
The purpose of the amendments is to ensure presence of sufficient medical personnel consistent with HISA requirements, photo finish pictures are not destroyed in the event the commission needs to review after a race meet has ended, hold associations accountable for surface conditions, fix typographical errors, and improve confidence in industry by displaying the race replays being reviewed by BOS in response to inquiry or objection.

15.2.2.8 ASSOCIATIONS:

E. Facilities and equipment: facilities for patrons and licensees:

(1) An association shall ensure that the public areas of the association grounds are designed and maintained for the comfort and safety of the patrons and licensees and are accessible to all persons with disabilities as required by federal law.

(2) An association shall provide and maintain adequate restroom facilities for the patrons and licensees.

(3) An association shall provide an adequate supply of free drinking water.

(4) An association shall maintain all facilities on association grounds to ensure the safety and cleanliness of the facilities at all times.

(5) During a race performance, the association shall provide a first aid room equipped with at least two beds and other appropriate equipment; the services of at least one physician, nurse practitioner or certified emergency medical technician, with at least one person being adequately trained in diagnosing and assessing concussions.

(6) The association shall ensure that no fewer than two racing veterinarians are on duty at the association during all live racing.

(7) The association shall ensure that a minimum of one racing veterinarian shall be on duty during all training hours.

~~(6)~~(8) An association shall provide two properly equipped advance life support ambulances, ready for immediate duty and equipped for transport at any time the racetrack is open for racing or ~~exercising~~ training hours. ~~The~~ Each ambulance shall be staffed with one certified paramedic or an intermediate emergency medical technician, ~~(as long as physician is on the grounds)~~ nurse practitioner or physician assistant. The other staff will be certified EMTs. If the ambulance is being used to transport an individual, the association may not conduct a race until a properly equipped and staffed ambulance is in place, or a physician is on duty.

~~(7)~~(9) Unless otherwise approved by the commission or the stewards, an ambulance shall follow the field at a safe distance during the running of races.

~~(8)~~(10) The ambulance must be parked at an entrance to the racing strip except when the ambulance is being used to transport an individual or when it is following the field during the running of a race.

~~(9)~~(11) An association shall provide adequate office space for the use of the stewards and other commission personnel as required by the commission. The location and size of the office space, furnishings and equipment required under this section must be approved by the commission. An association shall provide ~~a designated steward read-only~~ the board of stewards, state investigator and official veterinarian access to the ~~incompass rto~~ Incompass RTO system as prescribed by the racing office as well as e-mail notification for all entry clerk overrides for horses on stewards', veterinarian's, paddock judge's, bleeders' and starter's lists.

~~(10)~~(12) An association shall promptly post commission notices in places that can be easily viewed by patrons and licensees.

~~(11)~~(13) An association shall ensure that all concessions provide prompt and efficient service to the public at all race meets or simulcast performances. The associations shall specifically ensure that concessions have adequate staff and inventory to provide prompt and efficient service to the public.

(14) An association must designate on the association grounds an area to be utilized as a helipad for emergency purposes.

G. Audio and visual equipment:

(1) An association shall provide and maintain in good working order a communication system between the: stewards' stand; racing office; tote room; jockeys' room; paddock; test barn; starting gate; weigh in scale; video camera locations; clocker's stand; racing veterinarian; track announcer; location of the ambulances (equine and human); other locations and persons designated by the commission.

(2) An association shall provide and maintain a public address system capable of clearly transmitting announcements to the patrons and to the stable area.

(3) An association shall provide two electronic ~~[photofinish]~~ photo finish devices with mirror image to photograph the finish of each race and record the time of each horse in at least hundredths of a second. The location and operation of the ~~[photofinish]~~ photo finish devices must be approved by the commission before its first use in a race. The association shall promptly post a photograph of each ~~[photofinish]~~ photo finish for win, place or show in an area accessible to the public. The association shall ensure that the ~~[photofinish]~~ photo finish devices are calibrated before the first day of each race meeting and at other times as required by the commission. On request by the commission, the association shall provide, without cost, a print from a negative of a ~~[photofinish]~~ photo finish to the commission. ~~[Photofinish]~~ Photo finish ~~[negatives]~~ prints of each race shall be maintained by the association for not less than six months after the end of the race meeting, or such other period as may be requested by the stewards or the commission.

(4) An association shall provide a videotaping system approved by the commission. Cameras must be located to provide clear panoramic and head-on views of each race. Separate monitors, which simultaneously display the images received from each camera and are capable of simultaneously displaying a synchronized view of the recordings of each race for review shall be provided in the stewards' stand. The location and construction of video towers must be approved by the commission.

(5) A camera and a timer, designated by the commission, shall be at the starting gate and shall videotape and show to the public the pre-race loading of all horses into the starting gate and shall continue to videotape them until the field is dispatched by the starter.

(6) One camera, designated by the commission, shall videotape the apparent winner of each race from the finish line until the horse has returned, the jockey has dismounted and the equipment has been removed from the horse.

(7) The stewards may, at their discretion, direct the video camera operators to videotape the activities of any horses or persons handling horses prior to, during or following a race.

(8) Races run on an oval track must be recorded by at least three video cameras. Races run on a straight course must be recorded by at least two video cameras.

(9) An association shall, upon request, provide to the commission, without cost, a copy of a videotape of a race.

(10) Videotapes recorded prior to, during and following each race shall be maintained by the association for not less than six months after the end of the race meeting, or such other period as may be requested by the stewards or the commission.

(11) An association shall provide a viewing room in which, on approval by the stewards, an owner, trainer, jockey or other interested individual may view a videotape recording of a race.

(12) ~~[Following]~~ In any race in which there is an inquiry or objection, the association shall display to the public on designated monitors the videotaped ~~[replays of the]~~ incident in question ~~[which were utilized by]~~ at the time the stewards ~~[in]~~ are making their decision.

H. Racetrack:

(1) The ~~association shall ensure the~~ surface of a racetrack, including the cushion, subsurface and base, must be designed, constructed and maintained to provide for the safety of the jockeys and horses. ~~The association shall also ensure an adequate drainage system is in place for the racetrack surface.~~

(2) ~~[Prior to the first race meeting at an association racetrack, a licensed surveyor shall provide to the commission a certified report of the grade and measurement of the distances to be run.]~~ The association shall provide adequate equipment and personnel to maintain the track surface in a safe exercise and racing condition. The association shall provide backup equipment for maintaining the racetrack surface.

(3) ~~[Distances to be run shall be measured from the starting line at a distance three feet out from the inside rail.]~~ The association shall provide the commission a soil analysis report conducted by an independent and qualified individual or entity, approved by the commission or its agent, within two weeks prior to

the start of live racing and midway through the race meet. The commission shall have the discretion to require the associations provide additional soil analysis reports upon request.

(4) ~~[The surveyor's report must be approved by the commission prior to the first race day of the meeting.]~~ Analysis for soil surfaces shall include the following elements:

(a) determine and document the association's configurations and geometries, including: geometry and slopes of straights and turns and slopes at each distance marker pole and ensure these distances are correct;

(b) the accuracy of distances from the finish line to the marker poles; and

(c) cushion and base geometries; base inspection, including windrowing and base survey, surface survey, ground penetrating radar, or other method; mechanical properties of racing using a biomechanical surface tester shall be determined and documented; surface material samples of the association's tracks shall be analyzed for material composition; and corrective measures to address issues pursuant to these rules.

(5) ~~[An association shall provide an adequate drainage system for the racetrack.]~~ Pre-meet inspection shall be performed on all surfaces prior to the start of each race meet with sufficient time allotted to facilitate corrections of any issues prior to racing. For race meets spanning periods with significant weather variation, inspections shall be performed seasonally prior to anticipated weather changes.

(6) ~~[An association shall provide adequate equipment and personnel to maintain the track surface in a safe training and racing condition. The association shall provide back up equipment for maintaining the track surface.]~~ Prior to the first race meet at an association racetrack, a licensed surveyor shall provide a certified report of the grade and measurement of the distances to be run to the commission.

(a) Distances to be run shall be measured from the starting line at a distance three feet out from the inside rail.

(b) The surveyor's report must be approved by the commission prior to the first race day of the race meet.

(7) ~~[An association that conducts races on a turf track shall maintain an adequate stockpile of growing medium; provide a system capable of adequately watering the entire turf course evenly.]~~ Daily measurements shall be taken at the beginning of all daily training and racing sessions and taken at each ¼ mile marker pole at locations 5 and 15 feet outside the inside rail. The association shall maintain a log of such measurements which the commission shall have the authority to review.

(a) For dirt surfaces, such daily measurements shall include: moisture content, cushion depth, and weather conditions and precipitation at 15-minute intervals from a national or local weather service.

(b) Daily surface maintenance logs should include equipment used, direction of travel, speed of all maintenance vehicles and water administration.

(c) Documentation of the source, timing, quantity, and method of all additions to the surfaces shall be submitted to the commission by the association.

(8) Any horse that suffers a training or race related injury shall not leave the association grounds until it has been properly documented and inspected by a state investigator or any commission appointed designee.

L. Lighting:

(1) An association shall provide lighting for the racetrack and the patron facilities that are adequate to ensure the safety and security of the patrons, licensees and horses. Lighting to ensure the proper operation of the videotape and ~~photo finish~~ [photo finish] equipment must be approved by the commission.

(2) An association shall provide adequate additional lighting in the stable area as required by the commission.

(3) If an association conducts racing at night, the association shall maintain a back-up lighting system that is sufficient to ensure the safety of race participants and patrons.

R. Fire prevention:

(1) An association shall develop and implement a program for fire prevention on association grounds. An association shall instruct employees working on association grounds of the procedures for fire prevention.

(2) Not later than three days before the first day of a race meeting, an association shall deliver to the commission a copy of the state or local fire marshal's certification regarding the association's compliance with fire safety regulations or the fire marshal's plan of corrections. The certification or plan must be based on an inspection of the association grounds conducted by the fire marshal not more than 30 days before the first day of a race meeting.

- (3) No person shall:
- (a) smoke in stalls, feed rooms or under ~~shed-row~~ [shedrow];
 - (b) burn open fires or oil and gas lamps in the stable area;
 - (c) use or leave unattended, any electrical appliance that is plugged-in to an electrical outlet, that is not in safe working order and does not meet the manufacturer's recommendations;
 - (d) use extension cords that are not approved to meet OSHA standards, nor should extension cords be fastened with staples, hung from nails or suspended by wire;
 - (e) use worn, cracked, frayed or otherwise damaged electric cords or cables;
 - (f) permit horses to come within reach of electrical outlets or cords;
 - (g) store flammable materials such as cleaning fluids or solvents in the stable area;
- or
- (h) lock a stall which is occupied by a horse.

[15.2.2.8 NMAC - Rp, 15 NMAC 2.2.8, 3/15/2001; A, 8/30/2001; A, 11/14/2002; A, 8/30/2007; A, 1/1/2013; A, 6/1/2016; A, 12/16/2016; A, 9/26/2018; A, 4/20/2021; A, 5/24/2022]