

2021 ADOPTED RULE CHANGES

The following rule changes were adopted by the USTA Board of Directors at the 2021 Annual Meeting. Unless noted otherwise, these rules go into effect on May 1, 2021.

Newly adopted rules are bold underlined, deletions are struck-out.

1. § 20.10 Nerved Horses. - All horses that have been nerved shall be so designated on the USTA registration certificate and electronic eligibility and be certified by a practicing veterinarian. **The fact that a horse has been nerved shall be reported to the USTA.** It is the responsibility of the owner of the horse at the time ~~the horse is nerved~~ **of the procedure or the owner's authorized agent to report the date of nerving of the horse to the USTA within thirty (30) days of the procedure or before the horse is entered to race.** **All horses that have been nerved shall be certified by a practicing veterinarian and so designated on the USTA registration certificate, unless the horse is paperless, and electronic eligibility.** It is the responsibility of the owner of the horse at the time the horse is nerved to see that this information is placed on the registration certificate unless the horse is paperless and the electronic eligibility. **If a subsequent owner or trainer of a horse becomes aware that the horse was nerved and was not reported to the USTA, that owner or trainer or his or her authorized agent shall promptly report the nerving of the horse to the USTA and return its papers for correction, unless the horse is paperless. The failure to report the nerving of a horse before it is entered to race or consigned to a public sale or sold privately may result in a fine of up to \$250.00.** No trainer or owner will be permitted to enter or start a horse that is high nerved. It shall be ~~the responsibility of the owner and/or trainer of a horse that has been low-nerved to post on the bulletin board in the racing office at each racetrack where the horse competes the fact that the horse has been low nerved and it is the responsibility of each track member to provide a space in the racing office where the fact of nerving can be posted in accordance with this rule.~~

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2. § 20.11 Change of Sex Requirement. - The fact that a horse has been gelded or a mare has been spayed ~~must shall~~ be recorded with **reported to** the USTA. It ~~shall be~~ **is** the responsibility of the owner **of the horse at the time of the procedure** or the **owner's** authorized agent to report **the date of the gelding or spaying of the horse to the USTA** within thirty (30) days, ~~the date that the horse has been gelded or the mare has been spayed to the USTA and~~ **unless the horse is paperless, to** return its papers for correction. **If a subsequent owner or trainer of a horse becomes aware that the gelding or spaying of the horse was not reported to the USTA, that owner or trainer or his or her authorized agent shall promptly report the gelding or spaying of the horse to the USTA and return its papers for correction, unless the horse is paperless. The failure to report the gelding or spaying of a horse before it is entered to race or consigned to a public sale may result in a fine of up to \$250.00.**

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3. § 8.02 Individual Membership Requirements for Members. All persons who are members of a ~~racing,~~ **registered** farm, ~~syndicate, corporation~~ **corporate** or stable racing **or breeding** a horse as provided in Rule 4.10 must be USTA members. The USTA shall be notified immediately if additional persons become interested in a registered ~~racing,~~ farm, ~~syndicate, corporation~~ **corporate** or stable or if some person listed in a registration disassociates himself **or herself** from the registered ~~racing,~~ farm, ~~syndicate, corporation~~

~~corporate~~ or stable. Failure to do so will place the registered ~~racing~~, farm, syndicate, corporation
~~corporate~~ or stable in violation of the Rules.

§9.02 Issuance of Electronic Eligibility –

(a) **Individual Membership Requirements.** - Each registered owner of a horse except as otherwise provided in the USTA Bylaws and the Rules, must be a USTA member in good standing prior to the issuance of an electronic eligibility. If the horse is registered in the ownership of a registered racing, farm, corporation, ~~or~~ stable, or syndicate, all “beneficial owners” as defined in Rule 4.10 must be USTA members in good standing prior to the issuance of an electronic eligibility

(c) **Owner Names on Electronic Eligibility.** - The names of all owners including beneficial owners shall be listed on the electronic eligibility. The electronic eligibility shall not be issued in the names of more than four persons. In the event five or more names are reported to the USTA, the electronic eligibility shall be issued only in four or fewer including racing, farm, corporate, ~~or~~ stable or syndicate names, which names must be registered in accordance with Rule 8.01.

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4. § 18.23 (k)(3) Any change of name to a previously approved sulky must be reported to the USTA within 30 days by submitting a signed affidavit indicating the previous and current name of the sulky model. Failure to submit an affidavit within 30 days shall result in a fine of \$1,000.00.
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5. **The following replaces ALL current language for Rule 18.08:**

§ 18.08 Urging Regulations, Prohibitions and Penalties. –

- (a) **Whip Specifications.** Drivers will be allowed only black ordinary whips not to exceed four feet, plus a snapper not longer than six inches. No leather or unusual materials may be used. The conventional snapper shall not be knotted and tape is only permitted on the handle of the whip. All other modifications of the whip are prohibited.
- (b) **Prohibitions on Urging.** No person shall possess or use any goading devices or mechanical or electric devices or appliances. While on the racetrack at any time, the whip shall not be used on a horse in an excessive, indiscriminate, injurious, abusive, or unnecessary manner, as determined in the discretion of the judges, including, without limitation, the driver shall not:
- i. Cause an injury to the horse with the whip;
 - ii. Use the whip more than three times in succession without giving the horse time to respond to the urging.
 - iii. Use the whip on a horse that is not visibly responding.
 - iv. Use the whip on a tired horse or continue to use the whip when a horse is not reasonably advancing or maintaining its position in the race.
 - v. Use the whip after the finish line, except for emergency situations.
 - vi. Use the handle of the whip on a horse in any manner.
 - vii. Strike another horse or driver with the whip or use the whip in a manner that interferes with another horse or driver.

- viii. Move their body or arms in an exaggerated manner.
- ix. Use the whip below the level of the arch.
- x. Place the whip between a horse's legs.
- xi. Contact the horse with the whip on the horse's hocks or below.

Notwithstanding the prohibitions described in this section, a driver may use the whip in any reasonable manner to ensure the safety of the horses and drivers in the race.

(c) Allowable Urging during a Race. A driver may use the whip or the lines only in a conventional manner, in accordance with the following:

- i. The driver must keep a line in each hand, except as may be necessary to adjust equipment (that is, pulling plugs, dropping blinkers, etc.) beginning when the horse is behind the starting gate and continuing through the finish of the race.
- ii. Lines shall remain reasonably taut during the race.
- iii. Use of the whip shall be restricted to forearm and wrist action only such that the driver's elbows must remain reasonably tucked and not raised above the driver's shoulder.
- iv. For the avoidance of doubt, raising the lines and using the whip with wrist-action only is permissible.
- v. Drivers are permitted to use the whip to hit the wheel disc or shaft so long as it does not interfere with another horse or driver.
- vi. Drivers are permitted to use their hand or the whip in a sliding, gliding or tapping manner above the level of the arch.

(d) Supervision.

- i. All tracks conducting an extended pari-mutuel meeting shall publish the rules pertaining to urging in each day's official racing program.
- ii. Under the supervision of the judges, there may be a visual inspection of any horse following a race for evidence of excessive or injurious urging.

(e) Penalties. For a driver's first lifetime offense after the effective date of this rule, judges will warn drivers only, inform them of the specifics of their violation and record such warning with the USTA. Following that warning, the penalties for any violation of Rule 18.08 are as follows at the judge's discretion and depending on the severity of the violation:

	Range of Suspension		Range of Fine	
	Minimum Suspension	Maximum Suspension	Minimum Fine	Maximum Fine
1 st Offense	0 Days	0 Days	\$100	Greater of \$500 or 20% of Driver's Share of Purse Earnings
2 nd Offense	0 Days	3 Days	\$250	Greater of \$1,000 or 25% of Driver's Share of Purse Earnings
3 rd Offense	3 Days	7 Days	\$500	Greater of \$2,000 or 30% of Driver's Share of Purse Earnings
4 th Offense or More	7 Days	15 Days	\$1,000	Greater of \$3,000 or 50% of Driver's Share of Purse Earnings

- i. A driver's penalty will be based on the number of use of whip offenses that the driver has had across all U.S. racetracks over the sixty (60) day period that includes and immediately precedes the date of the most recent offense. For example, if a driver commits an offense on April 30, the penalty will be based on the number of offenses that occurred between March 2 and April 30.
- ii. Any brutal or indiscriminate use of the whip or excessive number of offenses may subject a driver to license revocation at the discretion of the judges regardless of the number of offenses.
- iii. In addition to the penalties provided, the violation of any of the provisions in this rule may result in loss of placement or disqualification if, in the discretion of the judges, the driver and horse gained an unfair advantage due to such violation.