

LICENSE APPLICATION INSTRUCTIONS

- **Submit a complete application. Signature required on page 4. BE SURE TO INCLUDE COPY OF GOVERNMENT PICTURE I.D.**
- **Submit two (2) fingerprint cards* with payment for \$22.00 (background processing fee). Persons under 18 years of age do not require prints.*FINGERPRINTS MUST BE ON FD-258 CARDS ONLY. NO CANADIAN FINGERPRINT CARDS WILL BE ACCEPTED.**
- The Division of Racing does **NOT** participate in reciprocity with other racing jurisdictions.
- National Racing Compact members do not need to submit fingerprints.
- **Submit CASHIER'S CHECK or MONEY ORDER in U.S. dollars only payable to: ARIZONA DEPARTMENT OF GAMING, to cover the *licensing fee(s)* and fingerprint processing. NO PERSONAL CHECKS ACCEPTED. Credit and Debit Card payments at <https://adgpay.az.gov/content/racing>**

ARIZONA STATEMENT OF CITIZENSHIP and ALIEN STATUS BY APPLICANTS FOR STATE PUBLIC BENEFITS – Professional and Commercial License

Qualified Alien status

- An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).
- An alien who is granted asylum under § 208 of the INA.
- A refugee admitted to the United States under § 207 of the INA.
- An alien paroled into the United States for at least one year under § 212(d)(5) of the INA.
- An alien whose deportation is being withheld under § 243(h) of the INA.
- An alien granted conditional entry under § 203(a)(7) of the INA as in effect prior to April 1, 1980.
- An alien who is a Cuban or Haitian entrant (as defined in § 501(e) of the Refugee Education Assistance Act of 1980.)
- An alien who is, or whose child or child's parent is a "battered alien" or an alien subjected to extreme cruelty in the United States.

Nonimmigrant status

- A non-immigrant under the Immigration & Nationality Act (8 USC § 1101 et seq). Nonimmigrants are persons who have temporary status for a specific purpose.
- (See 8 USC § 1101(a)(15).

Alien Paroled into the United States for less than One Year under § 212(d)(5) of the INA.

Other Persons

- A nonimmigrant whose visa for entry is related to employment in the United States.
- A citizen of a freely associated state, if § 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect. (Freely Associated States include Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 USC § 1901 et seq)
- A foreign national not physically present in the United States

Otherwise Lawfully Present

- A person not described in any of the above categories who is otherwise lawfully present in the United States.

Submit one (1) of the following documents in support of your declaration. PROVIDE A GOVERNMENT PICTURE ID

EXCEPTIONS: Applicants who have applied through the National Racing Compact; Applicants for a temporary license who will provide documentation per A.R.S.5-107.01(f) or Applicants who are citizens of a foreign country & not physically in the U.S.

- A driver license issued by a state that verifies lawful presence in the United States. (The following states do not verify, and therefore are not acceptable: Illinois, Maryland, New Mexico, Utah and Washington. Washington verifies only for credentials labeled as "Enhanced.")
- Enhanced Driver License or ID card issued by another state, territory or possession of the U.S.
- E-Verification issued by the Department of Homeland Security verifying employment eligibility.
- A Permanent Resident Card (green card)
- A birth certificate or delayed birth certificate issued in any state, territory or possession of the U.S.
- A United States certificate of birth abroad.
- A United States passport or a foreign passport with a United States visa.
- An I-94 form with a photograph.
- Employment Authorization Card issued by the United States Citizenship and Immigration Services or refugee travel document.
- A United States certificate of naturalization or a United States certificate of citizenship.
- A tribal certificate of Indian blood or a tribal or bureau of Indian affairs affidavit of birth.
- Any other license issued by the Federal Government, any other State Government, an Agency of this State or a Political Subdivision of this State that requires proof of citizenship or lawful alien status before issuing the license.
- Other acceptable document as determined by the Department.

LICENSING TIMEFRAMES

The license application review process occurs within timeframes established under the authority of A.R.S. § 41-1073, and detailed in A.A.C. R19-2-106 and R19-2-306.

•Administrative completeness review timeframe—85 days

- If the license application is incomplete, the Division of Racing will issue a written notice that specifies what information is required and return the license application.
- A license application is considered withdrawn if the applicant or licensee fails to file a complete license application within 15 days of being notified that the license application is incomplete.

•Substantive review timeframe—5 days after determining that a license application is administratively complete, the Division of Racing determines whether the new applicant or returning licensee meets all substantive requirements. If the requirements are met, the license is issued. If not, the license is denied.

•Overall time frame—90 days

**ARIZONA DEPARTMENT OF GAMING
RACING DIVISION
2 YEAR LICENSING FEES**

All fees are payable by Mastercard or Visa debit or credit card on our online payment portal <https://adgpay.az.gov/content/racing>. Cashier's Check or Money Order must be in U.S dollars made payable to **Arizona Department of Gaming**.

| <u>TRACK PARTICIPANTS</u> | <u>BACKGROUND FEE</u> | | <u>TOTAL FEES</u> |
|--------------------------------------|------------------------------|------|--------------------------|
| Assistant Starter or Valet | \$15 | \$22 | \$37 |
| Authorized Agent – Full | \$200 | \$22 | \$222 |
| Authorized Agent – Partial | \$50 | \$0 | \$50 |
| Exercise Rider or Pony Person | \$15 | \$22 | \$37 |
| Groom | \$15 | \$22 | \$37 |
| Jockey or Apprentice Jockey | \$200 | \$22 | \$222 |
| Jockey Agent | \$50 | \$22 | \$72 |
| Mutuel (including OTB) | \$15 | \$22 | \$37 |
| Occupational | \$15 | \$22 | \$37 |
| OTB (owners, managers) | \$15 | \$22 | \$37 |
| Outrider | \$15 | \$22 | \$37 |
| Plater/Farrier | \$200 | \$22 | \$222 |
| Security Employee | \$15 | \$22 | \$37 |
| Veterinarian | \$200 | \$22 | \$222 |

OWNERS/TRAINERS

| | | | |
|-------------------------------------|-------|------|--------------|
| Owner or Temp to Claim Owner | \$150 | \$22 | \$172 |
| Trainer or Assistant Trainer | \$150 | \$22 | \$172 |
| Owner and Trainer | \$200 | \$22 | \$222 |

STABLE OPERATION

| | | | |
|-------------|-------|-----|--------------|
| Stable Name | \$150 | \$0 | \$150 |
|-------------|-------|-----|--------------|

VENDORS

| | | | |
|-------------------|-------|------|--------------|
| All Other Vendors | \$500 | \$0 | \$500 |
| Vendor Employees | \$50 | \$22 | \$72 |

**ARIZONA DEPARTMENT OF GAMING
RACING DIVISION
1 YEAR LICENSING FEES**

All fees are payable by Mastercard or Visa debit or credit card on our online payment portal <https://adgpay.az.gov/content/racing>. Cashier's Check or Money Order must be in U.S dollars made payable to **Arizona Department of Gaming**.

| <u>LICENSE TITLE</u> | <u>FEE</u> | <u>BACKGROUND FEE</u> | <u>TOTAL FEE</u> |
|-------------------------|------------|-----------------------|------------------|
| ADWP EMPLOYEE | \$50 | \$22 | \$72 |
| ASSISTANT GM | \$150 | \$22 | \$172 |
| CHIEF FINANCIAL OFFICER | \$150 | \$22 | \$172 |
| COUNTY FAIR MANAGER | \$100 | \$22 | \$122 |
| OFFICIAL | \$100 | \$22 | \$122 |
| TOTE EMPLOYEE | \$50 | \$22 | \$72 |
| TRACK GM | \$150 | \$22 | \$172 |
| TRACK OWNER (10%) | \$150 | \$22 | \$172 |
| TREASURER | \$100 | \$22 | \$122 |
| COUNTY FAIR PERMIT | \$250 | \$0 | \$25 |
| TOTE COMPANY | \$1250 | \$0 | \$1250 |

OFFICIAL USE ONLY

APPLICATION ID # _____ ISSUE DATE _____ EXPIRATION DATE _____

RACING DIVISION APPLICATION/ TERMS AND CONDITIONS

APPLICATION DATE _____ TRACK/OTB _____

LICENSE CATEGORY _____

GROOMS, SECURITY, OCCUPATIONAL AND MUTUEL TELLERS ONLY:

EMPLOYER NAME _____ EMPLOYER SIGNATURE _____

APPLICANT'S NAME _____

LAST FIRST MIDDLE SUFFIX

Other Names You Have Used (maiden/other) _____

Social Security No. _____ Date of Birth _____ Place of Birth _____

Are you a Citizen or Naturalized Citizen of the United States? Yes No If No what country? _____

Alien Registration Number/Expiration Date _____

UNDER 18 YEARS OF AGE (if applicable)

- Applicants under the age of 18 require signature of parent / legal guardian
• Applicants for Owner under the age of 16 also require the parent / legal guardian

By signing, I give my permission for licensure of this minor and assume full responsibility, including financial responsibility, for such licensure.

Signature of parent / legal guardian: Relation: _____

Permanent Mailing Address: Please be advised that the address listed below will be used for mailing all notices or other communication. It is the sole responsibility of the licensee to notify the Department of a change in mailing address.

Mailing Address _____ Apt/Suite _____ City _____ State/Zip Home _____

Ph. _____ Cell Ph. _____ E-Mail _____

Sex _____ Eye _____ Hair _____ Height _____ Weight _____ Ethnicity _____

Has your racing license ever been denied, suspended, or revoked? Yes No

CRIMINAL HISTORY BACKGROUND - All license applicants are required to provide answers to the criminal history background questions. An applicant who intentionally or recklessly provides false information concerning his/her criminal history background is subject to license suspension or revocation. A.R.S. § 5-108(E) A summary of offenses that may cause a license to be denied, suspended or revoked is available. Any Outstanding Warrants found during the background investigation may result in immediate suspension of your license.

The questions below refer to all arrests, detentions, charges, indictments, citations or summons to answer for any criminal offense or violation for any reason whatsoever (except minor traffic violations), regardless of the disposition of the event, dismissals, expunged/sealed or restoration of civil rights.

- 1. Have you EVER been charged with a criminal offense or arrested? Yes No
2. Have you been convicted of a misdemeanor in the past five (5) years? Yes No
3. Have you EVER BEEN CONVICTED of a felony? Yes No
4. Are you currently on parole or probation? Yes No

IF YOU ANSWERED "YES" TO ANY OF THE ABOVE QUESTIONS - PLEASE PROVIDE AN EXPLANATION ON PAGE 2

Arrest Disclosure Form - Attach additional sheets as necessary

Charges (s):

Date arrested/charged:

Agency that arrested/charged you:

Court where you appeared:

Disposition & Date (Jail, Fine, Probation):

Charges (s):

Date arrested/charged:

Agency that arrested/charged you:

Court where you appeared:

Disposition & Date (Jail, Fine, Probation):

Charges (s):

Date arrested/charged:

Agency that arrested/charged you:

Court where you appeared:

Disposition & Date (Jail, Fine, Probation):

Charges (s):

Date arrested/charged:

Agency that arrested/charged you:

Court where you appeared:

Disposition & Date (Jail, Fine, Probation):

Failure to disclose criminal history can result in fine or license denial.

ALL APPLICANTS – PLEASE READ CAREFULLY BEFORE SIGNING

****License Application Instructions & Checklist** - I have been provided with a copy of the Instructions and Checklist and acknowledge receiving a written explanation of the license application review timeframes established under the authority of A.R.S. § 41-1073, and detailed in A.A.C. R19-2- 106 and R19-2-306. _____ (initial)

****Declaration of Citizenship or Alien Status** – I declare under penalty of perjury that I am a citizen or national of the United States, or that I am an alien who has status under federal law 8 USC. §§ 1621, 1641, or 1101. If I am unable to provide acceptable documentation at time of application, I have been provided with a list of acceptable documents and will, in a reasonable time, provide a document acceptable to the Department. _____ (initial)

****Testing** - I hereby acknowledge that pursuant to A.R.S. § 5-104(C) and as set forth in A.A.C. R19-2-112 and R19-2-311, as a licensee, I am required, if applicable to my license category, to submit to testing when there is reason to believe I am under the influence of or unlawfully in possession of any prohibited substance regulated by Title 13, Chapter 34, or have consumed alcohol in violation of A.A.C. R19-2-112 or R19-2-311. _____ (initial)

****Person and Premises Search** - I consent to a search of my person, vehicles, tack rooms, stable area rooms, or stalls by representatives of the Department while on the grounds under the supervision of the Department (A.R.S. § 5-104(B)(E); A.A.C. R19-2-102(17) & R19-2-302(19); R19-2- 121(E)(3)(a)(e) & R19-2-309(E)(3)(a)(e)). _____ (initial)

****Social Security Numbers** - A.R.S. § 25-320 mandates that each licensing board or agency that issues professional or occupational licenses or certificates must obtain and record the social security number of an applicant for professional or occupational license or certificate in its database in order to aid the department of economic security in locating parents or their assets or to enforce child support orders. Therefore, it is mandatory that your social security number is provided on this application. When social security numbers appear on public records, and copies of such records become the subject of a records request, social security numbers must be redacted from the document. _____ (initial)

****Arizona Workers' Compensation Compliance** - Arizona law requires that all employers doing business in Arizona carry workers' compensation insurance. The Industrial Commission of Arizona routinely checks employers at Arizona racetracks for workers' compensation compliance. Failure to comply with the provisions of A.R.S. Title 23, Chapter 6, may result in enforcement action through The Industrial Commission of Arizona. Civil Penalties may be imposed and you may also be subject to an injunction to close your business operations until you obtain the mandatory insurance. _____ (initial)

****FBI Notification of Applicant Privacy Rights** – A background check will be used to obtain your criminal history records from the FBI and/or a secure source. If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record. You should be afforded a reasonable Amount of time to correct or complete the record (or decline to do so) before the officials deny you the job, license, or other benefit based on information in the criminal history record. The procedures for obtaining a change, correction, or updating of your FBI criminal history record are set forth in Title 28, Code of Federal Regulations (CFR), and Section 16.30 through 16.34. Information on how to review and challenge your FBI criminal history record can be found at www.fbi.gov under Criminal History Summary Checks or by calling (304) 625-3787. To obtain a copy of your Arizona criminal history in order to review/update/correct the record, you can contact the Arizona Department of Public Safety Criminal History Records Unit at (602) 223-2222 to obtain a fingerprint card and a Review and Challenge packet Information on the review and challenge process can be found on the DPS website, www.dps.gov. _____ (initial)

****A.R.S 41-1030**

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

- This section may be enforced in a private civil action and relief may be awarded against the state. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section.
- A state employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the agency's adopted personnel policy.
- This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

****I hereby make application for a license to be issued in accordance with the terms and provisions of the rules of the Arizona Racing Commission. I agree to strictly comply with the laws of the State of Arizona and with the Rules of the Arizona Department of Gaming and the Arizona Racing Commission. I have read the License Application Terms and Conditions and I declare under penalty of perjury that I am a citizen or naturalized citizen of the United States, or that I am an alien who has the following status under federal law 8 USC. §§ 1621, 1641, or 1101, and certify that all the foregoing statements are true and correct to the best of my knowledge.**

APPLICANT _____

DATE _____

NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below. All notices must be provided to you in writing.¹ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28 Code of Federal Regulations (CFR), 50.12, among other authorities.

- You must be provided an adequate written FBI Privacy Act Statement (dated 2013 or later) when you submit your fingerprints and associated personal information. This Privacy Act Statement must explain the authority for collecting your fingerprints and associated information and whether your fingerprints and associated information will be searched, shared, or retained.²
- You must be advised in writing of the procedures for obtaining a change, correction, or update of your FBI criminal history record as set forth at 28 CFR 16.34.
- You must be provided the opportunity to complete or challenge the accuracy of the information in your FBI criminal history record (if you have such a record).
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the FBI criminal history record.
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <https://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI by submitting a request via <https://www.edo.cjis.gov>. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)
- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.³

Initials

¹ Written notification includes electronic notification, but excludes oral notification.

² <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

Criminal History Record Information Disclosure of Privacy Requirements

Your fingerprints will be used to check the criminal history records of the FBI.

The use of the FBI criminal history record information will be used to assist in the determination of suitability for the issuance of State Certification or Tribal Licensing for employment in, or providing goods or services to the Arizona Tribal Gaming Industry.

You may request procedures for obtaining a copy of your record for a change, correction, or updating of an FBI criminal history record as set forth in Title 28, Code of Federal Regulations (CFR) Section 16.30 through 16.34. Information on how to review and challenge your FBI criminal history record can be found at www.fbi.gov . **If requested you will be given thirty (30) days to complete or challenge the accuracy of the information.**

To obtain a copy of your Arizona criminal history in order to review/update/correct the record, you can contact the Arizona Department of Public Safety Criminal History Records Unit at (602) 223-2222 to obtain a fingerprint card and a Review and Challenge Packet. Information on the review and challenge process can be found at the DPS website (www.azdps.gov).

Criminal history record information is solely for the purpose stated and cannot be disseminated outside the Department of Gaming, Tribal Gaming Office or other authorized entity.

You may retain a copy of this signed disclosure if desired.

By my signature below, I fully acknowledge that I have read and understand this disclosure.

Print Name

Signature

Date