

OFFICE OF THE SECRETARY OF STATE

TOBIAS READ  
SECRETARY OF STATE

MICHAEL KAPLAN  
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION

STEPHANIE CLARK  
DIRECTOR

800 SUMMER STREET NE  
SALEM, OR 97310  
503-373-0701

## PERMANENT ADMINISTRATIVE ORDER

### RC 2-2025

CHAPTER 462

OREGON RACING COMMISSION

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FILING CAPTION: Amends 462-140-0060 (1) regarding accrediting body recognition

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CONTACT: Karen Parkman

503-853-5927

karen.parkman@orc.oregon.gov

PO Box 366

Gresham, OR 97030

Filed By:

Karen Parkman

Rules Coordinator

AMEND: 462-140-0060

RULE TITLE: Commission Steward(s); Authority

NOTICE FILED DATE: 01/30/2025

RULE SUMMARY: Amendment 462-140-0060 (1) Replaces accrediting body

#### RULE TEXT:

(1) Accreditation: To qualify for appointment as a steward, the appointee may be required by the commission to be accredited and current with the accrediting body recognized by the association of racing commissioners international and be in good standing with all racing jurisdictions.

(2) Except for small fair meets, the board of stewards shall consist of the presiding state steward, deputy state steward, and a race meet licensee steward, approved by the commission. The board of stewards is responsible for the proper conduct of the race meet and for the enforcement of the statutes and rules of racing. During the temporary absence of one or more stewards, the remaining steward(s) or the executive director of the commission may appoint a deputy or deputies to act temporarily for those absent. All decisions, rulings, and orders of the board of stewards must be made by a majority of the stewards. The stewards' authority begins 30 days before, and extends 30 days after the conclusion of the race meet unless shortened, extended, or re-instituted by the executive director of the commission.

(3) The board of stewards has the authority to take any action expressly authorized by ORS chapter 462 or the rules of racing. The board of stewards also has the authority to take any appropriate action not expressly authorized by these rules in order to ensure a fair race and to protect the best interests of racing.

(4) The stewards have authority over licensees of the commission and all persons on a racecourse. Persons entering racing animals or allowing racing animals to be entered to run at licensed Oregon racecourses agree in so doing to accept the decision of the stewards on any questions relating to a race or racing, subject to their right to hearings and right of appeal as provided in these rules. The board of stewards may override the decision of any racing official with regard to the rules of racing, subject to review by the commission.

(5) The stewards may suspend on an emergency basis the license of any person whose actions are detrimental to the best interests of racing and which are seriously dangerous to the health or safety of the person, the public or another person involved in racing. An emergency suspension or a penalty suspension following a hearing may include ruling off of the licensee. When based upon evidence that the person is currently ruled off by an official body of another racing

jurisdiction, the person may be ruled off whether the person is licensed or not. If an emergency suspension is imposed under this rule, the person is entitled to a post-suspension hearing. The suspension may not exceed 365 days unless so ordered by the commission.

(6) The stewards have the authority to investigate any matter relating to racing. The stewards shall have control over and be granted immediate access to all areas of the racecourse.

(7) The stewards have the authority to order a prompt examination of any racing animal which has been entered or which has run a race, and may disqualify any racing animal which appears to have been the subject of corrupt or illegal practices, which has interfered with another racing animal during an official race or official schooling race, or whose jockey has interfered with another horse or jockey.

(8) The stewards may examine or have examined any horse registered for racing. The stewards may scratch any ineligible horse.

(9) The stewards have the authority to impose penalties and sanctions under the procedures set forth in these rules, but only for specific violations of ORS chapter 462 or these rules. They may not impose sanctions against commission employees, but may investigate and recommend disciplinary action to the executive director or commission.

(10) The stewards have the authority to review license applications and corresponding results of their subsequent background investigations, and based on those reviews, to either approve or deny licensure. Any applicant that is ineligible to apply due to a commission order, such as a previous denial or revocation, shall have his/her application automatically denied.

(11) The stewards may, at their discretion, hold informal hearings on matters other than violations, using the same procedures set forth in these rules for violations.

(12) In the event of an emergency which prevents an owner or trainer from performing his/her necessary duties, the stewards may appoint a qualified person to temporarily perform those duties. For good cause, the stewards may substitute a jockey of their choice on any horse or place a horse temporarily in charge of a trainer of their choice.

(13) When a racing official other than a steward or commission employee is absent, the race meet licensee may appoint a temporary or permanent replacement, subject to approval by the stewards, or, in exigent circumstances, the stewards may appoint a temporary replacement. All appointments are subject to confirmation by the commission, but appointees may exercise their appointed duties pending confirmation.

(14) The stewards shall investigate promptly and render a decision on every objection and on every complaint made to them. The stewards shall report all objections and complaints to the commission as soon as received by them, and shall make prompt written report of their investigation and decision to the commission's executive director.

(15) The stewards, being duly notified in writing of financial irresponsibility by a licensee, shall conduct an investigation into the matter, including but not limited to a hearing. If the result of such investigation or hearing clearly shows a licensee to be financially irresponsible and remiss concerning his/her just debts as provided in this section of this rule, the stewards may impose such ruling as may be consistent with the circumstances in conformity with the best interests of racing.

(16) One steward must be on duty each morning from scratch time until conclusion of the draw. (16) During each racing day at least one of the stewards shall be on the racecourse not later than weigh-in time.

(17) No person other than the commissioners or executive director shall be allowed in the stewards' stand unless previous permission is obtained from the stewards.

(18) The presiding state steward or deputy state steward or appointee shall sound the bell closing the pari-mutuel machines no later than the opening of the starting gate. In the event of a mishap at the start, the stewards shall make a final decision as to whether a start was fair after consultation with the starter. Also, after consulting with the starter, the stewards shall make the final decision as to whether any racing animal was prevented from starting in a race through failure of the starting gate to open.

(19) The stewards have final authority to decide the order of finish of any race. They shall promptly display the numbers of the first three racing animals in each race in the order of finish and shall not declare the race official until they have made a final determination as to which racing animal finished first, second and third.

- (20) The stewards may place any horse on the "Stewards' List" or suspend any horse for poor performance or other good cause. The stewards may at any time require proof that a horse is qualified for a particular race or proof that a horse is owned only by qualified persons. If satisfactory proof is not offered, the stewards may disqualify the horse.
- (21) The board of stewards shall determine the condition of the track's running surface.
- (22) The presiding state steward shall immediately report to the commission any "No-Race" declared by the stewards, with a detailed explanation as to its cause.
- (23) The stewards shall maintain a daily log of all infractions of the rules and of all rulings of the stewards upon matters coming before them during the race meet.
- (24) The presiding state steward is responsible for making sure that all reports required by this rule are promptly submitted to the commission.
- (25) When placing judges are not appointed, the stewards shall perform the placing judge functions.
- (26) The board of stewards shall establish post times; however, post times may be established by the race meet licensee subject to approval by the board of stewards.
- (27) Rules for Small Meets:
- (a) These rules shall apply for all small fair meets of 10 days or less except as otherwise directed by the commission, or unless circumstances require a change and the state steward approves the change.
- (b) The board of stewards are granted jurisdiction for a period of 90 days after the conclusion of a small fair meet to hold hearings and take action with regard to any aspect of racing at the meet. (c) Hearings may be conducted by a single knowledgeable person designated by the commission if it is deemed by the commission to be more practical or convenient for the parties concerned. Any person acting in lieu of the board of stewards under this rule shall have all of the authority granted to the board of stewards under OAR 462-130-0030 and 462-130-0040 or any other applicable rule. A party may appeal any action taken in the same manner as an appeal may be submitted as a result of action taken at a stewards' hearing.

STATUTORY/OTHER AUTHORITY: ORS 462.270(3)

STATUTES/OTHER IMPLEMENTED: ORS 462.405