

**TITLE 15      GAMBLING AND LIQUOR CONTROL**  
**CHAPTER 2    HORSE RACING**  
**PART 7        PARI MUTUEL WAGERING**

**15.2.7.1        ISSUING AGENCY:** New Mexico Racing Commission.  
[15.2.7.1 NMAC - Rp, 15 NMAC 2.7.1, 03/15/2001]

**15.2.7.2        SCOPE:** General Public and all persons, firms, or associations participating in horse racing in New Mexico. Additional regulations may be cross-referenced in 15.2.1 NMAC, 15.2.2 NMAC, 15.2.3 NMAC, 15.2.4 NMAC, 15.2.5 NMAC, 15.2.6 NMAC, and 16.47.1 NMAC.  
[15.2.7.2 NMAC - Rp, 15 NMAC 2.7.2, 03/15/2001]

**15.2.7.3        STATUTORY AUTHORITY:** Section 60-1A-1 through 60-1A-4 NMSA 1978 created the state racing commission and delegated its powers for the promulgation of rules for holding, or engaging in, horse race meetings in the state of New Mexico; mandates the commission regulate the pari mutuel system of wagering; Section 60-1A-15 NMSA 1978 provides that within the enclosure where any horse races are conducted, either as live on-track horse races or as horse races simulcast, and where the licensee has been licensed to use the pari mutuel method of system of wagering on races, the pari mutuel system is lawful, but only within the enclosure where races are conducted; and Section 60-A-16 NMSA 1978 and Section 60-1A-17 NMSA 1978 allow the racing commission to permit interstate and intrastate simulcasting of races and common pooling.  
[15.2.7.3 NMAC - Rp, 15 NMAC 2.7.3, 03/15/2001; A, 09/15/09]

**15.2.7.4        DURATION:** Permanent.  
[15.2.7.4 NMAC - Rp, 15 NMAC 2.7.4, 03/15/2001]

**15.2.7.5        EFFECTIVE DATE:** March 15, 2001 unless a later date is cited at the end of a section.  
[15.2.7.5 NMAC - Rp, 15 NMAC 2.7.5, 03/15/2001]

**15.2.7.6        OBJECTIVE:** The objective of Part 7 of Chapter 2 is to achieve the objectives that all pari mutuel wagering is lawful and licensed; establish procedures for interstate/intrastate simulcasting and interstate common-pool wagering.  
[15.2.7.6 NMAC - Rp, 15 NMAC 2.7.6, 03/15/2001]

**15.2.7.7        DEFINITIONS:** Refer to 15.2.1.7 NMAC.  
[15.2.7.7 NMAC - Rp, 15 NMAC 2.7.7, 03/15/2001]

**15.2.7.8        GENERAL PROVISIONS:**

**A.        GENERAL:** Each association shall conduct wagering in accordance with applicable laws and these rules. Such wagering shall employ a pari-mutuel system approved by the commission. The totalisator shall be tested prior to and during the meeting as required by the commission. Each association shall make reasonable provisions for providing a backup system in case of a mechanical failure. The association is required to report to the commission on the backup system so provided.

**B.        RECORDS:**

(1)        The association shall maintain records of all wagering so the commission may review such records for any contest including the opening line, subsequent odds fluctuation, the amount and at which window wagers were placed on any betting interest and such other information as may be required. Such wagering records shall be retained by each association and safeguarded for a period of time specified by the commission. The commission may require that certain of these records be made available to the wagering public at the completion of each contest.

(2)        The association shall provide the commission with a list of the licensed individuals afforded access to pari-mutuel records and equipment at the wagering facility.

**C.        PARI-MUTUEL TICKETS:**

(1)        A pari-mutuel ticket is evidence of a contribution to the pari-mutuel pool operated by the association and is evidence of the obligation of the association to pay to the holder thereof such portion of the distributable amount of the pari-mutuel pool as is represented by such valid pari-mutuel ticket. The association shall

cash all valid winning tickets when such are presented for payment during the course of the meeting where sold, and for a 60 day period after the last day of the meeting.

(2) To be deemed a valid pari-mutuel ticket, such ticket shall have been recorded by a pari-mutuel ticket machine operated by the association and recorded as a ticket entitled to a share of the pari-mutuel pool, and contain imprinted information as to:

- (a) the name of the association operating the meeting;
- (b) a unique identifying number or code;
- (c) identification of the terminal at which the ticket was issued;
- (d) a designation of the performance for which the wagering transaction was issued;
- (e) the contest number for which the pool is conducted;
- (f) the type or types of wagers represented;
- (g) the number or numbers representing the betting interests for which the wager is

recorded;

(h) the amount or amounts of the contributions to the pari-mutuel pool or pools for which the ticket is evidence.

(3) No pari-mutuel ticket recorded or reported as previously paid, cancelled, or non-existent shall be deemed a valid pari-mutuel ticket by the association. The association may withhold payment and refuse to cash any pari-mutuel ticket deemed not valid, except as provided in Subsection D of 15.2.7 NMAC of these general provisions.

**D. PARI-MUTUEL TICKET SALES:**

(1) Pari-mutuel tickets shall not be sold by anyone other than an association licensed to conduct pari-mutuel wagering.

(2) No pari-mutuel ticket may be sold on a contest for which wagering has already been closed and no association shall be responsible for ticket sales entered into but not completed by issuance of a ticket before the totalisator is closed for wagering on such contest.

(3) Claims pertaining to a mistake on an issued ticket, or a mistake involving failure to issue a ticket, must be made by the bettor prior to leaving the seller's window. Cancellation or exchange of tickets issued shall not be permitted after a patron has left a seller's window except in accordance with written policies established by the association and approved by the commission.

(4) Payment on winning pari-mutuel wagers shall be made on the basis of the order of finish as purposely posted and declared "official". Any subsequent change in the order of finish or award of purse money as may result from a subsequent ruling by the stewards or commission shall in no way affect the pari-mutuel payout. If an error in the posted order of finish or payout figures is discovered, the official order of finish or payout prices may be corrected and an announcement concerning the change shall be made to the public.

(5) The association shall not satisfy claims on lost, mutilated, or altered pari-mutuel tickets without authorization of the commission.

(6) The association shall have no obligation to enter a wager into a betting pool if unable to do so due to equipment failure.

(7) No person under eighteen (18) years of age is permitted to purchase or cash a pari-mutuel ticket. It shall be the duty of the pari-mutuel employees to demand proof of age from any person whose age, as it pertains to this rule, is doubtful.

**E. ADVANCE PERFORMANCE WAGERING:** No association shall permit wagering to begin more than four days before scheduled post time of the first contest of a performance unless it has first obtained the authorization of the commission.

**F. CLAIMS FOR PAYMENT FROM PARI-MUTUEL POOL:**

(1) At a designated location, a written, verified claim for payment from a pari-mutuel pool shall be accepted by the association in any case where the association has withheld payment or has refused to cash a pari-mutuel wager. The claim shall be made on such form as approved by the commission, and the claimant shall make such claim under penalty of perjury. The original of such claim shall be forwarded to the commission within 48 hours.

(2) In the case of a claim made for payment of a mutilated pari-mutuel ticket which does not contain the total imprinted elements required in Subsection C Paragraph (2) of 15.2.7 NMAC of these general provisions, the association shall make a recommendation to accompany the claim forwarded to the commission as to whether or not the mutilated ticket has sufficient elements to be positively identified as a winning ticket.

(3) In the case of a claim made for payment on a pari-mutuel wager, the commission shall adjudicate the claim and may order payment thereon from the pari-mutuel pool or by the association, or may deny the claim, or may make such other order as it may deem proper.

**G. PAYMENT FOR ERRORS:** If an error occurs in the payment amounts for pari-mutuel wagers which are cashed or entitled to be cashed; and as a result of such error the pari-mutuel pool involved in the error is not correctly distributed among winning ticket holders, the following shall apply:

(1) verification is required to show that the amount of the commission, the amount in breakage, and the amount in payouts is equal to the total gross pool; if the amount of the pool is more than the amount used to calculate the payout, the underpayment shall be added to the corresponding pool of the next contest; if underpayments are discovered after the close of the meeting, the underpayment shall be held in an interest-bearing account approved by the commission until being added, together with accrued interest, to the corresponding pool of the next meeting;

(2) any claim not filed with the association within 60 days, inclusive of the date on which the underpayment was publicly announced, shall be deemed waived; and the association shall have no further liability therefore;

(3) in the event the error results in an overpayment to winning wagers, the association shall be responsible for such payment.

**H. BETTING EXPLANATION:** A summary explanation of pari-mutuel wagering and each type of betting pool offered shall be published in the program for every wagering performance. The rules of racing relative to each type of pari-mutuel pool offered must be prominently displayed on association grounds and available upon request through association representatives.

**I. DISPLAY OF BETTING INFORMATION:**

(1) Approximate odds for win pool betting shall be posted on display devices within view of the wagering public and updated at intervals of not more than 90 seconds.

(2) The probable payout or amounts wagered, in total and on each betting interest, for other pools may be displayed to the wagering public at intervals and in a manner approved by the commission.

(3) Official results and payouts must be displayed upon each contest being declared official.

**J. CANCELLED CONTESTS:** If a contest is cancelled or declared "no contest", refunds shall be granted on valid wagers in accordance with these rules.

**K. REFUNDS:**

(1) Notwithstanding other provisions of these rules, refunds of the entire pool shall be made on:

(a) win pools, exacta pools, and first-half double pools offered in contests in which the number of betting interests has been reduced to fewer than two (2);

(b) place pools, quinella pools, trifecta pools, first-half quinella double pools, first-half twin quinella pools, first-half twin trifecta pools, and first-half tri-superfecta pools offered in contests in which the number of betting interests has been reduced to fewer than three (3);

(c) show pools, superfecta pools, and first-half twin superfecta pools offered in contests in which the number of betting interests has been reduced to fewer than four (4).

(2) Authorized refunds shall be paid upon presentation and surrender of the affected pari-mutuel ticket.

**L. COUPLED ENTRIES AND MUTUEL FIELDS:**

(1) Contestants coupled in wagering as a coupled entry or mutuel field shall be considered part of a single betting interest for the purpose of price calculations and distribution of pools. Should any contestant in a coupled entry or mutuel field be officially withdrawn or scratched, the remaining contestants in that coupled entry or mutuel field shall remain valid betting interests and no refunds will be granted. If all contestants within a coupled entry or mutuel field are scratched, then tickets on such betting interests shall be refunded, notwithstanding other provisions of these rules.

(2) For the purpose of price calculations only, coupled entries and mutuel fields shall be calculated as a single finisher, using the finishing position of the leading contestant in that coupled entry or mutuel field to determine order of placing. This rule shall apply to all circumstances, including situations involving a dead heat, except as otherwise provided by these rules.

**M. POOLS DEPENDENT UPON BETTING INTERESTS:** Unless the commission otherwise provides, at the time the pools are opened for wagering, the association:

(1) may offer win, place, and show wagering on all contests with six (6) or more betting interests;

- (2) may be allowed to prohibit show wagering on any contest with five (5) or fewer betting interests scheduled to start;
- (3) may be allowed to prohibit place wagering on any contest with four (4) or fewer betting interests scheduled to start;
- (4) may be allowed to prohibit quinella wagering on any contest with three (3) or fewer betting interests scheduled to start;
- (5) may be allowed to prohibit quinella double wagering on any contests with three (3) or fewer betting interests scheduled to start;
- (6) may be allowed to prohibit exacta wagering on any contest with three (3) or fewer betting interests scheduled to start;
- (7) may prohibit trifecta wagering on any contest with seven (7) or fewer betting interests scheduled to start;
- (8) may prohibit superfecta wagering on any contest with seven (7) or fewer betting interests scheduled to start;
- (9) may be allowed to prohibit twin quinella wagering on any contests with three (3) or fewer betting interests scheduled to start;
- (10) may prohibit twin trifecta wagering on any contests with seven (7) or fewer betting interests scheduled to start;
- (11) may prohibit tri-superfecta wagering on any contests with seven (7) or fewer betting interests scheduled to start;
- (12) may prohibit twin superfecta wagering on any contests with seven (7) or fewer betting interests scheduled to start.

**N. PRIOR APPROVAL REQUIRED FOR BETTING POOLS:**

- (1) An association desiring to offer new forms of wagering must apply in writing to the commission and receive written approval prior to implementing the new betting pool.
- (2) The association may suspend previously approved forms of wagering with the prior approval of the commission. Any carryover shall be held until the suspended form of wagering is reinstated. An association may request approval of a form of wagering or separate wagering pool for specific performances.

**O. CLOSING OF WAGERING IN A CONTEST:**

- (1) A commission representative shall close wagering for each contest after which time no pari-mutuel tickets shall be sold for that contest.
- (2) The association shall maintain, in good order, a system approved by the commission for closing wagering.

**P. COMPLAINTS PERTAINING TO PARI-MUTUEL OPERATIONS:**

- (1) When a patron makes a complaint regarding the pari-mutuel department to an association, the association shall immediately issue a complaint report, setting out:
  - (a) the name of the complainant;
  - (b) the nature of the complaint;
  - (c) the name of the persons, if any, against whom the complaint was made;
  - (d) the date of the complaint;
  - (e) the action taken or proposed to be taken, if any, by the association.
- (2) The association shall submit every complaint report to the commission within 48 hours after the complaint was made.

**Q. LICENSED EMPLOYEES:** All licensees shall report any known irregularities, wrong doings by, or dismissal of, any person involving pari-mutuel wagering immediately to the commission and cooperate in subsequent investigations.

**R. UNRESTRICTED ACCESS:** The association shall permit the commission unrestricted access at all times to its facilities and equipment and to all books, ledgers, accounts, documents and records of the association that relate to pari-mutuel wagering.

**S. EMERGENCY SITUATIONS:** Should an emergency arise in connection with the operation of the pari-mutuel department not covered by these rules and an immediate decision is necessary, the manager of the pari-mutuel department shall make the decision and render a full report to the commission within 48 hours.

[15.2.7.8 NMAC - Rp, 15 NMAC 2.7.8, 03/15/2001; A, 10/29/2004; A, 02/14/2005]

**15.2.7.9 ACCOUNT WAGERING:**

**A. GENERAL:** The association may offer a system of account wagering to its patrons whereby wagers are debited and payouts credited to a sum of money, deposited in an account by the patron, that is held by the association. The association shall notify the patron, at the time of opening the account, of any rules the association has made concerning deposits, withdrawals, average daily balance, user fees, interest payments and any other aspect of the operation of the account. The association shall notify the patron whenever the rules governing the account are changed, such notification occurring before the new rules are applied to the account and including the opportunity for the patron to close or cash in the account. The patron shall be deemed to have accepted the rules of account operation upon opening or not closing the account. The association shall request authorization from the commission before a system of account wagering is offered.

**B. ACCOUNT OPENING:** The association may offer to open for its patrons:

(1) short-term accounts that are operational only for the performance during which they were opened and only at the site where they were opened, whereby wagers are placed by the account holder at a self-service terminal;

(2) long-term accounts that are operational for any performance offered by the association, whereby wagers are placed by the account holder at a self-service terminal or by telephone within the enclosure of the racetrack;

(3) voucher accounts that are operational for any performance offered by the association, whereby wagers are placed by the account holder at any ticket issuing terminal operated by the association; the patron may choose to credit winning payouts in cash and may choose to close or cash-in the account at any time.

**C. REFUSALS:** The association may reserve the right at any time to refuse to open an account, to accept a wager, or to accept a deposit.

**D. PATRON INFORMATION:** Each short-term or long-term account holder shall provide such personal information as the association and the commission require, including an address to which communications are to be delivered. The association shall provide, for each short-term or long-term account holder, a confidential account number and password to be used by the patron to confirm validity of every account transaction.

**E. DEPOSITS:** Deposits may be made in cash or by check, whereby the proceeds of the check may first need banker's clearance. Holding periods will be determined by the association and advised to the account holder. A receipt for the deposit must be issued to the account holder, but does not need to reflect the current account balance.

**F. SUFFICIENT ACCOUNT BALANCE:** Each account holder shall be deemed to be aware of the status of that account at all times. Wagers will not be accepted which would exceed the available balance of that account. Any account not updated when a transaction is completed shall be inoperable until the transaction is posted and the account balance updated.

**G. ACCOUNT CREDITS:** When an account is entitled to a payout or refund, said monies will be credited to the respective accounts, thus increasing the credit balance. It is the responsibility of the account holder to verify proper credits and, if in doubt, notify the association within the agreed upon time frame for consideration. Unresolved disputes may be forwarded to the commission by the association or the account holder. No claim will be considered by the commission unless submitted in writing and accompanied by supporting evidence.

**H. ACCOUNT OPERATION:**

(1) The association must maintain complete records of every deposit, withdrawal, wager and winning payout for each short and long-term account. Voucher accounts shall be recorded in a manner similar to a ticket. These records shall be made available to the commission upon request.

(2) For wagers made for an account by telephone, the association shall make a voice recording of the entire transaction and shall not accept any such wager if the voice recording system is inoperable.

(3) Any account wagering system must provide for the account holder's review and finalization of a wager before it is accepted by the association. Neither the account holder nor the association shall change a wager after the account holder has reviewed and finalized the wager. In the case of a wager made by telephone, the voice recording of the transaction shall be deemed to be the actual wager, regardless of what was recorded by the pari-mutuel system.

**I. ACCOUNT CLOSURE:** The association may close any account when the holder thereof attempts to operate with insufficient balance or when the account is dormant for a period approved by the commission. In either case, the association shall refund the remaining balance of the account.

[15.2.7.9 NMAC - Rp, 15 NMAC 2.7.9, 03/15/2001]

#### **15.2.7.10 SIMULCAST WAGERING:**

**A. GENERAL PROVISIONS:** No person shall conduct or attempt to conduct interstate, or intrastate, simulcast wagering unless authorized and permitted to do so by the commission.

(1) No person shall attempt to conduct wagering on the results of a simulcast unless an agreement has been executed between the host and guest track operators, the agreement has been approved by the New Mexico Horsemen's Association and the agreement is filed with the commission.

(2) In the event the New Mexico horsemen's association withholds its approval of an agreement submitted, reasons for non-approval will be detailed to the commission in writing, with the final decision to be made by the commission.

**B. DUTIES OF SIMULCAST HOST:** Every host association simulcasting its performance, if requested, may contract with an authorized receiver for the purpose of providing authorized users its simulcast.

(1) A host association is responsible for content of the simulcast and shall use all reasonable effort to present a simulcast, which offers the viewers an exemplary depiction of each performance.

(2) Unless otherwise permitted by the commission, every simulcast will contain in its video content a digital display of actual time of day, the name of the host facility from where it emanates, the number of the contest being displayed, and any other relevant information available to patrons at the host facility.

(3) The host association shall maintain such security controls including encryption over its uplink and communications systems as directed or approved by the commission.

(4) In the event that the host association fails to link with any guest association, or loses a link and is unable to re-establish that link, the tote operator at the host association will immediately call tote at all New Mexico guest associations to close pools on the racetrack in question. The tote operator at the guest association(s) will notify the manager on duty and supply a written report of the event to the commission and the simulcast coordinator at once. This report must include, but not be limited to the following: a detailed incident report, name of manager on duty, time and person contacted at the guest association(s) and any other pertinent information. In no event will a guest association take a simulcast race, which the host association is not taking. If the link is re-established by the host association, the tote operator will call the guest association(s) and advise them that they may link up. In the event of a total telephone outage at the host association, the tote operator will contact the other tote company by cellular phone. In the event that a guest association fails to establish or loses a link, the tote operator will notify the manager on duty of his track and supply a written report of the event to the commission and the simulcast coordinator at once. This report must include, but not be limited to the following: a detailed incident report, name of manager on duty, time and person contacted at the host association(s), and any other pertinent information.

**C. DUTIES OF AUTHORIZED RECEIVER:** An authorized receiver conducts and operates a pari-mutuel wagering system on the results of contests being held or conducted and simulcast from the enclosures of one or more host associations and with the approval of the commission.

(1) An authorized receiver shall provide:

(a) adequate transmitting and receiving equipment of acceptable broadcast quality, which shall not interfere with the closed circuit TV system of the host association for providing any host facility patron information;

(b) pari-mutuel terminals, pari-mutuel odds displays, modems and switching units enabling pari-mutuel data transmission, and data communications between the host and guest associations;

(c) a voice communication system between each guest association and the host association providing timely voice contact among the commission designees, placing judges and pari-mutuel departments.

(2) The guest association and all authorized receivers shall conduct pari-mutuel wagering pursuant to the applicable commission rules.

(3) The commission may appoint at least one designee to supervise all approved simulcast facilities and may require additional designees as is reasonably necessary for the protection of the public interest.

(4) Not less than 30 minutes prior to the commencement of transmission of the performance of pari-mutuel contests for each day or night, the guest association shall initiate a test program of its transmitter, encryption and decoding, and data communication to assure proper operation of the system.

(5) The guest association shall, in conjunction with the host association or associations for which it operates pari-mutuel wagering, provide the commission with a certified report of its pari-mutuel operations as directed by the commission.

(6) Every authorized receiver shall file with the commission an annual report of its simulcast operations and an audited financial statement.

[15.2.7.10 NMAC - Rp, 15 NMAC 2.7.10, 03/15/2001]

**15.2.7.11 INTERSTATE/INTRASTATE COMMON POOL WAGERING:**

**A. GENERAL:** All contracts governing participation in interstate/intrastate common pools shall be submitted to the commission for approval.

(1) Individual wagering transactions are made at the point of sale in the state where placed. Pari-mutuel pools are combined for computing odds and calculating payouts and breakage, but will be held separate for auditing and all other purposes.

(2) Any surcharges or withholdings in addition to the takeout shall only be applied in the jurisdiction otherwise imposing such surcharges or withholdings.

(3) In determining whether to approve an interstate/intrastate common pool which does not include the host track, the commission shall consider and may approve use of a bet type which is not utilized at the host track, application of a takeout rate not in effect at the host track, or other factors which are presented to the commission.

(4) The content and format of the visual display of racing and wagering information at facilities in other jurisdictions where wagering is permitted in the interstate/intrastate common pool need not be identical to the similar information permitted or required to be displayed under these rules.

**B. GUEST STATE PARTICIPATION IN INTERSTATE/INTRASTATE COMMON POOLS:**

(1) With the prior approval of the commission, pari-mutuel wagering pools may be combined with corresponding wagering pools in the host state, or with corresponding pools established by one or more other jurisdictions.

(2) The commission may permit adjustment of the takeout from the pari-mutuel pool so that the takeout rate in this jurisdiction is identical to that at the host track, or identical to that of other jurisdictions participating in a merged pool.

(3) Where takeout rates in the merged pool are not identical, the net price calculation shall be the method by which the differing takeout rates are applied.

(4) Rules of racing as established for the contest in the host state shall apply to the merged pool.

(5) The commission shall approve agreements made between the association and other participants in interstate/intrastate common pools governing the distribution of breakage between the jurisdictions.

(6) If, for any reason, it becomes impossible to successfully merge the bets placed into the interstate/intrastate common pool, the association shall make payouts in accordance with payout prices that would have been in effect if prices for the pool of bets were calculated without regard to wagers placed elsewhere; except that, with permission of the commission, the association may alternatively determine to either pay winning tickets at the payout prices at the host track, or declare such accepted bets void and make refunds in accordance with the applicable rules.

**C. HOST STATE PARTICIPATION IN MERGED POOLS:**

(1) With the prior approval of the commission, an association licensed to conduct pari-mutuel wagering may determine that one or more of its contest be utilized for pari-mutuel wagering at guest facilities in other states, and may also determine that pari-mutuel pools in guest states be combined with corresponding wagering pools established by it as the host track or comparable wagering pools established by two or more states.

(2) Where takeout rates in the merged pool are not identical, the net price calculation shall be the method by which the differing takeout rates are applied.

(3) Rules of racing established for races held in this state shall also apply to interstate/intrastate common pools unless the commission shall have specifically otherwise determined.

(4) The commission shall approve agreements made between the association and other participants in interstate/intrastate common pools governing the distribution of breakage between the jurisdictions.

(5) Any contract for interstate/intrastate common pools entered into by the association shall contain a provision to the effect that if, for any reason, it becomes impossible to successfully merge the bets placed in another state into the interstate/intrastate common pool formed by the association, or if, for any reason, the commission's or the association's representative determines that attempting to effect transfer of pool data from the guest state may endanger the association's wagering pool, the association shall have no liability for any measures taken which may result in the guest's wagers not being accepted into the pool.

**D. TAKEOUT RATES IN INTERSTATE/INTRASTATE COMMON POOLS:**

(1) With the prior approval of the commission, an association wishing to participate in an interstate/intrastate common pool may change its takeout rate (within the limits permitted by state law) so as to achieve a common takeout rate with all other participants in the interstate/intrastate common pool.

(2) An association wishing to participate in an interstate/intrastate common pool may request that the commission approve a methodology whereby host and guest states with different takeout rates for corresponding pari-mutuel pools may effectively and equitably combine wagers from the different states into an interstate/intrastate common pool.

[15.2.7.11 NMAC - Rp, 15 NMAC 2.7.11, 03/15/2001]

#### **15.2.7.12 CALCULATION OF PAYOUTS AND DISTRIBUTION OF POOLS:**

##### **A. GENERAL:**

(1) All permitted pari-mutuel wagering pools shall be separately and independently calculated and distributed. Takeouts shall be deducted from each gross pool as stipulated by law. The remainder of the monies in the pool shall constitute the net pool for distribution as payout on winning wagers.

(2) For each wagering pool, the amount wagered on the winning betting interest or betting combinations is deducted from the net pool to determine the profit; the profit is then divided by the amount wagered on the winning betting interest or combinations, such quotient being the profit per dollar.

(3) Either the standard or net price calculation procedure may be used to calculate single commission pools, while the net price calculation procedure must be used to calculate multi-commission pools.

#### **STANDARD PRICE CALCULATION PROCEDURE**

##### **SINGLE PRICE POOL (WIN POOL)**

Gross pool = Sum of wagers on all betting interest - Refunds.  
Takeout = Gross pool x percent takeout.  
Net pool = Gross pool - takeout.  
Profit = Net pool - Gross amount bet on winner.  
Profit per dollar = Profit/gross amount bet on winner.  
\$1 unbroken price = profit per dollar + \$1.  
\$1 broken price = \$1 unbroken price rounded down to the break point.  
Total payout = \$1 broken price x gross amount bet on winner.  
Total breakage = net pool - total payout

##### **PROFIT SPLIT (PLACE POOL)**

Profit is net pool less gross amount bet on all place finishers

Finishers split profit  $\frac{1}{2}$  and  $\frac{1}{2}$  (place profit), then divide by gross amount bet on each place finisher for two unique prices.

##### **PROFIT SPLIT (SHOW POOL)**

Profit is net pool less gross amount bet on all show finishers

Finishers split profit  $\frac{1}{3}$  and  $\frac{1}{3}$  and  $\frac{1}{3}$  (show profit), then divide by gross amount bet on each show finisher for three unique prices.

#### **NET PRICE CALCULATION PROCEDURE**

##### **SINGLE PRICE POOL (WIN POOL)**

Gross pool = Sum of wagers on all betting interests - refunds.  
Takeout = gross pool x percent takeout for each source.  
Net pool = gross pool - takeout.  
Net bet on winner = gross amount bet on winner x (1 percent takeout).  
Total net pool = sum of all sources net pools  
total net bet on winner = sum of all sources net bet on winner.



Total profit = total net pool - total net bet on winner.  
 Profit per dollar = total profit/total net bet on winner.  
 \$1 unbroken base price = profit per dollar + \$1\* for each source.  
 \$1 unbroken price = \$1 unbroken base price x (1 percent takeout).  
 \$1 broken price = \$1 unbroken price rounded down to the break point.  
 Total payout = \$1 broken price x gross amount bet on winner.  
 Total breakage = net pool - total payout.

**PROFIT SPLIT  
(PLACE POOL)**

Total profit is the total net pool less the total net amount bet on all place finishers.

Finishers split total profit ½ and ½ (place profit), then divide by total net amount bet on each place finisher for two unique unbroken base prices.

**PROFIT SPLIT  
(SHOW POOL)**

Total profit is the total net pool less the total net amount bet on all show finishers.

Finishers split total profit 1/3 and 1/3 and 1/3 (show profit), then divide by total net amount bet on each show finisher for three unique unbroken base prices.

- (4) If a profit split results in only one covered winning betting interest or combinations it shall be calculated the same as a single price pool.
- (5) Minimum payouts and the method used for calculating breakage shall be established by the commission.
- (6) The individual pools outlined in these rules may be given alternative names by each association, provided prior approval is obtained from the commission.

**B. WIN POOLS:**

- (1) The amount wagered on the betting interest which finishes first is deducted from the net pool, the balance remaining being the profit; the profit is divided by the amount wagered on the betting interest finishing first, such quotient being the profit per dollar wagered to win on that betting interest.
- (2) The net win pool shall be distributed as a single price pool to winning wagers in the following precedence, based upon the official order of finish:
  - (a) to those whose selection finished first; but if there are no such wagers, then
  - (b) to those whose selection finished second; but if there are no such wagers, then
  - (c) to those whose selection finished third; but if there are no such wagers, then
  - (d) the entire pool shall be refunded on Win wagers for that contest.
- (3) If there is a dead heat for first involving:
  - (a) contestants representing the same betting interest, the win pool shall be distributed as if no dead heat occurred;
  - (b) contestants representing two or more betting interests, the win pool shall be distributed as a profit split.

**C. PLACE POOLS:**

- (1) The amounts wagered to place on the first two betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into two equal portions, one being assigned to each winning betting interest and divided by the amount wagered to place on that betting interest, the resulting quotient is the profit per dollar wagered to place on that betting interest.
- (2) The net place pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:
  - (a) if contestants of a coupled entry or mutuel field finished in the first two places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise

- (b) as a profit split to those whose selection is included within the first two finishers; but if there are no such wagers on one of those two finishers, then
- (c) as a single price pool to those who selected the one covered betting interest included within the first two finishers; but if there are no such wagers, then
- (d) as a single price pool to those who selected the third-place finisher; but if there are no such wagers, then
- (e) the entire pool shall be refunded on place wagers for that contest.
- (3) If there is a dead heat for first involving:
  - (a) contestants representing the same betting interest, the place pool shall be distributed as a single price pool;
  - (b) contestants representing two or more betting interests, the place pool shall be distributed as a profit split.
- (4) If there is a dead heat for second involving:
  - (a) contestants representing the same betting interest, the place pool shall be distributed as if no dead heat occurred;
  - (b) contestants representing two or more betting interests, the place pool is divided with one-half of the profit distributed to place wagers on the betting interest finishing first and the remainder is distributed equally amongst place wagers on those betting interests involved in the dead heat for second.

**D. SHOW POOLS:**

- (1) The amounts wagered to show on the first three betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into three equal portions, one being assigned to each winning betting interest and divided by the amount wagered to show on that betting interest, the resulting quotient being the profit per dollar wagered to show on that betting interest.
- (2) The net show pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:
  - (a) if contestants of a coupled entry or mutuel field finished in the first three places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise;
  - (b) if contestants of a coupled entry or mutuel field finished as two of the first three finishers, the profit is divided with two-thirds distributed to those who selected the coupled entry or mutuel field and one-third distributed to those who selected the other betting interest included within the first three finishers; otherwise
  - (c) as a profit split to those whose selection is included within the first three finishers; but if there are no such wagers on one of those three finishers, then;
  - (d) as a profit split to those who selected one of the two covered betting interests included within the first three finishers; but if there are no such wagers on two of those three finishers, then;
  - (e) as a single price pool to those who selected the one covered betting interest included within the first three finishers; but if there are no such wagers, then;
  - (f) as a single price pool to those who selected the fourth-place finisher; but if there are no such wagers, then;
  - (g) the entire pool shall be refunded on show wagers for that contest.
- (3) If there is a dead heat for first involving:
  - (a) two contestants representing the same betting interest, the profit is divided with two-thirds distributed to those who selected the first-place finishers and one-third distributed to those who selected the betting interest finishing third;
  - (b) three contestants representing a single betting interest, the show pool shall be distributed as a single price pool;
  - (c) contestants representing two or more betting interests, the show pool shall be distributed as a profit split.
- (4) If there is a dead heat for second involving:
  - (a) contestant representing the same betting interest, the profit is divided with one-third distributed to those who selected the betting interest finishing first and two-third distributed to those who selected the second-place finishers;
  - (b) contestants representing two betting interests, the show pool shall be distributed as a profit split;

(c) contestants representing three betting interests, the show pool is divided with one-third of the profit distributed to show wagers on the betting interest finishing first and the remainder is distributed equally amongst show wagers on those betting interests involved in the dead heat for second.

(5) If there is a dead heat for third involving:

(a) contestants representing the same betting interest, the show pool shall be distributed as if no dead heat occurred;

(b) contestants representing two or more betting interests, the show pool is divided with two-thirds (2/3) of the profit distributed to show wagers on the betting interests finishing first and second and the remainder is distributed equally amongst show wagers on those betting interests involved in the dead heat for third.

**E. DOUBLE POOLS:**

(1) The double requires selection of the first-place finisher in each of two specified contests.

(2) The net double pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) as a single price pool to those whose selection finished first in each of the two contests; but if there are no such wagers, then

(b) as a profit split to those who selected the first-place finisher in either of the two contests; but if there are no such wagers, then

(c) as a single price pool to those who selected the one covered first-place finisher in either contest; but if there are no such wagers, then

(d) as a single price pool to those whose selection finished second in each of the two contests; but if there are no such wagers, then

(e) the entire pool shall be refunded on double wagers for those contests.

(3) If there is a dead heat for first in either of the two contests involving:

(a) contestants representing the same betting interest, the double pool shall be distributed as if no dead heat occurred;

(b) contestants representing two or more betting interests, the double pool shall be distributed as a profit split if there is more than one covered winning combination.

(4) Should a betting interest in the first-half of the double be scratched prior to the first double contest being declared official, all money wagered on combinations including the scratched betting interest shall be deducted from the double pool and refunded.

(5) Should a betting interest in the second-half of the double be scratched prior to the close of wagering on the first double contest, all money wagered on combinations including the scratched betting interest shall be deducted from the double pool and refunded.

(6) Should a betting interest in the second-half of the double be scratched after the close of wagering on the first double contest, all wagers combining the winner of the first contest with the scratched betting interest in the second contest shall be allocated a consolation payout. In calculating the consolation payout the net double pool shall be divided by the total amount wagered on the winner of the first contest and an unbroken consolation price obtained. The broken consolation price is multiplied by the dollar value of wagers on the winner of the first contest combined with the scratched betting interest to obtain the consolation payout. Breakage is not utilized in this calculation. The consolation payout is deducted from the net double pool before calculation and distribution of the winning double payout. Dead heats including separate betting interests in the first contest shall result in a consolation payout calculated as a profit split.

(7) If either of the double contests is cancelled prior to the first double contest, or the first double contest is declared "no contest", the entire double pool shall be refunded on double wagers for those contests.

(8) If the second double contest is cancelled or declared "no contest" after the conclusion of the first double contest, the net double pool shall be distributed as a single price pool to wagers selecting the winner of the first double contest. In the event of a dead heat involving separate betting interests, the net double pool shall be distributed as a profit split.

**F. PICK THREE POOLS:**

(1) The pick three requires selections of the first-place finisher in each of three specified contests.

(2) The net pick three pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) as a single price pool to those whose selection finished first in each of the three contests; but if there are no such wagers, then

(b) as a single price pool to those who selected the first-place finisher in any two of the three contests; but if there are no such wagers, then

(c) as a single price pool to those who selected the first-place finisher in any one of the three contest; but if there are no such wagers, then

(d) the entire pool shall be refunded on pick three wagers for those contests.

(3) If there is a dead heat for first in any of the three contests involving:

(a) contestants representing the same betting interest, the pick three pool shall be distributed as if no dead heat occurred;

(b) contestants representing two or more betting interests, the pick three pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

(4) Should a betting interest in any of the pick three contest be scratched, the actual favorite, as evidenced by total amounts wagered in the win pool at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as the result of the substitution, in addition to the normal winning combinations.

(5) If all three pick three contests are cancelled or declared "no contest"; the entire pool shall be refunded on pick three wagers for those contests.

(6) If one or two of the pick three contests are cancelled or declared "no contest", the pick three pool will remain valid and shall be distributed in accordance with Subsection F Paragraph (2) of 15.2.7 NMAC.

#### **G. PICK (n) POOLS:**

(1) The pick (n) requires selection of the first-place finisher in each of a designated number of contests. The association must obtain written approval from the commission concerning the scheduling of pick (n) contests, the designation of one of the methods prescribed in Subsection G, Paragraph (2) of 15.2.7 NMAC, and the amount of any cap to be set on the carryover. Any changes to the approved pick (n) format require prior approval from the commission.

(2) The pick (n) pool shall be apportioned under one of the following methods:

(a) method 1, pick (n) with carryover: the net pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the pick (n) contests, based upon the official order or finish; if there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of pick (n) contests; and the remainder shall be added to the carryover;

(b) method 2, pick (n) with minor pool and carryover: the major share of the net pick (n) pool and the carryover, if any, shall be distributed to those who selected the first-place finisher in each of the pick (n) contests, based upon the official order of finish; the minor share of the net pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of pick (n) contests, based upon the official order of finish; if there are no wagers selecting the first-place finisher of all pick (n) contests, the minor share of the net pick (n) pool shall be distributed as a single price pool to those who selected the first place finisher in the greatest number of pick (n) contests; and the major share shall be added to the carryover;

(c) method 3, pick (n) with no minor pool and no carryover: the net pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of pick (n) contests, based upon the official order of finish; if there are no winning wagers, the pool is refunded;

(d) method 4, pick (n) with minor pool and no carryover: the major share of the net pick (n) pool shall be distributed to those who selected the first place finisher in the greatest number of pick (n) contests, based upon the official order of finish; the minor share of the net pick (n) pool shall be distributed to those who selected the first place finisher in the second greatest number of pick (n) contests, based upon the official order of finish; if there are no wagers selecting the first-place finisher in a second greatest number of pick (n) contests, the minor share of the net pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in the greatest number of pick (n) contests; if the greatest number of first-place finishers selected is one (1), the major and minor shares are combined for distribution as a single price pool; if there are no winning wagers, the pool is refunded;

(e) method 5, pick (n) with minor pool and no carryover: the major share of net pick (n) pool shall be distributed to those who selected the first-place finisher in each of the pick (n) contests, based upon the official order of finish; the minor share of the net pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of pick (n) contests, based upon the official order of finish; if

there are no wagers selecting the first-place finisher in all pick (n) contests, the entire net pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of pick (n) contests; if there are no wagers selecting the first-place finisher in a second greatest number of pick (n) contests, the minor share of the net pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in each of the pick (n) contests; if there are no winning wagers, the pool is refunded.

(f) method 6, pick (n) with "unique winning ticket" provision: The net pick (n) pool and carryover, if any, shall be distributed to the holder of a unique winning ticket that selected the first-place finisher in each of the pick (n) contests, based upon the official order of finish. If there is no unique ticket selecting the first-place finisher in each of the pick (n) contests, or if there are no wagers selecting the first-place finisher of all pick (n) contests, the minor share of the net pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of pick (n) contests, and the major share shall be added to the carryover. Association may suspend previously approved unique winning ticket wagering with the prior approval of the commission. Any carryover shall be held until the suspended unique winning ticket wagering is reinstated.

(3) If there is a dead heat for first in any of the pick (n) contests involving:

(a) contestants representing the same betting interest, the pick (n) pool shall be distributed as if no dead heat occurred;

(b) contestants representing two or more betting interests, the pick (n) pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

(4) Should a betting interest in any of the pick (n) contest be scratched, the actual favorite, as evidenced by total amounts wagered in the win pool at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combinations.

(5) The pick (n) pool shall be cancelled and all pick (n) wagers for the individual performance shall be refunded if:

(a) at least two contests included as part of a pick 3 are cancelled or declared "no contest";

(b) at least three contests included as part of a pick 4, pick 5 or pick 6 are cancelled or declared "no contest";

(c) at least four contests included as part of a pick 7, pick 8 or pick 9 are cancelled or declared "no contest";

(d) at least five contests included as part of a pick 10 are cancelled or declared "no contest".

(6) If at least one contest included as part of a pick (n) is cancelled or declared "no contest", but not more than the number specified in Subsection G Paragraph (5) of 15.2.7 NMAC, the net pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the pick (n) carryover but not the carryover from previous performances.

(7) The pick (n) carryover may be capped at a designated level approved by the commission so that if, at the close of any performance, the amount in the pick (n) carryover equals or exceeds the designated cap, the pick (n) carryover will be frozen until it is won or distributed under other provisions of this rule. After the pick (n) carryover is frozen, 100 percent of the net pool, part of which ordinarily would be added to the pick (n) carryover, shall be distributed to those whose selection finished first in the greatest number of pick (n) contests for that performance.

(8) A written request for permission to distribute the pick (n) carryover on a specific performance may be submitted to the commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

(9) Should the pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selecting the first-place finisher in each of the pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of pick (n) contests. The pick (n) carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) upon written approval from the commission as provided in Subsection G Paragraph (8) of 15.2.7 NMAC of this section;

(b) upon written approval from the commission when there is a change in the carryover cap, a change from one type of pick (n) wagering to another, or when the pick (n) is discontinued;

(c) on the closing performance of the meet or split meet.

(10) If, for any reason, the pick (n) carryover must be held over to the corresponding pick (n) pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the commission. The pick (n) carryover plus accrued interest shall then be added to the net pick (n) pool of the following meet on a date and performance so designated by the commission.

(11) With the written approval of the commission, the association may contribute to the pick (n) carryover a sum of money up to the amount of any designated cap.

(12) Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining is strictly prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

(13) The association may suspend previously approved pick (n) wagering with the prior approval of the commission. Any carryover shall be held until the suspended pick (n) wagering is reinstated. An association may request approval of a pick (n) wager or separate wagering pool for specific performances.

#### H. SOLO 6:

(1) The *solo 6* requires selection of the first place finisher in each of six designated contests. The entire net *solo 6* pool and carryover, if any, shall be distributed to the holder of a unique wager selecting the first place finisher in each of the selected six contests. If there is no unique wager selecting the first place finisher in all six contests, the minor share of the *solo 6* shall be distributed as a single price pool to those who selected the first place finisher in the greatest number of contests. The major share shall be added to the carryover. The designated percentage of minor and major pools must be approved by the New Mexico racing commission and posted in the official racing program.

(2) Unique wager, as used in this subsection, shall be defined as having occurred when the total amount wagered on a winning combination selecting the first place finisher in each of the six contests **is equal to the minimum allowable wager.**

(3) If there is a dead heat for first in any of the *solo 6* contests involving:

(a) contestants representing the same betting interest, the *solo 6* pool shall be distributed as if no dead heat occurred;

(b) contestants representing two or more betting interests, the *solo 6* pool shall be distributed as a single price pool with each winning wager receiving an equal share of that day's pool if there is more than one winning ticket.

(4) Should a betting interest in any of the *solo 6* contests be scratched or determined to be a non-starter, the actual favorite, as evidenced by the total amounts wagered in the win pool at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number.

(5) The *solo 6* pool shall be cancelled and all *solo 6* wagers for the individual performance shall be refunded if at least three contests included as part of the *solo 6* are cancelled or declared a no contest.

(6) If at least one contest of the *solo 6* is cancelled or declared a no contest, but not more than three contests, the net pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of *solo 6* contests for that performance. Such distribution shall include the portion ordinarily retained for the *solo 6* carryover, but not the carryover from previous performances.

(7) The *solo 6* carryover may be capped at a designated level approved by the New Mexico racing commission so that if, at the close of any performance, the amount in the carryover equals or exceeds the designated cap, the *solo 6* carryover will be frozen until it is won or distributed under other provisions of this rule. After the *solo 6* carryover is frozen, one hundred per cent of the net pool, part of which ordinarily would be added to the *solo 6* carryover, shall be distributed to those whose selections finished first in the greatest number of *solo 6* contests for that performance.

(8) A written request for permission to distribute the *solo 6* carryover on a specific date shall be submitted to the New Mexico racing commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date of the distribution.

(9) Should the *solo 6* be designated for distribution on a specific date, the unique wager provision of this subsection shall be suspended, and the entire pool shall be distributed as a single price pool to those

whose selection finished first in the greatest number of *solo 6* contests. The *solo 6* carryover shall be designated for distribution on a specific date and performance only under the following circumstances:

(a) upon written approval from the New Mexico racing commission as provided in Paragraph (8) of Subsection H of 15.2.7.12 NMAC;

(b) when the *solo 6* is discontinued; or

(c) on the closing day of the meet.

(10) If for any reason the *solo 6* carryover must be held over to the corresponding *solo 6* pool or subsequent meet, the carryover shall be deposited into an interest bearing account approved by the New Mexico racing commission. The *solo 6* carryover, plus accrued interest, shall then be added to the net *solo 6* pool of the following meet. Following meet would be defined as next racing season of the racetrack where the carryover occurred.

(11) Association may suspend previously approved *solo 6* wagering with the prior approval of the New Mexico racing commission. Any carryover shall be held until the suspended *solo 6* wagering is reinstated. *Solo 6*, as used in this rule, shall mean the selection of winners in six contests during the course of an official racing program.

#### **I. PLACE PICK (n) POOLS:**

(1) The place pick (n) is a separate pari-mutuel pool established by the association on a designated number of races. The pool consists of amounts wagered on a horse to finish first or second in each of the races. It is not a parlay and has no connection with or relation to other pools conducted by the association, except for the provisions in Paragraph (5) of Subsection H of 15.2.7.12 NMAC, or to rules governing the distribution of other pools.

(2) A valid place pick (n) ticket shall be evidence of a binding contract between the holder of the ticket and the association and shall constitute an acceptance of place pick (n) provisions and rules contained herein.

(3) A place pick (n) may be given a distinctive name by the association conducting the meeting, subject to commission approval.

(4) A wager on a coupled entry or mutuel field is considered a wager on the remaining part of the coupled entry or mutuel field if any part of such entry starts for pari-mutuel purposes in accordance with Subsection L of 15.2.7.8 NMAC.

(5) If a ticket in any place pick (n) race designates a selection that is scratched, excused or determined by the stewards to be a nonstarter in the race, the association may designate the actual favorite, which is determined by the amounts wagered in the win pool at the time of the start of the race. The actual favorite will be substituted for the nonstarting selection for all purposes.

(6) Except as provided in Subparagraph (a) of Paragraph (6) of Subsection H of 15.2.7.12 NMAC, in a dead heat for win between two or more horses, only the horses in such dead heat shall be considered winning horses.

(a) In a dead heat for win between two or more coupled horses, all such horses together with the horse(s) which finishes next in order shall be considered winning horses.

(b) Except as provided in Paragraph (6) of Subsection H 15.2.7.12 NMAC, a dead heat for second between two or more horses, all such horses together with the horse which finished first shall be considered winning horses.

(7) The association shall distribute the net pool to holders of valid tickets that correctly selected the most first or second place finishers.

(8) All tickets shall be refunded if all races comprising the place pick (n) are cancelled or declared as no contest. The entire pool shall be refunded if less than four races are completed and if four or more races are completed the net pool shall be distributed pursuant to Paragraph (7) of Subsection H of 15.2.7.12 NMAC.

(9) After wagering closes on the first race comprising of the place pick (n) no ticket shall be sold, exchanged or cancelled.

(10) If the racing surface changes from turf to dirt or dirt to turf in any race of a place pick (n), and such change is not announced to the public before the close of wagering on the place pick (n) pool, all wagers on such race shall be considered winning wagers for the purposes of the place pick (n).

#### **J. GRAND SLAM POOLS:**

(1) The grand slam requires selection of the official first, second or third place finisher in each of the first three races in a series of four designated grand slam races. A completed winning grand slam wager requires the selection of the official first place finisher in the fourth and final event in this same series of races. The association must obtain written approval from the commission for the initial scheduling or specific performances of

grand slam races or any other name used to characterize this bet type and identify the pari-mutuel pool and any required distribution percentages. Changes to the approved grand slam format, or suspension of previously approved grand slam wagering, require prior approval from the commission.

**(2)** The grand slam pool shall be apportioned under the following method:

**(a)** Grand slam wager with no carryover; the net grand slam pool shall be distributed from a single betting pool to participants who selected the first, second or third place finisher in the first three races of a series of four grand slam races completing a winning wager with the selection of the first place finisher in the fourth and final grand slam event in this same series, based upon the official order of finish.

**(b)** Grand slam wager with no carryover; if there are no winning wagers taking into account all four segments of the grand slam wager, the pool shall be distributed as a single price pool to those who selected the first place finisher in the fourth and final grand slam event in this series of races along with the greatest number of first, second or third place finishers each of which had an accompanying show pari-mutuel payout, in accordance with Subsection M of 15.2.7.8 NMAC in each of the first three races in the series of four designated grand slam races. All results are based upon the official order of finish for each race.

**(3)** If there is a dead heat for the first in any of the grand slam segments involving:

**(a)** Official program numbered horses representing the same betting interest, the grand slam pool shall be distributed as if no dead heat occurred.

**(b)** Official program numbered horses representing two or more betting interests, the grand slam pool shall be distributed from a single betting pool with a winning wager including each betting interest participating in the dead heat provided each entrant has a pari-mutuel show payout within its race.

**(4)** If there is a dead heat for second and/or third in any of the first three races in a series of four designated grand slam contests involving:

**(a)** Horses representing the same betting interest, the grand slam pool shall be distributed as if no dead heat occurred.

**(b)** Horses representing two or more betting interests, the grand slam pool shall be distributed from a single betting pool with a winning wager including the betting interest which finished first or any betting interest involved in the dead heat for second or third providing the horse has a show pari-mutuel payout.

**(5)** Should a betting interest in any of the grand slam contests be scratched:

**(a)** The actual favorite, as evidenced by total amounts wagered in the win pool at the association for the contest at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculation. In the event that the win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the greatest amount of money in the place pool. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination.

**(b)** Should a scratch or scratches occur in any of the first three races in a series of four designated grand slam contests and subsequently show wagering is cancelled due to an insufficient number of remaining betting interests, this race for winning grand slam wagering purposes would include the win and place horse only.

**(6)** The grand slam pool shall be canceled and all grand slam wagers for the individual performance shall be refunded if at least two contests included as part of a grand slam wager are cancelled or declared "no contest".

**(7)** If at least one race included as part of a grand slam wager is canceled or declared "no contest", but not more than the number specified in Paragraph (6) of Subsection I of 15.2.7.12 NMAC, the net pool shall be distributed from a single betting pool to those bettors whose selections finished first, second or third in the greatest number of grand slam contests in the first three races in a series of four designated grand slam contests. In determining a pari-mutuel distribution under this section, a finish of first in the final and fourth designated grand slam contest race for the performance in question shall have the same weight as a finish of first, second or third in the greatest number of grand slam contests in the first three races in a series of four designated grand slam contests.

**(8)** When the condition of the turf course warrants a change of racing surface in any of the legs of the grand slam races, and such change has not been made known to the betting public prior to the close of wagering for the grand slam pool, the stewards shall declare the changed leg(s) a "no contest" for grand slam wagering purposes and the pool shall be distributed in accord with Paragraph (7) of Subsection I of 15.2.7.12 NMAC.

**(9)** Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining prior to the third segment of



the wager being made official is strictly prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

**K. QUINELLA POOLS:**

(1) The quinella requires selection of the first two finishers, irrespective of order, for a single contest.

(2) The net quinella pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) if contestants of a coupled entry or mutuel field finish as the first two finishers, as a single price pool to those selecting the coupled entry of mutuel field combined with the next separate betting interest in the official order of finish; otherwise

(b) as a single price pool to those whose combination finished as the first two betting interests; but if there are no such wagers, then

(c) as a profit split to those whose combination included either the first or second-place finisher; but if there are no such wagers on one of the two finishers, then

(d) as a single price pool to those whose combination included the one covered betting interest included within the first two finishers; but if there are no such wagers, then

(e) the entire pool shall be refunded on quinella wagers for that contest.

(3) If there is a dead heat for first involving:

(a) contestants representing the same betting interest, the quinella pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish;

(b) contestants representing two betting interests, the quinella pool shall be distributed as if no dead heat occurred;

(c) contestants representing three or more betting interests, the quinella pool shall be distributed as a profit split.

(4) If there is a dead heat for second involving contestants representing the same betting interest, the quinella pool shall be distributed as if no dead heat occurred.

(5) If there is a dead heat for second involving contestants representing two or more betting interests, the quinella pool shall be distributed to wagers in the following precedence, based upon the official order of finish:

(a) as a profit split to those combining the winner with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then

(b) as a single price pool to those combining the winner with the one covered betting interest involved in the dead heat for second; but if there are no such wagers, then

(c) as a profit split to those combining the betting interests involved in the dead heat for second; but if there are no such wagers, then

(d) as a profit split to those whose combination included the winner and any other betting interest and wagers selecting any of the betting interests involved in the dead heat for second; but if there are no such wagers, then

(e) the entire pool shall be refunded on quinella wagers for that contest.

**L. QUINELLA DOUBLE POOLS:**

(1) The quinella double requires selection of the first two finishers, irrespective of order, in each of two specified contests.

(2) The net quinella double pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) if a coupled entry or mutuel field finishes as the first two contestants in either contest, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish for that contest, as well as the first two finishers in the alternate quinella double contest; otherwise

(b) as a single price pool to those who selected the first two finishers in each of the two quinella double contests; but if there are no such wagers, then

(c) as a profit split to those who selected the first two finishers in either of the two quinella double contests; but if there are no such wagers on one of those contests, then

(d) as a single price pool to those who selected the first two finishers in the one covered quinella double contest; but if there were no such wagers, then

(e) the entire pool shall be refunded on quinella double wagers for those contests.

- (3) If there is a dead heat for first in either of the two quinella double contests involving:
- (a) contestants representing the same betting interest, the quinella double pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish for that contest;
  - (b) contestants representing two betting interests, the quinella double pool shall be distributed as if no dead heat occurred;
  - (c) contestants representing three or more betting interests, the quinella double pool shall be distributed as a profit split.
- (4) If there is a dead heat for second in either of the quinella double contests involving contestants representing the same betting interest, the quinella double pool shall be distributed as if no dead heat occurred.
- (5) If there is a dead heat for second in either of the quinella double contests involving contestants representing two or more betting interests, the quinella double pool shall be distributed as profit split.
- (6) Should a betting interest in the first-half of the quinella double be scratched prior to the first quinella double contest being declared official, all money wagered on combinations including the scratched betting interest shall be deducted from the quinella double pool and refunded.
- (7) Should a betting interest in the second half of the quinella double be scratched prior to the close of wagering on the first quinella double contest, all money wagered on combinations including the scratched betting interest shall be deducted from the quinella double pool and refunded.
- (8) Should a betting interest in the second-half of the quinella double be scratched after the close of wagering on the first quinella double contest, all wagers combining the winning combination in the first contest with a combination including the scratched betting interest in the second contest shall be allocated a consolation payout. In calculating the consolation payout the net quinella double pool shall be divided by the total amount wagered on the winning combination in the first contest and an unbroken consolation price obtained. The unbroken consolation price is multiplied by the dollar value of wagers on the winning combination in the first contest combined with a combination including the scratched betting interest in the second contest to obtain the consolation payout. Breakage is not utilized in this calculation. The consolation payout is deducted from the net quinella double pool before calculation and distribution of the winning quinella double payout. In the event of a dead heat involving separate betting interests, the net quinella double pool shall be distributed as a profit split.
- (9) If either of the quinella double contests is cancelled prior to the first quinella double contest, or the first quinella double contest is declared "no contest", the entire quinella double pool shall be refunded on quinella double wagers for those contests.
- (10) If the second quinella double contest is cancelled or declared "no contest" after the conclusion of the first quinella double contest, the net quinella double pool shall be distributed as a single price pool to wagers selecting the winning combination in the first quinella double contest. If there are no wagers selecting the winning combination in the first quinella double contest, the entire quinella double pool shall be refunded on quinella double wagers for those contests.

**M. EXACTA POOLS:**

- (1) The exacta requires selection of the first two finishers, in their exact order, for a single contest.
- (2) The net exacta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:
- (a) if contestants of a coupled entry or mutuel field finish as the first two finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; otherwise
  - (b) as a single price pool to those whose combination finished in correct sequence as the first two betting interests; but if there are no such wagers, then
  - (c) as a profit split to those whose combination included either the first-place betting interest to finish first or the second-place betting interest to finish second; but if there are no such wagers on one of those two finishers, then
  - (d) as a single price pool to those whose combination included the one covered betting interest to finish first or second in the correct sequence; but if there are no such wagers, then
  - (e) the entire pool shall be refunded on exacta wagers for that contest.
- (3) If there is a dead heat for first involving:

(a) contestants representing the same betting interest, the exacta pool shall be distributed as a single price pool to those selecting the coupled entry of mutuel field combined with the next separate betting interest in the official order of finish;

(b) contestants representing two or more betting interests, the exacta pool shall be distributed as a profit split.

(4) If there is a dead heat for second involving contestants represent the same betting interest, the exacta pool shall be distributed as if no dead heat occurred.

(5) If there is a dead heat for second involving contestants representing two or more betting interests, the exacta pool shall be distributed to ticket holders in the following precedence, based upon the official order of finish:

(a) as a profit split to those combining the first-place betting interest with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then

(b) as a single price pool to those combining the first-place betting interest with the one covered betting interest involved in the dead heat for second; but if there are no such wagers, then

(c) as a profit split to those wagers correctly selecting the winner for first-place and those wagers selecting any of the dead-heated betting interests for second-place; but there are no such wagers, then

(d) the entire pool shall be refunded on exacta wagers for that contest.

#### **N. TRIFECTA POOLS:**

(1) The trifecta requires selection of the first three finishers, in their exact order, for a single contest.

(2) The net trifecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) as a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

(b) as a single price pool to those whose combinations included, in correct sequence, the first two betting interest; but if there are no such wagers, then

(c) as a single price pool to those whose combinations correctly selected the first-place betting interest only; but if there are no such wagers, then

(d) the entire pool shall be refunded on trifecta wagers for that contest

(e) where only two horses finish in the race on which trifecta wagering is conducted, the pool shall be calculated so that the net pool should be divided by the value of tickets sold in the pool on horses selected to finish first and second in the exact order of the official result coupled with any other horse that started in the race;

(f) where only one horse finishes in a race on which trifecta wagering is conducted, the pool shall be calculated so that the net pool shall be divided by the value of the tickets sold in the trifecta pool selecting that horse to finish first, coupled with any two other horses started in the race.

(3) If less than three betting interests finish and the contest is declared official, payouts will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection beyond the number of betting interests completing the contest shall be ignored.

(4) If there is a dead heat for first involving:

(a) contestants representing three or more betting interests, all of the wagering combinations selecting three betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split;

(b) contestants representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, irrespective of order, along with the third-place betting interest shall share in a profit split.

(5) If there is a dead heat for second, all of the combinations correctly selecting the winner combined with any of the betting interests involved in the dead heat for second shall share in a profit split.

(6) If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any of the betting interests involved in the dead heat for third shall share in a profit split.

#### **O. SUPERFECTA POOLS:**

(1) The superfecta requires selection of the first four finishers, in their exact order for a single contest.

(2) The net superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

- (a) as a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then
- (b) as a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then
- (c) as a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then
- (d) as a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then
- (e) the entire pool shall be refunded on superfecta wagers for that contest.
- (3) If less than four betting interests finish and the contest is declared official, payouts will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection beyond the number of betting interests completing the contest shall be ignored.
- (4) If there is a dead heat for first involving:
  - (a) contestants representing four or more betting interests, all of the wagering combinations selecting four betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split;
  - (b) contestants representing three betting interests, all of the wagering combinations selecting the three dead-heated betting interests, irrespective of order, along with the fourth place betting interest shall share in a profit split;
  - (c) contestants representing two betting interests, both of the wagering a combination selecting the two dead-heated betting interests, irrespective of order, along with the third-place and fourth-place betting interests shall share in a profit split.
- (5) If there is a dead heat for second involving:
  - (a) contestants representing three or more betting interests, all of the wagering combinations correctly selecting the winner combined with any of the three betting interests involved in the dead heat for second shall share in a profit split;
  - (b) contestants representing two betting interests, all of the wagering combinations correctly selecting the winner, the two dead-heated betting interests, irrespective of order, and the fourth-place betting interest shall share in a profit split.
- (6) If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any two of the betting interests involved in the dead heat for third shall share in a profit split.
- (7) If there is a dead heat for fourth, all wagering combinations correctly selecting the first three finishers, in correct sequence, along with any of the betting interests involved in the dead heat for fourth shall share in a profit split.
- (8) Coupled entries and mutuel fields may be permitted in superfecta contests with the prior written approval of the commission.

**P. PENTAFECTA(SUPER HI-5):**

- (1) The pentafecta (super hi-5) requires the selection of the first five finishers, in their exact order, for a single contest.
- (2) An association may elect to conduct a pentafecta (super hi-5) in the carryover method as provided in subsection (7) below. If an association elects to offer the carryover method, a notice shall be made in the daily program explaining that there is a carryover provision and the percentages applying to the jackpot pool and the minor pool. All pentafectas (super hi-5) not conducted in the carryover method shall be conducted in the non-carryover method as provided in subsection (3) below.
- (3) The net non-carryover pentafecta (super hi-5) pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:
  - (a) as a single price pool to those whose combination finished in exact order as the first five betting interests, if there are no such wagers;
  - (b) as a single price pool to those whose combination included, in exact order, the first four betting interests, if there are no such wagers;
  - (c) as a single price pool to those whose combination included, in exact order, the first three betting interests, if there are no such wagers;
  - (d) as a single price pool to those whose combination included, in exact order, the first two betting interests, if there are no such wagers;

- (e) as a single price pool to those whose combination correctly selected the first place betting interest only, if there are no such wagers;
- (f) the entire pentafecta (super hi-5) pool shall be refunded for that contest.
- (4) If less than five betting interests finish and the contest is declared official, payouts will be made based upon the order of finish of those betting interests completing the contest.
- (5) If there is a dead heat in any of the finishing positions, all wagers selecting either of the dead-heated positions with the correct non-dead-heated positions shall be winners and share in the specified payout pool. For example, the results 1/2 -3-4-5-6 with a dead heat in the win position involving numbers 1 and 2 would produce the following winning combinations: 1-2-3-4-5 and 2-1-3-4-5. Payouts will be calculated by splitting the pool equally between each winning combination, then dividing each portion by the number of winning tickets (a "profit split"). As such, a dead heat will produce separate and distinct payouts associated with the distinct winning combinations.
- (6) In the event that more than one component of a coupled entry or mutual field finishes within the first five positions, the first member of the coupled entry or field to finish shall determine the position of the single betting interest. The net pool shall be distributed to those whose selection included the coupled entry or mutual field and each of the other four betting interests.
- (7) The net carryover pentafecta (super hi-5) pool shall be distributed to winning wagers in the following order of finish:
- (a) if tickets are sold on the winning combination of the pentafecta (super hi-5), the net pool shall have added to it any carryover monies from previous pentafecta (super hi-5) contests, and shall then be equally divided among those ticket holders;
- (b) if no tickets are sold on the winning combination of the pentafecta (super hi-5), then the net pool shall be divided into two separate pools. The major pool of the net pool shall be paid as a carryover pool into the next scheduled pentafecta (super hi-5) race. The remaining minor pool shall be paid as a pentafecta (super hi-5) consolation pool, which will be equally divided among those tickets holders who correctly selected the first four betting interests; but if there is no such wager then;
- (c) the pentafecta (super hi-5) consolation pool will be divided among those ticket holders who correctly select the first three interests; but if there are no such wagers, then;
- (d) the pentafecta (super hi-5) consolation pool will be divided among those ticket holders who correctly select the first two interests; but if there are no such wagers, then;
- (e) the pentafecta (super hi-5) consolation pool will be divided among those ticket holders who correctly select the first betting interest; but if there are no such wagers, then;
- (f) the entire net pool shall become a carryover pool into the next regularly scheduled pentafecta (super hi-5) race.
- (g) If the pentafecta (super hi-5) gross pool is refunded in accordance with the above-described rules, then all monies carried over, if any, shall be carried over to the next regularly scheduled pentafecta (super hi-5).
- (h) If less than five betting interests finish and the contest is declared official, payoffs will be made based on the order of finish of those betting interests completing the contest. In this event, payouts will be calculated as consolation payouts and the remaining net pool will be handled as a jackpot carryover.
- (i) In the event the accumulated jackpot carryover has not been distributed prior to the final contest of the performance, then the accumulated jackpot carryover and the net pool in the final pentafecta (super hi-5) contest of the performance will be added to the first pentafecta (super hi-5) contest of the next performance.
- (j) All dead heat provisions of Paragraphs (5), (6), (7), (8), (9) of this subsection and coupled entry of mutual field provisions of Paragraph (6) of this subsection apply to the net carryover pentafecta (super hi-5) pool distributions.
- (8) The minimum number of betting interests required to start in a contest in which pentafecta (super hi-5) wagering is offered shall be seven.
- (9) Associations electing to offer the net carryover pentafecta (super hi-5) pool may, prior to offering the wager designate the jackpot carryover amount at any given percentage of the net pool; the remaining percentages will be the minor pool portion, if any. This elected percentage may not be changed during the performance on which the pentafecta (super hi-5) is conducted in the carryover method.
- (10) At the association's discretion, the pentafecta (super hi-5) wager may be discontinued and there will be a final distribution of any jackpot carryover combined with the final net pool of the final pentafecta (super hi-5) race and priced as a single price pool as described in Paragraph (3) of this subsection.

(11) Each association conducting the pentafecta (super hi-5) pool of any type, must notify the wagering public via a statement in the official program or by prominently displaying on each level of the facility, a declaration of whether the standard version or the carryover version of the pool is being conducted.

(12) Different methods of conduct of this pool may not be combined for the pentafecta (super hi-5) between intertrack or simulcast wagering hosts and guests.

**Q. TWIN QUINELLA POOLS:**

(1) The twin quinella requires selection of the first two finishers, irrespective of order, in each of two designated contests. Each winning ticket for the first twin quinella contest must be exchanged for a free ticket on the second twin quinella contest in order to remain eligible for the second-half twin quinella pool. Such tickets may be exchanged only at attended ticket windows prior to the second twin quinella contest. There will be no monetary reward for winning the first twin quinella contest. Both of the designated twin quinella contests shall be included in only one twin quinella pool.

(2) In the first twin quinella contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first twin quinella contest:

(a) if a coupled entry or mutuel field finishes as the first two finishers, those who selected the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish shall be winners; otherwise

(b) those whose combination finished as the first two betting interests shall be winners; but if there are no such wagers, then

(c) those whose combination included either the first or second-place finisher shall be winners; but if there are no such wagers on one of those two finishers, then

(d) those whose combination included the one covered betting interest included within the first two finishers shall be winners; but if there are no such wagers, then

(e) the entire pool shall be refunded on twin quinella wagers for that contest.

(3) In the first twin quinella contest only, if there is a dead heat for first involving:

(a) contestants representing the same betting interest, those who selected the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish shall be winners;

(b) contestants representing two betting interests, the winning twin quinella wagers shall be determined as if no dead heat occurred;

(c) contestants representing three or more betting interests, those whose combination included any two of the betting interests finishing in the dead heat shall be winners.

(4) In the first twin quinella contest only, if there is a dead heat for second involving:

(a) contestants representing the same betting interest, those who selected the first-place finisher combined with the coupled entry or mutuel field in second-place shall be winners;

(b) contestants representing two or more betting interests, those who combined the first-place finisher with any of the betting interests involved in the dead for second shall be winners.

(5) In the second twin quinella contest only, the entire net twin quinella pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second twin quinella contest:

(a) if a coupled entry or mutuel field finishes as the first two finishers, as a single price pool to those who selected the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; otherwise

(b) as a single price pool to those whose combination finished as the first two betting interests; but if there are no such wagers, then

(c) as a profit split to those whose combination included either the first or second-place finisher; but if there are no such wagers on one of those two finishers, then

(d) as a single price pool to those whose combination included the one covered betting interest included within the first two finishers; but if there are no such wagers, then

(e) as a single price pool to all the exchange ticket holders for that contest; but if there are no such tickets, then

(f) in accordance with Subsection M Paragraph (2) of 15.2.7 NMAC.

(6) In the second twin quinella contest only, if there is a dead heat for first involving:

(a) contestants representing the same betting interest, the net twin quinella pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish;

(b) contestants representing two betting interests, the net twin quinella pool shall be distributed as if no dead heat occurred;

(c) contestants representing three or more betting interests, the net twin quinella pool shall be distributed as a profit split to those whose combination included any two of the betting interests finishing in the dead heat.

(7) In the second twin quinella contest only, if there is a dead heat for second involving:

(a) contestants representing the same betting interest, the net twin quinella pool shall be distributed as if no dead heat occurred;

(b) contestants representing two or more betting interests, the net twin quinella pool shall be distributed as a profit split to those who combined the first-place finisher with any of the betting interests involved in the dead heat for second.

(8) If a winning ticket for the first-half of the twin quinella is not presented for exchange prior to the close of betting on the second-half twin quinella contest, the ticket holder forfeits all rights to any distribution of the twin quinella pool resulting from the outcome of the second contest.

(9) Should a betting interest in the first half of the twin quinella be scratched, those twin quinella wagers including the scratched betting interest shall be refunded.

(10) Should a betting interest in the second half of the twin quinella be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second twin quinella contest, the ticket holder forfeits all rights to the twin quinella pool.

(11) If either of the twin quinella contests is cancelled prior to the first twin quinella contest, or the first twin quinella contest is declared "no contest", the entire twin quinella pool shall be refunded on twin quinella wagers for that contest.

(12) If the second-half twin quinella contest is cancelled or declared "no contest" after the conclusion of the first twin quinella contest, the net twin quinella pool shall be distributed as a single price pool to wagers selecting the winning combination in the first twin quinella contest and all valid exchange tickets. If there is no such wagers, the net twin quinella pool shall be distributed as described in Subsection M Paragraph (2) of 15.2.7 NMAC.

#### **R. TWIN TRIFECTA POOLS:**

(1) The twin trifecta requires selection of the first three finishers, in their exact order, in each of two designated contests. Each winning ticket for the first twin trifecta contest must be exchanged for a free ticket on the second twin trifecta contest in order to remain eligible for the second-half twin trifecta pool. Such tickets may be exchanged only at attended ticket windows prior to the second twin trifecta contest. Winning first half twin trifecta wagers will receive both an exchange and a monetary payout. Both of the designated twin trifecta contests shall be included in only one twin trifecta pool.

(2) After wagering closes for the first half of the twin trifecta and commissions have been deducted from the pool, the net pool shall then be divided into separate pools; the first-half twin trifecta pool and the second-half twin trifecta pool.

(3) In the first twin trifecta contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first twin trifecta contest:

(a) a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

(b) as a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

(c) as a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

(d) the entire twin trifecta pool shall be refunded on twin trifecta wagers for that contest and the second-half shall be cancelled.

(4) If no first-half twin trifecta ticket selects the first three finishers of that contest in exact order, winning ticket holders shall not receive any exchange tickets for the second-half twin trifecta pool. In such case, the second-half twin trifecta pool shall be retained and added to any existing twin trifecta carryover pool.

(5) Winning tickets from the first half of the twin trifecta shall be exchanged for tickets selecting the first three finishers of the second half of the twin trifecta. The second-half twin trifecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second twin trifecta contest:

(a) as a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first three betting interests; but if there are no such tickets, then

(b) The entire second-half twin trifecta pool for that contest shall be added to any existing carryover monies and retained for the corresponding second-half twin trifecta pool of the next consecutive performance.

(6) If a winning first-half twin trifecta ticket is not presented for cashing and exchange prior to the second-half twin trifecta contest, the ticket holder may still collect the monetary value associated with the first-half twin trifecta pool but forfeits all rights to any distribution of the second-half twin trifecta pool.

(7) Should a betting interest in the first half of the twin trifecta be scratched, those twin trifecta wagers including the scratched betting interest shall be refunded.

(8) Should a betting interest in the second half of the twin trifecta be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second twin trifecta contest, the ticket holder forfeits all rights to the second-half twin trifecta pool.

(9) If, due to a late scratch, the number of betting interests in the second-half of the twin trifecta is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half twin trifecta pool for that contest as a single price pool, but not the twin trifecta carryover.

(10) If there is a dead heat or multiple dead heats in either the first or second-half of the twin trifecta, all twin trifecta wagers selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

(a) the first half of the twin trifecta, the payout shall be calculated as a profit split;

(b) the second half of the twin trifecta, the payout shall be calculated as a single price pool.

(11) If either of the twin trifecta contests are cancelled prior to the first twin trifecta contest, or the first twin trifecta contest is declared "no contest", the entire twin trifecta pool shall be refunded on twin trifecta wagers for that contest and the second-half shall be cancelled.

(12) If the second-half twin trifecta contest is cancelled or declared "no contest", all exchange tickets and outstanding first-half winning twin trifecta tickets shall be entitled to the net twin trifecta pool for that contest as a single price pool, but not twin trifecta carryover. If there are no such tickets, the net twin trifecta pool shall be distributed as described in Subsection N Paragraph (3) of 15.2.7 NMAC.

(13) The twin trifecta carryover may be capped at a designated level approved by the commission so that if, at the close of any performance, the amount in the twin trifecta carryover equals or exceeds the designated cap, the twin trifecta carryover will be frozen until it is won or distributed under other provisions of this rule. After the twin trifecta carryover is frozen, 100 percent of the net twin trifecta pool for each individual contest shall be distributed to winners of the first half of the twin trifecta pool.

(14) A written request for permission to distribute the twin trifecta carryover on a specific performance may be submitted to the commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

(15) Should the twin trifecta carryover be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second-half of the twin trifecta after completion of the first half of the twin trifecta:

(a) as a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

(b) as a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

(c) as a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

(d) as a single price pool to holders of valid exchange tickets.

(e) as a single price pool to holders of outstanding first-half winning tickets.

(16) Contrary to Subsection N Paragraph (4) of 15.2.7 NMAC, during a performance designated to distribute the twin trifecta carryover, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half of the twin trifecta. If there are no wagers correctly selecting the first, second, and third-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first and second-place betting interests. If there are no wagers correctly selecting the first and second-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no wagers selecting the



first-place betting interest only in the first-half of the twin trifecta, all first-half tickets will become winners and will receive 100 percent of that day's net twin trifecta pool and any existing twin trifecta carryover as a single price pool.

(17) The twin trifecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) upon written approval from the commission as provided in Subsection N Paragraph (15) of 15.2.7 NMAC;

(b) upon written approval from the commission when there is a change in the carryover cap or when the twin trifecta is discontinued;

(c) on the closing performance of the meet or split meet.

(18) If, for any reason, the twin trifecta carryover must be held over to the corresponding twin trifecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the commission. The twin trifecta carryover plus accrued interest shall then be added to the second-half twin trifecta pool of the following meet on a date and performance so designated by the commission.

(19) Providing information to any person regarding covered combinations or amount wagered on specific combinations is prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

(20) The association must obtain written approval from the commission concerning the scheduling of twin trifecta contests, the percentages of the net pool added to the first-half pool and second-half pool, and the amount of any cap to be set on the carryover. Any changes to the approved twin trifecta format require prior approval from the commission.

#### **S. TRI-SUPERFECTA POOLS:**

(1) The tri-superfecta requires selection of the first three finishers, in their exact order, in the first of two designated contests and the first four finishers, in exact order, in the second of the two designated contests. Each winning ticket for the first tri-superfecta contest must be cashed for an exchange ticket on the second tri-superfecta contest in order to remain eligible for the second-half tri-superfecta pool. The number of exchanges to be determined by the association with written approval of the commission. Such tickets may be exchanged only at attended ticket windows prior to the second tri-superfecta contest. Winning first-half tri-superfecta tickets will receive both an exchange and a monetary payout. Both of the designated tri-superfecta contests shall be included in only one tri-superfecta pool.

(2) After wagering closes for the first half of the tri-superfecta and commissions have been deducted from the pool, the net pool shall then be divided into two separate pools; the first-half tri-superfecta pool and the second-half tri-superfecta pool.

(3) In the first tri-superfecta contest only, winning tickets shall be determined using the following precedence, based upon the official order of finish for the first tri-superfecta contest:

(a) as a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

(b) as a single price pool to those whose combinations included, in correct sequence, the first two betting interest; but if there are no such wagers, then

(c) as a single price pool to those whose combinations correctly selected the first-place betting interest only; but if there are no such wagers, then

(d) the entire pool shall be refunded.

(4) If no first-half tri-superfecta ticket selects the first three finishers of that contest in exact order, winning ticket holders shall not receive any exchange tickets for the second-half tri-superfecta pool. In such case, the second-half tri-superfecta pool shall be retained and added to any existing tri-superfecta carryover pool.

(5) Winning tickets from the first half of the tri-superfecta shall be exchanged for tickets selecting the first four finishers of the second half of the tri-superfecta. The second-half tri-superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second tri-superfecta contest:

(a) as a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first four betting interests; but if there are no such tickets, then

(b) the entire second-half tri-superfecta pool for that contest shall be added to any existing carryover monies and retained for the corresponding second-half tri-superfecta pool of the next performance.

(6) If a winning first-half tri-superfecta ticket is not presented for cashing and exchange prior to the second-half tri-superfecta contest, the ticket holder may still collect the monetary value associated with the first-half tri-superfecta pool but forfeits all rights to any distribution of the second-half tri-superfecta pool.

(7) Coupled entries and mutuel fields may be permitted in tri-superfecta contests with the prior written approval of the commission.

(8) Should a betting interest in the first half of the tri-superfecta be scratched, those tri-superfecta tickets including the scratched betting interest shall be refunded.

(9) Should a betting interest in the second half of the tri-superfecta be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second tri-superfecta contest, the ticket holder forfeits all rights to the second-half tri-superfecta pool.

(10) If, due to a late scratch, the number of betting interests in the second-half of the tri-superfecta is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half tri-superfecta pool for that contest as a single price pool, but not the tri-superfecta carryover.

(11) If there is a dead heat or multiple dead heats in either the first or second-half of the tri-superfecta, all tri-superfecta tickets selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

- (a) the first half of the tri-superfecta, the payout shall be calculated as a profit split;
- (b) the second half of the tri-superfecta, the payout shall be calculated as a single

price pool.

(12) If either of the tri-superfecta contests are cancelled prior to the first tri-superfecta contest, or the first tri-superfecta contest is declared "no contest", the entire tri-superfecta pool shall be refunded on tri-superfecta wagers for that contest and the second-half shall be cancelled.

(13) If the second-half tri-superfecta contest is cancelled or declared "no contest", all exchange tickets and outstanding first-half winning tri-superfecta tickets shall be entitled to the net tri-superfecta pool for that contest as a single price pool, but not the tri-superfecta carryover. If there are no such tickets, the net tri-superfecta pool shall be distributed as described in Subsection O Paragraph (3) of 15.2.7 NMAC.

(14) The tri-superfecta carryover may be capped at a designated level approved by the commission so that if, at the close of any performance, the amount in the tri-superfecta carryover equals or exceeds the designated cap, the tri-superfecta carryover will be frozen until it is won or distributed under other provisions of this rule. After the second-half tri-superfecta carryover is frozen, 100 percent of the net tri-superfecta pool for each individual contest shall be distributed to winners of the first half of the tri-superfecta pool.

(15) A written request for permission to distribute the tri-superfecta carryover on a specific performance may be submitted to the commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

(16) Should the tri-superfecta carryover be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second half of the tri-superfecta after completion of the first half of the tri-superfecta:

- (a) as a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then
- (b) as a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then
- (c) as a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then
- (d) as a single price pool to those whose combination included, in correct sequence, the first-place betting interest only; but if there are no such wagers, then
- (e) as a single price pool to holders of valid exchange tickets.
- (f) as a single price pool to holders of outstanding first half-winning tickets.

(17) Contrary to Subsection O Paragraph (4) of 15.2.7 NMAC, during a performance designated to distribute the tri-superfecta carryover, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half of the tri-superfecta. If there are no wagers correctly selecting the first, second, and third-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first and second-place betting interests. If there are no wagers correctly selecting the first and second-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no wagers selecting the first-place betting interest only in the first half of the tri-superfecta, all first-half tickets will become winners and will receive 100 percent of that day's net tri-superfecta pool and any existing tri-superfecta carryover as a single price pool.

(18) The tri-superfecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) upon written approval from the commission as provided in Subsection O Paragraph (15) of 15.2.7 NMAC;

(b) upon written approval from the commission when there is a change in the carryover cap or when the tri-superfecta is discontinued;

(c) on the closing performance of the meet or split meet.

(19) If, for any reason, the tri-superfecta carryover must be held over to the corresponding tri-superfecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the commission. The tri-superfecta carryover plus accrued interest shall then be added to the second-half tri-superfecta pool of the following meet on a date and performance so designated by the commission.

(20) Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

(21) The association must obtain written approval from the commission concerning the scheduling of tri-superfecta contests, the percentages of the net pool added to the first-half pool and second-half pool, and the amount of any cap to be set on the carryover. Any changes to the approved tri-superfecta format require prior approval from the commission.

#### **T. TWIN SUPERFECTA POOLS:**

(1) The twin superfecta requires selection of the first four finishers, in their exact order, in each of two designated contests. Each winning ticket for the first twin superfecta contest must be exchanged for a free ticket on the second twin superfecta contest in order to remain eligible for the second-half twin superfecta pool. Such tickets may be exchanged only at attended ticket windows prior to the second twin superfecta contest. Winning first-half twin superfecta tickets will receive both an exchange and a monetary payout. Both of the designated twin superfecta contests shall be included in only one twin superfecta pool.

(2) After wagering closes for the first half of the twin superfecta and commissions have been deducted from the pool, the net pool shall then be divided into two separate pools; the first-half twin superfecta pool and the second-half twin superfecta pool.

(3) In the first twin superfecta contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first twin superfecta contest:

(a) as a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then

(b) as a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then

(c) as a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

(d) as a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

(e) the entire twin superfecta pool shall be refunded on twin superfecta wagers for that contest and the second half shall be cancelled.

(4) If no first-half twin superfecta ticket selects the first four finishers of that contest in exact order, winning ticket holders shall not receive any exchange tickets for the second-half twin superfecta pool. In such case, the second-half twin superfecta pool shall be retained and added to any existing twin superfecta carryover pool.

(5) Winning tickets from the first half of the twin superfecta shall be exchanged for tickets selecting the first four finishers of the second half of the twin superfecta. The second-half twin superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second twin superfecta contest:

(a) as a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first four betting interests; but if there are no such tickets, then

(b) the entire second-half twin trifecta pool for that contest shall be added to any existing carryover monies and retained for the corresponding second-half twin superfecta pool of the next performance.

(6) If a winning first-half twin superfecta ticket is not presented for cashing and exchange prior to the second-half twin superfecta contest, the ticket holder may still collect the monetary value associated with the first-half twin superfecta pool but forfeits all rights to any distribution of the second-half twin trifecta pool.

- (7) Coupled entries and mutuel fields may be permitted in twin superfecta contests with the prior written approval of the commission.
- (8) Should a betting interest in the first half of the twin superfecta be scratched, those twin superfecta tickets including the scratched betting interest shall be refunded.
- (9) Should a betting interest in the second half of the twin superfecta be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second twin superfecta contest, the tickets holder forfeits all rights to the second-half twin superfecta pool.
- (10) If, due to a late scratch, the number of betting interests in the second-half of the twin superfecta is reduced to fewer than the minimum, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half twin superfecta pool for that contest as a single price pool, but not the twin superfecta carryover.
- (11) If there is a dead heat or multiple dead heats in either the first or second-half of the twin superfecta, all twin superfecta tickets selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:
- (a) the first half of the twin superfecta, the payoff shall be calculated as a profit split;
  - (b) the second half of the twin superfecta, the payoff shall be calculated as a single price pool.
- (12) If either of the twin superfecta contests are cancelled prior to the first twin superfecta contest, or the first twin superfecta contest is declared "no contest", the entire twin superfecta pool shall be refunded on twin superfecta wagers for that contest and the second-half shall be cancelled.
- (13) If the second-half twin superfecta contest is cancelled or declared "no contest", all exchange tickets and outstanding first-half winning twin superfecta tickets shall be entitled to the net twin superfecta pool for that contest as a single price pool, but not the twin superfecta carryover. If there are no such tickets, the net twin superfecta pool shall be distributed as described in Subsection P Paragraph (3) of 15.2.7 NMAC.
- (14) The twin superfecta carryover may be capped at a designated level approved by the commission so that if, at the close of any performance, the amount in the twin superfecta carryover equals or exceeds the designated cap, the twin superfecta carryover will be frozen until it is won or distributed under other provisions of this rule. After the second-half twin superfecta carryover is frozen, 100 percent of the net twin superfecta pool for each individual contest shall be distributed to winners of the first half of the twin superfecta pool.
- (15) A written request for permission to distribute the twin superfecta carryover on a specific performance may be submitted to the commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.
- (16) Should the twin superfecta carryover be designated for distribution on a specified date and superfecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the commission. The twin superfecta carryover plus accrued interest shall then be added to the second-half performance, the following precedence will be followed in determining winning tickets for the second half of the twin superfecta after completion of the first half of the twin superfecta:
- (a) as a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then
  - (b) as a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then
  - (c) as a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then
  - (d) as a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then
  - (e) as a single price pool to holders of valid exchange tickets;
  - (f) as a single price pool to holders of outstanding first half winning tickets.
- (17) Contrary to Subsection P Paragraph (4) of 15.2.7 NMAC, during a performance designated to distribute the twin superfecta carryover, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half of the twin superfecta. If there are no wagers correctly selecting the first, second, third, and fourth-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first, second, and third-place betting interests. If there are no wagers correctly selecting the first, second, and third-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first and second-place betting

interests. If there are no wagers correctly selecting the first and second-place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first-place betting interest only. If there are no wagers selecting the first-place betting interest only in the first-half of the twin superfecta, all first-half tickets will become winners and will receive 100 percent of that day's net twin superfecta pool and any existing twin superfecta carryover as a single price pool.

(18) The twin superfecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) upon written approval from the commission as provided in Subsection P Paragraph (15) of 15.2.7 NMAC of the twin superfecta rules;

(b) upon written approval from the commission when there is a change in the carryover cap or when the twin superfecta is discontinued;

(c) on the closing performance of the meet or split meet.

(19) If, for any reason, the twin superfecta carryover must be held over to the corresponding twin twin superfecta pool of the following meet on a date and performance so designated by the commission.

(20) Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

(21) The association must obtain written approval from the commission concerning the scheduling of twin superfecta contests, the percentages of the net pool added to the first-half pool and second-half pool, and the amount of any cap to be set on the carryover. Any subsequent changes to the approved twin superfecta format require prior approval from the commission.

**U. EXACTA (n) POOLS:**

(1) The exacta (n) requires selection of the first two finishers, in their exact order, in each of a designated number of contests. The association must obtain written approval from the commission concerning the scheduling of exacta (n) contests, the designation of one of the methods prescribed in Subsection Q Paragraph (2) 15.2.7 NMAC; and the amount of any cap to be set on the carryover. Any changes to the approved exacta (n) format require prior approval from the commission.

(2) The exacta (n) pool shall be apportioned under one of the following methods:

(a) Method 1, exacta (n) with no minor pool and no carryover. The net exacta (n) pool shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. If there are no wagers selecting the first and second place finishers, in exact order, in each of the exacta (n) contests, the net exacta (n) pool shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in the greatest number of exacta (n) contests. If there are no winning wagers, the entire pool shall be refunded on exacta (n) wagers for those contests.

(b) Method 2, exacta (n) with no minor pool and carryover instead of a refund. The net exacta (n) pool and the carryover, if any, shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. If there are no wagers selecting the first and second place finishers, in exact order, in each of the exacta (n) contests, the net exacta (n) pool and the carryover shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in the greatest number of exacta (n) contests. If there are no winning wagers, the net exacta (n) pool shall be added to the carryover.

(c) Method 3, exacta (n) with no minor pool and carryover. The net exacta (n) pool and the carryover, if any, shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. If there are no winning wagers, the net exacta (n) pool shall be added to the carryover.

(d) Method 4, exacta (n) with minor pool and no carryover. The major share of the net exacta (n) pool shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in the second greatest number of exacta (n) contests, based upon the official order of finish. If there are no wagers selecting the first and second place finishers, in exact order, in each of the exacta (n) contests, the major share of the net exacta (n) pool shall be combined with the minor share for distribution as a single price pool to those who selected the first and second place finishers, in exact order, in the greatest number of exacta (n) contests. If there are no wagers selecting the first and second place finishers, in exact order, in a second greatest

number of exacta (n) contests, the minor share of the net exacta (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first and second place finishers, in exact order, in each of the Exacta (n) contests. If there are no winning wagers, the pool shall be refunded on exacta (n) wagers for those contests.

**(e)** Method 5, exacta (n) with minor pool and carryover. The major share of the net exacta (n) pool and the carryover, if any, shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in the second greatest number of exacta (n) contests, based upon the official order of finish. If there are no wagers selecting the first and second place finishers, in exact order, in each of the exacta (n) contests, the minor share of the net exacta (n) pool shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in the greatest number of exacta (n) contests, and the major share shall be added to the carryover. If there are no wagers selecting the first and second place finishers, in exact order, in a second greatest number of exacta (n) contests, the minor share of the net exacta (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, or if there are no such winning wagers, added to the carryover.

**(f)** Method 6, exacta (n) with minor pool based upon any one exacta and no carryover. The major share of the net exacta (n) pool shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool to those (including recipients of the major share of the net exacta (n) pool) who selected the first and second place finishers, in exact order, in at least one of the exacta (n) contests, based upon the official order of finish. If there are no wagers selecting the first and second place finishers, in exact order, in each of the exacta (n) contests, the major share of the net exacta (n) pool shall be combined with the minor share for distribution as a single price pool to those who selected the first and second place finishers, in exact order, in at least one of the exacta (n) contests. If there are no winning wagers, the pool is refunded.

**(g)** Method 7, exacta (n) with minor pool based upon any one exacta, and carryover. The major share of the net exacta (n) pool and the carryover, if any, shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool to those (including recipients of the major share of the net exacta (n) pool) who selected the first and second place finishers, in exact order, in at least one of the exacta (n) contests, based upon the official order of finish. If there are no wagers selecting the first and second place finishers, in exact order, in each of the exacta (n) contests, the major share shall be added to the carryover. If there are no wagers selecting the first and second place finishers, in exact order, in any of the exacta (n) contests, the minor share of the net exacta (n) pool shall also be added to the carryover.

**(h)** Method 8, exacta (n) with minor pool based upon individual exactas, and no carryover. The major share of the net exacta (n) pool shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool based upon the sum of the dollar value of wagers for each of the exacta (n) contests considered separately, in which the first and second place finishers, in exact order, were correctly selected, based on the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool to those (including recipients of the major share of the net exacta (n) pool) who selected the first and second place finishers, in exact order, in one or more of the exacta (n) contests. Each recipient of a minor share shall receive an amount equal to the single price times the number of exacta (n) contests in which the recipient correctly selected the winning combination. If there are no wagers selecting the first and second place finishers, in exact order, in all exacta (n) contests, the major share shall be combined with the minor share and the entire net exacta (n) pool shall be distributed in accordance with the rules in the preceding paragraph for distributing the minor share of the net exacta (n) pool. If there are no winning wagers, the pool shall be refunded.

**(i)** Method 9, exacta (n) with minor pool based upon individual exactas, and carryover. The major share of the net exacta (n) pool and the carryover, if any, shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool based upon the sum of the dollar value of wagers, for each of the exacta (n) contests considered

separately, in which the first and second place finishers, in exact order, were correctly selected, based on the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool to those (including recipients of the major share of the net exacta (n) pool) who selected the first and second place finishers, in exact order, in one or more of the exacta (n) contests. Each recipient of a minor share shall receive an amount equal to the single price times the number of exacta (n) contests in which the recipient correctly selected the winning combination. If there are no wagers selecting the first and second place finishers, in exact order, in all exacta (n) contests, the minor share shall be distributed in accordance with the rules in the preceding paragraph for distributing the minor share of the net exacta (n) pool, and the major share shall be added to the carryover; except that if there are no winning wagers in either the major or the minor pool, today's pool shall be refunded and the carryover shall be carried over.

**(j)** Method 10, exacta (n) with minor pool based upon individual exactas and carryover; 100% carryover if no winning wagers. The major share of the net exacta (n) pool and the carryover, if any, shall be distributed as a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool based upon the sum of the dollar value of wagers, for each of the exacta (n) contests considered separately, in which the first and second place finishers, in exact order, were correctly selected, based upon the official order of finish. The minor share of the net exacta (n) pool shall be distributed as a single price pool to those (including recipients of the major share of the net exacta (n) pool) who selected the first and second place finishers, in exact order, in one or more of the exacta (n) contests. Each recipient of a minor share shall receive an amount equal to the single price times the number of exacta (n) contests in which the recipient correctly selected the winning combination. If there are no wagers selecting the first and second place finishers, in exact order, in all exacta (n) contests, the minor share shall be distributed in accordance with the rules in the preceding paragraph for distributing the minor share of the net exacta (n) pool, and the major share shall be added to the carryover. If there are no winning wagers, the minor share shall also be added to the carryover.

**(3)** Dead Heats: In the event of a dead heat in any of the exacta (n) contests, the net exacta (n) shall be distributed to winning wagers in the following precedence, based upon the official order of finish, for each exacta contest within the exacta (n) wager:

**(a)** If there is a dead heat for first in any of the exacta (n) contests involving contestants representing the same betting interest, the exacta (n) pool shall be distributed as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish for that contest.

**(b)** If there is a dead heat for first in any of the exacta (n) contests involving contestants representing two or more betting interests, the exacta (n) pool shall be distributed as a single price pool with a winning wager including each betting interest involved in the dead heat.

**(c)** If there is a dead heat for second in any of the exacta (n) contests involving contestants representing the same betting interest, the exacta (n) pool shall be distributed as if no dead heat occurred.

**(d)** If there is a dead heat for second in any of the exacta (n) contests involving contestants representing two or more betting interests, the exacta (n) pool shall be distributed as a single price pool with a winning wager including the betting interest which finished first together with any betting interest involved in the dead heat for second.

**(4)** Scratches: Should a betting interest in any contest of the exacta (n) be scratched or excused from the contest prior to the first exacta (n) contest being declared official, all money wagered on combinations including the scratched betting interest shall be deducted from the exacta (n) pool and refunded.

**(a)** Should a betting interest in any contest of the exacta (n) be scratched or excused from the contest after the first exacta (n) contest has been declared official, all money wagered on combinations including this betting interest shall remain in the exacta (n) pool and the ticket holder may still collect the monetary value of any distribution evidenced by the ticket containing the scratched betting interest.

**(b)** If, due to a late scratch, the number of betting interests in a contest of the exacta (n) is reduced to fewer than two, for purposes of the exacta (n) such contests shall be declared "no contest" and the exacta (n) pool shall be subject to the rules set forth in Subsection Q Paragraph (5) of 15.2.7 NMAC of these rules.

**(5)** Cancelled Contests: If any of the exacta (n) contests are cancelled or declared "no contest" prior to the first exacta (n) contest being declared official, the entire exacta (n) pool shall be refunded on exacta (n) wagers for those contests.

**(a)** If all remaining exacta (n) contests are cancelled or declared "no contest" after the first exacta (n) contest is declared official, the net exacta (n) pool shall be distributed as a single price pool to wagers selecting the winning combination in the first exacta (n) contest, but not the exacta (n) carryover. However,

if there are no wagers selecting the winning combination in the first exacta (n) contest, the entire exacta (n) pool shall be refunded on exacta (n) wagers for those contests.

(b) If any of the remaining exacta (n) contests are cancelled or declared "no contest" after the first exacta (n) is declared official, the net exacta (n) pool shall be distributed in accordance with rules governing distribution of the minor share where there is no winner of the major share.

(6) **Mandatory Distribution:** A written request for permission to distribute the exacta (n) carryover on a specific performance may be submitted to the commission. The request shall contain justification for the mandatory distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution. The association must notify the commission at least 10 days prior to implementation. If the exacta (n) pool cannot be distributed during a designated performance, the mandatory distribution shall resume on the next scheduled mandatory distribution performance.

(a) If the exacta (n) carryover is designated for distribution on a specified date and performance, the following precedence shall be followed in determining winning tickets for the net exacta (n) pool and the carryover pool;

(b) As a single price pool to those who selected the first and second place finishers, in exact order, in each of the exacta (n) contests, based upon the official order of finish. If there are no wagers selecting the first and second place finishers, in exact order, in all exacta (n) contests, then

(c) As a single price pool to those who selected the first and second place finishers, in exact order, in at least one of the exacta (n) contests based upon the official order of finish.

(d) If there are no wagers which correctly selected the first and second place finishers, in exact order, in at least one of the exacta (n) contests, based upon the official order of finish, then all exacta (n) tickets shall become winners and receive 100 percent of that day's net exacta (n) pool and the exacta (n) carryover pool as single price pool.

(e) Subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the commission. The exacta (n) carryover plus accrued interest shall then be added to the net exacta (n) pool of the following meet on a date and performance so designated by the commission.

#### **V. TEAM WAGER POOL:**

(1) The team wager pool requires selection of a designated "team" in each of a designated number of contests. Winning bets shall be determined based upon the official order of finish in each contest and the standing of each team with respect to the official order of finish. For purposes of the team wager, finishers from the same team shall be bracketed together to determine a single betting interest, as set forth in Paragraph (4).

(2) Prior to the start of the contests that comprise the team wager, all participants in each of the contests shall be divided by the association between or among each of the team wager teams, and the roster of each team made public, as well as the number of points to be awarded to the team whose member is the first finisher in a designated contest, the second finisher, and so forth until no more points are awarded in that contest.

(3) At the conclusion of all contests that comprise the team wager, the number of points for each team shall be compiled, and the team with the most points shall be declared the "winning team".

(4) The team wager pool shall be apportioned under either of the following methods:

(a) **Winning Margins Team Wager:**

(i) In the "winning margins team wager", the total number of points awarded in the team wager shall be divided by the association into a series of brackets comprised of a series of point ranges ("winning margin") by which one team (team A) might defeat the other team (team B); a series of point ranges by which team B might defeat team A; and a tie between the teams. Each bracket shall constitute a separate betting interest in the winning margins team wager.

(ii) The net winning margins team wager pool shall be distributed as a single price pool to those who selected the correct bracket. If there are no wagers selecting the correct bracket, the entire pool shall be refunded.

(iii) **Example:** Points are assigned to each of the first four finishers in each contest (four points for the first finisher down to one point for the fourth finisher, for a total of 10 points awarded in each contest), based upon the official order of finish, with a total of six contests in the team wager, resulting in a total of 60 points in all. The brackets could be designated as:

Team A's winning margin is

1-10 points  
11-20 points  
21-30 points  
31-40 points  
41-50 points



Team B's winning margin is

- 51-60 points
- 1-10 points
- 11-20 points
- 21-30 points
- 31-40 points
- 41-50 points
- 51-60 points

The two teams tie, and the margin is 0 points

In this example, there are 13 separate betting interests

If, in this example, finishers representing team A come in 1st and 3rd in one contest, and finishers representing team B come in 2nd and 4th in that contest, team A would have  $4+2=6$  points and team B would have  $3+1=4$  points. The current winning margin (after the first contest) would be team A by 2 points

**(b) Team Double Wager**

**(i)** In the "team double wager", the commission shall approve two different methods of determining the winning tickets qualifying for a share of the net pool.

**(ii)** The commission shall also approve the manner of apportioning the net team double wager pool, and the conditions under which the pool shall be refunded or otherwise apportioned if there are no winning wagers.

**(iii)** Example: A "daily-double"-style pool consisting of having to correctly select the bracket of the winning margin, as above, as well as a bracket based upon and including the total points achieved by the winning team.

**(5) Brackets**

**(a)** The brackets may be comprised of the margins by which the winning team defeats the team that finishes second; the total number of points achieved by the winning team; or other method of determining the brackets, as approved by the commission.

**(b)** Such factors as the number of teams in the team wager; the method by which teams are designated; the number of points to be awarded in each contest, the number of contests comprising the team wager; and the method by which the "brackets" constituting each betting interest in the team wager are designated, shall all be subject to approval of the commission.

**(6) Coupled Entries or Fields:** With approval of the commission, coupled entries may be permitted in contests comprising the team wager, but may only participate as part of the same team. With approval of the commission, fields may be permitted in contests comprising the team wager, but may only participate as part of the same team.

**(7) Dead Heat:** If there is a dead heat including any finisher(s) for which points are awarded in the team wager, the total amount of points in the dead heat positions shall be combined and divided equally amongst the betting interests that have finished in the dead heat.

**(8) Scratches**

**(a)** Should an entry in any contest of the team wager be scratched or excused from the contest, all money wagered on combinations including this entry shall remain in the team wager pool and the ticket holder may still collect the monetary value of any distribution evidenced by the ticket containing the scratched betting interest.

**(b)** If, due to a scratched or excused entry, the number of entries assigned to a team in a contest of the team wager is reduced to fewer than the number of positions in the final order of finish for which the team is eligible to receive points, for purposes of the team wager pool such contest shall be declared "no contest" and wagers involving any betting interests that are no longer capable of being achieved shall be refunded.

**W. MATCH RIVAL POOLS:**

**(1)** The match rival requires the selection of the winning contestant in a designated contest or series of contests, in a competition between two or more equally matched betting interests, or based on the sportsmanship or skill of the jockeys or trainers, regardless of the official placing of the other betting interests in that contest or series of contests.

**(2)** The choice of which contestants from a contest shall participate in the match rival shall be made as follows:

- (a) the association must obtain written approval from the commission concerning who shall determine the contestants for each match rival contest;
  - (b) the matching of contestants for the match rival shall be limited to contestant versus contestant, jockey versus jockey or trainer versus trainer;
  - (c) the contestants chosen for the match rival wager shall be conspicuously identified in the official program;
  - (3) The net match rival pool shall be distributed to winning wagers in the following precedence, based on the official order of finish:
    - (a) as a single price pool to those whose selection finished first in a single match rival contest, or first in the greatest number of a series of match rival contests; but if there are no such wagers, then;
    - (b) the match rival pool shall be refunded;
  - (4) If there is a dead heat in a contest involving two or more of the contestants in:
    - (a) a single-contest match rival pool, then the entire pool shall be refunded; or
    - (b) one or more contests of a series, then all contestants involved in the dead heat shall be considered winners and the net pool shall be distributed as a single price pool, provided that:
      - (c) in a series of contests, if there is a dead heat in half or more of the contests then the match rival pool for those contests shall be refunded.
  - (5) If any match rival contest is cancelled or declared no contest;
    - (a) in a single-contest match rival pool, the pools shall be refunded;
    - (b) in a series of contests, if half or more of the contests are cancelled or declared no contest, then the match rival pool for those contests shall be refunded.
  - (6) If any contestant is scratched or declared a non-starter in any match rival contest, then that contest shall be cancelled.
  - (7) If all contestants fail to finish in a match rival contest, then that contest shall be cancelled.
- [15.2.7.12 NMAC - Rp, 15 NMAC 2.7.12, 03/15/2001; A, 03/31/2003; A, 09/15/2003; A, 04/14/2005; A, 07/15/2005; A, 11/30/2005; A, 03/30/2007; A, 06/15/2009; A, 12/01/2010; A, 11/01/2011; A, 01/01/2013; A, 09/15/2014; A, 12/16/2016]

**History of 15.2.7 NMAC:**

**Pre NMAC History:** Material in this part was derived from that previously filed with the commission of public records - state records center and archives as:  
 NMSRC 67-1, Amendment No. 1, Rule Revisions Adopted by the New Mexico State Racing Commission April 21, 1967 Rules 352 & 380, filed 04-26-67;  
 NMSRC 69-1, New Mexico Laws and Rules and Regulations Governing Horse Racing, filed 06-09-69;  
 NMSRC 81-1, Rules Governing Horse Racing in New Mexico, filed 12-04-81;

**History of Repealed Material:** 15 NMAC 2.7, Horse Racing - Pari Mutuel Wagering, filed 09-15-95 repealed in its entirety; renumbered, reformatted and replaced by 15.2.7 NMAC, Horse Racing - Pari Mutuel Wagering, to conform to the new NMAC requirements effective 03/15/2001.

**Other History:** NMSRC 81-1, Rules Governing Horse Racing in new Mexico, filed 12-04-81 - that applicable portion renumbered, reformatted and amended to 15 NMAC 2.7, Horse Racing - Pari Mutuel Wagering, filed 09-15-95.