

FINAL STATEMENT OF REASONS

UPDATED INFORMATIVE DIGEST

There have been no changes in applicable laws or in the effect of the proposed regulation from the laws and effects described in the Notice of Proposed Action. The Board did not hold a public hearing because no written request was received within the statutory time frame.

The Board determined that the originally notice text to the public contained inaccuracies requiring correction. References to subsections 1588(a)(15), (a)(16), and (a)(17), including maiden-age parentheticals, have been corrected throughout this Final Statement of Reasons to reflect the final adopted numbering: subsection 1588(a)(16).

The Board made substantive changes to the originally proposed regulation and made the modified text available during the first 15-day public comment period from March 20, 2026, through April 6, 2026. The discussion of these changes in the 15-day notice is incorporated by reference.

Although the Board did not adopt any individual comment verbatim, recurring themes and interpretive issues required targeted revisions to the regulatory text. These refinements are informed by stakeholder feedback and the Board's independent analysis, and are intended to support enforceability.

The Board issued a Second 15-Day Notice of Modified Text to ensure accuracy and completeness of the rulemaking record. The Second 15-Day Notice was issued July 20, 2026, through August 4, 2026.

Notice Provided in Compliance With Government Code

Consistent with Government Code section 11346.4(a)(1)–(4), notice of the modifications was provided to all persons who requested notice of regulatory actions. The modified text was made available for public review beginning October 31, 2025.

Consistent with Government Code Section 11346.8 (c) notice of the First 15-Day modifications was provided to all persons who requested notice of regulatory actions. The modified text was made available for public review beginning March 20, 2026.

Consistent with Government Code section 11346.8(c), notice of the Second 15-Day modifications was provided to all persons who requested notice of regulatory actions. The modified text was made available for public review beginning July 20, 2026.

Purpose of the Additional Modifications

The Board determined that additional amendments were essential to accomplish the objectives of establishing statewide maximum-age eligibility for racing and workouts, harmonizing California's standards with national breed-association rules, and creating a consistent statewide maiden-age cutoff. These refinements eliminate venue-specific house rules, reduce confusion, and ensure that workout eligibility does not exceed racing eligibility.

Summary of Second 15-Day Modifications

Rule 1588 establishes statewide maximum racing ages: Standardbreds are ineligible to race beginning at fifteen years, other breeds at eleven years, and maidens at seven years. Rule 1878 includes parallel workout requirements in new subsections (c)(1) through (c)(3). Former subsection (c) is renumbered to subsection (d). All internal references have been updated to reflect adopted numbering.

Documents Added to the Rulemaking File

Six documents (Appendices A through F) were added pursuant to Government Code sections 11346.8(d), 11346.9(a)(1), and 11347.1. These materials include peer-reviewed scientific studies addressing catastrophic injury risk, accumulated microdamage, age-related performance decline, and other factors directly relevant to racehorse eligibility and welfare (Appendices A–D).

In addition to the scientific literature, the Board also relied on two industry-standard regulatory documents: The American Stud Book: Principal Rules and Requirements published by The Jockey Club (Appendix E), and the 2026 Charter, Bylaws, Rules and Regulations published by the United States Trotting Association (Appendix F). Both documents establish nationally recognized age conventions, breed registration requirements, and uniform eligibility frameworks used throughout the Thoroughbred and Standardbred racing industries. These national standards informed the Board's decision to adopt consistent statewide maximum ages for both racing and workouts, harmonize California's regulations with existing national practices, and reduce regulatory fragmentation across breeds and venues.

Together, the six documents provide scientific, regulatory, and industry-standard justification for establishing maximum ages for racing and official workouts and for adopting a uniform statewide maiden age cutoff. The Board relied on this combination of empirical evidence and national regulatory standards to ensure that the final amendments

to Rules 1588 and 1878 promote equine safety, regulatory consistency, and transparency for owners, trainers, and the wagering public.

Comment-Period Extension

Because the Second 15-Day Notice was not posted to the Board's website until July 29, 2026, the comment period was extended through August 13, 2026. The extension notice was also posted online. No comments were received during the extended comment period.

Summary of Public Comment

The Board received no comments during the extended Second 15-Day comment period. After reviewing all materials, the Board adopted the revised amendments to Rules 1588 and 1878.

LOCAL MANDATE DETERMINATION

The amendments to Rules 1588 and 1878 do not impose mandates on local agencies or school districts.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE ORIGINAL NOTICE PERIOD (October 31, 2025–December 29, 2025)

Comment 1:

Tom Robbins: pointed out a typo in the informative digest of the Notice. The commenter noted that the informative digest was written incorrectly because a different age was reflected in the parenthetical establishing when a maiden is ineligible to start a race. The text at issue read, "The proposed amendment to Board Rule 1588 will also add a new subsection 1588(a)(17) to establish a horse being ineligible to start in a race when the horse is a maiden and six (5) years of age or older, protecting the health and welfare of horses and increasing their chances of having a second career" (emphasis added).

Response:

The Board thanks the commenter. The Updated Informative Digest corrects the errors.

Comment: 2

Gail Matthews wrote in support of establishing maximum ages for racing.

Response:

The Board appreciates the support. No further action required.

Comment: 3

Donald and Gloria Haley Smith objected to Rule 1588(a)(16) establishing a maximum age a maiden may race, stating it is unfair to racehorses and owners and will have economic consequences (e.g., racing out of state and loss of Cal-Bred bonuses). The commenter asked the Board to withdraw the eligibility change.

Response:

CHRB rejects this comment. A maximum age for a maiden to race is essential to protect equine health, safety, and welfare. However, following the initial comment period, the CHRB modified Rules 1588(a)(16) and Rule 1878(b)(4) to raise the age a maiden is ineligible to start in a race or perform a workout from six to seven years, allowing an additional year to break maiden status while prioritizing safety.

Comment 4:

Rozamund Barclay objected to Rule 1588(a)(16), asserting the rule would harm an already fragile industry, compromise welfare prioritization, and pressure younger or rehabilitating horses to race notwithstanding Horseracing Integrity and Safety Authority (HISA) requirements. The commenter noted older horses can win graded and Breeders' Cup races and predicted more California-breds would leave the state.

Response:

CHRB rejects this comment. A maximum age for maidens is necessary to protect equine health, safety, and welfare. However, following the initial comment period, the CHRB modified Rules 1588(a)(16) and Rule 1878(b)(4) to raise the age a maiden is ineligible to start in a race or perform a workout from six to seven years, allowing an additional year to break maiden status while prioritizing safety.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED AT THE JANUARY 14, 2026, BOARD MEETING**Oral Comment 1:**

Rozamund Barclay opposed the amendments, citing small field sizes and the role of older maidens in filling cards. The commenter also stated that age has not been a priority in sales.

Response:

CHRB rejects this comment. The goal is to protect horses' health, safety, and welfare and reduce catastrophic injuries. However, following the initial comment period, the CHRB

modified Rules 1588(a)(16) and Rule 1878(b)(4) to raise the age a maiden is ineligible to start in a race or perform a workout from six to seven years, allowing an additional year to break maiden status while prioritizing safety.

Oral Comment 2:

Don Smith stated that pushing younger horses to break their maiden by age six sends the wrong message and there should be no maximum age to race. Rather, horses over a certain age should have annual inspections.

Response:

CHRB rejects this comment. The goal is to protect health, safety, and welfare and reduce catastrophic injuries. After consideration of all comments, the CHRB increased the age a maiden is ineligible to start a race or perform a workout from six to seven years in Rules 1588(a)(16) and 1878(b)(4) to allow additional recovery and racing time. A maximum age for maidens is essential to protect equine health, safety, and welfare, which can help ensure they have successful second careers after racing and prevent eventual catastrophic injuries. Raising the age by one year provides owners more time to race their horses while enhancing horse safety. Horses typically reach peak-performance at about 4.45 years old and begin to decline in performance at about 6.75 years old, during which their risk of catastrophic injury increases. The CHRB already conducts rigorous pre-race screenings, so instituting annual inspections for older horses would strain regulatory veterinary resources and introduce ambiguity in standards due to a lack of objective, industry-wide benchmarks for "senior" health.

Oral Comment 3:

Jamey Thomas stated California is losing horses and that sound horses should be allowed to run to increase field sizes.

Response:

CHRB rejects this comment. The purpose of the amendment is to protect health, safety, and welfare. Raising the age a maiden is ineligible to start a race or perform a workout from six to seven years provides opportunities while continuing to safeguard racehorses.

Oral Comment 4:

Gloria Haley concurred with other commenters at the meeting and stated age is not relevant to sales.

Response:

CHRB rejects this comment. The amendment protects equine health, safety, and welfare and reduces catastrophic injury risk. Raising the age a maiden is ineligible to start a race or perform a workout from six to seven years allows one more year to race while maintaining protections.

MODIFICATIONS MADE DURING THE FIRST 15-DAY COMMENT PERIOD

The maiden ineligibility age was raised from six to seven years to address stakeholder concerns while maintaining safety goals.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE FIRST 15-DAY COMMENT PERIOD

No comments were received.

UPDATE TO INITIAL STATEMENT OF REASONS

Following the close of the 45-day comment period, the Board held a meeting on January 14, 2026, to consider the comments received during the 45-day comment period. After considering the comments, the Board decided to raise the maximum age a maiden is ineligible to race from six years old to seven years old. The change gives owners and horses an additional year to break maiden status and reduces pressure to race before full recovery. Establishing a maximum age protects horses from unsafe practices and helps prevent catastrophic injuries, supporting successful post-racing careers. The Board approved the amended text at the March 11, 2026, Board meeting. The Board modified the following proposed regulations and made them available for public comment from March 20, 2026, to April 6, 2026.

After considering public comments, the Board conducted additional research and evaluated the empirical studies provided as appendices to determine the appropriate maximum age at which maidens may be eligible to race or workout.

Research in Preventive Veterinary Medicine reported higher catastrophic injury risk with age due to accumulated microdamage (Appendix A). A meta-analysis in The Veterinary Journal found higher catastrophic musculoskeletal injury risk in maiden races among horses six and older (Appendix B). A study published in the Journal of the American Veterinary Medical Association reported elevated rates of fatal musculoskeletal injury among higher-risk horses, with older age groups over six showing higher percentages (Appendix C). Performance research shows Thoroughbreds' peak racing age is ~4.45 years with measurable decline after ~6.75 years, supporting the seven-year cap for maidens (Appendix D).

ALTERNATIVE DETERMINATION

The Board has determined that no alternative would be more effective in carrying out the purpose for which the regulations were proposed, would be as effective as and less burdensome to affected private persons than the proposed regulations, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

In making this determination, the Board reviewed potential alternatives such as retaining decentralized, track-specific age and maiden-eligibility standards, establishing broader age ranges, or relying solely on individualized veterinary assessments. These alternatives were rejected because they would perpetuate the inconsistency and confusion documented in the rulemaking record, fail to align with longstanding national age conventions relied upon by major racing authorities, and would not provide the same level of statewide clarity or equine-welfare protections. The scientific evidence in the rulemaking file further supports uniform age-based thresholds, demonstrating that aging horses experience predictable declines in performance and increased susceptibility to musculoskeletal injury. For these reasons, the proposed regulations strike the appropriate balance between consistency, safety, and clarity for all affected private persons.

FISCAL IMPACT STATEMENTS

The amendments of Board Rules 1588 and 1878 have no significant, adverse economic impact on small business.

The amendments of Board Rules 1588 and 1878 have no significant, adverse economic impact on business.

Appendix A:

Georgopoulos, S.P., and Tim D.H. Parkin. "Risk factors for equine fractures in Thoroughbred flat racing in North America." *Preventive Veterinary Medicine*, vol. 139, Apr. 2017, pp. 99–104. <https://doi.org/10.1016/j.prevetmed.2016.12.006>

Appendix B:

Hitchens, P.L., et al. "Meta-analysis of risk factors for racehorse catastrophic musculoskeletal injury in flat racing." *The Veterinary Journal*, vol. 245, Mar. 2019, pp. 29–40. <https://doi.org/10.1016/j.tvjl.2018.11.014>

Appendix C:

McSweeney, Denise, et al. "Thoroughbreds deemed to be most at risk by inertial measurement unit sensors suffered a fatal musculoskeletal injury at a higher rate than other racehorses." *Journal of the American Veterinary Medical Association*, vol. 264, no. 1, Jan. 1, 2026, pp. 81–88. <https://doi.org/10.2460/javma.25.04.0268>

Appendix D:

Gramm, Marshall, and Ryne Marksteiner. "The effect of age on Thoroughbred racing performance." *Journal of Equine Science*, vol. 21, no. 4, Jan. 2011, pp. 73–78. <https://doi.org/10.1294/jes.21.73>

Appendix E:

The Jockey Club (Aug. 2025). *The American Stud Book: Principal Rules and Requirements*, https://www.registry.jockeyclub.com/RegistryIncludes/pdfs/rule_book.pdf

Appendix F:

United States Trotting Association. (2026, May 1). 2026 charter, bylaws, rules and regulations.

<https://www.ustrotting.com/rulebook/>