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ILLINOIS RACING BOARD
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LICENSING**

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SUBPART A: PROCEDURE

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Section 502.10 Submission of Application

- a) Any person desiring an occupation license shall apply on forms provided by the Illinois Racing Board (Board). If additional information is requested for the purpose of determining an applicant's eligibility or qualifications, the Board shall notify the applicant that he or she shall provide the supplemental information.
- b) Applications may be obtained from the license office at any race track regulated by the Board or from the Board's central office in Chicago or at the Board's website (www.state.il.us/agency/irb).
- c) Applications shall be filed in the licensing office, at the race track where the applicant wishes to participate in a race meeting. Applications may also be filed at the Board's central office, but the applicant shall indicate on the application the race track at which the applicant wishes to participate.

Section 502.20 Complete Application

An application shall not be considered until the application form has been filled out completely, all information requested by the Board has been supplied, and the appropriate license fee has been paid in accordance with 11 Ill. Adm. Code 502.30.

Section 502.30 License Fees

- a) Applications for annual occupation licenses shall be accompanied by a non-refundable fee according to the following schedule:
 - 1) \$25-owner, trainer, owner/trainer owner/trainer/driver, driver, jockey, apprentice jockey, jockey agent, veterinarian, farrier, apprentice farrier, authorized agent, vendor, partnership, starter, steward, totalizator employee, racing official, intertrack employee and business agent;
 - 2) \$15-assistant trainer and veterinarian's assistant;
 - 3) \$10-exercise person, pony person, foreman and vendor helper;
 - 4) \$5-hot walker and groom.
- b) The following individuals shall submit the license application together with any other information (where applicable, listed in Subpart B or C) required by the Board, including but not limited to fingerprint cards, the required fee for fingerprint cards and certification of licensure, but shall not be assessed a license fee:

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- 1) persons who perform professional services, such as members of the clergy, doctors, EMTs, dentists, social workers, and substance abuse counselors.
- 2) race track employees such as valets, assistant starters, charters, jockey room masseurs, kitchen help and jockey room custodians.

Section 502.40 Duration and Extent of Occupation Licenses

- a) Each occupation license shall expire December 31 of each year. Owners otherwise meeting the requirement of Section 502.30 and Subparts B, C, and D of this Part shall be granted a temporary license pending completion of the full application, which will be valid for 30 days from the date of issuance. Upon expiration of the 30-day temporary license, the owner's occupation license will be suspended pending completion of all licensing procedures.
- b) An occupation license issued at one race meeting during the calendar year shall be valid at any other race meeting regulated by the Board that year provided that the holder:
 - 1) is not found to be in violation of the Act or of the rules of the Board;
 - 2) is not convicted of a crime as defined in 502.60;
 - 3) has not had his license or permit suspended or revoked in any other racing jurisdiction; and
 - 4) is qualified to perform the duties required of such applicant, according to Sections 502.120 through 520.790.

Section 502.50 Rulings and Hearings

If the stewards recommend, based upon Sections 502.60, 502.90, 502.95, 502.100 or 502.104, that a completed application be denied by the Board, they shall issue a ruling to that effect. The applicant may then request a hearing before the Board pursuant to the provisions of 11 Ill. Adm. Code 204. If the applicant does not exhaust these administrative remedies by requesting a hearing within the time specified in 11 Ill. Adm. Code 204.20(c), the stewards' ruling shall become a final decision of the Board, and the applicant shall be ineligible to reapply for a license for the balance of the calendar year from the date of the stewards' ruling.

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Section 502.55 Denial of License

The denial of a license by the Board to any applicant has the effect as a ruling for the violation of a rule, and the denial of a license by the Board will continue in effect until such time as the Board shall approve a subsequent application for a license in accordance with the criteria in Sections 502.60 through 502.104.

Section 502.58 License to Participate

No person shall participate in a race meeting unless such person has been granted a license.

SUBPART B: STATUTORY GROUNDS FOR DENIAL OF A LICENSE

Section 502.60 Denial of a License for Criminal Conviction

- a) Pursuant to Section 15(c) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1985, ch. 8, par. 37-15(c)) (the Act), THE BOARD MAY, IN ITS DISCRETION, REFUSE TO GRANT AN OCCUPATION LICENSE TO ANY PERSON WHO HAS BEEN CONVICTED OF A CRIME.
- b) For purposes of this Section, a crime includes both felonies and misdemeanors, except for minor traffic offenses, such as parking or speeding tickets. Driving under the influence, as defined in Section 11-501 of the Illinois Rules of the Road (Ill. Rev. Stat. 1985, ch. 952, par. 11-501) is also a crime.
- c) A criminal conviction exists when a plea of guilty, finding of guilty, or a plea of nolo contendere was entered.
- d) Upon a request for a hearing pursuant to 11 Ill. Adm. Code 204 from the stewards' recommendation in accordance with Section 502.50, the Board will review the nature of the crime(s), especially crimes of dishonesty, fraud, deceit or violence, when the crimes were committed and the applicant's subsequent employment history.

Section 502.72 First-time Applicant Who Has Been Convicted of a Crime

- a) Provisions of this Section shall apply only to applicants who have never previously applied for a license and who have been convicted of a crime within a period of four years prior to the date of filing a first-time application for a license with the Board.
- b) Applicants who have been convicted of a crime shall attach with the application the following:

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- 1) a certified copy of the judgment of the conviction; and
 - 2) at least two letters of reference from persons, none of whom are relatives, who have known the applicant for more than four years and who have personal knowledge of the applicant's character and his reputation for honesty and integrity.
- c) An applicant shall not construe compliance with the provisions of this section to mean that he is automatically entitled to a license.

Section 502.76 Prohibitions Against Persons on Conditional Discharge, Parole, Probation or Supervision

No license shall be granted to any person while on conditional discharge, parole, probation or supervision for any crime relating to horse racing, gambling, drugs, use of firearms, acts of violence, or crimes involving dishonesty such as forgery, deceptive practices, or theft, unless the Board finds that the applicant has complied with the conditions and terms of his court-ordered disposition.

Section 502.78 Probationary Nature of Licenses

- a) All licenses granted by the Board are subject to suspension or revocation pursuant to Section 15(d) of the Act or due to violations of Section 502.100 of the rules or any crimes, as defined in Section 502.60, that occur or are later discovered after the license has been granted.
- b) An applicant who receives a license pursuant to Sections 502.72 and 502.76 shall be admonished, at the time the license is granted, that severe sanctions, such as license revocation or suspension, will be imposed if the holder of such a license violates the Act or the rules of the Board.
- c) Notwithstanding the Board's approval of an applicant under Sections 502.72 and 502.76, an applicant may be denied a license because:
 - 1) The applicant otherwise fails to possess the fitness or experience set forth in Sections 502.120 through 502.790; or
 - 2) An apparent or actual conflict of interest exists, as prohibited by the Board in Sections 502.800 through 502.850.

Section 502.80 Unqualified to Perform the Duties

Pursuant to Section 15(c)(2) of the Act, the Board may refuse or deny a license application if the applicant:

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- a) fails to meet the specific criteria set forth in Sections 502.120 through 502.790; or
- b) has an apparent or actual conflict of interest as set forth in Sections 502.800 through 502.850.

Section 502.90 Falsifying Answers or Omitting Facts

- a) Pursuant to Section 15(c)(3) of the Act, the Board shall deny a license application if the applicant:
 - 1) Knowingly gives false answers to questions during the course of a steward's inquiry; or
 - 2) Knowingly gives false answers in a hearing by the Board; or
 - 3) Knowingly withholds information in his application.
- b) Applicants are cautioned to read the application carefully and take care in providing their social security numbers and dates of birth. If the applicant has a question about the application, he may seek assistance from the Board's licensing personnel or the Stewards. However, the applicant will be solely responsible for the truth and correctness of all information furnished in the application.

Section 502.100 Just Cause

The Board shall deny a license if the applicant's license or permit has been suspended, revoked, or denied for just cause in another racing jurisdiction. For the purpose of this Section and Section 502.104, "just cause" means a violation of the statutes, ordinances, or rules of another racing jurisdiction. Just cause shall not include any cause based solely on race, color, creed, national origin, or sex.

Section 502.102 Burden of Going Forward

Any applicant previously licensed by any other racing jurisdiction whose license has been suspended or revoked, or who has been excluded by another racing jurisdiction, shall have the burden of going forward with the following:

- a) Evidence that the applicant's license has been restored; and
- b) Evidence that establishes that the applicant has the experience and general fitness for licensure in Illinois.

Section 502.104 Denial of a License for Just Cause in Illinois or in Another Racing Jurisdiction

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- a) Pursuant to Sections 15(c)(4) and (5) of the Act, the Board shall deny an application for a license for just cause if:
 - 1) The applicant's license in another racing jurisdiction has been suspended or revoked; or
 - 2) The applicant has been excluded by another racing jurisdiction; or
 - 3) The applicant has violated the Board's rules or the Act.
- b) Pursuant to Section 16(a) of the Act, the Board may refuse to issue or may suspend the occupation license of any person who fails to file a tax return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied.
- c) Just cause shall not include any cause based solely on race, color, creed, national origin or sex.

SUBPART C: GENERAL CRITERIA

Section 502.110 Criteria for Determining Eligibility

In considering license applications, the Board shall consider those criteria set forth in Section 502.60 through 502.104.

Section 502.115 Standards Required of All Applicants

- a) An applicant, other than a corporation, for an occupation license shall be at least 16 years of age, except as provided in Sections 502.120(b), 502.200, 502.230, and 502.250.
- b) An applicant for an occupation license shall furnish with his license application two sets of classifiable fingerprints on the law enforcement agency cards provided by the Board:
 - 1) when applying for a license; or
 - 2) when requested by the stewards in the course of an investigation or inquiry; and
 - 3) pursuant to Section 15(e) of the Act, each applicant may fulfill his fingerprint requirement at either the licensing office of each

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racetrack or, with prior approval of the state stewards, at a law enforcement agency.

- c) An applicant for an occupation license in all categories, except that of owner, shall be a United States citizen, a permanent resident alien, or be the holder of a temporary or permanent work permit, pursuant to 20 CFR
- d) In addition to the foregoing requirements, applicants shall meet the specific standards for eligibility set forth in Section 502.120 through 502.790 herein.

SUBPART D: OWNERS

Section 502.120 Owners

- a) An applicant for an owner's license shall own, in whole or in part, or lease a horse eligible to race at the race meeting where the applicant seeks to participate. The horse must be under the care of a trainer licensed by the Board.
- b) If younger than 18 years of age, an applicant for an owner's license shall submit an affidavit from a parent or legal guardian stating that the parent or legal guardian shall assume legal responsibility for the applicant's financial, contractual, or other obligations relating to the applicant's participation in racing if the license is granted. A parent or legal guardian submitting such an affidavit shall also submit the information required in subsection (c) below.
- c) An applicant for an owner's license shall be capable of meeting the financial obligations incurred in the ownership, stabling, racing, training, and care of a race horse.
- d) Owners licenses are personal in nature and expire upon the death of the licensee, and thereafter are void and without effect as a pre-requisite for the entry of a horse. When the decedent was the sole owner the only mechanism by which a deceased owner's horse(s) may be entered before the property rights in those horses have been fully and completely transferred through legacy, intestate succession or authorized sale, is as follows: upon presentation to the licensing office of letters of administration or letters testamentary issued by a court of competent jurisdiction, or small estate affidavit, the person named in the letter or affidavit shall be licensed as an authorized agent of the estate of the decedent and allowed to enter the horse(s) formerly owned by the decedent, subject to any limitations imposed by the court.

SUBPART E: TRAINERS AND ASSISTANT TRAINERS

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Section 502.200 Trainers and Assistant Trainers

An applicant for a license as a trainer or an assistant trainer shall:

- a) Be at least 18 years of age and have been licensed as a trainer or assistant trainer by the Board or another racing jurisdiction. Any person applying for a license as a trainer or assistant trainer for the first time in Illinois shall submit to the examinations required of prospective trainers and assistant trainers, as provided in Section 502.210, unless previously licensed in one of these capacities in another racing jurisdiction where he or she was administered and passed a trainer's examination.
- b) Additionally, an applicant for a trainer's license shall:
 - 1) have at least one horse to train that is eligible to race in Illinois;
 - 2) be capable of meeting the financial obligations incurred in the stabling, racing, training, and care of the horse in his or her care; and,
 - 3) provide proof of having complied with Section 502.220.
- c) An applicant for an assistant trainer's license shall be employed by a licensed trainer. In order to employ an assistant trainer, a trainer must have at least six horses in his or her stable, but may have no more than one assistant trainer for every 20 horses in training. However, if a trainer has fewer than six horses and wishes to ship one or more to another race track, or if a trainer shows a hardship such as a physical impairment, the Stewards shall allow the trainer to have an assistant trainer.

Section 502.210 Prospective Trainers or Assistant Trainers

If the applicant for a trainer or assistant trainer's license has never been previously so licensed by the Board or has been so licensed by another racing jurisdiction for less than one year, the applicant shall:

- a) have at least two years' experience in a licensed racing occupation;
- b) submit three letters of recommendation from former employers and/or currently licensed trainers who can attest to the applicant's training ability and experience;

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- c) demonstrate, by actual performance his knowledge of horsemanship, including, but not limited to, saddling, bandaging, and diagnosing horse ailments.
- d) pass with a grade of 75% a written examination administered by the stewards or their designee, covering such subjects as rules of racing, care and handling of horses, and proper use of racing equipment. Such examinations shall be given from time to time as requested during race meetings but no such test shall be administered during the 30 days prior to the end of a race meeting or during the last 45 days of a calendar year.

Section 502.220 Workers' Compensation

An applicant for a trainer's license shall elect to be bound by the provisions of the Workers' Compensation Act (Ill. Rev. Stat. 1991, ch. 48, pars. 138.1 through 138.28[820 ILCS 305/1-281] and shall, accordingly, comply with the provisions of Section 4 of said Act; and shall, at the time of submitting an application for a trainer's license, attach to said application a certificate of compliance or certificate of approval from the Industrial Commission of the State of Illinois that said trainer has complied with the provisions of said Workers' Compensation Act.

- a) For the purposes of this Section, a person shall be deemed to be in the service of the applicant and therefore, an "employee" within the meaning of Workers' Compensation Act (Ill. Rev. Stat. 1991, ch. 48, par. 138.1(b)(2)) [820 ILCS 305/1(b)(2)] whenever the applicant has the right to control and direct such person, not only as to the result to be accomplished; provided that, it is not necessary that the applicant actually direct or control the manner in which the work is performed, if the applicant has the right to do so.
- b) In determining whether an employer-employee relationship exists under subsection (a) above, the furnishing of tools and a place to work by the applicant to such person performing the work shall be considered factors characteristic of an employer.
- c) If the criteria of subsection (a) above, are satisfied, an employer-employee relationship shall be deemed to exist, regardless of the description or designation by the parties themselves, and it shall be of no consequence that the person performing the work is designated as partner, co-adventurer, agent, independent contractor, or the like. Such employer-employee relationship includes, but is not limited to, persons performing the services of groom, hotwalker, and exercise person.
- d) If a trainer of harness horses has no employees, and contemplates none, he shall attach an affidavit to this effect with his application

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upon a form to be supplied by the Board. If thereafter, said trainer does become an employer, he shall comply with this Section and supply to the Board the applicable certificate. This subsection does not apply to trainers of thoroughbred horses.

SUBPART F: JOCKEYS AND APPRENTICE JOCKEYS

Section 502.230 Jockeys and Apprentice Jockeys

An applicant for a license as a jockey or apprentice jockey shall:

- a) be at least 16 years of age or have been licensed as a jockey in this or another racing jurisdiction prior to the effective date of these rules; and
- b) have been licensed previously as a jockey or apprentice jockey by the Board or by another racing jurisdiction;
- c) be found physically able to ride in competitive horse races by a licensed practicing physician prior to the first Illinois race meeting at which the applicant intends to ride; and
- d) have ridden fewer than 40 winners within the periods specified in 11 Ill. Adm. Code 1411.140(a).

Section 502.235 Apprentice Jockeys, Criteria for Eligibility

An applicant for an apprentice jockey's license who has never been so licensed shall:

- a) be at least 16 years of age or have been licensed as an apprentice jockey in this or another racing jurisdiction prior to the effective date of this Section, January 1, 1988; and
- b) have been licensed for at least one year by the Board or by another racing jurisdiction as an exercise rider or shall have acquired riding experience comparable to that of an exercise person at a training center or farm;
- c) demonstrate the ability to break a horse from a starting gate in company with other horses and under observation of the starter; and
- d) then have ridden competitively in at least two races.

Section 502.238 Apprentice Contract or Certificate

Upon completion of the criteria specified in 502.235, an apprentice jockey may either race under contract to a licensed owner or trainer or be issued an apprentice certificate.

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- a) If the apprentice enters into a contract, the stewards shall ascertain that the contract complies with the following:
 - 1) The contract employer possesses the character, knowledge, experience, and financial responsibility to develop a competent race rider.
 - 2) The contract employer owns or has custody of at least four horses eligible to race in Illinois at the time the contract is executed.
 - 3) The duration of the contract is at least three years but no more than five years. If the contract later is terminated, the apprentice shall be issued a certificate indicating each winner ridden; or
- b) An apprentice jockey who has been issued a certificate may contract his services to a licensed owner or trainer for the remainder of the apprenticeship, with the approval of the stewards. The stewards shall grant said approval if the standards in subsections (a)(1), (2) or (3) above are met.

SUBPART G: DRIVERS

Section 502.250 Harness Driver

An applicant for a driver's license, other than prospective harness drivers (see Section 502.260), shall:

- a) be at least 18 years of age; and
- b) have been licensed as a driver by the Board or by another racing jurisdiction.

Section 502.260 Prospective Harness Drivers

An applicant who has never been licensed as a driver shall:

- a) have at least one years training experience and demonstrate the ability to drive a horse at training speeds;
- b) be knowledgeable of and conversant in the training and driving of harness horses, as shown by passing a written examination composed by the U.S. Trotting Association (the Board will state the location of the Association and the frequency of the tests) and administered once at every race meet in Illinois.

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- c) be found physically able to drive in competitive horse races by a practicing physician who is licensed in accordance with the Medical Practice Act (Ill. Rev. Stat. 1985, ch. 111, par. 4401 et seq.), prior to the first Illinois race meetings at which the applicant intends to drive.

Section 502.270 "Q" Licenses

An applicant who successfully completes the requirements of Section 502.260 shall be issued a "Q" or qualifying license and shall be permitted to participate in only qualifying and other non-wagering races.

Section 502.280 "P" Licenses

The holder of a "Q" license may apply for a "P" or provisional license. The stewards shall grant a "P" license if the applicant has driven in at least 12 qualifying, non-wagering races and has done so in compliance with the rules stated in 11 Ill. Adm. Code 1318.10.

Section 502.290 "A" Licenses

The holder of a "P" license shall be considered for an "A" or full license upon completion of one of the following:

- a) The applicant has at least one year's experience while driving with a "P" license plus 25 pari-mutuel starts in the prior twelve month period; or
- b) The applicant has less than one year's driving experience but has at least 50 pari-mutuel starts and the written endorsement of the applicant's driving ability of stewards at recognized meetings where those races occurred; or
- c) The applicant has at least 25 pari-mutuel starts in the two years prior to the date of application and at least 50 starts at fair meetings for which the start is charted and recorded on the horse's eligibility papers.

SUBPART H: OTHER LICENSEES

Section 502.300 Veterinarians

An applicant for a veterinarian's license shall:

- a) provide proof of a current license issued by the Illinois Department of Registration and Education to practice veterinary medicine in Illinois in accordance with the Veterinary Medicine and Surgery Practice Act of 1983 (Ill. Rev. Stat. 1985, ch. 111, par. 7001, et seq.); and

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- b) review the Board's medication rules (11 Ill. Adm. Code 509) with the state veterinarian.

Section 502.320 Veterinary Assistant

- a) An applicant for a license as a veterinary assistant shall establish an offer of employment by a veterinarian licensed by the Board by obtaining the signature of the veterinarian on the license application, and the veterinarian will supervise the applicant.
- b) A veterinary assistant shall be permitted to practice equine dentistry only under the following circumstances:
 - 1) The services of the veterinary assistant are retained by a licensed veterinarian under an employment agreement or an independent contract;
 - 2) The contract for service is between the veterinarian and the client;
 - 3) Fees for services are paid by the client to the licensed veterinarian;
 - 4) Payment to the veterinary assistant is made by the veterinarian;
 - 5) The veterinarian's billing records indicate the nature of the work performed;
 - 6) The work is performed under the veterinarian's general supervision; and
 - 7) The veterinarian is in a position to give such supervision as deemed necessary.

Section 502.350 Farriers (Blacksmiths)

An applicant for a farrier's license shall have been licensed previously by the Board or another racing jurisdiction. A valid farrier's license from another racing jurisdiction where he was administered and passed a farrier's examination may be accepted as evidence of experience and qualifications. Farriers who have never been licensed by the Board or another racing jurisdiction shall be required to:

- a) Pass written and practical examinations. The practical examination shall consist of shoeing a horse and working in the fire to make a bar shoe and a shoe with a sticker and a block. The written examination

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shall be administered by the Stewards. A passing score shall be a score of 75%.

- b) The practical examination shall be administered by 2 licensed farriers, appointed by the Stewards, with at least 3 years experience each and witnessed by a Steward or the Steward's designee.

Section 502.380 Exercise Riders

An applicant for an exercise rider's license shall have been previously licensed as an exercise rider by the Board or by another racing jurisdiction. If unable to meet this requirement, the applicant shall have been previously licensed in any capacity by the Board or in another racing jurisdiction and shall demonstrate to the stewards or their designee the applicant's ability to ride a galloping racehorse.

Section 502.400 Pony Person

An applicant for a license as a pony person shall have been licensed previously by the Board or by another racing jurisdiction. If unable to meet this requirement, the applicant shall demonstrate his riding ability to the stewards or their designee.

Section 502.450 Stable Foreman

An applicant for a stable foreman's license shall have been licensed previously as a stable foreman by the Board or by another racing jurisdiction, or shall have been licensed as a groom for at least one year in any racing jurisdiction.

Section 502.500 Jockey Agents

- a) An applicant for a jockey agent's license shall have been licensed previously as a jockey agent by the Board or by another racing jurisdiction, and shall not represent more than two jockeys.
- b) If the applicant has never been licensed as a jockey agent, the applicant shall have at least one year's experience as an occupation licensee or an employee of the Board in Illinois or a comparable racing regulatory authority in another racing jurisdiction, and shall pass with a grade of 75% a written examination administered by the stewards. The test shall cover such subjects as jockey engagements and horse eligibility.

Section 502.600 Authorized Agents

An applicant for an authorized agent's license shall submit with his license application a written agency appointment authorizing the applicant to act on behalf of a licensed owner or licensed trainer in racing matters not directly related to the care and training of horses. This authorization shall be on a form provided by the

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Board and shall define the powers, limits, and terms of the agency. The authorization shall be signed by the principal and said authorization shall be notarized. A separate, notarized agency appointment shall be required for each principal. All such agencies shall remain in effect for the duration of the licensing year unless the principal submits written and notarized notification of revocation of the agency appointment to the stewards at the meeting where the principal is racing. Authorized agents may also be licensed as specified in Section 502.120(d).

Section 502.650 Tack Shop Operators and Other Vendors

An applicant for a license as a tack shop operator or vendor shall, prior to the filing of the application file with the State Veterinarian for his or her approval, a list of the items or types of service, that the applicant intends to sell or deliver. If possession of those items or services within the race track enclosure is not prohibited by the Board's rules, the State Veterinarian shall approve the list annually.

Section 502.660 Vendor Helper

An applicant for a license as a vendor helper shall document evidence of an offer of employment by a licensed tack shop operator or vendor before being granted a license. Such offer shall be established by the signature on the license application of the licensed tack shop operator or vendor who has actually offered such employment to the applicant.

Section 502.680 Thoroughbred Grooms

An applicant for a license as a groom of thoroughbred race horses shall:

- a) document evidence of an offer of employment before being granted a license. Such offer shall be established by the signature on the license application of a licensed trainer who has actually offered such employment; and
- b) provide evidence of experience in the care and handling of thoroughbred race horses. Such evidence shall be established by:
 - 1) previous licensure as a groom by the Board or by another racing jurisdiction; or
 - 2) one year's experience as a licensed hotwalker; or
 - 3) written evidence of employment as a groom at a thoroughbred training or breeding establishment.

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Section 502.690 Harness Grooms

An applicant for a license as a groom of harness race horses shall document evidence of an offer of employment before being granted a license. Such offer shall be established by the signature on the license application of the licensed trainer who has actually offered such employment to the applicant.

Section 502.700 Hotwalker

An applicant for a license as a hotwalker shall document evidence of an offer of employment before being granted a license. Such offer shall be established by the signature on the license application of the licensed trainer who has actually offered such employment to the applicant.

Section 502.790 Totalizator Employee

An applicant for a license as a totalizator employee shall document evidence of an offer of employment by a totalizator system licensee if granted a license. Such offer shall be demonstrated by the signature on the license application of the tote room operator, representing the totalizator system licensee, who has actually offered such employment to the applicant.

Section 502.795 Business Agents

"Business agent" shall be defined as a person or business authorized to act on behalf of an organization licensee with respect to matters directly impacting racing operations, pari-mutuel wagering, or the providing of services to patrons at intertrack wagering locations. Only "key personnel" (persons that have authority to develop or administer policy or to make discretionary decisions with respect to matters directly impacting racing operations, pari-mutuel wagering, or the providing of services to patrons at intertrack wagering locations) shall be required to be licensed by the Board.

SUBPART I: CONFLICTS OF INTEREST

Section 502.800 General Provisions

When an applicant applies for a license in more than one occupation, the Board shall consider whether the holding of such multiple licensing creates the appearance of a conflict of interest (such as, but not limited to, a sudden change in ownership to immediate family members or a change in ownership without adequate consideration). If such appearance is created, the multiple license shall be denied.

Section 502.820 Dual Licensing

- a) A person licensed as a jockey, veterinarian, totalizator employee, or farrier shall not be licensed in any other capacity, unless approved by

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the Board. The Board shall deny any application for a dual license when it determines that a conflict will exist between the privileges and duties of the two license types.

- b) A person licensed as an owner shall not be licensed as a jockey agent, nor shall any person licensed as a jockey agent be licensed as an owner.
- c) A person licensed as a racing official shall not be licensed in another capacity during the race meeting at which that person is serving as a racing official, except as provided in 11 Ill. Adm. Code 422.60.

Section 502.830 Limitations on License

A groom may be a hotwalker. A trainer may also perform the duties of a groom or hotwalker. An exercise rider may also be a pony person. A harness owner may also groom or hot walk the horse or horses owned by him. However, except for those license categories specifically mentioned herein, no licensee shall act in any capacity other than that for which he is licensed. Thus, for example:

- a) a pony person may not exercise horses if not licensed as an exercise rider.
- b) a groom may not perform the duties of a trainer if not licensed as a trainer.

Section 502.840 Husbands and Wives

Rules pertaining to licensees, and rulings against either a husband or a wife, shall apply equally to the licensee's spouse, unless the Board finds that the continued participation in racing by the affected spouse will not circumvent the intent of the rule or ruling by permitting one spouse to serve in essence as a substitute for a person ineligible to participate in a particular activity. In making such a decision, the stewards and the Board shall consider, but not be limited to, the following: the length of involvement in racing of the affected parties, the economic interdependence of the parties, and the nature of the licenses. However, the spouse of a person suspended for a riding or driving infraction of 10 or fewer days shall not be suspended.

Section 502.850 Transfer of a Horse

The transfer of a horse by a person whose license has been suspended, denied, or revoked to circumvent a rule or ruling shall constitute a violation of these rules.

SOURCE: Emergency rule adopted and codified at 6 Ill. Reg. 9711, effective July 27, 1982, for a maximum of 150 days; adopted and codified at 6 Ill. Reg. 13786, effective

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October 25, 1982; amended at 7 Ill. Reg. 5225, effective April 1, 1983; amended at 11 Ill. Reg. 20611, effective January 1, 1988; amended at 13 Ill. Reg. 1562, effective January 23, 1988; amended at 13 Ill. Reg. 4931, effective March 22, 1989, amended at 14 Ill. Reg. 17641 effective October 16, 1990; amended at 15 Ill. Reg. 11985, effective August 12, 1991; amended at 16 Ill. Reg. 12774, effective July 31, 1992; amended at 17 Ill. Reg. 19961, effective November 9, 1993; amended at 18 Ill. Reg. 11615, effective July 7, 1994; amended at 19 Ill. Reg. 5034, effective April 1, 1995; amended at 19 Ill. Reg. 17190, effective January 1, 1996; amended at 20 Ill. Reg. 13052, effective October 1, 1996; amended at 22 Ill. Reg. 10656, effective June 1, 1998; amended at 28 Ill. Reg. 6009, effective August 1, 2004 amended at 29 Ill. Reg. 10248, effective August 1, 2005; amended at 32 Ill. Reg. 7391, effective May 1, 2008; amended at 33 Ill. Reg. 6696, effective May 1, 2009.