

**NOTICE OF PUBLIC RULES HEARING AND MEETING**

The NM Racing Commission will hold a Public Rules Hearing and Meeting on **Thursday, March 20, 2025**. This Public Rules Hearing and Meeting will be held during the Commission's regular business meeting with the public session beginning at 9:00 a.m. They will be held in person in the Boardroom, at 4900 Alameda Blvd., NE, Albuquerque, NM and virtually via Zoom.

Topic: Regular Commission Meeting

Time: March 20, 2025 09:00 AM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83250635296?pwd=07rwVfb566yVDxTaqaAOFqjJRp9TM.1>

Meeting ID: 832 5063 5296

Passcode: 2KwG4u

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+1 346 248 7799 US (Houston)

Meeting ID: 832 5063 5296

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The Commission is proposing the following amendments to Rules Governing Horse Racing in NM:

15.2.1 NMAC – General Provisions

15.2.2 NMAC – Associations

15.2.3 NMAC – Flat Racing Officials

15.2.5 NMAC – Rules of the Race

15.2.6 NMAC – Veterinary Practices, Equine Health, Medication, and Trainer Responsibility

16.47.1 NMAC – General Provisions (Occupational and Professional Licensing)

A copy of the proposed rules may be found at: <https://www.nmrc.state.nm.us/rules-regulations/>.

Written comments on the proposed rule may be submitted to [DeniseM.Chavez@rc.nm.gov](mailto:DeniseM.Chavez@rc.nm.gov) and/or you may appear at the meeting and provide brief, verbal comments. All written comments must be submitted to [DeniseM.Chavez@rc.nm.gov](mailto:DeniseM.Chavez@rc.nm.gov) and received no later than **5:00 p.m. March 11, 2025**.

The **final agenda** will be available 120 hours prior to the public hearing and meeting. The **final agenda** may be obtained from Denise Chavez or from NMRC's website.

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

Anyone requiring special accommodations should notify NMRC of such needs at least 5 days prior to the public hearing and meeting.

**Statutory Authority:** Legal authority for NMRC rulemaking can be found at NMSA Section 60-1A-4(B)(1).

**The following rule amendments are proposed:**

**Subsections D, E, I, M, R and S of 15.2.1.7 NMAC:** This rule details definitions. The purpose of the proposed amendment is to clarify the definition of "Day;" remove the reference to the term "coupled entry" as it is no longer defined; add the definition "Industry Representative" to clarify representatives assisting Licensees in hearings before the stewards and appeals to the Hearing Officer and Commission. The purpose of the proposed amendment is to remove the definition of "meeting" and move it to "race meet" to correct the definition and make it consistent with the New Mexico Statute and lastly, the purpose of the proposed amendment is to add the definition of "Substitute Trainer" to clarify the duties of a substitute trainer.

**Subsections A and B of 15.2.1.9 NMAC:** These rules detail due process and disciplinary actions before the stewards and commission. The purpose of the proposed amendments is to clarify how disciplinary investigations and proceedings can be commenced on licensees, to refine the rights of a licensee, and to ensure attorneys representing licensees adhere to the laws of practicing in New Mexico and maintaining professionalism while representing a licensee. The purpose of the proposed amendment is to move the procedure in the event the NM Racing Commission receives notice from the State of New Mexico Human Services Department to a more appropriate location in the rule book. Lastly, the purpose of the proposed amendments is to remove a process that is outdated when filing a pleading with the New Mexico Racing Commission and to clarify, reciprocate, accentuate, and recognize other recognized regulatory organizations' rulings.

**Subsection E of 15.2.2.8 NMAC:** These rules detail the general duty and financial requirements for associations in New Mexico. The purpose of the proposed amendments is to assist the racing industry with the shortage of medical personnel throughout New Mexico.

**Subsections A, B, D, F and N of 15.2.3.8 NMAC:** Subsection A details eligibility of racing officials; subsection B details disciplinary actions; subsection D details payment of purses; subsection F details duties of the horse identifier; and subsection N details requirements of the official veterinarian. The purpose of the proposed amendment to subsection A is to allow some flexibility to stewards due to shortage and the uncertainty of the racing officials accreditation program's future. The purpose of the proposed amendments to subsection B is to ensure the time to pay a fine is consistent with other references in the rule book. The proposed amendment to subsection D will allow associations to take payment from owners whose horses are subject to post-mortem examinations (necropsy) and subject to equine testing fees. The purpose of the proposed amendments to subsection F is to clarify the duties of the horse identifier. Finally, the purpose of the amendment to this rule is to be consistent with the New Mexico Veterinary Practice Act.

**Subsections A and B of 15.2.5.12 NMAC:** This rule details conditions making horses ineligible to enter races. The purpose of the amendment is to reciprocate and protect the well-being of the equine athlete. This rule details conditions that make a horse ineligible to start in a race. The purpose of the amendments is to update the rules of horse identification.

**Subsection E of 15.2.5.13 NMAC:** This rule details rules of a horse race post to finish. The purpose of the amendment is to address interference, jostling or striking a horse during a race by a jockey and to allow the stewards to determine if the strike or touch was willful, careless and ultimately affected the outcome of the race.

**Subsections A and B of 15.2.6.9 NMAC:** This rule details medications and prohibited substances and penalty recommendations. The purpose of the amendments to adhere to the statutory requirements to adopt and update the reference to the most recent version of the Uniform Classification Guidelines for Foreign Substances and Recommended Penalties and Model Rule and to clarify New Mexico's rule of reciprocity with other jurisdictions and to add penalties for out-of-competition testing violations.

**Subsections A and C of 15.2.6.12 NMAC:** These rules detail pre-race examinations and postmortem examinations of horses. The purpose of these amendments is to implement best practices while a vet examines horses and to clarify the responsibilities for pre-race examinations and postmortem examinations of horses.

**Subsection L of 16.47.1.8 NMAC:** This rule details grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license. The purpose of these amendments is to clarify grounds for disciplinary measures for a licensee, and refusal, denial, suspension or revocation of a license, including but not limited to other recognized regulatory organizations and moving a rule to a more appropriate location in the rule book.

**Subsections C and E of 16.47.1.10 NMAC:** This rule details the responsibilities of trainers. The purpose of the proposed amendment is to reduce late scratches and hold trainers accountable for not adhering to their prior engagements of training their horses.