

**NOTICE OF PUBLIC MEETING AND RULES HEARING**

The New Mexico Racing Commission (Commission) will hold a Public Meeting and Rules Hearing on **September 22, 2022**. The Rules hearing will be held during the Commission's regular business meeting with the public session beginning at 9:00 a.m. The Rules Hearing and Commission meeting will be held in person at the New Mexico Racing Commission Boardroom, 4900 Alameda Blvd., NE, Albuquerque, New Mexico and virtually via Zoom.

Topic: Regular Commission Meeting and Rules Hearing  
Time: September 22, 2022 09:00 AM Mountain Time (US and Canada)

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The Commission is proposing the following amendments listed below to the Rules Governing Horse Racing in New Mexico to clarify the rules regarding the safety and integrity of horseracing and purse moneys.

- 15.2.1 NMAC – Gaming
- 15.2.2 NMAC – Associations
- 15.2.3 NMAC – Flat Racing Officials
- 15.2.4 NMAC – Types of Races
- 15.2.5 NMAC – Horse Race – Rules of the Race
- 15.2.6 NMAC – Veterinary Practices, Equine Health, Medication, and Trainer Responsibility
- 16.47.1 NMAC – General Provisions

A copy of the proposed rules may be found on the Commission's website: <https://www.nmrc.state.nm.us/rules-regulations/>. You may also contact Denise Chavez at (505) 249-2184 to request to receive a copy of the proposed rules by regular mail.

Interested persons may submit their written comments on the proposed rules to the Commission at the address below and/or may appear at the scheduled meeting and provide brief, verbal comments. All written comments must be received by the Commission by 12:00 PM on September 21, 2022. Written comments should be submitted to: Denise Chavez, Law Clerk, via email at [DeniseM.Chavez@state.nm.us](mailto:DeniseM.Chavez@state.nm.us).

The **final** agenda for the Commission meeting will be available one hundred twenty (120) hours prior to the meeting. A

copy of the **final** agenda may be obtained from Denise Chavez or from the Commission's website.

No technical information served as the basis for the proposed rule.

Anyone who requires special accommodations is requested to notify the Commission of such needs at least five days prior to the meeting.

**Statutory Authority:** Legal authority for this rulemaking can be found in the New Mexico Horse Racing Act, Sections 60-1A-1 through 60-1A-30 NMSA 1978 (2007, as amended through 2017), which, among other provisions, specifically authorizes the Commission to promulgate rules and regulations and carry out the duties of the Act to regulate horse racing in the State.

**The Commission proposes the following rule amendments:**

**Subsection B of 15.2.1.9 NMAC:** The purpose of the proposed amendments is to have the processes better comport with the goal of administrative disciplinary actions and to place a portion of the rule to a more applicable part of the rule book.

**Subsection B of 15.2.2.8 NMAC:** The purpose of the proposed amendment is to enable the racing industry to offset the cost of the new federal legislation utilizing gaming money.

**Subsection A of 15.2.3.8 NMAC:** The purpose of the proposed amendment is to recognize all positions that should be deemed as racing officials.

**Subsection C of 15.2.4.8 NMAC:** The purpose of the proposed amendment is to negate conflict of NM Racing Commission rules regarding the condition of claimed horses.

**Subsection D of 15.2.5.13 NMAC:** The purpose of the proposed amendment is to implement best practice in order to alleviate safety issues in the paddock and starting gate.

**Subsections A & C of 15.2.6.9 NMAC:** The purpose of the proposed amendments is to clarify that both post-race and out-of-competition findings are prima facie evidence that a prohibited substance was administered to the horse.

**Subsection A & B of 15.2.6.10 NMAC:** The purpose of the proposed amendments is to clarify that the security guard is provided and employed by the racetrack and not the NM Racing Commission as the current verbiage has been confused in the courts and Subsection B (1) is repetitive.

**Subsection P of 16.47.1.8 NMAC:** The purpose of the proposed amendment is to clarify the licensing rule concerning an applicant working in more than one capacity in the horseracing industry.

**Subsections A, B & D of 16.47.1.10 NMAC:** The purpose of the proposed amendment is to make the requirements for becoming a trainer more stringent to assure the enhancement of the welfare and safety of the equine athlete; to allow the commission to hold trainers accountable for the condition of horses in their care, custody and control; and lastly to force trainers to do their due diligence in ensuring that newly acquired horses are free of any prohibited substances.