



Final Regulation Agency Background Document

Agency name	Department of Professional and Occupational Regulation
Virginia Administrative Code (VAC) citation	18 VAC 120-40
Regulation title	Professional Boxing and Wrestling Regulations
Action title	Amending
Date this document prepared	December 14, 2006

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary (no more than 2 short paragraphs) of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation. Also, please include a brief description of changes to the regulation from publication of the proposed regulation to the final regulation.

General clarifying changes are made, including restructuring the regulations to better distinguish between boxing, (including kick boxing, mixed martial arts, and other similar contests) and wrestling. The changes separate duties of event officials into two parts: 1) boxing, kick boxing and similar contests; and 2) wrestling. The changes separate the event licensing and standards of conduct into three parts: 1) boxing; 2) kick boxing and similar contests; and 3) wrestling. The changes are made to comply with Chapter 287, 2005 Acts of Assembly, incorporate generally accepted industry standards, and make the regulations easier to use.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The Department of Professional and Occupational Regulation adopted final regulations on December 13, 2006.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter numbers, if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

Section 54.1-831 of the Code of Virginia gives the Department the authority to promulgate regulations which implement the federal Professional Boxing Safety Act of 1996 (15 USC § 6301 et seq.), as amended and “protect the public against incompetent, unqualified, unscrupulous or unfit persons engaging in the activities regulated by Chapter 8.1, Title 54.1 of the Code of Virginia.” Section 54.1-828 was amended (Chapter 287, 2005 Acts of Assembly) to include “martial arts” within the definition of “boxing”.

Purpose

Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Detail the specific reasons it is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.

The purpose of the proposal is to make general clarifying changes, restructure the regulations to better distinguish between boxing (including kick boxing) and wrestling; comply with Chapter 287, 2005 Acts of Assembly, incorporate generally accepted industry standards; and make other changes which may result from the Department’s review of the regulations. The use of generally accepted industry standards will increase public protection by ensuring that participants in all types of events are practicing in the safest manner possible. Further, the restructuring and clarifying changes will increase compliance and therefore increase public protection.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. A more detailed discussion is required under the “All changes made in this regulatory action” section.

General clarifying changes are made, including restructuring the regulations to better distinguish between boxing, (including kick boxing, mixed martial arts, and other similar contests) and wrestling. The changes separate duties of event officials into two parts: 1) boxing, kick boxing and similar contests; and 2) wrestling. The changes separate the event licensing and standards of conduct into three parts: 1) boxing; 2) kick boxing and similar contests; and 3) wrestling. The changes are made to comply with Chapter 287, 2005 Acts of Assembly, incorporate generally accepted industry standards; and make the regulations easier to use. All changes are specifically detailed in the “All changes made in this regulatory action” section.

Issues

Please identify the issues associated with the proposed regulatory action, including:
 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;
 2) the primary advantages and disadvantages to the agency or the Commonwealth; and
 3) other pertinent matters of interest to the regulated community, government officials, and the public.
 If there are no disadvantages to the public or the Commonwealth, please indicate.

The advantage to the public and the Commonwealth resulting from the proposed regulatory changes is that the regulations will conform to federal and state law and will be structured in a format easily understood for all users. There are no apparent disadvantages to the proposed changes.

Changes made since the proposed stage

Please describe all changes made to the text of the proposed regulation since the publication of the proposed stage. For the Registrar’s office, please put an asterisk next to any substantive changes.

Section number	Requirement at proposed stage	What has changed	Rationale for change
20	None	Add a definition of “charity event”.	Based on comments received, confusion currently exists as to the definition and status of charity events. Adding this definition, requiring verification of status (Sections 230 A 9, 411 A 9 and 415 A 9) and clarifying the gate fee requirements (Section 420 L) will eliminate confusion and increase efficiency.
20	The event begins when the promoter takes possession or control of a facility and lasts until the promoter releases control of the facility.	Clarifying language has been added to state that the event beginning and ending times are tied to the times specified in the contract between the promoter and the facility.	Based on comments received, it appears that clarifying language will assist the regulators in understanding and complying with this requirement.
80 3 (referenced as 80 C in the comment section)	Amateurs turning professional must submit their amateur record.	Language requiring an amateur passbook recognized by USA Boxing has been added, or a letter from the applicant’s trainer certifying the applicant’s boxing experience, skill level, physical condition and current training program.	Clarifying language with alternatives will assist the applicant in complying with the requirement to verify his record, training and experience and will increase public safety by

			having more detailed information prior to approval of matches.
80 4 (referenced as 80 A and D in the comment section)	None	Requires a certification from a licensed physician within the past six months certifying that the applicant is in good physical health and that the physician has not observed any abnormalities or deficiencies which would prevent the applicant from participating in a boxing event, or endanger the public, officials, or other licensees at the event. Language is also added giving the Department the authority to require additional medical tests to determine the fitness of a boxer upon receipt of reliable information of a pre-existing condition which may present a danger to the boxer.	Examination prior to licensure will assist in eliminating those applicants who are not fit to compete earlier in the process, therefore saving the applicant from obtaining a boxer license and subsequently being denied participation in an event.
230 A 2 (referenced as 230 D in the comment section)	None	Language is added permitting the Department to consider the size and configuration of the location and deny approval of an event license for safety reasons.	This provision was added for safety reasons. The Department has experienced potentially dangerous situations when arriving at an event and viewing the facility which sometimes is not appropriate for the event.
230 A 4	A health insurance policy in the amount of \$25,000 covering medical expenses for injuries incurred during the boxing event is required.	The health insurance policy requirement is changed to \$50,000 and an accidental death insurance benefit coverage in a minimum amount of \$50,000 is also required.	The Association of Boxing Commissions has updated its Guidelines and the regulations have been amended for consistency with the Guidelines.
240 1	Rings in the shape of a square or octagon are permitted.	Language is added permitting a ring in the shape of a hexagon.	Hexagon rings are commonly used in the industry and are safe if they are the appropriate dimensions.
250 C	The contract between the promoter and the boxer must include the name of the promoter, the name of the boxer, the amount of compensation to be paid to the boxer by the promoter and must comply with the most current model contract developed by the Association of Boxing Commissions.	Language is added requiring the contract to also include the date, time and location of the event, the weigh-in and the prefight physical.	The Association of Boxing Commissions Regulatory Guidelines require the date, time and location of the event. Requiring this information for the weigh-in and prefight physical will increase efficiency for the Department and all licensees participating in

			the event.
280 A	The Department is permitted to examine records, experience, consecutive losses and the results of the prefight physical to determine whether the boxers are substantially equal in skill and ability and medically fit to compete.	Language is added to permit the Department to also consider the boxing severity index.	Language referencing the boxer's severity index is consistent with the Association of Boxing Commissions Regulatory Guidelines and provides additional information in determining the safety of a specific match.
280 C 7	None	Language is added permitting the Department to deny participation in a boxing event if the boxer has been denied a license or approval to fight by another jurisdiction for medical reasons.	This provision was added as an additional method to ensure the safety of boxers.
330	Bouts of 12 rounds are permitted.	Language is amended to permit bouts of 10 rounds, with an exception for 12 round bouts involving state, regional, national or world title championships or box offs, as approved by the Department.	The revised language is consistent with the Association of Boxing Commissions Regulatory Guidelines and increases boxer safety.
342 A	The referee is permitted to stop the bout when he determines the safety of the boxer is at risk.	Language is added permitting the ringside physician to stop the bout after consultation with the referee.	This provision increases boxer safety by ensuring that a bout is stopped when the safety of the boxer is at risk.
411 A 4	A health insurance policy in the amount of \$25,000 covering medical expenses for injuries incurred during the boxing event is required.	The health insurance policy requirement is changed to \$50,000 and an accidental death insurance benefit coverage in a minimum amount of \$50,000 is also required.	The Association of Boxing Commissions has updated its Regulatory Guidelines and the regulations have been amended for consistency with the Guidelines.
411 D	None	Language is added permitting the Department to consider the size and configuration of the location and deny approval of an event license for safety reasons.	This provision was added for safety reasons. The Department has experienced potentially dangerous situations when arriving at an event and viewing the facility which sometimes is not appropriate for the event.
411.1 1	Rings in the shape of a square or octagon are permitted.	Language is added permitting a ring in the shape of a hexagon.	Hexagon rings are commonly used in the industry and are safe if they are the appropriate dimensions.
411.2 C	The contract between the promoter and the boxer must include the name of the promoter, the name of	Language is added requiring the contract to also include the date, time and location of the event, the weigh-in and the prefight physical.	The Association of Boxing Commissions Regulatory Guidelines require the date, time

	the boxer, the amount of compensation to be paid to the boxer by the promoter and must comply with the most current model contract developed by the Association of Boxing Commissions.		and location of the event. Requiring this information for the weigh-in and prefight physical will increase efficiency for the Department and all licensees participating in the event.
411.5 A	The Department is permitted to examine records, experience, consecutive losses and the results of the prefight physical to determine whether the boxers are substantially equal in skill and ability and medically fit to compete.	Language is added to permit the Department to also consider the boxing severity index and to permit Department approval of a bout as a special exception when the boxer has ten or more consecutive losses.	Language referencing the boxer’s severity index is consistent with the Association of Boxing Commissions Regulatory Guidelines and provides additional information in determining the safety of a specific match. Language regarding approval in instances of 10 or more consecutive losses is consistent with the boxing provisions (Section and 280 A) and provides flexibility while still ensuring boxer safety.
411.5 B 7	None	Language is added permitting the Department to deny participation in a boxing event if the boxer has been denied a license or approval to fight by another jurisdiction for medical reasons.	This provision was added as an additional method to ensure the safety of boxers.
415 A 4	Participants are required to have a health insurance policy covering medical expenses for injuries incurred during the wrestling event.	Language is added permitting the wrestler to provide a waiver of liability in lieu of the required insurance.	This provision was amended in response to public comment as a less burdensome alternative to the health insurance requirement.
415 C	None	Language is added permitting the Department to consider the size and configuration of the location and deny approval of an event license for safety reasons.	This provision was added for safety reasons. The Department has experienced potentially dangerous situations when arriving at an event and viewing the facility which sometimes is not appropriate for the event.
415.1 1	Rings must be not less than 18 feet square within the ropes and square or octagon rings are permitted.	Language is amended to permit rings of not less than 16 feet square within the ropes and permit rings in the shape of a hexagon. Language regarding padding on	Sixteen foot rings are safe and commonly used in the industry for wrestling and therefore should be permitted.

	Bottom ropes must be padded and the ropes must be connected with ties six feet apart.	the bottom rope and rope ties is deleted.	These provisions were copied from the boxing provisions and are not appropriate for wrestling. It is actually less safe to have padding on the bottom rope, requiring wrestlers to use a higher rope, and to have rope ties.
420 L	None	Language is added to clarify that proceeds donated to a charitable organization which is tax-exempt under 501(c)(3) of the Internal Revenue Code are not included in the gate fee.	Based on comments received, confusion currently exists as to the definition and status of charity events. Clarifying the gate fee language, adding a definition of charity event (Section 20) and requiring verification of status (Sections 230 A 9, 411 A 9 and 415 A 9) will eliminate confusion and increase efficiency.
430 17	Wearing of facial cosmetics or jewelry of any kind is prohibited.	The language is amended to make an exception permitting wrestlers to wear cosmetics or jewelry unless the event official determines there is a safety risk.	Wrestlers often wear cosmetics and jewelry which do not present safety issues as part of the event, they should therefore be permitted if inspected and approved by the Department.
430 19	None	A provision is added to prohibit allowing a license, certificate or registration to be used by another.	This provision was added in response to the Department's concerns that this conduct has occurred in the past, creating confusion as to who the Department can hold responsible for regulatory violations.

Public comment

Please summarize all comments received during the public comment period following the publication of the proposed stage, and provide the agency response. If no comment was received, please so indicate.

	REGULATION #	SUMMARY OF COMMENT(S)
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	COMMENTOR'S NAME	<i>PROPOSED</i> BOARD RESPONSE
1	18 VAC 120-40-20	Clarification regarding charity events is needed.
	Richard O'Brien, Wrestling Promoter	<i>A definition of charity events will be added. A requirement to verify the status of the charity will be added and gate fee provisions we be amended for clarity.</i>
2	18 VAC 120-40-20	Clarification regarding "control of a facility" is needed.
	Richard O'Brien, Wrestling Promoter	<i>Clarification will be added referencing the contract between the promoter and the facility.</i>
3	18 VAC 120-40-80 A	Add a provision requiring boxers to have a certification from a physician within the past six months stating the boxer is in good health and has no abnormalities or deficiencies that would prevent his participation in a boxing event.
	Gail Carpenter	<i>Boxers are currently required to be examined prior to the event. Examination prior to licensure would assist in eliminating those who are not fit to compete prior to the event, therefore eliminating last minute changes in the card. The regulation will be amended to include this requirement. The language will be modified to reference abnormalities or deficiencies observed by the physician.</i>
4	18 VAC 120-40-80 B	Add a requirement to the certification the boxer signs upon application stating that the boxer is aware of the risk of contracting infectious blood diseases.
	Tracy Fagan	<i>The current language is consistent with ABC Guidelines. No additional change to the regulation is needed.</i>
5	18 VAC 120-40-80 C	Add a requirement for applicants without a professional record to provide, in addition to their amateur record, a copy of their amateur passbook as recognized by USA Boxing, or a letter from their trainer certifying to the amateur's boxing experience, skill level, physical condition and current training regimen.
	Tracy Fagan	<i>This information is similar to that required of professional boxers and is necessary to better protect public health, safety and welfare. Section 80 3 will be amended to include this requirement.</i>

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
6	18 VAC 120-40-80 D	Add a provision permitting the Department to require additional testing prior to licensure of a boxer upon the Department's determination that there may be a pre-existing medical condition.
	Tracy Fagan	<i>This requirement will be added, with a reference to "receipt of reliable information" by the Department.</i>
7	18 VAC 120-40-230 A 4	Increase the amount of the required insurance from \$10,000 to \$50,000 and require an accidental death policy in the amount of \$50,000.
	Tracy Fagan	<i>ABC Guidelines recommend health and accidental benefit coverage of \$100,000 (ABC minimum is \$10,000 each). The recommended change should be adopted to comply with ABC recommendations.</i>
8	18 VAC 120-40-230 A 5	Suggests rewording of bond provisions, no substantive change.
	Tracy Fagan	<i>No change is required.</i>
9	18 VAC 120-40-230 C	Add a provision prohibiting an applicant for an event license from obtaining a license by renting, leasing or selling a license.
	Tracy Fagan	<i>This provision should apply to all licensees and therefore the following language should be added to Section 430 A (as subparagraph 19): Allowing a license, certificate, or registration to be used by another.</i>
10	18 VAC 120-40-230 D	Add a provision permitting the Department to consider the size of the building or location for the event and any other safety issues prior to issuing the event license.
	Tracy Fagan	<i>Add this provision for safety reasons, including language regarding configuration of the layout of the facility.</i>
11	18 VAC 120-40-240 1	Add language permitting a fighting ring in the shape of a hexagon.

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
	Tracy Fagan	<i>Hexagon rings are common in the industry and are safe if they are the appropriate dimensions. The regulation will be amended to permit a hexagon ring.</i>
12	18 VAC 120-40-250 C	Add a requirement for the boxer's contract to contain the time and location for the weigh-in, prefight physical and the contest.
	Gail Carpenter	<i>ABC Guidelines require the date, time and location of the event. Requiring this information for the weigh-in and prefight physical will increase efficiency for the Department and all licensees participating in the event.</i>
13	18 VAC 120-40-280 A	Add language referencing the boxer registry approved by the Association of Boxing Commissions. Add language referencing the boxer's physical condition and the boxing severity index (BSI).
	Tracy Fagan	<i>The definition of boxer registry references the Association of Boxing Commissions, no additional language is required in this section.</i> <i>Language referencing the boxer's BSI is consistent with ABC Guidelines and will therefore be added to the regulation.</i>
14	18 VAC 120-40-280 C 7	Add a provision permitting denial of a license to a boxer who has been denied a license or approval to fight by another jurisdiction for medical reasons.
	Gail Carpenter	<i>This provision will be added for safety reasons. (Note: Section 280 relates to contest approval, not licensure requirements.)</i>
15	18 VAC 120-40-320 H	Add a provision prohibiting a second from participating if he is on the national suspension list.
	Tracy Fagan	<i>This requirement would not appear to increase safety. Therefore no change to the regulation is needed.</i>

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
16	18 VAC 120-40-330	Change maximum number of rounds for males from 12 to 10, except that the Department may approve two additional rounds if the bout involves a state, regional, national, or world title championship or elimination box off.
	Tracy Fagan	<i>The suggested change is consistent with ABC Guidelines and will be adopted. Limiting bouts to 10 rounds (except in title fights) increases safety for the participants.</i>
17	18 VAC 120-40-342 A	Revise language to permit the ringside physician to stop the bout when, after consultation with the referee, he determines it would be dangerous for the bout to continue.
	Tracy Fagan	<i>This provision clarifies that the physician can terminate the bout and will be adopted to increase safety for the participants.</i>
18	18 VAC 120-40-411 A 4	Increase the amount of the required insurance from \$10,000 to \$50,000 and require an accidental death policy in the amount of \$50,000.
	Tracy Fagan	<i>ABC Guidelines recommend health and accidental benefit coverage of \$100,000 (ABC minimum is \$10,000 each). The recommended change should be adopted to comply with ABC recommendations.</i>
19	18 VAC 120-40-411 A 5	Suggests rewording of bond provisions, no substantive change.
	Tracy Fagan	<i>No change is required.</i>
20	18 VAC 120-40-411 C	Add a provision prohibiting an applicant for an event license from obtaining a license by renting, leasing or selling a license.
	Tracy Fagan	<i>This provision should apply to all licensees and therefore the following language should be added to Section 430 A (as subparagraph 19): Allowing a license, certificate, or registration to be used by another.</i>

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
21	18 VAC 120-40-411 D	Add a provision permitting the Department to consider the size of the building or location for the event and any other safety issues prior to issuing the event license.
	Tracy Fagan	Add this provision for safety reasons, including language regarding configuration of the layout of the facility.
22	18 VAC 120-40-411.1 1	Add language permitting a fighting ring in the shape of a hexagon.
	Tracy Fagan	Hexagon rings are common in the industry and are safe if they are the appropriate dimensions. The regulation will be amended to permit a hexagon ring.
23	18 VAC 120-40-411.2 C	Add a requirement for the contestant's contract to contain the time and location for the weigh-in, prefight physical and the contest.
	Gail Carpenter	ABC Guidelines require the date, time and location of the event. Requiring this information for the weigh-in and prefight physical will increase efficiency for the Department and all licensees participating in the event.
24	18 VAC 120-40-411.5 A	Add language referencing the boxer registry approved by the Association of Boxing Commissions. Add language referencing the boxer's physical condition and the boxing severity index (BSI). Add language permitting an exception for a boxer with 10 or more consecutive losses, stating that all information will be used to determine if boxers are equal in skill and ability and medically fit to compete, and stating that all contests require approval of DPOR (or its contractor) and the ringside physician.
	Tracy Fagan	The definition of boxer registry references the Association of Boxing Commissions, no additional language is required in this section. Language referencing the boxer's BSI is consistent with ABC Guidelines and will therefore be added to the regulation.

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
25	18 VAC 120-40-411.5 B 7	Add a requirement permitting denial of a license to a boxer who has been denied a license or approval to fight by another jurisdiction for medical reasons.
	Gail Carpenter	<i>This provision will be added for safety reasons. (Note: Section 411.5 relates to contest approval, not licensure requirements.)</i>
26	18 VAC 120-40-415	Advertising should be permitted more than 30 days prior to the event.
	Travis Bradshaw, Wrestling Promoter	<i>The only prohibition against advertising is advertising prior to obtaining licensure for the event. The promoter may obtain an event license as early as desired, and then begin advertising. No change to the regulation is necessary.</i>
27	18 VAC 120-40-415	Advertising should be permitted more than 30 days prior to the event.
	Richard O'Brien, Wrestling Promoter	<i>The only prohibition against advertising is advertising prior to obtaining licensure for the event. The promoter may obtain an event license as early as desired, and then begin advertising. No change to the regulation is needed.</i>
28	18 VAC 120-40-415 A 1	Requiring the card showing participants is over regulation. The card changes up to the day of the event.
	Richard O'Brien, Wrestling Promoter	<i>The regulation permits changes in the card up to the day of the event. No change to the regulation is needed.</i>
29	18 VAC 120-40-415 A 2	Agrees with the requirement to certify training except for ring announcers, ring girls, singers, magicians, comedians, impersonators, etc.
	Travis Bradshaw, Wrestling Promoter	<i>All licensees need the training. The statutes set forth the necessity for licensure. No change to the regulation is needed.</i>

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
30	18 VAC 120-40-415 A 2	Certification regarding training and competence should not come from the promoter, it should be up to the Commonwealth.
	Richard O'Brien, Wrestling Promoter	<i>Section 415.2 A puts responsibility on the promoter to ensure safety at the show, ensuring that participants are properly trained and competent relates directly to safety. No change to the regulation is needed.</i>
31	18 VAC 120-40-415 A 4	A waiver of liability should be permitted in lieu of the required certification regarding health insurance.
	Troy Loveday, Wrestling Promoter	<i>This provision will be added. It puts the regulant on notice regarding insurance while providing a less burdensome alternative.</i>
32	18 VAC 120-40-415 A 4	Clarification regarding who provides the certification is needed.
	Richard O'Brien, Wrestling Promoter	<i>The certification is on the event license application, therefore it is provided by the promoter. No change to the regulation is needed.</i>
33	18 VAC 120-40-415 A 4	A waiver of liability should be permitted in lieu of the required certification regarding health insurance.
	Travis Bradshaw, Wrestling Promoter	<i>This provision will be added. It puts the regulant on notice regarding insurance while providing a less burdensome alternative.</i>
34	18 VAC 120-40-415 A 4	A waiver of liability should be permitted in lieu of the required certification regarding health insurance.
	Richard O'Brien, Wrestling Promoter	<i>This provision will be added. It puts the regulant on notice regarding insurance while providing a less burdensome alternative.</i>
35	18 VAC 120-40-415 A 4	The new wrestling provisions are too costly for promoters to implement, particularly the insurance provisions.
	Benjamin Waters	<i>A less burdensome alternative to the insurance requirement is provided (See comments 31, 33 and 34.) No additional change is necessary.</i>

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
36	18 VAC 120-40-415 C	Add a provision permitting the Department to consider the size of the building or location for the event and any other safety issues prior to issuing the event license.
	Tracy Fagan	Add this provision for safety reasons, including language regarding configuration of the layout of the facility.
37	18 VAC 120-40-415.1 1	Rings measuring 14 feet are more common in the industry, bottom rope height should be 12. The bottom rope should not be padded, it is never seen in wrestling and it would actually be more dangerous because wrestlers would use the middle rope instead. Soft rope ties every six feet are common in boxing, not wrestling.
	Travis Bradshaw, Wrestling Promoter	Sixteen foot rings are safe, the regulation will be amended. The Department agrees that the bottom rope should not be padded and ring ties are not appropriate, the regulation will be revised to delete these requirements.
38	18 VAC 120-40-415.1 1	Agrees with Travis Bradshaw’s comments regarding ring dimensions. Ring lighting provisions were copied from the boxing sections, they should not apply to wrestling. Ring barriers do not need to be six feet from the outside edge of the ring on all sides when the crowd may not be on all sides.
	Richard O’Brien, Wrestling Promoter	The ring dimension requirements will be amended as noted above. The lighting and barrier provisions relate directly to safety and will not be amended.
39	18 VAC 120-40-415.1 1	Add language permitting a ring in the shape of a hexagon. Change measure of square ring from 18 to 16 feet and octagon ring from 18 to 16 feet. Delete language requiring the bottom ring rope to be padded and requiring the ropes to be connected with soft rope ties.

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
	Tracy Fagan	<i>The ring dimension requirements will be amended as noted above. The Department agrees that the bottom rope should not be padded and ring ties are not appropriate, the regulation will be revised to delete these requirements.</i>
40	18 VAC 120-40-415.1 1	Sixteen foot rings should be permitted.
	Troy Loveday, Wrestling Promoter	<i>The ring dimension requirements will be amended as noted above.</i>
41	18 VAC 120-40-415.1 3	Separate locker rooms should not be required for men and women, you shouldn't regulate morality.
	Richard O'Brien, Wrestling Promoter	<i>Maintaining separate locker rooms is consistent with maintain separate bathrooms in all public facilities. No change to the regulation is needed.</i>
42	18 VAC 120-40-415.2 F	Regarding the requirement for promoters to maintain peace, order and decency, what is decency? The promoter should not be responsible for the actions of the crowd.
	Richard O'Brien, Wrestling Promoter	<i>The promoter is partially responsible for the actions of the crowd by controlling the show itself. Facts involving specific events will be considered at Informal Fact Finding Conferences in accordance with the Administrative Process Act. No additional changes are necessary.</i>
43	18 VAC 120-40-415.2 H	Add a provision prohibiting an applicant for an event license from obtaining a license by renting, leasing or selling a license.
	Tracy Fagan	<i>This provision should apply to all licensees and therefore the following language should be added to Section 430 A (as subparagraph 19): Allowing a license, certificate, or registration to be used by another.</i>
44	18 VAC 120-40-420	Gate fee is not stated.
	Richard O'Brien, Wrestling Promoter	<i>Paragraph M of Section 420 specifies the gate fee. No change to the regulation is needed.</i>

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
45	18 VAC 120-40-430 12	Threatening bodily harm to other participants or the crowd is part of the act.
	Travis Bradshaw, Wrestling Promoter	<i>Threatening other participants is not included in the regulations as a prohibited act. Situations involving threats to the crowd will be reviewed to determine whether the threats are part of the show or pose a security risk. No change to the regulation is necessary.</i>
46	18 VAC 120-40-430 12	Threatening bodily harm to other participants or the crowd is part of the act.
	Richard O'Brien, Wrestling Promoter	<i>Threatening other participants is not included in the regulations as a prohibited act. Situations involving threats to the crowd will be reviewed to determine whether the threats are part of the show or pose a security risk. No change to the regulation is necessary.</i>
47	18 VAC 120-40-430 13	Agrees that licensees should be responsible for allegations against officials they know to be false, does not agree if the licensee should have known the allegations were false.
	Richard O'Brien, Wrestling Promoter	<i>Addition of this provision ensures that licensees act in a responsible manner. No further change is required.</i>
48	18 VAC 120-40-430 17 and 18	Cosmetics and jewelry should be permitted, participants are actors.
	Travis Bradshaw, Wrestling Promoter	<i>Section 430 17 will be amended to permit cosmetics and jewelry for wrestlers unless the event official determines they present a safety issue.</i>
49	18 VAC 120-40-430 17 and 18	Cosmetics and jewelry should be permitted, participants are actors.
	Richard O'Brien, Wrestling Promoter	<i>Section 430 17 will be amended to permit cosmetics and jewelry for wrestlers unless the event official determines they present a safety issue.</i>

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
50		The new wrestling provisions are too costly for promoters to implement, particularly small businesses. Many fundraising events will not be held due to costs, schools would be particularly upset by this.
	Stan Lee	<i>Most of the individuals expressing concern about the cost of implementation for small promoters and concern about fundraising shows mention Rick O'Brien as a promoter they wish to continue with the fundraising shows. Mr. O'Brien commented that he is glad that fundraising shows will continue under the proposed regulations. He commented extensively and did not express concerns over cost of implementation. No change to the regulations is needed.</i>
51		The new wrestling provisions are too costly for promoters to implement, promoters will not be able to afford fundraising shows.
	Kevin Edwards	<i>Most of the individuals expressing concern about the cost of implementation for small promoters and concern about fundraising shows mention Rick O'Brien as a promoter they wish to continue with the fundraising shows. Mr. O'Brien commented that he is glad that fundraising shows will continue under the proposed regulations. He commented extensively and did not express concerns over cost of implementation. No change to the regulations is needed.</i>
52		The new wrestling provisions are too costly for small promoters to implement, promoters will not be able to afford fundraising shows. Wrestling is entertainment and should not require a license.

#	REGULATION # COMMENTOR'S NAME	SUMMARY OF COMMENT(S) PROPOSED BOARD RESPONSE
	Ryan Michaels	<i>Most of the individuals expressing concern about the cost of implementation for small promoters and concern about fundraising shows mention Rick O'Brien as a promoter they wish to continue with the fundraising shows. Mr. O'Brien commented that he is glad that fundraising shows will continue under the proposed regulations. He commented extensively and did not express concerns over cost of implementation. No change to the regulations is needed.</i>
53	Rick O'Brien, Wrestling Promoter	Schools, Volunteer Fire Departments and Rescue Squads, Athletic Associations, Community Centers and teams will greatly appreciate the fact that NWA Virginia, and most smaller promotions throughout Virginia, will be able to continue to aid them in their ability to raise funds while larger, television-based organizations would not give them a passing glance. <i>The Department thanks Mr. O'Brien for his comment.</i>
54	Brian Moore	The new wrestling provisions are too costly for promoters to implement, promoters will not be able to afford fundraising shows. Wrestlers should not have to follow boxing regulations. <i>Most of the individuals expressing concern about the cost of implementation for small promoters and concern about fundraising shows mention Rick O'Brien as a promoter they wish to continue with the fundraising shows. Mr. O'Brien commented that he is glad that fundraising shows will continue under the proposed regulations. He commented extensively and did not express concerns over cost of implementation. No change to the regulations is needed.</i>
55		The new wrestling provisions are too costly for promoters to implement, promoters will not be able to afford fundraising shows.

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
	Robert Langston	<i>Most of the individuals expressing concern about the cost of implementation for small promoters and concern about fundraising shows mention Rick O'Brien as a promoter they wish to continue with the fundraising shows. Mr. O'Brien commented that he is glad that fundraising shows will continue under the proposed regulations. He commented extensively and did not express concerns over cost of implementation. No change to the regulations is needed.</i>
56		Wrestling is an expensive hobby for small businesses. Costs should be considered when developing regulations.
	William Woody, Wrestling Promoter	<i>Most of the individuals expressing concern about the cost of implementation for small promoters and concern about fundraising shows mention Rick O'Brien as a promoter they wish to continue with the fundraising shows. Mr. O'Brien commented that he is glad that fundraising shows will continue under the proposed regulations. He commented extensively and did not express concerns over cost of implementation. No change to the regulations is needed.</i>
57		Approves of efforts to improve boxer safety.
	Gilbert Mendoza, President, World Boxing Association	<i>The Department thanks Mr. Mendoza for his comment.</i>
58		Approves of efforts to improve boxer safety.
	Marian Muhammad, President, International Boxing	<i>The Department thanks Mr. Muhammad for his comment.</i>
59		Supports others who have spoken.
	Eric Stace, Wrestling Promoter	<i>The Department thanks Mr. Stace for his comment.</i>
60		The definition of wrestling (in statute) is to subdue or imbalance an opponent through force. Wrestlers do not do that, under that definition wrestlers do not come under the regulations.

#	REGULATION # COMMENTOR'S NAME	SUMMARY OF COMMENT(S) PROPOSED BOARD RESPONSE
	David Dufour, Wrestling Promoter	<i>The Department thanks Mr. Dufour for his comment. Professional wrestling is regulated in accordance with the Code of Virginia.</i>
61	Ryan Keith McBride, Wrestling Promoter	Professional wrestling is extinct. New proposals could create a “financial avalanche” for DPOR and promoters. <i>Most of the individuals expressing concern about the cost of implementation for small promoters and concern about fundraising shows mention Rick O’Brien as a promoter they wish to continue with the fundraising shows. Mr. O’Brien commented that he is glad that fundraising shows will continue under the proposed regulations. He commented extensively and did not express concerns over cost of implementation. No change to the regulations is needed.</i>
62	Greg Price, Wrestling Promoter	The definition of wrestler is vague and permits abuses. The definition should include any participant who 1) is advertised to wrestle, 2) enters the wrestling ring, 3) is allowed to setup, sign autographs and sell memorabilia under the auspices of being a wrestler. <i>Definitions of “wrestler” and “wrestling” are in the Code of Virginia, not the regulations, and therefore cannot be amended without legislative action.</i>
63	Greg Price, Wrestling Promoter	Wrestlers should be required to be clear in their advertising with regard to who is on the card for the event. <i>The regulations permit changes in the card up until the event. No change in the regulation is required.</i>
64		Promoters should be able to get a license for one year instead of for each event. Rulebooks should be distributed and available at each event. If someone uses a promoter’s license for an event, the promoter should be there to see what is going on.

#	REGULATION #	SUMMARY OF COMMENT(S)
	COMMENTOR'S NAME	PROPOSED BOARD RESPONSE
	Troy Loveday, Wrestling Promoter	<p><i>A promoter’s license is good for one year. A separate event license if required by statute for each event. No change to the regulations is needed.</i></p> <p><i>Regulations are available on the DPOR website. A copy can be provided to any individuals who do not have internet access.</i></p> <p><i>In response to other comments, the following language will be added to Section 430 A (as subparagraph 19): Allowing a license, certificate, or registration to be used by another.</i></p>

All changes made in this regulatory action

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail new provisions and/or all changes to existing sections.

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
10		Clarifies how amateur contests are handled.	Clarifies that amateurs may participate in licensed professional contests only if the portion of the event containing amateur matches is sanctioned by a nationally recognized sanctioning organization. It is becoming increasing common for licensed professional events to include amateur matches. The current regulations are unclear as to what standards apply to portions of licensed professional events that include amateur matches.
	15	None	As part of reformatting the regulations for clarity, Section 15 was added to direct applicants and licensees to the appropriate regulatory provisions.
20		None	<p>Adds a reference to statutory definitions for clarity.</p> <p>Adds a definition of “charity event” to clarify that only those events where a portion of the proceeds are donated to a charitable organization which is tax-exempt under Section 501(c)(3) of the Internal Revenue Code are deemed to be charity events.</p>

			<p>Adds a definition of “event” to clarify when the event standards set forth in the regulations apply.</p> <p>Adds a definition of “ten point must system” – the term is not currently included in the regulations but has been added to Sections 360 and 411.20, therefore a definition is necessary.</p>
80		<p>Current requirements to obtain a boxer license include submission of a list of ring names and a current personal identification number as required by 15 USC § 6305.</p>	<p>The proposal deletes the requirement for submission of a list of rings names because the information is not used. The DPOR licensing system and the boxer registry use legal names, not ring names.</p> <p>The proposal moves the requirement for a personal identification number from Section 80 to Section 280, Contest approval. There is no need to require a personal identification number to obtain a license and in fact some individuals may want to obtain a license without intending to compete in a professional boxing bout where federal law requires a personal identification number. Therefore, the requirement is better placed in the Contest Approval Section for professional boxing bouts.</p>
		<p>Current provisions do not require submission of an amateur record for amateurs just turning professional.</p>	<p>The proposal requires submission of an amateur record, including an amateur passbook recognized by USA Boxing, or a letter from the applicant’s trainer certifying the applicant’s boxing experience, skill level, physical condition and current training program, for amateurs just turning professional for consistency with Subsection A 1 of the Section which permits applicants who have participated in fewer than five professional bouts to qualify for a license.</p>
		<p>Current provisions do not require a physician certification at the time of application.</p>	<p>The proposal requires a certification from a licensed physician within the past six months certifying that the applicant is in good physical health and that the physician has not observed any abnormalities or deficiencies which would prevent the applicant from participation in a boxing event and permits the Department to request additional medical testing to determine the fitness of a boxer upon receipt of reliable information of a pre-existing condition which may present a danger to the boxer. Examination prior to licensure will assist in eliminating those applicants who are not fit to compete earlier in the process, therefore saving the applicant from obtaining a boxer license and subsequently being denied participation in an event.</p>

		Current requirements reference issuance of licenses in accordance with the federal Professional Boxing Safety Act of 1996 (15 USC § 6301 et seq.) as amended.	This reference is no longer applicable because some individuals may want to obtain a license without intending to compete in a bout subject to the requirements of the federal law.
90		None	The proposal increases protection of the licensee by adding a requirement for an applicant for a wrestler license to sign a statement verifying understanding of the risks involved in participation in a wrestling event.
140		Specifically lists event inspector, inspector, referee, judge and timekeeper.	The proposal refers to event inspector, inspector, referee, judge and timekeeper as event official for clarity. Event official is defined in Section 20.
150		The current requirement specifies at least five years licensure as a physician with a certification in cardiopulmonary resuscitation.	The proposal does not require licensure as a physician for 5 years and permits the certification to be in osteopathic medicine as well as cardiopulmonary resuscitation. There is no evidence to show that the 5 year requirement increases public protection. A physician certification in osteopathic medicine (a system of medical practice based on a theory that diseases are due chiefly to loss of structural integrity which can be restored by manipulation of the parts supplemented by therapeutic measures) will protect the boxer in the same way that a certification in cardiopulmonary resuscitation does.
160		Current language applies only to boxing events.	The proposal deletes references to boxing to clarify that the Section applies to all events.
170		Current language applies only to boxing events.	The proposal deletes references to boxing to clarify that the Section applies to all events.
180		Current language references boxing inspectors.	The proposal deletes references to boxing to clarify that the term event inspectors applies to all events.
		Current language uses the term dressing room.	The terms dressing room and locker room are used interchangeably throughout the regulations, therefore the proposal changes all references to dressing room to locker room for clarity.
190		Current language references boxing referees.	The proposal deletes references to boxing to clarify that the term referees applies to all events.

		Current language does not include a general provision regarding duties to be performed by referees.	The proposal adds language requiring referees to perform other duties as assigned to assure compliance with the regulations. This is clarifying language to ensure the Department has the ability to assign any duty that relates to compliance with the regulations.
		Current language does not reference Section 342 in Subsection 8.	Section 342 has been added (see justification below) and relates to duties a referee must perform, therefore it is appropriate to add a reference to Section 342 in Subsection 8 of this Section.
200		Current language references boxing judges.	The proposal deletes references to boxing to clarify that the term judge applies to all events.
		Current language does not include a general provision regarding duties to be performed by judges.	The proposal adds language requiring judges to perform other duties as assigned to assure compliance with the regulations. This is clarifying language to ensure the Department has the ability to assign any duty that relates to compliance with the regulations.
		Current language in Subsection 1 references scoring of the contest.	The proposal moves language relating to the scoring of contests to Sections 360 and 411.14.
210		Current language references boxing timekeepers.	The proposal deletes references to boxing to clarify that the term timekeeper applies to all events.
		Current language does not include a general provision regarding duties to be performed by timekeepers.	The proposal adds language requiring timekeepers to perform other duties as assigned to assure compliance with the regulations. This is clarifying language to ensure the Department has the ability to assign any duty that relates to compliance with the regulations.
220		Current language requires a pregnancy test if determined necessary by the ringside physician.	The proposal requires a pregnancy test for all female boxers (see Section 290 below).
	221	None	As part of reformatting the regulations for clarity, the duties of event inspectors for wrestling were separated out from the other types of events. The language in this section is similar to 170 with revisions applicable to wrestling.
	222	None	As part of reformatting the regulations for clarity, the duties of locker room inspectors for wrestling were separated out from the other types of events.

			The language in this section is similar to 180 with revisions applicable to wrestling.
230		Applications must be received by the department at least 14 days before the date of the event.	The proposal requires applications to be received by the department at least 30 days before the date of the event. This change will give the department time necessary to assure that officials can be assigned to the event before issuing the license. The new requirement will also increase compliance with Subsection B of this Section which prohibits advertising until the event is licensed.
		Current language applies to boxing and wrestling events.	As part of reformatting the regulations for clarity, all references to wrestling are taken out of this section and included in Sections 415 through 415.3.
		Current language does not require the boxer's federal identification number with the event application but rather requires it with the boxer license application.	The proposal requires the boxer's federal identification number at the time of the event application rather than at the time the boxer obtains a license. Under the revised law and regulations, individuals may obtain a boxer's license but not participate in events that come under the federal law. Only those events controlled by federal law require a personal identification number for all boxers.
		Current language does not require verification of boxer's fight records.	Current practice is to require the boxer's fight record at the time of event application. This is the time that the record is actually checked against the federal registry. The proposal simply puts the current procedure into regulation.
		Current language does not reference the size and configuration of the location for the event.	The proposal adds language permitting the Department to consider the size and configuration of the location and permits denial of an event license for safety reasons. This provision was added for safety reasons. The Department has experienced potentially dangerous situations at events where the facility is not appropriate for the event.
		Current insurance requirement is for a minimum coverage of \$25,000 for medical expenses incurred during the boxing event.	The proposal changes the minimum insurance requirement for medical expenses incurred during the boxing event to \$50,000 and adds a requirement for accidental death insurance in a minimum amount of \$50,000 consistent with changes made to the Association of Boxing Commissions Regulatory Guidelines.
		Current language is unclear.	The proposal clarifies that the gate fee is required by statute and the total amount of the bond shall not exceed \$100,000.

		Current language does not reference charity events.	The proposal requires verification of status as a charity event at the time of application for an event license. Confusion currently exists as to the definition and status of charity events. Adding a definition, as well as requiring verification of status at the time of application and clarifying the gate fee requirements will assist licensees and the Department in efficiently processing gate fee reports for charity events.
240 1		Current requirement for a ring is a square between 16 and 24 feet within the ropes on each side.	The proposal changes the size of a square ring to between 18 and 20 feet within the ropes and permits octagon and hexagon shapes between 18 feet and 32 feet. Rings are not manufactured to have 24 feet within the ropes. A ring that measures a total of 24 feet is 20 feet within the ropes. A ring that is 16 feet within the ropes is too small for professional boxers to use safely, especially for heavy weights. The proposed change ensures safety, is consistent with rings currently available for purchase and is consistent with the Association of Boxing Commissions Regulatory Guidelines.
		Current requirements for a ring floor do not specify the thickness of the padding, permit duck as a covering, and do not specify that material with a slick covering shall not be used.	The proposal requires a one inch thick padding, and prohibits the use duck or other material with a slick covering. This provision is for the safety of the boxers and consistent with industry standards.
		Current requirements for the ring platform are unclear.	The proposal adds language to clarify that the steps are for the use of boxers in their corners and by the ringside physician in a neutral corner.
		Current requirements specify only that the ring ropes must be wrapped in soft material and that the bottom rope not be less than 18 inches above the ring floor.	The proposal requires that the ropes be evenly spaced, be padded with a closed cell padding of not less than ½ inch, be connected with soft rope ties six feet apart, be tight, be approved by the department or its contractor and that the top rope be no more than 52 inches above the floor. These requirements were added for the safety of the boxers and the officials. This provision is for the safety of the boxers and consistent with industry standards.

		None	The proposal requires the corners to be padded, the turnbuckles to be covered in protective padding and requires a ring stool and bucket in each boxer's corner. The proposal also requires the ring to have bright lights and requires the promoter to provide a ringside restrictive barrier. These requirements were added for the safety of the boxers and the officials. This provision is for the safety of the boxers and consistent with industry standards.
240 3		Current language uses the term dressing room.	The terms dressing room and locker room are used interchangeably throughout the regulations, therefore the proposal changes all references to dressing room to locker room for clarity.
		None	The proposal adds a requirement for locker rooms to have rest room facilities easily available. This requirement was added for the safety and security of the boxers and the public in conjunction with the requirement that boxers will be disqualified if they leave the area prior to the time for the bout (See Section 295 G).
240 6		Current requirements for the weight of the glove are contained in this Section.	The proposal moves the requirements for the weight of the glove to Section 295.
		None	The proposal adds language requiring the gloves to have laces to ensure proper fit, requiring gloves used in world title fights to be new and taken from the package just prior to issuing to the boxers, and requiring boxers to be gloved in the ring in all championship bouts. The proposal also adds a requirement for gloves to be cleaned with a solution of 10% household bleach and water prior to and after each bout. These requirements were added for the safety of the boxers and the officials and are generally consistent with the Association of Boxing Commissions Regulatory Guidelines and industry standard.
240 7		None	The proposal adds a requirement for the promoter to provide the pregnancy test required of all female boxers (see Section 290).
240 8		The current language requires boxing seconds to provide a clear plastic water bottle, a bucket containing ice, adhesive tape and gauze (see Section 260).	The proposal requires the promoter, rather than the second, to provide a clear plastic water bottle, a bucket containing ice, surgeon's adhesive tape and surgical gauze. The new requirement will ensure that all boxers are provided with these items and that wraps will be the same for all boxers.

250		Current language requires the contract to contain the name of the promoter, the name of the boxer, and the amount of compensation to be paid to the boxer by the promoter.	The proposal requires the contract to include the date, time and location of the event, the weigh-in and the prefight physical. The Association of Boxing Commissions Regulatory Guidelines require the date, time and location of the event. Requiring this information for the weigh-in and prefight physical will increase efficiency for the Department and all licensees participating in the event.
		The current language is unclear.	The proposal clarifies the reference to the model contract developed by the Association of Boxing Commissions.
260		The current language requires boxing seconds to provide a clear plastic water bottle, a bucket containing ice, adhesive tape and gauze.	The proposal requires the promoter, rather than the second, to provide a clear plastic water bottle, a bucket containing ice, surgeon's adhesive tape and surgical gauze (See Section 240 8).
270		The current requirement is not specific as to the type of protective equipment the boxer must provide.	The proposal clarifies the type of protective equipment the boxer must provide. The new requirement will ensure uniformity and additional safety for the boxers consistent with industry standards.
		The current language references foot pads and shin pads which are for kick boxing only.	The proposal deletes the requirement from this Section and moves it to Section 411.4. This is consistent with the restructuring of the regulations to separate event licensing and conduct standards for kick boxing and similar contests from the standards for boxing.
280 A		Current language references the event inspector with regard to contest approval.	The proposal changes event inspector to department or its contractor to clarify that the contest approval function begins when the application is submitted, prior the time the application is approved and an event inspector is assigned.
		None	The proposal clarifies the type of information that is obtained from the boxer registry in accordance with current procedures and informs the applicant that boxers with 10 or more consecutive losses are a special exception and must be reviewed further before being placed on the fight card.
280 B		None	The proposal moves the requirement for a personal identification number from the license application requirements to the contest approval section (see Section 80).

280 C		The current requirement with regard to vision leaves the decision to permit participation solely in discretion of the physician.	The proposal defines unsighted as uncorrected vision worse than 20/400 in one or both eyes and prohibits boxers totally unsighted in one or both eyes from competing. This provisions is added protection to the boxer to ensure that he is not permitted to compete in unsafe circumstances.
		None	The proposal permits denial of participation in an event if the boxer has been denied a license or approval to fight by another jurisdiction for medical reasons. This provision was added to further protect the safety of the boxer.
280 F		The current language specifies the weight classifications in this Section.	The proposal moves the weight classifications to Section 295 for clarification.
280 G		The current language specifies the maximum weight spreads in this Section.	The proposal moves the maximum weight spreads to Section to 295 for clarification.
290 A		None	The proposal requires the boxer to present his wrapped hands for inspection prior to putting his gloves on. This provision will ensure compliance with the wrapping requirements, therefore increasing overall safety of the boxers and is consistent with the Association of Boxing Commissions Regulatory Guidelines.
290 D		None	The proposal requires the ringside physician to complete a certification stating whether the boxer is physically fit to safely compete and submit the certification to the inspector. This is current procedure.
		The current requirement is for female boxer's to take a pregnancy test at the discretion of the physician.	The proposal requires all female boxers to take a pregnancy test in the presence of a female inspector or provide the ringside physician with a negative pregnancy test result taken not more than 24 hours prior to the event. The physician still has the discretion to determine whether the boxer is fit to safely compete even if the pregnancy test is positive. Requiring pregnancy tests is consistent with Association of Boxing Commissions Regulatory Guidelines.
		None	The proposal requires boxers who are determined to be not medically fit to compete to be placed on suspension on the boxer registry. This is the current procedure in accordance with the Association of Boxing Commissions requirements.

		None	The proposal requires boxers to submit to a post fight physical at the discretion of the physician or the department. This requirement further ensures the safety of the boxer and assists in determination the appropriateness of a medical suspension.
290 F		None	The proposal permits the use of petroleum jelly on the face, arms or other parts of the body, permits topical use of any solution approved by the Association of Boxing Commissions for cuts, and prohibits the use of all other solutions. This requirement is consistent with Association of Boxing Commission Regulatory Guidelines.
290 G		None	The proposal prohibits the use of headgear. This requirement is clarifying and consistent with industry standards.
	295 A	The current language (in Section 280 F) does not take the weight out one decimal and specifies the break between cruiserweight and heavyweight as 190 pounds. The current language also permits a maximum weight spread of 5 pounds from 118 to 126 pounds, 7 pounds from 126 to 135 pounds, 9 pounds from 135 to 147 pounds, 11 pounds from 147 to 160 pounds, 12 pounds from 160-175 pounds, 20 pounds from 175 to 190 pounds and no limit over 190 pounds.	The proposal moves the weight classifications to Section 295 and takes the minimum weight in each class out one decimal to clarify where the break is. The proposal changes the break between a cruiserweight and a heavyweight to 200 pounds. The proposal also moves the maximum weight spreads to Section to 295 and decreases the maximum spread for weights above 118 pounds. These requirements are consistent with Association of Boxing Commission Regulatory Guidelines.
	295 B	Specifies that boxers may not participate without approval of the department if the weight differences exceed those specified.	The proposal moves the requirement from Section 280 G to this section. The language is the same.
	295 C	None	The proposal specifies that if one of the boxers is above or below the specified weight both boxers will wear the gloves of the higher weight. This requirement is consistent with the Association of

			Boxing Commissions Regulatory Guidelines.
	295 D	None	The proposal requires boxers to be weighed within 24 hours of the event at a time designated by the promoter and approved by the department, in the presence of each other, the promoter and the department. The proposal further requires the boxers to remove weight from their bodies prior to weighing except that males may wear shorts and females may wear shorts and shirts. Also states that the scales shall not be moved until the weigh-ins are complete. This requirement is consistent with the Association of Boxing Commissions Regulatory Guidelines.
	295 E	None	The proposal sets forth requirements for weigh-ins occurring between 12 and 24 hours prior to the event and specifies how much weight the boxer must lose up to 2 hours prior to the event to be approved to compete. States that if the boxer still exceeds the weight limits 2 hours prior to the event, he may renegotiate his contract. This requirement is consistent with the Association of Boxing Commissions Regulatory Guidelines.
	295 F	None	The proposal sets forth requirements for weigh-ins occurring less than 12 hours prior to the event and states that if the boxer exceeds the weight specified in the contract, he shall not be permitted to lose more than 2 pounds prior to the contest. States that if the boxer still exceeds the weight limit 6 hours prior to the event, he will not be approved to compete and may renegotiate his contract. This requirement is consistent with the Association of Boxing Commissions Regulatory Guidelines.
	295 G	None	The proposal requires promoters to be responsible for ensuring that all boxers and seconds be present at the prefight meeting and report to the event location and their locker rooms at the specified time. The proposal also states that if a boxer leaves the locker room prior to the time for the bout or leaves the event facility before the end of the bout the boxer will be disqualified. This is clarifying language consistent with current practice.
300		Current language uses the term dressing room.	The terms dressing room and locker room are used interchangeably throughout the regulations, therefore the proposal changes all references to dressing room to locker room.

		Current language does not specify that the manager, trainer, second and cutman referenced must be licensed and does not include the promoter as an individual that has access to the locker room.	The proposal clarifies that the manager, trainer, second and cutman referenced in this section must be licensed and also clarifies that the promoter, as well as the promoter's representative may have access to the locker room.
310		Current language references boxing contestants and contestants.	The proposal references boxers for clarity.
320		None	The proposal requires identification of the chief second and other seconds before the contest begins, requires the corner to present the boxer to the official when the event inspector calls the boxers to the ring and when the referee calls the boxers to the center of the ring for final instructions. This is clarifying language consistent with current practice.
		The current regulations permit four seconds in bouts that are not world title bouts.	The proposal changes the number of seconds permitted in bouts that are not world title bouts from 4 to 3. This requirement is consistent with the Association of Boxing Commissions Regulatory Guidelines.
		The current regulations do not contain a requirement for seconds to appear at the weigh-in and prefight meeting.	The proposal requires seconds to appear at the weigh-in and prefight meeting. This is clarifying language consistent with current practice.
		None	The proposal requires that seconds keep their shoulders below the ring floor level, prohibits seconds from standing up or leaning on the edge of the ring, mat or floor, or slapping the ring, mat or floor while the bout is in progress or touching the ropes until the bell sounds to end the round. The proposal also requires seconds to keep the coaching volume down during the bout and prohibits them from interfering with the officials. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.

		None	The proposal clarifies that the second shall not enter the ring until the bell signals the end of the round. The proposal also clarifies that the second may coach his boxer, treat cuts, abrasions or swelling and provide water, ice, approved sport drinks or other cooling-down techniques during the rest period. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
		None	The proposal requires seconds to wipe up any fluids in their corners between rounds. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
		The current requirement states that seconds shall not enter the ring until the bell signals the end of a round.	The proposals clarifies that seconds may not enter the ring to assist or move a boxer who has been knocked down or injured until instructed to do so by the ringside physician. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
		The current regulation references the prohibition against the use of Monsol’s solution, alcoholic beverages, stimulants, or other unapproved substances.	The proposal moves the prohibition against use of the referenced substances from this Section to Section 430.
		None	The proposal prohibits throwing in the towel by any second, states that if the second enters the ring during the round the boxer will be disqualified and states that only the referee can stop the bout. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
330		None	The proposal states that boxing contests shall not be scheduled for less than four or more than 10 rounds, except that the Department may approve 12 round bouts if the bout involves a state, regional, national or world title championship or elimination box off. This is consistent with the Association of Boxing Commissions Regulatory Guidelines and increases safety for the participants.

340		The current language does not make clear when a knockdown has occurred.	The proposal specifically states that a knockdown is when a boxer touches the floor or is being held up by the ropes or is hanging on the ropes without the ability to protect himself and cannot fall to the floor. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
		The current language references the mandatory 8 count in Subsection C.	The proposal moves the language referencing a mandatory 8 count from Subsection C to Subsection A for clarity.
		The current language does not impose requirements on an opponent when the boxer is down or helpless on the ropes.	The proposal states that the count shall not begin until the opponent is in a neutral corner, that the referee may stop the count if the opponent fails to go to the neutral corner, and that the referee will resume the count where he left off when the opponent returns to the neutral corner. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
		The current language states that the referee shall rule a knockout on a count of ten where the boxer is unable or unwilling to reenter the contest or on a count of 20 if the boxer has left the ring for any reason.	The proposal rephrases the current requirements for clarity.
		None	The proposal states that a boxer who leaves the ring cannot be touched while out of the ring by his second or others. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
	342	None	The proposal clearly states when a bout may be terminated by a referee or physician, how knockouts and technical knockouts are recorded and when a boxer is placed on the suspension list on the boxer registry. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
350 A		The current language states that hitting below the belt is a foul.	The proposal changes hitting below the belt to hitting below the naval for clarification purposes.

		None	The proposal adds fouls for hitting behind the ear, intentionally spitting out the mouthpiece, biting or spitting, not following referee’s instructions, stepping on opponent, crouching below opponent’s belt, leaving neutral corner and corner shouting. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
		The current language does not contain clarifying language regarding rabbit punches.	The proposal states that a rabbit punch is a punch thrown to the back of the head and neck areas and states that a rabbit punch is a foul even if it was not deliberate. This change was made for clarity.
350 D		The current language uses the term contestants.	The proposal changes contestants to boxing for clarity; all of Part VII relates to boxing only.
350 E		The current language does not set a limit on the length of time a referee may suspend a contest when a foul occurs.	The proposal limits to five minutes the time a referee may suspend a contest when a foul occurs. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
350 F		The current language is not clear as to scoring when a contest is stopped due an injury resulting from an accidental foul.	The proposed language clarifies that the contest is a draw if the accidental foul occurs during the first four rounds of a contest of more than four rounds or in a contest of four rounds. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
350 H		None	The proposed language specifies how scoring is to be done when an intentional foul causes an injury. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
350 I		None	The proposed language states that if a boxer conducts himself in an unsportsmanlike manner the referee may stop the bout and disqualify the boxer. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
350 J		None	The proposed language states how the bout is scored when an injury is caused by an accidental four or legal strike. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
350 K		None	The proposed language sets forth how the bout is scored when an injury caused by an accidental foul is severe enough to stop the bout. This is clarifying language generally consistent with the Association

			of Boxing Commissions Regulatory Guidelines and current practice.
350 L		None	The proposed language states that if a boxer is hit with an accidental blow and does not rise by the count of 10 and continue after a reasonable time, not to exceed five minutes, he will lose the bout. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
350 M		None	The proposed language states when disqualification may occur for flagrant or continual fouls and when the referee may give a rest period. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
360		None	The proposed language clarifies that judges, not referees, score a contest, and sets forth the criteria the judges will use. This is clarifying language generally consistent with the Association of Boxing Commissions Regulatory Guidelines and current practice.
370		The current language sets forth standards of conduct for boxers.	The proposal moves the standards of conduct to Section 430, which apply to all events, for clarification. No standards are deleted.
380		The current language sets forth standards of conduct specifically for kick boxing.	The proposal moves the standards of conduct for kick boxing to Sections 411.11 and 411.13 for clarity.
	385		The proposal creates a new Section setting forth rules for elimination boxing contests only. The new language is consistent with industry standard and current practice. Following is a breakdown by subsection of the need for each provision: 385.1 – Most participants in elimination contests have no formal training in boxing. Boxers who have federal identification numbers have training and experience. It would be unsafe to permit the trained professional boxers to compete against untrained participants. 385.2 – The shorter rounds for elimination boxing are to protect the safety of the participants. 385.3 – The standing eight count is a safety measure to further protect less trained participants from injury. 385.4 – In elimination contests, a participant who continues to win could fight several times before the end of the tournament. Limiting the number of times a participant can fight over a 2-3 day period increases the safety of the participants.

			<p>385.5 – There are no federal requirements for suspensions for elimination boxing and no boxer registry to report suspensions to. Having the provisions in regulation with 60 days for both a technical knockout and a knockout further protects the safety of the participants.</p> <p>385.6 – Professional boxers may not participate in an event within 14 days of their last event. The 14 days is increased to 30 days for elimination boxing because the boxers are not as well trained and in the same physical condition as professional boxers.</p> <p>385.7 – Boxers in both professional boxing and elimination boxing are not permitted to participate if they do not pass the physical given by the ringside physician. The provision in the elimination boxing section regarding drugs and alcohol is necessary to heighten the awareness of participants about the danger of participating when using any type of drug or consuming alcohol within 24 hours of the event.</p> <p>385.8 – The requirements in this section are the same as for professional boxing except that the normal boxing headgear is not used. All provisions are for the safety of the participant.</p> <p>385.9 – In elimination boxing, the weight classes are set by the promoter. This provision establishes parameters for weight differences to increase the safety of the participants.</p> <p>385.10 – Establishing a uniform glove weight for all participants increases the safety of the participants.</p>
400		The current language sets forth standards of conduct specifically for wrestling.	The proposal moves the standards of conduct for wrestling to Section 415.2 for clarity.
410		None	The proposal clarifies that the promoter is responsible for security of the locker room area. This is clarifying language consistent with current practice. The requirement protects the participants as well as the public.
	411	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411 is similar to that used in Section 230 for boxing.
	411.1	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.1 is similar to that used in Section 240 for boxing.
	411.2	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.2 is similar to that used in Section 250 for boxing.

	411.3	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.3 is similar to that used in Section 260 for boxing.
	411.4	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.4 is similar to that used in Section 270 for boxing. The style of shorts used for mixed martial arts differs from boxing. The requirement for two pairs of shorts, one being tight, is to eliminate indecent exposure. Kick boxers are not permitted to wear shoes but use foot pads and shin pads because they are permitted to use their legs and feet as weapons.
	411.5	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.5 is similar to that used in Section 280 for boxing. Section 411.5 does not reference standards of approval as set forth by the Association of Boxing Commissions because those standards do not cover mixed martial arts. Also, Section 411.5 does not reference federal law, which is not applicable to mixed martial arts.
	411.6	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.6 is similar to that used in Section 290 for boxing. Section 411.6 does not reference standards of approval as set forth by the Association of Boxing Commissions because those standards do not cover mixed martial arts. Also, Section 411.6 does not reference federal law, which is not applicable to mixed martial arts.
	411.7	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.7 is similar to that used in Section 295 for boxing. The specific weights are industry standard for mixed martial arts.
	411.8	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.8 is similar to that used in Section 300 for boxing.
	411.9	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.9 is similar to that used in Section 310 for boxing.
	411.10	None	The proposal creates a new Part VIII that applies

			only to kick boxing and similar contests. The language used in Section 411.10 is similar to that used in Section 320 for boxing.
	411.11	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.11 is similar to that used in Section 330 for boxing. The length of rounds, number of rounds and rest periods between rounds are industry standard for mixed martial arts.
	411.12	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.12 is similar to that used in Section 340 for boxing. The standing eight count is industry standard for mixed martial arts.
	411.13	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.13 is similar to that used in Section 350 for boxing. The listing of fouls and how they are to be handled in scoring is industry standard for mixed martial arts.
	411.14	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.14 is similar to that used in Section 360 for boxing. The provisions regarding judging and scoring are consistent with industry standards for mixed martial arts.
	411.15	None	The proposal creates a new Part VIII that applies only to kick boxing and similar contests. The language used in Section 411.15 is similar to that used in Section 410 for boxing.
	411.16	None	The proposal includes full contact rules. These rules are needed to cover “any similar contest” as set forth in Section 54.1-828 of the Code of Virginia. The provisions are consistent with industry standard.
	411.17	None	The proposal includes international (low kick) rules. These rules are needed to cover “any similar contest” as set forth in Section 54.1-828 of the Code of Virginia. The provisions are consistent with industry standard.
	411.18	None	The proposal includes Muay Thai (Thai boxing) rules. These rules are needed to cover “any similar contest” as set forth in Section 54.1-828 of the Code of Virginia. The provisions are consistent with industry standard.

	411.19	None	The proposal includes San Shou (Sanda) rules. These rules are needed to cover “any similar contest” as set forth in Section 54.1-828 of the Code of Virginia. The provisions are consistent with industry standard.
	411.20	None	The proposal includes mixed martial arts rules. Mixed martial arts were added to Section 54.1-828 of the Code of Virginia effective 07/01/05 (Chapter 287, 2005 Acts of Assembly). The provisions are consistent with industry standard.
	411.21	None	The proposal references other types of events included in statute and sets forth how the rules apply to those events.
	415	None	The proposal creates a new Part IX that applies only to wrestling. The language used in Section 415 is similar to that used in Section 230 for boxing but does not include requirements specific to boxing such as federal identification number, number of rounds the boxers are to compete and fight records. The proposal also permits a waiver of liability in lieu of the required health insurance policy and requires a certification by the promoter that the participant is properly trained and competent to perform.
	415.1	None	The proposal creates a new Part IX that applies only to wrestling. The language used in Section 415.1 is similar to that used in Section 240 for boxing but does not include requirements specific to boxing such as a reference to ringside physicians, stools, a fully equipped ambulance, gloves, pregnancy tests, water buckets, bucket containing ice, surgeon’s adhesive tape and surgical gloves. Also, the proposal permits 16 foot rings, 3 or 4 ring ropes and does not require the ropes to be padded.
	415.2	None	The proposal creates a new Part IX that applies only to wrestling and moves the language previously contained in Section 400 to this new Section. The proposal adds a requirement to report to the locker room at a designated time and states that if a participant leaves the area before time for the match or leaves the facility before the end of the match he will be disqualified. These provisions are for the safety of the wrestler. The proposal also requires the promoter to maintain a contract on file and permit review of the contract upon request. This requirement assists in determining the appropriate amount of the gate fee to be collected in accordance with Section 54.1-833 of the Code of Virginia.

	415.3	None	The proposal creates a new Part IX that applies only to wrestling. The language used in Section 415.3 is similar to that used in Sections 410 and 411.15.
420 A-L		None	The proposal clarifies current practice with regard to individuals who may be admitted to the event, how tickets are counted for purposes of calculating the gate fees, how tickets must be labeled and colored and how tickets are handled. The proposal also states that fees shall not be reduced for portions of an event containing amateur matches and clarifies requirements for charity events. All provisions assist in determining the appropriate amount of the gate fee to be collected in accordance with Section 54.1-833 of the Code of Virginia.
430 A 11		None	The proposal includes use of profane or abusive language among the acts that may result in disciplinary action. The regulations provide that that such conduct is a foul in boxing, kickboxing and mixed martial arts but do not specifically include such act in prohibited acts for all types of events, including wrestling. This provision will assist the officials in maintaining control at events.
430 A 12		None	The proposal includes “threatening or inflicting bodily harm upon an official or members of the audience” among the acts that may result in disciplinary action. This provision will assist the officials in maintaining control at events and ensuring the safety of the audience.
430 A 13		None	The proposal includes “making allegations against officials which the licensee knows or should have known to be false” among the acts that may result in disciplinary action. Licensees have engaged in this conduct in the past which has often times resulted in difficulty maintaining control at events and ensuring the safety of the audience.
430 A 14		None	The proposal includes “use of alcohol or other controlled substances” among the acts that may result in disciplinary action. This language was previously included in Section 370 for boxing and is now included in this Section to apply to use by all licensees. The provision will protect the safety of licensees by ensuring it is safe for them to compete and assist in maintaining control at events.
430 A 15		None	The proposal includes “failure to submit to a urinalysis or chemical test before or after an event

			upon the request” among the acts that may result in disciplinary action. This language was previously included in Section 370 for boxing and is now included in this Section to apply to use by all licensees. The provision will protect the safety of licensees by ensuring it is safe for them to compete.
430 A 16		None	The proposal includes “failure to fulfill contracts for participation” among the acts that may result in disciplinary action. This provision will assist in protecting the promoter, all participants and the public.
430 A 17		None	The proposal includes “wearing facial cosmetics or jewelry” among the acts that may result in disciplinary action, with an exception for wrestlers when approved by the event official. This provision is for the safety of the participants in all types of events covered by these regulations.
430 A 18		None	The proposal includes “failure to secure hair with soft, nonabrasive materials when deemed appropriate” among the acts that may result in disciplinary action. This provision is for the safety of the participants in all types of events covered by these regulations.
430 A 19		None	The proposal includes “allowing a license, certificate or registration to be used by another” as grounds for disciplinary action. This provision will assist the Department in its enforcement efforts by clarifying who is responsible for compliance with the regulations.

Regulatory flexibility analysis

Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

The regulations were developed with consideration that the affected industries consist of small businesses. The Board considers that the regulatory methods implemented were promulgated to accomplish the applicable law while minimizing the adverse impact on small businesses and are consistent with the regulation of small businesses of other professions.

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The proposed changes are expected to have no impact on families.