

This is an amendment to 15.2.7 NMAC, Section 10, effective 6/11/2024

15.2.7.10 SIMULCAST WAGERING:

A. ~~[General Provisions: No person shall conduct or attempt to conduct interstate, or intrastate, simulcast wagering unless authorized and permitted to do so by the commission.~~

~~(1) No person shall attempt to conduct wagering on the results of a simulcast unless an agreement has been executed between the host and guest track operators, the agreement has been approved by the New Mexico Horsemen's Association and the agreement is filed with the commission.~~

~~(2) In the event the New Mexico horsemen's association withholds its approval of an agreement submitted, reasons for non approval will be detailed to the commission in writing, with the final decision to be made by the commission.] Interstate simulcasting shall be conducted in accordance with the "Interstate Horseracing Act of 1978."~~

B. Duties of Simulcast Host: Every host association simulcasting its performance, if requested, may contract with an authorized receiver for the purpose of providing authorized users its simulcast.

(1) A host association is responsible for content of the simulcast and shall use all reasonable effort to present a simulcast, which offers the viewers an exemplary depiction of each performance.

(2) Unless otherwise permitted by the commission, every simulcast will contain in its video content a digital display of actual time of day, the name of the host facility from where it emanates, the number of the contest being displayed, and any other relevant information available to patrons at the host facility.

(3) The host association shall maintain such security controls including encryption over its uplink and communications systems as directed or approved by the commission.

(4) In the event that the host association fails to link with any guest association, or loses a link and is unable to re-establish that link, the tote operator at the host association will immediately call tote at all New Mexico guest associations to close pools on the racetrack in question. The tote operator at the guest association(s) will notify the manager on duty and supply a written report of the event to the commission and the simulcast coordinator at once. This report must include, but not be limited to the following: a detailed incident report, name of manager on duty, time and person contacted at the guest association(s) and any other pertinent information. In no event will a guest association take a simulcast race, which the host association is not taking. If the link is re-established by the host association, the tote operator will call the guest association(s) and advise them that they may link up. In the event of a total telephone outage at the host association, the tote operator will contact the other tote company by cellular phone. In the event that a guest association fails to establish or loses a link, the tote operator will notify the manager on duty of his track and supply a written report of the event to the commission and the simulcast coordinator at once. This report must include, but not be limited to the following: a detailed incident report, name of manager on duty, time and person contacted at the host association(s), and any other pertinent information.

C. Duties of Authorized Receiver: An authorized receiver conducts and operates a pari-mutuel wagering system on the results of contests being held or conducted and simulcast from the enclosures of one or more host associations and with the approval of the commission.

(1) An authorized receiver shall provide:
(a) adequate transmitting and receiving equipment of acceptable broadcast quality, which shall not interfere with the closed circuit TV system of the host association for providing any host facility patron information;

(b) pari-mutuel terminals, pari-mutuel odds displays, modems and switching units enabling pari-mutuel data transmission, and data communications between the host and guest associations;

(c) a voice communication system between each guest association and the host association providing timely voice contact among the commission designees, placing judges and pari-mutuel departments.

(2) The guest association and all authorized receivers shall conduct pari-mutuel wagering pursuant to the applicable commission rules.

(3) The commission may appoint at least one designee to supervise all approved simulcast facilities and may require additional designees as is reasonably necessary for the protection of the public interest.

(4) Not less than 30 minutes prior to the commencement of transmission of the performance of pari-mutuel contests for each day or night, the guest association shall initiate a test program of its transmitter, encryption and decoding, and data communication to assure proper operation of the system.

(5) The guest association shall, in conjunction with the host association or associations for which it operates pari-mutuel wagering, provide the commission with a certified report of its pari-mutuel operations as directed by the commission.

(6) Every authorized receiver shall file with the commission an annual report of its simulcast operations and an audited financial statement.

[15.2.7.10 NMAC - Rp, 15 NMAC 2.7.10, 3/15/2001, A, 6/11/2024]