

NOTE: Government Code section 11340.85 requires the Board to post all notices, initial statement of reasons and texts of rules noticed to the public **until 15 days after the proposed regulations are filed with the Secretary of State by the Office of Administrative Law.**

CALIFORNIA HORSE RACING BOARD
TITLE 4, DIVISION 4, CALIFORNIA CODE OF REGULATIONS
NOTICE OF PROPOSAL TO AMEND
RULE 1689. SAFETY HELMETS REQUIRED
AND
1689.1. SAFETY VEST REQUIRED

The California Horse Racing Board (Board/CHRB) proposes to amend the regulations described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Rule 1689, Safety Helmets Required, and Rule 1689.1, Safety Vest Required. The proposed amendment to Rule 1689 provides that a racing association, fair or authorized training facility may not permit any person to be mounted in or riding on a jog cart unless that person is wearing a properly fastened safety helmet. In addition, the proposed amendment provides a definition of “jog cart” for purposes of clarity. The proposed amendment of Rule 1689.1 states that no driver or any person licensed by the Board shall be mounted in or riding on a sulky or jog cart on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, December 14, 2017**, or as soon after that as business before the Board will permit, at the **Los Alamitos Race Course, 4961 East Katella Avenue, Los Alamitos, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed actions described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory actions to the Board. The written comment period closes at **5:00 p.m., on December 11, 2017**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley way, Suite 300

Sacramento, CA 95825
Telephone (916) 263-6026
Fax: (916) 263-6022
Email: HaroldC@chr.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 19420, 19440, 19481 and 19562, Business and Professions Code.
Reference: Sections 19460 and 19481, Business and Professions Code.

Business and Professions Code sections 19420, 19440, 19481 and 19562 authorize the Board to adopt the proposed regulation, which would implement, interpret or make specific sections 19460 and 19481, Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code section 19420 provides that jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the CHRB. Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19460 provides that all licenses granted under this chapter are subject to all rules, regulations, and conditions prescribed by the Board. Business and Professions Code section 19481 provides that in performing its duties the Board shall establish safety standards governing the equipment for horse and rider in order to improve the safety of horses, riders and workers at the racetrack. Business and Professions Code section 19562 states the Board may prescribe rules, regulations, and conditions, consistent with the provision of this chapter, under which all horse races with wagering on their results shall be conducted in this state.

In 2010, Rule 1689 was amended to provide that a racing association, fair or authorized training facility may not permit any person to be mounted in or riding on a sulky unless the person is wearing a properly fastened safety helmet. In 2016, Rule 1689.1 was amended to state that no driver shall be mounted in or riding on a sulky on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest. A sulky is a light, two wheeled horse drawn vehicle for one person used primarily in harness racing. The regulations resulted in drivers wearing safety helmets and safety vests during races and when using a sulky when breezing. Breezing is a workout at an easy pace, in which the horse is volunteering the effort. However, the amendments created a loophole which allows drivers to ride in jog carts without wearing safety helmets or safety vests. A jog cart is distinctive from a sulky both in construction and use. Jog carts are used solely for training purposes and are never used for racing. Board Rule 1420, Definitions, defines sulky as a dual wheeled racing vehicle; a jog cart could not be considered a racing sulky. In addition, subsection 1689.1(b) focused solely on drivers mounted in or riding on a sulky. The amendment neglected to add other classes of licensees who may drive a sulky when working or breezing a standardbred horse. To address the disparities the Board proposes to amend

Rules 1689 and 1689.1 to require the use of safety helmets and safety vests when a person is mounted in or riding on a sulky or jog cart. The proposed amendment to Rule 1689 will modify subsection 1689(a) to add “jog cart” to the subparagraph. The addition of the term is necessary as subparagraph 1689(a) lists those who are required to wear a safety helmet when engaged in specific activities or occupations on the grounds of a facility under the jurisdiction of the Board. A new subparagraph 1689(a)(3) provides a definition of “jog cart.” The definition was added for the purposes of clarity, so persons affected by the proposed regulation will have a definite understanding of when a safety helmet is required. The proposed amendment of Rule 1689.1 adds “jog cart” to subparagraph 1689.1(b). The proposed amendment also adds “any person licensed by the Board” to the subparagraph. The changes to the subparagraph are necessary, as subparagraph 1689.1(b) lists those who are required to wear a safety vest when engaged in specific activities or occupations on the grounds of a facility under the jurisdiction of the Board. The modification of subparagraph 1689.1 provides clarity for any person who is mounted in or riding on a sulky or a jog cart by stating that a safety vest is required.

POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

Board Rules 1689 and 1689.1 require any person to wear a safety helmet and safety vest when mounted in or riding on a sulky on the grounds of a facility under the jurisdiction of the Board; however, the regulations do not provide the same requirements when any person is mounted in or riding on a jog cart. The proposed amendment to the regulations will address the disparity by requiring the use of safety helmets and safety vests when a person is mounted in or riding on a sulky or jog cart. The proposed amendments would ensure that all persons riding behind a horse in jog cart abide by the same safety standards established for drivers in sulkies.

The proposed amendments to Rule 1689 and 1689.1 benefit California’s harness horsemen by ensuring the use of safety helmets and safety vests when a person is mounted in or riding on a jog cart on the grounds of a facility under the jurisdiction of the Board. The proposed amendments will help ensure the health and safety of California’s harness horsemen. Protecting the safety of persons working with standardbred race horses safeguards the viability of the state’s harness racing industry. The proposed amendments provide consistency with current Board regulations in that any person is currently required to wear a safety helmet and safety vest when mounted in or riding on a sulky; the addition of jog carts to the regulations will close an unintended loophole.

CONSISTENCY EVALUATION

During the process of developing the amendments to Rule 1689 and 1689.1, the CHRB has conducted a search of any similar regulations on this topic and has concluded that the regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code sections 17500 through 17630: none.

Other non-discretionary cost or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed amendment of Rule 1689 and 1689.1 will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: none.

ECONOMIC IMPACT ASSESSMENT

The results of the Board's Economic Impact Assessment as required by Government Code section 11346.3(b) are as follows:

The proposed amendments will provide consistency and clarity with regards to the necessity for any person to wear safety helmets and safety vests when mounted in or riding on a jog cart on the grounds of a facility under the jurisdiction of the Board. The proposed amendments will protect the safety and welfare of California horsemen who use jog carts. The proposed amendments provide consistency with current Board regulations in that they close an unintended loophole with regards to the wearing of safety helmets and safety vests.

The proposed amendment to Rule 1689 and Rule 1689.1 will impact harness horsemen, trainers or any person who use jog carts on the grounds of facilities under the jurisdiction of the Board. However, the net economic effect of the proposed amendments will be neutral. Under Rule 1689 and Rule 1689.1 any person is currently required to wear safety helmets and safety vests when mounted in or riding on a sulky. The majority of horsemen who will use jog carts also drive sulkies, which means they currently own and use safety helmets and safety vests.

The proposed regulations will not impact the state's environment.

Cost impact on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed actions.

Significant effect on housing costs: none.

The adoption of the proposed amendment of Rule 1689 and Rule 1689.1 will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: none. The proposal to amend Rule 1689 and Rule 1689.1 does not affect small businesses because horse racing is not a small business under Government Code section 11342.610.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board has determined that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6026
Fax: (916) 263-6022
E-Mail: haroldc@chr.ca.gov

If the person named above is not available, interested parties may contact:

Andrea Ogden, Manager
Policy and Regulations
Telephone (916) 263-6033

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based on, may be obtained by contacting Harold Coburn, or the alternative contact person at the address, phone number or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests for copies of any modified regulations should be sent to the attention of Harold Coburn at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Harold Coburn at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. The Board's website address is: www.chrb.ca.gov.

INITIAL STATEMENT OF REASONS

RULE 1689. SAFETY HELMETS REQUIRED

RULE 1689.1. SAFETY VEST REQUIRED

SPECIFIC PURPOSE OF THE REGULATIONS

The Board proposes to amend Rule 1689, Safety Helmets Required, and Rule 1689.1, Safety Vest Required. The proposed amendment to Rule 1689 provides that a racing association, fair or authorized training facility may not permit any person licensed by the Board to be mounted in or riding on a jog cart unless that person is wearing a properly fastened safety helmet. The proposed amendment also provides a definition of “jog cart” for purposes of clarity. The proposed amendment of Rule 1689.1 states that no driver or any person licensed by the Board shall be mounted in or riding on a sulky or jog cart on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

PROBLEM

In 2010, Rule 1689 was amended to provide that a racing association, fair or authorized training facility may not permit any person to be mounted in or riding on a sulky unless the person is wearing a properly fastened safety helmet. In 2016, Rule 1689.1 was amended to state that no driver shall be mounted in or riding on a sulky on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest. A sulky is a light, two wheeled horse drawn vehicle for one person used primarily in harness racing. The regulations resulted in drivers wearing safety helmets and safety vests during races and when using a sulky when breezing (Breezing: A workout at an easy pace, in which the horse is volunteering the effort.). However, the amendments created a loophole which allows any person to ride in jog carts without wearing safety helmets or safety vests. A jog cart is distinctive from a sulky both in construction and use. Jog carts are used solely for training purposes and are never used for racing. In addition, subsection 1689.1(b) only addressed drivers, which is a class of license under Rule 1481, Occupational Licenses and Fees. Persons who hold another class of occupational license, such as harness trainers, may use sulkies or jog carts when breezing or training a standardbred horse.

NECESSITY

The Board proposes to amend Rules 1689 and 1689.1 to require the wearing of safety helmets and safety vests when a person is mounted in or riding on a sulky or jog cart. The proposed amendment to Rule 1689 will modify subsection 1689(a) to add “jog cart” to the subparagraph. The addition of the term is necessary as subparagraph 1689(a) lists those who are required to wear a safety helmet when engaged in specific activities or occupations on the grounds of a facility under the jurisdiction of the Board. A new subparagraph 1689(a)(3) provides a definition of “jog cart.” The definition was added for the purposes of clarity, so persons affected by the proposed regulation will have a definite understanding of when a safety helmet is required. The proposed amendment of Rule 1689.1 adds “any person licensed by the Board” and “jog cart” to subparagraph 1689.1(b). The subparagraph currently states that drivers are required to wear safety vests when mounted in or riding on a sulky. The proposed amendment expands the requirement to include “any person”

as other classes of licensee, such as trainers, may ride a sulky or jog cart. The changes to the subparagraph are necessary to make it clear that any person who is mounted in or riding on a sulky or jog cart is required to wear a safety vest. The proposed amendments will address the unintended omission of safety equipment requirements for persons mounted in or riding jog carts. The proposed amendment to Rule 1689 and Rule 1689.1 will help protect the health and safety of Board licensees who use jog carts when training or breezing standardbred horses on the grounds of a facility under the jurisdiction of the Board.

BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

The proposed amendments to Rule 1689 and 1689.1 benefit California's harness horsemen by ensuring the use of safety helmets and safety vests when a person is mounted in or riding on a jog cart on the grounds of a facility under the jurisdiction of the Board. The proposed amendments will provide protection for the health and safety of California's harness horsemen who drive or breeze harness horses. Protecting the safety of persons working with standardbred race horses helps to ensure the viability of the state's harness racing industry. The proposed amendments provide consistency with current Board regulations in that drivers are currently required to wear a safety helmet and safety vest when mounted in or riding on a sulky; the addition of jog carts to the regulations will address an unintended omission of safety equipment requirements for persons mounted in or riding jog carts.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS OR DOCUMENTS.

The Board did not rely on any technical, theoretical, and/or empirical study, reports or documents in proposing the amendment to Rule 1689 and Rule 1689.1.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

- The proposed regulations will not impact the creation or eliminate jobs within the State of California, or the creation of new businesses or the elimination of existing business or the expansion of businesses in California.
- The proposed amendment to Rule 1689 and Rule 1689.1 will not impact the creation of new businesses or eliminate existing businesses in California.
- Rule 1689 and Rule 1689.1 will not impact the expansion of businesses currently doing business in California.
- The proposed regulations will benefit the health and welfare of California residents who ride in or drive a sulky on the grounds of a facility under the jurisdiction of the Board. Board regulations currently require drivers to wear a safety helmet and safety vest when mounted in or riding on a sulky; the addition of jog carts to the regulations will address an unintended omission regarding safety equipment requirements for persons mounted in or driving jog carts. Mandating the use of safety helmets and safety vests is intended to eliminate or reduce the significance of injuries resulting from accidents involving sulkies and jog carts. The proposed amendments will not benefit the State's environment.

PURPOSE

Board Rules 1689 and 1689.1 require any person to wear a safety helmet and safety vest when mounted in or riding on a sulky on the grounds of a facility under the jurisdiction of the Board; however, the regulations do not provide the same requirements when any person is mounted in or riding on a jog cart. The proposed amendment to the regulations will address this disparity by requiring the use of safety helmets and safety vests when a person is mounted in or riding on a sulky or jog cart. The proposed amendments would ensure that all persons riding behind a horse in jog cart abide by the same safety standards established for drivers in sulkies.

CREATION OR ELIMINATION OF JOBS WITHIN THE STATE OF CALIFORNIA

The proposed amendments to Board Rules 1689 and 1689.1 require any person mounted in or riding on a jog cart on the grounds of a facility under the jurisdiction of the Board to wear a safety helmet and a safety vest. The proposed amendments will not affect the creation or elimination of jobs within the State of California, as they deal solely with the wearing of safety helmets and safety vests while mounted in or riding on a jog cart.

CREATION OF NEW OR ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposed amendments to Board Rules 1689 and 1689.1 require any person mounted in or riding on a jog cart on the grounds of a facility under the jurisdiction of the Board to wear a safety helmet and a safety vest. The proposed amendments will not affect the creation of new or elimination of existing businesses within the State of California, as they deal solely with the wearing of safety helmets and safety vests while mounted in or riding on a jog cart.

EXPANSION OF BUSINESSES OR ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposed amendments to Board Rules 1689 and 1689.1 require any person mounted in or riding on a jog cart on the grounds of a facility under the jurisdiction of the Board to wear a safety helmet and a safety vest. The proposed amendments will not affect the expansion of businesses or elimination of existing businesses within the State of California, as they deal solely with the wearing of safety helmets and safety vests while mounted in or riding on a jog cart.

INITIAL DETERMINATION

The Board has made an initial determination that the proposed amendments to Board Rules 1689 and 1689.1 will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states. The proposed amendments require any person mounted in or riding on a jog cart on the grounds of a facility under the jurisdiction of the Board to wear a safety helmet and a safety vest. The proposed amendments will help to protect the health and safety of California's harness horsemen who are mounted in or riding on a jog cart. Protecting the safety of persons working with standardbred race horses helps to ensure the viability of the state's harness racing industry. The

proposed amendments provide consistency with current Board regulations in that drivers are currently required to wear a safety helmet and safety vest when mounted in or riding on a sulky; the addition of jog carts to the regulations will address an unintended loophole.

BENEFITS OF THE REGULATION TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS, WORKER SAFETY, AND THE STATE'S ENVIRONMENT

The proposed amendments to Board Rules 1689 and 1689.1 require any person mounted in or riding on a jog cart on the grounds of a facility under the jurisdiction of the Board to wear a safety helmet and a safety vest. The proposed amendments will provide consistency and clarity with regards to the wearing of safety equipment while driving a sulky or jog cart. The proposed amendments will also protect California horsemen who drive sulkies or jog carts.

Based on the above facts detailed in the Economic Impact Analysis, the Board has made an initial determination that the proposed amendments to Board Rules 1689 and 1689.1 will not have a significant statewide adverse economic impact directly affecting business including the ability of California business to compete with businesses in other states. The proposed regulation will benefit the health and welfare of California residents mounted in or riding on a jog cart by requiring the use of specified safety equipment: a safety helmet and a safety vest. The proposed regulation will also benefit worker safety at California's harness racetracks by requiring the use of a safety helmet and safety vest by any person mounted in or riding on a jog cart. The proposed regulation will not benefit the state's environment.

ALTERNATIVE TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON AFFECTED PRIVATE PERSONS OR BUSINESSES

The Board has determined that there were no alternatives considered which would be more effective in carrying out the purposes of the proposed regulation or would be more effective and less burdensome to affected private persons or businesses than the proposed regulation.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION

The proposed amendments to Rule 1689 and Rule 1689.1 were discussed at the February 23, 2017 Regular Board Meeting. No alternatives to the recommendations were proposed by the Board or by any other individual or entity. No subsequent alternative recommendations were made prior to the notice. The Board invites any interested party to submit comments which offer any alternative proposal.

California Horse Racing Board
October 27, 2017

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 8. RUNNING THE RACE
PROPOSED AMENDMENT OF
RULE 1689. SAFETY HELMET REQUIRED

1689. Safety Helmets Required.

(a) A racing association, fair, or authorized training facility may not permit any person to be mounted on a horse on the racetrack, be mounted in or riding on a sulky or jog cart, or work as a member of the gate crew unless the person is wearing a properly fastened safety helmet.

(1) For purposes of this regulation, a member of the gate crew means any person licensed as an assistant starter or any person who handles a horse at the starting gate.

(2) For purposes of this regulation, “racetrack” means the surface of the racing or training track.

(3) For the purposes of this regulation, “jog cart” means a dual wheeled vehicle with dual shafts that is larger and heavier than a racing unit, and is used for exercising or training standardbred horses.

(b) Safety helmets required under subsection (a) of this rule shall comply with one of the following product standards:

(1) American Society for Testing Materials (ASTM) standard F-1163-04a, or

(2) European Standard (EN) 1384:1996, or

(3) Australian and New Zealand Racing Boards (AS/NZS) standard 3838:2006, or

(4) Snell Memorial Foundation (Snell) Standard for Protective Headgear H2000.

Authority: Sections 19420 and 19440,
Business and Professions Code.

Reference: Sections 19481 and 19460,
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 8. RUNNING THE RACE
PROPOSED AMENDMENT OF
RULE 1689.1 SAFETY VEST REQUIRED

1689.1. Safety Vest Required.

(a) No jockey or apprentice jockey shall ride in a race unless wearing a safety vest, nor shall a jockey, apprentice jockey, or exercise rider, train or exercise any horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

(1) Any person licensed by the Board mounted on a horse on a track of a racing association, racing fair, or authorized training facility shall wear a safety vest.

(b) No driver or any person licensed by the Board shall be mounted in or riding on a sulky or jog cart, nor shall an assistant starter handle any horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

(c) Safety vests required to be worn in accordance with this regulation shall:

(1) Provide a minimum of shock absorbing protection to the upper body, as evidenced by a label indicating that the safety vest meets one of the following standards:

(A) "Level 1" under the British Equestrian Trade Association (BETA) 2009 Standard for Horse Riders' Body and Shoulder Protectors, or

(B) American Society for Testing Materials (ASTM) standard F2681-08, or (C) Shoe and Allied Trades Research Association (SATRA) (1999) Jockey Vest Standard, Document M6 Issue 3, Australian Racing Board (ARB) 3.

(2) Cover the entire torso from the collarbone to a line level with the hip bone allowing a vee opening in the front neckline;

(3) Weigh no more than 2 pounds.

(4) No vest shall be altered from its original manufactured design. This includes, but is not limited to:

(A) Cutting the vest to customize fit.

(B) Removal of manufacturer's labels.

(C) Removal of protective padding.

(d) The weight of a safety vest shall not be included in the weight of a jockey or apprentice jockey when weighing out or weighing in or when adding weight to make up a weight assignment.

Authority: Sections 19420, 19481 and 19562,
Business and Professions Code.

Reference: Section 19481,
Business and Professions Code.