

Texas Racing Commission
Title 16, Part VIII
Chapter 309. Racetrack Licenses and Operations
Subchapter B. Operation of Racetracks
General Provisions

1 **309.103. Construction and Renovation of Racetrack**
2 **Facilities.**

3 (a) (No change.)

4 (b) Review of construction plan.

5 (1) At least ~~30~~ 60 days before the date an association
6 proposes to start a racetrack construction project, the
7 association shall submit a construction plan to the
8 executive secretary. The construction plan must be in
9 sufficient detail for the executive secretary to determine
10 whether the proposed project complies with all applicable
11 Commission rules.

12 (2)-(3) (No change.)

13 (c)-(e) (No change.)

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1 **309.116. Complaints.**

2 (a) An association shall provide an office to handle
3 complaints. ~~regarding the association facilities or an~~
4 ~~alleged violation of the Act or the Rules.~~

5 (b) An association shall respond promptly to all complaints
6 by patrons and licensees. ~~regarding the association~~
7 ~~facilities.~~

8 (c) An association shall promptly notify the executive
9 secretary of a complaint regarding:

10 (1) an alleged violation of the Act or a rule of the
11 Commission;

12 (2) an alleged violation of ordinances or statutes;

13 (3) accidents or injuries; or

14 (4) unsafe or unsanitary conditions for patrons,
15 licensees or race animals.

16 (d) An association's responsibility to respond to
17 complaints under subsection (b) of this section is
18 independent of the association's responsibility to notify
19 the executive secretary under subsection (c) of this
20 section.

21 (e)~~(d)~~ An association shall maintain a record of each
22 complaint received and the action taken by the association
23 regarding the complaint for two years.

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1 **309.118. Regulatory Office Space and Equipment.**

2 (a) An association shall provide adequate office space for
3 the use of the stewards or racing judges, occupational
4 licensing personnel, the Commission's investigative unit,
5 the pari-mutuel auditing staff and the staff employed by
6 the comptroller, the Commission veterinary and drug testing
7 staff, and the Department of Public Safety. The location
8 and size of the office space, furnishings, electrical
9 outlets, telephone lines, television monitors, and
10 equipment required under this section must be approved by
11 the executive secretary.

12 (b)-(c) (No change.)

13 (d) The office for the Commission's investigative unit must
14 be located adjacent to the occupational licensing office
15 and the Department of Public Safety office. The office must
16 be furnished and be equipped with:

17 (1) a private telephone line; and

18 (2) a television monitor to monitor the events on the
19 racetrack.

20 (e) The office space for occupational licensing personnel
21 must consist of two rooms, one of which must be private.
22 The room that is not private must be equipped with:

23 (1) a double counter;

24 (2) a fingerprint work area;

25 (3) a television monitor; ~~and~~

26 (4) a private telephone line; ~~-~~

27 (5) a private dedicated telephone line to be used by a
28 fax machine;

29 (6) a private dedicated telephone line to be used by a
30 credit card machine;

31 (7) the appropriate number of desks, file cabinets and
32 chairs;

33 (8) locking file cabinets or other locking storage
34 facilities adequate in size and number to store the
35 licensing files and checks; and

36 (9) power outlets adequate in number and capacity to
37 operate all of the Commission's electrical equipment
38 located within the occupational licensing office.

39 (f) The office space for the pari-mutuel auditing staff and
40 the staff employed by the comptroller must:

41 (1) provide an unrestricted view of the ~~totalisator~~
42 ~~system operators and the pari-mutuel computers;~~

43 (2) permit unrestricted entry to the totalisator
44 facilities;

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1 (3) be furnished with the appropriate number of desks
2 and chairs;

3 (4) include locking file cabinets in the work area or
4 other locking storage facilities, in which the auditors may
5 store computer printouts or magnetic tape and that are
6 large enough to store all state-controlled wagering records
7 for the association that are needed for audits by the
8 Commission or the comptroller;

9 (5) include a video and audio device that enables the
10 auditors to receive, simultaneously with the patrons, the
11 same information that the patrons receive;

12 (6) have at least ~~four~~ six power outlets to operate
13 electrical equipment;

14 (7) include a private telephone line; ~~and~~

15 (8) if requested by the Commission or the comptroller,
16 have an additional voice line to support dial-up
17 capabilities for a personal computer; and

18 (9) a private dedicated telephone line to be used by a
19 fax machine.

20 (g) Commission Veterinarian's Office.

21 (1) An association shall provide a secured office area
22 for the Commission veterinarians.

23 (2) The office must be adjacent to the drug testing
24 area ~~barn~~ and the pre-race holding area.

25 (3) The office must consist of at least two rooms, one
26 of which must be private. ~~The office must have a total~~
27 ~~floor area of at least 200 square feet.~~

28 (4) At horse racetracks, ~~t~~The office must be
29 constructed to allow a view of each of the adjacent areas.

30 (5) The office must be equipped with:

31 (A) a sink with hot and cold water built into a
32 counter of a size required by the executive secretary;

33 (B) desks and filing cabinets, in numbers as
34 required by the executive secretary, equipped with
35 locks; a desk and two filing cabinets, both of which
36 may be locked;

37 (C) at horse racetracks, refrigerators and
38 freezers, in sizes and numbers as required by the
39 executive secretary, equipped with locks; a
40 refrigerator with at least 10 cubic feet of inside
41 space and a freezer, in a size and number as required
42 by the Commission, both equipped with locks; and

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1 (D) at greyhound racetracks, a freezer in a size
2 as required by the executive secretary; a storage
3 area, which may be locked.

4 (E) a storage area, of a size required by the
5 executive secretary, with a door approved by the
6 executive secretary which may be locked.

7 (F) a private telephone line with a number of
8 telephones required by the executive secretary;

9 (G) television monitors as required by the
10 executive secretary; and

11 (H) at horse racetracks, a freestanding counter
12 of a size required by the executive secretary.

13 (6) All locks must be of a type approved by the
14 executive secretary.

15 (h) (No change.)

16 (i) All private telephone lines provided under this section
17 must:

18 (1) be assigned a unique telephone number that is
19 directly accessible by the public without the need to go
20 through an automated call answering system;

21 (2) be able to make both local and long distance
22 calls without the need to enter an access code;

23 (3) if requested by the executive secretary, be
24 listed in the governmental section of the local telephone
25 directory; and

26 (4) if requested by the executive secretary, be
27 listed on the association's website. have listings separate
28 from the association.

29 (j) An association shall provide at its expense computer
30 lines, phone equipment, and any necessary voice and data
31 network cabling eircuits, and network cabling in the
32 offices of the state regulatory and law enforcement
33 personnel as prescribed by the executive secretary. In
34 addition, the association shall reimburse the Commission
35 for the costs of any network or data circuits installed or
36 caused to be installed by the Commission at the
37 association's location.

38 (k) All costs of telecommunications for regulatory and law
39 enforcement personnel provided under this section shall be
40 paid by the association and the telecommunications service
41 may not be interrupted at any time. To ensure minimal
42 disruption to the Commission's regulatory functions, the
43 association shall ensure the Commission staff has twenty-
44 four hour access and keys to any telecommunications rooms

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1 ~~adequate any access to the telecommunications equipment~~
2 serving regulatory and law enforcement personnel as
3 prescribed by the executive secretary.

4 (l) An association shall provide to the Commission a number
5 of keys to the Commission offices as approved by the
6 executive secretary.

7 (m) An association shall provide, inside the enclosure and
8 in close proximity to the Commission's regulatory offices,
9 adequate reserved parking for Commission staff.

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1 **309.120. Parking for Licensees.**

2 An association shall provide a lighted parking area for
3 licensees outside the stable or kennel area.

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1 **309.168. Hazardous Weather.**

2 (a) An association shall establish and implement
3 procedures, approved by the executive secretary, to protect
4 race animals, licensees, employees, and patrons from
5 hazardous weather conditions.

6 (b) During live racing the stewards or judges, and during
7 non-live racing the association, shall order all
8 individuals on association grounds to take shelter when
9 hazardous weather occurs. The order to take shelter shall
10 take place:

11 (1) before lightning-producing thunderstorms have
12 moved to within 6 miles of the facility; or

13 (2) whenever the facility is within the affected area
14 of a severe thunderstorm or tornado warning as announced by
15 the National Weather Service.

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Subchapter C. Horse Racetracks
Operations

1 **309.250. Test Barn.**

2 (a) An association shall provide a test barn for taking
3 specimens for testing. The barn must be adjacent to the
4 Commission veterinarian's office.

5 (b) The barn must be shielded from the noise and excitement
6 of the races.

7 (c) The barn must be clean, sanitary, adequately
8 ventilated, and safe for the horses and the individuals who
9 handle the horses.

10 (d) The barn must be equipped with:

11 (1) a walk ring large enough to accommodate eight
12 horses;

13 (2) at least four enclosed stalls, equipped with dutch
14 doors and observation windows;

15 (3) a washrack that is large enough to accommodate two
16 horses at the same time; and

17 (4) eight disinfected water buckets for drinking
18 water.

19 (e) An association shall provide restroom facilities for
20 the test barn employees in close proximity to the test
21 barn.

22 (f) The area must have only one entrance, which must be
23 that is locked or guarded at all times. The area must have
24 a security guard present on live race days prior to the
25 first race and remaining until all race horses have been
26 released. The guard shall:

27 (1) restrict access to the test barn to Commission
28 personnel, test technicians, veterinarians, authorized
29 licensees escorting race horses for testing, and
30 Commission-escorted guests; and

31 (2) maintain an accurate log of all horses and licensees
32 entering and leaving the test barn on a form approved by
33 the executive secretary.

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1 **309.294. Starting Crew.**

2 An association shall provide a starting crew for each race
3 to assist in handling the horses in the starting gates. The
4 association shall provide one assistant starter for each
5 horse to start in a race. ~~a sufficient number of assistant~~
6 ~~starters for the number of horses to start in a race.~~

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Operations

1 **309.296. Official Program.**

2 (a) For each race day, an association shall prepare an
3 official program. The official program must contain the
4 order of the races on that day and:

5 (1) for each race:

6 (A) the names of the horses in the race and their
7 program number;

8 (B) the conditions of the race;

9 (C) the distance of the race;

10 (D) the probable odds on each horse;

11 (E) the value of the race;

12 (F) the claiming prices, if applicable; and

13 (G) the types of wagers to be offered for that
14 race; and

15 (2) for each horse listed in the program:

16 (A) the post position;

17 (B) the age, color, sex, and breeding;

18 (C) the jockey, trainer, owner or stable name,
19 and racing colors;

20 (D) the weight carried; ~~and~~

21 (E) if the horse is eligible for participation in
22 the Texas Bred Incentive Program, the name or logo of
23 the appropriate official breed registry; ~~-~~

24 (F) if the horse is a leased animal, the names of
25 the lessee and lessor must appear on the program; and

26 (G) the city and state of the owner or the
27 designated representative.

28 (b)-(c) (No change.)

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Subchapter D. Greyhound Racetracks
Facilities and Equipment

1 **309.309. Lockout Kennel.**

2 (a) An association shall provide a lockout kennel that:

3 (1) is soundproof, to prevent noise from disturbing
4 the greyhounds that are waiting to race;

5 (2) is air-conditioned sufficiently to maintain a
6 temperature between 68 and 75 degrees Fahrenheit; and

7 (3) has sealed or ceramic floors and walls to permit
8 proper cleaning and disinfection; ~~and~~

9 ~~(4) has a one way viewing window to allow the trainers
10 to view the interior of the lockout kennel.~~

11 (b) Each crate located in the lockout kennel must:

12 (1) be constructed of a smooth, hard material, such as
13 stainless steel or tile;

14 (2) be at least three feet wide, four feet deep, and
15 four feet high;

16 (3) be constructed so that the crate floor is not in
17 direct contact with the concrete surface;

18 (4) be located on the floor level to prevent
19 greyhounds from sustaining jumping injuries; and

20 (5) have a drop latch on the door.

21 (c) An association shall provide a comfortable room near
22 ~~adjacent to~~ the lockout kennel in which a kennel owner or
23 trainer may view the race. The association shall also
24 provide kennel owners and trainers a method for monitoring
25 the interior of the lockout kennel as approved by the
26 executive secretary. ~~and view the interior of the lockout~~
27 ~~kennel.~~

28 (d) An association shall provide an area adjacent to the
29 lockout kennel in which a greyhound can wait to weigh-in
30 and cool down following a race or wait for schooling races.
31 The area must:

32 (1) be large enough to comfortably accommodate 100
33 greyhounds and the leadouts and trainers;

34 (2) be adequately shaded and fenced to shield the
35 greyhounds' view of the racetrack;

36 (3) have eight water faucets with hoses;

37 (4) have a disinfected dipping vat, approved by the
38 Commission veterinarian, through which a greyhound may be
39 walked to assist in cooling down following a race; and

40 (5) have adequate drainage.

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Facilities and Equipment

1 **309.311. Kennel Compound.**

2 (a) An association shall provide in the kennel compound

3 area ÷

4 ~~(1) not more than 18 separate kennel buildings for the~~
5 ~~kennel owners under contract with the association. ÷ and~~

6 ~~(2) a separate kennel building for greyhounds that will be~~
7 ~~participating in stake races, designed to accommodate~~
8 ~~several trainers and their greyhounds.~~

9 (b)-(d) (No change.)

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Facilities and Equipment

1 **309.312. Turnout Pens.**

2 Each kennel building must have at least three turnout pens.

3 Each pen must:

4 (1) be free of any obstructions;

5 (2) measure at least 20 feet by 40 feet;

6 (3) have gates that connect to the other pens;

7 (4) have at least a 15 foot overhang from the

8 building;

9 (5) have at least two halogen lights of 300 watts each

10 located at each end;

11 (6) be surrounded by a fence at least six feet high,
12 of which the lower 32 inches is constructed of cinder block
13 or a comparable material and the remaining portion is
14 constructed of chain link;

15 (7) have a gate adequate to accommodate a vehicle to
16 remove the sand and deposit new sand;

17 (8) have adequate water faucets and drainage; and

18 (9) have sand or a comparable material of a depth
19 approved by the executive secretary that is maintained in a
20 sanitary state. ~~a minimum of 12 inches of sand or a~~
21 ~~comparable material that is replaced at least every 3~~
22 ~~months.~~

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Facilities and Equipment

1 **309.314. Sprint Path.**

2 An association shall provide, for every five ~~three~~ kennel
3 buildings, a sprint path located adjacent to the kennel
4 compound area. The sprint path must:

- 5 (1) be at least 30 feet wide and 400 feet long;
6 (2) be divided down the middle by a chain link fence;
7 (3) have at least one gate on each end for entering or
8 exiting with greyhounds;
9 (4) have a driveway along the side;
10 (5) have a base and surface comparable to the
11 racetrack surface; ~~and~~
12 (6) have a highly visible material at both ends; and
13 ~~be maintained by the association at all times.~~
14 (7) be maintained by the association at all times.
15