



Ohio Administrative Code Rule 3769-14-41 Duties of officials.

Effective: September 24, 2015

(A) It shall be the duty of the judges to:

- (1) Notify in writing, owners and drivers of penalties imposed;
- (2) Report in writing to the commission, violations of rules by a permit holder, its officers or race officials. Such reports shall contain detailed information regarding any such reported violations;
- (3) Sign each sheet of the judges' book verifying the correctness of the information contained therein;
- (4) Exclude from the race any horse that in their opinion is improperly equipped, dangerous, or unfit to race which shall include sick, weak, and extremely lame horses. No horse shall race with a tube in its throat. No horse may race unless he has unimpaired vision in one eye and no horse infected with equine infectious anemia, or a carrier thereof, shall race;
- (5) Investigate any apparent or possible interference, or other violation of rule 3769-17-15 of the Administrative Code, whether or not a complaint has been made by the driver;
- (6) Investigate any act of cruelty seen by them or reported to them by any person toward a race horse during a meeting at which they officiate. If the judges find that such an act has been committed, they shall suspend the offending person and submit a written report of their findings and action to the commission;
- (7) Immediately thereafter or as soon as possible after an accident occurs, the judges shall conduct an investigation of such accidents to determine the cause thereof. The judges shall also complete an accident report and mail said report to the commission;
- (8) Observe closely the performance of the drivers and the horses to ascertain if there are any



violations of the rules of racing, particularly interference, helping, or inconsistent racing and they shall exhaust all means possible to safeguard the contestants and the public;

(9) Declare a dash or heat of a race no contest in the event the track is thrown into darkness during the progress of a race by an electrical malfunction or any incident that has compromised the race and deprived the betting public of a fair contest. If a no contest is declared, the judges may distribute the purse equally among non-offending horses;

(10) Be in the judges' stand fifteen minutes before the first race and remain in the stand for ten minutes after the last race, and at all times when the horses are upon the track;

(11) Observe the preliminary warming up of horses and scoring, noting behavior of horses, lameness, equipment, conduct of the drivers, changes in odds at parimutuel meetings, and any unusual incidents pertaining to horses or drivers participating in races;

(12) Designate one of their associates to lock the parimutuel machines immediately upon the horses reaching the official starting point. The presiding judge, after consulting with the permit holder, shall designate the post time for each race and the horses will be called at such time as to preclude excessive delay after the completion of two scores;

(13) Be in voice communication with the patrol judges from the time the starter picks up the horses until the finish of the race. Any violation or near violation of the rules shall be reported by the patrol judge witnessing the incident and a written record made of same. At least one judge shall observe the drivers throughout the stretch specifically noting changing course, interference, improper use of whips, breaks, and failure to contest the race to the finish;

(14) Post the objection sign or inquiry sign on the odds board in the case of a complaint or possible rule violation, and immediately notify the announcer of the objection and the horse or horses involved. As soon as the judges have made a decision, the objection or inquiry sign shall be removed, the correct placing displayed, and the "official" sign flashed. In all instances the judges shall post the order of finish and the "official" sign as soon as they have made their decision. In addition, the judges shall cause the "inquiry" sign to be posted whenever there has been an accident during the course of the race;



(15) The presiding judge shall call a meeting of all horsemen on the grounds before the opening of a parimutuel meeting for the purpose of their electing a member and an alternate to represent them on matters relating to the racing of horses due to bad track or weather conditions;

(16) In case of questionable track conditions due to weather, the presiding judge shall call a meeting consisting of an agent of the track, the duly elected representative of the horsemen and the presiding judge;

(17) Upon unanimous decision of this committee of three that track conditions are safe for racing, the races will proceed, or if not, there will be time allowed to scrape the track, or if conditions warrant, to cancel the night's program.

(B) Hearing procedures.

(1) Any person charged with a violation of the Ohio rules of racing may waive their rights to a judges' hearing;

(2) When a hearing is requested, judges are to provide same before assessing a penalty upon any party. At least the presiding judge and one associate judge must be present at all judges' hearings. When a hearing is requested by a person or ordered by the judges it shall be the duty of the judges to notify the person involved, as soon as possible, of the date and time of said hearing. Any person requesting a hearing will be given at least until twelve noon the day following the day they were notified of the hearing to prepare a defense if they so request.

(3) The judges' may impose the penalties prescribed by the law and the Ohio state racing commission rules. Penalty notices will carry the reason the penalty was imposed and the commission rule number or numbers that were violated.