



Ohio Administrative Code Rule 3769-1-01 Definitions.

Effective: November 17, 2023

Definitions contained in this chapter are parts of the rules of racing within the Ohio state racing commission ("commission") rulebook. All rules are issued pursuant to Chapter 3769. of the Revised Code, which may also be referred to as the Horse Racing Act.

- (A) Added money: a race or series of races that have a guaranteed purse, and fees for nominations, entries, declarations, and/or starter fees are added to the purse.
- (B) Age of horse: the number of years since a horse was foaled, calculated from the first day of January of the year of foaling.
- (C) Arrears: all sums due includes but is not limited to: entrance money, stakes, fees, fines, and any default incident to the rules of the Ohio state racing commission, or to the rules of the racing authority of any other state or country.
- (D) Authorized agent: a person authorized by a licensed owner or trainer to act on their behalf in all matters pertaining to the racing of their horse(s) under the rules, regulations, and conditions of the Ohio state racing commission and the laws of the state of Ohio subject to any stated limitations.
- (E) Breakage: consists of the odd cents of all redistributions to be made on all mutuel contributions exceeding a sum equal to the next lowest multiple of ten.
- (F) Breeder (standardbred): The breeder is as designated in the horses registration record in the United States trotting associations official breed registry.
- (G) Breeder (thoroughbred): the owner of the mare at the time of foaling.
- (H) Chemist: means any official racing chemist, qualified person, and/or laboratory designated by the commission.



(I) Claim: the process of a licensee or authorized agent submitting a claim slip with the intention of purchasing a horse from a designated race for a predetermined price.

(J) Claiming race: a race where ownership of a horse participating in the race for a designated amount may be transferred in conformance of the rules.

(K) Classified race: a race, regardless of the eligibility of horses, with entries being selected on the basis of ability or performance.

(L) Commission: the Ohio state racing commission, or when referring to a different jurisdiction, the applicable governing association.

(M) Conditioned race: an overnight event in which eligibility is determined according to specified qualifications which may include but are not limited to: age, sex, earnings, number of starts, position of finishes, and/or any other discrete category.

(N) Coupled entry: two or more horses which are owned or have commonality in ownership and/or training which are treated as a single wagering interest for pari-mutuel purposes.

(O) Dangerous/reckless riding or driving: a rider/driver causes a serious infraction by:

(1) Purposely interfering with another horse or rider/driver; or

(2) Riding/driving in a way which is far below that of a competent and careful rider/driver, and where it would be obvious to a competent and careful rider/driver that riding/driving in that way would likely endanger the safety of another horse or rider/driver.

(P) Day: A twenty-four-hour period starting at one minute after twelve am and ending at midnight.

(Q) Declaration (standardbred): The act of entering a horse to a race.

(R) Disqualification: A disqualification can be construed to mean that the person disqualified is



barred from acting as an official or from starting or driving a horse in a race, or in the case of a disqualified horse, it will not be allowed to start.

(S) Early closing race: Nominations close at least six weeks before the date of the race. All monies offered for the race by a track or sponsor are in addition to all nominating, sustaining, and starting payments to determine the total purse. For two-year-olds no deadline for any payment is allowed to be before February fifteenth.

(T) Entry: can mean any of the following:

(1) An act by the connections of a horse to cause an eligible horse to be accepted to participate in a race, or;

(2) See coupled entry.

(U) Extended pari-mutuel meet: a meeting or meetings, at which no agricultural fair is in progress, with an annual total of six days or more with pari-mutuel wagering.

(V) First-time lasix: the very first time a horse races with furosemide, or the first time a horse races with furosemide after at least a thirty-day period of racing without furosemide.

(W) Flat race: a race run over a course on which no jumps or other obstacles are placed.

(X) Foreign substances: means all classified substances except those which exist naturally in the untreated horse at normal physiological concentrations and include all narcotics, stimulants, depressants or other drugs. The commission may, by order, establish a system of classification of prohibited foreign substances, to include methods of detection and/or regulatory thresholds thereof, recommended penalties and disciplinary measures for the presence of said substances in test samples. In determining the substances to be so classified, the commission shall give due consideration to the uniform classification guidelines of foreign substances and recommended penalties and model rules as revised from time to time by the association of racing commissioners international inc.



(Y) Futurity: a race where the dam of the competing horse is nominated either when the competing horse is in utero or during its foaling year.

(Z) Guaranteed purse: a purse that is not less than the advertised amount.

(AA) Handicap (standardbred): a race in which a performance, sex, age, or distance allowance is made. Post positions for a handicap may be assigned by the racing secretary. Post positions in a handicap claiming race are determined by claiming price, and in the event there are two tiers, the higher price horses will draw for the outside positions.

(BB) Handicap (thoroughbred): a race in which the weights to be carried by the horses entered are determined by the racing secretary with the intent of equalizing the chance of winning for all horses entered in the race.

(CC) Heat: a single race or a single trial of a race that is one of a series of races that make up an event (race). In a "2 in 3" race, horses have to win two heats to be entitled to win the event.

(DD) Horse (racehorse): any equine irrespective of age or sex designation, and registered for racing with the applicable breed registry.

(EE) Hour of day: any reference to an hour of the day is to be considered to be the local time where the race is contested.

(FF) Late closing race: a race for a fixed amount where declarations close less than six weeks but more than three days before the race is to be contested.

(GG) Length of race: the length of race is to be stated in the conditions for the race.

(HH) Licensee: an individual, firm, association, partnership, corporation, trustee, or legal representative who has been issued a currently valid license that allows them to participate in racing in Ohio.

(II) Maiden (standardbred): a horse that has never won a heat or race at the gait at which it is



declared to start and for which a purse is offered. A maiden who is disqualified after the race is declared official remains a maiden.

(JJ) Maiden (thoroughbred): a horse that has never won a race at a recognized meeting in any country. A maiden who is disqualified after the race is declared official remains a maiden.

(KK) Month: a calendar month.

(LL) Nasogastric tube: a tube that may be inserted into the nostrils of a horse for the administration of any substance.

(MM) No contest: a race where the Stewards or Judges after the start have declared it to be canceled or void. All monies wagered are to be refunded.

(NN) Nomination: the naming of a horse or a foal in utero to a certain race or series of races in which eligibility is conditioned on the payment of a fee at the time of naming and the payment of subsequent fees.

(OO) Overnight race (standardbred): a race where declarations are taken between two and five days prior to the scheduled race, and owners are not required to contribute monies toward the purse.

(PP) Overnight race/purse race (thoroughbred): a race where entries close at the time set by the racing secretary and owners are not required to contribute monies toward the purse.

(QQ) Owner: any person or lessee who holds in whole or in part, any title, right, or interest in a horse. An interest in the earnings of a horse, by itself, does not constitute ownership.

(RR) Permit: a commission-issued document which allows a racetrack or fair to conduct pari-mutuel racing in Ohio.

(SS) Permit holder or association: a corporation, trust, partnership, limited partnership, association, person, or groups of persons which have been granted a permit for a specific time to conduct a horse racing meeting.



(TT) Place bred: the location of a thoroughbred mare when she foals.

(UU) Possession: means in, on, or about the licensee's person, any vehicle which they own, use, or have access to, as well as the entire area assigned and occupied or used by the responsible person which would include but is not limited to barns, stables, stalls, tack rooms, feed rooms.

(VV) Protest: an objection prior to the start of a race that a horse or its connections are ineligible to race, alleging an improper nomination, entry, eligibility, and/or citing any act of a licensee which, if true, would exclude the horse or its connections from the race.

(WW) Qualifying race: a race without a purse where a horse establishes its ability to participate at a race meeting consistent with the qualifying standards established for that class of horse.

(XX) Race: a contest of speed for a purse or stakes on any course in the presence of stewards or judges.

(YY) Race day: the twenty-four hour period beginning at one minute after twelve a.m. and ending at twelve midnight on a day when horse racing is scheduled.

(ZZ) Race meeting: the period of time for which permission to conduct horse racing has been granted to a permit holder by the commission.

(AAA) Recognized meeting: a horse racing meeting for which a permit has been issued by the commission or by the racing authority of any other state or foreign county.

(BBB) Restricted area: an enclosed portion of the association grounds to which access is limited to licensees whose occupation or participation need access.

(CCC) Retained specimen: any portion of the blood or urine collected from a horse by the state veterinarian submitted for testing by the official laboratory.

(DDD) Ruled off: an individual is denied access to any restricted area within a permit holder's



premises and is unable to participate in racing as a result of a ruling issued by the judges, stewards, or commission.

(EEE) Scratch: an entered horse is withdrawn from participation at the direction of the judges or stewards.

(FFF) Scratch time: the deadline for withdrawal of an entered horse from a scheduled race.

(GGG) Simulcast: for parimutuel wagering purposes, the live audio and visual transmission of a live race for wagering purposes, to or from another location either inside or outside Ohio.

(HHH) Stakes race (standardbred): a race that will be contested in a year subsequent to the closing. The money offered by the sponsor conducting the race is added to the money contributed by the nominators, all of which other than deductions for the cost of promotion, breeders, or nominators awards belongs to the winner or winners.

(III) Stakes race (thoroughbred): a contest in which nomination, entry and/or starting fees contribute to the purse. No overnight race is to be considered a stakes race. Special designations or classifications for stakes races such as "Graded Stakes" or "Black Type" is determined by the appropriate breed registries or recognized authorities.

(JJJ) Starter (standardbred):

(1) The racing official who is the official starter of the race; or

(2) A horse becomes a starter after the official starter gives the word "go."

(KKK) Starter (thoroughbred):

(1) A racing official who dispatches the horses from the starting gate; or

(2) A horse which becomes an actual contestant in a race by virtue of the starting gate opening in front of it upon dispatch by the official starter.



(LLL) State testing barn: the commission-approved facility provided by each permit holder or association as the location where all horses designated for testing are to be taken directly by the trainer or the trainer's representative so test samples may be obtained.

(MMM) State veterinarian: a commission-licensed veterinarian designated as the veterinarian who collects and/or supervises test sample collection.

(NNN) Sulky: a dual wheel racing vehicle with dual shafts not exceeding the height of the horses withers. Shafts must be hooked separately on each side. Only sulkies approved by the USTA may be used on permit holder or association grounds.

(OOO) Test level: the concentration of a foreign substance found in the test sample.

(PPP) Test sample: any bodily substance including blood or urine taken from a horse under the supervision of the state veterinarian for the purpose of analysis.

(QQQ) Thoroughbred breeder award: payment from the thoroughbred race fund paid in accordance with division (C)(3) of section 3769.083 of the Revised Code. No award can be made after the death of the eligible breeder and/or stallion owner unless there is a surviving co-breeder and/or co-owner who is registered as such with the commission prior to the date of eligibility.

(RRR) Two-year olds (standardbred): no two-year old is permitted to start in a race exceeding one mile in distance or in more than two heats in any single day.

(SSS) USTA: The United States trotting association.

(TTT) Veterinarian: an Ohio veterinary medical association licensed or other state equivalent licensed veterinary practitioner who treats and/or prescribes for a horse entered in any race subject to the jurisdiction of the commission.

(UUU) Veterinary technician: a person who holds a veterinary technician registration certificate issued by the Ohio veterinary medical association licensing board. The registered veterinary



technician activities and duties must in all ways be compatible with Chapter 4741. of the Revised Code.

(VVV) Walkover: when only horses which are of a non-competing interest start in a race, it constitutes a walk over. In a stake race, a walk over is entitled to all the stake money and forfeits. To claim the purse, the entry has to start and go once over the course.

(WWW) Weighing out and weighing in: The presentation of a jockey to the clerk of scales for weighing prior to a race is weighing out. The presentation of a jockey to the clerk of scales for weighing after a race is weighing in.

(XXX) Weight for age: a race in which a fixed scale is used to assign the weight to be carried by individual horses according to age, sex, distance of the race, and season of the year which is provided in the rules of the commission.

(YYY) Winner (standardbred): the horse whose nose reaches the wire first or is placed first through disqualification by the judges or stewards. If there is a dead-heat, all horses whose noses are at the wire first are declared winners and equally divide the shares for the finish placing they would have received if not for the dead heat. The finish position of all other horses are determined in the same manner. In multiple heat racing at the same distance, the horse whose nose reaches the wire first and has the fastest win time shall be declared the winner, if the horses win times are equal, they dead-heat.

(ZZZ) Winner (thoroughbred): a winner is the horse whose nose reaches the finish line first. In the case of a dead heat, both are declared winners unless a horse is disqualified by the stewards. The finish position of all other are to be determined in the same manner.

(AAAA) Year: a calendar year starting from January first through and including December thirty-first.