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**STATE OF NEW YORK
RACING AND WAGERING BOARD**

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December 2, 2011

To Whom It May Concern:

On November 29, 2011 the New York State Racing and Wagering Board adopted amendments to Part E of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York, Section 4116.10. This amendment, which is known as the Sulky Inspection Rule, will go into effect on December 14, 2011, which is the date that they will appear in the *State Register*. The new text is attached.

If you have any questions regarding these amendment, please contact John Googas via e-mail at info@racing.ny.gov.

Sincerely,

A handwritten signature in blue ink that reads "Kristen M. Buckley".

Kristen Buckley
Acting Secretary to the Board

4116.10. Sulkies

(a) Every sulky used in a race at a licensed harness racing meeting shall be equipped with such special equipment as the commission shall order. The obtaining and installation of special equipment are the responsibility of each owner. A driver shall not drive a sulky not equipped with special equipment as so ordered. Mud fenders must be available and must be used whenever ordered by the presiding judge. Every sulky shall be equipped with wheel discs of a type approved by the commission, which shall be of a solid color or transparent; no stripes or designs upon wheel discs shall be permitted.

(b) If a sulky is involved in an accident, the Paddock Judge will affix a tag to the sulky that says "Do Not Use." An accident is any unintended event or occurrence during a race or exercise run where a sulky is operated in a manner in which it was not designed, including collision with any fixed or moveable object other than brief contact made between the wheel hubs of sulkies travelling in the same direction, locking of wheels with another sulky where a wheel loses contact with the ground, or an ejection of the driver from the sulky. The owner of the sulky that receives the "Do Not Use" tag must then have the sulky inspected by its manufacturer or an authorized representative. The "Do Not Use" tag may be removed by the manufacturer or authorized representative only after inspecting the sulky and making any necessary repairs. Only the manufacturer or authorized representative is approved to remove the "Do Not Use" tag. Documentation identifying the sulky and repairs made must be filed by the trainer with the Paddock Judge prior to its introduction back into use.

(c) The owner of a sulky is responsible for the overall integrity and soundness of his or her sulky used during training, qualifying or racing.