

VIRGINIA RACING COMMISSION

Statement of Final Agency Action:

On May 15, 2002, the Virginia Racing Commission adopted a final and exempt regulation entitled "Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering - Steeplechase Racing" (11 VAC 10-160-10 et seq.).

Explanation of Substantive Changes:

The Rules Committee recommended and the Commission adopted the following technical amendments to Chapter 160:

In general, throughout the chapter, the preferred term "steeplechase" has been substituted for "jump."

Section 90:

This section has been repealed because the committee felt such horses should not be raced for pari-mutuel purposes.

Summary of Public Comments and Agency's Response:

The Rules Committee of the Virginia Racing Commission is composed of representatives of the breed and horsemen's associations in the Commonwealth as well as representatives of the two licensees.

The Rules Committee reviewed the regulations in light of its experience with live thoroughbred and harness racing meets at Colonial Downs and Oak Ridge. The committee reviewed the regulations at a public meeting and made recommendations for technical amendments to the regulations.

The proposed amendments to Chapter 160 were reviewed on a section-by-section basis during the May 15, 2002 meeting of the commission and no comments were heard from the public attending the meeting.

Summary of Regulation:

Adopting the recommendations of its Rules Committee, the Virginia Racing Commission made a number of technical amendments to the chapter. The principal amendment prohibits assistance at the start and substitutes the preferred term "steeplechase" for "jump" throughout the chapter.

Statement of Basis, Purpose, Substance, Issues and Impact:

Basis: The Virginia Racing Commission derives its statutory authority to promulgate regulations from the provisions of §59.1-369 of the Code of Virginia. The Code states, in part in subdivision 3, "The commission shall promulgate regulations and conditions under which horse racing with pari-mutuel wagering shall be conducted in the Commonwealth, and all such other regulations it deems necessary and appropriate to effect the purposes of this chapter." Further, the commission's regulatory action is exempted under the provisions of §2.2-4002 (A)(20)(ii) which states, "in promulgating technical rules regulating actual live horse racing at race meetings licensed by the Commission."

Purpose: The commission relies heavily upon its special advisory panel—the Rules Committee—to advise it on matters pertaining to aspects of horse racing and pari-mutuel wagering. The committee represents the widest possible spectrum of interests within the horse racing and breeding community within the Commonwealth. The committee is charged with the responsibility of keeping the commission and its staff abreast of the latest developments in the sport and in the Mid-Atlantic Region. The recommendations of the committee, which have been adopted by the commission, will enhance the public's health, safety and especially the welfare of horse racing in Virginia.

Substance: The commission in adopting the recommendations of the committee made a number of technical amendments to Chapter 160. The principal technical amendment is the elimination of assistance at the start. Also, the preferred term "steeplechase" is substituted for "jump" throughout the chapter.

Issues: The amendments to Chapter 160 represent reasonable refinements in its regulations thereby ensuring that horse racing in Virginia will be free of any corrupt, incompetent, dishonest or unprincipled practices. Furthermore, the amendments bring the commission's regulatory practices into a greater degree of uniformity with those adhered to among the states comprising the Mid-Atlantic Region.

Impact Upon Families: The amendments will have no impact upon families in the Commonwealth.