.**  
All persons applying for a track superintendent license must submit a completed application signed by a racing association. ~~(1-1-08)F(1-1-08)T~~

**(BREAK IN CONTINUITY OF SECTIONS)**

**470. TRAINER LICENSE.**

All persons applying for a trainer license must submit a completed application. *A first time trainer licensee must:*  
 (1-1-08)F(1-1-08)T

**01. First Time Licensed.** All persons applying for a trainer license for the first time *in Idaho* must pass the trainer's test and have their application signed by a steward; or  
 (1-1-08)F(1-1-08)T

**02. Valid License.** Have a current valid trainers license from another recognized jurisdiction.  
 (1-1-08)T

**471. -- 479. (RESERVED).**

**480. VALET LICENSE.**

All persons applying for a valet license must submit a completed application signed by an *racing* association.  
 (1-1-08)F(1-1-08)T

**(BREAK IN CONTINUITY OF SECTIONS)**

**600. LICENSE FEES.**

All persons applying for licenses pursuant to this chapter must pay the *Racing* Commission the fee associated with the type of license being sought before any license will be issued.

LICENSE	FEE	LICENSE	FEE
Add-ons	- \$10	Official	- \$50
Admission	- \$15	Outrider	- \$25
Announcer	- \$25	Owner	- \$50
Apprentice Jockey	- \$50	Owner/Trainer	- \$65
Assistant Starter	- \$25	Paddock Judge	- \$25
Authorized Agent	- \$50	Photographer	- \$25
Chart Person	- \$25	Plater	- \$50
Clerk of Scales	- \$25	Pony Person	- \$25
Clocker	- \$25	Racing Secretary	- \$35
Concession Employee	- \$15	Stable Registration	- \$50
Concessionaire	- \$50	Stall Superintendent	- \$25
Duplicate	- \$10	Starter	- \$25
EMT	- \$25	State Veterinarian	- \$0
Exercise Person	- \$25	Steward	- \$50
Groom	- \$25	Tote Employee	- \$15
Horsemen's Bookkeeper	- \$35	Track Security	- \$25

LICENSE	FEE	LICENSE	FEE
Identifier	- \$25	Track Superintendent	- \$25
Jockey	- \$50	Trainer	- \$50
Jockey Agent	- \$50	Valet	- \$10
Jocks Room Custodian	- \$25	Veterinarian	- \$50
Maintenance	\$15	Vet Assistant	- \$15
Mutuel Employee	- \$15	Video Employee	- \$15
Office Personnel	- \$15		-

~~(1-1-08)F(1-1-08)T~~

**(BREAK IN CONTINUITY OF SECTIONS)**

**999. MINOR VIOLATIONS.**

Nothing in this chapter shall be construed as requiring the *Racing* Commission to begin enforcement proceedings on minor violations when the *Racing* Commission believes that the public interest will be best served by suitable warnings or other administrative action.

~~(1-1-08)F(1-1-08)T~~