

The Commonwealth of Massachusetts

COMMUNICATION

from

MASSACHUSETTS GAMING COMMISSION

SUBMITTING PROPOSED REGULATIONS FOR

HARNESS HORSE RACING

205 CMR 3.00

GENERAL RULES

205 CMR 3.11

LICENSES, REGISTRATIONS AND FEES

FOR PARTICIPANTS IN RACING

205 CMR 3.14

(under the provisions of section 9B of Chapter 128A
of the General Laws)

September 29, 2025



Legal Division

September 26, 2025

The Honorable Michael D. Hurley
Senate Clerk
Office of the Senate Clerk
24 Beacon Street | Room 335
Boston, MA 02133

The Honorable Timothy Carroll
House Clerk
Office of the House Clerk
24 Beacon Street | Room 145
Boston, MA 02133

Senate Clerk Hurley and House Clerk Timothy Carroll:

Pursuant to M.G.L. c. 128A, § 9B and M.G.L. c. 6, § 222, the Massachusetts Gaming Commission (“Commission”) hereby files 205 CMR 3.00: *Harness Horse Racing*, specifically, 205 CMR 3.11: *General Rules*, and 205 CMR 3.14: *Licenses, Registrations and Fees for Participants in Racing* with the Clerks of the Senate and the House of Representatives.

The Commission has amended these sections to remove the term “obnoxious” from within 205 CMR 3.11(8) and 205 CMR 3.14 (5)(8) and (9), respectively. As a descriptor of conduct, the term does not have broad use or application in many other horse racing jurisdictions. The term “unbecoming” has been selected as a replacement, as it more broadly encompasses the kind of conduct that may reflect poorly on a licensee or racing participant; and mirrors similar standards used within other U.S. racing jurisdictions. These regulations are authorized by M.G.L. c. 128A, §§ 9 and 9B. A public hearing was held regarding these proposed amendments on September 9, 2025. The Commission voted to authorize the final draft of the regulation and its filing with your offices, on September 25, 2025. If you have any questions or need additional information, please feel free to reach me at judith.young@massgaming.gov or (857) 406 - 4277. Thank you for your attention to this matter.

Respectfully submitted,

Massachusetts Gaming Commission
By:

Judith A. Young Esq.
Associate General Counsel

Enclosures



Massachusetts Gaming Commission

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3.11: General Rules

- (1) The definitions and interpretations of racing terms, heretofore set forth as well as 205 CMR 3.01, are to be considered in connection with 205 CMR 3.00 and as part of 205 CMR 3.00.
- (2) All owners and trainers of horses and their stable employees are subject to M.G.L. c. 128A and 205 CMR 3.00 immediately upon acceptance and occupancy of stabling accommodations from or approved by an Association or upon making entry to run on its track.
- (3) Owners, trainers and stable employees shall abide by M.G.L. c. 128A and 205 CMR 3.00 and accept the decision of the Judges on any and all questions to which their authority extends, subject to their right of appeal to the Commission.
- (4) Every person participating in and every patron of a licensed Race Meeting shall abide by M.G.L. c. 128A and 205 CMR 3.00, and accept the Judges' decisions on any and all questions to which their authority extends, subject to the right of appeal to the Commission.
- (5) Every person who drives a horse on a track licensed by the Commission, whether exercising, warming up or driving in a race shall wear a protective helmet that meets the Safety Standards of *The Association of Racing Commissioners International Model Rules of Racing* version 6.1, July, 2015.
- (6) For the period of two hours before post time of the first race of the day and until the racing program of the day has been completed, every person who drives a horse on a track licensed by the Commission, whether warming up for a race or driving in a race shall wear his or her registered colors, which must be distinguishable at all times.
- (7) No person shall use improper, profane or indecent language to a racing official.
- (8) No person shall in any manner, or at any time, disturb the peace or engage in conduct that is unbecoming on the grounds of the Association.
- (9) Any person, who participates in an unrecognized meeting anywhere, either as a racing official or as an owner, trainer or driver, may be adjudged guilty of conduct detrimental to racing.
- (10) No person or horse ruled off, or under full suspension by the United States Trotting Association shall be admitted to the grounds of any Association.
- (11) No person, other than an official of the Commission, shall be allowed in the Judges' Stand; the space occupied by the Clerk of Course; the Timers Stand; and the space occupied by the Program Director and his or her assistants for the period from ½ hour before post time of the first race of the day until the last race has been declared "official" unless permission is obtained from the Judges for each entry. Associations shall take such steps as are necessary to assist the Judges in carrying out the provisions of 205 CMR 3.11(11).
- (12) Any person who has been convicted by any court anywhere for illegal possession, sale or giving away of narcotics may be ruled off.
- (13) If any owner, trainer, driver, stable employee, or other person solicit bets from the public by correspondence or other methods, to be made on any horse which is to run on a track in Massachusetts, such person or persons shall be ruled off.
- (14) When a person is ruled off a course or suspended, every horse owned in whole or part by him or her shall be ineligible to be entered or to start in any race until said horse has been reinstated either by the rescinding of his or her owner's penalty or his or her transfer through *bona fide* sale to an ownership acceptable to the Judges.
- (15) When a person is suspended by the Judges of the meeting "from driving only" the ruling of the Judges shall state whether or not the person suspended shall have the privilege of the paddock during the period of his or her suspension.
- (16) When a person is ruled off a course or suspended, any horse which is under his or her care, management, training or superintendence shall not be qualified to be entered or to start in any race until said horse has been reinstated by the rescinding of said person's penalty or by the placement of the horse in the hand of a licensed trainer and the approval of the transfer by the Judges.

3.14: Licenses, Registrations and Fees for Participants in Racing

- (1) The following persons shall be required to take out a license from the Commission, and pay the current applicable annual fee: Driver, Trainer, Owner, Authorized Agent, Stable Employees, Veterinarian, Blacksmith, Vendors and Racing Officials.
- (2) The fee shall accompany each application for license or registration. They expire December 31st of the year of issue, except stable employees whose license expire on March 31st.
- (3) All applications for license and registrations to participate in racing shall be made to the Commission on forms supplied by the Commission. Any person making any false or misleading statements on an application for license or registration may be denied such a license or registration or may be assessed a fine, suspension or both. If already in possession of a license, said license may be revoked.
- (4) Such application shall be submitted first to the Judges. In considering each application for a license the Judges may require the applicant, as well as his or her endorsers, to appear before them and show that said applicant is qualified in every respect to receive the license requested. Ability as well as integrity must be clearly shown by the applicant in order to receive the Judges' recommendation for the granting of the license.
- (5) Before recommending any application for a license it shall be the duty of the Judges, individually and collectively, to ascertain if the applicant is qualified as to ability, integrity and right to the license applied for. And further, no application for a license shall be recommended by the Judges if the applicant's previous conduct in Massachusetts or elsewhere is considered to have been objectionable, unbecoming or detrimental to the best interest of racing.
- (6) No application for a license or registration shall be recommended by the Judges and no license or registration will be issued by the Commission unless satisfactory evidence first is presented to the Judges that the person so applying will participate in the meeting over which the Judges have supervision.
- (7) The Commission may refuse to license any applicant who has been refused a license by any other State Gaming or Racing Commission, the United States Trotting Association or turf governing body.
- (8) The Commission may refuse to license any applicant whose previous conduct in Massachusetts or elsewhere in connection with horse racing is considered by the Commission to have been objectionable, unbecoming or detrimental to the best interest of racing.
- (9) The Commission may also revoke any license if the holder of the same has violated any rule or regulation of the Commission governing his or her conduct in connection with horse racing, or where such conduct is objectionable, unbecoming or detrimental to the best interest of racing.
- (10) All licenses granted shall be subject to the conditions set forth in the application therefor and the Commission shall have full discretion to suspend or revoke the same for any infraction of the conditions of the application of license and 205 CMR 3.00.
- (11) No owner, trainer or agent shall start a horse unless all licenses and registrations required by 205 CMR 3.14(1) have been filed. Violators of 205 CMR 3.14(11) may be subject to suspension or a forfeiture.
- (12) No application, except a license for ownership, will be considered for or granted to a person under 16 years of age. If younger than 18 years of age, an applicant for an owner's license shall submit a notarized affidavit from his or her parent or legal guardian stating that the parent or legal guardian assumes responsibility for the applicant's financial, contractual and other obligations relating to the applicant's participation in racing within the Commonwealth of Massachusetts.
- (13) When an ownership is in the name of both husband and wife, both shall be licensed.
- (14) Temporary Owner Licenses may be issued to Trainers acting as agents for their owners or to authorized agents representing their owners. Temporary licenses will be valid for a period of 30 days from date of approval. Every Temporary Owner's License must be followed by an application from the owner received by the Commission prior to the expiration of the 30-day Temporary Owner's License. Failure to do so will result in an imposition by the Judges of a fine against the trainer or

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authorized agent. No horse will be allowed to race after the expiration of the Temporary Owner's License until a permanent owner's license is granted.

REGULATORY AUTHORITY

205 CMR 3.00: M.G.L. c. 128A, § 9.