STATEMENT OF CONSIDERATION
RELATING TO 810 KAR 1:012 AND 810 KAR 1:027
PUBLIC PROTECTION CABINET
KENTUCKY HORSE RACING COMMISSION
810 KAR 1:012 – AMENDED AFTER COMMENTS
810 KAR 1:027 – AMENDED AFTER COMMENTS

(1) The Kentucky Horse Racing Commission ("KHRC") received written comments on amendments to 810 KAR 1:012 (Horses) and 810 KAR 1:027 (Entries, Subscriptions, and Declarations) from the following:

Name	**Association**
Kristin Hix	The Jockey Club

Summary of Comments and Responses

Written comments received from the following individuals and groups are described below:

(1) 810 KAR 1:012 Section 1 and Section 2(3) and 810 KAR 1:027 Section 3(4).

(a) Comment: The Jockey Club requested that amended 810 KAR 1:012 and 810 KAR 1:027 be changed to delete reference to a single proprietary product in the regulations. Thus, The Jockey Club requested that the following definition be changed: "'Electronic registration system' means a software application available online and approved by the commission which allows racing office staff full access to horse and trainer records from all tracks in North America, including current owner information."

(b) Response: The KHRC agrees with the suggestion made by The Jockey Club to remove reference to a specific proprietary product in both of the regulations. Rather than referring to "racing office staff," however, we have amended the definition contained in 810 KAR 1:012 to refer to the specific individuals who have access to the online system in order to avoid confusion.

(2) 810 KAR 1:012 Section 2(1)(a) and (b), Section 3(1), Section 3(4)(a) and Section 12.

(a) Comment: The Jockey Club asked that any reference in the regulations to "the Jockey Club" be corrected to read "The Jockey Club."

(b) Response: The KHRC agrees to make the suggested corrections.

Action taken by Promulgating Administrative Body

In response to the comments received during the public comment period, the KHRC has:

(1) In 810 KAR 1:012 Section 1 removed the reference to the single proprietary product by deleting the language ". . . the Race Track Operations System created and maintained by InCompass, a wholly owned subsidiary of the Jockey Club, or another . . ." and added the following language "a . . . that allows an association's racing secretary, or his designee, or horse identifier, or his designee, full access to horse and trainer records from all tracks in North America, including current owner information." This section is located on page 1, lines 16-21 from 810 KAR 1:012.

(2) In 810 KAR 1:012 Section 2(3) removed the reference to the single proprietary product by deleting the word "InCompass" and added the language ". . . an association's racing secretary, or his designee, or horse identifier, or his designee, to enter ownership information in the electronic registration system . . .." This subsection is located on page 2, lines 11-16 from 810 KAR 1:012.

(3) In 810 KAR 1:027 Section 3(4) removed the reference to the single proprietary product by deleting the language ". . . Race Track Operations System created and maintained by InCompass, a wholly owned subsidiary of the Jockey Club, or other . . ." and added the following language "a . . . that allows an association's racing secretary, or his designee, or horse identifier, or his designee, full access to horse and trainer records from all tracks in North America, including current owner information." This subsection is located on page 2, lines 13-20 of 810 KAR 1:027.

(2) In 810 KAR 1:012 Section 2(1)(a) and (b), Section 3(1), Section 3(4)(a) and Section 12 all references to "'the' Jockey Club" have been replaced with "'The' Jockey Club." These subsections and Section are located on page 2, lines 3-4 and lines 5-6; page 3, lines 4-9; page 4, lines 1-3; and page 10, lines 4-8, respectively, of 810 KAR 1:012.