

# NEW JERSEY ADMINISTRATIVE CODE

## TITLE 2. AGRICULTURE

### CHAPTER 32A. STANDARDBRED DEVELOPMENT FUND CONDITIONS

(current as of 9/6/2022)

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#### AUTHORITY:

N.J.S.A 5:5-91 and 5:5-91.1

#### SOURCE AND EFFECTIVE DATE:

R.2022 d.110, effective September 6, 2022.

See: 54 N.J.R. 806(a), 54 N.J.R. 1703(a).

#### CHAPTER EXPIRATION DATE:

Chapter 32A, Standardbred Development Fund Conditions,  
expires on September 6, 2029

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### SUBCHAPTER 1. STANDARDBRED DEVELOPMENT FUND PROGRAM

#### 2:32A-1.1 General provisions

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The Sire Stakes Program Board of Trustees, on behalf of the Standardbred Development Fund Program, hereby adopts and incorporates by reference, as amended and supplemented, the 2021 U.S. Trotting Rule Book. Copies of the most current regulations may be procured online at <https://www.ustrotting.com/rulebook/> and are available for inspection by contacting the Division of Marketing and Development at the New Jersey Department of Agriculture, 200 Riverview Plaza, Trenton, New Jersey. The Division's contact information can be found at: <https://www.nj.gov/agriculture/divisions/md/about/contacts.html>.

### SUBCHAPTER 2. NEW JERSEY STANDARDBRED DEVELOPMENT FUND CONDITIONS

#### 2:32A-2.1 Adoption of by-laws

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(a) The by-laws of the New Jersey Standardbred Development Fund Program are hereby adopted as follows:

1. There is hereby established in the State of New Jersey a Standardbred Development Fund Program for Standardbred horses, foaled in the State of New

Jersey, and to be the product of a registered New Jersey mare, registered with the New Jersey Standardbred Development Fund Program as such.

2. Those horses eligible to race under the Standardbred Development Fund Program shall be:
  - i. Any foal of any registered New Jersey mare that shall have resided in the State of New Jersey for a minimum of 150 consecutive days, including the foaling of said eligible horse; or
  - ii. Any foal sired by a registered New Jersey-based stallion and otherwise eligible to the New Jersey Sire Stakes Program.
3. The Standardbred Development Fund Program shall be administrated by the Board of Trustees of the New Jersey Sire Stakes Program.
4. The Board of Trustees of the Sire Stakes Program is authorized to do all that is necessary for the proper administration of the Standardbred Development Fund Program and shall prepare, issue, and promulgate rules providing for:
  - i. Classes and division of races, eligibility of horses and owners therefore, and prizes and awards to be awarded;
  - ii. Nominating, sustaining, and entry fees for horses and races;
  - iii. Such temporary programs including eligibility of horses, breeding, and other matters as may be necessary to make the Sire Stakes Program operable as soon as possible;
  - iv. Registration and certification of New Jersey stallions, mares bred to such stallions, and foals produced thereby; and
  - v. Such other matters as the Board determines to be necessary and appropriate for the proper administration and implementation of the Standardbred Development Fund Program.
5. The funds for the Standardbred Development Fund Program and the nominating, sustaining, and entry fees provided for in this chapter, shall be administered by the New Jersey Department of Agriculture and shall be deposited in a trust account entitled Sire Stakes Fund.
6. All disbursements from the Sire Stakes Fund for the payment of purses and awards, cost of administration, reimbursement of expenses of members of the Board of Trustees, and any other appropriate expenses, shall be made by the Secretary of Agriculture or his or her designee.
7. Standardbred Development Fund races shall be run only at licensed harness tracks in the State of New Jersey. The races, purses, and awards awarded therefore shall be pursuant to the rules of the Board of Trustees of the New Jersey Sire Stakes in this chapter and the New Jersey Racing Commission.

## **2:32A-2.2 Qualifying standards**

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- (a) In order to be eligible for nomination to the New Jersey Standardbred Development Fund Program, a foal must be the product of the mating of:

1. A Standardbred mare with a resident New Jersey Sire Stakes stallion meeting the requirements at N.J.A.C. 2:32-2.3. Said mares do not need to be registered with the New Jersey Standardbred Development Fund Program, nor does a registration fee need to be paid for said mares; or
2. A Standardbred mare with any Standardbred stallion that is registered with the United States Trotting Association or such other generally recognized Standardbred breed provided the mare resides in the State of New Jersey for a period of at least 150 days including the date of foaling. Said mare must be registered with the New Jersey Standardbred Development Fund Program by December 31 of the year of foaling in order for the offspring to be eligible to the Standardbred Development Fund Program. The registration form must be accompanied by a payment of \$ 100.00.

### **2:32A-2.3 Fund policy**

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- (a) All purse money will be allocated as determined by the Board of Trustees of the New Jersey Sire Stakes.
- (b) Advertised purse moneys for all New Jersey Sire Stakes and Standardbred Development Fund races are predicated upon the pari-mutuel handle of New Jersey harness tracks and, therefore, are subject to change without notice. Starting fees may also be adjusted, but will never be more than originally advertised for the current season.
- (c) All horsemen's fees are to follow a horse by sex and gait and the fees are to remain in the respective pools.

### **2:32A-2.4 Transfer of race**

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- (a) If for any reason it becomes impractical or undesirable, in the opinion of the New Jersey Sire Stakes Board of Trustees, to hold the race at the advertised track, the New Jersey Sire Stakes Board, while making every effort to adhere as closely as possible to the advertised location, fees, date, and purse, reserves the right to change any of the foregoing or to cancel the event.
- (b) It shall not be the responsibility of the New Jersey Sire Stakes Board of Trustees to individually inform Standardbred Development Fund nominators, agents, or trainers of any of the changes in (a) above.
- (c) The Board shall advertise or publicize changes in racing interest trade magazines, such as the various Standardbred related magazines and/or newsletters, and suggests all program participants communicate with the New Jersey Sire Stakes office.

### **2:32A-2.5 Yearling nominations**

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- (a) All yearlings to be nominated to the Standardbred Development Fund Program must be registered with the United States Trotting Association or any Standardbred registry recognized by the United States Trotting Association and must hold a certificate of registration dated on or before the time of nomination.
  1. Nominations of yearlings to the Standardbred Development Fund Program shall be received along with the nomination fee payment, by the office of the New Jersey Sire Stakes, not later than May 15 of each yearling year or, if May 15 falls on a Saturday,

Sunday, or holiday, on the next business day following that date. Nominations received after the closing date will not be accepted.

2. Any yearling that has been nominated to the New Jersey Sire Stakes Program shall also be considered nominated to the Standardbred Development Fund Program without further payment of any additional nominating fees. Payment of the nomination fee covers nomination to both the Standardbred Development Fund Program and Premier Program. Thereafter, each program will have separate sustaining payments.
3. Nomination payments are to be made to the New Jersey Sire Stakes, P.O. Box 330, Trenton, NJ 08625.
4. The nomination fee for those yearlings otherwise meeting all Standardbred Development Fund Program eligibility requirements of this chapter, but which were foaled as a result of a breeding with a non-resident New Jersey stallion, shall be \$ 50.00 if accompanied by a certificate of registration or a copy of a certificate of registration from the United States Trotting Association or from a Standardbred registry body recognized by the United States Trotting Association. These yearlings shall only be eligible to compete in the Standardbred Development Fund Program and not the New Jersey Sire Stakes Program. An additional \$ 25.00 processing fee shall be due if said certificate of registration is not submitted. Thereafter, each program will have separate sustaining payments.
5. Supplemental nominations may be made to the New Jersey Standardbred Development Fund. Parties delinquent in paying on or before the May 15 yearling nomination fee date are given until September 15 of the yearling year to fulfill the aforementioned conditions of nomination and pay the nomination fee along with an additional late fee of \$ 500.00. For nominations received after September 15, but on or before February 15 of the two-year-old year, the cost will be \$ 700.00 in addition to the original nomination fee.

### **2:32A-2.6 Sustaining fees**

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The sustaining fee schedule to the Standardbred Development Fund Program will be as follows:

Age	First Sustaining Fee	Second Sustaining Fee
Two and three	\$ 100.00 (February 15)	\$ 150.00 (April 15)

The Board of Trustees of the New Jersey Sire Stakes Program may, at any time, in its sole discretion, reduce the amount of these fees as conditions warrant.

### **2:32A-2.7 Payment dates**

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- (a) The first sustaining payment on a two- or three-year-old must be made on or before February 15 of a year and the second sustaining payment on a two- or three-year-old must be made on or before April 15 of a year in order to remain eligible in that year.
- (b) In the event that the 15th day of the months in (a) above falls on a Saturday, Sunday, or holiday, the payment must be postmarked on or before the next business day following the 15th of that month.

## **2:32A-2.8 Eligibility**

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(a) In order for the Standardbred Development Fund eligible two-year-old horses to remain eligible as three-year-olds, their owners must have made the yearling nominations and the first two-year-old sustaining payments.

(b) A two-year-old's owner who makes the nomination payment but fails to make the first sustaining payment may regain his or her horse's eligibility for its two-year-old and three-year-old seasons by payment of a penalty of \$ 1,000 plus the amount of the first sustaining payment within 30 days of the original due date of the payment.

## **2:32A-2.9 Dishonored checks**

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An individual whose check for a sustaining payment, nominating payment, or starting fee is dishonored by the bank will be turned over to the New Jersey Racing Commission for appropriate action and the horse or horses will be immediately declared ineligible for all future Standardbred Development Fund events until the check is made good. A \$ 50.00 administrative fee must be paid for each dishonored check. After an individual has issued more than one dishonored check, all future payments must be made by certified check or money order.

## **2:32A-2.10 No cash or partial payments**

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The New Jersey Standardbred Development Fund Program will accept no cash payment on nominating and sustaining payments. All fees must be paid in U.S. funds. No post-dated checks or partial payments on a nominating, sustaining, or entry fee will be accepted on individual horses.

## **2:32A-2.11 Refunds**

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All requests for refunds on sustaining or nominating payments must be made by letter to the Secretary of the New Jersey Sire Stakes Board of Trustees, postmarked on or before the 15th of the month in which the payment is due. In the event that the 15th falls on a Saturday, Sunday, or holiday, the due date will be the next business day following the 15th.

## **2:32A-2.12 Time of declaration**

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Starters declare in at the same time as in practice for overnight events at the raceway where Standardbred Development Fund Races will be contested. Under no circumstances will late entries be accepted.

## **2:32A-2.13 Name change notification**

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Owners, trainers, drivers, or their agents, or Stakes Services, shall notify the New Jersey Standardbred Development Fund Program of a gait or name change of a horse by the time of declaration to a race, or the entry may not be accepted for that race. No sustaining payments shall be accepted on any unnamed horse.

### **2:32A-2.14 Entry fee deadlines**

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- (a)** All Standardbred Development Fund Race entry fees must be paid at the time of the race or the horse may not be allowed to start.
- (b)** All New Jersey Standardbred Development Fund horses entered and drawn to post positions are required to pay entry fees at the track. This entry fee is required even though a horse is scratched.
- (c)** The entry fee must be paid or the horse will not be permitted to race in any Standardbred Development Fund event until the fee is paid and collected.
- (d)** The entry fee will not be refunded unless the horse dies between the time of declaration and the start of the race.
- (e)** When an owner has outstanding debts owed to the New Jersey Sire Stakes Program or Standardbred Development Fund Program, every horse owned in whole or part by that owner shall be subject to be declared ineligible by the Board of Trustees or its representative to be entered or to start in any New Jersey Sire Stakes or Standardbred Development Fund Race until such time that debt is collected.

### **2:32A-2.15 Entry fees**

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- (a)** Entry fees will be:
  - 1. Two-year-olds: \$ 200.00; and
  - 2. Three-year-olds: \$ 200.00.
- (b)** Entry fees for Standardbred Development Fund Finals will be \$ 500.00. Finals fee is waived if entry fees are paid for the first and second legs.
- (c)** The Board of Trustees of the New Jersey Sire Stakes Program may at any time, in its sole discretion, reduce the amount of these fees as conditions warrant. In no case, however, will the fees exceed the published amount.

### **2:32A-2.16 Purse distribution**

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- (a)** The purse will be distributed as follows:
  - 1. 50-25-12-8-5, if five starters or more;
  - 2. 55-25-12-8, if only four starters;
  - 3. 60-28-12, if only three starters;
  - 4. 65-35, if only two starters; or
  - 5. 100, in case of walk over.

### **2:32A-2.17 Qualifying standards**

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All starters in the New Jersey Standardbred Development Fund must meet all track qualifying standards at the track where the race is being contested and be eligible at time of entry.

### **2:32A-2.18 Splitting races**

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Each race is to be a one-mile dash; if it becomes necessary to split an event, the Board reserves the right to adopt one of the methods of division racing then current, including elimination dashes.

### **2:32A-2.19 Number of starters**

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In all Standardbred Development Fund races, the number of starters permitted in the first tier shall be at the discretion of the judges. No more than two trailers will be permitted in the second tier. However, no trailers shall be permitted in the races designated as finals.

### **2:32A-2.20 Splitting and carrying over divisions**

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In the event a Standardbred Development Fund event is split into divisions, such Standardbred Development Fund event shall be divided and each division shall race for an equal share of the total purse. All Standardbred Development Fund events shall be advertised added, divided. In the event that a Standardbred Development Fund event splits into more than three divisions, one or more of the divisions in excess of three may be carried over to the following racing day.

### **2:32A-2.21 Final races**

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- (a)** There will be a two- and three-year-old "Final" race in each Standardbred Development Fund division at a licensed facility approved by the New Jersey Racing Commission, as scheduled by the New Jersey Sire Stakes Board of Trustees.
- (b)** Consolation races may be scheduled at the option of the track and shall be conducted under track rules. Horses eligible to race in the final events must race in the finals and not in the consolation events.
- (c)** Each Standardbred Development Fund Final will have a \$ 500.00 entry fee, subject to waiver consistent with N.J.A.C. 2:32A-2.15, and is open to the highest New Jersey Standardbred Development Fund point winners in the series that are declared in and can be drawn to a post position in the first tier. Trailers are not permitted to start in any New Jersey Standardbred Development Fund Finals.
- (d)** All horses competing in Standardbred Development Fund Finals at all tracks will be determined on a point basis. A horse must start and finish a heat in order to earn points. The point value will be awarded as follows:
  - 1. 50 points for a winning heat;
  - 2. 25 points for placing second in a heat;
  - 3. 12 points for placing third in a heat;
  - 4. Eight points for placing fourth in a heat;
  - 5. Five points for placing fifth in a heat;
  - 6. Four points for placing sixth in a heat;
  - 7. Three points for placing seventh in a heat;

8. Two points for placing eighth in a heat; and
  9. One point for placing ninth, 10th, 11th, or 12th in a heat.
- (e) In the event of less than five starters, the points shall be awarded in the same fashion as the purse breakdown with less than five starters at (d) above.
- (f) In the event of a dead heat for any position in a New Jersey Standardbred Development Fund race, the points shall be divided evenly among the horses that finish in the dead heat.
- (g) In the event of a tie in point standings for Final events, money won in Standardbred Development Fund races in which points were accumulated shall be used to break the tie.
- (h) In the event of a tie for the last spot in the top 10 or top eight money winners for a Final event, the last spot in the Final will be drawn by lot from among the horses tied in both points and money winnings in the Standardbred Development Fund and having the highest point totals and not already included in the Final.
- (i) Judges' "official order of finish" will be used in determining eligibility to Finals exclusive of all appeals yet to be decided at the time of closing of the entry box for Finals.

#### **2:32A-2.22 Broadcasting revenues**

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- (a) In the event the Sire Stakes Board receives revenues derived from the broadcast of Sire Stakes or Standardbred Development Fund events, any incremental revenues derived from these broadcasts shall be exclusively used by the New Jersey Sire Stakes Program to supplement the purse of Sire Stakes races.
- (b) The nominator and/or owner of horses racing in Standardbred Development Fund events expressly and irrevocably assigns to the New Jersey Standardbred Development Fund the ownership rights of any broadcast revenues derived therefrom.

#### **2:32A-2.23 Appeal from decisions of supervising race secretary**

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When any decision is made by any person representing the Board of Trustees pursuant to the law of New Jersey or rules of the Board of Trustees, said decision may be appealed to the Board of Trustees and a hearing requested.

#### **2:32A-2.24 Right of appeal**

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- (a) Any person aggrieved by any action or inaction by the Board of Trustees, or its representatives, may request an informal meeting with the Board to settle any dispute, or seek clarification of the Board's rules and regulations. The Board shall respond, in writing, to any such request stating the reasons for its determination.
- (b) If any dispute is required by law or regulation to be handled formally, or if a party is dissatisfied with any informal determination, or if the Board determines the matter contested, the matter shall be treated in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

### **2:32A-2.25 Nature of proceedings**

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All hearings before the Board of Trustees will be de novo proceedings and shall be accompanied by notice and an opportunity to be heard.

### **2:32A-2.26 Appeal procedure**

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In the event that an appeal is taken to the Board of Trustees, said appeal and one copy must be filed, in writing, at the office of the Board of Trustees within 20 days of the date of the receipt of the decision by the person representing the Board of Trustees.

### **2:32A-2.27 Hearing; costs**

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The applicant shall be responsible for any costs incurred in connection with any hearing held pursuant to the right of appeal contained in this subchapter and the laws of the State of New Jersey.

### **2:32A-2.28 Acting on appeals**

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The Board of Trustees shall act on all appeals in accordance with the laws of the State of New Jersey and the rules and regulations promulgated by the Board of Trustees.

### **2:32A-2.29 Payments, correspondence, and inquiries**

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**(a)** If accepted for payment, checks in payment of fees set forth in this chapter shall be made payable to: New Jersey Sire Stakes.

**(b)** All nominating and sustaining payments, correspondence, and inquiries shall be directed to:

New Jersey Sire Stakes  
PO Box 330  
Trenton, NJ 08625.

Inquiries may also be directed to (609) 913-6514.