

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In This Box

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2011 JUL 28 PM 3:03

OFFICE OF THE  
SECRETARY OF STATE

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

AGENCY: West Virginia State Athletic Commission TITLE NUMBER: 177

CITE AUTHORITY: WV Code §§ 29-5A-24 and 29-5A-3a(f)

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: Series 2

TITLE OF RULE BEING PROPOSED: Administrative Rules Of The West Virginia Athletic Commission  
Regulating Mixed Martial Arts

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.

  
\_\_\_\_\_  
Authorized Signature

**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: July 28, 2011

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* Steve Allred, Chairman  
West Virginia State Athletic Commission  
318 Camp Creek Road  
Julian, West Virginia 25529  
304-369-1387

LEGISLATIVE RULE TITLE: Administrative Rules Of The West Virginia State Athletic Commission Regulating Mixed Martial Arts

1. Authorizing statute(s) citation W Va Code §§ 29-5A-24 and 29-5A-3a(f)

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
June 17, 2011

b. What other notice, including advertising, did you give of the hearing?  
Not Applicable

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
Public Comment Period Ended July 18, 2011

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

Attached     X                          No comments received

**PUBLIC COMMENTS RECEIVED BY THE  
WEST VIRGINIA STATE ATHLETIC COMMISSION  
TO THE PROPOSED  
MIXED MARTIAL ARTS LEGISLATIVE RULES**

Comments from :

D. Geoffrey Varney, Esq.

Roni Pack

Annette Simpson

Brian Simpson, RN., Member Athletic Commission

Anonymous

James Long

Howard R. Petschler

Chris Smith, Rough N' Ready Brawl

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

Not Applicable

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

Steve Allred, Chairman  
West Virginia State Athletic Commission  
318 Camp Creek Road

Julian, West Virginia 25529  
304-369-1387  
stevenallred@yahoo.com

- 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)

Not Applicable

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.

Not Applicable

b. Date of hearing or comment period:

\_\_\_\_\_ Not Applicable \_\_\_\_\_

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

\_\_\_\_\_ Not Applicable \_\_\_\_\_

d. Attach findings and determinations and reasons:

Attached \_\_\_\_\_ Not Applicable \_\_\_\_\_

## **BRIEF SUMMARY OF TITLE 177, SERIES 2 LEGISLATIVE RULE**

On March 12, 2011 the West Virginia Legislature passed the Enrolled Committee Substitute for H.B. 2562 which legalized Mixed Martial Arts in this State. The proposed legislative rule will regulate professional mixed martial arts, prohibit amateur mixed martial arts, adopt definitions related to mixed martial arts, establish bonding requirements for promoters, establish insurance requirements for promoters, establish standards related to the conduct of events, and set general standards for competition.

**177CSR 2**

**ADMINISTRATIVE RULES OF THE  
WEST VIRGINIA STATE ATHLETIC COMMISSION  
REGULATING MIXED MARTIAL ARTS**

**STATEMENT OF CIRCUMSTANCES**

On March 12, 2011 the West Virginia Legislature passed the Enrolled Committee Substitute for H.B. 2562 which legalized Mixed Martial Arts in this State. H.B. 2562 directs the Athletic Commission to promulgate legislative rules in order to regulate Mixed Martial Arts and fully implement the new statute.

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

Administrative Rules Of The West Virginia State Athletic Commission Regulating Mixed Martial Arts

Rule Title: \_\_\_\_\_

Type of Rule:  Legislative  Interpretive  Procedural

Agency: West Virginia State Athletic Commission

Address: Steve Allred, Chairman  
318 Camp Creek Road  
Julian, West Virginia 25529

Phone Number: 304-369-1387 Email: stevenallred@yahoo.com

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

The proposed rule will have no impact on the costs and revenues for state government.

**Fiscal Note Detail**

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

<b>FISCAL YEAR</b>			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Administrative Rules Of The West Virginia State Athletic Commission Regulating Mixed Martial Arts

Rule Title: \_\_\_\_\_

Rule Title: \_\_\_\_\_

3. **Explanation of above estimates (including long-range effect):**  
Please include any increase or decrease in fees in your estimated total revenues.

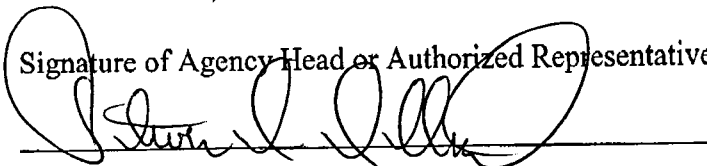
The proposed rule will not affect any receipts or expenditures of state funds. All fight officials will be paid by Mixed Martial Arts promoters. All Mixed Martial Arts fighters, promoters, etc., will pay license fees to the Athletic Commission.

### MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not have a fiscal impact**, and/or any special issues **not captured elsewhere** on this form.

Date: July 28, 2011

Signature of Agency Head or Authorized Representative



FILED

177CSR 2

2011 JUL 28 PM 3:03

**TITLE 177  
LEGISLATIVE RULE  
STATE ATHLETIC COMMISSION**

WEST VIRGINIA  
SECRETARY OF STATE

**SERIES 2  
ADMINISTRATIVE RULES OF THE  
WEST VIRGINIA STATE ATHLETIC COMMISSION  
REGULATING MIXED MARTIAL ARTS**

**§177-2-1. General.**

1.1. Scope. -- This rule establishes the procedures to be followed for all Mixed Martial Arts (MMA) events under the jurisdiction of the State Athletic Commission. It applies to any Mixed Martial Arts event or any showing exhibiting of any simultaneous telecast of any live, current or spontaneous Mixed Martial Arts, or a closed circuit telecast subscription television viewed within this State or any other state and for which an admission charge is made.

1.2. Authority. -- W. Va. Code §29-5A-24 and W. Va. Code § 29-5A-3a(f).

1.3. Filing Date. -- July 28, 2011.

1.4. Effective Date. -- Insert Date

**§177-2-2. Jurisdiction.**

The Athletic Commission shall have sole power, direction, management and control over all professional mixed martial arts contests, matches, performances, shows, and exhibitions, or any form thereof, to be promoted, conducted, held or given within the state. All Mixed Martial Arts (MMA) events, matches, and exhibitions, or any form thereof, other than Professional Mixed Martial Arts Events are prohibited.

**§177-2-3. Definitions.**

The words used in this rule shall have the following meanings, unless the content indicates a different meaning:

3.1. "Commission" -- means the West Virginia State Athletic Commission.

3.2. "Deputy" -- means an individual appointed by the Commission to represent the Commission in its absence.

3.3. “Mixed Martial Arts”– means a combative sporting contest, the rules of which allow two competitors to attempt to achieve dominance over one another by utilizing a variety of techniques including, but not limited to, striking, grappling and the application of submission holds.

3.4. “Professional Mixed Martial Arts Fighter ” -- means a Mixed Martial Arts fighter who competed in a minimum of ten (10) amateur MMA bouts. Amateur bouts which cannot be verified by the Athletic Commission shall not count toward the minimum number of bouts required. No MMA fighter may be licensed as a professional by the Athletic Commission who does not have a winning record.

3.5. “Professional Mixed Martial Arts Event” – means an event or performance in which professional Mixed Martial Arts Fighters compete. These regulations may use the term “event” or “performance” interchangeably and as having the same meaning.

3.6. “Promoter” -- means any individual, club, corporation or association incorporated if necessary under the laws of the State of West Virginia engaged in the promotion of regularly scheduled or individual MMA shows or contests.

3.7. “Sanction” -- means permitting a Professional Mixed Martial Arts Event to occur.

#### **§177-2-4. Press Relations.**

The Commission may, in its discretion, after each meeting, issue a bulletin to the press of news items of interest to the public, and may, in its discretion, invite members of the press to attend meetings or hearings of the Commission.

#### **§177-2-5. Licenses.**

5.1. General. -- The Commission at its discretion may issue a license to promote, conduct or hold professional Mixed Martial Arts matches and exhibitions to any individual, club, corporation or association eligible for a license under this chapter.

##### 5.2. Application requirements.

(a) All applications for a license shall be signed by the applicant and verified by an official of the Commission. In making application for such license, the applicant shall set forth such facts as this rule may require.

(b) Each application for license of professional MMA fighter shall be accompanied by two (2) passport size photographs of the applicant.

##### 5.3. Requirements for granting or renewing license.

Before being granted a license or license renewal the applicant must establish to the satisfaction of the Commission that he or she:

- (a) Is skilled in the profession of Mixed Martial Arts;
- (b) Is of good moral character;
- (c) Is physically fit and mentally sound;
- (d) Has not been convicted of a felony or misdemeanor involving moral turpitude;
- (e) Will conduct his business in the best interest and welfare of the public, preserving the safety and health of participants and the best interest of professional Mixed Martial Arts;
- (f) Will adhere to and comply with all rules;
- (g) In the case of a corporate applicant, these factors shall pertain to its officers, directors, principal stockholders and employees; and
- (h) Every license and licensee shall be subject to the provisions of W. Va. Code §§29-5A-1 *et seq.*

5.4. Suspensions, revocation or probation of license or licensee. -- The Commission shall have the additional authority and power to suspend, revoke or place on probation the license of any licensee licensed under this rule, who in the discretion of the Commission:

- (a) Is guilty of failure to obey any lawful order of the Commission or any inspector thereof;
- (b) Is guilty of gross immorality;
- (c) Is unfit or incompetent by reason of negligence;
- (d) Is insolent or disrespectful to any member of the Commission or representative thereof;
- (e) Is guilty of violating any provision of this rule;
- (f) Has committed fraud or deceit in securing a license for himself or another, or by falsifying a license application;
- (g) Has failed to report to the commission his/her conviction of a felony or misdemeanor involving moral turpitude in any jurisdiction within ten (10) years preceding the suspension or revocation;

- (h) Is an habitual drunkard or addicted to the use of narcotics, as determined by a physician;
- (i) Is or has become mentally incompetent, as determined by a physician;
- (j) Is or has been guilty of unprofessional or unethical conduct or such conduct as to require a suspension or revocation of license in the best interest of the public;
- (k) Has failed to furnish the proper party a copy of any contract or agreement required by this rule or has breached such contract;
- (l) Has loaned or permitted another person to use his license or has borrowed or used the license of another;
- (m) Has failed to maintain in force the bond required by this rule;
- (n) Has by act or omission conducted himself in a manner which would tend to be detrimental to the best interests of Mixed Martial Arts or to the public interest and general welfare;
- (o) Has been disciplined in any manner by the Athletic Commission or similar agency or body of any jurisdiction;
- (p) Has failed to pay a fine or forfeiture imposed by this rule;
- (q) Has either within or without this State by any act, threat, statement or otherwise, restrained, hindered, interfered with or prevented another applicant or promoter, club, corporation, association or booking agent from presenting any professional MMA event within the State of West Virginia; or
- (r) Has either within or without this State engaged directly or indirectly in restraints or monopolies, or taken any action tending to create or establish restraints or monopolies, or conspired with others to restrain any person or persons from participating or competing in any professional MMA event for any promoter, club, corporation, association or booking agent.

#### 5.5. License fees.

5.5.1. Promoters (1 year) \$125.00

5.5.2. Professional Mixed Martial Arts Fighter (1 year) \$10.00

5.5.4. Seconds, Professional \$10.00

5.5.5. Managers, Professional \$10.00

#### 5.5.6. Referees and other Officials\$10.00

5.6. Venues— Venues must have a minimum seating capacity of 2,500 and video replay capabilities in good working order. Venues with a seating capacity of 3,500 or more must have a minimum of four (4) video monitors displaying a continuous live feed of the fight for the spectators; venues with a maximum seating capacity of 3,499 or less must have at least two monitors displaying a continuous live feed of the fight for the spectators. All such video monitors must be a minimum of 6 feet by 6 feet. No event shall take place until the venue has been approved by the Athletic Commission.

#### **§177-2-6. Bond Required.**

Before any license is issued to any promoter conducting any Mixed Martial Arts contest, he shall execute and file with the Commission a surety bond sufficient to cover all purses, awards and payments to be paid by the promoter. The bond shall be determined by the Commission. The minimum bond shall be thirty-five thousand ( \$ 35,000.00) dollars. The bond shall be available to cover any fees associated with MMA fighters, managers, seconds, other fight related participants, medical expenses or deductible costs for injured boxers (insurance deductibles), and fight officials. The bond may not be available to cover expenses such as building rental, concession stand operations, advertisements, or other similar expenses.

#### **§177-2-7. Individual Sanction and Permits for Professionals.**

7.1. Application for sanction. -- Before any professional Mixed Martial Arts performance shall be authorized in the State of West Virginia, the promoter shall obtain an individual sanction and permit from the Commission at least thirty (30) days before the date of any such contest or exhibition.

(a) Requirements of applicants. -- Each application for sanction or permit of a professional fight shall name all contestants, the number of rounds and the date and place of the contest.

(b) Contracts made must be filed. -- All contracts made by the promoter with contestants who are to appear on the event must be filed at the same time. All signed contracts must be submitted to the Athletic Commission no later than noon of the day of the event. No fighter will be allowed to enter the cage unless he or she has signed a contract for the event. Fighters who are substituted to the bout card on the day of the event pursuant to Section 7.5, *infra*, must sign a contract for the event prior to entering the cage.

(c) Books open for inspection. -- As a condition for issuance of a sanction, each applicant must agree to accord the Commission the right to examine the books, accounts and other records for which such sanction is issued.

7.2. Permits. -- Request for event permits shall be submitted to the Commission a minimum of thirty (30) days in advance. Permits will be issued by the Commission five (5) days in advance of all contests. Permits for events must be exhibited in a conspicuous place at the box office.

7.3. Minimum Number of Rounds. -- There shall be a minimum of thirty (30) rounds on a card unless special written permission is obtained from the Commission at the time of granting the sanction to have a fewer number of rounds.

7.4. Pre-permit publicity. -- Under no conditions are the promoters permitted to give publicity to a card until the card has been approved by the Commission.

7.5. Changes or substitutions. -- All changes and substitutions must be sanctioned in writing by the chairman of the Commission.

(a) Notice. -- Notice of any change in the announced or advertised programs for any contest must be filed with the Commission and with the press at least four (4) hours prior to the contest, conspicuously posted at the box office and announced from the cage before the opening contest.

(b) Forfeitures. -- If an MMA fighter who is under contract to appear at an event appears at the weigh-in time and is ready to fulfill his or her contractual obligations, but his or her opponent does not appear or his or her opponent is not able to compete due to a medical condition as determined by the examining physician and a substitute opponent is not provided, the event promoter must pay the fighter his or her contract price unless a forfeit is provided.

(c) Refunds. -- Whenever a substitution is made in an advertised contest, the official announcer shall advise the audience of the substitution prior to the opening bout. If any of the patrons desire to have the price of the ticket refunded, a refund will be given if the tickets are presented at the box office prior to the fight. The box office must remain open for at least twenty (20) minutes to redeem the tickets.

7.6. Substitutions -Main bout. -- Substitutions will not be permitted in the main bout unless made forty-eight (48) hours before weigh-in time of the day of the contest and then only when the substitution has been approved by the Commission. Public notice must be made in the local press of the substitutions.

7.7. Late changes to bout card. --The Athletic Commission shall have the authority to allow changes to the bout card on the day of the event if a scheduled contestant fails to attend the match, fails to pass the physical examination, fails to make the required weight for the fight, or for other good cause as determined in its discretion.

**§177-2- 8. Insurance for Mixed Martial Arts Fighters.**

8.1. General. -- All promoters, clubs, associations and corporations engaged in the presentation of professional Mixed Martial Arts events will provide Accidental Death & Dismemberment insurance for the protection of MMA fighters appearing and participating in such events. The minimum amount of Accidental Death & Dismemberment insurance shall be thirty thousand dollars (\$ 30,000.00).

8.2. Coverage. -- Insurance coverage shall provide for reimbursement to the MMA fighter for medical, surgical and hospital care with a minimum coverage of thirty thousand dollars (\$ 30,000.00) per participant for injuries sustained while participating in any sanctioned MMA event under the control of a licensed promoter, club, corporation or association.

8.3. Policy Deductible--The MMA fighters shall not be subject to payment of any deductible amount required under the insurance policy. The promoter may provide insurance coverage to the boxers under a policy which has no deductible amount or a "zero" dollar deductible amount. In the alternative, if the promoter provides insurance coverage to the MMA fighters under a policy which requires a deductible payment from the MMA fighter for medical treatment, then the promoter will be required to pay all deductible payments incurred on behalf of the MMA fighter directly to the medical provider. No promoter will be permitted to require an MMA fighter to pay the deductible amount to the medical provider and seek reimbursement from the promoter.

8.4. Penalty for nonpayment of premium. -- Failure to pay premiums on insurance required by this rule, shall be cause for suspension or revocation of the license of such promoter, club, corporation or association.

8.5. Certificate of insurance.--The promoter must submit a valid certificate of insurance coverage to the Athletic Commission no later than seventy-two (72) hours prior to the start of the event.

#### **§177-2-9. Promoters Report.**

9.1. Report required.-- Every promoter, club, association or corporation holding a Mixed Martial Arts event must complete and file the promoter's report in the format provided by the Commission. The report must be received by the chairman of the State Athletic Commission within four (4) business days after the date of the event.

9.2. Failure to submit report. -- Any licensee that fails to file a report of any contest within four (4) business days or makes an unsatisfactory report to the Commission shall be subject to penalties as set forth by this rule.

9.3. Report requirements. -- The promoter must file within four (4) business days after any event a list of all matches which shall include the name of each participant, weight of each participant, address of each participant, and all decisions rendered by the judges.

9.4. Penalties.— The Athletic Commission may impose an administrative penalty or suspend the license of any promoter for the failure to submit reports. The fine may not exceed \$ 100.00 per day for each day the report is not submitted after the fourth business day.

#### **§177-2-10. Inspectors or Deputies.**

10.1. General. -- The Commission shall appoint inspectors as the Commission may deem necessary. At least one (1) inspector shall be at all Mixed Martial Arts events.

10.2. Inspector's report. -- At each MMA event, an official or inspector of the Commission shall attend. Upon its conclusion, the Chief Deputy or the deputy in charge shall sign a detailed report showing the results of the fights and the physician's report. The inspector shall be responsible for all details of the contest and shall file all necessary reports within forty-eight (48) hours after the event with the chairman of the Commission. The inspector may choose other inspectors to assist him with his duties with the approval of the Commission.

10.3. Duties of chief inspector or chief deputy.

(a) General Duties— The deputy in charge of an event shall have complete charge of the licenses. It is his or her duty to see that this rule is carried out. The chief inspector or deputy in charge of a n event shall be held accountable for the actions of every other deputy assigned to that particular show. The deputy in charge shall file, in addition to the official report, a detailed account of any violations of this rule and the law governing MMA events – particularly where a purse or gate has been ordered held.

(b) Prohibition to act as judge or referee— The deputy in charge of a show and any additional deputies or inspectors may not act as a referee or a judge in any event sanctioned by the Commission: Provided, that Deputies or inspectors may act as a referee or judge on an emergency basis due to the failure of the scheduled referee or judge to appear or the inability of the scheduled referee or judge to perform the designated duties at the event.

10.4. Cooperation with law-enforcement agencies. -- The inspectors shall work in cooperation and in conjunction with any police officers detailed for MMA events.

10.5. Equipment. -- The inspector shall see that all necessary equipment is provided, that the fighters are ready on time, that the seconds are properly instructed in their duties, that the doctor's report and the statement of weights are delivered to the Commission and that all rules pertaining to the proper conduct of the bouts are enforced.

10.6. Participants.

(a) Gloves. -- MMA fighters shall not be permitted to put on their gloves until the bandages are examined by a representative of the Commission.

(b) Weights. -- MMA fighters will be suspended for a period not to exceed sixty (60) days if they come in over the contracted weight unless authorized by the Commission.

(c) Miscellaneous. -- Cage equipment must be approved by the Commission's inspector. Clubs must have dressing rooms set aside for the use of contestants and no person, except those specifically referenced in §26.2 of this Rule, shall be permitted in the room.

#### **§177-2-11. Administrative Review.**

11.1. Administrative Review.-- Any licensee subject to a suspension, penalty, or any enforcement action issued by the Athletic Commission, shall have a right to administrative review. The licensee must request the administrative review in writing within twenty (20) days of receipt of the notice of the suspension, penalty or enforcement action from the Commission. The request must be served on the Athletic Commission via certified mail, return receipt requested. The Athletic Commission may hear the appeal itself or appoint a hearing examiner to conduct an inquiry into the events which caused the suspension, penalty or enforcement action. The hearing shall be conducted within twenty (20) days of the date on which the Athletic Commission received the request for administrative review unless good cause is shown to continue the hearing to a later date. Both the licensee and the Commission may agree to conduct the hearing at a later date.

11.2 Hearing Examiner.-- The hearing examiner must submit proposed findings of fact and conclusions of law to the Athletic Commission within twenty (20) days of conducting the hearing unless both parties agree otherwise. The Athletic Commission shall issue its final decision within ten (10) business days of receiving the hearing examiner's proposed findings of fact and conclusions of law. The Athletic Commission may accept the hearing examiner's proposed decision, modify hearing examiner's proposed decision, or make its own decision based upon the record from the hearing.

11.3. Athletic Commission.-- If the Athletic Commission decides to conduct the administrative hearing itself, it shall issue its decision within twenty (20) days of conducting the administrative hearing.

11.4. Judicial Review.-- Judicial review of the Athletic Commission's decision shall be subject to the contested cases provisions of the WV Administrative Appeals Act set forth in WV Code § 29-5A-4.

#### **§177-2-12. Minimum Age Limit.**

12.1. Mixed Martial Arts fighters. -- No person under the age of eighteen (18) shall be licensed as an MMA fighter.

12.2. Managers. -- No person under the age of twenty (20) shall be licensed as a manager.

12.3. Seconds. -- No person under the age of eighteen (18) shall be licensed as a second.

12.4. All MMA fighters, managers, and seconds, shall be required to provide acceptable proof of age to the Commission upon request.

**§177-2-13. Assumed Names.**

In applying for a license, a contestant shall give his or her correct name, any ring name or fight name, address, social security number and date of birth, and any other names appearing on any license held by him or her under other boxing Commission, athletic commission, and any other body regulating Mixed Martial Arts.

**§177-2-14. Designation of Officials.**

For all Mixed Martial Arts contests, the referee or referees, judges and timekeeper shall be designated by the Commission. Only the officials so designated have the authority to perform their respective functions. No referee or judge shall be designated by the Athletic Commission who does not hold a valid certification for that position issued by the Association of Boxing Commissions. Examining physicians must be furnished by the promoter and approved by the Commission. All officials appointed by the Athletic Commission must be at least eighteen (18) years of age.

**§177-2-15. Failure to Appear.**

15.1. Automatic suspension. -- Any fighter who fails to appear at a show for which he or she had signed a contract or a contract has been signed by his or her duly licensed manager to appear, without a valid excuse or furnishing a doctor's certificate in case of physical disability, shall be automatically suspended for a period of sixty (60) days. The Athletic Commission may suspend the contestant for a period not to exceed twelve (12) months for good cause.

15.2. Reporting requirements. -- Whenever a licensed fighter, because of injuries or illness, is unable to take part in a contest for which he or she is under contract, he or she (or his or her manager) must immediately report that fact to the Commission and submit to an examination by a physician designated by the Commission.

15.3. Investigation and final penalty. -- Any licensed fighter who is unable to take part in a contest shall submit to the Commission, in person or in writing his or her reasons for nonappearance. If such reasons are not satisfactory to the Commission, he or she shall forfeit the appearance, his or her license shall be canceled and notification of the Commission's action shall be forwarded to other boxing Commissions, athletic commissions, and other agencies that regulate Mixed Martial Arts. His or her manager shall be held accountable in the same manner as the fighter, with the same penalty, unless the manager satisfies the Commission that he or she had no part in the fighter's nonappearance.

#### **§177-2-16. Weigh-in.**

16.1. General. -- Mixed Martial Arts fighters shall be weighed on the same scales in the presence of each other and an official of the Commission at such time and place prior to the event as may be designated by the Commission. At the weigh-in of all fighters, duly accredited newspaper representatives shall, upon request, be admitted. MMA fighters performing at outdoor shows are required to weigh-in on the day they contract for their services. In the event of a twenty-four (24) hour postponement due to weather conditions, weights and physical examinations for the original date of the contract are valid. In the event of a postponement requiring the show to be held later than twenty-four (24) hours after original date, new weights and physical examinations will be required.

16.2. Time of completion. -- Weigh-in ceremonies must be completed no later than two(2) hours prior to the start of the contest. MMA fighters appearing late will not be weighed-in, will not be allowed the opportunity to fight, and will be indefinitely suspended. The Athletic Commission shall have the discretion to conduct the weigh-in ceremonies on the day prior to the event or on the day of the event.

16.3. Who must be present. -- Promoters or matchmakers must personally attend weigh-in ceremonies and are not permitted to delegate their duties to an assistant. Inspectors will not weigh-in MMA fighters until the arrival of the promoters or matchmakers staging the contest. All equipment of contestants shall be approved by the inspector at weigh-in time.

#### **§177-2-17. Weights and Classes.**

The Athletic Commission shall utilize the weight classes set forth in Appendix 1 for all Mixed Martial Arts events. The Commission shall have the discretion to utilize different weight classes as necessary for the event.

#### **§177-2-18. Contracts.**

18.1. Contracts must be filed. -- The Commission shall be furnished with certified copies of all contracts between promoting corporations, Mixed Martial Arts fighters or managers. A copy of all contracts and agreements between a promoter, club, association or corporation, licensed under this rule and any person or persons not named in the license, who by virtue of the contract or agreement might gain financial benefit from the promotion and presentation of MMA events in West Virginia by a promoter, club, associations or corporation, must be placed on file with the Commission for approval.

18.2. When filed. -- An original copy of every contract between a manager and an MMA fighter licensed in West Virginia must be filed when an application for license is made. The contracts shall be maintained in the archives of the West Virginia State Athletic Commission.

#### **§177-2-19. Fake Contests.**

Any promoting corporation, referee, second or contestant, who in the judgment of the Commission, is guilty of intentional conniving or participation in any prearranged or "Fake" contest shall be liable to suspension and other penalties provided for in this rule.

**§177-2-20. No Pay Before Contest.**

No Mixed Martial Arts fighter shall be paid for his services before a contest.

**§177-2-21. Wagering.**

Wagering on the contest is prohibited in any area under the jurisdiction of the Commission.

**§177-2-22. Length of Rounds.**

Rounds for Mixed Martial Arts events shall be of five (5) minutes' duration with a rest period of one (1) minute between rounds for all male fighters. Rounds for Mixed Martial Arts events shall be of three (3) minutes' duration with a rest period of one (1) minute between rounds for all female fighters.

**§177-2-23. Number of Rounds.**

Mixed Martial Arts title events (championship events) shall consist of five rounds; all other MMA events shall consist of three rounds. Both male and female fighters shall be subject to the same limitations on the number of rounds per bout.

**§177-2-24. Reporting In.**

MMA fighters shall report to the inspector in the dressing room at least one (1) hour before they are due in the cage.

**§177-2-25. Interval Between Fights.**

No Mixed Martial Arts fighter shall be allowed to fight in West Virginia who has fought in an MMA event until six (6) days have elapsed excluding the day of the previous event. The Athletic Commission shall have the discretion to extend the interval between MMA fights up to a maximum of fifteen (15) days if the Commission determines that the health or safety of the contestant would otherwise be in jeopardy.

**§177-2-26. Dressing Room.**

26.1. A Commission inspector shall be in charge of and supervise the conduct of the dressing room, see that the Mixed Martial Arts fighters and seconds are dressed in accordance with the rules, that tape, gloves and accouterments are as required and there is no delay between fights. He shall

see to it, that one (1) set of MMA fighters is ready to enter the cage while the preceding fight is in progress.

26.2. No one shall be allowed in the MMA fighters' dressing room except managers and seconds who are working the event, representatives of the Athletic Commission, and the promoter's representatives.

#### **§177-2-27. Managers.**

27.1. General. -- No manager shall attempt to select or insist upon the selection of any designated referee in a bout in which a Mixed Martial Arts fighter under his management is to appear, nor shall he have the name of any referee written into the official contract covering such fights.

27.2. Assignments of interest. -- No assignment of an MMA Fighter's or manager's interest in a contract, or of any part thereof, shall be made without the written approval and consent of the Commission.

27.3. Contracts to be filed. -- All copies of the contracts entered into between managers and MMA fighters must be placed on file with the Commission for approval. A contract becomes null and void if any time during his term the manager is not duly licensed by the Commission.

27.4. Limitation on earnings. -- A Mixed Martial Arts fighter is permitted to have one (1) manager. That manager is not allowed to receive more than thirty-three and a third percent (33 1/3%) of the cage or fight earnings of the fighter.

27.5. Limitation on supervision. -- Managers shall not have more than two (2) MMA fighters under their management in any one (1) show without special permission from the Commission.

#### **§177-2-28. Mixed Martial Arts Fighters with No Managers.**

Any MMA fighter not under contract to a manager may make his own matches and sign contracts and need not apply for a manager's license to handle his own affairs.

#### **§177-2-29. Seconds.**

29.1. Dress. -- Seconds and managers acting as seconds, must be neatly attired when in the cage and wear jerseys or shirts of plain colors with sleeves.

29.2. Demeanor. -- Seconds shall not coach or in any way assist a principal during a round, or by word or action attempt to heckle or annoy his principal's opponent. They shall remain seated in place and silent.

29.3. Conduct. -- Seconds shall not enter a cage until the bell indicates the end of the round and are prohibited from spraying or forcefully throwing water on a contestant, they shall leave the cage at the sound of the timer's whistle ten (10) seconds before a round is to begin, removing all obstructions, buckets, stools, etc., promptly at the sounding of the gong.

29.4. Throwing in the towel. -- Seconds may throw a towel in the cage as a token of defeat or may step upon the cage apron and indicate to the referee that his fighter should not continue; otherwise, the referee is the sole judge as to the ability of a Mixed Martial Arts fighter to continue.

29.5. Prohibition of certain dressings. -- No second will be permitted to use grease or any other substances on the body of a contestant. The use of Vaseline in corners is not allowed except in the use of stopping blood and on cuts. The use during a MMA match of any drugs or compounds for stopping hemorrhaging in the cage is prohibited. The use of drugs, alcohols or stimulants during a match by any contestant is adequate cause for revoking his license.

### **§177-2-30. Timekeepers.**

30.1. Qualifications. -- Timekeepers shall be appointed by the Commission and shall be of recognized good standing and character.

30.2. Duties. -- The timekeeper shall be seated at the cage side close to the timer or bell. The timekeeper shall use an electronic timer or bell to indicate the beginning and end of each round so the contestants shall hear the timer or bell.

30.3. Equipment. -- The timekeeper shall provide himself with a whistle and an accurate stop watch that has been properly examined and certified by an inspector of the Commission before it is used.

30.4. Warnings. -- Ten (10) seconds before the beginning of each round the timekeeper shall give warning to the seconds of the contestants by blowing the whistle.

### **§177-2-31. The Announcer.**

31.1. Responsibilities. -- The announcer shall be approved by the Commission.

(a) Announcing contestants. -- After contestants and their chief seconds are in the cage, the announcer shall announce the names of the contestants, their correct weights and such other matters as may be approved by the Commission. Promoters shall make provisions for the announcement of rounds.

(b) Decisions. -- The announcer must get the judges' verdicts on paper and he must not reveal a judge's decision to another prior to the announcement. The announcer shall immediately after each bout turn these tally slips over to a representative of the Commission at the cage side. This

official shall check the slips and inform the announcer of the decisions. The announcer shall then announce it to the crowd. He may announce whether or not the decision is unanimous.

31.2. Conduct. -- The announcer in MMA contests shall be neatly dressed. His conduct is subject to the supervision of the Commission.

### **§177-2-32. Physician; Medical Requirements.**

32.1. Physical examination required. -- Every contestant shall, at weighing-in time or at any other time on the day of the contest that may be designated by the Commission, be subjected to a physical examination by a duly licensed physician approved by the Commission. The physician must be a medical doctor (MD) or a doctor of osteopathy (DO) duly licensed by the State of West Virginia.

32.2. Inspectors to enforce. -- Inspectors are charged with the duty of seeing that this provision is, in every case, complied with. The physician, attending EMT's, and oxygen bottles shall be at ring side at all times. In the event that the physician, attending EMT's, or oxygen bottles are not at ringside, the bout shall be stopped immediately and shall not resume until the physician, attending EMT's, and oxygen bottle return to ring side.

32.3. Fitness certification required. -- No contestant shall take part in a contest until pronounced fit to do so by the physician approved by the Commission. The facts of physical examinations and of the physical fitness of contestants shall be certified over the signature of the physician as a part of the inspector's report submitted after each set of bouts.

32.4. Attendant required. --A physician shall attend at cage side until the conclusion of the final bout. In addition, the promoter shall have at least one (1) ambulance plus two (2) Emergency Medical Technicians-- Intermediate (EMT I's ) or individuals with greater medical qualifications present until the conclusion of the final bout.

32.5 Oxygen bottles required.-- The promoter must ensure that oxygen bottles are kept at cage side for the duration of all Mixed Martial Arts events.

### **§177-2-33. Decisions.**

33.1. By judges. -- Three (3) judges, appointed by the Commission, shall render a decision at the termination of each Mixed Martial Arts bout. Judges shall be of recognized good standing and character.

33.2. Special judges. -- Licensed referees, members of the Commission, or designated officials of the Commission may, in an emergency, act as judge.

33.3. Location of judges. -- The three (3) judges shall be stationed at opposite sides of the cage

33.4. Scoring System.— The 10-Point Must System will be the standard system of scoring a bout.

33.4.a. Under the 10-Point Must Scoring System, 10 points must be awarded to the winner of the round and nine points or fewer must be awarded to the loser, except for an even round, which is scored (10-10).

33.4.b. Judges shall evaluate mixed martial arts techniques, such as effective striking, effective grappling, control of the fighting area, effective aggressiveness and defense. Evaluations shall be made in the order in which the techniques appear, giving the most weight in scoring to effective striking, effective grappling, control of the fighting area and effective aggressiveness and defense. Effective striking is judged by determining the number of legal strikes landed by a contestant and the significance of such legal strikes.

33.4.c. Effective grappling is judged by considering the amount of successful executions of a legal takedown and reversals. Examples of factors to consider are take downs from standing position to mount position, passing the guard to mount position, and bottom position fighters using an active, threatening guard.

33.4.d. Fighting area control is judged by determining who is dictating the pace, location and position of the bout. Examples of factors to consider are countering a grappler's attempt at takedown by remaining standing and legally striking; taking down an opponent to force a ground fight; creating threatening submission attempts, passing the guard to achieve mount, and creating striking opportunities.

33.4.e. Effective aggressiveness means moving forward and landing a legal strike or takedown.

33.4.f. Effective defense means avoiding being struck, taken down or reversed while countering with offensive attacks.

33.5. The following scoring criteria shall be utilized by the judges when scoring a round;

33.5.a. A round is to be scored as a 10-10 Round when both contestants appear to be fighting evenly and neither contestant shows dominance in a round;

33.5.b. A round is to be scored as a 10-9 Round when a contestant wins by a close margin, landing the greater number of effective legal strikes, grappling and other maneuvers;

33.5.c. A round is to be scored as a 10-8 Round when a contestant overwhelmingly dominates by striking or grappling in a round;

33.5.d. A round is to be scored as a 10-7 Round when a contestant totally dominates by striking or grappling in a round.

**§177-2-34. Fouls (with explanations as warranted).**

34.1. The following are fouls and will result in penalties if committed by an MMA fighter.

34.2. Holding or grabbing the fence.

A fighter may put their hands on the fence and push off of it at anytime. A fighter may place their feet onto the cage and have their toes go through the fencing material at any time. When a fighter's fingers or toes go through the cage and grab hold of the fence and start to control either their body position or their opponent's body position it now becomes an illegal action. If a fighter is caught holding the fence or cage material, the referee shall issue a one-point deduction from the offending fighters scorecard if the foul caused a substantial change in position such as the avoidance of a takedown

If a point deduction for holding the fence occurs, and because of the infraction, the fouling fighter ends up in a superior position due to the foul, the fighters should be re-started by the referee, standing in a neutral position

34.3. Holding opponent's shorts or gloves.

A fighter may not control their opponent's movement by holding onto their opponent's shorts or gloves. A fighter may hold onto or grab their opponent's hand as long as they are not controlling the hand only by using the material of the glove, but by actually gripping the hand of the opponent. It is legal to hold onto your own gloves or shorts

34.4. Butting with the head.

Any use of the head as a striking instrument whether head to head, head to body or otherwise is illegal.

34.5. Eye gouging of any kind.

Eye gouging by means of fingers, chin, or elbow is illegal. Legal strikes or punches that contact the fighter's eye socket are not eye gouging and shall be considered legal attacks.

34.6. Biting or Spitting at an opponent.

Biting in any form is illegal. A fighter must recognize that a referee may not be able to physically observe some actions, and must make the referee aware if they are being bit during an exhibition of unarmed combat.

34.7. Hair pulling.

Pulling of the hair in any fashion is an illegal action. A fighter may not grab a hold of his opponent's hair to control their opponent in any way.

34.8. Fish Hooking.

Any attempt by a fighter to use their fingers in a manner that attacks their opponent's mouth, nose or ears, stretching the skin to that area will be considered Fish hooking. Fish hooking generally is the placing of fingers into the mouth or your opponent and pulling your hands in opposing directions while holding onto the skin of your opponent.

34.9. Groin attacks of any kind.

Any attack to the groin area including, striking, grabbing, pinching or twisting is illegal .

34.10. Intentionally placing a finger into any orifice, or into any cut or laceration of your opponent.

A fighter may not place their fingers into an open laceration in an attempt to enlarge the cut. A fighter may not place their fingers into an opponent's, nose, ears, mouth, or any body cavity.

34.11. Downward pointing of elbow strikes;

A fighter may not employ ceiling to floor (12 o'clock to 6 o'clock) elbow strikes.

34.12. Small joint manipulation.

Fingers and Toes are small joints. Wrists, Ankles, Knees, Shoulders and Elbows are all large joints.

34.13. Strikes to the spine or the back of the head.

Strikes behind the crown of the head and above the ears are not permissible within the Mohawk area. Strikes below the top of the ear are not permissible within the nape of the neck area.

34.14. Heel kicks to the kidney.

34.15. Throat strikes of any kind, including, without limitation, grabbing the trachea.

No directed throat strikes are allowed. A directed attack would include a fighter pulling his opponents head in a way to open the neck area for a striking attack. A fighter may not gouge their fingers or thumb into their opponent's neck or trachea in an attempt to submit their opponent.

34.16. Clawing, pinching, twisting the flesh or grabbing the clavicle.

Any attack that targets the fighter's skin by clawing at the skin or attempting to pull or twist the skin to apply pain is illegal. Any manipulation of the clavicle is a foul.

34.17. Kicking the head of a grounded opponent.

A grounded opponent is any fighter who has more than just the soles of their feet on the ground. (i.e. could have one shin or one finger down to be considered a downed fighter). If the referee determines that a fighter would be a grounded fighter but is not solely because the cage fence has held fighter from the ground, the referee can instruct the combatants that he is treating the fighter who is being held up solely by the cage or ropes as a grounded fighter.

34.18. Kneeing the head of a grounded opponent.

A grounded opponent is any fighter who has more than just the soles of their feet on the ground. If the referee determines that a fighter would be a grounded fighter but is not solely because the cage fence has held fighter from the ground, the referee can instruct the combatants that he is treating the fighter held up solely by the cage or ropes as a grounded fighter.

34.19. Stomping of a grounded fighter.

Stomping is considered any type of striking action with the feet where the fighter if its their leg up bending their leg at the knee and initiating a striking action with the bottom of their foot or heel . Axe kicks shall not be classified as stomps. Standing foot stops shall not be classified as a foul; therefore, this foul does not include stomping the feet of a standing fighter.

34.20. The use of abusive language in the fighting area.

34.21. Any unsportsmanlike conduct that causes an injury to opponent.

34.22. Attacking an opponent on or during the break.

A fighter shall not engage their opponent in any fashion during a time-out or break of action in competition

34.23. Attacking an opponent who is under the care of the referee.

34.24. Timidity.

Timidity is defined as any fighter who purposely avoids contact with his opponent or runs away from the action of the fight. Timidity can also be called by the referee for any attempt by a fighter to receive time by falsely claiming a foul, injury, or purposely dropping or spitting out their mouthpiece or other action designed to stall the fight.

34.25. Interference from a mixed martial artists seconds.

Interference is defined as any action or activity aimed at disrupting the fight or causing an unfair advantage to be given to one combatant. Corners are not allowed to distract the referee or influence the actions of the referee in any fashion.

34.26. Throwing an opponent out of the caged area.

A fighter shall not throw their opponent out of the cage.

34.27. Flagrant disregard of the referee's instructions.

A fighter must follow the instructions of the referee at all times. Any deviation or failure to comply may result in the fighter's disqualification.

34.28. Spiking the opponent to the canvas onto the head or neck (pile-driving).

A pile driver is considered to be any throw where you control your opponent's body placing his feet straight up in the air with his head straight down and then forcibly drive your opponents head into the canvas or flooring material. It should be noted when a fighter is placed into a submission hold by their opponent, if that fighter is capable of elevating their opponent they may bring that opponent down in any fashion they desire because they are not in control of their opponents body. The fighter who is attempting the submission can either adjust their position, or let go of their hold before being slammed to the canvas.

34.29. Attacking an opponent after the bell has sounded the end of the period of unarmed combat.

34.30. Linear Knee Strikes are prohibited.

**§177-2-35. Scoring the fouls.**

Fouls may result in a point being deducted by the official scorekeeper from the offending Mixed Martial Arts fighter's score. The scorekeeper will be responsible for calculating the true score after factoring in the point deduction; judges shall not deduct for fouls.

**§177-2-36. Assessing Fouls.**

Only a referee may assess a foul. If the referee does not call the foul, judges shall not make that assessment on their own and cannot factor such into their scoring calculations.

**§177-2-37. Foul Procedures.**

37.1. If a foul is committed, the referee shall:

37.1.a. call time;

37.1.b. check the fouled fighter's condition and safety; and

37.1.c. assess the foul to the offending contestant, deduct points, and notify each corner's seconds, judges and the official scorekeeper.

37.2. If a bottom contestant commits a foul, unless the top contestant is injured, the fight shall continue, so as not to jeopardize the top contestant's superior positioning at the time.

37.2.a. The referee shall verbally notify the bottom contestant of the foul.

37.2.b. When the round is over, the referee shall assess the foul and notify both corners' seconds, the judges and the official scorekeeper.

37.2.c. The referee may terminate a bout based on the severity of a foul. For such a flagrant foul, a contestant shall lose by disqualification.

**§177-2-38. Time Considerations for Fouls.**

38.1. Low Blow Foul.

38.1.a. A fighter who has been struck with a low blow is allowed up to five minutes to recover from the foul as long as in the cage side doctor's opinion the fighter may possibly continue on in the contest. If the fighter states that they can continue on before the five minutes of time have expired, the referee shall as soon as practical restart the fight. If the fighter goes over the five minute time allotment the fight cannot be restarted and the contest must come to an end with the outcome determined by the round and time in which the fight was stopped.

38.2. Fighter who is not fouled by low blow but another foul.

38.2.a. If a contest or exhibition of mixed martial arts is stopped because of an accidental foul, the referee shall determine whether the unarmed combatant who has been fouled can continue or not. If the unarmed combatant's chance of winning has not been seriously jeopardized as a result of the foul and if the foul did not involve a concussive impact to the head of the unarmed combatant who has been fouled, the referee may order the contest or exhibition continued after a recuperative interval of not more than 5 minutes. Immediately after separating the unarmed combatants, the referee shall inform the Commission's representative of his determination that the foul was accidental.

38.2.b. If a fighter is fouled by blow that the referee deems illegal, the referee should stop the action and call for time. The referee may take the injured fighter to the cage side doctor and have the cage side doctor examine the fighter as to their ability to continue on in the contest. The cage side doctor has up to 5 minutes to make their determination. If the cage side doctor determines that the fighter can continue in the contest, the referee shall as soon as practical restart the fight. However, unlike the low blow foul rule, the fighter does not have up to 5 minutes of time to use at their discretion.

38.2.c. For a foul other than a low blow, the fouled fighter is not guaranteed 5 minutes of recovery time. If deemed not fit to continue by the referee or cage side physician, the referee must immediately call a halt to the bout. If the fighter is deemed not fit to continue by the referee or cage side physician but some of the five minute foul time is still remaining, the fighter cannot avail himself of the remaining time.

38.2.d. If the referee stops the contest and employs the use of the cage side doctor, the cage side physician's examinations shall not exceed five minutes. If five minutes is exceeded, the fight cannot be re-started and the contest must end.

#### **§177-2-39. Scoring of Incomplete Rounds.**

The judges shall score an incomplete round. If the referee penalizes either contestant, then the appropriate points shall be deducted when the scorekeeper calculates the final score for the partial round.

#### **§177-2-40. Tap Out.**

40.1. Submission by Tap Out.— When a contestant physically uses his hand to indicate that he or she no longer wishes to continue.

40.2. Verbal Tap Out.— When a contestant verbally announces to the referee that he or she does not wish to continue or makes audible sounds such as screams indicating pain or discomfort.

#### **§177-2-41. Combat Area.**

41.1. All MMA contests will take place in either a cage that has been approved by the Commission. The cage will meet the requirements set forth by the Athletic Commission and also be subject to inspection prior to each event by a Commission representative such as a referee.

41.2. Cages. – The cage specifications for Mixed Martial Arts events must meet the following requirements.

41.2.a. The fighting area canvas shall be no smaller than 18 feet by 18 feet and no larger than 32 feet by 32 feet. The fighting area canvas shall be padded in a manner as approved by the Commission, with at least one inch layer of foam padding. Padding shall extend beyond the fighting area and over the edge of the platform. No vinyl or other plastic rubberized covering shall be permitted. The fighting area canvas shall not be more than four feet above the floor of the building and shall have suitable steps or ramp for use by the participants.

41.2..b. Post shall be made of metal not more than six inches in diameter, extending from the floor of the building to a minimum height of 58 inches above the fighting area canvas and shall be properly padded in a manner approved by the Commission. The fighting area canvas area shall be enclosed by a fence made of such material as will not allow a fighter to fall out or break through it onto the floor or spectators, including, but not limited to, vinyl coated chain link fencing. All metal parts shall be covered and padded in a manner approved by the Commission and shall not be abrasive to the contestants. The fence shall provide two separate entries onto the fighting area canvas.

41.3. The Athletic Commission shall determine all seating arrangements at cage side.

#### **§177-2-42. Referee's License.**

42.1. Qualifications. -- Referees shall be appointed by the Commission and shall be licensed after first satisfying the Commission of their professional and physical qualifications.

42.2. Prohibitions. -- No person who is, directly or indirectly, interested in the management of a contestant, or who is an individual promoter, or stockholder in, or an employee of a corporation, or interested in an unincorporated club or association engaged in the promotion of contests, shall be granted a referee's license.

42.3. Powers of the referee. -- After a contest starts, the referee has power to declare a bout "No Contest," and order the purse held, pending the decision of the Commission. The referee shall immediately make a report to the Commission. The referee may stop a contest if, in his opinion, one (1) of the contestants is badly outclassed or injured or the referee may temporarily stop a contest and consult the examining physician on the advisability of stopping the contest in case a contestant appears injured. The referee is empowered to enforce discipline and the rules pertaining to the conduct and behavior of contestants and seconds.

#### 42.4. Duties of referee.

(a) General. -- Subject to the supervision of Commission members or Deputy Commissioners, the chief official of the contest shall be the referee who shall have general supervision over bouts and take his place in the cage.

(b) Ascertainment of seconds. -- The referee shall, before starting a contest, ascertain from each contestant the name of his chief second and shall hold the chief second responsible for the conduct of his assistant seconds during the progress of the contest.

(c) Instructions. -- The referee shall call contestants together in the cage before each bout for the final instructions at which time each contestant shall be accompanied by only his chief second. The principals after receiving instructions shall be required to shake hands at the beginning of the first round.

42.5. Referee's inspection. -- The referee shall inspect the bandages and the gloves and make sure that no grease or other foreign substances have been applied to either the gloves or the bodies of the contestants to the detriment of the opponent.

42.6. Referee's uniform. -- Referees shall wear official uniforms as authorized by the Commission.

#### **§177-2-43. "Down" Without Being Struck; Counted Out.**

43.1. General. -- A contestant who goes down without being struck and stays down shall be disqualified.

43.2. Absence of fighter. -- Should a contestant leave the cage during the one (1) minute period between rounds and fail to be in the cage when the gong rings the signal to resume fighting or should a contestant fail to rise from his chair at the beginning of a round, the referee shall start counting immediately and unless the contestant is on his feet in the cage at the end of ten (10) seconds, he shall declare him counted out.

#### **§177-2-44. Withholding Purse.**

As counting a contestant out, or disqualifying one (1) of the contestants for fouling, is held to be, in effect, giving a decision, should the referee decide that one (1) or both the contestants are not honestly competing, or that the knockdown is "A Dive" or the found prearranged termination of the bout, the referee shall stop the bout and order the purses of both MMA fighters held pending investigation by the Commission.

#### **§177-2-45. Gloves.**

All contestants shall wear gloves which weigh a minimum of four (4) ounces in weight. Both fighters shall wear the same weight gloves. If gloves used in any bouts have been used before, they must be whole, clean and in sanitary condition. Gloves must be supplied by the promoter and approved by the Athletic Commission. No contestant shall be allowed to supply their own gloves for any fight.

#### **§177-2-46. Hand Wraps.**

All mixed martial arts contestants shall be required to gauze and tape their hands prior to all contests. In all weight classes, the bandages on each contestant's hand shall be restricted to soft gauze cloth not more than 15 yards in length and two inches in width, held in place by not more than 10 feet of surgeon's tape, one inch in width, for each hand. Surgeon's adhesive tape shall be placed directly on each hand for protection near the wrist. However, as opposed to boxing wraps, the tape may cross the back of the hand twice and extend to cover and protect the knuckles when the hand is clenched to make a fist. The bandages shall be evenly distributed across the hand. Bandages and tape shall be placed on the contestant's hands in the dressing room in the presence of the inspector and, if warranted, in the presence of the manager or chief second of his or her opponent.

Under no circumstances are gloves to be placed on the hands of a contestant until the approval of the inspector is received. Substances other than tape and gauze shall not be utilized. For example, pre-wraps may not be used.

#### **§177-2-47. Use of Vaseline, Gels, or other similar substances.**

Mixed Martial Arts fighters shall not apply any body grease, gels, balms, lotions, oils, or other substances to the hair, face or body. This includes the use of excessive amounts of water "dumped" on a contestant to make him/her slippery. However, Vaseline may be applied solely to the facial area at cage side in the presence of an inspector, referee, or a person designated by the commission. Any contestant applying anything other than Vaseline in an approved fashion at cage side may be penalized a point or subject to loss by disqualification.

#### **§177-2-48. Contestants's Attire and Appearance.**

48.1. Trunks.— Each contestant shall wear mixed martial arts shorts, biking shorts, or kick boxing shorts.

48.2. Shirt or Gi.— Male contestants may not wear a shirt or gi during competition. Female contestants shall wear a body shirt or other appropriate attire during competition.

48.3. Shoes.— Contestants may not wear shoes or padding on their feet during a competition.

48.4. No articles of clothing other than as specified above shall be allowed.

48.5. No articles of clothing shall be worn by any contestant unless approved by the Athletic Commission.

**§177-2-49. Protective Equipment.**

49.1. Male fighters must provide and shall wear a groin protector during the competition.

48.2. Female fighters may not wear groin protectors. Female fighters must provide and shall wear a breast protector.

49.3. All contestants must provide and wear a mouthpiece during the competition.

49.4. No other protective gear shall be allowed.

49.5. No protective equipment shall be worn by any contestant unless approved by the Athletic Commission.

**§177-2-50. Appearance.**

The inspector or Athletic Commission representative shall determine whether head or facial hair presents any hazard to the safety of the contestant or their opponent or will interfere with the supervision and conduct of the event. Facial hair may not be braided. Fingernails and toenails must be trimmed subject to the approval of the Athletic Commission.

**§177-2-51. Water Buckets, etc.**

There shall be provided by the promoting corporation a sufficient number of water buckets for the use of all contestants. Promoters shall also provide fans, stools for seconds and such other articles as are required in the conduct of a contest. Promoters shall provide a sufficient number of buckets so that each MMA fighter shall have a new bucket for his fight.

**§177-2-52. National Anthem.**

The National Anthem shall be played at the beginning of each Mixed Martial Arts program.

**§177-2-53. Officials Fees.**

53.1. Day of Show Chief Deputy or Deputy in Charge \$75.00.

53.2. Judges \$50.00 per day.

53.3. Time Keeper \$50.00 per day.

53.4. Referee \$75.00 per day.

53.5. Inspectors \$50.00 per day.

**§177-2-54 Medical Testing Requirements.**

54.1 Every professional Mixed Martial Arts fighter must submit evidence to the Commission that the boxer is free of Human Immunodeficiency Virus (HIV) and proof of passing a Hepatitis B and a Hepatitis C virus test. The Athletic Commission will only accept laboratory results that are no older than twelve (12) months.

54.2 Every female Mixed Martial Arts fighter must submit a negative pregnancy test to the Athletic Commission. The test must be no older than 14 days prior to the date of the MMA match.

54.3 The Athletic Commission shall have the discretion to require additional medical testing of any MMA fighter in order to protect the health and safety of athletes. Additional testing may include an electrocardiogram (EKG), neurological exam, cat scan (CT), cardiovascular stress test, or any other examination, which the Commission deems necessary.

**§177-2-55 Safety of Fighters.**

Notwithstanding any provision of these rules to the contrary, the Athletic Commission shall have plenary authority to take any additional measures deemed necessary to protect the safety of all MMA fighters.

**§ 177-2-56 Types of Bout Results.**

A mixed martial arts contest may end under the following results:

56.1. Submission:

(a) Tap out: when a contestant physically uses their hand(s) to indicate that they no longer wish to continue.

(b) Verbal tap out: when a contestant verbally announces to the referee that they do not wish to continue.

56.2. Knockout "(KO)": failure to rise from the canvas.

56.3. Technical knockout "(TKO)":

(a) Referee stops bout because contestant can no longer defend themselves; or

(B) Cage side physician advises referee to stop bout; or

(c) When an injury as a result of a legal maneuver is severe enough to terminate the bout.

56.4. Decision via scorecards:

(a) Unanimous: when all three judges score the bout for the same contestant.

(b) Split decision: when two judges score the bout for one contestant and one judge scores for the opponent.

(c) Majority decision: when two judges score the bout for the same contestant and one judge scores the bout a draw.

56.5. Draws:

(a) Unanimous: when all three judges score the bout a draw;

(b) Majority: when two judges score the bout a draw;

(c) Split when all three judges score it differently and the score total results in a draw.

56.6. Disqualification: when an injury sustained during competition as a result of an intentional foul severe enough to terminate the contestant.

56.7. Forfeit: when a contestant fails to begin competition or prematurely ends the contest for reasons other than injury or indicating a tap out.

56.8. Technical draw:

(a) When an injury sustained during competition as a result of an intentional foul causes the injured contestant to be unable to continue and the injured contestant is even or behind on the score cards at the time of the stoppage.

(b) When an injury sustained during competition as a result of an unintentional foul causes the injured contestant to be unable to continue and the sufficient number of rounds have been completed with the results of the scorecards being a draw.

56.9. Technical decision: when the bout is prematurely stopped due to an injury and a contestant is leading on the scorecards.

56.10. No contest: when a contestant is prematurely stopped due to accidental injury and a sufficient number of rounds have not been completed to render a decision via the scorecards.

**§ 177-2-57 Consumables.**

MMA fighters may only consume water or an electrolyte replacement drink (such as Gatorade, power aid, etc.,) at cage side.

**APPENDIX 1  
MIXED MARTIAL ARTS WEIGHT CLASSES**

Male and female MMA fighters shall use the same weight classes.

<u>Weight Class</u>	<u>Weights</u>	<u>Weight Difference Allowed</u>
Flyweight	up to 125 lbs.	10*
Bantamweight	over 125 to 135 lbs.	10*
Featherweight	over 135 to 145 lbs.	10*
Lightweight	over 145 to 155 lbs.	10*
Welterweight	over 155 to 170 lbs.	10*
Middleweight	over 170 to 185 lbs.	Note 1
Light Heavyweight	over 185 to 205 lbs.	Note 1
Heavyweight	over 205 to 265 lbs.	Note 1
Super Heavyweight	over 265 lbs.	Note 1

\* If a boxer weighs 158 pounds or less, the boxer shall not be allowed to fight another boxer when the weight differential is more than 10 pounds. *See WV Code § 29-5A-19.*

Note 1 : If both MMA fighters weigh 159 pounds or more at the scheduled weigh in and their weights fall within the same weight class, then there is no restriction on the weight differential.

Bouts which cross weight classes :

If the two MMA fighters are weighed at the scheduled weigh in and their weights fall in different weight classes, the Maximum Weight Difference Allowed shall be :

One MMA fighter weighs 158 pounds or less :	10 pounds
One MMA fighter is Middleweight :	10 pounds
One MMA fighter is Light Heavyweight	15 pounds
One MMA fighter is Heavyweight	20 pounds
One MMA fighter is Super Heavyweight	50 pounds

**RESPONSE OF THE  
WEST VIRGINIA STATE ATHLETIC COMMISSION  
TO PUBLIC COMMENTS RECEIVED  
FOR THE PROPOSED CHANGES TO THE  
LEGISLATIVE RULES**

Background

On March 12, 2011 the West Virginia Legislature passed the Enrolled Committee Substitute for H.B. 2562 which legalized Mixed Martial Arts in this State. The Athletic Commission filed proposed legislative rules on June 17, 2011 with the WV Secretary of State. The public comment period ran from June 17, 2011 through July 18, 2011. The Commission timely received eight sets of comments and considered all timely comments regardless of whether they were submitted by letter or e-mail. The comments included one set of anonymous comments which were also considered.

On July 27, 2011, the Athletic Commission conducted a public meeting and reviewed the comments which had been timely received. Members of the public who attended the meeting were free to discuss their viewpoints and opinions with the Commission. Four individuals attended the public meeting and two individuals made significant contributions to the discussion as the proposed rules were reviewed by the Athletic Commission.

The Athletic Commission received forty-seven comments from the public. While the number of comments appear to be lengthy, many people raised the same issues. Consequently, the comments overlap a great deal. Eight comments related to the amount of insurance coverage required; four comments related to the venue size; four comments related to the use of a cage and the prohibition against using a standard boxing ring; three comments related to the minimum number of rounds or bouts required; and three comments related to the prohibition of amateur MMA by the proposed rule.

The Athletic Commission's Response is set forth below. Deletions from the rules which were published for public comment are shown in ~~strike-through~~ while the new language is shown in underlining. A complete set of all of the public comments is included in Appendix 1.

**Comments submitted by D. Geoffrey Varney, Esq.**

**Comment 1**

177CSR-2-7.3 - Minimum Number of Bouts

The proposed MMA rules requires a minimum of ten (10) bouts on a card unless special written permission is obtained from the Commission. The corresponding rule for boxing [177CSR-1-6.3] requires only a minimum number of *rounds* (30) for an event.

This is significant because it will require a MMA promoter to schedule, and pay, for 20 or more fighters to compete on a card. The proposed rule appears to favor boxing over MMA in this regard. The proposed MMA rule could have been written similar to the existing boxing rules regarding rounds, but the Commission chose to require a minimum number of bouts per event. This will limit the number of MMA events which can be held in the state because only the largest and lucrative MMA promotions will be able to compete under such restrictive rules.

**Response** – The Athletic Commission accepted the comment and amended the proposed rule accordingly to require a minimum of 30 rounds per event. By changing the requirement from 10 bouts per event to 30 rounds per event, the rule would allow for an event to include both MMA fights as well as boxing matches as suggested by one person at the public meeting.

Section 177CSR-2-7.3 will be revised to read as follows :

7.3. Minimum Number of ~~Bouts~~ Rounds. -- There shall be a minimum of ~~ten(10)~~ bouts thirty (30) rounds on a card unless special written permission is obtained from the Commission at the time of granting the sanction to have a fewer number of ~~bouts~~ rounds.

## **Comment 2**

### 177CSR-2-8.1 - Insurance for MMA Fighters - General

This proposed MMA rule greatly increases the amount of accidental Death & Dismemberment insurance required from promoters of MMA events than their counterparts in boxing. MMA promoters will be required to provide a minimum amount of \$100,000 to hold an MMA event. Boxing promoters are required to provide only \$20,000 in such insurance for boxers under 177CSR-1-7.2. It is unnecessary to elaborate on how this more restrictive requirement would severely limit MMA promoters; the numbers speak for themselves.

**Response** – The Athletic Commission accepted the comment, in general, and decided to reduce the accidental death and dismemberment coverage to \$ 30,000.00. The Commission heard a great deal of argument concerning the additional costs of insurance to the promoters and the high cost of medical treatment for injuries.

Section 177CSR-2-8.1 will be revised to read as follows :

8.1. General. -- All promoters, clubs, associations and corporations engaged in the presentation of professional Mixed Martial Arts events will provide Accidental Death

& Dismemberment insurance for the protection of MMA fighters appearing and participating in such events. The minimum amount of Accidental Death & Dismemberment insurance shall be ~~one hundred thousand dollars (\$100,000)~~ thirty thousand dollars ( \$ 30,000.00).

### **Comment 3**

#### 177CSR-2-8.2 - Insurance for MMA Fighters - Coverage

Likewise, MMA promoters are required to provide \$50,000 of insurance coverage per participant for injuries sustained while participating in a sanctioned MMA event. The corresponding provision for boxing [177CSR-1-8.2] requires only \$20,000 of insurance coverage per boxing participant.

There is no scientific evidence to justify a higher insurance requirement for MMA. In fact, the leading scientific studies suggest the opposite: that boxing is more dangerous than MMA in regard to serious injuries sustained by participants [see Attachment #1]. If anything, boxing should require higher insurance coverage than MMA. At the very least, the insurance requirements should be the same for both boxing and MMA in West Virginia.

**Response** – The Athletic Commission accepted the comment, in general, and decided to reduce the medical insurance coverage to \$30,000.00. The Commission heard a great deal of argument concerning the additional costs of insurance to the promoters and the high cost of medical treatment.

Section 177CSR-2-8.2 will be revised to read as follows :

8.2. Coverage. -- Insurance coverage shall provide for reimbursement to the MMA fighter for medical, surgical and hospital care with a minimum coverage of ~~fifty thousand dollars (\$50,000)~~ thirty thousand dollars ( \$ 30,000.00) per participant for injuries sustained while participating in any sanctioned MMA event under the control of a licensed promoter, club, corporation or association.

### **Comment 4**

#### 177CSR-2-22 - Length of Rounds

This section proposes that female MMA fighters be limited to three (3) minute rounds in comparison to their male counterparts' five (5) minute rounds. Besides being sexist and paternalistic, there is no scientific evidence to suggest that females are less capable than males of fighting in five (5) minute round fights. Every state that regulates MMA allows females to participate in five (5) minute round fights just like males. Treating females different in this regard is akin to telling female athletes that "girls aren't as good as boys."

**Response** – The Athletic Commission rejected the comment. No change will be made to the proposed rule.

### **Comment 5**

#### 177CSR-2-41.2 - Cages

This proposed rule mandates that MMA events be held in cages. Approximately 40% of all MMA events occur in a ring, like boxing. The Unified Rules of MMA make these provisions to allow for MMA to be held in a ring:

All MMA contests will take place in either a Cage or a Ring that has been approved by the Commission. The Cage or Ring will meet the requirements set forth by each Commission. The Cage or ring will meet the requirements set forth by each Commission and also be subject to inspection prior to each event by a Commission representative such as a referee.

The ring specifications for mixed martial arts must meet the following requirements: (1) The ring may be no smaller than twenty feet square and no larger than thirty-two feet square within the ropes; (2) One of the corners must have a blue designation, the corner directly across must have a red designation; (3) The ring floor must extend at least eighteen inches beyond the ropes. The ring floor must be padded with ensolite for a similar closed-cell foam, with at least one inch layer of foam padding. Padding must extend beyond the ring ropes and over the edge platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps and ridges may not be used; (4) The ring platform must not be more than four feet above the floor of the building and must have suitable steps for the use of the contestants; (5) Ring posts must be made of metal, not more than three inches in diameter, extending from the floor, and must be properly padded in a manner approved by the commission. Ring posts must be eighteen inches away from the ring ropes; (6) There must be five ring ropes, not less than one inch in diameter and wrapped in soft material. The lowest rope must be no higher than twelve inches from the ring floor; (7) There must not be any obstruction or object, on any part of the ring floor. [see Attachment #2]

Mandating a cage-only option for MMA prevents a promoter from holding an event showcasing both MMA and boxing. Also, cages are more expensive, and this would likely hinder some promoters from competing in the industry.

**Response** – The Athletic Commission rejected the comment as a safety concern. No change will be made to the proposed rule.

The Commission concluded that MMA fighters would be more likely to be thrown from a

roped ring which could cause a risk of injury instead of an enclosed cage. In addition, Commissioner Simpson pointed out that if 40% of all MMA events occur in rings (according to the comment), then 60% of all MMA events occur in cages. Commissioner Simpson felt that West Virginia should follow the majority position.

### **Comment 6**

#### 177CSR-2-45 - Gloves

This proposed rule requires both a fighter and his opponent to wear the same weight gloves. This is problematic because boxing and MMA are two different sports, and the requirements cannot be the same in regard to glove size. MMA gloves are made to fit the hand, and every human being has different sized hands. A larger light-heavyweight would naturally have a larger hand than a smaller light-heavyweight. MMA glove size does not afford any advantage to a fighter, the gloves are chosen according to physical comfort. For example, Shane Carwin (of UFC fame), fights at Heavyweight and wears a size 5XL glove. Requiring his opponent to wear gloves so large would look ridiculous. Requiring Shan Carwin to wear a much smaller glove to meet the proposed West Virginia Athletic Commission rule would look even more ridiculous. [see Attachment #3]. This is the most obvious example. Depending on the size of a fighter's hand, MMA gloves will weigh between 4 and 8 ounces. Hand girth is not something that gives a fighter any advantage over his opponent, and therefore, a rule requiring fighters to wear the same size of glove in a bout makes no sense.

To clear up any confusion, the language of the Unified Rules of MMA reads as follows:  
All contestants shall wear gloves which are at least 4 ounces and are approved by the Commission. The language should not place a limit on 6 ounce gloves. The discussion by the group was prompted by the introduction of triple XL or five XL gloves which, due to the additional material, may weigh over 6 ounces. Gloves should be supplied by the promoter and approved by the commission. No contestant shall supply their own gloves for participation.

**Response** – The Athletic Commission rejected the comment as a safety concern. No change will be made to the proposed rule.

The Commission concluded that if two MMA fighters have substantially different hand sizes (as argued in the comment), then there might be too big of a weight discrepancy between fighters.

### **Comment 7**

#### 177CSR-2-48.2 - Contestant's Attire and Appearance - Shirt or GI

For females, this proposed rule would require a female combatant to wear, not only a body shirt, but also a blouse during competition. The corresponding boxing rule [177CSR-1-40.6] requires a female

boxer to wear only a body shirt. There is no logical reason for the added requirement for MMA. No other state requires the extra article of clothing in its MMA rules for female combatants. The proposed rule appears to be archaic-minded and paternalistic.

**Response** – The Athletic Commission accepted the comment.

Section 177CSR-2- 48.2 will be revised to read as follows :

48.2. Shirt or Gi.– Male contestants may not wear a shirt or gi during competition. Female contestants shall wear a body shirt ~~and blouse~~ or other appropriate attire during competition.

### **Comment 8**

177CSR-2-55 - Safety of Fighters

This may be the worst of all of the proposed rules because of its vagueness and appearance of unlimited regulatory control. The proposed rule reads: “Notwithstanding any provision of these rules to the contrary, the Athletic Commission shall have plenary authority to take any additional measures deemed necessary to protect the safety of all MMA fighters.” Seemingly, the Athletic Commission could require MMA combatants to house themselves in large plastic bubbles and sort of bounce into their opponent. The proposed rule would give the Athletic Commission, this power and more. Many limitations could be placed on MMA under the guise of a “concern for safety.” It should be noted that the Commission’s existing rules for boxing do not contain such a provision.

**Response** – The Athletic Commission rejected the comment. No change will be made to the proposed rule.

### **Comments submitted by Roni Pack**

#### **Comment 9**

Will training be provided to bring judges and referees, appointed by the athletic commission, to ensure proper certification? At this time judges are compensated at \$50 per night per event and referees are compensated \$75 per night/event. Who will bear the burden of the expense? I do not believe referees and judges should bear the cost as neither are highly paid for any event. Therefore, the cost would be too much which may impede the ability to hire qualified and experienced officials for events.

**Response** – The Athletic Commission rejected the comment. No change will be made to the proposed rule. The Athletic Commission concluded that referees and other officials must obtain training which is approved by the Association of Boxing Commissions at their own expense.

### **Comment 10**

I believe MMA fights should take place in a 5 rope ring. Use of the cage interferes with audience viewing, which may affect attendance. I have seen events which have taken place in both a 5 rope ring and a cage and believe the spectator receives a much better viewing experience with the ring.

**Response** – This issue was previously addressed in Comment 5.

### **Comment 11**

I do not believe the venue size should be limited to only large centers. Limiting venue size would basically exclude most, if not all, venues located in southern West Virginia.

**Response** – The Athletic Commission decided to reduce the venue size to 2500 minimum seating capacity. (See also Comment 19.)

Section 177CSR-2-5.6 will be revised to read as follows :

5.6. Venues– Venues must have a minimum seating capacity of ~~3,500~~ 2,500 and video replay capabilities in good working order. No event shall take place until the venue has been approved by the Athletic Commission.

### **Comments submitted by Annette Simpson**

#### **Comment 12**

I see there was a zero cost fiscal note attached to this bill. Will there be any training involved to bring the existing judges and referees that are appointed by the athletic commission up to proper certification? I see advertised training session for MMA referees costing \$500 - 1000 per weekend not including travel expenses. Currently the referees are compensated \$75 per night/event. Are we to expect these people to bear the burden of this cost when they would have to work 12 - 14 events to break even on their training investment? It is my opinion that no events should be held until we have qualified and certified referees from the state to ensure the fairness and safety of the fights.

**Response** – This issue was previously addressed in Comment 9.

#### **Comment 13**

I feel the AD & D insurance of \$100,000 is appropriate as this may replace the salary of the injured fighter for a couple years, but the medical insurance of \$50,000 seems terribly low. With facial and head CT's averaging \$2500 - 4000 dollars and emergency surgery being so expensive, I fear that the proposed amount may be too low. If the \$50,000 is expended, who will be responsible to the hospital for the overruns ? The fighter, the promoter, the State of WV, the taxpayers? I think it

should be increased to match the AD & D level of \$100,000.

**Response** – This issue was previously addressed in Comments 2 and 3.

#### **Comment 14**

During a boxing match when a referee calls a foul and deducts a point from a fighter, the judges are informed immediately by the referee of the point deduction. The referees are trained to mark this deduction on their score sheet. It seems confusing that under the Unified Rules, the points are deducted by the official scorekeeper and not the judges. I fear that an experienced Boxing judge would score a 10-9 round as a 10-8; therefore, assessing the foul, only to have the scorekeeper take another point away. This assessment of fouls should be consistent in all combative sports.

**Response** – This comment was determined to be a housekeeping matter. Judges must be cognizant of the fact that a point for a foul will be deducted by the scorekeeper and not the judges. Section 177-2-35 of the proposed rule is consistent with the Unified Rules of Mixed Martial Arts as adopted by the Association of Boxing Commissions.

#### **Comment 15**

I am very happy to see that the Athletic commission is taking fighter safety seriously in only allowing MMA fights to take place in an approved cage. I have been to MMA events in Ohio and Virginia that allow the 5 rope ring to be used. At every event one or two fighters are pushed or slip through the ropes only to fall 3 - 4 feet to the hard cement. This is the most violent of the combative sports and by ensuring the fighters are in a cage, this will avoid incidental injuries by falls from a ring.

**Response** – This issue was previously addressed in Comment 5.

#### **Comment 16**

Although I understand keeping the venue size limited to large conference centers and civic centers, I think that by limited fights to seating of 3500 or more would exclude places like the Raleigh County Convention Center, the Brushford and Summersville Armory's and the State Fairgrounds. This will limit the availability of venues that qualify to Charleston, Morgantown and Wheeling and no contests could be held in the southern part of the State, this would also limit places like the Greenbrier holding a pay-per-view event like they did this past January.

**Response** – This issue was previously addressed in Comment 11.

#### **Comment 17**

How will the state benefit from pay-per-view revenue? Is there currently a bill or statute to enforce a minimum percentage of gross sales in PPV back to the state? I understand that other states gain

revenue from the production of PPV events held in those states. Is the Legislature currently working on a bill to address this, as revenue production was pushed to all the Senators and Delegates during the last session in which this bill was passed.

**Response**– The Athletic Commission could not address this issue. Enacting a fee or tax on pay-per-view shows would require a new statute which is beyond the scope of this regulation.

**Comments submitted by Brian Simpson, RN., Member of Athletic Commission**

**Comment 18**

I am definitely against using a 5 rope ring for these types of contests. For the safety of the fighters, a cage is necessary. Not only is this a very violent form of a combative contest, the additional injuries that could occur from a fall from 4-5 feet from the ring apron would be devastating!

**Response** – This issue was previously addressed in Comment 5.

**Comment 19**

We should be more specific about the video broadcasting needs within the event venue. I recently attended the UFC event in Pittsburgh PA and noticed that in addition to the 4 jumbo screens that are standard in professional sports venues like the Consol Energy Civic Center, the UFC also had 6 other large screens placed in the upper seating areas. This is because when the fighters go to the ground and grapple/wrestle, even the ringside viewers can not see anything. By specifying the size and minimum number of broadcast screens, the general public in attendance will be allowed to view the contest as it is intended.

**Response** – The Athletic Commission adopted this comment in order to promote better viewing of the fight once the fighters go to the ground. (See also Comment 11.)

Section 177CSR-2-5.6 will be revised to read as follows :

5.6. Venues– Venues must have a minimum seating capacity of ~~3,500~~ 2,500 and video replay capabilities in good working order. Venues with a seating capacity of 3,500 or more must have a minimum of four (4) video monitors displaying a continuous live feed of the fight for the spectators; venues with a maximum seating capacity of 3,499 or less must have at least two monitors displaying a continuous live feed of the fight for the spectators. All such video monitors must be a minimum of 6 feet by 6 feet. No event shall take place until the venue has been approved by the Athletic Commission.

**Comment 20**

The event promoter should have a minimum of 10-12 fights. This is because most fights end in the first round. I was actually unaware of how often this takes place but was informed by legal counsel from Zuffa Inc that owns the UFC that most fights are by submission or knockout in the first round. 8 out of the scheduled 11 fights ended this way Sunday. This led to long delays between fights of 20-30 minutes. One of my fears as a consumer of local entertainment would be if only scheduling 6-8 fights, the event could be over in 60-90 minutes and therefore the general public in attendance would feel cheated in attending such a shortened event. Also, by making the recommendation the same as boxing, like 20-30 rounds, when these events end in the first round more often than not, spectators will only get a minimum amount of entertainment for their investment.

**Response** – This issue was previously addressed in Comment 1.

#### **Comment 21**

I feel that the accidental death and dismemberment insurance of \$100,000 is an appropriate number to start with to cover the athletes and their families, but the medical insurance of \$50,000 is too low. A complicated emergency room visit in a level 1 trauma center can be \$50,000 in itself, not including inpatient care if necessary. \$100,000 medical insurance is a more realistic number to start with in my opinion. If the event is held in an area outside Morgantown, Huntington or Charleston (the only level one trauma centers in WV) you could tack on 2 emergency room visits and possibly a transfer fee from EMS by ground or air transport.

**Response** – This issue was previously addressed in Comments 2 and 3.

#### **Comment 22**

The event sizing of 3500 seating minimum is important in limiting the "fly by night" promoters from coming to the state and holding small fights without meeting proper bonding and medical minimum standards. I would like a clause in place to allow for smaller events to be held at the approval of the Athletic Commission for special events that could meet all other requirements. The minimum seating could be adjusted down to 1000-1500 persons for high-end events like at the Greenbrier or the Waterfront in Morgantown. Due to the requirements of having referees, judges and medical support staff in attendance, allowing these events take place in small venues would place competitors at risk for injury without qualified persons there to attend to them. Small gyms and back room MMA events will also stretch the available resources the state has available to police these events.

**Response** – This issue was previously addressed in Comment 11.

#### **Comment 23**

It concerns me that no legislation has been considered to mandate a set percentage of revenue from pay-per-view events possibly to be held in this state. In all the meetings that were held either with

the Athletic Commission, in the joint House/Senate committees, and with the representatives of Zuffa Inc, the main push by all the proponents of MMA was the revenue from pay per view that the state is "missing out on". We will be unable to capture this revenue unless there is a law, bill, or statute making the promoter, producer or event organizer pay the state a set percentage for pay per view revenue. I feel that passing the legislation we are working on currently to legalize and manage MMA is putting the "cart before the horse" when nothing is currently in place to recover these potential revenue sources.

**Response** – The Athletic Commission could not address this issue. Enacting a fee or tax on pay-per-view shows would require a new statute which is beyond the scope of this regulation.

#### **Comment 24**

I understand the concern expressed by the comment made on wording saying "the exact same gloves". As we are new at coming up with guidelines to manage this sport, it is understandable that some wording will need changed. It does make sense that someone with larger hands would have more padding just due to the sizing of the gloves. By making competitors use the same type of glove with a minimum weight of 4 ounces, we would allow for increasing the padding due to sizing differences.

**Response** – This issue was previously addressed in Comment 8.

#### **Comment 25**

I can see people arguing that the minimum insurance and AD&D requirements we are placing on MMA is higher than what's currently on boxing. I feel that it is simply a matter of our experience in dealing with the injuries in boxing is less than our experience in MMA. These minimum requirements should start at the proposed levels and after a period of 5-10 years the Commission should have the proper time to study injuries within our state and decrease or increase these amounts if necessary.

**Response** – This issue was previously addressed in Comments 2 and 3.

#### **Comment 26**

Lastly, it is imperative that we only have professional MMA in place in West Virginia. It must be illegal to hold amateur MMA events and we must set penalties for promoters and participants that will be stiff enough to deter "backyard" and "bar room" MMA "exhibitions". Participants that have the desire to train, and then compete in organized amateur events may have to travel to neighboring states to get in the minimum number of fights to turn pro, but by doing this we place the burden of responsibility for injury on the state holding the amateur competitions. The current State Athletic Commission is not staffed to oversee MMA in the amateur arena. We currently allow for amateur boxing to be regulated by USA Boxing. There is currently no National amateur MMA organization.

The State also has limited number of trained and certified judges and referees to hold professional contests.

**Response** – The Athletic Commission noted that Section 177-2-2 of the proposed rule prohibits all non-professional MMA events. No change was required for the comment.

**Anonymous comment**

**Comment 27**

MMA deserves, and should receive the same treatment that boxing gets in this state. MMA has surpassed boxing in fan base and revenue. MMA is a huge cash cow, and if allowed to, can bring much needed money into the state. Lets look at the numbers which will indicate that something is “fishy” about this commission and the way they are treating MMA. Insurance per boxer = \$20,000.00, insurance per MMA fighter \$100,000.00.

**Response** – This issue was previously addressed in Comments 2 and 3.

**Comment 28**

Bond per boxing event = \$20,000.00, bond per MMA Event = 50,000.00. Now by those numbers alone you can definitely see that boxing is getting the preferred treatment, hmmm I wonder why? Deaths in boxing far outweigh the deaths in MMA, there have been 71 boxing related deaths since 1993 and ONLY 2 in MMA (The Vancouver Sun: MMA vs. Boxing, which is more dangerous?, Nov 20th 2008). That was found in a quick search via Google. I’m sure with all the time you have you could go and search and find more details statistics that would prove my point to an even greater length. MMA, statistically is a MUCH safer sport than boxing and DESERVES a platform in which they can succeed, and YOU haven’t provided that for MMA. Thanks for your time.

**Response** – The Athletic Commission accepted the comment, in general, and reduced the minimum bond to \$ 35,000.00.

Section 177CSR-2-6 will be revised to read as follows :

Before any license is issued to any promoter conducting any Mixed Martial Arts contest, he shall execute and file with the Commission a surety bond sufficient to cover all purses, awards and payments to be paid by the promoter. The bond shall be determined by the Commission. The minimum bond shall be ~~fifty thousand (\$50,000)~~ thirty-five thousand ( \$ 35,000.00) dollars. The bond shall be available to cover any fees associated with MMA fighters, managers, seconds, other fight related participants, medical expenses or deductible costs for injured boxers (insurance deductibles), and fight officials. The bond may not be available to cover expenses

such as building rental, concession stand operations, advertisements, or other similar expenses.

### **Comments submitted by James Long**

#### **Comment 29**

177-2-5– Licenses

This ruling dictates what should be done to purchase a license but a criminal statute should be implimented regarding Forgery of Licenses that apply to promoters, fighters, corporations, and any other person that would be involved with the criminal intent of forging a fighting license.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

#### **Comment 30**

177-2-7 - Individual Sanction and Permits for Professionals

Regarding applications for sanctions there should a criminal statute dealing with issues of Fraud if books, contracts, permits, applications for sanctions, are not true or have been falsified regarding a fight.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

#### **Comment 31**

177-2-9 - Promoters Report

A criminal statute should be implimented regarding a false promoters report.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

#### **Comment 32**

177-2-10 - Inspectors or Deputies

Also, there should be a criminal statute implimented regarding the duties of Inspectors and or Deputies regarding reports, bribes, etc.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

### **Comment 33**

177-2-12 - Minimum Age Limit

I also believe there should be a criminal code regarding someone or persons allowing a minor to pose as an adult to fight in a professional fight, unless, a specific regulation is created to allow a minor to compete.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

### **Comment 34**

177-2-13 - Assumed Names

A definite criminal statute should be created regarding a person fighting under a false name, and/or others persons who conspire with a person to fight under a false name, etc.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

### **Comment 35**

177-2-19 - Fake contests

A criminal statute and penalty should be created regarding a Fake or Thrown Fight, which would involve any and everyone involved. Battery/Assault/Bribing/Extorting/Threatening officials, time keepers, referees, judges, special judges, Athletic Commissioners, doctors, etc.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

### **Comment 36**

177-2-33

A criminal statute or law should be created to protect all persons involved in the fight event, such as battery, assault, extortion, bribing, etc.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

**Comment 37**

177-2-42 - False Swearing

I also suggest a criminal statute be created regarding false swearing on referee licenses, even falsifying someone in a weight class, etc.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

**Comment 38**

Gambling is also an issue that will arise when MMA takes off in West Virginia, that needs to be discussed on how to regulate that as well.

**Response** – The Athletic Commission could not address this issue. Enacting a new criminal statute is beyond the scope of this regulation.

**Comments submitted by Howard R. Petschler**

**Comment 39**

I am West Virginia resident who has promoted over a thousand individual MMA fights around the US and Canada since 1996 without a single fighter requiring even an overnight hospital stay. I agree with regulation and have championed it. Having promoted the first sanctioned MMA events in several states and even a couple of countries, I am used to working closely with state regulators. I have also provided regulatory aid to several states while they prepared to regulate MMA. To arbitrarily, without basis in fact determine that MMA participants need higher insurance limits than boxers is ludicrous and shameful. It is not even a cleverly disguised attempt to limit the development of Mixed Martial Arts in the State of West Virginia.

Insurance limits and licensing requirements should be the same each of the regulated combative sports without allowing personal prejudice to favor one or the other. For any state official to use his authority to defeat the intent of the legislature and the state's chief executive and thus the will of the citizens of the State of West Virginia is beneath contempt.

**Response** – This issue was previously addressed in Comments 2 and 3.

**Comments submitted by Chris Smith, Rough N' Rowdy Brawl**

#### **Comment 40**

177-2-1 - General

1.1 Scope This rule establishes the procedures to be followed for all Mixed Martial Arts (MMA) events under the jurisdiction of the State Athletic Commission

This should be written to the following “This rule establishes the procedures to be followed for all PROFESSIONAL Mixed Martial Arts (MMA) events under the jurisdiction of the State Athletic Commission. The legislature wanted the Athletic Commission to sanction professional MMA. Amateur MMA was not included in H.B. 2562 so it should not refer to “all Mixed Martial Arts”.

**Response** – The Athletic Commission rejected this comment and noted that Section 177-2-2 of the proposed rule prohibits all non-professional MMA events.

#### **Comment 41**

177-2-2 - Jurisdiction

All Mixed Martial Arts (MMA) events matches, and exhibits, or any for thereof, other than professional Mixed Martial Arts Events are prohibited.

Once again, according to H. B. 2562, the Athletic Commission is to sanction all Professional MMA. It says nothing about regulating or banning Amateur MMA.

**Response** – This issue was previously addressed in Comment 40.

#### **Comment 42**

177-2-3 - Definitions

3.4 “Professional Mixed Martial Arts Fighter” - means a Mixed Martial Arts fighter who competed in a minimum of ten (10) amateur MMA bouts. Amateur bouts which cannot be verified by the Athletic commission shall no count toward the minimum number of bouts required. No MMA fighter may be licensed as a professional by the Athletic Commission who does not have a winning record.

Can I ask where these MMA fighters are supposed to get their amateur experience if you are banning amateur MMA for WV? All I heard from supporters of MMA in WV and from the delegates was “money is leaving the state of WV. My son or daughter has to leave WV to get a fight.” Under your proposed rules, money is leaving the state if amateur MMA is banned.

Most states don't require a minimum number of amateur bouts to turn professional. There are currently NO requirements for an amateur or professional boxer to have a winning record or minimum number of amateur bouts to get a professional boxing license in WV. If you're not requiring these rules for professional boxing, then why are you requiring it for Mixed Martial Arts? Requiring MMA fighters to have a winning record seems a bit harsh. So for every fighter that has a losing record will not be able to obtain or lose his or her license in WV and not be able to compete? This is not required by the boxing rules in WV. I've never heard of this.

**Response** – The Athletic Commission rejected this comment.

### **Comment 43**

177-2-5 - Licenses

5.6 Venues - Venues must have a minimum seating capacity of 3,500 and video replay capabilities in good working order. No event shall take place until the venue has been approved by the Athletic Commission.

This rule need striked entirely. This rule restricts business trade, promotes unfair competition, and creates monopolies. Most of my boxing shows are in venues that seat less than 3,500 and I generate a great deal of money for the state of WV and the town I promote in. Once again, this rule does not apply to the boxing rules in WV. It should not apply to the MMA rules you are proposing

Video replay is not required in the boxing rules in WV as well. It should not apply to the MMA rules you are proposing.

**Response** – The minimum venue size was previously addressed in Comment 11. The comment regarding the elimination of video replay was not specifically addressed; however, by retaining the requirement that venues have video replay capabilities in good working order as set forth in Section 177-2-5.6 would, by implication, reject the second comment.

### **Comment 44**

177-2-6 - Bond Required

The minimum bond shall be fifty thousand (\$50,000) dollars

The current surety bond requirement for boxing in WV is ten thousand (\$10,000). This should be the same for MMA.

**Response** – This issue was previously addressed in Comment 28.

### **Comment 45**

## 177-2-7 - Individual Sanction and Permits for Professionals

7.3 Minimum Number of Bouts - There shall be a minimum of ten (10) bouts on a card unless special written permission is obtained from the Commission at the time of granting the sanction to have a fewer number of bouts

Ohio allows pro/am events with a minimum of eight (8) bouts on a card with at least three (3) of those bouts being professional. I believe WV should do the same being that his format well in Ohio.

**Response** – The minimum number of bouts on a fight card was previously addressed in Comment 1. The prohibition of amateur MMA events was previously addressed in Comment 26.

### Comment 46

#### 177-2-8 - Insurance for Mixed Martial Arts Fighters

8.1 General The minimum amount of Accidental Death & Dismemberment insurance shall be one hundred thousand dollars (\$100,000)

The current Accidental Death & Dismemberment insurance requirement for boxing in WV is twenty thousand (\$20,000). This should be the same for MMA.

8.2 Coverage Insurance coverage shall provide for reimbursement to the MMA fighter for medical, surgical and hospital care with a minimum coverage of fifty thousand dollars (\$50,000) per participant for injuries sustained while participating in any sanctioned MMA event under the control of a licensed promoter, club corporation or association.

The current insurance coverage requirement for boxing in WV is twenty thousand (\$20,000). This should be the same for MMA.

**Response** – This issue was previously addressed in Comments 2 and 3.

### Comment 47

#### 177-2-41 - Combat Area

41.2 a No vinyl or other plastic rubberized covering shall be permitted.

Why no vinyl? The vinyl mat is easy clean and can be washed immediately with bleach if there is blood. It is more sanitary than the canvas mat you are proposing.

In summary, I believe the new proposed rules need to be revised to not ban amateur mixed martial arts in the state of WV. If there is no amateur program in the state of WV, then there will not be a

professional MMA program in this state. It will be dead.

The amateur boxing program in WV follows the rules of the Amateur Boxing Association and those rules are promulgated by USA Boxing Inc. If the WV Athletic Commission does not want to sanction amateur MMA or have the manpower to do so, then there are other amateur organizations such as the ISCF or the WKA that are currently sanctioning amateur MMA events across the country.

**Response** – The Athletic Commission rejected this comment for safety reasons. Vinyl mats can become slippery when wet which is a safety hazard. Slippery footing for MMA fighters would also impede some fighting techniques.

# APPENDIX 1

## **PUBLIC COMMENTS RECEIVED BY THE WEST VIRGINIA STATE ATHLETIC COMMISSION TO THE PROPOSED MIXED MARTIAL ARTS LEGISLATIVE RULES**

Comments from :

D. Geoffrey Varney, Esq.

Roni Pack

Annette Simpson

Brian Simpson, RN., Member Athletic Commission

Anonymous

James Long

Howard R. Petschler


Chris Smith, Rough N' Ready Brawl

To: Brian Simpson, Commissioner  
Doug Pauley, Commissioner  
Julian Bailes, Commissioner  
Kathy Lawson, Counsel  
Wayne Williams, Counsel

**RECEIVED**

JUL - 5 2011

Attorney General Office  
Tax Division

From: Steven A. Allred 

Date: July 1, 2011

Re: Public Comment  
/ MMA Regulations

I am forwarding a copy of comments I received regarding the proposed mma regulations, which were published by the Commission. The enclosed comments were submitted by Mr. Geoff Varney.

These comments, along with any other such comments received by the Commission will be discussed at our next meeting, which is scheduled for Tuesday July 26<sup>th</sup> at 10:00am. If you have any questions regarding the comments, or the upcoming meeting, please feel free to contact me. Thank you.

June 29, 2011

Commissioner Allred:

I have reviewed the proposed Administrative Rules of the West Virginia State Athletic Commission Regulating Mixed Martial Arts [MMA] and have serious concerns with specific provisions. I shall address these concerns by discussing the relevant section or sub-section, and shall refer to the Administrative Rules of the West Virginia State Athletic Commission Regulating Boxing when appropriate. My initial thoughts on the proposed rules are that they are anti-competitive in nature. The proposed rules seem to be designed to prevent or reduce competition in the market, namely fight promotions, because they propose more restrictive rules for Mixed Martial Arts promoters than the existing rules for Boxing promoters.

**177CSR-2-7.3 – Minimum Number of Bouts**

The proposed MMA rule requires a minimum of ten (10) bouts on a card unless special written permission is obtained from the Commission. The corresponding rule for boxing [177CSR-1-6.3] requires only a minimum number of *rounds* (30) for an event.

This is significant because it will require a MMA promoter to schedule, and pay, for 20 or more fighters to compete on a card. The proposed rule appears to favor boxing over MMA in this regard. The proposed MMA rule could have been written similar to the existing boxing rules regarding rounds, but the Commission chose to require a minimum number of bouts per event. This will limit the number of MMA events which can be held in the state because only the largest and lucrative MMA promotions will be able to compete under such restrictive rules.

I suggest that the proposed MMA rule be revised to more closely correlate with the existing boxing rule. A boxing event could have three 10 round fights and meet its requirement. MMA events should have a minimum of 21-24 rounds per card requirement, which is the equivalent of 7-8 bouts. Otherwise, the boxing rule should be changed to require a minimum of ten (10) bouts per card, like the proposed MMA rules.

#### **177CSR-2-8.1 – Insurance for MMA Fighters - General**

This proposed MMA rule greatly increases the amount of Accidental Death & Dismemberment insurance required from promoters of MMA events than their counterparts in boxing. MMA promoters will be required to provide a minimum amount of \$100,000 to hold an MMA event. Boxing promoters are required to provide only \$20,000 in such insurance for boxers under 177CSR-1-7.2. It is unnecessary to elaborate on how this more restrictive requirement would severely limit MMA promoters; the numbers speak for themselves.

#### **177CSR-2-8.2 – Insurance for MMA Fighters – Coverage**

Likewise, MMA promoters are required to provide \$50,000 of insurance coverage per participant for injuries sustained while participating in a sanctioned MMA event. The corresponding provision for boxing [177CSR-1-8.2] requires only \$20,000 of insurance coverage per boxing participant.

There is no scientific evidence to justify a higher insurance requirement for MMA. In fact, the leading scientific studies suggest the opposite: that boxing is more dangerous than MMA in regard to serious injuries sustained by participants [see Attachment #1]. If anything,

boxing should require higher insurance coverage than MMA. At the very least, the insurance requirements should be the same for both boxing and MMA in West Virginia.

#### **177CSR-2-22 – Length of Rounds**

This section proposes that female MMA fighters be limited to three (3) minute rounds in comparison to their male counterparts' five (5) minute rounds. Besides being sexist and paternalistic, there is no scientific evidence to suggest that females are less capable than males of fighting in five (5) minute round fights. Every state that regulates MMA allows females to participate in five (5) minute round fights just like males. Treating females different in this regard is akin to telling female athletes that "girls aren't as good as boys."

#### **177CSR-2-41.2 – Cages**

This proposed rule mandates that MMA events be held in cages. Approximately 40% of all MMA events occur in a ring, like boxing. The Unified Rules of MMA make these provisions to allow for MMA to be held in a ring:

All MMA contests will take place in either a Cage or a Ring that has been approved by the Commission. The Cage or Ring will meet the requirements set forth by each Commission and also be subject to inspection prior to each event by a Commission representative such as a referee.

The ring specifications for mixed martial arts must meet the following requirements: (1) The ring may be no smaller than twenty feet square and no

larger than thirty-two feet square within the ropes; (2) One of the corners must have a blue designation, the corner directly across must have a red designation; (3) The ring floor must extend at least eighteen inches beyond the ropes. The ring floor must be padded with ensolite or a similar closed-cell foam, with at least one inch layer of foam padding. Padding must extend beyond the ring ropes and over the edge platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps and ridges may not be used; (4) The ring platform must not be more than four feet above the floor of the building and must have suitable steps for the use of the contestants; (5) Ring posts must be made of metal, not more than three inches in diameter, extending from the floor of the building to a minimum height of fifty-eight inches above the ring floor, and must be properly padded in a manner approved by the commission. Ring posts must be eighteen inches away from the ring ropes; (6) There must be five ring ropes, not less than one inch in diameter and wrapped in soft material. The lowest rope must be no higher than twelve inches from the ring floor; (7) There must not be any obstruction or object, on any part of the ring floor. [see Attachment #2]

Mandating a cage-only option for MMA prevents a promoter from holding an event showcasing both MMA and boxing. Also, cages are more expensive, and this would likely hinder some promoters from competing in the industry.

## 177CSR-2-45 – Gloves

This proposed rule requires both a fighter and his opponent to wear the same weight gloves. This is problematic because boxing and MMA are two different sports, and the requirements cannot be the same in regard to glove size. MMA gloves are made to fit the hand, and every human being has different sized hands. A larger light-heavyweight would naturally have a larger hand than a smaller light-heavyweight. MMA glove size does not afford any advantage to a fighter, the gloves are chosen according to physical comfort. For example, Shane Carwin (of UFC fame), fights at Heavyweight and wears a size 5XL glove. Requiring his opponent to wear gloves so large would look ridiculous. Requiring Shane Carwin to wear a much smaller glove to meet the proposed West Virginia Athletic Commission rule would look even more ridiculous. [see Attachment #3]. This is the most obvious example. Depending on the size of a fighter's hand, MMA gloves will weigh between 4 and 8 ounces. Hand girth is not something that gives a fighter any advantage over his opponent, and therefore, a rule requiring fighters to wear the same size of glove in a bout makes no sense.

To clear up any confusion, the language of the Unified Rules of MMA reads as follows:

All contestants shall wear gloves which are at least 4 ounces and are approved by the Commission. The language should not place a limit on 6 ounce gloves. The discussion by the group was prompted by the introduction of triple XL or five XL gloves which, due to the additional material, may weigh over 6 ounces.

Gloves should be supplied by the promoter and approved by the commission. No contestant shall supply their own gloves for participation.

#### **177CSR-2-48.2 – Contestant’s Attire and Appearance – Shirt or Gi**

For females, this proposed rule would require a female combatant to wear, not only a body shirt, but also a blouse during competition. The corresponding boxing rule [177CSR-1-40.6] requires a female boxer to wear only a body shirt. There is no logical reason for the added requirement for MMA. No other state requires the extra article of clothing in its MMA rules for female combatants. The proposed rule appears to be archaic-minded and paternalistic.

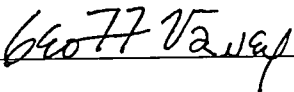
#### **177CSR-2-55 – Safety of Fighters**

This may be the worst of all of the proposed rules because of its vagueness and appearance of unlimited regulatory control. The proposed rule reads: “Notwithstanding any provision of these rules to the contrary, the Athletic Commission shall have plenary authority to take any additional measures deemed necessary to protect the safety of all MMA fighters.” Seemingly, the Athletic Commission could require MMA combatants to house themselves in large plastic bubbles and sort of bounce into their opponent. The proposed rule would give the Athletic Commission this power and more. Many limitations could be placed on MMA under the guise of a “concern for safety.” It should be noted that the Commission’s existing rules for boxing do not contain such a provision.

In conclusion, I would like to thank the Commission for hearing my concerns. I will forward a copy of this letter and attachments to the governor's office for his perusal. I also reserve the right to discuss my concerns with other interested parties including, but not limited to, members of the media.

Thank you,

D. Geoff Varney, Esquire (WV 11552)

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## Combat Sports Special Issue

### Research article

# INCIDENCE OF INJURY IN PROFESSIONAL MIXED MARTIAL ARTS COMPETITIONS

Gregory H. Bledsoe ✉, Edbert B. Hsu, Jurek George Grabowski, Justin D. Brill and Guohua Li

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#### ABSTRACT

Mixed Martial Arts (MMA) competitions were introduced in the United States with the first Ultimate Fighting Championship (UFC) in 1993. In 2001, Nevada and New Jersey sanctioned MMA events after requiring a series of rule changes. The purpose of this study was to determine the incidence of injury in professional MMA fighters. Data from all professional MMA events that took place between September 2001 and December 2004 in the state of Nevada were obtained from the Nevada Athletic Commission. Medical and outcome data from events were analyzed based on a pair-matched case-control design. Both conditional and unconditional logistic regression models were used to assess risk factors for injury. A total of 171 MMA matches involving 220 different fighters occurred during the study period. There were a total of 96 injuries to 78 fighters. Of the 171 matches fought, 69 (40.3%) ended with at least one injured fighter. The overall injury rate was 28.6 injuries per 100 fight participations or 12.5 injuries per 100 competitor rounds. Facial laceration was the most common injury accounting for 47.9% of all injuries, followed by hand injury (13.5%), nose injury (10.4%), and eye injury (8.3%). With adjustment for weight and match outcome, older age was associated with significantly increased risk of injury. The most common conclusion to a MMA fight was a technical knockout (TKO) followed by a tap out. The injury rate in MMA competitions is compatible with other combat sports involving striking. The lower knockout rates in MMA compared to boxing may help prevent brain injury in MMA events.

**KEY WORDS:** Brain injury, ultimate, boxing, jiu jitsu.

#### INTRODUCTION

Mixed Martial Arts (MMA) competitions were introduced in the United States with the first Ultimate Fighting Championship (UFC) in 1993 (Krauss and Aita, 2002). Styled after the popular *Vale Tudo* (Portugese for "anything goes") matches in Brazil (Peligro, 2003), these first UFC matches were marketed as brutal, no-holds-barred tournaments with no time limits, no weight classes, and few rules (Hamilton, 1995).

Politicians such as Senator John McCain of Arizona led the charge to ban these competitions from cable television, describing the events as "human cock fighting" (Krauss, 2004). When their cable contracts were terminated in 1997, MMA events survived underground through internet and word of mouth promotions until their organizers agreed to a change of rules that allowed the Nevada State Athletic Commission and the New Jersey State Athletic Control Board to sanction the competitions

**Table 1.** Frequencies and rates of mixed martial arts injuries to professional competitors, September 2001 through December 2004, Nevada.\*

Injury site	Number	(%)	Injury Rate per 100 Competitors
Facial Laceration	46	(47.9)	13.45
Eye	8	(8.3)	2.34
Ear	1	(1.0)	.29
Nose	10	(10.4)	2.92
Mouth	0	(0.0)	.00
Jaw	1	(1.0)	.29
Neck	1	(1.0)	.29
Shoulder	5	(5.2)	1.46
Arm	1	(1.0)	.29
Elbow	2	(2.1)	.58
Hand	13	(13.5)	3.80
Chest	0	(0.0)	.00
Abdomen	0	(0.0)	.00
Back	2	(2.1)	.58
Knee	3	(3.1)	.88
Ankle	2	(2.1)	.58
Foot	1	(1.0)	.29

\*Up to four injuries recorded per competitor per match.

in 2001 (Krauss, 2004).

This study is the first report of the incidence of injury in MMA competitions. No study has previously documented injuries in MMA events either before or after the tightening of regulations. Fight results and injury incidence from professional MMA bouts since their sanctioning in 2001 in Nevada are compared to boxing data from the same state. A discussion of MMA events and combat sports injuries is also included.

## METHODS

Mixed Martial Art (MMA) data from all professional MMA matches in the state of Nevada from September 2001 until December 2004 ( $n = 171$  matches) was obtained from the Nevada State Athletic Commission. All professional MMA matches occurring in the state during the study period were included. Data obtained included gender, date of the match, date of birth, weight, rounds scheduled, rounds fought, whether the fighter won or lost, how the match ended (knockout, technical knockout, decision, draw, disqualification, no decision, tap out, or choke) and the injuries that occurred in the match and the type of injuries sustained. Up to four injuries per fighter were recorded per competition. These data are in the public domain and accessible on the website of the Nevada State Athletic Commission (<http://boxing.nv.gov>, last accessed January 2005).

Medical and outcome data for all professional MMA matches were analyzed based on a pair-matched case-control design. Cases were fighters who sustained an injury during the matches. Fighters who were not injured served as controls. Matches in which both competitors were injured or both were uninjured were excluded from the conditional logistic regression. Both conditional and unconditional logistic regression models were used to assess risk factors for injury.

Injuries were recorded based on the clinical report of the physician at ringside. No follow-up study was done to confirm the accuracy of the reported injury based on radiography or other diagnostic testing. Injuries were divided into seventeen broad classifications: eye injuries, facial lacerations, ear injuries, nose injuries, mouth injuries, jaw injuries, hand injuries, shoulder injuries, elbow injuries, ankle injuries, foot injuries, chest injuries, abdominal injuries, knee injuries, back injuries, neck injuries, and arm injuries. Lacerations to the eyelid and nose were counted as facial lacerations. Only those injuries documented other than lacerations—such as possible orbit fractures or a nose deformity—were listed as eye or nose injuries respectively.

The Johns Hopkins University School of Medicine's Institutional Review Board approved the study protocol via exemption.

## RESULTS

A total of 171 MMA matches involving 220 different fighters occurred during the study period. All participants were male with an average age of 28.5 years (SD = 4.7, range from 19 to 44 years old). The average weight was 87.6 kg (SD= 16.3 kg, range from 60.4 to 166.4 kg). A total of 1,130 rounds were scheduled, of which 624 (55%) were actually fought. These rounds were each 5 minutes for a total of 3120 minutes of fighting. A total of 67 fighters fought in more than one fight during the study period. The average number of competitions for these 67 repeat fighters was 2.8 (SD = 1) with a range of 2 to 6 fights each.

There were a total of 96 injuries to 78 fighters. Of the 171 matches fought, 69 (40.3%) ended with at least one injured fighter. The overall injury rate was 28.6 injuries per 100 fight participations, 12.5 injuries per 100 competitor rounds, or 3.08 injuries per 100 fight minutes. The majority of recorded injuries were injuries to the facial region with facial

lacerations being the most common. Hand injuries were the second most common injury, accounting for 13.5% of all injuries, followed by injuries to the nose (10.4%) and eye (8.3%, Table 1).

Older fighters were at greater risk of injury as were those who lost a match by knockout or technical knockout (Tables 2 and 3). Those who lost their match under any circumstance—whether knockout, technical knockout, decision, tap out, choke, or disqualification—were significantly more likely to suffer an injury during the course of the competition than those who won ( $p < 0.001$ ). Also, the incidence of injury increased with the length of the fight with matches lasting 4 or 5 rounds being more likely to include a fighter who suffered an injury (Tables 2 and 3). The most common conclusion to a MMA fight was a technical knockout (TKO) followed by a tap out (Table 4). The proportion of fighters suffering a knockout during the competition was 6.4% ( $n = 11$ ).

**Table 2.** Incidence rates of injury in mixed martial arts matches by competition characteristics, September 2001 through December 2004, Nevada.

	Competitors #(%)	Injured Competitors #(%)	Injury Rate per 100 Competitors	Rounds fought #(%)	Injury Rate per 100 Fought Rounds
<b>Age Groups (years)*</b>					
<25	76 (22.3)	13 (16.9)	17.1	132 (21.2)	9.8
25-29	144 (41.5)	29 (37.7)	20.6	260 (41.8)	11.2
30+	124 (36.4)	35 (45.5)	28.2	230 (37.0)	15.2
			$\chi^2=3.9,$ $p=0.14$		$\chi^2=2.2,$ $p=0.33$
<b>Weight Class</b>					
Fly, bantam, feather, or light	32 (9.4)	5 (6.4)	15.23	53 (8.5)	9.4
Welter or Middle	150 (43.8)	35 (44.9)	23.33	300 (48.1)	11.7
Light heavy, heavy, or super heavy	160 (46.8)	38 (48.7)	23.75	271 (43.4)	14.0
			$\chi^2=1.04,$ $p=0.59$		$\chi^2=0.95,$ $p=0.62$
<b>Match Outcome</b>					
Win	169 (49.4)	27 (34.6)	16.0	306 (49.0)	8.8
Loss	169 (49.4)	51 (65.4)	30.2	306 (49.0)	16.7
Draw	4 (1.2)	0 (0)	0.0	12 (1.9)	0.0
			$\chi^2=9.6,$ $p<0.001$		$\chi^2=8.2,$ $p=0.02$ †
<b>Type of Outcome</b>					
TKO or KO	158 (46.2)	42 (54.0)	26.6	240 (38.5)	17.5
Other	184 (53.8)	36 (46.2)	19.6	384 (61.5)	9.4
			$\chi^2=2.38,$ $p=0.12$		$\chi^2=6.8,$ $p=0.009$
<b>Rounds fought</b>					
1	176 (51.5)	32 (41.0)	18.2	176 (28.2)	18.2
2	76 (22.2)	19 (24.4)	25.0	152 (24.4)	12.5
3 - 5	90 (26.3)	27 (34.7)	30.0	296 (47.4)	9.12
			$\chi^2=5,$ $p=0.08$		$\chi^2=6.3,$ $p=0.04$

**Table 3.** Odds Ratios (OR) and 95% Confidence Intervals (CIs) of injury in mixed martial arts matches from multivariate logistic regression models, September 2001 through December 2004, Nevada.

Model	Variables	OR	95%CI
<b>Unconditional logistic regression</b>			
	Age *†	1.29	0.73-2.26
	Weight *†	1.03	0.95-1.11
	Lost match	2.32	1.36-3.98
	KO or TKO	1.71	0.97-3.01
	Rounds fought †	1.44	1.11-1.87
<b>1:1 matched conditional logistic regression</b>			
	Age *†	3.11	1.11-8.59
	Weight difference *†	1.10	0.90-1.34
	Lost match	2.69	1.44-5.0

\*Odds Ratio for a ten-unit change in age and weight.

† A continuous variable.

## DISCUSSION

Though initially promoted as brutal, no-holds-barred contests, Mixed Martial Arts competitions in the United States have changed dramatically and now have improved regulations to minimize injury. A total of 13 states now sanction MMA events, the first two being Nevada and New Jersey in 2001. Since the sanctioning, MMA competitions have followed much stricter regulations. Fighters are now forbidden to headbutt, stomp or knee an opponent on the ground, strike the throat, spine or back of the head, must fight within a predetermined weight class, and are allowed only one fight per night—all important changes that were implemented with sanctioning.

**Table 4.** Results of Mixed Martial Arts Competitions in Nevada, September 2001 through December 2004.

Result	Number (%)
Technical Knockout	68 (39.8)
Tap Out	52 (30.4)
Decision	31 (18.1)
Knockout	11 (6.4)
Choke	4 (2.3)
Disqualification	3 (1.8)
Draw	2 (1.2)
<b>Total</b>	<b>171</b>

The mandatory “grappling” gloves now used in MMA events weigh between 4 to 8 ounces, thinner than the 8 to 10 ounce gloves worn by professional boxers, and are designed with the fingers exposed so a fighter can grasp his opponent. Fighters must pass the same physical exam used to screen professional boxers including a cerebral MRI, before being licensed. Referees and ringside

physicians are required to be present and have the authority to stop the match at any time.

Fighters train in both the striking and grappling arts (Amtmann, 2004) and become proficient in a number of means of “submitting” or defeating their opponents (Figures 1 and 2). Fights can be ended not only by the traditional knock out, technical knock out, and decision of boxing, but also by “tap out”—where an opponent either taps the mat or his opponent to signal his desire to stop the match or verbally indicates to the referee his desire to stop—and “choke”—where an opponent refuses to tap even though caught in a choke hold and passes out.



**Figure 1.** Fighter A (in blue) applies a traditional jiu jitsu choke to Fighter B (in white).

MMA events should be differentiated from the infamous “Toughman” competitions held around the country. Toughman competitions feature amateur fighters who often have little or no training

experience, wear “one-size-fits-all” protective gear, do not need a thorough physical exam to compete, and often feature inexperienced referees and ringside physicians (Branch, 2003). While there have been no deaths in the United States in MMA competitions, at least 12 participants have died during Toughman events—two of whom were being supervised by ringside physicians who were chiropractors (Branch, 2003). Incidentally, both Nevada and New Jersey—the first two states to sanction MMA competitions—are “among 10 states that have banned or attempted to ban [Toughman] events.” (Branch, 2003).

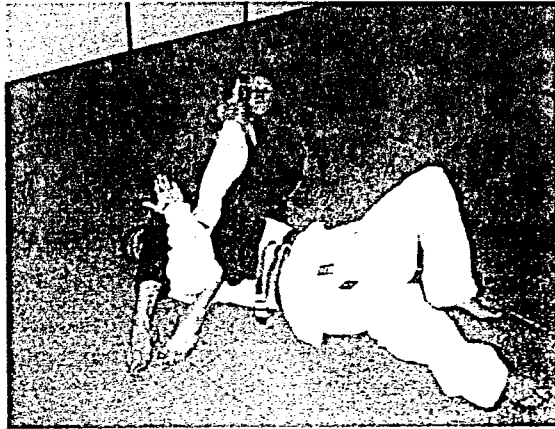


Figure 2. Fighter A (in blue) applies a traditional jiu jitsu armbar to Fighter B (in white).

The relatively high incidence of injuries in combat sports has been well documented. The giving and receiving of high velocity blows seems to be the best correlation of whether a sport will have an increased risk of injury. Styles that include striking—such as boxing (Bledsoe et al., 2005; Zazryn et al., 2003a), kickboxing (Gartland et al., 2001; Zazryn et al., 2003b), karate (Zetaruk et al., 2005), and taekwondo (Kazemi and Pieter, 2004)—have been shown to have a higher incidence of injury than styles that involve grappling alone, such as collegiate wrestling (Jarret et al., 1998). Strikes from elite athletes, particularly professional boxers, can generate a significant amount of force (Walilko et al., 2005)—equivalent to “a padded wooden mallet with a mass of 6 kg (13 lbs) if swung at 20 mph” (Atha et al., 1985) according to one study. This seems to explain why many injuries in the striking arts are prevalent not only in the target areas of the face and torso, but also the extremities used for striking such as the hands for boxing and the upper and lower extremities in kickboxing and karate.

While no prior articles document the incidence of injury in MMA, injury rates from boxing have been reported. In 2003, Zazryn and colleagues (2003a) reported an overall injury rate to professional boxers in Victoria, Australia of 25

injuries per 100 fight participations. A recent look at the injury rates of professional boxers in Nevada showed 17.1 injuries per 100 fight participations (Bledsoe et al., 2005). With an overall injury rate of 28.6 injuries per 100 fight participations, MMA competitions demonstrate a high rate of overall injury, but a rate in keeping with other combat sports involving striking. By contrast, sports involving grappling have demonstrated much lower rates of injury. For example, collegiate wrestling has been documented to have rates as low as 1 injury per 100 participations when analyzed for participants in both practice and competition (Jarret et al., 1998).

As opposed to professional boxing, MMA competitions have a mechanism that enables the participant to stop the competition at any time. The “tap out” is the second most common means of ending a MMA competition (Table 4). This unique characteristic, combined with more options of attack when competing, is thought to help explain a knockout proportion in MMA competitions that is almost half of the reported 11.3% of professional boxing matches in Nevada (Bledsoe et al., 2005). With the growing concern over repetitive head injuries and the risk of *dementia pugilistica* among career boxers, decreasing the number of head blows a fighter receives during a match has been promoted as an important intervention (Mendez, 1995; Unterharnscheidt, 1995). With MMA competitions, the opportunity to attack the extremities with arm bars and leg locks and the possibility of extended periods of grappling could serve to lessen the risk of traumatic brain injury. When TKOs are compared, proportions between professional boxing (38%) and MMA are similar (Bledsoe et al., 2005).

There are several limitations to this study. First, the injuries reported were based on the physical exams performed at ringside by the ringside physician. No labs or radiologic studies were ordered and no diagnoses were confirmed. The incidence of injury in these fighters may have been higher than reported. Second, although the study included all MMA fights throughout a 40 month period, the total number of matches was relatively small. Third, the fights included in this study were all held in Nevada, the premiere site for MMA events. How injury rates would change for events held under different conditions with less supervision is a matter of concern. Finally, for the purpose of discussion, knockouts and technical knockouts were not defined as injuries although many would argue that these represent the most serious of all boxing injuries. Due to the sometimes subtle nature of traumatic brain injury—and since there was no radiographic imaging available to verify whether an injury had occurred—KOs and TKOs were discussed as separate entities and not included in the

overall injury data. Further research is needed to determine the true nature of these injuries and their cumulative effects upon the individual fighters.

## CONCLUSION

Mixed Martial Arts competitions have changed dramatically since the first Ultimate Fighting Championship in 1993. The overall injury rate in MMA competitions is now similar to other combat sports, including boxing. Knockout rates are lower in MMA competitions than in boxing. This suggests a reduced risk of TBI in MMA competitions when compared to other events involving striking.

MMA events must continue to be properly supervised by trained referees and ringside physicians, and the rules implemented by state sanctioning—including weight classes, limited rounds per match, proper safety gear, and banning of the most devastating attacks—must be strictly enforced. Further research is necessary to continue to improve safety in this developing new sport.

## ACKNOWLEDGEMENTS

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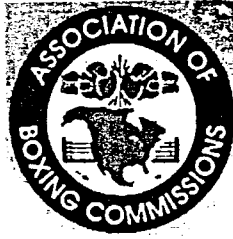
**KEY POINTS**

- Mixed martial arts (MMA) has changed since the first MMA matches in the United States and now has increased safety regulations and sanctioning.
- MMA competitions have an overall high rate of injury.
- There have been no MMA deaths in the United States.
- The knockout (KO) rate in MMA appears to be lower than the KO rate of boxing matches.
- MMA must continue to be supervised by properly trained medical professionals and referees to ensure fighter safety in the future.

✉ **Gregory H. Bledsoe, MD, MPH**

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Attachment #2



Welcome to the Association of Boxing Commissions Website  
United States - Canada - Puerto Rico - US Virgin Islands

- Home
- Commission Contacts
- Unified Rules
- ABC Documents
- Certified Ringside Physicians
- ABC Constitution
- ABC Committees
- Officials Training
- Approved Trainers
- ABC Boxing Training
- ABC MMA Training
- MMA Referee and Judge  
Training Outline
- Convention Info
- Annual Conference Documents
- Conference Silent Auction
- Conference Photos
- Meeting Minutes
- Medical Requirements
- Boxing Acts
- States that Regulate  
Professional MMA
- States that Regulate  
Amateur MMA
- ABC Links

**UNIFIED RULES OF MMA**

**SSUMMARY REPORT**  
Discussion and Review of  
**UNIFIED RULES OF MIXED MARTIAL ARTS**

(On July 30, 2009, A motion was made by Bill Colbert, (UT) at the annual meeting of the Association of Boxing Commissions to adopt these rule as the Unified Rules of Mixed Martial Arts with the understanding that any commission can require them more stringent. Motion was seconded by Joel Campuzano, (IL) Motion Pass Unanimously.)

Presented to the Association of Boxing Commissions  
July 30, 2009, New Orleans, LA  
Submitted By:  
Committee Chair Nick Lembo, New Jersey  
Jim Erickson, Mille Lacs  
Andy Foster, Georgia  
Dale Kliparchuk, River Cree  
Keith Kizer, Nevada  
Josef Mason , Colorado  
Mike Mazzulli, Mohegan Sun  
Bernie Profato, Ohio  
On behalf of ABC President Tim Lueckenhoff, Missouri

**ABC Montreal 2008**

At this convention, a document proposing amendments to the Unified Rules was

released to the membership. This document included controversial topics such as drastic weight class changes and liberalizing permissible elbow strikes, among other changes. After the conclusion of the convention, the ABC's President, Tim Lueckenhoff, formed this Committee to review the original unified rules and the amendments proposed in Montreal.

This Committee shared information and held several phone conferences since last year. The Committee obtained over one hundred pages of comments from various officials, promoters, match makers, managers, trainers, fighters, sanctioning groups, media, fans and others. Notice of the ability to comment was directed to over 30 mixed martial arts related media outlets and direct invitations to comment were sent to over 350 individuals in the industry. A list of those who commented can be found near the conclusion of this document. Sincere thanks to all who commented and assisted us in this review.

**COMMITTEE FINDINGS**

**Weight Classes**

The Committee recommends that the weight classes should remain unchanged.  
The Committee found no reason, at this time, to add more weight classes.  
The generally accepted weight classes in mixed martial arts are:

- Flyweight up to 125 lbs.
- Bantamweight over 125 to 135 lbs.
- Featherweight over 135 to 145 lbs.
- Lightweight over 145 to 155 lbs.
- Welterweight over 155 to 170 lbs.
- Middleweight over 170 to 185 lbs.
- Light Heavyweight over 185 to 205 lbs.
- Heavyweight over 205 to 265 lbs.
- Super Heavyweight over 265 lbs.

It is recommended that the unwritten custom of the one pound allowance for non-title bouts be continued, but only if

provided for in the written bout contract or by regulation.

Commissions may also approve catch weight bouts, subject to their review and discretion. For example, the Commission may still decide to allow the contest if it feels that the contest would still be fair, safe and competitive if a set catch weight is set in advance at 163 pounds, for example.

In addition, if one athlete weighs in at 264 pounds while the opponent weighs in at 267, the Commission may still decide to allow the contest if it feels that the contest would still be fair and competitive. This would be despite the fact that the two athletes weighed in at differing weight classes.

Commissions should establish and make known to promoters the maximum allowable weight differences for contestants for each weight class.

#### Training for Referees and Judges

The Committee suggests that parties who hold training courses to educate current or prospective mixed martial arts judges and/or referees, submit their full course training materials to this specific ABC Committee for our review and comment. Upon approval of a submitted course curriculum, this Committee will notify the ABC President as to which courses have been reviewed and approved. The ABC President can then list on its website or issue a press release noting that a course has been reviewed and endorsed by the ABC.

The Committee strongly suggests that each Commission utilize properly trained mixed martial arts judges and referees and continually evaluate their performances and competency. In addition, post-event performance reviews should be conducted and training and review courses should be regularly held for all officials, including inspectors.

Training should include comprehensive discussions surrounding what constitutes a 10-8 round while also noting that 10-10 rounds are available under the current scoring criteria.

#### Handwraps

All mixed martial arts contestants shall be required to gauze and tape their hands prior to all contests. In all weight classes the bandages on each contestant's hand shall be restricted to soft gauze cloth not more than 15 yards in length and two inches in width, held in place by not more than 10 feet of surgeon's tape, one inch in width, for each hand. Surgeon's adhesive tape shall be placed directly on each hand for protection near the wrist. However, as opposed to boxing wraps the tape may cross the back of the hand twice and extend to cover and protect the knuckles when the hand is clenched to make a fist. The bandages shall be evenly distributed across the hand. Bandages and tape shall be placed on the contestant's hands in the dressing room in the presence of the inspector and, if warranted, in the presence of the manager or chief second of his or her opponent.

Under no circumstances are gloves to be placed on the hands of a contestant until the approval of the inspector is received. Substances other than tape and gauze shall not be utilized. For example, prewraps should not be used.

#### Females

Females competitors should be allowed to compete in five minute rounds, three rounds for non-title bouts and five rounds for title bouts.

#### Gloves

All contestants shall wear glove which are at least 4 ounces and are approved by the Commission. The language should not place a limit on 6 ounce gloves. The discussion by the group was prompted by the introduction of triple XL or five XL gloves which, due to the additional material, may weigh over 6 ounces.

Gloves should be supplied by the promoter and approved by the commission. No contestant shall supply their own gloves for participation.

#### Use of Vaseline and other similar substances

Due to the Penn-St. Pierre matter, the group discussed the application of any substance to the hair or body which could result in an advantage. Absolutely "no" body grease, gels, balms, lotions oils, or other substances may be applied to the hair, face or body. This includes the use of excessive amounts of water "dumped" on a contestant to make him/her slippery. However, Vaseline may be applied solely to the facial area at cage side or ringside in the presence of an inspector, referee, or a person designated by the commission. Any contestant applying anything other than Vaseline in an approved fashion at the appropriate time could be penalized a point or subject to loss by disqualification.

#### Linear Knee Strikes

After a discussion prompted by the Silva-Leites bout, the Committee reviewed the issue of linear strikes to the knee joint

and agreed that this technique should remain a legal technique.

#### **Standing Foot Stomps-**

This should remain a legal technique.

#### **Downward Pointed Elbow Strikes**

The Committee agrees that ceiling to floor or 12 to 6 elbow strikes should continue to be prohibited maneuvers.

#### **Illegal Strikes to the Back of the Head**

The Committee has found a compromise between the Mohawk definition and the headphones definition. The Committee recommends a nape of the neck definition. Basically, the group concluded that a strike that touches the ear is generally acceptable. Strikes are not permissible in the nape of the neck area up until the top of the ears. Above the ears, permissible strikes do not include the Mohawk area from the top of the ears up until the crown of the head. The crown of the head is found where the head begins to curve. In other words, strikes behind the crown of the head and above the ears are not permissible within the Mohawk area. Strikes below the top of the ear are not permissible within the nape of the neck area.

#### **Knees to the head of a grounded fighter**

The entire Committee believes that this maneuver should continue to remain as a foul.

#### **Double Knockout Situations**

The referee shall stop a contest or exhibition of unarmed combat at any stage if the referee determines that both unarmed combatants are in such a condition that to continue might subject the unarmed combatants to serious injury. If a contest or exhibition is stopped pursuant to this subsection, the decision shall be deemed to be a technical draw.

#### **Fighter Appearance**

It is recommended that a Commission inspector or referee bring a clipper and a file to each event and check the fingernail length of all contestants.

#### **Scoring-**

The Committee maintains that the 10 point must system is still the preferred scoring method at this time. The 10 point must system is defined as follows:

All bouts will be evaluated and scored by three judges. The 10-Point Must System will be the standard system of scoring a bout. Under the 10-Point Must Scoring System, 10 points must be awarded to the winner of the round and nine points or less must be awarded to the loser, except for an even round, which is scored (10-10).

Judges shall evaluate mixed martial arts techniques, such as effective striking, effective grappling, control of the fighting area, effective aggressiveness and defense. Evaluations shall be made in the order in which the techniques appear, giving the most weight in scoring to effective striking, effective grappling, control of the fighting area and effective aggressiveness and defense. Effective striking is judged by determining the number of legal strikes landed by a contestant and the significance of such legal strikes.

Effective grappling is judged by considering the amount of successful executions of a legal takedown and reversals. Examples of factors to consider are take downs from standing position to mount position, passing the guard to mount position, and bottom position fighters using an active, threatening guard.

Fighting area control is judged by determining who is dictating the pace, location and position of the bout. Examples of factors to consider are countering a grappler's attempt at takedown by remaining standing and legally striking; taking down an opponent to force a ground fight; creating threatening submission attempts, passing the guard to achieve mount, and creating striking opportunities.

Effective aggressiveness means moving forward and landing a legal strike or takedown.

Effective defense means avoiding being struck, taken down or reversed while countering with offensive attacks.

The following objective scoring criteria shall be utilized by the judges when scoring a round;

1. A round is to be scored as a 10-10 Round when both contestants appear to be fighting evenly and neither contestant shows dominance in a round;
2. A round is to be scored as a 10-9 Round when a contestant wins by a close margin, landing the greater number of effective legal strikes, grappling and other maneuvers;
3. A round is to be scored as a 10-8 Round when a contestant overwhelmingly dominates by striking or grappling in a round.
4. A round is to be scored as a 10-7 Round when a contestant totally dominates by striking or grappling in a round.

#### Fouls- (with explanations where warranted)

The following are fouls and will result in penalties if committed:

1. Holding or grabbing the fence;

*A fighter may put their hands on the fence and push off of it anytime. A fighter may place their feet onto the cage and have their toes go through the fencing material at any time. When a fighter's fingers or toes go through the cage and grab hold of the fence and start to control either their body position or their opponent's body position it now becomes an illegal action. A fighter may not grab the ropes or wrap their arms over the ring ropes at any time. If a fighter is caught holding the fence, cage or ring rope material the referee shall issue a one-point deduction from the offending fighters scorecard if the foul caused a substantial change in position such as the avoidance of a takedown if a point deduction for holding the fence occurs, and because of the infraction, the fouling fighter ends up in a superior position due to the foul the fighters should be re-started by the referee, standing in a neutral position*

2. Holding opponent's shorts or gloves;

*A fighter may not control their opponent's movement by holding onto their opponent's shorts or gloves. A fighter may hold onto or grab their opponent's hand as long as they are not controlling the hand only by using the material of the glove, but by actually gripping the hand of the opponent. It is legal to hold onto your own gloves or shorts*

3. Butting with the head;

*Any use of the head as a striking instrument whether head to head, head to body or otherwise is illegal*

4. Eye gouging of any kind;

*Eye gouging by means of fingers, chin, or elbow is illegal. Legal strikes or punches that contact the fighter's eye socket are not eye gouging and shall be considered legal attacks.*

5. Biting or Spitting at an opponent;

*Biting in any form is illegal. A fighter must recognize that a referee may not be able to physically observe some actions, and must make the referee aware if they are being bit during an exhibition of unarmed combat.*

6. Hair pulling;

*Pulling of the hair in any fashion is an illegal action. A fighter may not grab a hold of his opponent's hair to control their opponent in any way.*

7. Fish Hooking.

*Any attempt by a fighter to use their fingers in a manner that attacks their opponent's mouth, nose or ears, stretching the skin to that area will be considered "Fish hooking". Fish hooking generally is the placing of fingers into the mouth or your opponent and pulling your hands in opposing directions while holding onto the skin of your opponent*

8. Groin attacks of any kind.

*Any attack to the groin area including, striking, grabbing, pinching or twisting is illegal*

9. Intentionally placing a finger into any orifice, or into any cut or laceration of your opponent.

*A fighter may not place their fingers into an open laceration in an attempt to enlarge the cut. A fighter may not place their fingers into an opponent's, nose, ears, mouth, or any body cavity.*

10. Downward pointing of elbow strikes;

*The Committee agrees that ceiling to floor or 12 to 6 elbow strikes should continue to be prohibited maneuvers*

11. Small joint manipulation.

*Fingers and Toes are small joints. Wrists, Ankles, Knees, Shoulders and Elbows are all large joints.*

12. Strikes to the spine or the back of the head

*Strikes behind the crown of the head and above the ears are not permissible within the Mohawk area. Strikes below the top of the ear are not permissible within the nape of the neck area.*

13. Heel kicks to the kidney

14. Throat strikes of any kind, including, without limitation, grabbing the trachea.

*No directed throat strikes are allowed. A directed attack would include a fighter pulling his opponents head in a way to open the neck area for a striking attack. A fighter may not gouge their fingers or thumb into their opponent's neck or trachea in an attempt to submit their opponent.*

15. Clawing, pinching, twisting the flesh or grabbing the clavicle

*Any attack that targets the fighter's skin by clawing at the skin or attempting to pull or twist the skin to apply pain is illegal. Any manipulation of the clavicle is a foul.*

16. Kicking the head of a grounded opponent.

*A grounded opponent is any fighter who has more than just the soles of their feet on the ground. (i.e. could have one shin or one finger down to be considered a downed fighter) If the referee determines that a fighter would be a grounded fighter but is not solely because the ring ropes or cage fence has held fighter from the ground, the referee can instruct the combatants that he is treating the fighter held up solely by the cage or ropes as a grounded fighter*

17. Kneeing the Head of a grounded opponent

*A grounded opponent is any fighter who has more than just the soles of their feet on the ground. If the referee determines that a fighter would be a grounded fighter but is not solely because the ring ropes or cage fence has held fighter from the ground, the referee can instruct the combatants that he is treating the fighter held up solely by the cage or ropes as a grounded fighter.*

18. Stomping of a grounded fighter

*Stomping is considered any type of striking action with the feet where the fighter lifts their leg up bending their leg at the knee and initiating a striking action with the bottom of their foot or heel. (Note) Axe kicks are not stomps. Standing foot strops are NOT a foul. As such, this foul does not include stomping the feet of a standing fighter.*

19. The use of abusive language in the fighting area

20. Any unsportsmanlike conduct that causes an injury to opponent

21. Attacking an opponent on or during the break.

*A fighter shall not engage their opponent in any fashion during a time-out or break of action in competition*

22. Attacking an opponent who is under the care of the referee.

23. Timidity (avoiding contact, or consistently dropping the mouthpiece, or faking an injury

*Timidity is defined as any fighter who purposely avoids contact with his opponent, or runs away from the action of the fight. Timidity can also be called by the referee for any attempt by a fighter to receive time by falsely claiming a foul, injury, or purposely dropping or spitting out their mouthpiece or other action designed to stall the fight*

24. Interference from a mixed martial artists seconds

*Interference is defined as any action or activity aimed at disrupting the fight or causing an unfair advantage to be given to one combatant. Corners are not allowed to distract the referee or influence the actions of the referee in any fashion.*

25. Throwing an opponent out of the ring or caged area.

*A fighter shall not throw their opponent out of the ring or cage.*

26. Flagrant disregard of the referee's instructions

*A fighter MUST follow the instructions of the referee at all times. Any deviation or non-compliance may result in the fighter's disqualification*

27. Spiking the opponent to the canvas onto the head or neck (pile-driving)

*A pile driver is considered to be any throw where you control your opponent's body placing his feet straight up in the air with his head straight down and then forcibly drive your opponents head into the canvas or flooring material. It should be noted when a fighter is placed into a submission hold by their opponent, if that fighter is capable of elevating their opponent they may bring that opponent down in any fashion they desire because they are not in control of their opponents body. The fighter who is attempting the submission can either adjust their position, or let go of their hold before being slammed to the canvas.*

*\*\*\* This is crucial that referees are properly advised and trained and that the fighters fully understand this at the rules meeting \*\*\**

28. Attacking an opponent after the bell has sounded the end of the period of unarmed combat

#### REMOVED AS A FOUL- Throwing in the towel during competition

A fighter's corner, at the Commission's discretion, should have the option to retire his fighter in the quickest and most efficient manner possible, during competition. A corner person having worked alongside a fighter may recognize and accept what their fighter's capabilities are from past experience. It makes sense from a safety perspective to allow a corner to retire the fighter. If there is consideration that debris in the form of a towel entering the ring or cage may contribute to a disruption or confusion in the contest, then colored towels or special towels might be a consideration to be used.

#### Scoring the foul to be performed by the Scorekeeper

Fouls may result in a point being deducted by the official scorekeeper from the offending mixed martial artist's score. The scorekeeper, not the judges, will be responsible for calculating the true score after factoring in the point deduction.

Only a referee can assess a foul. If the referee does not call the foul, judges shall not make that assessment on their own and cannot factor such into their scoring calculations.

#### Foul Procedures

If a foul is committed, the referee shall:

1. call time;
2. check the fouled mixed martial artist's condition and safety; and
3. assess the foul to the offending contestant, deduct points, and notify each corner's seconds, judges and the official scorekeeper.

If a bottom contestant commits a foul, unless the top contestant is injured, the fight shall continue, so as not to jeopardize the top contestant's superior positioning at the time.

1. The referee shall verbally notify the bottom contestant of the foul.
2. When the round is over, the referee shall assess the foul and notify both corners' seconds, the judges and the official scorekeeper.
3. The referee may terminate a bout based on the severity of a foul. For such a flagrant foul, a contestant shall lose by disqualification.

#### Time Considerations for Fouls

##### Low Blow Foul

A fighter who has been struck with a low blow is allowed up to five minutes to recover from the foul as long as in the ringside doctor's opinion the fighter may possibly continue on in the contest. If the fighter states that they can continue on before the five minutes of time have expired, the referee shall as soon as practical restart the fight. If the fighter goes over the five minute time allotment the fight cannot be restarted and the contest must come to an end with the outcome determined by the round and time in which the fight was stopped.

##### Fighter who is not fouled by low blow but another foul

If a contest or exhibition of mixed martial arts is stopped because of an accidental foul, the referee shall determine whether the unarmed combatant who has been fouled can continue or not. If the unarmed combatant's chance of winning has not been seriously jeopardized as a result of the foul and if the foul did not involve a concussive impact to the head of the unarmed combatant who has been fouled, the referee may order the contest or exhibition continued after a recuperative interval of not more than 5 minutes. Immediately after separating the unarmed combatants, the referee shall inform the Commission's representative of his determination that the foul was accidental.

If a fighter is fouled by blow that the referee deems illegal, the referee should stop the action and call for time. The referee may take the injured fighter to the ringside doctor and have the ringside doctor examine the fighter as to their ability to continue on in the contest. The ringside doctor has up to 5 minutes to make their determination. If the ringside doctor determines that the fighter can continue in the contest, the referee shall as soon as practical restart the fight. However, unlike the low blow foul rule, the fighter does not have up to 5 minutes of time to use at their discretion.

For a foul other than a low blow, the fouled fighter is not guaranteed 5 minutes of recovery time. If deemed not fit to continue by the referee or ringside physician, the referee must immediately call a halt to the bout. If the fighter is deemed not fit to continue by the referee or ringside physician but some of the five minute foul time is still remaining, the fighter cannot avail himself of the remaining time.

If the referee stops the contest and employs the use of the ringside doctor, the ringside physician's examinations shall not exceed five minutes. If five minutes is exceeded, the fight cannot be re-started and the contest must end.

#### Scoring of incomplete rounds

There should be scoring of an incomplete round. If the referee penalizes either contestant, then the appropriate points shall be deducted when the scorekeeper calculates the final score for the partial round.

#### Verbal tap out

##### 1. Submission by Tap Out:

When a contestant physically uses his hand to indicate that he or she no longer wishes to continue; or

ii. Verbal tap out: When a contestant verbally announces to the referee that he or she does not wish to continue or makes audible sounds such as screams indicating pain or discomfort

#### COMBAT AREA ( Ring / Cage )

All MMA contests will take place in either a Cage or a Ring that has been approved by the Commission. The Cage or Ring will meet the requirements set forth by each Commission and also be subject to inspection prior to each event by a Commission representative such as a referee.

#### Rings

The ring specifications for mixed martial arts must meet the following requirements:(1) The ring may be no smaller than twenty feet square and no larger than thirty-two feet square within the ropes,(2) One of the corners must have a blue designation, the corner directly across must have a red designation,(3) The ring floor must extend at least eighteen inches beyond the ropes. The ring floor must be padded with ensolite or a similar closed-cell foam, with at least one inch layer of foam padding. Padding must extend beyond the ring ropes and over the edge platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps and ridges may not be used,(4) The ring platform must not be more than four feet above the floor of the building and must have suitable steps for the use of the contestants,(5) Ring posts must be made of metal, not more than three inches in diameter, extending from the floor of the building to a minimum height of fifty-eight inches above the ring floor, and must be properly padded in a manner approved by the commission. Ring posts must be eighteen inches away from the ring ropes,(6) There must be five ring ropes, not less than one inch in diameter and wrapped in soft material. The lowest rope must be no higher than twelve inches from the ring floor,(7) There must not be any obstruction or object, on any part of the ring floor.

#### Cages

The fighting area canvas shall be no smaller than 18 feet by 18 feet and no larger than 32 feet by 32 feet. The fighting area canvas shall be padded in a manner as approved by the Commission, with at least one inch layer of foam padding.

Padding shall extend beyond the fighting area and over the edge of the platform. No vinyl or other plastic rubberized covering shall be permitted

The fighting area canvas shall not be more than four feet above the floor of the building and shall have suitable steps or ramp for use by the participants. Posts shall be made of metal not more than six inches in diameter, extending from the floor of the building to a minimum height of 58 inches above the fighting area canvas and shall be properly padded in a manner approved by the Commission. The fighting area canvas area shall be enclosed by a fence made of such material as will not allow a fighter to fall out or break through it onto the floor or spectators, including, but not limited to, vinyl coated chain link fencing. All metal parts shall be covered and padded in a manner approved by the Commission and shall not be abrasive to the contestants. The fence shall provide two separate entries onto the fighting area canvas.

#### RULE MEETINGS ( General Guidelines )

In many jurisdictions, group rule meetings have been commonplace in the reviewing of rules, fouls and other considerations. It is recommended that individual meetings between the bout supervising referee and each competitor in the contest be conducted backstage in the locker room or another appropriate location. Many times contestants will ask questions of the official when the rules are covered individually in private, when they would have been hesitant to ask the same question in front of their competitor. This also provides the referee to observe any peculiar idiosyncrasies of the fighter, such as an odd speech pattern, nervous ticks, or different eye colors. This does not supersede the ability of the Commission to have a general rules meeting about the requirements and also discuss items such as a fighter's time to report, the location, interaction with the inspectors, available liquids and foods, taping requirements and so on, with all the fighters gathered en masse.

#### AMATEURS

The Unified Rules of Professional Mixed Martial Arts, became the de facto set of rules for professional MMA competition. There currently are no formal national unified rules governing amateur MMA that have been endorsed and adopted by the

Association of Boxing Commissions. There is not a national amateur mixed martial arts sanctioning organization with a federal charter, akin to USA Boxing. As a result, this document is being presented to the ABC, with some guidelines designed specifically for amateur MMA events.

The focus of every Athletic Commission is to ensure the safety and protection of all athletes who engage in combative sports. With that fundamental goal in mind, the primary focus of developing these amateur rules is also to ensure the safety of the athlete.

The Committee also recommends that Commissions define what constitutes an amateur mixed martial arts contestant. It was noted that some current amateur mixed martial artists are competing at various levels in muay thai, kick boxing and boxing.

#### **Why The Need for the Amateur Rules?**

Within many jurisdictions, MMA is growing at a phenomenal rate. While many Athletic Commissions govern and administer professional MMA, some Commissions do not do the same with amateur MMA. There are some jurisdictions that do not recognize amateur MMA, due to the sport not having any recognized rules or a recognized amateur body. There are jurisdictions that have amateur MMA shows taking place without any knowledge or support from an Athletic Commission. These shows function within a Commission's jurisdiction, yet free from a Commission's involvement. Some Athletic Commissions have allowed third party sanctioning groups to step in and administer amateur MMA, allowing the responsibility to shift away from their Commissions entirely. Some Commissions have taken the approach of shared governance with these third party sanctioning organizations. A recent ABC survey was conducted, which consisted of a questionnaire being given to ABC member Commissions. There were some questions that dealt specifically with amateur MMA. Most respondents supported the idea of establishing national unified rules for amateur MMA.

#### **Athletic Commissions**

As previously stated, the mandate of every Commission is to ensure that athletes are protected and that athlete safety is of utmost importance. These rules are an attempt to provide governance and clarity to amateur MMA competition, and give all athletes that protection. It also makes sense that should a Commission decide to relinquish authority to a third party sanctioning organization, then there is the knowledge that the organization is using rules and regulations and meeting requirements that have been approved by the Commission. It is however, strongly recommended that all Athletic Commissions take an active role in the regulation and administration of MMA, both professional and amateur within their jurisdictions.

Besides providing structured safety guidelines, these rules also provide additional benefits. One of the goals of amateur MMA is to provide an educational opportunity for athletes to develop skill sets and attributes that will allow them to participate and compete, should they choose to turn professional. Some athletes, who enter the professional ranks too early, without developing proper skills, can have problems very early on in competition. The absence of technical skills, coupled with nerves, can often result in a fighter displaying poor skills and tactics, and having a fight end too quickly. The athlete can accumulate a poor record before ever developing the skills and attributes required to successfully compete inside the cage. It is beneficial to most athletes to have the opportunity to hone techniques, tactics, and work at controlling stress unique to competition. Amateur MMA enables an athlete to achieve these results. Ensuring that athletes have the opportunity to learn and develop skills, techniques and tactics specific to MMA competition.

1. Provide a fair and safe venue for amateur athletes to engage in MMA competition
2. Preparing athletes both mentally and physically for MMA competition
3. Promoting the general welfare of amateur MMA sports competition
4. Providing clear rules that are easy to interpret for all parties associated in MMA such as the Athletic Commission, judges, referees, doctors, athletes, coaches, and the fan base
5. Providing behavior codes so that athletes are self governed and represent the sport and themselves accordingly.

#### **WEIGHT LOSS**

Athletes shall be examined at the pre-fight examination to screen for in excessive or extreme weight loss practices leading to dehydration.

#### **CONSUMABLES**

-Only water or an approved electrolyte drink by the Commission may be consumed during the bout. The use of banned substances is grounds for DISQUALIFICATION and administrative disciplinary action. Particular attention should be given to amateurs consuming energy drinks prior to the contest.

#### **Additional Suggested Amateur Fouls**

##### **AMATEUR Fouls**

The following actions are recommended additional fouls for amateur Mixed Martial Arts competition.

1. Elbow or forearm strikes

*No elbows or forearm strikes are allowed during amateur competition. You may not strike with the elbow, forearm or triceps area.*

2. Neck Cranks

*Any hold that places the fighter's neck in jeopardy from a crank is illegal. Neck cranks such as the "Can Opener" or "Bulldog" are examples of an illegal neck attack*

3. All leg submissions except (Kneebar and Straight Ankle Lock)

*Heel hooks and toe holds are prohibited. Straight Kneebars and the Straight Ankle lock are allowed*

4. Knee strikes to the head (standing and grounded fighter)

5. Hand chokes

6. All spine attacks (strikes PLUS locks).

7. All strikes to, or around the knee joint.

8. Dropping your opponent on his or her head or neck at any time.

**CONCUSSIVE HEAD IMPACT FOULS**

*-Before allowing a fight to continue the Referee should consult with the Ringside Physician in all cases involving concussive head fouls. The Referee in conjunction with the Ringside Physician will determine the length of time needed to evaluate the affected athlete and his or her suitability to continue.*

**For website comments/suggestions or changes/updates please contact Brian Avara**

Attachment #3

### Shane Carwin's Hands Are HUGE!

Posted By: Charttopper  Comments(4)

This photo may not be an accurate reference when comparing Brock Lesnar's and Shane Carwin's fists, but one can only imagine what Mir was thinking when he saw one of those flying at his head.

Lesnar wears 4XL size gloves and this photo makes Carwin's fist look sooooo much bigger.



Props to [MixedMartialArts.com](http://MixedMartialArts.com) for the blown up photo of Lesnar and Carwin's meeting at UFC 111.

Original photo courtesy of [UFC.com](http://UFC.com)

Commissioner Allred

- Will training be provided to bring judges and referees, appointed by the athletic commission, to ensure proper certification? At this time judges are compensated at \$50 per night per event and referees are compensated \$75 per night/event. Who will bear the burden of the expense? I do not believe referees and judges should bear the cost as neither are highly paid for any event. Therefore, the cost would be too much which may impede the ability to hire qualified and experienced officials for events.
- I believe MMA fights should take place in a 5 rope ring. Use of the cage interferes with audience viewing, which may affect attendance. I have seen events which have taken place in both a 5 rope ring and a cage and believe the spectator receives a much better viewing experience with the ring.
- I do not believe the venue size should be limited to only large centers. Limiting venue size would basically exclude most, if not all, venues located in southern West Virginia.

Roni Pack  
Beckley, WV 25801

Commissioner Allred

This is to address the public comment period for the State Athletic Commission concerning Mixed Martial Arts. I frequently attend boxing events with my family and these are my concerns.

- 1) I see there was a zero cost fiscal note attached to this bill. Will there be any training involved to bring the existing judges and referees that are appointed by the athletic commission up to proper certification? I see advertised training sessions for MMA referees costing \$500-1000 per weekend not including travel expenses. Currently the referees are compensated \$75 per night/event. Are we to expect these people to bear the burden of this cost when they would have to work 12-14 events to break even on their training investment? It is my opinion that no events should be held until we have qualified and certified referees from the state to ensure the fairness and safety of the fights.
- 2) I feel the AD &D insurance of \$100,000 is appropriate as this may replace the salary of the injured fighter for a couple years, but the medical insurance of \$50,000 seems terribly low. With facial and head CT's averaging \$2500-4000 dollars and emergency surgery being so expensive, I fear that the proposed amount may be too low. If the \$50,000 is expended, who will be responsible to the hospital for the overruns? The fighter, the promoter, the State of WV, the taxpayers? I think it should be increased to match the AD &D level of \$100,000.
- 3) During a boxing match when a referee calls a foul and deducts a point from a fighter, the judges are informed immediately by the referee of the point deduction. The referees are trained to mark this deduction on their score sheet. It seems confusing that under the Unified Rules, the points are deducted by the official scorekeeper and not the judges. I fear that an experienced Boxing judge would score a 10-9 round as a 10-8 therefore assessing the foul, only to have the scorekeeper take another point away. This assessment of fouls should be consistent in all combative sports.
- 4) I am very happy to see that the Athletic commission is taking fighter safety seriously in only allowing MMA fights to take place in an approved cage. I have been to MMA events in Ohio and Virginia that allow the 5 rope ring to be used. At every event one or two fighters are pushed or slip through the ropes only to fall 3-4 feet to the hard cement. This is the most violent of the combative sports and by ensuring the fighters are in a cage, this will avoid incidental injuries by falls from a ring.
- 5) Although I understand keeping the venue size limited to large conference centers and civic centers, I think that by limiting fights to seating of 3500 or more would exclude places like the Raleigh County Convention Center, the Brushfork and Summersville Armory's and the State Fairgrounds. This will limit the availability of venues that qualify to Charleston, Morgantown and Wheeling and no contests could be held in the southern part of the State. this would also limit places like the Greenbrier holding a pay-per-view event like they did this past January.

6) How will the state benefit from pay-per-view revenue? Is there currently a bill or statute to enforce a minimum percentage of gross sales in PPV back to the state? I understand that other states gain revenue from the production of PPV events held in those states. Is the Legislature currently working on a bill to address this, as revenue production was pushed to all the Senators and Delegates during the last session in which this bill was passed.

Annette Simpson  
110 Goldcrest Drive  
Beckley, WV 25801

Please submit these as my public comments concerning MMA.

As a commissioner and a member of the public, I would like to give some of my views on the proposed rules regarding MMA in WV.

A) I am definitely against using a 5 rope ring for these types of contests. For the safety of the fighters, a cage is necessary. Not only is this a very violent form of a combative contest, the additional injuries that could occur from a fall from 4-5 feet from the ring apron would be devastating!

B) we should be more specific about the video broadcasting needs within the event venue. I recently attended the UFC event in Pittsburgh PA and noticed that in addition to the 4 jumbo screens that are standard in professional sports venues like the Consol Energy Civic Center, the UFC also had 6 other large screens placed in the upper seating areas. This is because when the fighters go to the ground and grapple/wrestle, even the ringside viewers can not see anything. By specifying the size and minimum number of broadcast screens, the general public in attendance will be allowed to view the contest as it is intended.

C) The event promoter should have a minimum of 10-12 fights. This is because most fights end in the first round. I was actually unaware of how often this takes place but was informed by legal counsel from Zuffa Inc that owns the UFC that most fights are by submission or knockout in the first round. 8 out of the scheduled 11 fights ended this way Sunday. This led to long delays between fights of 20-30 minutes. One of my fears as a consumer of local entertainment would be if only scheduling 6-8 fights, the event could be over in 60-90 minutes and therefore the general public in attendance would feel cheated in attending such a shortened event. Also, by making the recommendation the same as boxing, like 20-30 rounds, when these events end in the first round more often than not, spectators will only get a minimum amount of entertainment for their investment.

D) I feel that the accidental death and dismemberment insurance of \$100,000 is an appropriate number to start with to cover the athletes and their families, but the medical insurance of \$50,000 is too low. A complicated emergency room visit in a level 1 trauma center can be \$50,000 in itself, not including inpatient care if necessary. \$100,000 medical insurance is a more realistic number to start with in my opinion. If the event is held in an area outside Morgantown, Huntington or Charleston (the only level one trauma centers in WV) you could tack on 2 emergency room visits and possibly a transfer fee from EMS by ground or air transport.

E) The event sizing of 3500 seating minimum is important in limiting the "fly by night" promoters from coming to the state and holding small fights without meeting proper bonding and medical minimum standards. I would like a clause in place to allow for smaller events to be held at the approval of the Athletic Commission for special events that could meet all other requirements. The minimum seating could be adjusted down to 1000-1500 persons for high-end events like at the Greenbrier or the Waterfront in Morgantown. Due to the requirements of having referees, judges and medical support staff in attendance, allowing these events take place in small venues would place competitors at risk for injury without qualified persons there to attend to them. Small gyms and back room MMA events will also stretch the available resources the state has available to police these events.

F) It concerns me that no legislation has been considered to mandate a set percentage of revenue from pay-per-view events possibly to be held in this

state. In all the meetings that were held either with the Athletic Commission, in the joint House/Senate committees, and with the representatives of Zuffa Inc, the main push by all the proponents of MMA was the revenue from pay per view that the state is "missing out on". We will be unable to capture this revenue unless there is a law, bill, or statute making the promoter, producer or event organizer pay the state a set percentage for pay per view revenue. I feel that passing the legislation we are working on currently to legalize and manage MMA is putting the "cart before the horse" when nothing is currently in place to recover these potential revenue sources.

G) I understand the concern expressed by the comment made on wording saying "the exact same gloves". As we are new at coming up with guidelines to manage this sport, it is understandable that some wording will need changed. It does make sense that someone with larger hands would have more padding just due to the sizing of the gloves. By making competitors use the same type of glove with a minimum weight of 4 ounces, we would allow for increasing the padding due to sizing differences.

H) I can see people arguing that the minimum insurance and AD&D requirements we are placing on MMA is higher than what's currently on boxing. I feel that it is simply a matter of our experience in dealing with the injuries in boxing is less than our experience in MMA. These minimum requirements should start at the proposed levels and after a period of 5-10 years the Commission should have the proper time to study injuries within our state and decrease or increase these amounts if necessary.

Lastly, it is imperative that we only have professional MMA in place in West Virginia. It must be illegal to hold amateur MMA events and we must set penalties for promoters and participants that will be stiff enough to deter "backyard" and "bar room" MMA "exhibitions". Participants that have the desire to train, and then compete in organized amateur events may have to travel to neighboring states to get in the minimum number of fights to turn pro, but by doing this we place the burden of responsibility for injury on the state holding the amateur competitions. The current State Athletic Commission is not staffed to oversee MMA in the amateur arena. We currently allow for amateur boxing to be regulated by USA Boxing. There is currently no National amateur MMA organization. The State also has limited number of trained and certified judges and referees to hold professional contests.

Brian Simpson RN  
Commissioner  
WV State Athletic Commission

Dear Mr. Commissioner,

MMA deserves, and should receive the same treatment that boxing gets in this state. MMA has surpassed boxing in fan base and revenue. MMA is a huge cash cow, and if allowed to, can bring much needed money into the state. Lets look at the numbers which will indicate that something is "fishy" about this commission and the way they are treating MMA. Insurance per boxer = \$20,000.00, insurance per MMA fighter \$100,000.00. Bond per boxing event = \$20,000.00, bond per MMA event = 50,000.00. Now by just those numbers alone you can definitely see that boxing is getting the preferred treatment, hmmm I wonder why? Death's in boxing far outweigh the deaths in MMA, there have been 71 boxing related deaths since 1993 and ONLY 2 in MMA ( The Vancouver Sun: MMA vs. Boxing, which is more dangerous?, Nov 20<sup>th</sup> 2008). That was found in a quick search via Google. I'm sure with all the time you have you could go and search and find more detailed statistics that would prove my point to an even greater length. MMA, statistically is a MUCH safer sport than boxing and DESERVES a platform in which they can succeed, and YOU haven't provided that for MMA. Thanks for your time.

**From:** Steven Allred <stevenallred@yahoo.com>  
**To:** Wayne Williams <wayne.williams@wvago.gov>  
**Date:** 7/15/2011 11:46:53 PM  
**Subject:** Fwd: MMA Rules, Ideas, and disagreements

Wayne, I received these comments from James Long, a WV State Trooper. Some may not be able to be addressed via our rules; however, good suggestions. Thank you!  
Steve

Sent from my iPhone

Begin forwarded message:

> From: James Long <jcl.299@hotmail.com>  
> Date: July 15, 2011 7:56:20 PM EDT  
> To: <stevenallred@yahoo.com>  
> Subject: MMA Rules, Ideas, and disagreements  
>

> Steve,

>  
> I read the information that you mailed to me, and I like what has been proposed but in addition to the Legislative Rule Title 177, I believe that there needs to be bills created and written into law regarding many aspects of MMA and old fashioned boxing. Below is a few of the proposals that I suggest.

>

> Licenses 177-2-5--

> This ruling dictates what should be done to purchase a license but a criminal statute should be implemented regarding Forgery of Licenses that apply to promoters, fighters, corporations, and any other person that would be involved with the criminal intent of forging a fighting license.

>

> Individual Sanction and Permits for Professionals 177-2-7

> Regarding applications for sanctions there should a criminal statute dealing with issues of Fraud if books, contracts, permits, applications for sanctions, are not true or have been falsified regarding a fight

>

> Promoters Report 177-2-9

>

> A criminal statute should be implemented regarding a false promoters report

>

> Inspectors or Deputies 177-2-10

> Also, there should be a criminal statute implemented regarding the duties of Inspectors and or Deputies regarding reports, bribes, etc.

>

> Minimum Age Limit 177-2-12

>

> I also believe there should be a criminal code regarding someone or persons allowing a minor to pose as an adult to fight in a professional fight, unless, a specific regulation is created to allow a minor to compete.

>

> Assumed Names 177-2-13

>

> A definite criminal statute should be created regarding a person fighting under a false name, and/or others persons who conspire with a person to fight under a false name, etc

>

> Fake contests 177-2-19

>

> A criminal statute and penalty should be created regarding a Fake or Thrown Fight, which would

involve any and everyone involved

>

> Battery/Assault/Bribing/Extorting/Threatening officials, time keepers, referees, judges, special judges, Athletic Commissioners, doctors, etc 177-2-33

>

> A criminal statute or law should be created to protect all persons involved in the fight event, such as battery, assault, extortion, bribing, etc

>

> False Swearing 177-2-42

>

> I also suggest a criminal statute be created regarding false swearing on referee licenses, even falsifying someone in a weight class, etc

>

>

> Gambling is also an issue that will arise when MMA takes off in West Virginia, that needs to be discussed on how to regulate that as well.

>

> I hope these suggestions will help.

>

> Thanks,

>

> James

>

>

Howard R. Petschler  
330 Bibb Street  
Oak Hill, WV 25901  
775-781-4949

July 11, 2011

Steve Allred, Chairman  
West Virginia State Athletic Commission  
318 Camp Creek Road  
Julian, West Virginia 25529  
304-369-1387

Mr. Allred:

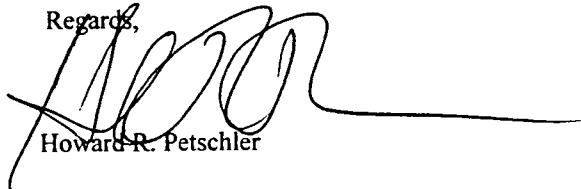
Your leadership of the athletic commission should be recognized for the embarrassment that you continue to cause the State of West Virginia. You continually cite safety issues in your opposition to MMA yet you continue to support toughman type contests which enjoy a much higher injury incident as does boxing. Athletic commissions that are truly concerned about participant's safety do not allow toughman type contests. As they say "that dog doesn't hunt".

I am West Virginia resident who has promoted over a thousand individual MMA fights around the US and Canada since 1996 without a single fighter requiring even an overnight hospital stay. I agree with regulation and have championed it. Having promoted the first sanctioned MMA events in several states and even a couple of countries, I am used to working closely with state regulators. I have also provided regulatory aid to several states while they prepared to regulate MMA. To arbitrarily, without basis in fact, determine that MMA participants need higher insurance limits than boxers is ludicrous and shameful. It is not even a cleverly disguised attempt to limit the development of Mixed Martial Arts in the State of West Virginia.

Insurance limits and licensing requirements should be the same each of the regulated combative sports without allowing personal prejudice to favor one or the other. For any state official to use his authority to defeat the intent of the legislature and the state's chief executive and thus the will of the citizens of the State of West Virginia is beneath contempt.

Please do not hesitate to call on me if you or any member of the commission has legitimate concerns about the reality of Mixed Martial Arts competition.

Regards,



Howard R. Petschler



# ROUGH N' ROWDY BRAWL

A.C.R. PROMOTIONS, INC. | P.O. BOX 4432 | CHARLESTON, WV 25364

July 14, 2011

Steve Allred, Chairman  
WV State Athletic Commission  
318 Camp Creek Road  
Julian, WV 25529

Steve,

As a fight promoter of more than 15 years in WV, I have promoted more than 100 Rough N' Rowdy Brawl events plus 19 mixed martial arts events in Virginia and North Carolina. I would like to comment on the new proposed rules you have written. After reviewing your proposed rules, they seem to do everything to get in the way of fully implementing the new statute of H.B. 2562.

NEW PROPOSED RULE. (I will be selecting pieces of the wording that need to be changed)

§177-2-1. General.

1.1 Scope. This rule establishes the procedures to be followed for all Mixed Martial Arts (MMA) events under the jurisdiction of the State Athletic Commission.

This should be rewritten to the following "This rule establishes the procedures to be followed for all **PROFESSIONAL** Mixed Martial Arts (MMA) events under the jurisdiction of the State Athletic Commission. The legislature wanted the Athletic Commission to sanction professional MMA. Amateur MMA was not included in H.B. 2562 so it should not refer to "all Mixed Martial Arts".

§177-2-2 Jurisdiction.

All Mixed Martial Arts (MMA) events, matches, and exhibitions, or any for thereof, other than Professional Mixed Martial Arts Events are prohibited

Once again, according to H.B. 2562, the Athletic Commission is to sanction all Professional MMA. It says nothing about regulating or banning Amateur MMA.

### §177-2-3. Definitions

3.4. "Professional Mixed Martial Arts Fighter" – means a Mixed Martial Arts fighter who competed in a minimum of ten (10) amateur MMA bouts. Amateur bouts which cannot be verified by the Athletic Commission shall not count toward the minimum number of bouts required. No MMA fighter may be licensed as a professional by the Athletic Commission who does not have a winning record.

Can I ask where these MMA fighters are supposed to get their amateur experience if you are banning amateur MMA from WV? All I heard from supporters of MMA in WV and from the delegates was "money is leaving the state of WV. My son or daughter has to leave WV to get a fight." Under your proposed rules, money is leaving the state if amateur MMA is banned.

Most states don't require a minimum number of amateur bouts to turn professional. There are currently NO requirements for an amateur or professional boxer to have a winning record or minimum number of amateur bouts to get a professional boxing license in WV. If you're not requiring these rules for professional boxing, then why are you requiring it for Mixed Martial Arts? Requiring MMA fighters to have a winning record seems a bit harsh. So for every fighter that has a losing record will not be able to obtain or lose his or her license in WV and not be able to compete? This is not required by the boxing rules in WV. I've never heard of this.

### §177-2-5. Licenses

5.6. Venues – Venues must have a minimum seating capacity of 3,500 and video replay capabilities in good working order. No event shall take place until the venue has been approved by the Athletic Commission.

This rule need striked entirely. This rule restricts business trade, promotes unfair competition, and creates monopolies. Most of my boxing shows are in venues that seat less than 3,500 and I generate a great deal of money for the state of WV and the towns I promote in. Once again, this rule does not apply to the boxing rules in WV. It should not apply to the MMA rules you are proposing.

Video replay is not required in the boxing rules in WV as well. It should not apply to the MMA rules you are proposing.

### §177-2-6. Bond Required

The minimum bond shall be fifty thousand (\$50,000) dollars

The current surety bond requirement for boxing in WV is ten thousand (\$10,000). This should be the same for MMA.

§177-2-7. Individual Sanction and Permits for Professionals.

7.3. Minimum Number of Bouts – There shall be a minimum of ten (10) bouts on a card unless special written permission is obtained from the Commission at the time of granting the sanction to have a fewer number of bouts.

Ohio allows pro/am events with a minimum of eight (8) bouts on a card with at least three (3) of those bouts being professional. I believe WV should do the same being that this format works well in Ohio.

§177-2-8. Insurance for Mixed Martial Arts Fighters.

8.1. General. The minimum amount of Accidental Death & Dismemberment insurance shall be one hundred thousand dollars (\$100,000).

The current Accidental Death & Dismemberment insurance requirement for boxing in WV is twenty thousand (\$20,000). This should be the same for MMA.

8.2. Coverage. Insurance coverage shall provide for reimbursement to the MMA fighter for medical, surgical and hospital care with a minimum coverage of fifty thousand dollars (\$50,000) per participant for injuries sustained while participating in any sanctioned MMA event under the control of a licensed promoter, club, corporation or association.

The current insurance coverage requirement for boxing in WV is twenty thousand (\$20,000). This should be the same for MMA.

§177-2-41. Combat Area.

41.2.a. No vinyl or other plastic rubberized covering shall be permitted

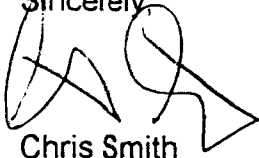
Why no vinyl? The vinyl mat is easy clean and can be washed immediately with bleach if there is blood. It is more sanitary than the canvas mat you are proposing.

In summary, I believe the new proposed rules need to be revised to not ban amateur mixed martial arts in the state of WV. If there is no amateur program in the state of WV, then there will not be a professional MMA program in this state. It will be dead.

The amateur boxing program in WV follows the rules of the Amateur Boxing Association and those rules are promulgated by USA Boxing Inc. If the WV Athletic Commission does not want to sanction amateur MMA or have the manpower to do so, then there are other amateur organizations such as the ISCF or the WKA that are currently sanctioning amateur MMA events across the country.

Please forward my comments to the Administrative Law Division for publication in the Register and with the Legislative Rule Making Review Committee (LRMRC). Thank you.

Sincerely,



Chris Smith