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## NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 462  
OREGON RACING COMMISSION

FILED

03/06/2023 2:21 PM

ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: OAR 462-140-0025 Amends language regarding how photofinishing records will be retained.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/20/2023 12:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

*A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.*

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Filed By:  
Karen Parkman  
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### NEED FOR THE RULE(S)

Agency has no physical office after 3/31/2023. Amends language regarding how photofinishing records will be retained.

### DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Electronically stored and available upon request.

### STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

No Affect

### FISCAL AND ECONOMIC IMPACT:

No Impact

### COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

No cost of compliance

### DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development

### WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

No needed.

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AMEND: 462-140-0025

RULE SUMMARY: Amends OAR 462-140-0025 (3) to reflect how digital photofinish will be retained.

CHANGES TO RULE:

462-140-0025

Photofinish Operator ~~¶~~

(1) The photofinish operator shall maintain the photofinish and timing equipment in proper working order, shall photograph each race, and shall notify the stewards if lighting is insufficient to take adequate photos.~~¶~~

(2) When the "photo" sign is posted by the stewards, the photofinish operator shall prepare a photograph which shall be promptly made available for public viewing.~~¶~~

(3) The photofinish operator shall keep all digital files for each race. These digital files shall be available for reference or reproduction ~~at~~<sup>by</sup> the commission office for 90 days after the last day of the race meet.

Statutory/Other Authority: ORS 462.270(3)

Statutes/Other Implemented: ORS 462.270