

Horse Racing Policy: Breathalyser Testing of Licensees

All policies regarding this matter dated prior to the date on this document are void.

Pursuant to Part 7, section 50 (1)(3) of the *Gaming Control Act* for the Province of British Columbia:

50 (1) For the purposes of ensuring compliance with this Part, the regulations and rules under this Part and the terms and conditions of a horse racing licence, but subject to subsection (2), a person employed in the branch who

- (a) is a judge or steward, or
- (b) is designated by the general manager for the purposes of this section

to attend at race meetings, racetracks or designated race horse training centres on behalf of the general manager may require a licensee

- (c) to submit to a search of the licensee's person, and
- (d) to provide samples of the licensee's blood, saliva, urine, breath or other materials for testing or analysis.

(3) A licensee must comply with a demand made under subsection (1).

1. The tolerance level of alcohol is zero; however, to compensate for unforeseen variances, a level of 19 milligrams in 100 millilitres (.019) of blood or less will not be in violation of this policy.

2. An initial reading of 20 milligrams in 100 millilitres (.020) of blood or over, will require that a second test be taken within twenty minutes time. Should the second test be 20 milligrams in 100 millilitres (.020) of blood or over, the following penalty will usually be assessed:

- (a) (i) **First Violation .020 to .049:**
 - Fined \$100, and
 - Relieved of their duties for the day.

- (ii) **First Violation .050 to .079:**
 - Fined \$200, and
 - Relieved of their duties for the day.
 - (iii) **First Violation .080 or over:**
 - Fined \$300, and
 - Relieved of their duties for the day
 - Sign a conditional licence agreement, and be responsible for following those conditions, which will be enforced by the stewards/judges.
- (b) **Second Violation within an eighteen-month period, at a level of .020 or over will usually result in the following penalty being assessed:**
- (i) **Second Violation .020 to .049:**
 - Suspended and denied the privileges of the grounds for three (3) calendar days,
 - He/she must provide an acceptable breath sample of 19 milligrams in 100 milliliters (0.19) of blood or less before returning to the grounds, and
 - Sign a conditional licence agreement, and be responsible for following those conditions, which will be enforced by the stewards/judges.
 - (ii) **Second Violation .050 to .079**
 - Suspended and denied the privileges of the grounds for five (5) calendar days,
 - He/she must provide an acceptable breath sample of 19 milligrams in 100 milliliters (.019) of blood or less before returning to the grounds, and
 - Sign a conditional licence agreement, and be responsible for following those conditions, which will be enforced by the stewards/judges.
- Second Violation within an eighteen-month period, at a level of .080 or over, will usually result in the following penalty being assessed:**
- Fined \$500,
 - Suspended and denied the privileges of the grounds for ten (10) calendar days,

- He/she must undergo an evaluation by the Medical Review Officer,
 - He/she she must provide an acceptable breath sample of 19 milligrams in 100 millilitres (.019) of blood or less before returning to the grounds, and
 - Sign a conditional licence agreement, and be responsible for following those conditions, which will be enforced by the stewards/judges.
- (c) Third Violation within a two year period, of a level .020 or over, will usually result in the following penalty being assessed:**
- Suspended until he/she is evaluated by the Medical Review Officer and their recommendations are followed, and
 - The licensee will continue on his/her signed conditional licence agreement.
- (d) Fourth Violation within a three year period**
- Will usually result in a more serious action taken, under section 51 of the *Gaming Control Act*.
- 3.** Refusal to submit a sample will be dealt with under section 50 (3) of the Act. Such refusal shall count as a violation (unacceptable level) for the purpose of determining the number of violations. Penalties for refusals will be at the discretion of the stewards/judges.

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