



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (October 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: March 09, 2018

TIME: 2:06 PM

WSR 18-07-017

Agency: Washington Horse Racing Commission

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: To update and add a description of what a "chance to respond" is considered in the use of the riding crop.

Citation of rules affected by this order:

New:

Repealed:

Amended: WAC 260-52-045

Suspended:

Statutory authority for adoption: RCW 67.16.020

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-03-049 on January 10, 2018 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	<u>1</u>	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: March 9, 2018

Name: Douglas L Moore

Title: Executive Secretary

Signature:



WAC 260-52-045 The riding crop. (1) Only riding crops approved by the stewards and meeting the following specifications will be allowed:

- (a) Maximum weight of 8 ounces;
- (b) Maximum length (including flap) of 30 inches;
- (c) Minimum diameter of the shaft of one-half inch; and
- (d) The contact area of the shaft must be smooth with no protrusions or raised surface.

(2) The only additional feature that may be attached to the riding crop is a flap. If a flap is attached it must meet the following specifications:

- (a) Maximum length of the flap from the end of the shaft is one inch;
- (b) Maximum width of the flap is 1.6 inches, with a minimum width of 0.8 inch;
- (c) The flap, from the end of the shaft, may not contain any reinforcements or additions;
- (d) There may be no binding within 7 inches of the end of the flap;

(e) The flap must be humane, cushioned with memory foam or other similar shock absorbing material, unaltered from the original manufacturer, and sewn down each side of the outer layer;

(f) The flap must be dark in color and made of a material that does not harden over time; and

(g) The requirement for the riding crop is waived for Class C race meets as defined in RCW 67.16.130.

(3) The riding crop is subject to approval by the stewards and subject to inspection by any steward, commission racing official, official veterinarian, or investigator.

(4) Although the use of a riding crop is not required, any jockey who uses a riding crop during a race may do so only in a manner consistent with exerting his/her best efforts to win. In all races where a jockey will ride without a riding crop, an announcement will be made over the public address system. No device designed to increase or retard the speed of a horse, other than an approved riding crop is permitted on the grounds of any racing association. Riding crops may not be used on 2-year-old horses before April 1 of each year.

(5) Prohibited uses of the riding crop include striking a horse:

(a) On the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse;

(b) During the post parade or after the finish of the race, except when necessary to control the horse;

(c) Excessively or brutally causing welts or breaks in the skin;

(d) When the horse is clearly out of the race or has obtained its maximum placing;

(e) Persistently even though the horse is showing no response under the riding crop; and

(f) Striking another rider or horse.

(6) The riding crop should only be used for safety, correction, and encouragement. All riders should consider the following when using the riding crop:

~~(a) ((Showing the horse the riding crop and giving the horse time to respond before striking the horse;~~

~~(b) Giving))~~ When using the crop the rider should give the horse ((the) a chance to respond ((before using the riding crop again; and (e)));

(b) A chance to respond is defined as one or more of the following actions:

(i) Pushing on their horse with a rein in each hand keeping the riding crop in the up or down position;

(ii) Showing the horse the riding crop without making contact;
and

(iii) Moving the riding crop from one hand to the other.

(c) Using the riding crop in rhythm with the horse's stride.

(7) After the race or during training all horses are subject to inspection by a steward, official veterinarian, commission racing official, or investigator.

(8) Any trainer, owner, or other licensee that instructs a jockey to use the riding crop in a manner not consistent with these rules may be subject to disciplinary action.