

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #3

MAILED  
JUN 4 11 52 AM '99  
OFFICE OF THE SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Racing Commission TITLE NUMBER: 178

CITE AUTHORITY § 178-2

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 2

TITLE OF RULE BEING AMENDED: Greyhound Racing

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

*Louis J. Brabon*

\$14.90

WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In this Box

APR 23 11 42 AM '99

OFFICE OF THE SECRETARY OF STATE  
WEST VIRGINIA

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Racing Commission TITLE NUMBER: 178

RULE TYPE: Legislative Rule; CITE AUTHORITY §§ 178-2-1 through 57

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 2

TITLE OF RULE BEING AMENDED: Greyhound Racing

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON June 1, 1999 AT 12:00 noon. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Racing Commission  
106 Dee Drive  
Charleston, WV 25311

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

  
Robin C. Capehart, Cabinet Secretary

4/20/99

Date

RECEIVED

APR 23 1999

Legislative Rule Making  
Review Committee

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL



COMMISSIONERS:

JAMES T. McCLURE  
CHAIRMAN

ROBERT J. BURKE  
MEMBER

JOSEPH B. KNOTTS  
MEMBER

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF TAX AND REVENUE**  
**WEST VIRGINIA RACING COMMISSION**

CECIL H. UNDERWOOD  
GOVERNOR

MAILING ADDRESS:

106 DEE DRIVE  
CHARLESTON, WV 25311

PHONE (304) 558-2150  
FAX (304) 558-6319

LOIS J. GRAHAM  
EXECUTIVE SECRETARY

April 21, 1999

**STATEMENT OF PURPOSE**

An extensive review related to bringing into conformity our current rules in line with the uniform Rules of Racing with the Uniform Rules of Racing of the Association of Racing Commissioners International. Ours would then reflect current trends, court rulings, as well as the result of the collective wisdom of racing officials from West Virginia and other states.

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Greyhound Rules of Racing

TYPE OF RULE:  Legislative  Interpretive  Procedural

Agency Racing Commission Address 106 Dee Drive  
Charleston, WV 25311

1. Effect of proposed rule:

Estimated Total Cost	Annual			Fiscal Year	
	Increase	Decrease	Current	Next	Thereafter
Personal Services	0	0	0	0	0
Current Expense	0	0	0	0	0
Repairs & Alterations	0	0	0	0	0
Equipment	0	0	0	0	0
Other	0	0	0	0	0

2. Explanation of above estimates:

There should be no fiscal effect emanating from this rule.

3. Objectives of these rules:

To bring our current rules in line with the uniform Rules of Racing of the Association of Racing Commissioners International.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

none

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

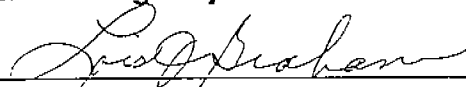
none

C. Economic Impact on Citizens/Public at Large.

none

Date: April 23, 1999

Signature of Agency Head or Authorized Representative



Lois J. Graham, 106 Dee Drive, Charleston, WV 25311 (304)558-2150

\_\_\_\_\_  
Please type name, address and phone number

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: 4/23/1999

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) Racing Commission  
106 Dee Drive  
Charleston, West Virginia 25311  
(304) 558-2150

LEGISLATIVE RULE TITLE: Greyhound Rules of Racing

1. Authorizing statute(s) citation 19-23-6

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

4/23/1999

b. What other notice, including advertising, did you give of the hearing?

Sent a notice to PNGI Charles Town Races, Mountaineer Racetrack

Wheeling Downs, Tri-State Greyhound Park and Owners and Breeders

Association

c. Date of Public Hearing(s) or Public Comment Period ended:

June 1, 1999

- d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_ No comments received X

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing:  
(be exact)

- f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all written correspondence regarding this rule: (Please type)

Lois J. Graham

Executive Secretary

106 Dee Drive

Charleston, West Virginia 25311

304-558-2150, fax 304-558-6319

e-mail: grahal@mail.wvnet.edu

- g. IF DIFFERENT FROM ITEM 'f', please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a

hearing for the taking of evidence and a general description of the issues to be decided.

June 1, 1999 Will take written comments only

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b. Date of hearing or comment period:

June 1, 1999

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c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

April 23, 1999

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d. Attach findings and determinations and reasons:

Attached 

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LEGISLATIVE RULE  
RACING COMMISSION

SERIES 2  
GREYHOUND RACING

FILED  
JUN 4 11 52 AM '99  
OFFICE OF THE SECRETARY OF STATE

§178-2-1. General.

1.1. Scope. -- This rule regulates greyhound racing in this state whether live or by simulcast, the conducting of pari-mutuel wagering at greyhound race tracks, and the breeding of greyhounds for racing.

1.2. Authority. -- W. Va. Code §19-23-6

1.3. Filing Date. --

1.4. Effective Date. --

§178-2-2. Definitions

As used in these regulations and unless the context clearly requires a different meaning, the following terms shall have the meaning ascribed herein and shall apply in the singular and in the plural.

2.1. "Act" means the West Virginia Code 19-23-1 et seq. Which permits pari-mutuel wagering in this jurisdiction.

2.2. "Added Money" means a sum by which the established purse is increased.

2.3. "Age" means the age of a greyhound which is reckoned as beginning on the day it was whelped.

2.4. "Appeal" means a request for the Racing Commission or its designee to investigate, consider and review any decisions or rulings of the judges of a meeting.

2.5. "Applicant" means any racing association making application for a license, or any person making application for a permit or any person making application for a construction permit, as the case may be.

2.6. "Association" or "racing association" means any individual, partnership, firm, association, corporation or other entity or organization of whatever character or description licensed by the

Racing Commission to conduct a meeting where greyhound racing and pari-mutuel wagering are permitted for a purse involving pari-mutuel wagering.

2.7. "Association grounds" means all real property utilized by the association in the conduct of its race meeting, including the race course, grandstand, concession stands, offices, kennel compound, pari-mutuel areas, parking lots, and any other areas under the jurisdiction of the Racing Commission.

2.8. "Authorized agent" means a person appointed by an owner to act as his or her representative in a notarized document signed by the owner and filed with the Racing Commission.

2.9. "Bertillon" means a card listing identifying features of a greyhound.

2.10. "Betting interest" means one or more greyhounds in a race involving pari-mutuel wagering which is identified by a single program number for wagering purposes.

2.11. "Blanket" means the covering on which a greyhound's starting box post position number is displayed.

2.12. "Bolt" refers to a greyhound departing from the race course during the running of a race.

2.13. "Bookmaking" means a form of gambling that is not authorized by law in which chances are sold to individuals who may win a part or all of the pool depending on the outcome of the event for which the pool is made.

2.14. "Breakage" means the remainder after deducting the payout from the net pool.

2.15. "Breeder" of a greyhound means the owner or lessee of the greyhound's dam at the time of whelping.

2.16. "Breeding place" means the location of conception.

2.17. "Chairman of the racing commission" means the chairman of the West Virginia Racing Commission, or its delegate.

2.18. "Code" means the Code of West Virginia, one thousand nine hundred thirty-one, as amended.

2.19. "Commission" means the West Virginia Racing Commission.

2.20. "Racing Commissioner" means a member of the West Virginia

Racing Commission.

2.21. "Complaint" means all complaints made to the Racing Commission or any of its representatives in writing.

2.22. "Construction permit" means the construction permit required by the provisions of West Virginia Code 19-23-18.

2.23. "Construction permit holder" means any person holding a construction permit required by the Racing Commission.

2.24. "Course" means the track over which greyhounds race.

2.25. "Day" means a twentyfour (24) hour period ending at midnight.

2.25.1. "Dark day" means a day during a racing meeting in which neither live nor simulcast pari-mutuel wagering is conducted.

2.25.2. "Race day" means a calendar day during a race meeting in which pari-mutuel wagering is conducted on live racing.

2.25.3. "Simulcast race day" means a day during a race meeting in which pari-mutuel wagering is conducted on races being conducted at a location other than the racetrack where the wager is placed.

2.26. "Dead heat" means the finish of a race in which the muzzles of two (2) or more greyhounds reach the finish line at the same time.

2.27. "Declaration" means the act of withdrawing an entered greyhound from a race before the time for the posting of starting box positions for the race in which the greyhound is entered.

2.28. "Dog racing" means any type of dog racing, including, but not limited to greyhound racing.

2.29. "Double entry" means an entry of two (2) or more greyhounds in the same race from the same kennel that are separate wagering interests.

2.30. "Draw" means the process of selecting greyhounds and assigning post or starting box positions, and the process of selecting dogs in a manner to ensure compliance with the conditions of the rules of racing.

2.31. "Ejection" means the physical removal of a person at a licensed racetrack from the premises under the jurisdiction of the

Racing Commission.

2.32. "Entry" means a greyhound eligible for and entered in a race.

2.33. "Equipment" means as applied to a greyhound muzzle, number blankets, and all other paraphernalia, which might be used on or attached to a greyhound when racing.

2.34. "Established weight" means the racing weight established by the owner or trainer as the greyhound's best racing weight.

2.35. "Executive secretary" means the racing secretary of the Racing Commission.

2.36. "False start" means any race which fails to start as stipulated by the rules.

2.37. "Finish" means the order of finish in which the greyhounds complete the race.

2.38. "Forfeit" means money due but withheld because of an error, fault, neglect of duty, breach of a contract or a penalty.

2.39. "Fund" means the West Virginia greyhound breeding development fund established under the provisions of West Virginia Code 19-23-10.

2.40. "Greyhound" means a greyhound registered with the National Greyhound Association of Abilene, Kansas.

2.41. "Handle" means the total amount of all pari-mutuel wagering sales less refunds and cancellations.

2.42. "Judge" means the person or persons designated to represent the Racing Commission whose duty it is to supervise any greyhound race meeting as may be provided by reasonable rules of the Racing Commission. This rule will specify the number of judges to be appointed the method and manner of their appointment, their powers, authority and duties.

2.43. "Kennel compound" means the facilities providing for the housing of the racing kennels under the jurisdiction of the Racing Commission.

2.44. "Kennel helper" means a person employed by a kennel owner to assist in the conditioning of greyhounds for racing.

2.45. "Kennel name" means any type of name other than the legal

name or names of the owners. If a corporation is involved in the identity behind a kennel name, the licensing rules covering corporations must be followed.

2.46. "Kennel owner" may be a person or persons who are contracted by the association to supply greyhounds for racing.

2.47. "Law," "laws" or "racing act" means chapter nineteen, article twenty-three, of the West Virginia Code, together with any and all amendments thereto.

2.48. "Lawful authority" means any court of competent jurisdiction.

2.49. "Lead-Out" means the attendant that handles or cares for the greyhounds in the paddock and while they are en route to the starting box.

2.50. "Legitimate breakage" see rule 2.14.

2.51. "Lessee" means a person who holds a registered lease certificate for the racing of a greyhound in the person's name.

2.52. "Lease agreement" means an Association of Racing Commissioners International and/or National Greyhound Association Uniform Greyhound Lease or other written document stating the names of the lessee, lessor, and the terms and purpose of the lease.

2.53. "License" means an authorization by the Racing Commission to an association to conduct dog racing with pari-mutuel wagering at a specified location.

2.54. "Licensee" means any racing association holding a license required by the provision of West Virginia Code 19-23-and issued under this rule.

2.55. "Lock out kennel" is the secure and restricted facility within the paddock used to temporarily house entered greyhounds prior to their participation in the current performance.

2.56. "Lure" means a mechanical apparatus consisting of the following component parts: A stationary rail installed around the track, a motorized mechanism which travels on the rail, a pole which is attached to the mechanism and extends out over the race course and the object which is attached to the pole.

2.57. "Maiden" means a greyhound, which has never, in any country, won an official race. Conditions referring to a maiden

means maidens at the time of starting. A maiden who has been disqualified after finishing first is to be considered a maiden.

2.58. "Matinee" means a performance or schedule of races conducted upon a race course in daylight hours.

2.59. "Meet" means the specified periods and dates within a race meeting, during which an association is authorized by the Racing Commission to conduct racing and/or pari-mutuel wagering.

2.60. "Meeting" means the total specified periods and dates each year during which an association is authorized by the Racing Commission to conduct racing and/or pari-mutuel wagering.

2.61. "Month" means a calendar month.

2.62. "Night performance" means a performance or schedule of races conducted upon a race course during night hours.

2.63. "Nomination" means the initial naming of a greyhound for entry in a stake race.

2.64. "No race" means a race canceled or voided for any reason by the judges.

2.65. "Official order of finish" means the order of finish of the greyhounds in a contest as declared by the judges.

2.66. "Official race" means a race in the presence of duly appointed racing officials, for which purse monies are paid involving pari-mutuel wagering.

2.67. "Official time" means the elapse time from the moment the starting box opens and ending when the first greyhound crosses the finish line.

2.68. "Official schooling races" means trial races that are supervised by the judges which are conducted for qualification purposes. Pari-mutuel wagering is prohibited on these races.

2.69. "Overnight race" means a race for which entries close seventy-two(72) hours, or less, before the time set for the first race of the day on which the race is to be run.

2.70. "Owner" means the person in whose name the greyhound is registered at the meeting in accordance with this rule and an owner may be a sole owner, part owner, or lessee. An interest in the winnings only of a greyhound does not constitute part ownership.

2.71. "Paddock" means an area that is restricted to the Racing Commission, association and restricted employees. The paddock area includes the lock-out kennel, reviewing stand and offices.

2.72. "Pari-mutuel" means a mutuel or collective pool that can be divided among those who have contributed their wagers to one central agency. The odds of these wagers are to be reckoned in accordance with the collective amounts wagered upon each greyhound running in a greyhound race relative to the amount wagered on each greyhound in each pool with the total to be apportioned among the first three contestants on the basis of the number of wagers.

2.73. "Pari-mutuel clerk" means any employee of a licensed racing association, who is responsible for the collection of wagers, the distribution of moneys for winning pari-mutuel tickets, verification of the validity of pari-mutuel ticket and accounting for pari-mutuel funds.

2.74. "Patron" means a member of the public present on the grounds of a pari-mutuel association during a meeting for the purpose of wagering or to observe racing.

2.75. "Performance" means an approved number of races run consecutively as one program.

2.76. "Permit" is the written authorization issued by the Racing Commission to a person allowing occupational participation with dog racing for a purse involving pari-mutuel wagering at a licensee's dog racetrack.

2.77. "Permit holder" means any person holding a permit required by the Racing Commission.

2.78. "Person" means any individual, partnership, firm, association, corporation, or other entity or organization of whatever character or description.

2.79. "Place" means first, second or third, and in that order is called win, place and show.

2.80. "Pool" means a combination of interests in a joint wagering enterprise or a stake in the enterprise.

2.81. "Position" means the position at the starting box assigned to a greyhound for the start of the race.

2.82. "Post time" means the time set for the arrival at the starting box for the greyhounds in a race. This information must

be shown at a reasonable time prior to the race on a clock device provided specifically for this purpose, and must be prominently displayed and clearly readable from the grandstand.

2.83. "Program" means the published listing of all races and greyhounds for a specific performance.

2.84. "Prospective licensee" means any association which has applied or intends to apply to become a "licensee" as defined under the provisions of West Virginia Code 19-23 et seq.

2.85. "Purse" means the total cash amount for which a race is contested.

2.86. "Purse race" means a race for money or other prizes to which the owners of the greyhounds engaged do not contribute.

2.87. "Race" means a contest for purse, stakes, or entry fees on any race course and while in the presence of duly appointed racing officials.

2.88. "Race on the flat" means a race over a course in which no jumps or other obstacles are placed.

2.89. "Racetrack" means the entire area or grounds licensed to the licensee.

2.90. "Racing association" means any individual, partnership, firm, association, corporation, or other entity or organization of whatever character or description licensed in accordance with West Virginia Code 19-23-1 et seq. to hold a greyhound race meeting.

2.91. "Racing commission" or "commission" means the West Virginia Racing Commission, or its delegates.

2.92. "Random testing" means a strategy for testing for alcohol or controlled substances not based on a reasonable belief that an individual has drugs and/or alcohol in his or her system that assures that all affected individuals have an equal probability of being selected for testing.

2.93. "Reasonable cause/reasonable suspicion testing" means a strategy for testing for alcohol or controlled substances based on an official's having good reason to believe that an occupational license permit license holder has alcohol or controlled substance in his or her system.

2.94. "Recognized meeting" means:

2.94.1. A meeting held under license of the Racing Commission;

2.94.2. a meeting held in this or any other country under the sanction of a Commission or authority whose jurisdiction over racing is recognized by the Racing Commission and which recognizes, accepts, and gives effect to sentences imposed by the Racing Commission upon those guilty of improper practices.

2.95. "Restricted area" means those areas of association's grounds that are designated by the Racing Commission to which access is limited to certain persons only. Restricted areas may include, but are not necessarily limited to, the kennel compound, the paddock, the mutuel department, etc.

2.96. "Result" means that part of the official order of finish used to determine the pari-mutuel payout of pools to patrons for each individual contest.

2.97. "Ruled-off" means the act of disallowing a person to enter or remain upon the premises of any or all licensed racetracks and/or simulcast facilities.

2.98. "Rule" means the rules of the Racing Commission and any amendments or additions.

2.99. "Scratch" means the act of withdrawing an entered greyhound from a race after the selection for the post positions in a race has been completed.

2.100. "Secretary" means the Secretary of the West Virginia Department of Tax and Revenue, or his or her delegate.

2.101. "Simulcast" means the transmission and/or reception for pari-mutuel wagering purposes of a live greyhound/horse racing contest being conducted at a licensed racetrack other than where the pari-mutuel wager is placed.

2.102. A "Starter" means a greyhound is a starter for a race when the doors of the starting box open.

2.103. "Subscription" means the act of nominating a greyhound to a stake race.

2.104. "Sweepstakes" or "stakes" means a race publicly declared open to all complying with its conditions to be fulfilled wholly or in part subsequent to its closing and involved which required fees

are to be paid for each greyhound. No overnight event, whatever may be its conditions, shall be considered some sweepstakes within the meaning of this rule.

2.105. "Tote" or "tote board" means the totalizator system used for recording, calculating and disseminating information about pari-mutuel ticket sales, wagers, odds and payoff prices to patrons at a licensed racetrack.

2.106. "To the dime" means that wagers shall be figured and paid to the dime, the effect of which is to result in breakage.

2.107. "Touting" means soliciting or providing unauthorized wagering tips on animals for a profit in races under the jurisdiction of the Racing Commission.

Touting is not authorized or permitted with the exception that this will not apply to authorized tip sheets specified in the rule.

2.108. "Trainer" means a person employed by an owner to condition or prepare greyhounds for racing.

2.109. "Weighing in" means the weight of the greyhound taken at first weighing in as provided for in this rule.

2.110. "Weighing out" means the weight of the greyhound prior to post time or time of the race in which it is entered.

2.111. "Weight loser" means a greyhound recognized by the officials known to be a consistent weight loser while in the lockout kennel.

2.112. "Whelped" means the time of a greyhound's birth.

2.113. "Win" means the greyhound whose muzzle reaches the finish line first through disqualification of another greyhound by the judges.

2.114. "Year" means a calendar year.

#### **§178-2-3. Calculation of Time.**

3.1. When the last day for complying with this rule falls on a Sunday, compliance may be effected on the following Monday, unless a race to which such act relates is appointed for that day, in which case it must be done on the previous Saturday.

#### **§178-2-4. Administrative.**

4.1. This rule and any amendments or additions thereto apply to all individuals, firms, associations, partnerships, corporations holding, conducting, participating in or observing a meeting licensed by the Racing Commission.

4.2. In reading this rule, unless the text otherwise requires, it shall be understood, without constant reference thereto, that they apply only in the State of West Virginia.

4.3. The Racing Commission may rescind or modify any penalty or decision or infraction of this rule imposed or made by the racing officials.

4.4. The laws of the State of West Virginia and the rules promulgated by the Racing Commission supersede the conditions of a race, or the rules of a racing association.

4.5. Members of the Racing Commission and its designated representatives shall have the right of full and complete entry to any and all parts of the grounds of the association licensed to conduct greyhound racing.

4.6. The Racing Commission or the judges of any licensed meeting shall have the right to permit and direct any individual authorized by them to enter in or upon the kennels, rooms, trailers, vehicles or other locations within the grounds of the association at which a licensed race meeting is held. The Racing Commission or the judges shall also have the right to inspect and examine the person of a trainer, kennel foreman, authorized agent, veterinarian or any other person who has been granted an occupational permit by the Racing Commission.

4.7. Every person participating in and every patron of a licensed race meeting shall abide by the laws and this rule and accept the judges' decisions on any and all questions, subject to the right of appeal to the Racing Commission.

4.8. No person shall in any manner, or at any time, disturb the peace or make himself or herself obnoxious on the grounds of an association.

4.9. Any person ejected by the judges or the association from the grounds of an association shall be denied admission to the grounds until permission for his or her reentry has been obtained from the association and the Racing Commission. However, all occupational permit holders ejected shall have the right of appeal to the Racing Commission.

4.10. The Racing Commission judge shall sound the bell to close

the pari-mutuel ticket issuing machines when the lure is called into motion by the Racing Commission judge.

4.11. The holder of a claim whether it is a mortgage, a bill of sale, or lien of any kind against a greyhound shall be required to file a notarized copy with the association's racing secretary prior to the time the greyhound starts. Failure to file the claim shall result in forfeit of his or her rights in the winnings of the greyhound previous to the time his or her claim is properly filed.

4.12. No person who is the holder of a racing license, a director, officer, or any employee of a corporation, association, trust or partnership having or holding a license or who has a substantial financial interest in such corporations, association, trust, partnership, or other business entity shall race or permit, or cause to be raced, any greyhound in which he or she has an interest, direct or indirect, at any meeting where racing is conducted under the license. A substantial interest is hereby defined as ownership or interest, direct or indirect, of ten percent (10%) or more in the corporation, association, trusts, partnership, or other business entity.

#### **§178-2-5. Financial Responsibility.**

5.1. Any official, owner, trainer or any person holding an occupational license permit issued by the Racing Commission who shall obtain food, feed, shelter, drugs, transportation, services for greyhounds, veterinary services or supplies for himself or herself or others, whether they hold an occupational license permit or not, and fails to pay the person or persons from whom services or supplies are obtained shall be guilty of conduct detrimental to the best interests of racing. This conduct may result in suspension at the discretion of the judges provided there has been a court judgement issued as to the amount of debt. The association nor the Racing Commission shall be obliged to collect debts from persons or other personnel holding an occupational permit issued by the Racing Commission.

#### **§178-2-6. Checks**

6.1. No licensee or occupational permit holder will write, issue, make or present any check in payment for any occupational permit fee, fine, nomination or entry fee or other fees, for any service or supplies when the licensee or occupational permit holder knows or should reasonable know that the check will be refused for payment by the bank upon which it is written or that the amount upon which the check is written does not contain sufficient funds for payment of the check, or that the check is written on a closed

account or a nonexistent account. The fact that a check is returned to the payee by the bank as refused is a ground for suspension pending satisfactory redemption of the returned check.

**§178-2-7. Minors.**

7.1. The term "Minor" is determined by and in accordance with the laws of the State of West Virginia.

7.2. No minor shall be sold a pari-mutuel ticket nor be permitted to cash a pari-mutuel ticket at any licensed racetrack. Nor shall a minor be employed in any manner about the racetrack.

7.3. No occupational permit holder may have in its employment, in any capacity, any employee less than sixteen (16) years of age.

7.4. It shall be the responsibility of the racing association conducting a racing meet under a license issued by the Racing Commission to assure that all children under the age of sixteen (16) years are properly supervised by an adult when admitted to the association grounds. If this becomes a repeated problem, the licensed racing association may be fined two hundred fifty dollars (\$250) per occurrence. No minor under the age of sixteen (16) years may be admitted in the restricted area without the written permission of the judges, except in case of an emergency. Failure of any licensee or occupational permit holder to properly supervise any minor admitted with the licensee or occupational permit holder to a restricted area may be fined not less than two hundred and fifty dollars (\$250) and/or suspended.

**§178-2-8. Telephone, Telegraph, Radio and Television.**

8.1. Each association shall furnish a list to the Racing Commission showing the location of all radio and television equipment located within the association grounds, as well as a schematic diagram of, all telephone, teletype and telegraph wires to and within the grounds upon which its racetrack is located.

8.2. An approved telephone or intercommunication system shall be provided by the association to maintain contact between the judges and other designated stations.

**§178-2-9. Associations.**

9.1. Application to the Racing Commission for license to conduct a race meeting must be filed yearly with the Racing Commission, signed by an executive officer of the association, at a time and place designated by the Racing Commission. This

application shall be on the forms prescribed by the Racing Commission.

9.1.1. All applicants for licenses issued by the Racing Commission and all applicants seeking renewal of an occupational permit must furnish their respective fingerprints for examination by the West Virginia Criminal Investigation Division and the Federal Bureau of Investigation. The fingerprints shall be furnished by all persons required to be named in the application and shall be accompanied by a signed authorization for the release of information by the Criminal Investigation Division or Federal Bureau of Investigation.

9.2. Each Association shall observe and enforce the rules of racing and orders of the Racing Commission. The license is granted on the condition that the association, its officials, its employees and its concessionaires shall respect any and all decisions and orders of the Racing Commission or its designee.

9.3. The jurisdiction of the Racing Commission over matters related to subjects covered by law or this rule is continuous throughout the year.

9.4. Each licensee shall file audited financial statements on or before the fifteenth day of April of each year, unless otherwise authorized by the Racing Commission, covering all income and disbursements relating directly and indirectly to greyhound racing activities in the state, including, but not limited to, the following: concessions, programs, parking, pari-mutuel wagering, and breakage.

9.5. All associations granted a license from the Racing Commission shall, at least thirty (30) days before each meet, submit the names of the officers and a complete list of administrative personnel, showing addresses, duties and compensations. At least two (2) weeks after the start of each meet, the association shall submit a complete list of all other employees, with addresses, duties and compensations. All additions or changes in the above personnel must be promptly reported to the Racing Commission for approval. An association failing to furnish the required information may be fined two hundred fifty dollars (\$250) for each day it fails to provide the information.

9.6. The president or general manager of the licensed racetrack conducting racing in West Virginia shall annually provide a list of all stockholders annually to the Racing Commission.

9.6.1. The sale of the asset of an association requires the buyer to apply for a racing license from the Racing Commission.

9.7. Thirty (30) days prior to conducting a meet, each association shall submit to the Racing Commission the conditions for all races it proposes to hold, together with the stake, purse or reward, all of which shall be subject to the approval of the Racing Commission. All proposed purses shall be exclusive of any entrance or starting fees that may be charged.

9.8. The minimum number of races per performance at all race tracks under supervision of the Racing Commission shall be ten (10), the maximum number of races per performance shall be fifteen (15) unless otherwise authorized by the Racing Commission.

9.9. Each racing association shall police its grounds at all times in a manner to prevent the admission of persons in and around the kennels, unless these persons hold occupational license permits issued by the Racing Commission.

9.10. Each racing association shall provide and maintain two (2) starting boxes on every race day of its meeting and on every day during the racing meeting on which it permits the schooling of greyhounds on its racing course. An additional reserve unit of starting boxes shall be provided and maintained on every race day.

9.11. Each racing association shall exclude all persons who are unauthorized from the restricted area in the interest of public safety.

9.12. Each racing association shall provide facilities within the association grounds for a minimum of twenty (20) kennels. Each kennel shall consist of not less than fifty (50) crates. Each contracted kennel must maintain an active list of a no less than thirty-five (35) greyhounds. If a kennel's active list drops below the required number (35), the Racing Commission will evaluate the kennel.

9.13. The Racing Commission shall approve all contracts with the respective kennels engaged to race at a race meeting.

9.14. The purses for all races conducted at a scheduled race meeting shall include 3.75 percent of the "live" wagering handles as provided for by provisions of West Virginia Code 19-23-9 b-c.

9.15. Each racing association shall pay the veterinarian assistants and judges as approved by the Racing Commission assigned to duty on the grounds of the association, the rate of compensation as prescribed by the Racing Commission.

9.16. No racing association conducting a race meeting with a

license issued by the Racing Commission shall permit wagering to be made on the grounds of the association on any race run outside of the grounds, except as provided by the West Virginia Code. No foreign book or gambling device of any kind shall be permitted on the grounds, nor shall the association provide or permit to be provided any conveniences or facilities for the use of bookmakers, betting commissioners, their agents or their employees, except as provided by the West Virginia Code. No facilities will be provided or permitted for the handling of "Come-Back" money at the track. The maintenance of credit accounts or the granting or extension of credit by the association in any form including markers, the payment of commissions in any form, the providing of telephone or other communication services and any other form of aid to bookmakers, betting commissioners, their agents or their employees are prohibited. Any licensee violating the provisions of this section shall have its license revoked or other penalty imposed as the Racing Commission, in its discretion, may determine. This rule does not prohibit wire service privileges or any other form of communication service privileges to legitimate and approved news outlets, which do not service bookmakers, betting commissioners or their agents or their employees. Approval of the Racing Commission for other forms of communication service privileges must be obtained before the beginning of the race meeting for which the license is granted.

9.17. No racing association shall permit the making of handbooks on its grounds. If this practice is found to exist, the association shall take immediate steps to eliminate this activity under a penalty of having its license revoked. Any greyhound owner, trainer or other person, interested in any greyhound or greyhounds at the meeting, who shall wager with or through any such handbook shall be ejected from the grounds, refused admission to the grounds of all other licensed associations in West Virginia, and in the case of the owner of any greyhound, the entries of that owner shall be refused for all West Virginia tracks.

9.18. A stand for judges shall be maintained in a position commanding an uninterrupted view of the entire racing course and shall be subject to approval of the Racing Commission.

9.19. The Racing Commission shall approve post time for the first race at each meeting under the supervision of the Racing Commission. And each race thereafter shall be run at intervals to be approved by the Racing Commission, unless an emergency arises, in which case the final decision shall be in the hands of the judge representing the Racing Commission.

9.20. All forms of pari-mutuel wagering such as daily doubles, perfectas, quinellas, superfectas and similar pool systems may be

used only with the permission of the Racing Commission.

9.21. Each association shall designate an office and suitable parking spaces for the exclusive use of the Racing Commission and all its representatives. The office shall offer sufficient space for private consultation, with office equipment, be equipped with a telephone it must also have sufficient space for the secure locked storage for Racing Commission records and supplies. The key shall be available only to the Racing Commission or the judge representing the Racing Commission. The Racing Commission employees shall have free access to all parts of the association's grounds while on duty. The association shall likewise provide sufficient office space for the Racing Commission license clerk and Racing Commission security officer as requested by the Racing Commission.

9.22. Any racing association contemplating a change of any kind pertaining to the racing strip, the erection of new buildings, stands or other structures, on the grounds of the association which are to be used as a part of the facilities for conducting a race meeting, shall notify the Racing Commission in writing before any changes are made.

9.23. Each racing association's liability insurance coverage shall have an endorsement naming by position, the following: Three (3) judges, association's racing secretary, paddock judges, clerk of scales, chart writer, starter, lead-outs, veterinarian, director of racing, patrol judge, kennel master, the operator of the mechanical lure, mutuel manager, Racing Commission Auditor of pari-mutuel, an announcer, a photo finish operator, director of security, photographer, Racing Commission security officer and Racing Commission license clerk, and to include personal liability coverage at the limits of the association policy, but not to be less than five hundred thousand dollars (\$500,000) per named official.

#### **§178-2-10. Officials.**

10.1. Officials of a race meeting unless otherwise approved by the Racing Commission, are as follows: Three (3) judges, association's racing secretary, paddock judges, clerk of scales, chart writer, starter, lead-outs, veterinarians, director of racing, patrol judge, kennel master, the operator of the mechanical lure, mutuel manager, Racing Commission Auditor of pari-mutuel, the announcer, a photo finish operator, director of security, photographer, Racing Commission security officer and Racing Commission license clerk. No racing official shall serve in a dual capacity unless otherwise authorized by the Racing Commission.

10.2. The Racing Commission shall approve no person in the capacity as judge or other racing official, unless he or she has taken and satisfactorily passed an optical examination within one year (1) of designation.

10.3. Unless written approval is obtained from the Racing Commission, no person shall be approved as an official of any race track who is an officer of that racetrack, or who has any financial interest in that racetrack, or who has any financial interest in greyhounds running on the racecourse.

10.4. No officials listed in Section 9.1 of this rule shall directly or indirectly wagered money or any other thing of value on the result of a race.

10.5. Drinking of intoxicating liquor, or any controlled substance, at any time, by any racing official, track employee, occupational permit holder or licensee, or being under the influence of alcohol or any controlled substance while on duty is prohibited. Any person violating this rule may be relieved of his or her duties by the judges or a representative of the racing association.

10.6. When a vacancy occurs among the racing officials other than the judges, and when the association has not notified the judges of the vacancy prior to the post time of the first race of the day, or when a vacancy occurs during the running of the races, the judges shall fill the vacancy immediately.

10.7. All other officials herein designated shall be appointed by the association holding the meeting, with the exception of the Racing Commission security officer, a Racing Commission auditor of pari-mutuel, a Racing Commission license clerk and a Racing Commission veterinarian, who shall be appointed by the Racing Commission. The judges shall be appointed in accordance with Section 10.1 of this rule. All association appointments, however, are subject to the approval of the Racing Commission, which reserves the right to demand a change of personnel for what the Racing Commission, in its sole discretion, deems sufficient reason with the successor to the replaced official replaced to be subject to the approval of the Racing Commission.

10.8. Racing officials shall report all known violations of this rule to the judges.

**§178-2-11. Judges.**

11.1. There shall be three (3) judges for each race meeting. The Racing Commission shall name one (1) of the judges for each race meeting. The association conducting the meeting shall name the second judge and the two (2) judges selected shall name the third. In the event of a disagreement between the two (2) judges in naming the third judge, it shall become the duty of the Racing Commission to make the third appointment. In the event a judge is temporarily incapacitated or for some sufficient reason cannot serve, the Racing Commission shall deputize someone to serve for him or her in his or her absence. Should the association judge be temporarily incapacitated or for some sufficient reason is unable to serve, the racing association shall deputize someone to serve for him or her in his or her absence.

11.2. The judges are strictly responsible to the Racing Commission for the conduct of all meetings in every detail, directly or indirectly, pertaining to the laws and rules of the Racing Commission.

11.3. The judges have general supervision and authority over all occupational permit holders and other persons attendant on greyhounds, and over the association's grounds.

11.4. All entries and declarations are under the supervision of the judges, and they may, with notice, refuse the entries of any person or the transfer of any entries.

11.5. No person may refuse to testify before the judges at any formal hearing on any relevant matter within the authority of the judges, except in the proper exercise of a legal privilege or unless representation is requested by an attorney or their association.

11.6. A majority vote of the judges shall decide any question to which the authority of the judges extends.

11.7. The judges may suspend anyone whom they have authority to supervise for indefinite period or they may fine in an amount not to exceed five hundred dollars (\$500), or both. All suspensions and fines must be reported to the Racing Commission. The judges' jurisdiction to act in any matter occurring during the race meeting extends after the conclusion of the meeting.

11.8. On each racing day and those days when there is no racing but where entries are being taken for the next succeeding day of racing, one or more judges shall be on duty from the time the association's racing secretary's office opens until the entries are closed.

11.9. Any complaint against any official shall be made to the judges in writing and be signed by the complainant. All complaints shall be reported to the association's general manager and the Racing Commission, together with the judges' action.

11.10. The judges may order an examination at any time of any greyhound entered for a race or which has run in a race.

11.11. After conferring with the association, representatives of the kennelmen, Racing Commission veterinarian and the track superintendent, the judges determine that the races cannot be run, then they shall cancel the races.

11.12. Rulings of the judges or the Racing Commission, regarding the order of finish or award of purse money, that are made after the result has been declared official shall in no way affect the pari-mutuel payoff.

11.13. The judges or association shall have the power to suspend or exclude from the stands and grounds persons acting improperly or whose behavior is otherwise objectionable. The judges shall enforce the suspension or exclusion.

11.14. The judges shall have control over and have free access to all stands, weighing rooms, enclosures and all other places in use for the purpose of racing.

11.15. The judges shall have the power to determine all questions arising with reference to entries and racing.

11.16. Persons entering greyhounds to run on licensed racetracks shall comply with the decision of the judges on any questions relating to a race or racing.

11.17. The judges may disqualify a greyhound.

11.18. The judges shall have the power to demand proof that a greyhound is not disqualified in any respect nor nominated by, nor the property, wholly or in part, of a disqualified person. In the absence of proof being given to their satisfaction, the judges may declare the greyhound disqualified.

11.19. The judges shall have the power at any time to order an examination by a person or persons of any greyhound entered for a race or which has run in a race.

11.20. The judges shall take notice of any questionable conduct with or without the prompting of anyone.

11.21. The judges shall investigate promptly and render a decision on every objection and on every complaint made to them.

11.22. The judges shall report all objections and complaints to the Racing Commission as soon as received by them and shall make a prompt report of their investigation and decision to the Racing Commission.

11.23. The judges shall take notice of corrupt racing and other questionable behavior on the track. Any person thereof may make complaints, but in the failure of the complainant, if he or she is an owner, trainer or authorized agent, to substantiate the charge, he or she may be liable for a fine, suspension or both.

11.24. During each racing day, all judges of the meeting shall be at the office building on the grounds of the association where the racing meeting is being held, unless excused by the Racing Commission, not later than weighing-in time, to exercise the authority and perform the duties imposed on the judges by this rule.

11.25. A greyhound may be scratched after leaving the paddock for the post for any reason deemed by the judges necessary to protect the public or the greyhound. All money wagered on the greyhound shall be refunded.

11.25.1. After a greyhound has been placed in the starting box, no refund shall be made and all wagers remain. In case of mechanical failure to the starting box thus preventing a greyhound or greyhounds from starting, a full and complete refund shall be made on the greyhound or greyhounds.

11.25.2. The judges shall determine the decision as to whether the greyhound or greyhounds were prevented from starting by a mechanical failure and their decision shall be final.

11.26. The judges shall decide which greyhound wins and assign the respective order of finish to as many greyhounds as they think proper. In determining the positions of the greyhounds at the finish of the race, the judges shall consider only the relative position of the respective muzzles of the greyhounds.

11.26.1. In the event that a greyhound loses its muzzle or finishes with a hanging muzzle, the judges shall then consider only the relative position of the nose of the greyhound and the muzzles of the other greyhounds in the race.

11.27. The judges shall promptly display the numbers of the first three (3) greyhounds in each race in order of their finish.

If the judges differ in their placing, the majority shall prevail.

11.28. Whenever it is considered advisable to consult a picture from the photo finish camera, the judges may display without waiting for a picture, the positions as are in their opinion and, after consulting the photo, make other determination relative position. However, in no case shall the race be declared official until the judges have determined the greyhounds finishing first, second and third.

11.29. Nothing in this rule shall be interpreted to prevent the judges from correcting an error before the display of the sign "Official" or from recalling the sign "Official" in case it has been displayed through error.

11.30. Any greyhound may be placed on the schooling list by the judges at any time.

11.31. The judges shall make daily reports in writing to the Racing Commission of all infractions of the rules and of all rulings of the judges upon matters coming before them during the meeting.

11.32. The judges may inspect any occupational permit papers, and documents with respect to any contract, partnership, and other agreements, or the credentials of an authorized agent.

**§178-2-12. Association's Racing Secretary.**

12.1. The association's racing secretary shall receive all entries and declarations, and shall be authorized to program three (3) T races per week. Any additional T races must have the approval of the Racing Commission.

12.2. The association's racing secretary shall inspect owners and trainers occupational permits and all papers and documents dealing with trainers and owners, partnership or other agreements, appointment of authorized agents, adoption of kennel names and may demand production of papers and documents in order to satisfy himself or herself as to their validity and authenticity and determine that this rule has been complying with. These papers and documents shall be available to the Racing Commission judge at all times.

12.3. Conditions of races shall not conflict with the Rules of Greyhound Racing.

12.4. The association's racing secretary shall display each

day, a list which compiles the entries.

12.5. The association's racing secretary shall be solely responsible for the accuracy of the program.

12.6. Any greyhounds coming to West Virginia greyhound tracks must be accompanied by a current health certificate documenting that they have current vaccinations for rabies, vaccinated for Distemper, Hepatitis, Leptospira, Adenovirus, Parvovirus and Para influenza (DHLPP), and Intra nasal vaccination for a kennel cough. The certificates must be dated within 10 days prior to the greyhound's arrival.

**§178-2-13. Paddock Judge.**

13.1. No greyhound shall be permitted to start in a schooling race or purse race that has not been fully identified and confirmed against the Bertillon card system of identification maintained by each association. The paddock judge shall complete the identification cards before greyhounds are entered for schooling or for a purse race.

13.2. The paddock judge shall fully identify and confirm against the Bertillon card system of identification, maintained by the association, all greyhounds starting in schooling and purse races. He or she shall report any greyhound or greyhounds that do not conform to the Bertillon card identification to the judges.

13.3. Under the supervision of the paddock judge, the kennel master shall unlock the kennels immediately before weigh-in time to assure that the kennels is in perfect condition and that nothing has been placed in any of the kennels for the greyhounds' consumption. He or she shall assure that the kennels is sprayed, disinfected and kept in proper sanitary conditions. He or she or his or her assistant must receive the greyhounds from the trainer, one at a time, and determine that each greyhound is placed in its crate. Remain on guard from that time until the greyhounds are removed for the last race.

13.4. As each greyhound is weighed in, there shall be an identification tag attached to its collar indicating the number of the race in which the greyhound is entered and its post or starting box position. This tag shall not be removed until the greyhound has been weighed-out and blanketed.

13.5. The paddock judge shall not allow anyone to weigh in a greyhound for racing unless he or she has in his or her possession a valid trainer's occupational permit issued by the Racing

Commission.

13.6. After the greyhounds are placed in the lock-out kennels, no person other than the kennel master, Racing Commission security guard, veterinarians or other persons approved by the Racing Commission shall be allowed in or near the lock-out kennels. At no time shall fewer than two (2) authorized persons be present in the lock-out kennels.

13.7. The paddock judge shall carefully compare the identification card with the greyhound in the paddock before post time.

13.8. Before leaving the paddock for the starting box, every greyhound must be equipped with a regulation muzzle and blanket. The muzzles and blankets used shall be approved by the paddock judge and shall be carefully examined by him or her in the paddock before the greyhound leaves for the post.

13.9. The paddock judge shall record, as soon as the weights are exhibited, any overweight or variation from the weight appearing on the weight sheet.

13.10. The paddock judge shall promptly report any infraction of the rules as to weight or weighing to the judges.

**§178-2-14. Timer.**

14.1. Time of the race shall begin from the opening of the doors of the starting box.

14.2. Each racing association shall be required to install an automatic film timing device, approved by the Racing Commission, upon which the time of each race is recorded. This time shall be the official time for the race. In the event of a mechanical failure, the judge shall use a stop watch for the official time. When the stop watch is used as the official time of the race, its use shall be announced to the public.

**§178-2-15. Starter.**

15.1. The starter shall give the order and take all measures that are not in conflict with this rule, as which are necessary to secure a fair start.

15.2. The greyhounds shall be started from a type of starting box approved by the Racing Commission and there shall be no start until and no recall after, the doors of the starting box have opened.

15.3. The starter shall report causes of delay, if any occur, to the judges.

15.4. A false start due to any faulty action of the starting box, break in the machinery, or other cause is void. The greyhounds may be started again as soon as practicable, or the race may be canceled at the discretion of the judges.

**§178-2-16. Clerk of scales.**

16.1. The clerk of scales shall call the weight of the greyhounds in and out of a scale sealed by the duly authorized sealer of weights and measurers and shall exhibit the accurate weight of each greyhound on the weight board. The established racing weight, weigh-in and weighing-out (weight) shall be promptly displayed on the weight board for the information of the public.

16.2. The clerk of scales shall deliver a copy of the weight sheet before each day's race to the Racing Commission judge.

16.3. All greyhounds must be weighed in and weighed out in a uniform manner.

16.4. The clerk of scales shall keep a record of the weights and weight changes for each performance.

**§178-2-17. Chart writer.**

17.1. The chart writer shall compile the information necessary for a program which shall be printed for each racing day and shall contain the names of the greyhounds that are to run in each of the races for that day. These names shall appear in the order of their post positions. The post positions are to be designated by numerals placed at the left and in lines with the names of the greyhounds in each race. These numerals shall be prominently displayed on each greyhound.

17.2. All past performances as shown in the program shall be in order of the races or official schooling held with the last performance appearing on the first line, etc.

17.3. The program or form sheet must also contain the name, color, sex, date of whelping, breeding, established racing weight, number of starts in official races and the number of times the greyhound finished first, second and third. The names of an owner and/or lessee, the name of a trainer, distance of race, track record and any other information as will enable the public to

properly judge the greyhound's ability must also be included.

17.4. In case the name of a greyhound is changed, the new name together with the former name shall be published in the official entries and program until the greyhound has started six (6) times.

**§178-2-18. Lead-outs.**

18.1. Owners, trainers or attendants will not be allowed to lead their own greyhounds from the paddock to the starting box. The greyhounds shall be led from the paddock to the starting box by lead-outs provided by each association for that purpose.

18.2. Lead-outs will be required to present a neat appearance, conduct themselves in an orderly manner, and be attired in clean uniforms provided by the association and approved by the Racing Commission.

18.3. The lead-out must put his or her greyhound in its proper box before the race and then proceed to his or her assigned place.

18.4. No lead-out will be permitted to have any interest in the greyhounds racing for the association.

18.5. Lead-outs shall be assigned to post position by the paddock judge by lot before each race with a record maintained.

18.6. Lead-outs are prohibited from holding any conversation with the public or with one another, in the paddock, either while en route to the starting post, or while returning to the paddock.

18.7. Lead-outs using any tobacco products while in uniform and on duty are prohibited.

18.8. Lead-outs are prohibited from wagering on the result of any greyhound race at the track where they are assigned.

18.9. Each racing association shall have no fewer than fourteen (14) lead-outs on duty for each racing program.

**§178-2-19. Racing Commission Veterinarians.**

19.1. The Racing Commission shall employ a graduate veterinarian who is licensed by the West Virginia Board of Veterinary Medicine who shall be known as the Racing Commission veterinarian. The veterinarian employed by the Racing Commission shall not be permitted during the term of his or her employment to treat or prescribe medication for any greyhound on the grounds or

registered to race at any race track for compensation or otherwise of unless an emergency arises. In case of an emergency a full and complete report shall be made to the judges. No owner or trainer shall employ or pay compensation to any veterinarian either directly or indirectly during the period for which the Racing Commission employs him or her. For a violation of this rule the veterinarian, or owner, or trainer being fined, suspended or not be permitted on the association's grounds after a hearing before the Racing Commission.

19.2. The Racing Commission veterinarian shall, in general, familiarize himself or herself with the racing condition of all greyhounds and, if in his or her opinion, any greyhound is not in condition to race, he or she shall notify the judges.

19.3. The Racing Commission veterinarian shall be present in the paddock before each race; he or she shall inspect each greyhound. If, in his or her opinion, any greyhound is not in condition to compete in that race, he or she shall immediately notify the judges who shall order the greyhound scratched out of the race. The greyhound automatically goes on the veterinarian's list for at least 10 calendar days. Thereafter the greyhound shall not be permitted to enter until the veterinarian notifies the judges that the greyhound is again able to compete.

19.4. Should an owner or trainer, object to a greyhound in his or her care undergoing an examination the objection shall be reported to the judges, and the greyhound may be eliminated from the race.

19.5. The Racing Commission veterinarian shall approve employment of all personnel used in the test area and shall be responsible to the Racing Commission for the proper operation of the test area, the taking of specimens as directed by the Racing Commission state veterinarian.

19.6. In the event there is a desire to scratch from participation, a greyhound listed in the program, the Racing Commission veterinarian or his or her designee shall inspect the greyhound and report his or her findings to the judges.

19.7. Bitches coming in season during the racing meeting must not be accepted for entry within thirty (30) days from the date of coming in season. Before being accepted for entry these bitches must be examined by the veterinarian and school to the satisfaction of the judges.

19.8. Bitches in milk are not eligible to school or to race.

19.9. Bitches in season must be reported to the judges and the Racing Commission veterinarian. Owners and trainers failing to promptly report this condition shall be fined, suspended, or both.

19.10. Any greyhound the Racing Commission veterinarian does not consider in proper physical condition shall be reported to the judges. The judges shall order that greyhound scratched out of the race for which it is entered.

19.11. Any veterinarian practicing veterinary medicine on a racetrack shall use "one-time disposable type needles" and shall keep them in his or her possession until disposed of by him or her away from the association grounds.

19.12. Any illness or unusual symptoms of illness shown by a greyhound shall be immediately reported by the trainer or attending veterinarian to the judges, the Racing Commission, and Racing Commission veterinarian.

**§178-2-20. Test Area.**

20.1. An enclosed area approved by the Racing Commission must be set aside, and be under the supervision of the Racing Commission Veterinarian for the purpose of collecting specimens for any tests required by the Racing Commission. The Racing Commission must approve all aspects of the enclosed area including its location, arrangement, furnishings and facilities with refrigeration and hot and cold running water.

20.2. Urine, blood and other specimens shall be taken and tested from the greyhounds as the judges of the meeting or the Racing Commission's representatives may designate. The tests are to be under the supervision of the Racing Commission. The Racing Commission veterinarian shall collect the specimens or other person or persons as the Racing Commission may designate.

20.3. All samples collected shall be frozen and forwarded to a laboratory approved by the Racing Commission. The racing association shall pay all laboratory expenses for sample analysis.

20.4. The winner and/or such other greyhounds as the judges may designate shall be taken immediately after the race to the testing area for the taking of specimens of body fluids and eliminations as shall be directed by the Racing Commission veterinarian.

20.5. The Racing Commission judge or Racing Commission veterinarian may also require the taking of any or all of the specimens from any greyhound kenneled at a racetrack during a

meeting.

20.6. The owner, trainer or authorized representative shall be present in the testing area when any specimen is taken from his or her greyhound and must remain until the sample tag is signed by the owner, trainer or authorized representative as witness to the taking of the specimen.

20.7. Willful failure to be present at or a refusal to allow the taking of any specimen or refusal to sign the specimen tag to the taking of a specimen, or any act which impedes, prevents or otherwise interfere therewith, shall be reported to the judge. The judges shall subject the person or persons guilty thereof to immediate suspension of from the meeting. The matter shall be referred to the Racing Commission for further action as it may determine: Provided That any owner, trainer, or authorized representative may sign, under protest, the specimen tag as long as the reason for the protest is stated in writing and given to the Racing Commission veterinarian.

**§178-2-21. Chemist.**

21.1. The official chemists selected by the Racing Commission shall be members in good standing of the Association of Official Racing Chemists and shall make all reports directly to the executive secretary of the Racing Commission.

21.2. All specimens taken by or under direction of the official veterinarian or other authorized representative of the Racing Commission shall be delivered to the laboratory of the official chemist for analysis. Each specimen shall be marked and bear such information as may be essential to its proper analysis. The identity of the greyhound from which the specimen was taken or the identity of its owner, trainer or kennel shall not be revealed to the official chemist or his or her staff. The container of each specimen shall be sealed as soon as the specimen is placed therein.

21.3. The Racing Commission veterinarian, the judges or the authorized representatives of the Racing Commission may take samples of any medicines or other materials suspected of containing improper medication or drugs which could affect the racing condition of a greyhound in a race, which may be found in the kennels or elsewhere on the racetracks or in the possession of such tracks or any person connected with racing, and the same shall be delivered to the official chemist for analysis under the same conditions as are prescribed for analysis of saliva and urine. The Racing Commission may train the same.

21.4. No action shall be taken by the judges on the report of the official chemist unless and until the medication or drug has been properly identified as well as the greyhound from which the specimen was taken nor until such time as an official report signed by the chemist has been received by the Racing Commission judge.

**§ 178-1-22. Split Samples**

22.1. Before sending a sample from a greyhound to a testing laboratory, the Racing Commission veterinarian or a designated employee shall divide the specimen into two (2) parts.

22.2. The primary testing laboratory shall receive a minimum of fifty (50) milliliters of urine. A specimen shall not be split if less than fifty (50) milliliter of urine is collected from the greyhound. In such instances, the Racing Commission is entitled to submit the entire urine or blood specimen for testing or detain the greyhound for an adequate amount of time until it can be obtained.

22.3. If the split sample testing laboratory determines that there is insufficient sample volume to make a specific identification of the sample contents, or if an act of God, power failure, accident, labor strike, or any other event beyond the control of the Racing Commission or its representatives prevents the split sample from being tested, then the results of tests performed by the primary laboratory shall be considered prima facie evidence of the condition of the greyhound.

22.4. The Racing Commission veterinarian shall retain the part of the specimen that is not sent to the primary laboratory.

22.4.1. The Racing Commission veterinarian shall store the retained part of the specimen in secure, limited access, frozen storage at a site approved by the Racing Commission for the period required by this section.

22.5. If the retained part of a specimen is sent for testing, the Racing Commission veterinarian shall arrange for the transportation of the specimen in a manner that ensures the integrity of the sample.

22.6. Blood samples shall be split in a manner that hemolysis is minimized. Blood samples shall be mixed and centrifuge and the plasma separated and stored frozen.

22.7. If the results of the initial test on a specimen are negative, the Racing Commission state veterinarian may discard the retained part of the specimen upon receipt of the negative result.

If the result of the initial test on a specimen is positive, the Racing Commission veterinarian may discard the retained part of the specimen after the expiration of the period during which an owner or trainer may request the retained part be sent for split testing.

22.8. The identity of the drug or drug metabolites shall be revealed to the split sample laboratory. Communication between the primary and split laboratory is limited to the exchange or the analytical method and the threshold level used to confirm the drug's identity.

**§ 178-1-23. Administrative procedures prior to split sample testing.**

23.1. The results of all tests performed by the primary laboratory are confidential and shall only be communicated to the Racing Commission, judges, owner and trainer.

23.2. The trainer or owner of a greyhound for which a positive result on a drug test is returned may request that the judges submit the retained part of the specimen for testing in accordance with this section. A laboratory that is approved by the Racing Commission must test the specimen.

23.3. The request must be in writing and must be delivered to the judges no later than seventy-two (72) hours after the trainer has received notice of a positive test result. A representative of the Racing Commission to request acceptance of a split sample shall contact the split sample laboratory.

23.4. The trainer or owner may elect to waive his or her right to testing of a split sample. If a trainer desires to waive the right to test the split sample, he or she must procure prior written authorization from his or her owner to waive such right.

23.5. The owner or trainer of a greyhound who submits a specimen for drug testing is entitled to be present or have a representative present at any time that the retained part of the specimen is prepared for storage or is tested.

23.6. The owner or trainer of a greyhound who submits a specimen for testing to a split sample laboratory must execute a hold harmless agreement for the split sample laboratory and an agreement that the results of the split sample laboratory can be introduced as evidence in any hearing. The agreements shall remain in the hands of the Racing Commission judge of the state in which the positive was reported.

**§ 178-1-24. Administrative procedures subsequent to a split sample.**

24.1. The split sample laboratory shall send a confidential written report on the result of its tests to the Racing Commission judge.

24.2. No action shall be taken against the trainer or owner if the results of the split sample testing are negative.

24.3. No hearing shall be held concerning the allegations against the trainer or owner, nor shall purse redistribution take place, until split sample testing has been completed and the results of the primary laboratory have been confirmed.

24.4. The owner or trainer shall be notified in writing of the;

24.4.1. the results of the primary and split sample laboratories in the case of confirmed positives; and

24.4.2. time and place of any administrative hearings resulting from the findings.

**§ 178-1-25. Cost of split sample testing.**

25.1. In order for a split sample laboratory to be identified on the list of approved laboratories, it must establish reasonable fees for split sample testing based on their actual cost of testing. Fees for split sample testing shall include the cost of testing negative control samples if requested by the owner or trainer.

25.2. The trainer or owner requesting split sample testing and negative control samples shall pay all costs of transporting and conducting tests on the split sample and negative control samples.

**§ 178-1-26. Storage and shipment of split samples**

26.1. Split samples obtained shall be secured and made available for further testing in accordance with the following procedures:

26.1.1. A split sample shall be secured in the testing area under the same manner as the portion of the specimen acquired for shipment to a primary laboratory until such time as specimens are packed and secured for shipment to the primary laboratory. Split samples shall then be stored in a freezer at a secure location approved by the Racing Commission.

26.1.2. A freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of samples.

26.1.3. Any evidence of a malfunction of a split sample freezer or samples that are not in a frozen condition during storage shall be immediately reported to the official veterinarian or a designated Racing Commission representative.

26.2. A trainer or owner of a greyhound having been notified that a written report from a primary laboratory states that a prohibited substance has been found in a specimen, obtained pursuant to these rules may request that a split sample corresponding to the portion of the specimen tested by the primary laboratory be sent to another laboratory approved by the Racing Commission. The request must be made in writing and delivered to the judges not later than 48 hours after the trainer of the greyhound receives written notice of the findings of the primary laboratory. Any split sample so requested must be shipped within an additional 48 hours.

26.3. The owner or trainer requesting testing of a split sample shall be responsible for the cost of shipping and testing. Failure of the owner, trainer or designee to appear at the time and place designated by the official veterinarian shall constitute a waiver of all rights to split sample testing. Prior to shipment, the Racing Commission shall confirm the split sample laboratory's willingness to provide the testing requested, the laboratory's willingness to send results to both the person requesting the testing and the Racing Commission, and arrangements for payment satisfactory to the split sample laboratory. A split sample testing laboratory must be accredited by the Association of Racing Commissioners International and approved by the Racing Commission. If an Association of Racing Commissioners International reference laboratory will accept split samples that laboratory must be included among the laboratories approved for split sample testing.

26.4. Prior to opening the split sample freezer, the Racing Commission shall provide a split sample chain of custody verification form that shall provide a place for recording the following information and any other information as the official veterinarian may require. The form shall be fully completed during the retrieval, packaging, and shipment of the split sample. Split sample chain of custody form requirements:

26.4.1. the date and time the sample is removed from the split sample freezer;

- 26.4.2. the sample number;
  - 26.4.3. the address where the split sample is to be sent;
  - 26.4.4. the name of the carrier and the address where the sample is to be taken for shipment;
  - 26.4.5. verification of retrieval of the split sample from the freezer;
  - 26.4.6. verification of each specific step of the split sample packaging in accordance with the recommended procedure;
  - 26.4.7. verification of the address of the split sample laboratory on the split sample package;
  - 26.4.8. verification of the condition of the split sample package immediately prior to transfer of custody to the carrier; and
  - 26.4.9. the date and time custody of the sample is transferred to the carrier.
- 26.5. A Racing Commission representative in the presence of a representative of the greyhound owners' association shall remove a split sample from the split sample freezer.
- 26.6. The Racing Commission representative shall pack the split sample for shipment in the presence of the owner/trainer or designee, in accordance with the packaging procedures recommended by the Racing Commission. A form shall be signed by both the greyhound owner's representative and the Racing Commission representative to confirm the packaging of the split sample. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.
- 26.7. The package containing the split sample shall be transported to the location where custody is transferred to the delivery carrier charged with delivery of the package to the Racing Commission-approved laboratory selected by the owner or trainer.
- 26.8. The owner, trainer or designee and the Racing Commission representative shall inspect the package containing the split sample immediately prior to transfer to the delivery carrier to verify that the package is intact and has not been tampered with.
- 26.9. The split sample chain of custody verification form shall

be completed and signed by the representatives of the Racing Commission and the owner or trainer. A Racing Commission representative shall keep the original and provide a copy for the owner or trainer.

**§178-2-27. Camera and Film Patrol.**

27.1. All licensed race tracks must install and use an approved type "Film Patrol" with not less than one (1) camera operating from a position designated by the Racing Commission.

27.2. Each racing association shall furnish and maintain at its track at all times during the period of racing the necessary camera and equipment to produce motion pictures or video tape of each race from start to finish. All camera and camera equipment necessary in their operation shall be approved by the Racing Commission. The film of all pictures taken during a race shall be retained by the racing association for a period of not less than three (3) months and shall be available at all times during that period to the Racing Commission.

27.3. On all racetracks, a proper camera shall be installed as an aid to the judges. However, in all cases, the camera is merely an aid and the decision of the judges shall be final. The Racing Commission shall approve the type of equipment used and the operator.

27.4. No photographer, other than the official photographer holding an occupational permit, shall be permitted on the racetrack unless special permission is granted by the judges or the Racing Commission, and then only for such pictures as are specifically requested and in places as are indicated by the judges or the Racing Commission.

27.5. On all racetracks, the Racing Commission shall approve the operator of the camera taking pictures approaching the finish line and in the winner's circle after the race. In all cases when a still picture is taken, the operator must direct his or her camera at a point away from the finish line unless the judges or the Racing Commission grants special permission.

27.6. All associations shall keep on file for the duration of the meeting and one (1) month thereafter, each plate, film or finished pictures of each race for reference or reproduction upon request of the Racing Commission.

27.7. The Racing Commission judge may permit video tapes or photo finish pictures to be removed from the grounds.

**§178-2-28. Policing.**

28.1. Each association shall maintain and furnish police or security guard service as may be needed or requested by the Racing Commission. The police or security is to be fully empowered to enforce law and order and cooperate in the enforcement of this rule.

28.2. Each association shall police its grounds at all times in such a manner as to preclude the admission of any person in and around the kennels with the exception of persons having bona fide business or holding an occupational permit issued by the Racing Commission.

28.3. A written report shall be made to the Racing Commission daily by the head of the security department at each race track, which detail all arrests or persons booked in their office. This report shall also include all persons picked up for drunkenness, touting, disorderly conduct, fraudulent use of badges or other misdemeanors and give in detail the charges, together with the names and addresses of the offenders.

28.4. The Racing Commission, after prior consultation with the racing association, may designate not more than three (3) persons as special investigators, whose duties and responsibilities shall be fixed by the Racing Commission. The associations shall pay compensation of these persons. Compensation shall not exceed that which is comparable for like or similar services in the geographical area of the association.

**§178-2-29. Kennel Names.**

29.1. An owner who holds an occupational permit desiring to race under a kennel name may do so by registering for the racing meeting with the Racing Commission and by paying the prescribed fee.

29.2. A trainer, who holds an occupational permit as an owner or a part owner, may use a kennel name as owner or part owner. However, no trainer may be an occupational permit holder as trainer other than in his or her legal name.

29.3. In applying to race under a kennel name, the applicant must disclose the identity or identities of all persons who own the kennel.

29.4. If a partnership or other business entities are involved

in the identity behind a kennel name, each of the partners must be an occupational permit holder as owner and each must comply with the rules covering partnerships.

29.5. If a corporation or other business entity is involved in the identity behind a kennel name, each corporation must comply with the applicable rules.

29.6. Changes in ownership identities involved in a kennel name must be reported immediately with approval sought from the Racing Commission.

29.7. An owner holding an occupational permit cannot be a party to more than one kennel name at the same time, nor can he or she use his or her real name for racing purposes, as long as he or she has a registered kennel name.

29.8. An owner holding an occupational permit who has registered under a kennel name may at any time abandon the name after he or she has given written notarized notice to the Racing Commission.

29.9. A kennel name may be changed at any time by registering a new kennel name and by paying the prescribed fee to the Racing Commission license clerk.

29.10. An owner holding an occupational permit cannot register as his or her kennel name one, which is already registered by any other owner.

29.11. An owner holding an occupational permit cannot register as his or her kennel name one which is the real name of any owner or greyhounds racing, nor one which is the real or kennel name of any prominent person not owning greyhounds.

29.12. A kennel name shall be plainly distinguishable from that of another duly registered kennel name.

29.13. The Racing Commission reserves the right to refuse any corporation or other business entity the privilege of registering a kennel name.

**§178-2-30. Registration.**

30.1. The National Greyhound Association of Abilene, Kansas shall be recognized as the official breeding registry of all greyhounds. However, the Racing Commission may certify any greyhound whose lack of registration with the approved registry is

attributable too arbitrary, discriminatory or other unreasonable action or inaction on the part of any agency.

30.2. A greyhound shall not be entered for racing or schooling at any official track unless it has been tattooed and registered in the NGA stud book including the last six (6) performance lines, if applicable. The racing history of the greyhound shall be made available to the association's racing secretary.

30.3. All certificates of registration must be available at all times for inspection by the Racing Commission judge.

30.4. All transfers of any title to, leasehold, or other interest in greyhounds that are schooled, entered or racing at any racetrack under the jurisdiction of the Racing Commission shall be registered and recorded with the National Greyhound Association of Abilene, Kansas.

30.5. No title, leasehold or other interest in any greyhound will be recognized by the Racing Commission until that title, leasehold or other interest is evidenced by written instrument and duly filed with and recorded by the National Greyhound Association of Abilene, Kansas. Notarized copies thereof shall be filed with the Racing Commission and with the association's racing secretary at the racetrack where the greyhound is to be schooled, entered or raced.

**§178-2-31. Owners.**

31.1. The kennel owners are presumed to know the rules of greyhound racing as adopted by the Racing Commission.

31.2. A kennel owner, when his or her trainer is to be absent from his or her kennel and the grounds where his or her greyhounds are racing, shall notify the judges, of the trainer, assistant or authorized agent holding an occupational permit who will assume complete responsibility of the greyhounds he or she is running.

31.3. All kennel owners must file with the Racing Commission and the association a roster of his or her trainer, assistant trainers, authorized agent and other employees. If any kennel owner change's trainer, he or she must notify the Racing Commission forthwith and require the new trainer or any new employee to register in at the Racing Commission office at the racetrack where the kennel is racing.

31.4. All kennel owners of greyhounds and their employees are subject to the laws of the State of West Virginia and the rules

promulgated by its Racing Commission immediately upon making entry to run on a racetrack in West Virginia.

31.5. Kennel owners and their employees shall abide by the laws and rules and accept the decision of the judges on any and all questions, subject to the right of appeal to the Racing Commission.

**§178-2-32. Partnerships.**

32.1. Each and every partner, including husband and wife, must obtain an owner's occupational permit to allow the partnership to function on the racetracks of West Virginia and must complete proper partnership forms.

32.2. Partnership papers shall, among other things, set forth the following:

32.2.1. The name and address of each and every person having an interest in the greyhound or greyhounds involved;

32.2.2. the relative proportions of such interests;

32.2.3. to whom the winnings are payable;

32.2.4. in whose name the greyhound or greyhounds shall run;

32.2.5. with whom the power of entry and declaration rests.

32.2.6. the terms of any contingency, lease or any other arrangement.

32.3. All partnership papers must be signed by all parties or by their authorized agent.

32.4. In case of an emergency, authority to sign declarations of partnerships may be given to the Racing Commission by a telegram or facsimile, which is to be promptly confirmed in writing by mail.

32.5. The part owner of any greyhound cannot assign his or her share or any part of it, without the written consent of the other partners. The written consent is to be lodged with the Racing Commission and the association's racing secretary.

32.6. An alteration in a recorded partnership registration to be effective must be reported in writing to the Racing Commission and signed by all partners.

32.7. All parties to a partnership shall be jointly and

severally liable for all stakes, forfeits, and other obligations.

**§178-2-33. Corporations.**

33.1. No occupational permit as an owner shall be granted to a corporation or to the lessee or lessees of any corporation unless that corporation shall have no more than ten (10) stockholders members, each of whom shall be the registered and beneficial owner of stock or membership in such corporations. No corporation having more than ten (10) stockholders shall have the power to lease for racing purposes to any natural person or persons, or partnership, or other business entity, any greyhound owned or controlled by the corporation. Each stockholder must file an application for an owner's occupational permit. All the stockholders of a corporation which own or lease greyhounds for racing purposes in the State of West Virginia make and file with the Racing Commission when requested by it, a report containing information as the Racing Commission may specify. Refusal or failure to file the report may result in the Racing Commission refusing an occupational permit to any lessee or lessees of such corporations, or may revoke any occupational permit.

**§178-2-34. Authorized agents.**

34.1. Each authorized agent shall file a valid power of attorney, permanently with the Racing Commission.

34.2. Any changes in the power of attorney must be in writing and filed with the Racing Commission license clerk.

34.3. The term of the occupational permit shall expire December 31 of each year, unless the agent's appointment is revoked by the owner of the occupational permit or earlier revoked by the Racing Commission.

34.4. Owner's revocation must be in writing, sworn to before a notary public, and file with the Racing Commission.

**§178-2-35. Schooling.**

35.1. Greyhounds must be properly schooled in the presence of the judges, and must, in the opinion of the judges, be sufficiently experienced before they can be entered or started.

35.2. All schooling races shall be at a distance not less than the distance nearest to 5/16 mile in use at the racetrack.

35.3. Each official schooling race must consist of at least six

(6) greyhounds. However, if this condition creates a hardship, less than six (6) may be schooled with the permission of the Racing Commission judge.

35.4. No hand schooling will be considered official.

35.5. Any greyhound that has not been entered for a period of six (6) racing days and/or has not raced for a period of ten (10) racing days, or more, shall be schooled at least once at its racing weight before being eligible for entry.

35.6. All greyhounds in official schooling races must be raced at their established racing weight and started from the starting box wearing their blankets.

35.7. Any owner or trainer issued an occupational permit by the Racing Commission who has greyhounds under his or her care and management that are booked to race on racetracks licensed by the Racing Commission and who permits the greyhounds to be schooled on any racetrack in West Virginia or elsewhere that is not approved by the Racing Commission during these bookings, shall be subject to the immediate revocation of his or her occupational permit.

35.8. Any greyhound ordered on the schooling list by the judges must be schooled officially and satisfactorily before being allowed to enter a race.

35.9. Each association shall provide a photo-finish camera approved by the Racing Commission, to be in operation at all official schooling races.

#### **§178-2-36. Entries.**

36.1. Every person who enters a greyhound, or races under this rule obligates himself or herself to accept this rule upon all questions relating thereto.

36.2. For all races, the association's racing secretary is the person authorized to receive entries and declarations.

36.3. Every entry in a race must be in the name of the registered owner, lessee or his or her kennel name and must be made in writing or by telephone and immediately confirmed in writing. The complete name of every person having an ownership in a greyhound or accepting the trainer's percentage, or having any interest in its winnings must be registered with the association's racing secretary before it starts at any meeting. Every change in ownership or interest thereafter made during that meeting and a

copy thereof must be promptly delivered to the Racing Commission by the association's racing secretary of the racetrack where the greyhound is racing. Any failure to comply with this rule shall be punishable by a fine or suspension or both. If any objection due to default is made and sustained against a greyhound that has run in a race, its winnings in that race shall be forfeited and the purse redistributed by the judges. Such redistribution shall in no way affect the pari-mutuel pay off for the race.

36.4. A greyhound shall not be qualified to run in any race unless it has been and continues entered for the race. Unless otherwise specified by the conditions of a race or disqualified by violation of racing rules, any greyhound eligible at the time of entry shall continue to be qualified, except in an overnight event, in which it must be eligible at the time of the start.

36.5. The entrance to a race shall be free unless otherwise stipulated in its conditions. If the conditions require an entrance fee, it must accompany the entry.

36.6. Any person having an interest in a greyhound less than the interest of any other person is not entitled to assume any of the rights or duties of an owner as provided by these rules, including the right of entry, declaration, etc.

36.7. One or more of the owners may make joint subscriptions and entries. However, all individuals and each of them shall be jointly and severally liable for all fees and forfeits.

36.8. The racing officials shall have the right to call on any person in whose name a greyhound is entered to produce proof that the greyhound entered is not the property either wholly or in part of any person who is disqualified and produces proof of the extent of his or her interest in the greyhound. Failure to produce such proof shall result in the greyhound being removed from the race.

36.9. No greyhound shall be permitted to start that has not been fully identified.

36.10. Any person who knowingly attempts to establish the identity of a greyhound or his or her ownership shall be held responsible as the owner and shall be subject to the same penalty in case of fraud or attempted fraud.

36.11. No disqualified greyhound shall be allowed to enter or to start in any race.

36.12. A greyhound shall not be qualified to be entered or to start in any race when owned, in whole or in part, or when under the control, directly or indirectly, of a disqualified person.

36.13. The entries of any person or the transfer of any entry may be refused with or without notice or reason being given.

36.14. No greyhound shall be permitted to enter or to start unless a licensed trainer conditions the greyhound.

36.15. No entry shall be accepted from husband or wife while either is disqualified.

36.16. No greyhound on the schooling list or the veterinarian's list shall be qualified to enter or to starting a race.

36.17. Entries, which have closed, shall be compiled without delay by the association's racing secretary and conspicuously displayed.

36.18. No alteration shall be made in any entry after closing of entries, but an error may be corrected.

36.19. In purse races, there shall be at least six (6) greyhounds of completely different ownership. No trainer shall have more than two (2) greyhounds in any race except in stakes, sweepstakes or feature races without the permission of the Racing Commission. In all other purse races, the following conditions shall apply:

36.19.1. No double entries shall be allowed until all single interests are used and double entries shall be uncoupled for wagering purposes;

36.19.2. the trainer shall have agreed to a double entry. When no other single entry is available, then the association's racing secretary may use a double entry without the permission of the owner;

36.19.3. greyhounds nominated for any distance over 5/16 mile are subject to double entry without permission of the owner.

36.19.4. two (2) double entries may be used in all grades and distances, provided rules of the draw are observed.

36.20. If an entry from any person of any greyhound that stands suspended or expelled is received, the entry shall be void and the money, if any, paid for such entry refunded. Any money or prize won under that entry shall be returned.

36.21. No greyhound under the age of fifteen (15) months shall run in any official race other than races conditioned for

greyhounds of the same age.

36.22. Entries for stake races, the conditions of which have previously been published, shall close at the time advertised in such publication. No entry shall be received after that time, except when races fail to fill, additional time may be granted.

36.23. Every greyhound entered for a purse must be a starter unless it is declared or scratched.

36.24. An entry in a stake race is a nomination, which cannot be withdrawn unless the Racing Commission veterinarian gives approval.

36.25. A greyhound shall not become a starter for a stake race unless there has been paid any stake or entrance money due in respect to that race.

36.26. Entrance money is not refunded on the death of a greyhound or its failure to start.

36.27. The nominator is liable for the entrance money or stake, and the death of a greyhound or a mistake in its entry, when eligible, does not release the subscriber or transferee from liability for stakes.

36.28. In the absence of notice to the contrary, entrance and declarations for sweepstakes close at the office of the association's racing secretary who shall make provisions therefor. Closing at all times for sweepstakes shall be at the office of the association's racing secretary.

36.29. When an hour for closing is designated, entries and declarations for sweepstakes cannot be received afterwards. If an hour is not designated, they may be mailed or telegraphed, faxed, federally expressed up to midnight of the day of closing if they are received in time for compliance with every condition of the race.

36.30. Nomination for stake races that are received and postmarked before midnight of the day of closing shall be valid if received twenty-four (24) hours in advance of closing overnight entries.

36.31. If a miscarriage of any entry or declaration in a stake is alleged, satisfactory proof that it was mailed, faxed, federal expressed or telegraphed must be presented within a reasonable time or it shall not be acknowledged.

36.32. A person entering a greyhound becomes liable for the entrance money or stake.

36.33. An entry of a greyhound in a stake race is a nomination to the stake's race and the nominator is liable for stake and forfeit. If he or she transfers the entry, he or she is liable only in cause of default to the transferee. Similarly, the seller of a greyhound with engagements is liable for stake or forfeit if the engagement is not kept.

36.34. A person making a wrong entry or nomination shall be liable for the stake and forfeits under the nomination.

36.35. The entrance money, starting and subscription fees in every race shall go to the winner, unless otherwise provided in the conditions of the race. When, from any cause, a race is not held, all stakes or entrance money, if any paid shall be refunded.

36.36. When a person is prevented by this rule from entering or starting a greyhound for any race due to pay arrears in which he or she would not otherwise be liable, he or she may, by paying the arrears, enter or start the greyhound and have the arrears placed on the forfeit list as due to himself or herself.

36.36.1. If the seller of a greyhound with engagements is compelled to pay arrears through the purchaser's default, he or she may place the amount on the forfeit list as due from the purchaser to him or her. This rule shall also apply in the transfer of entries when the transferee defaults.

36.36.2. The association's racing secretary, with the approval of the judges, shall have full authority to waive the obligations incurred by this rule according to the circumstances of the case.

36.37. Any person not having money to his credit with the association must, before his or her greyhound can start, pay (in cash, if required) to the association, all entrance money, stakes and arrears due the association or attached to the greyhound he or she intends to start.

36.38. If a greyhound is sold to a disqualified person, the greyhound's racing engagements shall be void as of the date of sale.

36.39. In case of fire, or accident, or for other reasons after due public notice, all races or stakes may be postponed or declared off. When declared off, all subscriptions and declaration's money

must be refunded.

36.40. No more than one (1) greyhound of any licensed owner shall be allowed to run in any race, except stake races or distance races above grade B. Upper grade distance races (AA & A), shall consist of no more than two (2) owners that have a double entry.

**§178-2-37. Post Position.**

37.1. The post position of greyhounds in starting shall be assigned by lot or drawing, supervised by the Racing Commission judge and association's racing secretary at a time and place properly posted in the paddock at least one (1) day previous to the running of the races, in order that any and all owners, trainers or authorized agents may be present if they desire.

**§178-2-38. Declarations.**

38.1. The declaration of a greyhound out of an engagement is irrevocable.

38.2. Declarations in sweepstakes shall be made in the same manner as is provided when making entries to the association's racing secretary who shall record the day and hour of receipt and give early publicity thereto.

38.3. Declarations in purse races must be made by the trainer, to the association's racing secretary or his or her assistant at any time before the time designated for the posting of post positions on the day prior to the day on which the greyhound is to race.

**§178-2-39. Scratches.**

39.1. To scratch a greyhound entered in a race, sufficient cause must be given to satisfy the judges. All scratches and the cause must be reported immediately to the judges.

39.2. Any scratches that occur that is the result of a violation of a racing rule must carry a penalty and/or suspension of that greyhound for a period of six (6) racing days. Scratches for other causes must be disciplined at the discretion of the judges.

39.2.1. however, if any owner or trainer fails to have the greyhound entered at the racetrack at the appointed time for weighing-in, and, as a result, that greyhound is scratched, the judges shall impose a forfeiture and/or suspension on the person

responsible.

39.3. If three (3) or more greyhounds are withdrawn or scratched in any one race, the race may be canceled.

39.4. The judges may scratch a greyhound entered in a race for sufficient cause.

**§178-2-40. The Race.**

40.1. If a greyhound bolts the course, of his own volition runs in the opposite direction or does not run the entire prescribed distance of the race, the greyhound shall forfeit all rights in the race and no matter where the greyhound finished, the judges shall declare the finish of the race the same as if the greyhound were not a contender. However, for the purpose of the rule, the greyhound shall be considered a "starter."

40.2. If a greyhound bolts the course of his own volition or runs in the opposite direction during the running of the race, and the greyhound, in the opinion of the judges, interfered with any other greyhound in the race, the judges shall declare it "No Race" and all moneys wagered shall be refunded except when, in the opinion of the judges, such interference clearly did not interfere with the outcome of the race.

40.3. If it appears that a greyhound may interfere with the running of the race because of failure to leave the box, due to an accident or for any other reason, any person under the supervision of the judges stationed around the race course, may remove the greyhound from the race course. However, for the purpose of the rule, the greyhound shall be considered a "starter."

40.4. All greyhounds must wear the regulation association muzzle and blanket when racing. Blinker muzzles may not be used.

40.5. Muzzles and blankets must be carefully examined in the paddock by the paddock judge before the greyhounds leave the post, and again be examined before the judges at the judges' stand or before the starter at the starting box by the patrol judge.

40.6. All greyhounds must be exhibited in the show paddock before post time of the race in which they are entered.

40.7. After the greyhounds leave the paddock on their way to the starting box and, until the judges direct the gates to be reopened, all persons except the racing officials and necessary attendants shall be excluded from the race course to be run over.

40.8. No race shall be called official unless the lure is in advance of the greyhound at all times during the race. If, at any time during the race, any greyhound or greyhounds catch or pass the lure, the judges shall declare it "No Race" and all moneys shall be refunded.

40.9. The judges shall closely observe the operation of the lure and hold the lure operator to strict accountability for any inconsistency of operation.

40.10. If a greyhound is left in the box when the starting box is opened at the start, there shall be no refunds.

40.11. If a race is marred by jams, spills or racing circumstances other than an accident to the machinery while a race is being run, and three (3) or more greyhounds finish, the judges shall declare the race finished. If less than three (3) greyhounds finish, the judges shall declare it "No Race" and all moneys shall be refunded. This rule is applicable to any and all types of wagering.

**§178-2-41. Weights and Weighing.**

41.1. All greyhounds must be weighed not less than one (1) hour before the time of the first race of the day.

41.2. Before a greyhound is allowed to school or race at any racetrack, the trainer must establish its racing weight with the paddock judge.

41.3. At weighing-in time, if there is a variation of more than one and one-half (1 1/2) pounds either way from its established weight, the judges shall order the greyhound scratched.

41.4. At weighing-out time, if a greyhound loses weight in excess of one and one-half (1 1/2) pounds from its weigh-in weight while in the lock-out kennels, the judges shall order the greyhound scratched. However, upon a certificate from the veterinarians that such loss of weight while in the lock-out kennels does not impair the racing condition of the greyhound, the judges may allow the greyhound to race.

41.5. At weighing-in time if there is more than two (2) pounds variation between the weight of its present race and the weight at weighing-in time of its last race, the judges shall order that greyhound scratched.

41.6. The weight regulations provided in Sections 41.1, 41.2,

41.3, 41.4, 41.5 and 41.6 shall be printed in the daily program.

41.7. The established racing weight may be changed from time to time on written request of the owner or trainer and by written consent of the judges if the change is made four (4) calendar days before the greyhound is allowed to race at the new weight.

41.7.1. All greyhounds having an established weight change of more than one (1) pound must be schooled at least once or more at the discretion of the judges, at the new established weight before being eligible for starting.

41.8. Greyhounds that have not raced or schooled officially for a period of three (3) weeks will be allowed to establish a new racing weight with the written consent of the judges. They may be schooled officially immediately upon receipt of the written consent.

41.9. The judges shall have the privilege of weighing a greyhound entered in a race at any period from the time the greyhound is entered in a race until post time.

41.10. Immediately after being weighed in, the greyhounds shall be placed in a lock-out kennels under the supervision of the paddock judge. No owner or other person with the exception of the paddock judge, veterinarian, kennel master, scales clerk, lead-out, judges or Racing Commission's representatives, shall be allowed in or near the lock-out kennels.

**§178-2-42. Grading.**

42.1. There will be six (6) grades for experienced greyhounds. When designating the grades of races, the Grades AA, A, B, C, D, and M will be used. Grade AA shall be the highest classification, but this grade shall not be in effect unless twenty (20) or more greyhounds are on the premises and capable of being entered in this grade.

Grade D shall be the lowest classification, grade S indicates a stake race, and grade M refers to maiden classification, which indicates greyhounds that have not won an official race.

42.2. The winner of any graded race shall advance one (1) grade until reaching Grade AA: Provided, however, That any greyhound which wins in a maiden classification shall have the option of racing in a grade C or grade D event.

42.3. In Grades AA, A, B, any greyhound which fails to finish

third or better in three (3) consecutive events shall be dropped one (1) grade. In these grades, any greyhound that fails to finish better than one third position in any four (4) consecutive starts shall likewise be lowered one (1) grade. In grade C, events any greyhound that fails to finish fourth or better in any four (4) consecutive starts shall be lowered one (1) grade. In grade D events any greyhound that fails to finish third or better in any four (4) consecutive starts shall be ineligible to race for the remainder of the current race meeting.

42.4. T races designate mixed grade races and shall consist of greyhounds within two consecutive grades and shall be at a distance of 3/8 or longer. The greyhound's regular grade shall follow the designation T in the program.

42.5. S (stake races) may be of a mixed grade and may be scheduled by the racing association with the approval of the Racing Commission. However, all stake races shall carry a purse of at least one thousand dollars (\$1,000). The greyhound's regular grade shall follow the designation S in the program.

42.6. Stakes qualifying races shall be indicated by "Q." the regular grade of the greyhound shall also be listed.

#### **§178-43. Dead Heats.**

43.1. When greyhounds run a dead heat for first place, all moneys and prizes to which the greyhounds would have been entitled shall be divided equally between them and this applies in dividing prizes regardless of the number of greyhounds running a dead heat. Each greyhound shall be deemed a winner.

43.2. Likewise, when greyhounds run a dead heat for second place, they shall divide the second and third moneys.

43.3. When greyhounds run a dead heat for third place, they shall divide the third and fourth moneys.

43.4. If the dividing owners cannot agree as to which of them is to have a cup or other prize which cannot be divided, the question shall be determined by lot in the presence of one (1) or more of the judges.

#### **§178-2-44. Objections.**

44.1. All objections must be made to the judges in writing, signed by the objector and a copy sent immediately by the judges to the Racing Commission.

44.2. Permission of the judges is necessary before an objection can be withdrawn.

44.3. Any person or persons lodging an objection must pay all costs and expenses incurred in determining the objection in such proportions, as the judges shall decide, unless relieved from such expense by the Racing Commission.

44.4. The judges may require a cash deposit before considering an objection. The cash deposit may be forfeited if the objection proves to be frivolous or without foundation.

44.5. The judges must decide every objection pertaining to the race. For every decision an appeal in writing may be made to the Racing Commission within forty-eight (48) hours of the time the objector has been officially informed of the decision.

44.6. Objections to a greyhound engaged in a race may be made by the owner or trainer of some other greyhound engaged in the same race or by an official of the meeting to one of the judges.

44.7. Pending a decision on an objection, any prize shall be withheld until the objection is determined.

44.8. Objections shall be filed with the judges within forty-eight (48) hours (exclusive of Sundays) from the time the race is run in which the greyhound subject to the objection participated.

44.9. In all cases of fraud or willful deception, the time limitation shall not apply if the judges are satisfied that the allegations are bonafide.

44.10. If an objection to a greyhound which has won or which has been placed in a race is declared valid that greyhound is disqualified and the other greyhounds in the race are entitled to place in the order in which they finished.

**§178-2-45. Disciplinary Action.**

45.1. No racing official other than the judges shall have the right to impose a fine or suspension.

45.2. All fines shall be paid to the Racing Commission license clerk at the Racing Commission office within forty-eight (48) hours after imposition.

45.3. No person shall assume, pay directly or indirectly, a

fine imposed upon another.

45.4. An unpaid fine may not be rescinded except with the approval of the Racing Commission.

45.5. Violators of this rule shall be subject to ejection from the grounds and/or fine, suspension or to be ruled off.

45.6. If any occupational permit holder guilty of using profane, indecent or vulgar language to any racing official, carry or exhibit a deadly weapon, or otherwise disturb the peace on any racetrack enclosure, he or she may be fined and/or suspended.

45.7. It shall be a misdemeanor/felony for any person to use any animal or fowl in the training or racing of greyhounds, which are being trained for pari-mutuel racing. Any greyhound that has been trained utilizing and animal or fowl shall be banned from participating in pari-mutuel racing for life. The Racing Commission shall notify the pari-mutuel racing facilities within the state in which it has jurisdiction and shall notify all jurisdictions within the United States that the greyhound is on the banned list.

**§178-2-46. Occupational Permits and Permit holders.**

46.1. Any person who is involved in or employed by those involved in racing or operating a licensed racetrack or those operating concessions for or under authority from any association, must have a valid occupational permit issued by the Racing Commission unless otherwise specifically exempt.

46.2. In the event that a dispute should arise between a licensee and permit holders, at any licensed racetrack and in the event the occupational permit holders or licensee desire to terminate or discontinue their activities under an existing license or occupational permit, then in that event the licensee or occupational permit holders shall give seven (7) day's notice, in writing, of their intention to terminate or all activities under their existing license, or an occupational permit to the Racing Commission. The Racing Commission may, upon request from either party, within the seven (7) day period, conduct hearings in an attempt to arbitrate and settle any disputes by and between the parties. In the event either the licensee or occupational permit holder fails to abide by this rule, the Racing Commission may suspend the licensee and/or occupational permit holder. West Virginia Procedural Regulations, 178 C.S.R.4 (1991), Dispute Resolution Procedures shall govern all such hearings.

46.3. Applicants for an occupational permit may be called upon to submit satisfactory evidence of financial responsibility, and after an occupational permit has been issued. The applicant must maintain a record of financial responsibility during the period for which an occupational permit is issued.

46.4. The Racing Commission may refuse to issue or renew an occupational permit, or may suspend or revoke an occupational permit issued pursuant to this rule, if the Racing Commission finds that the applicant, or any person who is an agent, employee or associate of the applicant, has been convicted of a crime in any jurisdiction, or is or has been associating with any person who has or persons who have been convicted of a crime or crimes in any jurisdiction, or is consorting with or has consorted or associated with bookmakers, touts or persons of similar pursuits, or has himself or herself engaged in similar pursuits, or is financially irresponsible, or has been guilty of or attempted any fraud or misrepresentation in connection with racing, breeding or otherwise, or has violated or attempted to violate any law with respect to racing in any jurisdiction or any rule or order of the Racing Commission, or adopted by the Racing Commission, or has been guilty of or engaged in similar, related or like practices.

46.5. All applications for occupational permits shall be filed with the Racing Commission license clerk in the Racing Commission office. The application will be submitted to the judges who shall issue the occupational permit or hold the application for further investigation, or refer it to the Racing Commission for final action. All judges shall review and sign all occupational permit applications.

46.6. All applicants for an occupational permit and all applicants seeking renewal of an occupational permit may be required to furnish their respective fingerprints for examination by the West Virginia Criminal Investigation Division and the Federal Bureau of Investigation. The fingerprints shall be furnished by all persons required to be named in the application and shall be accompanied by a signed authorization for the release of information by the Criminal Investigation Division and Federal Bureau of Investigation.

46.7. The association shall provide equipment for fingerprinting and photographing representatives of all occupational permit holders and shall provide the equipment necessary to coat the occupational permit with the picture of the applicant.

46.8. The following fees shall be charged by the Racing Commission for occupational permits effective for calendar year

2001 and thereafter:

Kennel Name	\$ 20.00
Corporation	20.00
Vendor	20.00
Owner - Trainer	30.00
Owner	15.00
Trainer	15.00
Assistant Trainer	15.00
Veterinarian	15.00
Veterinarian Assistant	10.00
Mutuel Employee	10.00
Photographers, totalizator, Film patrol	10.00
Officials - Judges	15.00
Racing Secretary	15.00
Paddock Judge	15.00
Minor Officials - Patrol Judge	10.00
Starter	10.00
Clerk of Scales	10.00
Brakeman	10.00
Boxman	10.00
Chart Writer	10.00
Lead-Out	10.00
Lure Operator	10.00
Kennel Helper	10.00
Kennel Master	10.00
Assistant Racing Secretary	10.00
All other occupational permits not specified	10.00

46.9. Every person who is suspended, or whose occupational permit is revoked, or to whom an occupational permit is denied by any racing board or commission must apply to and be reinstated by the board or commission of the state in which the original ruling was made before being eligible to hold an occupational permit in any capacity issued by the Racing Commission.

46.10. All occupational permit holders shall visibly display their card at all times in restricted areas and shall be held responsible for its safekeeping. No occupational permit shall be transferable and no duplicate cards shall be issued except upon payment of a fee of five dollars (\$5.00).

46.11. Any occupational permit holder who allows another to use his or her occupational permit card or badge or any person who used the occupational permit card or badge of another person for the purpose of transferring any of the benefits pertaining thereto may

be suspended, fined or both.

46.12. When the denial of the occupational permit has been ordered by the Racing Commission, the executive secretary of the Racing Commission shall report the particulars to the applicant and shall further report the matter to the Association of Racing Commissioners International, Inc., and give detailed reasons why the denial was made.

46.13. Any applicant applying for an occupational permit may be given permission by the judges to pursue his or her vocation pending action upon his or her application upon issuance of a temporary occupational permit. However, any person, trainer or owner who has been suspended or ruled off and subsequently reinstated after the expiration of his or her occupational permit, shall not be permitted to pursue his vocation until a new occupational permit has been granted.

46.14. Every occupational permit shall be for not more than one (1) year and shall expire on December 31 of each year.

46.15. The Racing Commission may deny or revoke an occupational permit to any person who shall have been refused an occupational permit by any other racing jurisdiction when the racing jurisdiction of each other state extends to the Racing Commission of West Virginia reciprocal courtesy to maintain the disciplinary control. The Racing Commission may deny or revoke any occupational permit when the holder has violated this rule or has falsified his or her application for the occupational permit.

46.16. The responsibility of obtaining an occupational permit for an employee rests with the employer. Employment of an individual without reporting such employment to the judges and immediately obtaining an occupational permit for the employee may be cause for fine, suspension or both.

46.17. No application for an occupational permit will be considered or an occupational permit granted to anyone less than sixteen (16) years of age, nor will an occupational permit be granted to any minor which will in any manner violate any statute pertaining to child labor which now exists in the State of West Virginia or which may be enacted in the future.

46.18. The judges or the Racing Commission may impose a condition or conditions on the issuance of an occupational permit, as they deem necessary in their sole discretion to protect the best interest and integrity of racing. The judges or Racing Commission may deny an occupational permit if a conflict of interest exists or could exist as a result of the issuance of an occupational permit.

46.19. Any person under suspension by any racing jurisdiction of any country shall remain under suspension in this State until reinstated by the original racing jurisdiction.

**§176-2-47. Tip Sheet Vendor**

47.1. The following conditions must be observed in obtaining an occupational permit as a tip sheet vendor:

47.1.1. any family, corporation, partnership or sole proprietorship, or any other business entity or any employees thereof may publish no more than one (1) version of a tip sheet for use at any one (1) track on any given race day. There is no limit on the number of copies of the one version that may be produced and sold.

47.1.2. to ensure fair conditions for the wagering public, a tip sheet vendor may not use the same facilities to produce a tip sheet as are used by another tip sheet vendor at the same track.

47.1.3. all tip sheet vendor applicants must meet the conditions set forth to the full satisfaction of the Racing Commission judge.

**§178-2-48. Trainers.**

48.1. Each trainer must obtain an occupational permit from the Racing Commission, listing all the names of owners or part owners on the application for the occupational permit of all greyhounds trained by him or her.

48.2. No owner or trainer shall harbor on the grounds of an association, engage, or retain in his or her employ any person not holding an occupational permit.

48.3. When a trainer is to be absent from his or her kennel or the grounds where his or her greyhounds are racing for a period of one racing performance in which his or her greyhounds are entered or are to be entered, he or she must provide a trainer holding an occupational permit to assume the complete responsibility for the greyhounds he or she is entering or running. The trainer holding the occupational permit shall sign a form furnished by the Racing Commission license clerk in the presence of the judges accepting complete responsibility for the greyhound or greyhounds being entered or running.

48.4. A trainer shall have his or her greyhound in the paddock

at the time appointed.

48.5. If, for any reason, the trainer of a greyhound is not or cannot be present at the time of collection of urine, blood, or other samples, it shall be deemed by the Racing Commission that the person actually in custody of the greyhound is duly authorized to witness the taking and sealing of the specimen and has the trainer's authority to sign as witness to this action.

48.6. A trainer shall be responsible for the condition of a greyhound trained by him or her.

48.7. Each trainer shall register all the greyhounds in his or her charge giving the name, age, sex, breeding, and ownership of each with the association's racing secretary. Any greyhound kenneled on the grounds of the association or under the jurisdiction of the association without having been registered will be cause for disciplinary action.

48.8. Each trainer shall register with the Racing Commission license clerk and the racing association security department every person in his employ. He or she must also be responsible for the licensing of each employee and not harbor, engage or have in his or her charge any person or persons not holding an occupational permit.

48.9. A trainer shall not have in his or her charge or under his or her supervision any greyhound owned, in whole or in part, by a disqualified person.

48.10. No trainer shall accept, directly or indirectly, any bribe, gift or gratuity in any form, which might influence the result of any race.

48.11. No trainer shall move or permit to be moved any greyhound or greyhounds in his or her care from the grounds of an association without permission from the association's racing secretary and the judges.

48.12. The trainer shall be responsible as an absolute insurer of the condition of the greyhounds he or she enters regardless of any act of a third party.

48.13. Trainers shall report greyhounds under their care or superintendence that are off racing form or in poor physical condition to the association's racing secretary who shall immediately notify the judges. The reported greyhounds shall not be eligible to enter or to start until approved by the Racing

Commission veterinarian and schooled to the satisfaction of the judges. Violators of this rule may be subject to a fine, suspension or to ruling off.

**§178-2-49. Postponement and Cancellation of Races.**

49.1. If the whole or a part of a racing program is abandoned, any affected race must be canceled.

49.2. If the whole or a part of a racing program is abandoned, any affected stakes race may be postponed or canceled.

49.3. If a stakes race is canceled, all subscriptions and fees paid in connection with that race shall be refunded.

**§178-2-50. Illegal and Corrupt Practices.**

50.1. All persons guilty of any dishonest or corrupt practices, fraudulent act, or other conduct detrimental to racing, including bookmaking, touting or selling or purchasing mutuel tickets other than thorough mutuel machines, committed while within or without any racing enclosure, whether an occupational permit holder or not, shall be removed from all racing grounds under the jurisdiction of the Racing Commission. It shall be the duty of the judges and those authorized by them to exclude from all places under their jurisdiction persons who commit the offenses.

50.1.1. No racing official or his or her assistant, owner, trainer, agent or other person having charge of or access to any racing greyhound, or any other person shall accept or offer to accept on his or her own behalf or on behalf of another any gift or gratuity with intent to bribe.

50.1.2. All persons who willfully enter, or causes to be entered or starts in any race, a greyhound which he or she knows or believes to be disqualified shall be ruled off all racing grounds under the jurisdiction of the Racing Commission and it shall be the duty of the judges and those authorized by them to exclude from all places under their jurisdiction all people who commit offenses or are ruled off.

50.1.3. All persons guilty of or who conspire with any other person for the commission of or shall connive with any person being guilty of any corrupt or fraudulent practices in relation to racing in this or any other state or country shall be ruled off all racing grounds under the jurisdiction of the Racing Commission and it shall be the duty of the judges and those authorized by them to exclude from all places under their jurisdiction all people who

commit offenses or are ruled off.

50.1.4. All persons who fraudulently offer or receive any amount of money or other consideration for declaring an entry out of purse or stake shall be ruled off all racing grounds under the jurisdiction of the Racing Commission and it shall be the duty of the judges and those authorized by them to exclude from all places under their jurisdiction all people who commit offenses or are ruled off.

50.1.5. All persons guilty of any other corrupt or fraudulent practices on any racetrack in West Virginia or on any racetrack in this or any other country shall be ruled off all racing grounds under the jurisdiction of the Racing Commission and it shall be the duty of the judges and those authorized by them to exclude from all places under their jurisdiction all persons who commit offenses or are ruled off.

50.1.6. If any occupational permit holder or other person under the jurisdiction of the Racing Commission subjects or permits any animal under his or her control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse abandon, injures, maim or kills administer or deprive any animal of necessary care or sustenance, shelter or veterinary care, then this person or persons found guilty by the Racing Commission or other lawful authority of any violation of any provision of this rule shall be fined and/or ruled-off for a period of time to be determined by the Racing Commission and/or the license occupational permit of the guilty party revoked.

50.2. No electrical or mechanical device or other expedient designated or intended to increase or decrease the speed of a greyhound shall be possessed by anyone or applied by anyone to a greyhound at any time during a meeting whether in a race or otherwise.

50.3. No person shall tamper or attempt to tamper with any greyhound in such a way as to affect its speed in a race, nor shall he or she counsel or in any way aid or abet such tampering.

50.4. Any greyhound that has been the subject of corrupt practices may be disqualified by the judges of the meeting for no longer period than the duration of the meeting and the judges shall report the circumstances to the Racing Commission for action as it may deem proper.

50.5. The judges shall have the power to declare any act to be an unfair advantage to any or all persons engaged in the sport of racing in any way, or any act which would tend to mislead the

betting public, or any act which they deem to be detrimental to the best interest of racing, a corrupt practice and shall have the power to impose fitting punitive action and other action shall be referred to the Racing Commission.

50.6. All persons guilty of any dishonest or corrupt practices, fraudulent act, or other conduct detrimental to racing, including bookmaking, touting or selling or purchasing mutuel tickets other than through mutuel machines, that are committed while within or without any racing grounds, whether an occupational permit holder or not, shall be removed from all racing grounds under the jurisdiction of the Racing Commission it shall be the duty of judges and those authorized by them to exclude from all places under their jurisdiction persons who commit such offenses or are consequently ruled off.

50.7. No person who has been convicted of illegal possession, sale or the giving away of narcotics shall be permitted on the grounds of any association.

50.8. Any action, substance, drugs which may interfere with the testing procedure are forbidden.

50.9. No person shall make a handbook or a foreign book on the grounds of an association.

50.10. No person shall solicit for or wager with a handbook or a foreign book on the grounds of an association.

A resale of any pari-mutuel ticket from an individual to another is prohibited, and the transferor and transferee shall be permanently ejected from the grounds.

50.11. Any person having been convicted of a felony or a crime involving moral turpitude within the last ten (10) years shall be denied an occupational permit and/or excluded from the grounds of an association during the conduct of a racing meet.

50.12. No person who is of ill repute or a fugitive from justice, or whose conduct at a race track in West Virginia, or elsewhere is or has been improper, obnoxious, unbecoming or detrimental to the best interests of racing shall enter or remain upon the premises of any licensed association conducting a race meeting under the jurisdiction of this Racing Commission. All persons upon discovery or recognition, shall be fined, suspended or ejected from the racetrack.

50.13. Any person, other than a veterinarian licensed by the Racing Commission who injects, gives, uses or administers any

analgesics or drugs of any kind whatsoever, or who allows or permits any other person to give, inject, or administer any analgesics, or drugs of any kind whatsoever to a greyhound within forty-eight (48) hours prior to the running of a greyhound in a race must give notice to the judges of the use, injection or administering of the analgesics or drugs prior to the running of the race. Any person failing to give notice shall be suspended or his or her occupational permit revoked.

50.14. No person shall have in his or her possession within the grounds of a race track and/or within the kennels, buildings, sheds or grounds where greyhounds are lodged or kept any drugs or stimulants, unless authorized and approved by the judges.

**§178-21-51. Medication.**

51.1. The trainer shall be the absolute insurer of and responsible for the condition of the greyhound entered in a race, regardless of the acts of third parties. If the chemical, or other analysis of urine samples, prove positive showing the presence of any narcotic, stimulant, depressant, local anesthetic or any other drug or medication not authorized, the trainer of the greyhound may have any or all of the following penalties inflicted: be fined, be suspended, revocation of his or her occupational permit or prohibited from access to the license racetrack and, in addition, the owner of the greyhound, the foreman in charge of the greyhound, the attendant and any other person shown to have had the care, or attendance, of the greyhound may have any or all of the following penalties inflicted: be fined, be suspended, revocation of his occupational permit or prohibited from access to the licensed racetrack.

51.1.1. any moneys won by a greyhound found to have been administered to as described in this section shall be forfeited, and redistributed.

**§178-2-52. Vendors of greyhound feed or medicine.**

52.1. Any vendor of greyhound food or medicines of any kind or description, shall file with the Racing Commission veterinarian a list of products which he or she proposes to sell or deliver within the grounds of a race track. And shall further submit for approval to the Racing Commission veterinarian any new preparation to be offered for sale. If the vendors offered any preparation not approved, or not listed, he or she shall be denied the privileges of the kennel area.

52.3. The owner, trainer or any other person having charge,

custody or care of the greyhound is obligated to protect the greyhound properly and guard it against administration or attempted administration, of illegal substance, and if the judges shall find that any person has failed to show proper protection and guarding of the greyhound, or if the judges find that any owner and/or lessee and/or the trainer is guilty of negligence with respect thereto, the judges shall impose punishment and take other action proper under any of the rules including reference to the Commission including submission of the matter to the Racing Commission for further action.

52.4. The owner and/or lessee of a greyhound found to have received illegal administration of medication shall be denied or shall promptly return any portion of the purse or sweepstake together with any trophy in such race and the purse shall be distributed. If a greyhound is disqualified in a race because of this rule, the eligibility of other greyhounds which ran in the race and which has started in a subsequent race before announcement of the disqualification shall not be in any way be affected.

52.5. The kennel of the owner under investigation for violation of any rule pertaining to corrupt practices or illegal medication shall not be permitted to race until a hearing has been held by the judges with a decision rendered.

52.6. The judges shall hold hearings concerning the violation of medication and drug rules.

52.7. Any portion of the purse, if not already paid, which is to be redistributed in accordance with the provisions of this section, shall be held until such redistribution is approved by the Racing Commission. This rule shall apply only to the amount payable to the owner or owners of the disqualified greyhound and shall not prevent payment due to other greyhounds in the race pending approval of the Racing Commission.

52.8. Every owner, trainer or authorized agent shall immediately, whenever requested by the Racing Commission submit any greyhound or greyhounds of which he or she is the owner, trainer or authorized agent to any designated by the Racing Commission for such examination or tests as the veterinarian may deem advisable.

52.9. Any test or examination made by the veterinarian designated by the Racing Commission may be witnessed by the Racing Commission or any of its representatives, by the owner or his or her authorized agent, or by the trainer of the greyhound being examined.

52.10. Any person found guilty by the Racing Commission of any

participation in or knowledge of the fact that any drug, narcotic, stimulant, depressant, local anesthetic or any electrical, mechanical or other application that has been used, which in the opinion of the judges, is of such character as could affect the racing condition of such a greyhound in a race may be ruled off all racetracks in West Virginia.

52.11. Every association and all officials and employees thereof shall give every possible assistance to any department, bureau, division, officer, agent, the inspector or any other person connected with the United States Government or with West Virginia who may be investigating or prosecuting any person that they may suspect of being guilty of possessing any drug, narcotic, stimulant, depressant, local anesthetic, any electrical, mechanical or other device which, in the opinion of the judges, is of such character as could affect the racing condition of a greyhound in a race.

**§178-2-53. Appeal and Review.**

53.1. A majority of the judges at any greyhound race meeting may suspend an occupational permit and the suspension shall be effective immediately. The judges shall, as soon as thereafter practicable, make and enter an order to that effect and serve a copy thereon to the occupational permit holder personally or by certified mail, with return receipt requested. The order shall state the grounds for the suspension.

53.2. Any person or persons penalized or disciplined under the laws of the State of West Virginia or under these rules may request a hearing before the Racing Commission. The Racing Commission must receive a written request for a hearing at its office in Charleston, within twenty (20) days after receipt of the written order or suspension or revocation.

53.3. A request for hearing shall be filed by the person making it and the request must set forth his or her reason for believing he or she is entitled to a hearing.

53.4. The request must state if the petitioner desires a court reporter for transcribing of any testimony.

53.5. Security for costs in the amount of one hundred dollars (\$100.00) must accompany the appeal. In the event the Racing Commission deems the security for costs, insufficient as to amount, the additional security for cost specified by the Racing Commission must be deposited at the Racing Commission office within ten (10) days after notification.

53.6. An appeal from a decision of a racing official to the Racing Commission shall not affect the decision until the Racing Commission has acted upon the appeal

53.7. Upon receipt of the written demand for the hearing, in accordance with this rule, a time and place not less than ten (10) nor more than thirty (30) days thereafter will be set by the Racing Commission. Any scheduled hearing may be continued by the Racing Commission upon its own motion or for good cause shown by the person demanding the hearing.

53.8. Any person making an application for a hearing will be heard in person or by counsel, and, if the party desires, with the approval of the Racing Commission, the party may submit his case in writing.

53.9. All complaints and requests to the Racing Commission must be in writing and all papers filed with the Racing Commission shall be the property of the Racing Commission.

**§178-2-54. Auditor of pari-mutuel.**

54.1. A director of audit and auditor of pari-mutuel wagering shall be appointed annually by the Racing Commission and shall be compensated by the Racing Commission. Their duties shall be determined from time to time by the Racing Commission and the auditors of pari-mutuel shall be subject to removal at any time by the Racing Commission.

54.2. The director of audit, and any other auditors employed by the Racing Commission shall be a certified public accountant or experienced public accountant. They shall have free access to the space and enclosure where the pari-mutuel system of wagering is conducted or calculated at any greyhound race meeting for the purpose of ascertaining whether or not the licensee is deducting and retaining only a pari-mutuel commission as provided in the current Racing Act, and is otherwise complying with the other provisions of the Racing Act relating to the pari-mutuel system. They shall also, for the same purposes only, have full and free access to all records and papers pertaining to such pari-mutuel system of wagering, and shall report to the Racing Commission in writing, under oaths, whether or not the licensee has deducted and retained any pari-mutuel commission in excess of that permitted under the Racing Act or has otherwise failed to comply with the provisions of those sections of the Racing Act pertaining to the pari-mutuel system.

54.3. The auditor of pari-mutuel shall be afforded every facility for performing all the duties that may be assigned to him or her by the Racing Commission, including the following:

54.3.1. every association licensed by the Commission shall furnish the Racing Commission copies of their first payroll and any other that might be requested, both pari-mutuel and operative covering all employees performing services during any race meeting.

54.3.2. copies of all pari-mutuel work sheets are to be turned over to the auditor of pari-mutuel immediately after each race.

54.3.3. at the end of each race day, a consolidated report showing, detailed figures of the pari-mutuel handle, pari-mutuel commission and breakage shall be handed to the auditor of pari-mutuel. Also, copies of the consolidated report, report of pari-mutuel tickets paid shall be submitted.

54.3.4. at the end of each day, every signed complaint made by any customer, with reference to transactions with mutuel clerks shall be reported on printed complaint forms and furnished to the auditor of pari-mutuel the next day.

54.3.5. a totalizer report shall be kept available by the manager of the money room of all errors made by the pari-mutuel sellers or cashiers, commonly called "shorts or overs." The reports shall detail the name of the seller or cashier, his working place and the amount involved. At the end of each meet this report is to be given to the auditor of pari-mutuel for filing with the daily records enumerated in subsections 55.3.1, 55.3.2 and 55.3.3 above.

54.3.6. all moneys held by any licensee for the payment of outstanding and unredeemed pari-mutuel tickets, if not claimed within ninety (90) days after the close of the greyhound race meeting in connection with which the tickets were issued, shall be turned over by the licensee to the Racing Commission within fifteen (15) days after the expiration of the ninety (90) day period. The licensee shall give information as the Racing Commission may require concerning outstanding and unredeemed tickets including the out's ledger enumerating all outstanding pari-mutuel tickets at the end of the ninety day (90) period. In addition, a statement is to be prepared to accompany the ledger setting forth the dollar amount of the redeemed tickets in the ninety (90) day period. In addition, a statement is to accompany the ledger setting forth the quantity and amount of each denomination redeemed during the ninety (90) day period. The redeemed amount is to be subtracted from the

out's balance which existed at the close of the meeting with the remaining balance to be included in the remittance of the association in settlement of the "out's" accounts for the meeting.

54.3.7. each association shall provide a work area for the exclusive use of the auditor of pari-mutuel that is subject to the approval of the Racing Commission. This work area shall:

54.3.7.1. be located within or adjacent to the totalisator room with desk and chair facilities;

54.3.7.2. permit direct view or view by closed circuit television of the totalisator facilities within the totalisator room, such as control desk consoles, inside a totalisator board or closed circuit television monitor of the outside totalisator board whichever is used, and printers;

54.3.7.3. include space for locking file cabinets within the work area or other proper storage facilities to be supplied by the association;

54.3.7.4. include an audio listening device for the public address system being used by the association for the address system to be heard intelligibly in the work area;

54.3.7.5. include power outlets to operate electronic equipment.

54.3.8. all pari-mutuel tickets purging sessions shall occur only after at least two (2) weeks' prior notice in writing is given to the Racing Commission of the sessions. Further, the actual purging shall occur in the presence of a totalisator representative, an association representative and a representative of the Racing Commission.

54.3.9. cashed pari-mutuel tickets and computer printout:

54.3.9.1. access to cashed pari-mutuel tickets and computer printouts shall be prohibited unless authorized by the Racing Commission.

54.3.9.2. cashed pari-mutuel tickets and all computer printout sheets shall be secured in a facility where fire protection devices are installed and operable.

54.3.9.3. cashed pari-mutuel tickets and computer printout sheets' storage shall be secured by a locking system. Access to the locked storage facilities is the responsibility of

the mutuel manager. The facilities must be locked at all times except when access is needed by the mutuel manager or his designee and the Racing Commission.

**§178-2-55. State Security Officer.**

55.1. It shall be the duty of the Racing Commission security officer to work in conjunction with the Racing Commission license clerk to determine that all required personnel have an occupational permit. This will require a daily check of the program to verify that all persons listed thereon hold an occupational permit. The Racing Commission security officer shall likewise make a weekly inspection of the kennel area to determine if all individuals in that area have an occupational permit.

55.2. It shall be the duty of the Racing Commission security officer to make a daily check of the kennel area to determine if proper security measures are in effect, namely: The presence of a guard at all gates and entrances note the guard's actions in checking the occupational permits of all persons who enter and depart.

55.3. It shall be the duty of the Racing Commission security officer to make a daily check of the test area to determine if proper security is in effect, that a guard is present.

55.4. It shall be the duty of the Racing Commission security officer to make a daily routine check of the wagering areas to determine if proper security measures are being taken to prevent the resale of tickets to minors and as well to any "exotic" wagering tickets.

55.5. It shall be the duty of the Racing Commission security officer to assist the judges and the track security in all "shake-down" of the kennel area, or in other matters as may be directed by the judges.

**§178-2-56. Greyhound Breeding Development Fund.**

56.1. The Racing Commission shall maintain a registry for West Virginia Bred Greyhounds.

56.2. To qualify for purse money in a stake's race as well as purse supplements and awards that are funded from the West Virginia Greyhound Breeding Development Fund, the owner or lessee of the greyhound must be a member in good standing of the West Virginia Greyhound Owners and Breeders Association.

56.3. An Owner or lessees of the dam at the time of breeding must be a member in good standing of both the National Greyhound Association and the West Virginia Greyhound Owners and Breeders Association and have been a bona fide resident of West Virginia for at least two (2) years prior to the date the dam was bred. The litter must have been whelped in the State of West Virginia and remain domiciled in West Virginia at least until six (6) months of age.

56.4. Beginning July 1, 1989, the owner or lessee will file the appropriate affidavit with the Racing Commission affirming that the owner or lessee of the dam at the time of breeding meets all requirements in subsection 57.3. The owner or lessee further understands that if any West Virginia bred be removed from West Virginia prior to six (6) months of age, it shall be the owner's or lessee's responsibility to notify the Racing Commission within ten (10) days of removal. The Racing Commission will then remove that West Virginia bred from the registry.

56.5. The owner or lessee of any greyhound that was littered before July 1, 1989, will be given West Virginia bred status if the Racing Commission affirming that the applicant meets all requirements in Subsection 57.3 above with the exception that the greyhound must have been littered and remain domiciled in the State of West Virginia until three (3) months of age.

56.6. An affidavit attesting that all requirements have been met must be on file at the Racing Commission's office prior to the first day of the month in which the qualified West Virginia bred greyhound runs in a race to qualify for any awards funded from the West Virginia Greyhound breeding development fund.

56.7. The Racing Commission will act as the official registering agency and process all affidavits, breeding, whelping and individual registrations to maintain the West Virginia Whelped Registry.

56.8. The West Virginia Greyhound Owners and Breeders Association shall submit a list of any additions or deletions to the members of the registry the first week of each month.

**§178-2-57. Alcohol and drug testing.**

57.1. No licensee, occupational permit holder or employee of any entity associated with the conduct of racing while on the grounds of a licensed race track shall have present within his or her system any amount of alcohol which would constitute legal impairment or intoxication.

Acting with reasonable cause, the judges or a designated Racing Commission representative may direct any licensee, occupational permit holder or employee to submit to a Breathalyzer test. The licensee, occupational permit holder or employee shall, when so directed, submit to such examination. If the results show a reading of .05 percent alcohol contents or more, the licensee, the occupational permit holder or employee shall not be permitted to continue his or her duties for that day. The licensee, occupational permit holder or employee shall then be subject to a fine or suspension by the judges or Racing Commission.

For a subsequent violation the licensee, occupational permit holder or employee may be subject to Procedures following positive chemical analysis (see below).

57.2. No occupational permit holder or employee of any entity associated with the conduct of racing while on the grounds of a licensed or franchised racetrack shall have present within his or her system any controlled substance as listed in schedule I-V of the U.S. Code, Title 21 (Food and Drugs Section 812), or any prescription legend drug unless the prescription legend drug is obtained directly or pursuant to valid prescription or order from a duly licensed physician who is acting in the course of his or her professional practice.

Acting with reasonable cause, the judges or a designated Racing Commission representative may direct any licensee, occupational permit holder or employee to deliver a specimen of urine in the presence of a person designated by the Racing Commission or subject himself or herself to the taking of a blood sample or other body fluids by a person designated by the Racing Commission.

In such cases, the judges or the designated Racing Commission representative may prohibit the licensee, occupational permit holder or employee from participating in the day's racing or until such time as the licensee, occupational permit holder or employees' evidences a negative test result.

A sufficient sample should be collected to insure a quantity for a split sample when possible.

Refusal by a licensee, occupational permit holder or employee to provide the samples herein described, as so directed shall be in violation of these rules and shall subject the licensee, occupational permit holder or employee to sanction by the judges or the Racing Commission.

All testing shall be at the expense of the Racing Commission or racing association.

57.3. For a licensee, occupational permit holder's or employee's first violation he or she shall not be allowed to participate in racing until such time as his or her condition has been professionally evaluated.

After professional evaluation, if said licensee, occupational permit holders' or employees' condition proves non-addictive and not detrimental to the best interest of racing, the licensee, occupational permit holder or employee shall be allowed to participate in racing, provided he or she can produce a negative test result and agree to further testing at the discretion of the judges or designated Racing Commission representative to insure his or her impairment.

After professional evaluation, should the licensee, occupational permit holder's or employee's condition prove addictive or detrimental to the best interest of racing, the licensee, occupational permit holder or employee shall not be allowed to participate in racing until such time as he or she can produce a negative test result and show documented proof that he or she has successfully completed a certified alcohol drug rehabilitation program approved by the Racing Commission. The licensee, occupational permit holder or employee must agree to further testing at the discretion of the judges or Racing Commission representative to insure his or her impairment.

For a licensee's, occupational permit holder's or an employee's second violation, he or she shall be suspended and allowed to enroll in a certified alcohol/drug rehabilitation program approved by the Racing Commission, and apply for reinstatement only at the discretion of the Racing Commission.

TABLE 56.4. AFFIDAVIT

A F F I D A V I T

(Your signature must have notaries' stamp and date)

I \_\_\_\_\_, hereby swear that the greyhounds listed hereon were whelped in West Virginia and were domiciled in West Virginia for at least six (6) continuous months following their whelping.

Further, these greyhounds meet all other applicable criteria as established by the West Virginia Racing Commission to qualify and be recognized as "West Virginia Whelped." For purposes of participating in the West Virginia Greyhound Breeding Development Fund. I understand that false swearing will result in my disqualification from participation in the fund.

SIGNED: \_\_\_\_\_  
Owner of greyhound(s)

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

2.1.	Act .....	1
2.2.	Added Money .....	1
2.3.	Age .....	1
2.4.	Appeal .....	1
2.5.	Applicant .....	1
2.6.	Association .....	2
2.7.	Association grounds .....	2
2.8.	Authorized agent .....	2
2.9.	Bertillon .....	2
2.10.	Betting interest .....	2
2.11.	Blanket .....	2
2.12.	Bolt .....	2
2.13.	Bookmaking .....	2
2.14.	Legitimate breakage .....	2
2.15.	Breeder .....	2
2.16.	Breeding place .....	2
2.17.	Chairman of the racing commission .....	3
2.18.	Code .....	3
2.19.	Commission .....	3
2.20.	Racing Commissioner .....	3
2.21.	Complaint .....	3
2.22.	Construction permit .....	3
2.23.	Construction permit holder .....	3
2.24.	Course .....	3
2.25.	Day .....	3
2.25.1.	Dark day .....	3
2.25.2.	Race day .....	3
2.25.3.	Simulcast race day .....	3
2.26.	Dead heat .....	3
2.27.	Declaration .....	3
2.28.	Dog racing .....	4
2.29.	Double entry .....	4
2.30.	Draw .....	4
2.31.	Ejection .....	4
2.32.	Entry .....	4
2.33.	Equipment .....	4
2.34.	Established weight .....	4
2.35.	Executive secretary .....	4
2.36.	False start .....	4
2.37.	Finish .....	4
2.38.	Forfeit .....	4
2.39.	Fund .....	4
2.40.	Greyhound .....	4
2.41.	Handle .....	5
2.42.	Judge .....	5
2.43.	Kennel compound .....	5
2.44.	Kennel helper .....	5
2.45.	Kennel name .....	5

2.46.	Kennel owner	5
2.47.	Law, laws	5
2.48.	Lawful authority	5
2.49.	Lead-Out	5
2.50.	Legitimate breakage	5
2.51.	Lessee	5
2.52.	Lease agreement	6
2.53.	License	6
2.54.	Licensee	6
2.55.	Lock out kennel	6
2.56.	Lure	6
2.57.	Maiden	6
2.58.	Matinee	6
2.59.	Meet	6
2.60.	Meeting	6
2.61.	Month	6
2.62.	Night performance	6
2.63.	Nomination	7
2.64.	No race	7
2.65.	Official order of finish	7
2.66.	Official race	7
2.67.	Official time	7
2.68.	Official schooling races	7
2.69.	Overnight race	7
2.70.	Owner	7
2.71.	Paddock	7
2.72.	Pari-mutuel	7
2.73.	Pari-mutuel clerk	8
2.74.	Patron	8
2.75.	Performance	8
2.76.	Permit	8
2.77.	Permit holder	8
2.78.	Person	8
2.79.	Place	8
2.80.	Pool	8
2.81.	Post position	8
2.83.	Program	8
2.84.	Prospective licensee	9
2.85.	Purse	9
2.86.	Purse race	9
2.87.	Race	9
2.88.	Race on the flat	9
2.89.	Racetrack	9
2.90.	Racing association	9
2.91.	Racing commission	9
2.92.	Random testing	9
2.93.	Reasonable cause/reasonable suspicion testing	9
2.94.	Recognized meeting	9
2.95.	Restricted area	10

2.96.	Result .....	10
2.97.	Ruled-off .....	10
2.98.	Rule .....	10
2.99.	Scratch .....	10
2.100.	Secretary .....	10
2.101.	Simulcast .....	10
2.102.	A Starter .....	10
2.103.	Subscription .....	10
2.104.	Sweepstakes .....	11
2.105.	Tote" or "tote board .....	11
2.106.	To the dime .....	11
2.107.	Touting .....	11
2.108.	Trainer .....	11
2.109.	Weighing in .....	11
2.110.	Weighing out .....	11
2.111.	Weight loser .....	11
2.112.	Whelped .....	11
2.113.	Win .....	11
2.114.	Year .....	11

a current health certificate .....	11.6
a desire to scratch a greyhound .....	17.6
a fair start .....	13.1
A false start .....	13.4
a stop watch .....	12.2
accuracy of the program. ....	10.5
Any complaint against any official .....	9.9
any tobacco product .....	16.7
approved as an official .....	8.3
assigned to post position .....	16.5
audited financial statements .....	7.4
automatic film timing device .....	11.2
award of purse money .....	8.12
Bertillon card system .....	10.1
Bitches coming in season .....	16.7
Bitches in milk .....	16.8
blanketed .....	12.8
bona fide resident of West Virginia .....	55.3
bookmakers .....	8.16
breathalyzer test .....	56.1
call the weight of the greyhounds .....	13.1
cancel the races .....	9.11
cashd pari-mutuel tickets .....	54.3.9
clean uniforms .....	16.2
complaints and requests to the Racing Commission .....	53.9
conditions for all races .....	7.7
Conditions of races .....	10.3
contemplating a change of any kind .....	7.22
contracts with the respective kennels .....	7.13
controlled substance .....	8.5
convicted of a felony .....	50.11
Copies of all pari-mutuel work sheets .....	54.3.2
copies of their first payroll .....	54.3.1
correcting an error .....	9.29
daily check of the test area .....	55.3
daily routine check of the wagering areas .....	55.4
desires a court reporter .....	53.4
display the numbers .....	9.27
Drinking of intoxicating liquor .....	8.5
employee's first alcohol & drug violation .....	57.3
entries and declarations .....	
exclude from the stands .....	9.13
expiration of the ninety (90) day period .....	54.3.6
foreign book .....	7.17
fully identified .....	11.1
graduate veterinarian .....	17.1
greyhound food or medicines .....	52.1
greyhound in its proper box .....	16.3

handbook .....	7.17
identification tag .....	11.4
illness or unusual symptoms of illness .....	17.12
information necessary for a program .....	15.1
inspect each greyhound .....	17.3
inspect owners and trainers' permits and all papers .....	10.2
investigate promptly and render a decision .....	9.21
judges may suspend .....	9.7
kennel cough .....	10.6
kennel master .....	11.3
kennels is sprayed .....	11.3
liability insurance coverage .....	7.23
list of administrative personnel .....	7.5
lock-out kennels .....	11.6
loses its muzzle .....	9.26.1
majority vote of the judges .....	9.6
maximum number of races .....	8.8
may order an examination .....	9.10
mechanical failure .....	9.25.2
minimum number of races .....	8.8
minimum of twenty (20) kennels .....	8.12
neat appearance .....	16.2
no fewer than fourteen .....	16.9
notice of corrupt racing .....	9.20
obnoxious, unbecoming or detrimental .....	50.12
office and suitable parking spaces .....	8.21
one-time disposable type needles .....	17.11
opening and closing ticket numbers .....	54.3.3
optical examination .....	9.2
order of finish .....	10.26
overweight .....	12.9
pari-mutuel tickets purging .....	54.3.8
past performances .....	15.2
photo finish camera .....	10.28
placed in the starting box .....	10.25.1
post or starting box position .....	12.4
power to determine all questions .....	10.15
presence of any narcotic, stimulant, depressant .....	51.1
present in the paddock before each race .....	18.3
program or form sheet .....	16.3
prohibited from holding any conversation .....	17.6
prohibited from wagering .....	17.8
proper physical condition .....	10.18
purse money in a stake's race .....	56.2
purses for all races .....	8.14
questionable conduct .....	10.20
record of the weights and weight changes .....	15.4
refuse to testify before the judges .....	10.5

registry for West Virginia Bred Greyhounds. ....	56.1
regulation muzzle and blanket .....	12.8
report all objections and complaints .....	10.22
report causes of delay .....	14.3
representative shall be present in the testing area .....	19.6
request for a hearing .....	53.3
sale of the asset of an association .....	8.6.1
samples collected shall be frozen .....	19.3
scratched after leaving the paddock .....	10.25
Security for costs .....	53.5
shake- down" of the kennel area, .....	55.5
shall approve employment of all testing personnel .....	18.5
shorts or overs .....	54.3.5
signed complaint made by any customer, .....	54.3.4
starting boxes .....	8.10
stockholders of the licensed racetrack. ....	8.6
submit the names of the officers .....	8.5
T races .....	11.1-42.4
taking of the urine samples .....	18.5
testing area .....	19.1
time of breeding .....	56.3
Time of the race .....	13.1
totalizer report .....	54.3.5
weighed in .....	12.3
weighed-out .....	12.4
weight board .....	15.1
weight sheet. ....	12.9
West Virginia Whelped Registry. ....	56.1
When a vacancy occurs .....	9.6

§178-2-2.	Definitions .....	1
§178-2-3.	Calculation of Time .....	10
§178-2-4.	Administrative .....	11
§178-2-5.	Financial Responsibility .....	12
§178-2-6.	Checks.	12
§178-2-7.	Minors .....	13
§178-2-8.	Telephone, Telegraph, Radio and Television .....	13
§178-2-9.	Associations .....	13
§178-2-10.	Officials .....	17
§178-2-11.	Judges .....	19
§178-2-12.	Association's Racing Secretary .....	22
§178-2-13.	Paddock Judge .....	23
§178-2-14.	Timer .....	24
§178-2-15.	Starter .....	25
§178-2-16.	Clerk of scales .....	25
§178-2-17.	Chart writer .....	25
§178-2-18.	Lead-outs .....	26
§178-2-19.	Racing Commission Veterinarians .....	27
§178-2-20.	Test Area .....	28
§178-2-21.	Chemist .....	29
§178-2-22.	Split Samples . . . . .	30
§178-2-23.	Administrative procedures prior to split sample .	31
§178-2-24.	Administrative procedures subsequent to a split .	32
§178-2-25.	Cost of split sample testing. . . . .	32
§178-2-26.	Storage and shipment of split samples . . . . .	32
§178-2-27.	Camera and Film Patrol .....	35
§178-2-28.	Policing .....	36
§178-2-29.	Kennel Names .....	36
§178-2-30.	Registration .....	38
§178-2-31.	Owners .....	38
§178-2-32.	Partnerships .....	39
§178-2-33.	Corporations. . . . .	40
§178-2-34.	Authorized agents .....	40
§178-2-35.	Schooling. ....	40
§178-2-36.	Entries .....	41
§178-2-37.	Post Position .....	46
§178-2-38.	Declarations .....	46
§178-2-39.	Scratches .....	46
§178-2-40.	The Race .....	47
§178-2-41.	Weights and Weighing .....	48
§178-2-42.	Grading .....	49
§178-2-43.	Dead Heats .....	50
§178-2-44.	Objections .....	51
§178-2-45.	Disciplinary Action .....	52
§178-2-46.	Permits and Permit holders .....	52

§178-2-47.	Tip Sheet vendor. . . . .	56
§178-2-48.	Trainers .....	56
§178-2-49.	Postponement and Cancellation of Races .....	58
§178-2-50.	Illegal and Corrupt Practices .....	58
§178-2-51.	Medication .....	61
§178-2-52.	Vendors of greyhound feed or medicine .....	62
§178-2-53.	Appeal and Review. . . . .	63
§178-2-54.	Auditor of pari-mutuel. . . . .	64
§178-2-55.	State Security Officer .....	67
§178-2-56.	Greyhound Breeding Development Fund .....	68
§178-2-57.	Alcohol and drug testing .....	69