



Oregon Racing Commission
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Requirements to apply for an Off Track Betting Facility in Oregon

Please read and refer to Oregon Administrative Rules (OAR) 462-200-0310 – 462-200-0370 (A copy of the rules will be attached to this document, or you can access them online at the Oregon Secretary of State Website, or by clicking [here](#).) As the applicant you are responsible for knowing and following the rules.

The following items are **required** to be included with your application for an Off Track Betting (OTB) Facility:

1. Name, address, DOB, fingerprints, of the applicant and owners of the facility.
 - a. A personal history application should be filled out for each individual and notarized.
 - b. A notarized general release for information is also required.
2. Description of management groups, including subcontractors involved in the operation of the facility.
3. Location of facility & written approval for location and occupancy from local officials
 - a. Approval from local zoning/planning commission that space is intended for OTB use
 - b. Fire department approval for maximum occupancy
4. Scale drawing of facility – public accommodations, equipment, concessions, & office space.
5. Security plan outlining security measures employed to protect the facility, control crowds, protect public and employees, safeguards for the transmission of simulcast signals and control transmission of wagering data. *(Refer to page 3 of this document for the required elements.)*
6. Safe approved by Commission staff.
7. Type of data processing, communication, and transmission equipment to be utilized.
8. System of accounts to maintain a separate record of revenues, collected by the simulcast facility, the distribution of such revenues and the accounting of costs relative to the simulcast operation.
9. Executed agreement with the simulcast operator.
10. Executed agreement with the owner of facility to conduct simulcast wagering (if applicable).
11. Executed agreement with the Tote Company for the equipment and systems necessary to conduct simulcast wagering.
12. Detailed financial reports to determine applicant's ability to adequately perform the duties of a simulcast operator.
13. A posted surety bond or other suitable instrument as approved by the commission.
14. ORC racing licenses for employees and officials at the OTB (Separate application & fees).

15. Feasibility study to include;

- a. Revenue earnings expected.
- b. Number of simulcast races to be displayed.
- c. Types of wagering to be offered (i.e. Trifecta, Superfecta etc.).
- d. Number of patrons expected.
- e. Geographical area from which patrons are expected to come from.
- f. Revenue expected from other than pari-mutuel wagering. Specify the source of the other revenue.
- g. Cost of operating the simulcast wagering facility. Amortize the expenditures/costs.
- h. Where the source of operating expenses will come from.
- i. Probable impact of the proposed operation of revenues to local government.

If you have any questions, please call 971-673-0208 or e-mail ORC.Licensing@oregon.gov and we will gladly assist you.

Security Plan Elements/Requirements

Each Security plan must be specific and individualized for each location and must be fully implemented.

Each security plan must include, as a minimum, the following elements:

1. Name, telephone number, and address of person responsible for the facility during operating as well as during non-operating hours (for emergency notification purposes).
2. Name, telephone number, and address of each employee. Plus, the name and telephone number of each employee's designated emergency contact. As employee information is constantly changing, this information should be made accessible and as an easily updated addendum/supplement to the security plan.
3. Name and telephone numbers of local emergency services, (in addition to 911) such as; sheriff, police and paramedics, and local emergency room or urgent physician services
4. Name and telephone numbers of Utility Services (telephone water, electric and gas companies).
5. Name and telephone numbers for Tote Services, Commercial Track and the Oregon Racing Commission.
6. Incident reporting protocols and specific forms to be utilized.
7. Fire evacuation plan.
8. How patrons are to be protected during operating hours with respect to fire and other emergencies (describe the implemented procedures).
9. How the facility equipment is to be protected from possible acts of vandalism (what security measures are in place).
10. How the integrity and access of the equipment is protected from tampering by persons.
11. What the security procedures are to protect the facility and equipment, after the building is closed for the day.
12. How facility employees are protected against risk and harm from potential threats of violence from perpetrators (describe specific security measures that are in place for example, "panic buttons", surveillance cameras, two-way radios, intercoms, security personnel, etc.).

Oregon Administrative Rules Governing Off Track Betting Sites

462-200-0310

Off-Track Wagering; Authorized; Executive Director's Authority

- (1) The Oregon Racing Commission authorizes the conducting of off-track wagering which meets the criteria set forth in these rules.
- (2) Except as otherwise directed by the commission the executive director is hereby authorized to approve the selection, the operation of off-track facilities, and to approve contractual agreements which comply with the requirements of the commission for the conduct of off-track wagering.

Statutory/Other Authority: ORS 462.700

Statutes/Other Implemented: ORS 462.700

History:

RC 3-2000, f. 3-27-00, cert. ef. 5-1-00

462-200-0320

General Provisions

- (1) A host racing race meet licensee is solely responsible to the commission for the content of its simulcast and shall use all reasonable effort to present a simulcast which offers viewers an exemplary depiction of its racing program, at least a periodic display of wagering information as part of the audio/visual signal and continuity programming between racing events.
- (2) Every simulcast will be encrypted using an encryption algorithm system approved by the commission.
- (3) Except as otherwise approved by the state supervisor of mutuels, every simulcast will contain in its video content a digital display of the actual date, day, and time of day, the name of the race track from where it emanates, the number of the race being displayed, and for horse races, the sequential fractional time of the race as the race is being run. Every race shall be recorded on both video and audio tape and shall contain the same information as the video content of a simulcast.
- (4) The totalizator system will combine the pari-mutuel pool amounts from all off-track wagering facilities with the pari-mutuel pool contributions accepted at an Oregon host track.
- (5) No race meet shall simulcast its races without first receiving authorization from the Oregon Racing Commission.

Statutory/Other Authority: ORS 462.700

Statutes/Other Implemented: ORS 462.700

History:

RC 3-2000, f. 3-27-00, cert. ef. 5-1-00

462-200-0330

Intrastate Wagering Approval Orders

- (1) Any race meet licensee must receive authorization from the Oregon Racing Commission before conducting off-track wagering. No unauthorized person, partnership, corporation or other entity shall conduct or attempt to conduct wagering on the results of races simulcast from a race meet held in Oregon. Applications for authorization shall be in such form as may be prescribed by the commission and shall contain such information or other material or evidence as the commission may require.
- (2) Within forty-five days of receipt of the plan of operation provided in OAR 462-200-0340, the commission shall issue an order approving the plan, approving it with modifications, or denying approval; if denied, the commission

shall state its reasons for denial. Within such period the commission may request additional information or suggest amendments. If the commission fails to approve the plan, the applicant may request a public hearing to be held within thirty days. The commission shall issue its final determination within ten days of such hearing. The applicant may submit an amended application no sooner than thirty days after a denial.

(3) No person, partnership, corporation or other entity shall be allowed to operate an off-track wagering facility except according to the provisions of an “approved plan of operation.” No change in such plan of operation may occur until an amendment proposing a change to the plan is approved by the commission. A plan of operation may be amended from time to time at the request of either the operator or the commission. The operator shall have the right to be heard concerning any amendment to the plan and the commission shall dispose of such proposed amendments as expeditiously as practicable, but no later than thirty days following submission by the operator or, in the case of amendments proposed by the commission, objection by the operator.

Statutory/Other Authority: ORS 462.700

Statutes/Other Implemented: ORS 462.700

History:

RC 3-2000, f. 3-27-00, cert. ef. 5-1-00

[462-200-0340](#)

Application and Approval of Off-Track Wagering Facilities

Any race meet licensee desiring to simulcast its racing program including races in Oregon, out-of-state races, or any combination thereof, to an off-track wagering facility(ies) shall file an application for approval for each facility with the commission. The application shall describe a plan of operation for the facility which includes, but is not limited to, the following information:

- (1) The name, address, and date of birth of the applicant and owner(s) of the facility and any other information which may be required by the commission to perform a criminal history and financial background investigation. The commission may also require an applicant/owner to provide fingerprints and a written consent in order to perform a nationwide criminal record check. In carrying out this subsection, the commission may require the applicant/owner to pay the cost of performing a criminal record check. The application will be denied if the applicant, or in the case of a partnership or corporation, a general partner, officer, director, major stockholder (over 5%) or employee has engaged in any unlawful activity determined to be conduct detrimental to the best interests of racing, or has failed, refused or neglected to comply with any rule, regulation, condition of license or order of any state or federal regulatory agency, including the Oregon Racing Commission or its representatives reasonably related to its conduct as a simulcast operator, or who has engaged in any activity which is grounds for denial, suspension, or revocation of license pursuant to the statutes or rules of racing in the State of Oregon.
- (2) A description of the management groups responsible for the operation of the facility, including a description of any subcontractors who will be substantially involved in the operation of the facility.
- (3) The location of the facility and a written confirmation from appropriate local officials that the location of such facility and the number of patrons expected to occupy such facility are in compliance with all applicable local ordinances.
- (4) A scale drawing of the facility, including its public accommodations, equipment, concessions, and office space.
- (5) A security plan approved by the executive director outlining the security measures to be employed to protect the facility, to control crowds, to protect the public and employees, to safeguard the transmission of the simulcast signals and to control the transmission of wagering data to effectuate common wagering pools.
- (6) The type of data processing, communication and transmission equipment to be utilized.

- (7) The system of accounts to maintain a separate record of revenues collected by the simulcast facility, the distribution of such revenues and the accounting of costs relative to the simulcast operation.
- (8) An agreement that has been executed with the simulcast operator for the conduct of simulcast wagering at the facility
- (9) An agreement that has been executed with the owner of the facility allowing its use as an off-track wagering facility.
- (10) An agreement that has been executed with the totalizator company for the equipment and system necessary for the conduct of simulcast wagering at the facility.
- (11) Financial reports in sufficient detail for the commission to determine the applicant's ability to adequately perform the duties of a simulcast operator.
- (12) A posted surety bond or other suitable instrument as approved by the Oregon Racing Commission, in an amount sufficient to ensure payment of distributable amounts of pari-mutuel pools held by the race meet licensee pursuant to statute and the faithful performance of the duties of a simulcast operator. The bond may be the same as the one posted by the race meet licensee for the conduct of the race meet.

Statutory/Other Authority: ORS 462.700

Statutes/Other Implemented: ORS 462.700

History:

RC 2-2009, f. 8-24-09, cert. ef. 10-1-09

RC 3-2000, f. 3-27-00, cert. ef. 5-1-00

[462-200-0350](#)

Financial Reports

A race-track licensee shall provide the Oregon Racing Commission with an audited report of its pari-mutuel operations at the off-track wagering facility(ies) not more than 120 days following the end of the race meet's fiscal year, and shall provide at the commission's or their representative's request all of the simulcast operator's business records for examination.

Statutory/Other Authority: ORS 462.700

Statutes/Other Implemented: ORS 462.700

History:

RC 3-2000, f. 3-27-00, cert. ef. 5-1-00

[462-200-0360](#)

Licenses for Other Employees and Officials at the Off-Track Wagering Facility

- (1) All employees and officials at the off-track wagering facility shall obtain a license for such employment from the Oregon Racing Commission as if the individual were performing the duties at a race course.
- (2) Unless otherwise prohibited by provisions of statute or these rules, all off track licensees (e.g. owners, business managers, or employees) may wager at the off track sites they are connected with, EXCEPT, under no circumstances, shall any on duty mutuel clerk or mutuel manager wager at such a site.

Statutory/Other Authority: ORS 462.700

Statutes/Other Implemented: ORS 462.700

History:

RC 3-2000, f. 3-27-00, cert. ef. 5-1-00

General Operations of Off-Track Facility

(1) The video/audio signal receiving controls, the fax machine and ring-down phone or business system phone with speed dial must all be in an area accessible to the mutuel line supervisor.

(2) The mutuel windows and self-service machines at the off-track facilities will be open upon the broadcast of the video display to the off-track facility of the first performance to be carried at the off-track site that day. Once the site is open for wagering on a given day, wagers may be taken on races from performances scheduled to be available at the site later that day.

(a) Notwithstanding any other provision of this rule, the track operator managing the off-track site may submit a plan to the Oregon Racing Commission for approval in the event an employee of the track operator will not be physically present at the off-track site. The plan will include provisions for displaying the signal, facility wagering, customer problem resolution and cashing tickets/vouchers.

(3) Signal Priority and Continuity of Program. The advent of off-track wagering was to enhance live racing in Oregon. For that reason, the priority of the signals going to the off-track sites should be set in a way which supports that public policy. The priority of signals shall be as follows:

(a) Any signal of a live race originating from a racetrack in the State of Oregon.

(b) Simulcast signals which the track and the off-track site may agree upon which best meets the desires of the patrons at the site, in priority order, limited by the number of satellite dishes the site may have. All contracts between tracks and off track sites shall contain a provision which states they are subject to the authority of the commission to consider the mix and balance of simulcast signals offered to off-track sites during the review of individual race meet applications.

(4) Track Responsibilities. The Oregon race meet licensee is responsible to the commission for the proper conduct and performance in all aspects of the operation of the off-track sites approved to carry the signal(s) of the race meet license. The race meet operator shall report to the commission's designee all problems encountered at off-track sites in a timely fashion, along with solutions or proposed solutions. At a minimum the race meet licensee shall ensure the following prior to allowing the initial startup and the continued operation of an off-track site:

(a) There are qualified and properly trained mutuel employees of a sufficient number to reasonably be expected to handle the number of patrons at the site;

(b) That data line is in place and operating. That a separate voice phone line and a fax line are in good working order. All lines must be separate from the other lines required by this rule and other lines in the facility and shall not be used by unauthorized persons;

(c) That audio visual signals are secure from receipt by unauthorized sites and are of a quality to allow viewers an exemplary depiction of the racing program;

(d) That the totalizator system is configured in a manner to allow accurate and timely transmission of wagers, wagering information and odds to and from the off track site, as well as reports which provide wagering information of the site individually;

(e) Timely distribution of all program; past performance information; weight changes; over weights; tip sheets where available; and any other information made available to the patrons at the race meet licensee's track, to the off track site(s) so that such information can be made available, in a legible format, to the patrons at the off track site;

(f) Dissemination of surcharge information to the off-track sites;

(g) Provide the necessary management of off-track site mutuel employees.

(5) Site Responsibilities. Off-track site operators shall provide a site which is suitable for the conduct of off-track wagering activity. Off-track sites are an extension of the race track's public area and should be of a standard which enhances the image of racing in the State of Oregon. Off-track sites must provide the following prior to start-up of the site and for the continued operation of the site:

(a) A clean well-lighted area for patrons during the wagering performances.

(b) Clean rest room facilities for the public.

(c) An area suitable for the placement of wagering terminals and which provides adequate safety and security for the mutuel employees working at the site.

(d) An area in which the necessary decoders, modems, fax machine, and voice line phone can be securely housed within easy reach of the mutuel employees.

(e) A safe, approved by the racing commission, for safe keeping of the money used for the pari-mutuel wagering activity between the performances.

(f) Posting of the surcharge information in a conspicuous place for inspection by the wagering public.

(g) A written security plan and provisions approved by the racing commission.

(6) Equipment Related. The issue as to who is responsible for providing which pieces of equipment necessary for the conduct of the waging activity can be set forth in the contract between the race meet licensee and the off-track site; however, the commission will hold the race meet licensee responsible for ensuring all of the necessary equipment is available and in good working order. At a minimum the following equipment must be on site:

(a) Enough wagering terminals to adequately serve the number of patrons reasonably expected to be in attendance at the site. In addition, one extra wagering terminal as a backup for those sites over 30 minutes driving time from the race meet licensee track.

(b) The necessary number of satellite dishes and audio/visual monitors. The satellite dishes will be installed in a manner which will withstand the weather conditions normally expected at the off-track site.

(c) A fax machine, a voice telephone for communication with the tote room and mutuel office at the race track. Both the fax machine and the voice phone must be on separate lines and must be immediately available to the mutuel employees at the site. The lines may not be used for other purposes at the site.

(7) The track will ensure its staff at the off-track site are instructed in and be knowledgeable of the operation of the satellite signal receiving and tote equipment in use on site.

(8) When there is a loss of data transmission, the wagering at the facility will be cancelled until the data transmission can be re-established. Tickets purchased prior to the loss of data transmission will be considered valid wagers. Winning tickets will only be cashed after the data transmission to the mutuel machines has been re-established.

Statutory/Other Authority: ORS 462.700

Statutes/Other Implemented: ORS 462.700

History:

RC 2-2011, f. 9-23-11, cert. ef. 10-1-11

RC 2-2009, f. 8-24-09, cert. ef. 10-1-09

RC 3-2000, f. 3-27-00, cert. ef. 5-1-00