

TITLE 230 - DEPARTMENT OF BUSINESS REGULATION

CHAPTER 30 – COMMERCIAL LICENSING

SUBCHAPTER 30 – GAMING AND ATHLETICS

PART 5 - Wrestling

5.1 Authority

These rules and regulations governing wrestling (hereinafter referred to as the "Rules") are adopted pursuant to the authority granted in R.I. Gen. Laws § 41-5-1 *et seq.* (the "Act").

5.2 Purpose

- A. These Rules are adopted to assist the Department of Business Regulation (the "Department") in carrying out the administration and enforcement of the terms and provisions of the Act. In the development of these Rules, the Department relied upon the underlying policies and purposes of the Act, including, without limitation, the following:
1. To protect the health, safety and well-being of the competitors;
 2. To protect and promote the integrity of events for the benefit of the consuming public; and
 3. To protect the collection of the tax levied upon events by the State of Rhode Island.
- B. Accordingly, these Rules shall be liberally construed and applied to effectuate and promote the Act's underlying policies and purposes. To the extent that any part of these Rules is inconsistent with the Act or fails to address a matter contained within the Act, or is inconsistent with applicable law or the terms of any other rule or regulation promulgated by the Department, then the Act, applicable law and/or the terms of such other rule or regulation shall be deemed to apply.

5.3 Definitions

- A. When used in these Rules, the following words, except as otherwise required by the context, shall have the following meaning:

1. "Act" means R.I. Gen. Laws § 41-5-1 *et seq.*, as amended.
2. "Closed circuit television" means any telecast of an Event which is not intended to be available for viewing without the payment of a fee, collected for or based upon each event viewed, for the privilege of viewing the telecast and includes the terms "pay per view".
3. "Competitor" means a participant in a Contest, Match or Exhibition.
4. "Contest" and "Match" are synonymous, may be used interchangeably and mean an Event between two (2) or more Competitors in which the Competitors strive in good faith to win.
5. "Department" means the Department of Business Regulation.
6. "Director" means the Director of the Department of Business Regulation.
7. "Division" means the Division of Gaming & Athletics of the Department of Business Regulation.
8. "Event" or "Events" means a Contest, Match or Exhibition taking place within the State of Rhode Island where Professional wrestlers display or exhibit Wrestling, but does not include those events specifically exempted by the provisions of R.I. Gen. Laws § 41-5-1.
9. "Exhibition" means an Event in which the Competitors show or display their skills without necessarily striving to win.
10. "Judge" means a Person to be licensed by the Department who attends the Event and who has the responsibility of scoring or judging the performance of the Competitors in the Event.
11. "License" includes the whole or part of any Department license, permit, certificate, approval, registration or similar form of permission required by law as a condition of conducting a Match as a condition of conducting a Match.
12. "Licensee" means any holder of a License.
13. "Person" means any individual, partnership, corporation, limited liability company, association, sole proprietorship, public or private organization or any other entity however formed.
14. "Physician" means an individual currently licensed to practice medicine in the State of Rhode Island and who has been licensed by the Department for the Event.

15. "Professional wrestler" means one who competes for a money prize or purse by engaging in Wrestling.
16. "Promotor" means any Person to be licensed with the Department who arranges, advertises, produces, stages or conducts an Event.
17. "Referee" means a Person to be licensed with the Department who has the general supervision of the Event and is present inside the ring during the Event.
18. "Regular business hours" means the regular business hours of the Department of 8:30 a.m. to 4:00 p.m. Monday through Friday.
19. "Wrestling" means the sport consisting of hand-to-hand combat between two (2) or more unarmed competitors who contend by grappling.

5.4 Licenses

A. Licenses-Event

1. No Event shall take place or be conducted unless the Promotor of the Event has applied for and received a license from the Department (the "Event License"). The application form (the "Event Application") shall be supplied by the Division, upon request, during Regular Business Hours. An Event Application shall be received by the Division at least thirty (30) days prior to the date of the scheduled Event. The Event Application shall be completed in full, shall be in compliance with and include all of the information required by R.I. Gen. Laws §§ 41-5-3 and 41-5-3.1(a) and shall also include the following:
 - a. Proof of compliance with R.I. Gen. Laws § 41-5-3.2 with respect to ring equipment;
 - b. Compliance with R.I. Gen. Laws § 41-5-6 with respect to the filing of a surety bond in the amount determined to be satisfactory to the Division;
 - c. A copy of the approval of the city or town authorities where the Event is to be held, pursuant to R.I. Gen. Laws § 41-5-5; and
 - d. An application fee in the amount as specified by the Division.
2. Upon receipt of an Event Application, the Division shall review the Event Application to determine if it is in compliance with the requirements of the Act and these Rules. In connection therewith, the Division may require

that the Promotor submit such additional information as the Division may deem necessary to enable it to complete its evaluation of the Event Application. If the Division determines that the Event Application is in compliance with the requirements of the Act and these Rules, the Division shall recommend to the Director that the Event License be issued to the Promotor. If the Director agrees with the recommendation of the Division, the Director shall issue the Event License. If the Director disagrees with the recommendation, the Director shall deny the Event License. If the Division determines that the Event Application is not in compliance with the requirements of the Act and these Rules, the Division shall recommend to the Director that the Event License be denied. If the Director agrees with the Division recommendation, the Event License shall be denied. If the Director disagrees with the recommendation of the Division, the Director shall issue the Event License.

3. In making his/her determination as to whether to issue or deny the Event License, the Director may in his/her sole discretion take into account any factors which he/she deems appropriate, including, without limitation, whether a substantially similar event has been licensed in this or any other state; whether there exist generally accepted standards and criteria for the conduct and scoring of such events; and whether there exist generally recognized sanctioning bodies for events of such kind. In addition, the Director reserves the right to place such conditions on the grant of an Event License as the Director deems necessary and reasonable pursuant to these Rules and the Act. The Promotor may appeal any decision of the Director to the Racing and Athletics Hearing Board in accordance with R.I. Gen. Laws § 41-2-1 *et seq.*
4. If issued, the Event License shall be considered conditional and not deemed valid until the holder of the Event License files with the Division a sworn supplementary application (the "Supplementary Application") updating the original Event Application pursuant to the terms and provision of R.I. Gen. Laws § 41-5-3.1(b). The Supplementary Application shall also contain such additional information as the Division may request.

B. Licenses-Competitors

1. No Person shall be a Competitor in a Wrestling Event unless licensed by the Department at least twenty-four (24) hours prior to the starting time for the first Match or Exhibition (the "Competitor License"). The application form for the Competitor License (the "Competitor Application") shall be supplied by the Division during Regular Business Hours. The Competitor Application shall be complete in all respects and shall be in compliance

with and include all the information required by R.I. Gen. Laws § 41-5-7.1(a).

2. Upon receipt of a Competitor Application, the Division shall review it pursuant to the same procedures outlined in § 5.4(A)(2) of this Part.
 3. If issued, the Competitor License shall be conditional and not deemed valid until the holder of the Competitor License files with the Division a sworn supplementary application (the "Competitor Supplementary Application") updating the original Competitor Application pursuant to the terms and provisions of R.I. Gen. Laws § 41-5-7.1(b). The Competitor Supplementary Application shall also contain such additional information as the Division may request. Notwithstanding the foregoing to the contrary, no Competitor Supplementary Application shall be required when the Competitor Application has been filed within the time frames established by R.I. Gen. Laws § 41-5-7.1(b).
- C. Licenses-Physicians, First Aid Instructors, Practical Nurses. No Person shall act as a physician, first aid instructor, practical nurse or in any other medical capacity at an Event unless licensed by the Department (the "Medical License"). The application form for a Medical License (the "Medical Application") shall be supplied by the Division during Regular Business Hours. The Medical Application shall be complete in all respects and shall include and be in compliance with the requirements of R.I. Gen. Laws § 41-5-11.
- D. Licenses-Referees. No Person shall act as a referee at an Event unless licensed by the Department (the "Referee License"). The application form for a Referee License (the "Referee Application") shall be supplied by the Division during Regular Business Hours. The Referee Application shall be complete in all respects.
- E. Licenses-Judges. No Person shall act as a judge at an Event unless licensed by the Department (the "Judge License"). The application form for a Judge License (the "Judge Application") shall be supplied by the Division during Regular Business Hours. The Judge Application shall be complete in all respects.
- F. Licenses-Timekeepers, Managers, Trainers, Seconds. No Person shall act as a timekeeper, manager, trainer or second unless licensed by the Department. The application form for the foregoing positions shall be supplied by the Division during Regular Business Hours.

5.5 Termination, Suspension and Revocation of Licenses

- A. All Event Licenses issued pursuant to these Rules shall be valid until the termination of the Event. All other Licenses issued pursuant to these Rules shall be valid until December 31 of the year the License was issued.
- B. Any License may be revoked or suspended prior to termination in accordance with the provisions of R.I. Gen. Laws § 41-5-17. Any License suspended or revoked may be appealed to the Racing and Athletics Hearing Board in accordance with R.I. Gen. Laws § 41-2-1 *et seq.* Any License suspended or revoked may be appealed to the Racing and Athletics Hearing Board in accordance with R.I. Gen. Laws § 41-2-1 *et seq.*
- C. The Division official in attendance at the Event shall be empowered to immediately suspend or revoke any License on an emergency basis if the Division official determines that any of the Licensees, including the Event Licensee, is in material non-compliance with the conditions of the License, these Rules or the Act.

5.6 Insurance

- A. Event Licensee.
 - 1. All Event Licensees shall furnish to the Division evidence of insurance at least thirty-six (36) hours prior to the starting time for the first Contest, Match or Exhibition of the Event as follows:
 - a. Public liability insurance in such form and in such amount as the Division deems satisfactory; and
 - b. Such other policies of insurance in such form and in such amounts as the Division shall reasonably require.
 - 2. All insurance shall be in force not less than twenty-four (24) hours prior to the starting time for the first Contest, Match or Exhibition. Failure to produce the required insurance shall be grounds for revocation of the Event License.
- B. Competitor Licensee. All Competitor Licensees shall furnish within twenty-four (24) hours prior to the Event satisfactory proof of health insurance and life insurance in such form and in such amounts as the Division deems satisfactory in accordance with R.I. Gen. Laws § 41-5-11.2. Failure to produce the required insurance shall be grounds for not granting a Competitor License or for the revocation of a Competitor License.

- C. Sunday and Holiday Events. Notwithstanding the provisions of §§ 5.6(A) and (B) of this Part to the contrary, if an Event is permitted to be held on any day on which the evidence of insurance required by §§ 5.6(A) and (B) of this Part would not need to be furnished during Regular Business Hours, then such evidence of insurance shall be furnished to the Division at least six (6) hours before the end of Regular Business Hours on the last business day before the Event.

5.7 Closed Circuit Television

No Closed Circuit Television broadcasts of an Event shall be permitted unless the Promotor or Person who intends to broadcast the Event has first obtained a License from the Division. The application form for a Closed Circuit Television License shall be supplied by the Division during Regular Business Hours. The application shall be completed in full, shall be in compliance with the requirements of R.I. Gen. Laws § 41-5-3.7 and shall also include any other information the Division may require.

5.8 Miscellaneous

- A. No Person under eighteen (18) years of age shall be licensed as a Competitor.
- B. No Person may participate in a Wrestling Event against or with an animal.
- C. No male Competitor may participate in a Wrestling Event against a female Competitor or vice-versa.
- D. No Person over the age of thirty-five (35) shall be licensed as a Competitor without a hearing before the Division concerning his/her physical ability to perform.
- E. Any Person applying for a Competitor's License without significant professional or amateur experience may be required to show proof of proper training as a wrestler.
- F. The Referee or the Division official at ringside pursuant to R.I. Gen. Laws § 41-5-9.1 may disqualify a Competitor before or during the Event for:
1. the use of profanity, including gestures, by the Competitor, his manager, or his second; or
 2. unsportsmanlike behavior including, but not limited to, arguing with a Referee or the Division official or refusing to obey either the Referee or Division official's orders.

- G. In addition to the Physician who shall be in attendance at the Event, an ambulance and two (2) paramedics must be on standby, or in the discretion of the Division, at ringside.
- H. The administration or use of drugs, stimulants or alcohol, either before or during an Event by any Competitor is prohibited. The Division shall revoke the Competitor License of any Competitor who uses drugs, stimulants or alcohol. For the purpose of verifying compliance with this rule, the Director or his Division designee may require that any Competitor submit to a urinalysis or blood test prior to or after the Event, or if recommended by the Physician, any other post-Event examination. All costs associated with the foregoing tests shall be borne by the Competitor or the Promotor.
- I. In addition, the Division may require that any Competitor submit to an H.I.V. test in accordance with R.I. Gen. Laws § 41-5-11.1. The Division may, in its sole discretion, waive the H.I.V. test if the Competitor presents original or certified laboratory test results performed within thirty (30) days of submitting his completed application reflecting that he or she has been tested negative for the presence of the H.I.V. virus.
- J. All medical reports and tests required to be performed pursuant to these Rules or the Act shall be open to examination only to the Department or its duly authorized representatives, to the Competitor and, upon written authorization of the Competitor to all such designated persons.
- K. No liquid refreshments of any kind may be sold at the Event except in paper containers. Chairs must be securely attached so they are not portable.
- L. Matchmakers and announcers may participate in a Wrestling Event without being licensed. It shall be the responsibility of the Event Licensee to ensure that these unlicensed Persons comply with the Act and these Rules. These Persons must register with the Division by supplying their name, address, telephone number and social security number.
- M. No Event shall be ticketed in a general admission style of seating. All Events shall be ticketed by reserved seating.

5.9 Variances or Waivers

The Division, upon its own or at the request of any Licensee or of any applicant for a License, may grant variances or waivers of any portion of these Rules in the Department's sole discretion as it deems proper or necessary depending upon the facts and individual circumstances of the request.

5.10 Time, Number of Matches, Contests or Exhibitions

No Event shall commence later than 8:30 p.m. Each individual Contest, Match or Exhibition shall be a maximum of thirty (30) minutes. The total number of Wrestling Matches, Contests or Exhibitions for an Event shall be submitted to the Division for approval, in advance of the Event.

5.11 Protective Equipment

All male Competitors shall be required to wear a foul-proof groin protector. A plastic cup with an athletic supporter is adequate, but an abdominal guard is preferable. Female Competitors must wear foul-proof breast protectors. Plastic breast covers are adequate. All Competitors must wear fitted mouthpieces. In addition to the foregoing, the Division reserves the right to require Competitors to wear such other protective equipment as the Division deems necessary in furtherance of the underlying policies and purposes of these Rules and the Act.

5.12 Forbidden Tactics, Blows and Strikes

No Competitor shall be permitted to engage in any tactics, blows or strikes which the Division considers unnecessarily dangerous. In order for the Division to evaluate the tactics, blows or strikes, the Division may require a visual depiction as well as a written explanation of the tactics, blows and strikes the Competitors will be permitted to use at the Event. The Division shall prohibit the Competitors from engaging in any tactics, blows or strikes it considers unnecessarily dangerous in furtherance of the underlying policies and purposes of these Rules and the Act.

5.13 Ring and Equipment

- A. The ring, platform, covering, posts, ropes and all other equipment and materials to be used, employed or relied upon by the Competitors or any other Person during a Contest, Match or Exhibition shall be inspected and examined by the Division at least four (4) hours prior to the starting time for the first Contest, Match or Exhibition, all in accordance with the requirements and procedures outlined in R.I. Gen. Laws § 41-5-3.5(b).
- B. In addition to the foregoing, the Division shall require that the ring shall be not less than eighteen (18) feet nor more than twenty-four (24) feet square within the ropes. The ring floor is to extend beyond the ropes a distance of not less than two (2) feet. The ring floor shall be padded with a soft, nongathering material to a thickness of not less than an inch and one-half extending two (2) feet beyond the ring ropes, with a top covering tightly stretched and secured to the ring platform. The ring shall not be more than four (4) feet above the floor of the

building; and shall be provided with suitable steps for the use of the Competitors and other Persons who need access. Ring posts shall be made of metal, extending from the floor of the building to a height of forty-eight (48) inches above the ring floor. The ring must be properly lighted. There shall be three (3) ropes in number, not less than one (1) inch in diameter. Ropes shall be wrapped in soft material. Rope corners shall be padded.

5.14 Scoring

A. All Contests, Matches and Exhibitions shall be scored as follows:

1. In a one-Fall Contest, Match or Exhibition, the Competitor winning the Fall within the time limit shall be declared the winner. If no Fall occurs during the time period prescribed, the Referee or Judge shall render a decision, calling either a draw or awarding a decision to one of the Competitors.
2. In a two out of three Fall Contest, Match or Exhibition, the Competitor to win the two Falls within the time limit prescribed shall be declared the winner. If only one Fall occurs within the time limit prescribed, the Competitor scoring such Fall shall be declared the winner. In the event neither Competitor scores two Falls within the time limit prescribed but each Competitor has scored one Fall or neither Competitor has scored a Fall, the Referee or Judge shall call a draw or award a decision to one of the Competitors.
3. For the purposes of § 5.14 of this Part, the term "Fall" shall mean a Competitor, who for a Referee's count of three (3), has both his or her shoulders touch the ring mat at the same time.

5.15 Conflicts of Interest

No employee of the Department may belong to, contract with, or receive any compensation from, any Person who sanctions, arranges or promotes Professional Wrestling Matches or who otherwise has a financial interest in an active Professional Wrestler. For purpose of § 5.15 of this Part, the term "compensation" does not include funds held in escrow for payment to another Person in connection with a Professional Wrestling Match.

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**TITLE 230 - DEPARTMENT OF BUSINESS REGULATION
(INCLUDES THE OFFICE OF THE HEALTH INSURANCE
COMMISSIONER)**

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