

Explanatory paragraph: This is an amendment to 16.47.1 NMAC, Section 8 and 10, effective June 1, 2016. In Section 8, Subsections C through V were not published as there were no changes. In Section 10, Subsections B through F were not published as there were no changes.

**16.47.1.8 GENERAL PROVISIONS:**

**A. LICENSES REQUIRED:** A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission.

(1) License categories shall include the following and others as may be established by the commission: **GROUP A** - racing participants eligible for an optional annual or triennial year license to include owners, trainers, veterinarians, jockeys, and stable name registrations. **GROUP B** - associations, racing professionals, concession operators, contractors, and managerial racing officials. **GROUP C** - supervisory racing officials. **GROUP D** - persons employed by the association, or employed by a person or concern contracting with the association, to provide a service or commodity, which requires their presence in a restricted area, or anywhere on association grounds while pari mutuel wagering is being conducted. **GROUP E** - racetrack employees and authorized agents.

(2) Persons required to be licensed shall submit a completed application on forms furnished by the commission and accompanied by the required fee. The following fees are assessed for the issuance of the specified licenses. In addition to license fees listed herein, \$20.00 is assessed for each identification picture and badge.

Announcer	\$55.00
Assistant general manager	\$80.00
Assistant racing secretary	\$15.00
Association	\$80.00
Auditor, official	\$55.00
Authorized agent	\$ 5.00
Clerk of scales	\$15.00
Clocker	\$15.00
Club, racetrack	\$80.00
Concession employee	\$ 5.00
Concession operator	\$80.00
Custodian of jockey room	\$15.00
Director or corporate officer	\$80.00
Director of operations	\$55.00
Director of racing	\$55.00
Exercise person	\$15.00
General manager	\$80.00
Groom	\$ 5.00
Horseman's bookkeeper	\$15.00
Identifier (horse)	\$15.00
Janitor	\$ 5.00
Jockey (3 year)	\$100.00
Jockey (1 year)	\$80.00
Jockey (apprentice) (3 year)	\$100.00
Jockey (apprentice) (1 year)	\$80.00
Jockey agent	\$55.00
Jockey valet	\$ 5.00
Laborer	\$ 5.00
Official personnel (specify position)	\$ 5.00
Official veterinarian (3 year)	\$100.00
Official veterinarian (1 year)	\$80.00
Outrider	\$15.00
Owner (3 year)	\$100.00
Owner (1 year)	\$80.00
Paddock judge	\$15.00

Pari mutuel employee	\$ 5.00
Pari mutuel manager	\$55.00
Placing judge	\$15.00
Photo employee	\$ 5.00
Plater	\$80.00
Pony person	\$ 5.00
Private barns	\$ 80.00
Racing secretary-handicapper	\$55.00
Security chief	\$55.00
Security staff	\$ 5.00
Simulcast company employee	\$ 5.00
Simulcast coordinator	\$55.00
Simulcast operator	\$80.00
Special event, 1 or 2 day	\$100.00
Stable name (3 year)	\$100.00
Stable name (1 year)	\$80.00
Stable superintendent	\$55.00
Starter	\$55.00
Starter assistant	\$15.00
Ticket seller (admissions)	\$ 5.00
Timer	\$15.00
Totalisator employee	\$ 5.00
Totalisator operator	\$80.00
Track maintenance, employee	\$ 5.00
Track physician	\$80.00
Track superintendent	\$55.00
Trainer (3 year)	\$100.00
Trainer (1 year)	\$80.00
Trainer assistant	\$15.00
Veterinarian assistant	\$15.00
Veterinarian, practicing (3 year)	\$100.00
Veterinarian, practicing (1 year)	\$80.00
Veterinarian, racing (3 year)	\$100.00
Veterinarian, racing (1 year)	\$80.00
Watchman	\$ 5.00

(3) License applicants shall be required to furnish to the commission a set(s) of fingerprints and a recent photograph.

(a) All license applicants ~~[may]~~ shall be required to be re-fingerprinted ~~[or]~~ every 6 years and re-photographed periodically as determined by the commission.

(b) Requirements for fingerprints may be fulfilled by:

- (i) submission of fingerprints; or
- (ii) verification that fingerprints were submitted for processing; ~~[or]~~
- (iii) submission of a fingerprint reciprocity affidavit; or
- (iv) provide proof of licensure from another jurisdiction to which

fingerprints were submitted within the last six years.

~~[(c) — License applicants for owner, trainer or jockey will only need to be fingerprinted upon first application. If there is a break of three years or more in license continuity or if the commission determines it is necessary, reprinting will be undertaken by the owner, trainer or jockey.]~~

(4) License applicants for groom, watchman, exercise and pony persons must submit to a drug (controlled substances) and alcohol-screening test when making application for license.

**B. MULTI-STATE LICENSING INFORMATION:** Applicants may be permitted to submit an association of racing commissioners international, inc. ~~[(RCI)]~~ multi-state license information form and ~~[(RCI)]~~ association of racing commissioners international, inc. fingerprint card and thereby obtain a criminal records check that can be used in other jurisdictions.

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[16.47.1.8 NMAC - Rp, 16 NMAC 47.1.8, 03/15/2001; A, 08/30/2001; A, 11/15/2001; A, 12/14/2001; A, 02/14/2002; A, 11/14/2002; A, 03/31/2003; A, 07/15/2003; A, 09/29/2006; A, 03/30/2007; A, 08/14/2008; A, 06/15/2009; A, 09/15/2009; A, 01/01/2014; A, 04/01/2014; A, 06/01/2016]

**16.47.1.10 TRAINERS:**

**A. ELIGIBILITY:**

- (1) An applicant for a license as trainer or assistant trainer must be at least 18 years of age.
- (2) Applicants not previously licensed as a trainer shall be qualified, as determined by the stewards or other commission designee, by reason of:
  - (a) At least two ~~[(2)]~~ years' experience as a licensed assistant trainer, or comparable experience in other equine disciplines, or college-level education in equine science or horsemanship or both.
  - (b) Shall be required to pass a written examination, oral interviews with stewards ~~[of]~~ and a regulatory veterinarian; and demonstrate practical skills.
  - (c) Must submit two ~~[(2)]~~ written statements from trainers currently licensed in New Mexico as to the character and qualifications of the applicant and one written statement from a currently licensed owner stating intent to place one ~~[(4)]~~ or more horses with the applicant, when licensed.
  - (d) Applicants failing the first written/oral examination must wait ~~[thirty]~~ 30 days before retaking the trainer's test.
  - (e) Applicants failing the second written/oral examination must wait ~~[sixty]~~ 60 days before retaking the trainer's test.
  - (f) Applicants failing the third written/oral examination must wait one ~~[(4)]~~ year before retaking the trainer's test.
- (3) A trainer licensed and in good standing in another jurisdiction, having been issued within a ~~[twenty-four]~~ 24 month period, and having no record of a class 1 or 2 violation, or has less than three class 3, 4, 5 violations in the preceding 24 month period in any jurisdiction may be accepted ~~[of]~~ if evidence of experience and qualifications are provided. Evidence of qualifications shall require passing one or more of the following:
  - (a) A written test.
  - (b) A demonstration of practical skills.
  - (c) An interview with the stewards.
  - ~~[(d)] Have no record of a class 1 or 2 violation, or has less than three class 3, 4, or 5 violations in the preceding twenty four (24) month period in the jurisdiction the license was issued.]~~
- (4) Upon timely request to the steward's or commission designee due to disability or other factors affecting the applicant's ability to effectively complete the trainer's test (such as illiteracy or language barriers), reasonable accommodations shall be made for the applicant including, but not limited to, oral administration of the examination, use of a pre-approved translator, and aid from pre-approved assistant where deemed appropriate by the stewards or commission designee administering the examination.
- ~~[(5)] Beginning in 2015, trainers shall take and pass a written examination every three (3) years prior to renewing their license. All trainer licenses expiring in the year 2015 and thereafter are subject to this requirement.~~
- ~~[(6)] A trainer, with a New Mexico trainer's license obtained before 2015 and that has been maintained for ten (10) consecutive years, is exempt from the written examination requirement in Paragraph (5) of this subsection, provided the trainer has no record of a class 1 or 2 violation, or has less than three class 3, 4, or 5 violations in the preceding twenty four (24) month period in New Mexico.]~~
- ~~[(7)]~~ (5) Beginning no later than June 1, 2016, in order to maintain a current license, trainers must complete at least ~~[(4)]~~ four hours per calendar year of continuing education courses approved by the ~~[are]~~ association of racing commissioners international, inc. or the New Mexico racing commission.

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