



Oregon Racing Commission
800 NE Oregon St., Suite 310
Portland, Oregon 97232

Phone: 971-673-0208  Fax: 971-673-0213

Application for Race Track Licensure

Date of Application: _____

Fiscal Year Applicant Wishes to Operate: _____

Number of live racing days in the fiscal year applied for: _____

Applicant's Legal Name: _____

If applicant is a corporation provide the following:

Name of Company: _____

Address of Company: _____

City: _____ State: _____ Zip: _____

Telephone No: _____ Fax: _____

Date of Incorporation: _____ Place of Incorporation: _____

Is the business licensed to operate in Oregon? Yes or No? _____

If yes, please provide the Oregon business license number and expiration:

A background check will have to be completed on Officers and Directors of the Company prior to approval of the application. Complete the following: (**Note:** A separate Personal History Form and 2 fingerprint cards are required for each person)

Name	Position/Title
1.	
2.	
3.	
4.	
5.	
6.	

If more spaces are needed, please add those individuals in the supplemental section.

Oregon Racing Licenses must be obtained for Race Track employees prior to the approval of this application. Please provide list of all employees and the following required information:

Employee's Name	Position	Job Location
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		

12.		
13.		
14.		
15.		
16.		

If more spaces are needed please use the supplemental section or use a separate sheet of paper.

Is the Applicant operating in any other jurisdictions? **If yes**, provide the name of the jurisdiction, license number, and expiration:

Jurisdiction	License Number	Expiration

To the best of your knowledge, has the Applicant, officers, or board members, been cited, fined, or ruled off in any of the other jurisdictions? **If yes**, please provide details:

Please use this space or attach another sheet if you need to provide any Supplemental Information:

Required Items Checklist

The following items **must** be submitted in order for this application to be approved (put a check next to submitted items):

- _____ An attached document providing the name of race track(s) the applicant, or its agent, has contracts with that allow the applicant to provide the simulcast signals and pari-mutuel wagering on the product.
- _____ Financial information from the applicant that demonstrates the applicant has the financial resources to operate the race meet;
- _____ Detailed budget with anticipated revenue, expenditures and cash flows by month, from the race meet's operation during the license period;
- _____ Detailed plan of operations including the following information:
 - _____ Statement as to the manner in which the proposed simulcasting and wagering system will operate;
 - _____ Take-out rates for wagering during the licensing period;
 - _____ Programs for responsible wagering;
 - _____ Physical security controls for the Tote Room;
 - _____ Physical security plan for restricted areas;
 - _____ Agreement between the Oregon Horsemen's Benevolent Protective Association (OHBPA) and the state commercial race meet licensee as defined in ORS 462.062, a copy of which has been submitted to the commission;
 - _____ Complete listing of all names, operators and addresses of Off-track Betting (OTB) locations;
 - _____ Statement acknowledging tax liabilities as set forth in Chapter 462.
- _____ An Organizational Chart of the company, including reporting lines
- _____ List of all host contracts for exporting of signal on file at the time of application
- _____ Check or ACH representing \$100 per race day payable to the Oregon Racing Commission
- _____ Copy of current Public liability insurance policy
- _____ Copy of current Jockey Insurance policy
- _____ Copy of current Bond documentation that shows the Oregon Racing Commission as beneficiary equal to the amount of all moneys that escheat under OAR 462.110(2)
- _____ Documentation that the applicant and/or parent company are registered to do business in the state of Oregon
- _____ Personal History Form and Fingerprint Cards submitted for Officers and Directors, prior to the approval of this application.
- _____ *All Race Track employees must possess an Oregon Racing Commission license prior to the approval of this application. A separate license application for each individual, and 2 fingerprint cards will need to be submitted, in addition to a \$60 licensing fee for each.

Certification Page

By signing this application I acknowledge I have provided truthful and complete information, and I have read the Oregon Administrative Rules and Statutes pertaining to Race Track operations in Oregon. *Failure to submit any required documentation may delay in the processing of your license. Any dishonest or false statements may result in denial of license.*

Signature of Person Completing Application

Title

Printed Name

Date

Do not complete anything in this section. For Office Use Only:

Date Application Received: _____

Application Received By: _____

Have all required items been submitted? _____

Have criminal histories and applications been processed for those required? _____

Remarks: _____

Oregon Administrative Rules (OAR)

462-120-0050

License Application Procedures; Requirements for Corporations and Partnerships; Stable/Assumed Name

(1) License applications shall be made on forms furnished by the commission. An application is not complete until the application form has been filled out completely and signed by the applicant, the proper fee has been paid, and the applicant has submitted all documentation and information reasonably requested by the board of stewards or the commission. An oral interview may be required in a particular case. All licensees are required to maintain current information regarding themselves on file with the Oregon Racing Commission, including but not limited to their current address, telephone number and any information regarding rulings, arrests or convictions. The commission will send all forms of written communications, including notices, to the address the licensee has on file with the commission. Every person making application for a license to hold a race meet shall file the application with the Oregon Racing Commission in accordance with ORS 462.050. All applications, which will be due thirty days prior to the scheduled commission meeting at which the application is to be presented, should include:

(a) The applicant's legal name;

(A) If the applicant is a corporation, the names, addresses, dates of birth of its shareholders, directors and officers; if a shareholder is a corporation the date of incorporation, the place of incorporation and the names, addresses, and dates of birth of its designated representative, directors and officers must be provided; and

(B) If the applicant is a partnership the names, addresses, dates of birth of the partners; if a partner is a corporation the date of incorporation, the place of incorporation and the names, addresses, and dates of birth of its designated representative must be provided.

(C) If the shareholder of a corporate licensee, or a partner of a partnership licensee, is a corporation, the designated representative of that corporation shall provide to the commission the names, addresses and birth dates of that corporation's shareholders promptly upon request by the stewards or the executive director of the commission.

(b) The names of the race tracks the applicant, or its agent, has contracts with that allow the applicant to provide the simulcast signals and pari-mutuel wagering on the product at the time the application is made;

(c) Financial information from the applicant that demonstrates whether the applicant has the financial resources to operate the race meet;

(d) A detailed budget showing anticipated revenue, expenditures and cash flows by month, from the race meet's operation during the license period;

(e) The number of days that the applicant is planning to offer live racing during the fiscal year in which they are seeking to be licensed;

(f) A list of all race meet personnel containing the name, position and job location;

(g) A chart illustrating the organizational structure, including reporting lines;

(h) A list of all host contracts for exporting of signal on file at the time of application;

(i) A check representing \$100 per racing day payable to the Oregon Racing Commission;

- (j) Documentation supporting current Public liability insurance;
- (k) Documentation supporting current Jockey Insurance;
- (l) Documentation supporting a current Bond that shows the Oregon Racing Commission as beneficiary equal to the amount of all moneys that escheat under 462.110(2);
- (m) Documentation that the applicant and/or parent company are registered to do business in the state of Oregon;
- (n) As part of the application for licensure as a race meet, the applicant shall submit a detailed plan of operations in a format and containing such information as required by the commission. At a minimum, the operating plan shall address the following issues:
 - (A) The manner in which the proposed simulcasting and wagering system will operate;
 - (B) The take-out rates for wagering during the licensing period;
 - (C) Programs for responsible wagering;
 - (D) Physical security controls for the Tote Room;
 - (E) An agreement between the Oregon Horsemen's Benevolent Protective Association (OHBPA) and the state commercial race meet licensee as defined in ORS 462.062, a copy of which has been submitted to the commission;
 - (F) A complete listing of all names, operators and addresses of Off-track Betting (OTB) locations; and (G) Narrative acknowledging tax liabilities as set forth in Chapter 462.

462-140-0130

Duties of Race Meet Licensee

- (1) License Application. Applications for racing dates must be in the office of the commission when required by the commission.
- (2) Race Meet Licensee Employees. The race meet licensee shall be responsible for ensuring that all employees are properly licensed and current. The race meet licensee shall provide the licensing department with a complete list of employees at the start of each race meet and thereafter shall maintain and provide the licensing department with any subsequent changes.
- (3) Racing Officials. The race meet licensee shall hire all necessary racing officials and shall submit to the commission for approval the names of all proposed racing officials and their assistants, except commission employees, at least 45 days prior to the proposed race meet. This deadline may be waived by the commission for good cause. Substitutions of racing officials may be made from time to time as provided in OAR 462-140-0060(10). The race meet licensee shall provide the commission, for confirmation, timely updates of the list of officials and their assistants when changes are made. The commission may appoint an employee of the commission to serve as a racing official for any race meet and may require the race meet licensee to pay the employee's compensation.
- (4) Safe and Clean Facilities. The race meet licensee shall provide all facilities necessary for the proper conduct of the race meet and shall take every reasonable precaution to make all areas of the racecourse safe and shall ensure that the paddocks, starting gate, test barn and other equipment with which racing animals may come in contact are kept in a clean condition and free of dangerous surfaces. The race meet licensee shall keep the grounds of the racecourse in a clean condition.

- (5) Commission Offices. The race meet licensee shall provide adequate office space properly equipped and maintained for the use of the commission and its designated representatives. Office space includes, but is not limited to, general offices and stewards' office. Upon request, the race meet licensee shall furnish suitable space and accommodations for fingerprinting and photographing license applicants.
- (6) First Aid. During racing hours the race meet licensee shall provide and equip a first aid room within the racecourse and shall have present on the premises a licensed physician or registered nurse unless otherwise authorized by the board of stewards.
- (7) Equine Ambulance.
- (a) The race meet licensee shall provide an equine ambulance attached to a tractor or vehicle for the immediate removal of an injured animal from the racecourse. The ambulance shall be available during racing and training hours and the period preceding the official opening of the race meet.
- (b) The race meet licensee shall require a licensed veterinarian to be on the grounds during racing hours for the immediate treatment of an injured animal on the racecourse.
- (c) The race meet licensee shall have available either a licensed veterinarian on the grounds and/or a list of available veterinary clinics with emergency contacts and phone numbers for timely treatment of an injured animal on the racecourse during training hours.
- (8) Every race meet licensee shall operate its own pari-mutuel department, and in no event shall subcontract or let to concessionaires the operation of the pari-mutuel department or any part thereof without commission approval.
- (9) Totalizator. The race meet licensee shall maintain a satisfactory totalizator system, including a tote board.
- (10) Post-Race Test Area. The race meet licensee shall furnish a post-race receiving area approved by the commission veterinarian, with sufficient facilities to safely collect, store and secure saliva, urine, and/or blood samples from racing animals.
- (11) The race meet licensee shall provide adequate racing silks, saddlecloths, head numbers, lead weights, and other standard equipment.
- (12) Photo finish; Timing Devices. The race meet licensee shall provide a sufficient amount of light at the finish line for nighttime and twilight racing and shall install two automatic timing devices approved by the commission, and shall provide a photo finish booth meeting standards set by the commission. (The cost of photo finish services for pari-mutuel races shall be an expense of the commission)
- (13) Tip Sheets. The race meet licensee may contract with no more than two persons to sell tip sheets on the racecourse during a race meet. Tip sheets obtained from out-of-state host tracks which are part of the race meet licensee's simulcast program shall not count against the limit of two tip sheets. The race meet licensee shall provide booths and utilities for the tip sheet sellers, and may charge a reasonable fee for their use. The race meet licensee shall not allow anyone to sell tip sheets who is not licensed by the commission and shall not allow tip sheets to be sold in wagering areas. Tip sheets must be sold from a booth, and the previous day's sheets and outcomes must be displayed on the front of each booth. Tip sheets must be independently

handicapped, and each handicapper must sign and deliver such sheet at least one hour before post time to the commission office located on the racecourse.

(14) Security. The race meet licensee shall provide a sufficient number of security personnel to provide adequate security for all areas of the racecourse, including parking lots, test barn, and stable areas, and shall ensure that unlicensed individuals do not enter restricted areas. The race meet licensee and its security personnel shall cooperate with local authorities and with commission personnel in enforcing the rules of racing and the laws of this state, and shall promptly inform commission stewards of all violations of ORS chapter 462 and the rules of racing. All security reports and records will be made available in a timely manner to commission investigators, the board of stewards and/or the executive director.

(15) Commission Access. Members, employees, and representatives of the commission shall be given full and complete access to any and all areas of the racecourse at which a race meet is being held.

(16) Transmission. Any person desiring to broadcast, televise or transmit from the track by press wire pertinent information relating to any feature race run at the track shall first file with the commission, for its approval, an application stating the particular feature races and dates that it desires to broadcast, televise or transmit, together with the name and address of the representative of the public press, radio, or television authorized to broadcast, televise or transmit the requested information. Other than at approved off-track wagering facilities, shall the exact odds be announced, nor shall pay off of winners be given until the result of the race has been declared "official".

(17) Attendance Report. The race meet licensee may make a daily attendance report to the commission, unless otherwise authorized by the commission.

(18) Conflict of Interest. No employee, officer, or director of a race meet licensee shall be permitted to own, lease, or have any other interest in any racing animal entered for racing on the race meet licensee's racecourse, unless approved by the commission.

(19) Waste Disposal. The race meet licensee shall provide, secure and maintain medical waste containers as approved by the commission or commission designee.

(20) Parking Permits. When requested by the commission, the race meet licensee shall designate a parking area for commission members, employees, and special guests who are in possession of parking permits issued by the commission. Parking in the designated area shall be free.

(21) Communication System. The race meet licensee shall provide an adequate on track/outside communication system as required by the commission.

(22) Stalls. The race meet licensee shall attempt to be fair and equitable in assigning stall space, and shall provide receiving stalls for horses which are brought onto the racecourse from outside stable space for a race.

(23) Records of Horse Movements. The race meet licensee shall maintain a record of arrival and departure of all horses from the stable area.

(24) Numbered Buildings. All stables, barns and stalls shall be numbered or otherwise clearly identified.

(25) Track Kitchen. The race meet licensee, or other person approved by the race meet licensee, may maintain and supervise a kitchen in the stable area and shall supervise any other area where

food or drink is dispensed. All food service facilities shall comply with state and local health and sanitation requirements.

(26) Distance Pole Markers. Distance pole markers must be 10 feet from the rail and shall be painted as follows:

- (a) 1/4 poles — red and white;
- (b) 1/8 poles — green and white;
- (c) 1/16 poles — black and white.

(27) Horseman's Accounts. Unless otherwise authorized by the commission, the race meet licensee shall keep a separate account, to be known as the "horseman's account", with sufficient funds to cover all monies due horsemen in regard to purses, stakes, rewards, claims, and deposits. Only those persons in whose name the account is established, or their duly authorized agent, may make withdrawals from the account.

(28) Race Track Safety Standards. Any racetrack on which a licensed race meet is conducted must meet the following standards unless otherwise authorized by the commission for good cause:

(a) Rails. All racing surfaces must have inner and outer rails of a design and construction approved by the commission:

(A) Permanent rails must be made of a material which will take the impact of a horse without breaking away. All rail posts must be set in concrete at least 6 inches below the surface and at least 24 inches deep. The height of the rail must be 40 inches plus or minus 2 inches from the top of the cushion to the top of the rail. The top rail must be bolted or welded to the posts and should be smooth with no jagged edges.

(B) For race meets or continuous race meets that are licensed to run 25 days or more per fiscal year, the inside rail shall be permanent of gooseneck design and have no less than 24-inch overhang with a continuous smooth elevated cover which entirely covers the overhang.

(C) For race meets or continuous race meets which are licensed to run for 24 days or less during a fiscal year, the design of the rail is subject to the approval of the commission during the licensing hearing, with consultation from the executive director, the stewards, the race meet licensee(s), and the jockeys riding at the meet or their representative. In order to facilitate this provision the executive director, the director or racing for the race meet(s), the stewards and the jockeys or their representative shall discuss needed improvements for the next year's race meet during or at the conclusion of each meet.

(b) Gates (Gaps). No gate openings in a rail may be over 10 feet long without a center support. The top rail of the gate must be secured to the top of the rail. Gate openings should not look any different from the rest of the rail. All gates, other than the "On" and the "Off" gates during training, must be closed during racing and training. "On" and "Off" gates for horse access during training should be placed at least 50 feet apart.

(c) Morning Starting Gate. The starting gate used for morning schooling shall be placed far enough from the "On" and "Off" gates (gaps) so that horses coming on and going off the track will not interfere with or distract morning schooling or breaking from the gate.

(d) Obstacles. No obstacle or device, such as distance pole markers, electrical boxes, timers, starter's stands, patrol judge's stands, etc. shall be placed within 10 feet of the back of the bottom of the rail post unless made flexible or break-away.

(e) Drainage Ditches or Holes. Any drainage ditch or hole behind the inside rail must be covered with soft material level with the ground surface.

(f) Lighting. All race track lighting systems for nighttime racing must have an operational emergency generator or battery back-up system which is serviced and tested at least once a month during the track's racing season. Servicing and testing of the emergency lighting system must be documented in writing and available to the commission staff upon request.

(g) Ambulance.

(A) The race meet licensee shall provide an ambulance with standard medical equipment and certified paramedics or Emergency Medical Technicians (EMT) for protection of patrons and racing personnel during the conduct of a race meet, including workouts, and during the training period preceding the official opening of the race meet.

(B) During racing, the ambulance and/or a certified paramedic or EMT must be at the starting gate before horses are loaded. If the ambulance is being used to transport an individual, the race meet licensee may not conduct a race until the ambulance is replaced.

(C) During racing the ambulance shall follow the field either on the track or in the infield unless otherwise directed by the stewards. The ambulance must be staffed by certified paramedics or EMTs, be properly equipped and otherwise be suitable for transporting an injured person from the track to a roadworthy ambulance for transport to a hospital. A back-up ambulance is to be in attendance during the absence of the main ambulance.

(h) Safety Committee. Any race track location which has 15 or more race days per year, regardless of the number of race meet licensees, will have a safety committee. The safety committee will be made up of two (2) representatives from the management of the race meet licensee, two (2) representatives from the jockeys riding at the track, two (2) representatives from the horsemen with papers in the race office at the track, and at least one (1) of the state stewards. This committee will be responsible for addressing unsafe conditions on the racecourse including the racing surface and recommending solutions to the conditions to the race meet licensee management, the racing commission executive director and/or the commission.

(29) Assistant Starters. The race meet licensee shall ensure that there is one assistant starter per horse in the race plus at least one assistant starter to shut the tailgates.

(30) Valets. There shall be at least one valet for every three horses in the maximum field size approved by the commission.

(31) Fire Safety in Stable Areas:

(a) Every race meet licensee shall cause to be posted in the stable area of its premises the fire regulations applicable on its grounds and such posted notice shall also state the location of the nearest fire alarm box and the telephone number of the fire department or other pertinent instructions as to the method for reporting a fire in the area. Such notices shall be posted no more than one hundred (100) feet apart or as approved by the local fire authority. No race meet licensee, management or person shall violate the posted fire regulations specified by the commission.

- (b) All trainers or their assistants and all concessionaires or their assistants shall acquaint themselves with and brief their employees as to the following:
- (A) Smoking regulations.
 - (B) Location of fire notification system in immediate area of assigned barn.
 - (C) Location of all fire extinguishers and extinguishing equipment in assigned barn area.
 - (D) Regulations regarding occupancy, use of extension cords for extending electrical circuits, and use of electrical appliances.
 - (E) Regulations regarding storage and use of feed, straw, tack, and supplies.
 - (F) Track regulations with regard to fire and security, copies of which shall be provided to all trainers or their assistants and concessionaires or their assistants. These regulations shall be used in instructing members of the trainers' and concessionaires' staffs assigned to the barn area.
- (c) Signs shall be posted in every barn and associated buildings dealing with the following information:
- (A) Location of manual fire alarm stations, emergency telephones, or other methods of fire alert.
 - (B) Location of fire protection first-aid appliances.
 - (C) Emergency procedures specific to the particular track facilities.
 - (D) Location of nearest medical waste disposal containers.
- (d) No open burning shall be permitted in the barn area.
- (e) Smoking shall be prohibited except in designated safe areas. Proper warning signs shall be posted.
- (f) Use of any portable electrical appliance shall be restricted to the following conditions:
- (A) Multiple-outlet adapters shall be prohibited.
 - (B) Not more than one continuous extension cord shall be used to connect one appliance to the fixed receptacle, and such cord shall be listed for hard service and properly sized for the intended application.
 - (g) Extension cords shall not be supported by any metal object such as nails, screws, hooks, and pipes.
 - (h) Portable cooking and heating appliances shall be used only in spaces designated for such use provided they are separated from the stabling and storage areas of the barn.
 - (i) Portable electrical heating and cooking appliances shall be of a type that automatically interrupts electrical current to the heating element when the appliance is not in the normal operating position (tip-over disconnect).
 - (j) Use of exposed element heating appliances such as immersion heaters shall be prohibited except as used in accordance with the race meet licensee guidelines.
 - (k) The storage of flammable and combustible liquids, except those used for medicinal purposes, shall be prohibited.
 - (l) The water supply shall be capable of providing pressure and discharge capacity required for automatically supplying sprinklers, hydrants, and hose lines.
 - (m) Fire protection must meet the local fire regulations.
- (32) The race meet licensee shall have available current telephone numbers for twenty-four (24) hour emergency veterinarian care. The race meet licensee shall post an established procedure,

approved by the commission veterinarian, for providing emergency veterinarian care five (5) days prior to until five (5) days past their race meet.

(33) Any race meet licensee failing to enforce these rules may be subject to fine or revocation of license.

Statutory/Other Authority: ORS462.250

Statutes/Other Implemented: ORS 462.270