



# RULE-MAKING ORDER PERMANENT RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: November 12, 2019

TIME: 7:39 AM

WSR 19-23-034

**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 increase license fees to cover the cost of the program as required in RCW 67.16-020..

**Citation of rules affected by this order:**

New:

Repealed:

Amended: WAC 260-36-085

Suspended:

**Statutory authority for adoption:** RCW 67.16.020

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 19-19-006 on September 6, 2019 (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| Federal statute:                 | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards:      | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |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| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

**The number of sections adopted on the agency's own initiative:**

|     |     |         |          |          |     |
|-----|-----|---------|----------|----------|-----|
| New | ___ | Amended | <u>1</u> | Repealed | ___ |
|-----|-----|---------|----------|----------|-----|

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

|     |     |         |          |          |     |
|-----|-----|---------|----------|----------|-----|
| New | ___ | Amended | <u>1</u> | Repealed | ___ |
|-----|-----|---------|----------|----------|-----|

**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:** November 8, 2019

**Name:** Douglas L Moore

**Title:** Executive Secretary

**Signature:**



AMENDATORY SECTION (Amending WSR 12-23-015, filed 11/9/12, effective 12/10/12)

**WAC 260-36-085 License and fingerprint fees.** (1) The following are the license fees for any person actively participating in racing activities:

|  |                               |
|--|-------------------------------|
| Apprentice jockey                      | \$((83.00))<br><u>96.00</u>   |
| Assistant trainer                      | \$((40.00))<br><u>46.00</u>   |
| Association employee - Management      | \$((27.00))<br><u>31.00</u>   |
| Association employee - Hourly/seasonal | \$((17.00))<br><u>20.00</u>   |
| Association volunteer nonpaid          | No fee                        |
| Authorized agent                       | \$((27.00))<br><u>31.00</u>   |
| Clocker                                | \$((27.00))<br><u>31.00</u>   |
| Exercise rider - Farm                  | \$((83.00))<br><u>96.00</u>   |
| Exercise rider - Track                 | \$((83.00))<br><u>96.00</u>   |
| Groom                                  | \$((27.00))<br><u>31.00</u>   |
| Honorary licensee                      | \$((17.00))<br><u>20.00</u>   |
| Jockey agent                           | \$((83.00))<br><u>96.00</u>   |
| Jockey                                 | \$((83.00))<br><u>96.00</u>   |
| Other                                  | \$((27.00))<br><u>31.00</u>   |
| Owner                                  | \$((83.00))<br><u>96.00</u>   |
| Pony rider - Farm                      | \$((83.00))<br><u>96.00</u>   |
| Pony rider - Track                     | \$((83.00))<br><u>96.00</u>   |
| Service employee                       | \$((27.00))<br><u>31.00</u>   |
| Spouse groom                           | \$((27.00))<br><u>31.00</u>   |
| Stable license                         | \$((51.00))<br><u>59.00</u>   |
| Trainer                                | \$((83.00))<br><u>96.00</u>   |
| Vendor                                 | \$((127.00))<br><u>146.00</u> |
| Veterinarian                           | \$((127.00))<br><u>146.00</u> |

(2) Exercise and pony riders.

(a) A person receiving an exercise rider - track license must first obtain an exercise rider - farm license if that person works off the grounds of a Washington race track. A person receiving a second

exercise rider's license will not be charged an additional license fee for that second license.

(b) A person receiving a pony rider - track license must first obtain a pony rider - farm license if that person works off the grounds of a Washington race track. A person receiving a second pony rider's license will not be charged an additional license fee for that second license.

(3) In other cases, the license fee for multiple licenses may not exceed ~~\$(127.00)~~ 146.00, 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)~~) 96.00, exercise rider (~~\$(83.00)~~) 96.00, and pony rider (~~\$(83.00)~~) 96.00. The total license fee for these multiple licenses would only be ~~\$(127.00)~~ 146.00.

Example two - A person applies for the following licenses: Owner (~~\$(83.00)~~) 96.00, trainer (~~\$(83.00)~~) 96.00 and exercise rider (~~\$(83.00)~~) 96.00. The total cost of the trainer and exercise rider license would be ~~\$(127.00)~~ 146.00. The cost of the owner license (~~\$(83.00)~~) 96.00 would be added to the maximum cost of multiple licenses (~~\$(127.00)~~) 146.00 for a total license fee of ~~\$(210.00)~~ 242.00.

Example three - A person applies for the following licenses: Owner (~~\$(83.00)~~) 96.00, vendor (~~\$(127.00)~~) 146.00, and exercise rider (~~\$(83.00)~~) 96.00. The license fees for owner (~~\$(83.00)~~) 96.00 and vendor (~~\$(127.00)~~) 146.00 are both added to the license fee for exercise rider (~~\$(83.00)~~) 96.00 for a total license fee of ~~\$(293.00)~~ 338.00.

In addition to the above fees, except for association volunteers (nonpaid) at Class C race meets and those excluded as listed in WAC 260-36-100, 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.