



COMMONWEALTH of VIRGINIA
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May 3, 2010

VIA ELECTRONIC TRANSMISSION

David S. Lermond, Jr.
Director of Pari-mutuels
Virginia Racing Commission
10700 Horsemen's Road
New Kent, Virginia 23124

Re: 11 VAC 10-60-70 (Trainer)
11 VAC 10-60-120 (Jockey)
11 VAC 10-110-100 (Penalties and allowances)
11 VAC 10-110-180 (Scratches)
11 VAC 10-110-190 (Responsibility for eligibility)
11 VAC 10-140-40 (Prohibitions)
11 VAC 10-140-60 (Changing equipment)

Dear Mr. Lermond:

Pursuant to your request, I have reviewed the above-captioned regulations, which the Virginia Racing Commission voted to adopt at its April 27, 2010, meeting. I find that they are supported by statutory authority and that the Commission's actions relating to them are exempted from the Virginia Administrative Process Act pursuant to *Virginia Code* § 2.2-4002(A)(18) as they involve technical rules regulating live horse racing.

If I may be of further assistance, please do not hesitate to contact me at (804) 692-7902.

Very truly yours,

/s/ Amy K. Dilworth

Amy K. Dilworth
Assistant Attorney General

cc: Donald Ferguson
Acting Section Chief