
The purpose of the proposed amendments is to promote and improve the professionalism of licensee behaviors and actions as a means of improving the wagering public's trust and confidence in the horse racing business and industry.

16.47.1.8 GENERAL PROVISIONS:

L. Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license:

(1) The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant:

- (a) has been convicted of a felony;
- (b) has been convicted of violating any law regarding gambling or a controlled dangerous substance;
- (c) who is unqualified, by experience or otherwise, to perform the activities for which a license is required, or who fails to pass an examination prescribed by the commission;
- (d) has failed to disclose or falsely states any information required in the application;
- (e) has been found in violation of rules governing racing in this state or other jurisdictions;
- (f) has been found to have made false or misleading statements to the commission, stewards, or any racing official;
- (g) has been or is currently excluded from association grounds by a recognized racing jurisdiction;
- (h) has had a license denied, suspended, or revoked by any racing jurisdiction;
- (i) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule;
- (j) demonstrates a lack of financial responsibility by accumulating unpaid obligations, defaulting on obligations or issuing drafts or checks that are dishonored, or payment refused; for the purpose of this sub-section, non-compliance with the Parental Responsibility Act shall be considered grounds for refusal, denial, suspension, or revocation of a license; the application, or license as applicable, shall be reinstated if within 30 days of the date of the notice, the applicant provides the commission with a certified statement from the department that they are in compliance with a judgment and order for support;
- (k) is ineligible for employment pursuant to federal or state law concerning age or citizenship;
- (l) is disrespectful or intimidates any official, commissioner, or commission staff or any other licensee;
- (m) attempts to influence any racing official or commission staff member;
- (n) has knowingly filed a false complaint against another licensee or a racing official where the racing commission or the stewards determine that the complaint was made without reasonable or probable cause and for the purpose of harassment or abuse of the complaint process;
- (o) has engaged in conduct unbecoming or detrimental to the best interests of racing.

[16.47.1.8 NMAC - Rp, 16 NMAC 47.1.8, 3/15/2001, A, 08/30/2001; A, 11/15/2001; A, 12/14/2001; A, 2/14/2002; A, 11/14/2002; A, 3/31/2003; A, 7/15/2003; A, 9/29/2006; A, 3/30/2007; A, 8/14/2008; A, 6/15/2009; A, 9/15/2009; A, 1/1/2014; A, 4/1/2014; A, 6/1/2016; A, 12/16/2016; A, 7/1/2017; A, 3/14/2018; A, 2/25/2020]