

Chapter 260-36 WAC

LICENSES

WAC

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190, filed 1/9/91, effective 1/22/91.] Repealed by 06-05-039, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020 and 67.16.040.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 260-36-020 Licenses required of jockeys, apprentices, owners, trainers. [Statutory Authority: RCW 67.16.020. 04-24-019, § 260-36-020, filed 11/22/04, effective 12/23/04. Statutory Authority: RCW 67.16.020 and 67.16.040. 89-13-007 (Order 89-03), § 260-36-020, filed 6/9/89; 86-09-072 (Order 86-02), § 260-36-020, filed 4/21/86; 82-14-012 (Order 82-05), § 260-36-020, filed 6/25/82; Rules of racing, § 245, filed 4/21/61.] Repealed by 06-05-039, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
- 260-36-040 Registration of personnel other than owners, trainers and jockeys—Fee. [Statutory Authority: RCW 67.16.020. 04-24-019, § 260-36-040, filed 11/22/04, effective 12/23/04. Statutory Authority: RCW 67.16.040. 02-10-101, § 260-36-040, filed 4/30/02, effective 5/31/02. Statutory Authority: RCW 67.16.020 and 67.16.040. 89-13-007 (Order 89-03), § 260-36-040, filed 6/9/89; 87-15-019 (Resolution No. 87-02), § 260-36-040, filed 7/8/87; 86-09-072 (Order 86-02), § 260-36-040, filed 4/21/86; 82-14-012 (Order 82-05), § 260-36-040, filed 6/25/82; Rules of racing, § 343, filed 4/21/61.] Repealed by 06-05-039, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
- 260-36-070 Licenses temporary subject to commission approval. [Rules of racing, § 346, filed 4/21/61.] Repealed by 06-05-039, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
- 260-36-090 Duplicate license cards. [Statutory Authority: RCW 67.16.020 [67.16.020] and 67.16.040. 82-14-012 (Order 82-05), § 260-36-090, filed 6/25/82; Rules of racing, § 344, filed 4/21/61.] Repealed by 04-24-019, filed 11/22/04, effective 12/23/04. Statutory Authority: RCW 67.16.020.
- 260-36-130 Revocation for association with disreputable persons. [Rules of racing, § 380, filed 4/21/61.] Repealed by 06-05-039, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
- 260-36-140 Harboring person not having credentials. [Rules of racing, § 353, filed 4/21/61.] Repealed by 06-05-039, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
- 260-36-160 Personnel lists. [Rules of racing, §§ 355, 356 and 357, filed 4/21/61.] Repealed by 06-05-039, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020 and 67.16.040.
- 260-36-190 Facsimile for owners may be used. [Statutory Authority: RCW 67.16.020 and 67.16.040. 91-03-033, § 260-36-

WAC 260-36-010 License required. (1) Any person acting in an official capacity or any person participating directly in horse racing must have a valid license, except as provided in subsection (2) of this section.

(2) The following persons are not required to have a license:

- (a) Commissioners and employees of the commission;
- (b) Persons employed by a racing association who only perform duties of concessions, housekeeping, parking, food and beverage, landscaping or similar functions, and do not act in an official capacity or participate directly in horse racing; and
- (c) Persons employed by an out-of-state racing association and holding a valid license from a recognized racing jurisdiction, who work for a Class A or B racing association as parimutuel clerks for a period not to exceed eight days total in any calendar year.

(3) Decisions regarding who is required to be licensed, if not addressed in this chapter, will be made by the executive secretary. It is a violation of these rules for any person to act in an official capacity or participate directly in horse racing unless licensed by the commission.

[Statutory Authority: RCW 67.16.020 and 67.16.040. 07-15-041, § 260-36-010, filed 7/13/07, effective 8/13/07. Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-010, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-010, filed 2/9/06, effective 3/12/06. Rules of racing, § 348, filed 4/21/61.]

[Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-015, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-015, filed 2/9/06, effective 3/12/06.]

WAC 260-36-015 Age requirement for license. Applicants for licensing must be at least fourteen years of age unless otherwise specified. An applicant may be required to submit a certified copy of his/her birth certificate.

[Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-015, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-015, filed 2/9/06, effective 3/12/06.]

WAC 260-36-030 Veterinarians—License required. Veterinarians licensed by the commission may also apply for a trainer's license. A licensee holding a veterinarian and a trainer's license is subject to the following restrictions:

(1) The licensee may treat, using veterinary methods, only those horses for which he/she is the trainer of record.

(2) Notwithstanding subsection (1) of this section, during an emergency on the grounds of the racing association, the licensee may respond and assist at the scene of the emergency. Any veterinary treatment provided at the scene must be reported in writing to the official veterinarian. The report will include, at a minimum, the names of horses treated and treatment rendered. The report must be filed by the next race day's first race.

[Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-030, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-030, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020. 04-24-019, § 260-36-030, filed 11/22/04, effective 12/23/04; 04-15-039, § 260-36-030, filed 7/12/04, effective 8/12/04. Statutory Authority: RCW 67.16.040. 91-24-085, § 260-36-030, filed 12/4/91, effective 1/4/92. Statutory Authority: RCW 67.16.020 and 67.16.040. 89-13-007 (Order 89-03), § 260-36-030, filed 6/9/89; 86-09-072 (Order 86-02), § 260-36-030, filed 4/21/86; 82-14-012 (Order 82-05), § 260-36-030, filed 6/25/82. Rules of racing, § 350, filed 4/21/61.]

WAC 260-36-050 Application for license. All applications for a license must be made to the commission on approved forms. It is a violation of these rules for any person applying for a license to provide false information or fail to provide accurate and complete information. Persons completing an application are responsible for the accuracy and completeness of the information contained on the application. Applicants may be required to have their photograph taken. The commission, executive secretary, stewards, or security investigators, in their discretion, may require a photograph from any applicant or licensee at any time.

[Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-050, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-050, filed 2/9/06, effective 3/12/06. Rules of racing, § 351, filed 4/21/61.]

WAC 260-36-060 Application for license—Stewards' review. (1) Applications for an initial license submitted by trainers, assistant trainers, jockeys, apprentice jockeys, jockey agents, exercise riders, pony riders, or outriders must be reviewed by a steward to determine if the applicant is qualified for the license requested.

(a) All assistant trainers must also obtain a groom license.

(b) Jockeys must have an exercise rider license to perform exercise rider duties.

(2) The determination whether an applicant is qualified for the license will be made by a steward based on review of the application, and, at the discretion of the steward, the applicant may also be required to do one or more of the following:

- (a) Pass a written exam;
- (b) Appear for an oral interview either in person or by phone; or
- (c) Demonstrate skills required for the license.

If a steward determines that an applicant is not qualified to receive the license requested, the applicant will be notified and provided an opportunity to request a stewards' ruling conference on that issue.

(3) If an applicant has been previously determined, within the past five years, to be qualified for the license requested, review of the applicant's qualifications for that license is not necessary for subsequent license applications for the same type of license. An applicant may be determined to be qualified for the license requested if that person has been licensed in this state or other recognized jurisdiction in the past five years.

[Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-060, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-060, filed 2/9/06, effective 3/12/06. Rules of racing, § 352, filed 4/21/61.]

WAC 260-36-062 Fitness to participate. (1) All applicants for a jockey, apprentice jockey, exercise rider, pony rider or outrider license must certify on their application that they are physically fit to ride.

(2) During the conduct of a race meet, if the board of stewards finds that a threat to the public health, safety or welfare requires emergency action, the board of stewards may require a jockey, apprentice jockey, exercise rider, pony rider or outrider to provide a physician's written statement verifying fitness to ride before being allowed to ride in a race or on the grounds of the racing association.

[Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-062, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-062, filed 2/9/06, effective 3/12/06.]

WAC 260-36-065 Approval of application for license. The procedure for processing license applications will be determined by the executive secretary.

[Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-065, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-065, filed 2/9/06, effective 3/12/06.]

WAC 260-36-080 Duration of a license. (1) Every license issued by the commission will be for a term not exceeding one year. Licenses expire on December 31st of each year except as otherwise provided in this rule.

(2) Licenses issued to employees of a racing association will be for a term of one year and expire on the last day of February of each year.

(3) A license will be considered expired as of the date a licensee is no longer performing the activities for which he or she was licensed, or, if applicable, the date the licensee is no longer employed by the employer who hired the licensee. The commission or its designee may, at its sole discretion, reinstate such a license if the licensee is reemployed or begins performing the activities for which he or she was licensed prior to the end of the license period for which the license had been originally issued.

[Statutory Authority: RCW 67.16.020. 07-01-052, § 260-36-080, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. 06-05-039, § 260-36-080, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020. 04-24-019, § 260-36-080, filed 11/22/04, effective 12/23/04. Statutory Authority: RCW 67.16.040. 94-04-002, § 260-36-080, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 67.16.020 and 67.16.040. 86-09-072 (Order 86-02), § 260-36-080, filed 4/21/86. Rules of racing, § 345, filed 4/21/61.]

WAC 260-36-085 License and fingerprint fees. The following are the license fees for any person actively participating in racing activities:

Apprentice jockey	\$83.00
Assistant trainer	\$40.00
Association employee—management	\$27.00
Association employee—hourly/seasonal	\$17.00
Association volunteer nonpaid	No fee
Authorized agent	\$27.00
Clocker	\$27.00
Exercise rider	\$83.00
Groom	\$27.00
Honorary licensee	\$17.00
Jockey agent	\$83.00

Jockey	\$83.00
Other	\$27.00
Owner	\$83.00
Pony rider	\$83.00
Service employee	\$27.00
Spouse groom	\$27.00
Stable license	\$51.00
Trainer	\$83.00
Vendor	\$127.00
Veterinarian	\$127.00

The license fee for multiple licenses may not exceed \$127.00, except persons applying for owner, veterinarian or vendor license must pay the license fee established for each of these licenses.

The following are examples of how this section applies:

Example one - A person applies for the following licenses: Trainer (\$83.00), exercise rider (\$83.00), and pony rider (\$83.00). The total license fee for these multiple licenses would only be \$127.00.

Example two - A person applies for the following licenses: Owner (\$83.00), trainer (\$83.00) and exercise rider (\$83.00). The total cost of the trainer and exercise rider license would be \$127.00. The cost of the owner license (\$83.00) would be added to the maximum cost of multiple licenses (\$127.00) for a total license fee of \$210.00.

Example three - A person applies for the following licenses: Owner (\$83.00), vendor (\$127.00), and exercise rider (\$83.00). The license fees for owner (\$83.00) and vendor (\$127.00) are both added to the license fee for exercise rider (\$83.00) for a total license fee of \$293.00.

In addition to the above fees, except for association volunteers (nonpaid) at Class C race meets, a \$10.00 fee will be added to cover the costs of conducting a fingerprint-based background check. The background check fee will be assessed only once annually per person regardless of whether the person applies for more than one type of license in that year.

The commission will review license and fingerprint fees annually to determine if they need to be adjusted to comply with RCW 67.16.020.

[Statutory Authority: RCW 67.16.020 and 2009 c 564 § 147, 10-21-055, § 260-36-085, filed 10/14/10, effective 11/14/10. Statutory Authority: RCW 67.16.020 and 67.16.040, 09-21-014, § 260-36-085, filed 10/9/09, effective 11/9/09; 08-05-087, § 260-36-085, filed 2/15/08, effective 3/17/08; 07-21-059, § 260-36-085, filed 10/12/07, effective 11/12/07. Statutory Authority: RCW 67.16.020, 07-01-054, § 260-36-085, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040, 06-05-039, § 260-36-085, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020, 04-24-019, § 260-36-085, filed 11/22/04, effective 12/23/04.]

WAC 260-36-100 Fingerprints. Every person applying for a license must furnish the commission his or her fingerprints upon making an initial application for a license. Following the initial application, each person must then submit fingerprints at an interval determined by the commission. However, the commission, executive secretary, stewards, or security investigators, in their discretion, may require fingerprints from any applicant or licensee at any time. If an applicant fails to furnish fingerprints, the stewards may suspend the license or deny, and/or assess a fine.

[Statutory Authority: RCW 67.16.020, 10-17-071, § 260-36-100, filed 8/13/10, effective 9/13/10. Statutory Authority: RCW 67.16.020 and (8/12/11)

67.16.040, 08-05-087, § 260-36-100, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.020, 07-01-052, § 260-36-100, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040, 06-05-039, § 260-36-100, filed 2/9/06, effective 3/12/06. Statutory Authority: RCW 67.16.020, 04-24-019, § 260-36-100, filed 11/22/04, effective 12/23/04. Rules of racing, § 349, filed 4/21/61.]

WAC 260-36-110 Display of license. (1) Licensees must present their license when requested to do so by racing association security personnel or commission employees.

(2) The commission may require licenses to be displayed in plain view while on association grounds.

(3) Every licensee must have his/her commission license in his/her immediate possession at all times when in any restricted area of racing association grounds, acting in an official capacity or participating directly in horse racing.

[Statutory Authority: RCW 67.16.020, 07-01-052, § 260-36-110, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040, 06-05-039, § 260-36-110, filed 2/9/06, effective 3/12/06; 81-15-034 (Order 81-06), § 260-36-110, filed 7/10/81. Rules of racing, § 28, filed 4/21/61.]

WAC 260-36-120 Denial, suspension, and revocation—Grounds. (1) The commission or its designee may refuse to issue or may deny a license to an applicant, may modify or place conditions upon a license, may suspend or revoke a license issued, may order disciplinary measures, or may ban a person from all facilities under the commission's jurisdiction, if the applicant licensee, or other person:

- (a) Has been convicted of violating any law regarding gambling or a controlled substance;
- (b) Has pending criminal charges;
- (c) Has failed to meet the minimum qualifications required for the license for which they are applying;
- (d) Has failed to disclose or states falsely any information required in the application;
- (e) Has been found in violation of statutes or rules governing racing in this state or other jurisdictions;
- (f) Has a proceeding pending to determine whether the applicant or licensee has violated the rules of racing in this state or other racing jurisdiction;
- (g) Has been or is currently excluded from a racetrack at which parimutuel wagering on horse racing is conducted by a recognized racing jurisdiction;
- (h) Has had a license denied by any racing jurisdiction;
- (i) Is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or who may interfere or has interfered with the orderly conduct of a race meeting;
- (j) Demonstrates financial irresponsibility by accumulating unpaid obligations, defaulting in obligations or issuing drafts or checks that are dishonored or payment refused;
- (k) Has violated any of the alcohol or substance abuse provisions outlined in chapter 260-34 WAC;
- (l) Has violated any of the provisions of chapter 67.16 RCW;
- (m) Has violated any provisions of Title 260 WAC;
- (n) Has association with persons of known disreputable character; or
- (o) Has not established the necessary skills or expertise to be qualified for a license as required by WAC 260-36-060.

(2) The commission or its designee must deny the application for license or suspend or revoke an existing license if the applicant or licensee:

(a) Has been convicted of any felony crime against a person. "Crime against a person" means a conviction for any offense enumerated in chapters 9A.32, 9A.36, 9A.40, 9A.42, and 9A.44 RCW, or an offense which would constitute an offense enumerated in those chapters if committed in Washington state;

(b) Has been convicted of any felony drug crime involving the possession or use of any drug as defined in chapter 69.41 RCW or any controlled substance as defined in chapter 69.50 RCW within the past three years;

(c) Has been convicted of any other felony drug crime as defined in chapter 69.41 RCW or felony crime involving a controlled substance as defined in chapter 69.50 RCW, or a felony drug crime which would constitute an offense enumerated in those chapters if committed in Washington state;

(d) Has been convicted of any other felony crime within the past ten years. Other felony crime includes any felony conviction not listed in (a), (b), and (c) of this subsection. This also includes an offense committed in another jurisdiction, which would constitute a felony if committed in Washington state;

(e) Has five or more convictions for gross misdemeanors within the last three years, as classified by the laws of the state of Washington or the laws of the jurisdiction in which the conviction occurred;

(f) Is subject to current prosecution for any felony crime;

(g) Has any felony conviction under appeal;

(h) Is currently suspended or revoked in Washington or by another recognized racing jurisdiction;

(i) Is certified under RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order; or

(j) Has any outstanding arrest warrants.

(3) In considering a challenge of a decision denying or revoking a license pursuant to subsection (2) of this section, the commission may only reverse the denial or revocation on a showing by the appellant of mitigating information and that the best interests of horse racing would not be compromised by granting or reinstating a license.

(4) A license suspension or revocation will be reported in writing to the applicant or licensee and the Association of Racing Commissioners International, Inc.

[Statutory Authority: RCW 67.17.020, 10-07-048, § 260-36-120, filed 3/11/10, effective 4/11/10. Statutory Authority: RCW 67.16.020, 07-01-052, § 260-36-120, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040, 06-05-039, § 260-36-120, filed 2/9/06, effective 3/12/06; 05-05-047, § 260-36-120, filed 2/14/05, effective 3/17/05. Statutory Authority: RCW 67.16.020, 04-07-075, § 260-36-120, filed 3/15/04, effective 4/15/04. Rules of racing, § 347, filed 4/21/61; sub. (2) added as rule § 347(a), filed 1/21/64.]

WAC 260-36-150 Employing or harboring an unlicensed person. No racing association or licensee may employ an unlicensed person in a position for which a license is required by these rules. No licensee may harbor any unlicensed person in the restricted areas on the grounds of any class A or B racing association.

[Statutory Authority: RCW 67.16.020, 07-01-052, § 260-36-150, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and

67.16.040, 06-05-039, § 260-36-150, filed 2/9/06, effective 3/12/06. Rules of racing, § 354, filed 4/21/61.]

WAC 260-36-180 Authority to search. In order to protect the integrity of horse racing and to protect the interests and safety of the public and participants, the commission and its employees have the right to enter into or upon the buildings, stables, rooms, motor vehicles or other places within the grounds of a racing association to examine the same and to inspect and examine the personal property and effects of any licensee within such places. Any person who has been granted a license by the commission, by accepting a license, authorizes the commission or its employees to search his/her person and the areas indicated herein and to seize any medication, drugs, paraphernalia or device prohibited by the rules of racing, or other evidence of a violation of the rules of racing. If a licensee refuses to allow a search, the board of stewards must revoke his/her license and refer the matter to the commission.

[Statutory Authority: RCW 67.16.020, 07-01-052, § 260-36-180, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040, 06-05-039, § 260-36-180, filed 2/9/06, effective 3/12/06; 05-05-043, § 260-36-180, filed 2/14/05, effective 3/17/05; 81-09-075 (Order 81-03), § 260-36-180, filed 4/22/81.]

WAC 260-36-200 Application for owner's license by trainer or other licensee. (1) A trainer, or other licensee approved by the stewards, may submit an application for an owner's license on behalf of an owner. Upon submitting such application, the licensee must pay all license fees and required labor and industries premiums.

(2) Within fourteen days of the licensee's submission of a license application on behalf of an owner, the owner must complete the license application process by providing fingerprints, a photograph, and any other information required by the commission. If the owner fails to complete the application process within fourteen days, the board of stewards may suspend the owner's license and/or assess a fine to the licensee found responsible.

(3) No horse may start in a race if the horse is owned in whole or in part by an owner who has failed to complete the owner's application.

[Statutory Authority: RCW 67.16.020 and 67.16.040, 08-05-087, § 260-36-200, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.020, 07-01-052, § 260-36-200, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040, 06-05-039, § 260-36-200, filed 2/9/06, effective 3/12/06; 05-09-045, § 260-36-200, filed 4/18/05, effective 5/19/05; 91-03-033, § 260-36-200, filed 1/9/91, effective 1/22/91.]

WAC 260-36-210 Owner's license. There is no age limitation for a person to apply for and be granted an owner's license, except that persons under the age of eighteen must have a parent or guardian assume financial responsibility for them.

[Statutory Authority: RCW 67.16.020, 07-01-052, § 260-36-210, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040, 06-05-039, § 260-36-210, filed 2/9/06, effective 3/12/06.]

WAC 260-36-220 Industrial insurance premiums—Additional premiums for exercise riders. (1) At the time of licensing, and as provided in this section and WAC 260-36-230, a trainer must pay the annual industrial insurance premi-

ums for exercise riders established by labor and industries, unless exempted under WAC 260-36-240. Coverage will only apply to licensed exercise riders exercising horses for a licensed trainer and for trainers, also licensed as exercise riders, exercising any of the horses in their care. It is the trainer's responsibility to ensure all exercise riders in their employ are properly licensed by the commission.

(2)(a) A trainer at a Class A or B track must pay all required annual industrial insurance premiums for exercise riders equal to the maximum number of horses in training on any given day during the calendar year that the trainer has both on and off the grounds of a racing association.

(b) For horses on the grounds of a Class A or B track, a trainer must count stalls that are occupied by horses (including horses that are sick or injured) under the trainer's care. Premiums will be calculated on the total number of stalls allotted by the racing association, even if the horse is stalled on the grounds for a day or less. (For example, if a trainer comes to Washington to enter or nominate his/her horse in one race and the horse is only on the grounds for one day, the trainer is required to pay the full industrial insurance premium for that one horse, except as provided in WAC 260-36-230.) Stalls assigned to and occupied by pony horses will not be counted.

(c) For horses off the grounds, a trainer must count all horses in training that are subject to being ridden by licensed exercise riders, if the exercise riders are to be covered by the Washington labor and industries insurance under the horse industry account.

(d) If any trainer increases the number of horses in training or racing, either on or off the grounds during the calendar year, the trainer is responsible to pay the additional premiums as provided in this section.

(e) If any trainer decreases the number of horses in training or racing, either on or off the grounds during the calendar year, the trainer is not entitled to any refund as premiums are annual fees that are not prorated and are assessed on the maximum number of horses in training on any day during the calendar year.

(f) It is the trainer's responsibility to maintain records and accurately report the number of horses in training (both on and off the grounds) for purposes of paying industrial insurance premiums required by this section. Any time during the calendar year if a trainer increases the number of horses in training or racing beyond the premium previously assessed the trainer is responsible for immediately reporting and paying the additional premium owed.

(3)(a) A trainer at a Class C track must pay industrial insurance premiums for exercise riders equal to the maximum number of different horses the trainer starts at the Class C tracks during the calendar year, or the maximum number of horses the trainer has in training, whichever is greater. All trainers at a Class C track are required to pay industrial insurance for at least one horse.

(b) If during the calendar year a horse is started by more than one trainer that horse, for the purpose of calculating the annual industrial insurance premium a trainer is required to pay, will count as a different horse for each trainer.

(c) It is the trainer's responsibility to maintain records and accurately report the number of different horses started or in training for the purpose of paying industrial insurance pre-

miums required in this section. Any time during the calendar year if a trainer increases the number of different horses started or the total number of horses in training beyond the premium previously assessed the trainer is responsible for immediately reporting and paying the additional premium owed.

[Statutory Authority: RCW 67.16.020. 11-17-050, § 260-36-220, filed 8/12/11, effective 9/12/11. Statutory Authority: RCW 67.16.020 and 67.16.040. 09-23-063, § 260-36-220, filed 11/13/09, effective 12/14/09; 08-05-087, § 260-36-220, filed 2/15/08, effective 3/17/08. Statutory Authority: [RCW 67.16.020.] 07-01-051, § 260-36-220, filed 12/14/06, effective 1/14/07.]

WAC 260-36-230 Short duration industrial insurance coverage. (1) Trainers entering horses to run in Washington races will be allowed to obtain short duration industrial insurance coverage that will reduce the amount of industrial insurance premium a trainer has to pay to provide employees financial relief from injury. Short duration coverage may be purchased no sooner than seven days prior to the start of the live race meet where the trainer plans to run. The following conditions will apply for short duration coverage:

(a) Trainers who ship in to Class A or B race meets may purchase short duration industrial insurance coverage for thirty consecutive calendar days. Trainers who have purchased any annual coverage at Class A or B race meets including paying premiums quarterly are not eligible for short duration coverage. Thirty-day short duration coverage can be purchased for each trainer's base coverage. Separate thirty-day short duration coverage can be purchased for each groom, and/or assistant trainer and separate coverage can be purchased for each exercise rider (WAC 260-36-220). The premium for thirty-day coverage will be set by the department of labor and industries (rounded to the next whole dollar). A trainer may only purchase Class A or B race meet short duration coverage for three thirty-day periods per calendar year. If a trainer extends coverage for more than three thirty-day periods the trainer will owe the annual premium for each groom and assistant trainer, and the annual premium for exercise rides (based on all horses on the grounds during the previous ninety-day coverage period). The premium owed for coverage extending past ninety days will be the annual premium, less what the trainer may have already purchased for each risk class.

(b) Trainers who ship in to Class C race meets may purchase short duration industrial insurance coverage for seven consecutive calendar days. Seven-day short duration coverage can be purchased for each trainer's base premium. Separate seven-day short duration coverage can be purchased for each groom and assistant trainer. The premium for seven-day short duration coverage will be set by the department of labor and industries (rounded to the next whole dollar). A trainer may only purchase Class C race meet short duration coverage for three seven-day periods per calendar year. Class C race meet short duration industrial insurance coverage is not transferable to a Class A or B race meet.

(2) Before short duration coverage will be allowed, a trainer must obtain a license and pay all applicable license and fingerprint fees required in WAC 260-36-085. The trainer is also required to ensure that each groom, assistant trainer, pony rider, and exercise rider hired by the trainer has

a proper license. A trainer may only employ persons on the grounds of the racing association who are properly licensed by the commission. Prior to the end of each short duration coverage period a trainer must pay the short duration premium for any additional grooms, or assistant trainers (groom slots) and any additional horses brought on the grounds of a Class A or B race meet, or any additional horses started in a race at Class C race meets.

[Statutory Authority: RCW 67.16.020. 11-17-050, § 260-36-230, filed 8/12/11, effective 9/12/11. Statutory Authority: RCW 67.16.020 and 67.16.040. 09-23-063, § 260-36-230, filed 11/13/09, effective 12/14/09; 08-05-087, § 260-36-230, filed 2/15/08, effective 3/17/08. Statutory Authority: [RCW 67.16.020.] 07-01-051, § 260-36-230, filed 12/14/06, effective 1/14/07.]

WAC 260-36-240 Industrial insurance coverage—Reciprocal agreements. The state of Washington has reciprocal agreements with other states. Trainers shipping in from these jurisdictions who have industrial insurance from a reciprocal state need not obtain industrial insurance coverage so long as they comply with the conditions of RCW 51.12.-120 and WAC 296-17-31009.

[Statutory Authority: [RCW 67.16.020.] 07-01-051, § 260-36-240, filed 12/14/06, effective 1/14/07.]