ARIZONA DEPARTMENT OF RACING

JANET NAPOLITANO
GOVERNOR

GEOFFREY E. GONSHER
DIRECTOR

March 22, 2006

Dear Racehorse Participants:

The purpose of this letter is to provide a temporary rule regarding the number of clients a jockey agent may represent.

The current rule states, "a jockey agent shall not contract riding engagements for more than two jockeys and one apprentice jockey at the same time." The survey of other racing jurisdictions shows the industry maximum for jockey agents is three clients, and Arizona is currently consistent with the industry standard.

Based on the limited number of agents available in Arizona, specifically at Yavapai Downs, the Racing Commission has approved a revision of the existing rule to allow up to three "riders." This will provide greater flexibility for the agents to represent jockeys and apprentices.

The Department has prepared the following Substantive Policy Statement to enable the revision to go into effect immediately pending the completion of the rulemaking process.

> In accordance with A.R.S. § 5-107.01, a jockey's agent may not participate in any fashion in a racing meet without first obtaining a license. This license requires compliance with all rules and orders of the Racing Commission and the Department of Racing and shall be used only as prescribed. In its continuing efforts to promote the sport of horseracing in Arizona, and pending modification of the current provision of R19-2-110(B), a jockey agent may contract riding engagements for up to three riders at the same time, providing more flexibility for the racing participants and greater participation for the racing permittees.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Geoffrey E. Gonsher
Director

GEG/nm

Enclosure

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ARIZONA DEPARTMENT OF RACING

SUBSTANTIVE POLICY STATEMENT 0001
RELATING TO JOCKEY AGENTS AND THE NUMBER OF RIDERS THEY MAY REPRESENT

Questions have been brought forward regarding the number of jockeys that can be represented by one agent. More specifically, the discussion refers to races held outside the heavily populated counties, such as Yavapai County, where there are more limited numbers of jockey agents and qualified jockeys.

The current rule located at R19-2-110(B) states that a jockey agent shall not contract riding engagements for more than two jockeys and one apprentice jockey at the same time. This substantive policy statement is offered as guidance to persons interpreting Department statutes and rules.

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedures act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

SUBSTANTIVE POLICY STATEMENT

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APPLICABLE LAW

A.R.S. § 5-107.01(B), (C), and (D)
R19-2-110(B)

Filed with the Secretary of State 3/21/2006