

TITLE 230 – DEPARTMENT OF BUSINESS REGULATION

CHAPTER 30 – COMMERCIAL LICENSING

SUBCHAPTER 30 – GAMING AND ATHLETICS

PART 1 – Boxing

1.1 Authority

These rules and regulations governing boxing (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"), specifically including rulemaking authority under R.I. Gen. Laws § 41-5-22.

1.2 Purpose

- A. These Rules are adopted to assist 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's policy purposes are:
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. These Rules shall be liberally construed and applied to effectuate and promote the stated policy purposes.

1.3 Incorporated Materials

- A. These regulations hereby adopt and incorporate by reference the federal Professional Boxing Safety Act, Chapter 89 of Title 15 of the U.S. Code, 15 U.S.C. § 6301 (hereinafter the "Federal Act").
- B. R.I. Gen. Laws § 41-5-22 expressly recognizes the standards, rules, regulations, handbooks, or other standards and procedures governing boxing as approved by the Association of Boxing Commissions ("ABC"). The ABC is a non-profit organization comprised of U.S. state and tribal representatives that regulate professional boxing, with an organizational mission to promote the uniformity of health and safety standards and other requirements pertaining to the conduct of

sports events. These regulations hereby adopt and incorporate by reference the following publications by the ABC:

1. ABC Regulatory Guidelines. <https://www.abcboxing.com/abc-regulatory-guidelines/>
2. ABC Unified Boxing Rules. <http://www.abcboxing.com/unified-rules-boxing/>
3. ABC Referee Rules and Guidelines.
http://www.abcboxing.com/ABC_REFeree_GUIDELINES.pdf

- C. § 1.3 of this Part does not automatically include later amendments to or editions of the incorporated material; however, the Department may periodically update this § 1.3 of this Part to re-incorporate the most recent version of the material incorporated through rulemaking including without limitation direct final rulemaking.

1.4 Definitions

"Announcer" means a person who announces information at an Event, including particularly introducing and giving information about athletes competing in an Event and announcing results and scores of an Event. "Boxing" means any form of boxing or other similar sport in which blows are delivered with the hands to another Competitor in a Contest, Match or Exhibition.

"Boxing Commission" means an entity authorized under state law to regulate Professional Boxing Matches.

"Boxing event medical professional" means duly licensed Physicians and persons qualified to assist the Physician (including nurse practitioners, first aid instructors, and/or resuscitators/EMTs) participating in an Event pursuant to R.I. Gen. Laws § 41-5-11.

"Boxing registry" means any entity certified by the Association of Boxing Commissions for the purposes of maintaining records and identification of Professional Boxers.

"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".

"Competitor" means an athlete participant in a Contest, Match or Exhibition.

"Contest" and "Match" are synonymous, may be used interchangeably and mean an Event between two (2) Competitors in which the Competitors strive in good faith to win.

"Event" or "Events" means a Contest, Match or Exhibition taking place within the State of Rhode Island where Professional Boxers display or exhibit Boxing, but does not include those events specifically exempted by the provisions of R.I. Gen. Laws § 41-5-1.

"Exhibition" means an Event in which the Competitors show or display their skills without necessarily striving to win.

"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.

"Manager" means a person who receives compensation for service as an agent or representative of a boxer.

"Matchmaker" means a person who, on behalf of the Promotor, proposes, selects, and arranges the boxers to participate in a professional boxing match.

"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.

"Professional boxer" means one who competes for a money prize or purse by engaging in Boxing.

"Promotor" means any entity or person who produces or stages any professional Contest or Exhibition.

"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.

"Second" or "Corner" means a trainer or coach authorized to assist a contestant within the dressing room or alongside the combat area in preparation for, during the course of, or after the conclusion of such contestant's bout.

1.5 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"). An Event Application shall be received by the Division at least fourteen (14) 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. Proof of insurance and bond as required by §§ 1.7 and 1.8 of this Part;
 - 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;
 - d. An application fee in the amount as specified by the Division; and
 - e. Bout Sheet listing information about the Competitors and the opponents with which they are matched, as requested by the Division in the course of its review of the Event License Application.
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.
3. In making its determination as to whether to issue or deny the Event License, the Division may in its discretion take into account any factors which it 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 Division reserves the right to place such conditions on the grant of an Event License as the Division deems necessary and reasonable pursuant to these Rules, the Act and the Federal Act.
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 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 Boxing 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 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 *et seq.*

2. Upon receipt of a Competitor Application, the Division shall review it pursuant to the same procedures outlined in § 1.4(A)(2) of this Part. As part of the review conducted pursuant to § 1.4(A)(2) of this Part, and in addition to the prohibitions contained in the Federal Act, no license shall be granted to a Professional Boxer who:
 - a. Has lost six (6) or more consecutive fights; or
 - b. Fails, in the sole discretion of the Department to receive a satisfactory physician's certification.
 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 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. Additional Boxing License Types. Pursuant to R.I. Gen. Laws § 41-5-7, the Division also licenses Managers and Seconds; Referees, Judges, Timekeepers; and Boxing Event Medical Professionals. Applicants for such license types shall file applications on forms designated by the Division which forms shall include the following specific requirements:
1. Manager Contract Requirement. Persons applying as Managers must submit a copy of their contractual arrangement with a Competitor demonstrating that the person falls within the definition of Managers delineated in § 1.4 of this Part.
- D. Licensed Inspectors. The Division may designate and assign licensed inspector(s) as its authorized representative(s) to evaluate the suitability of the proposed premises or equipment for an Event pursuant to R.I. Gen. Laws § 41-5-3.5 and to monitor the Event, Competitors, and other participants subject to these Regulations for compliance with the Act and these Regulations. Every licensed inspector shall perform his/her duty at the direction of the Division and report actionable violations to the Division in accordance with reporting directions given by the Division. Any prospective inspector is required to file a license application on forms designated by the Division. No licensed inspector shall hold any direct or indirect financial interest in any Event, Competitor, or other participant licensed under these Regulations.
- E. Participants Not Requiring Special Licensing

1. Matchmakers and Announcers. Matchmakers and announcers may participate in a Boxing 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.
2. Athlete Competitors Acting as Corners/Seconds. All athlete Competitors must fill out the athlete Competitor application form. An athlete Competitor who also seeks to act as a Corner/Second at an Event in which the athlete Competitor is not personally competing may receive approval from the Division to do so by indicating such intent on his or her athlete application. However, under no circumstances may a person licensed as a Corner/Second become licensed as an athlete Competitor without filling out the requisite forms for the athlete Competitor application.

1.6 License Duration; 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. R.I. Gen. Laws § 41-5-17 authorizes the Division to suspend or revoke a license issued under this Regulation. A licensee subject to such an action may request an opportunity for a hearing under § 1.6(D) of this Part.
- 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.
- D. The notice for and conduct of any hearings held pursuant to this Regulation or the state or federal Acts shall be governed by the applicable provisions of the Acts, the Department's Rules of Procedure for Administrative Hearings, Part 10-00-2 of this Title, and the Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*

1.7 Insurance

- A. General Liability. All Promoters shall furnish to the Department within twenty-four (24) hours prior to the Event satisfactory proof of commercial general liability insurance providing for at least a one million-dollar (\$1,000,000) limit per occurrence, at least a one million-dollar (\$1,000,00) limit per personal and advertising injury, and at least a two million-dollar (\$2,000,000) general aggregate limit.
- B. Health Insurance. All Promoters shall furnish to the Department within twenty-four (24) hours prior to the Event satisfactory proof of health insurance for the

protection of Competitors participating in the Event. In accordance with R.I. Gen. Laws § 41-5-11.2, such insurance coverage shall provide for at least twenty thousand dollars (\$20,000) to the Competitor for medical, dental, surgical and/or hospital care for all injuries sustained while participating in any sparring match, bout, contest or exhibition conducted under the control of said Promoter.

- C. Death Benefit. All Promoters shall furnish within twenty-four (24) hours prior to the Event satisfactory proof of a death benefit payment of at least fifty-thousand dollars (\$50,000) to the estate of the deceased Competitor if such death is occasioned by injuries received during the course of sparring or during the course of a bout, contest or exhibition conducted under the control of such Promoter.
- D. The terms of the insurance coverage under this Part must not require the Competitor to pay a deductible for the medical, surgical or hospital care for injuries the Competitor sustains while engaged in a contest or exhibition.
- E. Failure to produce proof of insurance required under this Part shall be grounds for the denial or revocation of a License.
- F. Sunday and Holiday Events. When the scheduled event takes place on a Sunday or a Holiday, proof of insurance in accordance with R.I. Gen. Laws § 41-5-3.3 must be furnished to the Department within one (1) business day prior to said event.

1.8 Bonds

- A. In accordance with R.I. Gen. Laws § 41-5-6 no event license shall be granted unless the Promoter has executed and filed with the Division a bond in a penal sum of fifty-thousand dollars (\$50,000), with such surety or sureties as shall be satisfactory to the Division, running to the Division, conditioned upon the payment to the State of Rhode Island of the sums mentioned in R.I. Gen. Laws § 41-5-15, and upon faithful compliance by the licensee with the provisions of R.I. Gen. Laws § 41-5-1, *et seq.* and with such other laws of the State as may be applicable to anything done by the licensee in pursuit of the license.
- B. The bond shall also provide for the forfeiture to the State, recoverable at the suit of the Attorney General, of such sum, not exceeding ten-thousand (\$10,000), as may be stipulated in the bond for each case of non-compliance.

1.9 Medical Examinations, Drug Testing and Record Keeping

- A. Medical Examinations Required. Pursuant to the provisions of R.I. Gen. Laws § 41-5-7.1, *et seq.*, every application for a license shall include each of the requirements listed in § 1.9(B) of this Part.

B. Each of the following tests shall be conducted by a Physician licensed within the United States, or by a Physician Assistant or a Nurse Practitioner acting under the supervision of a licensed Physician. The results of each test shall be reported on the supervising physician's letterhead bearing the examiner's name, address, and telephone number, it shall bear the statement "Fighter is cleared to participate" or "Fit to Compete" if so concluded by the supervising physician, and it shall contain the supervising physician's signature:

1. A comprehensive Physical Exam, performed within one (1) year of the Event.
2. An Ophthalmologic Eye Examination including a dilated retinal exam performed within one (1) year of the Event.
3. An EKG performed within one (1) year of the Event and interpreted and signed by a licensed Cardiologist or Physician.
 - a. In its discretion, considering an individual fighter's recent competitive activity, the Division may also require any Competitor thirty-five (35) years of age or older to submit to a Stress Test with a clearance letter from a licensed Cardiologist dated within one (1) year of the Event.
4. A MRI or CTScan performed within three (3) years of the Event. A MRI or CTScan remains valid for three (3) years from the date of the test. If the MRI or CTScan is over one (1) year old the Competitor must additionally submit a complete neurological examination, performed by a licensed Neurologist.
5. A negative HIV serology (AIDS blood test) dated within six (6) months of the Event.
6. A negative Hepatitis "B" Surface Antigen (HBV sAG) blood test dated within six (6) months of the Event. Negative Hep "B" cAb, eAg are not acceptable.
 - a. If a competitor has undergone a vaccination series for Hepatitis "B," he/she may present proof of immunity via a blood test called HBV sAB. If this test is positive, the fighter is considered immune to the virus and does not need to be tested for the HBV sAG.
7. A negative Hepatitis "C" serology (blood test) dated within six (6) months of the Event.
8. A pregnancy test for female athletes dated within seven (7) to fourteen (14) days of the Event.

- C. Drug Testing. The administration or use of any substance identified on the "Prohibited List" published by the World Anti-doping Agency (<https://www.usada.org/substances/prohibited-list/>) either before or during an Event by any Competitor is prohibited.
1. For the purpose of verifying compliance with this rule, the Director or her 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.
 2. The Division may revoke or suspend the Competitor License of any Competitor whose urinalysis or blood test is positive for any substance on the Prohibited List.
 3. Should a winning Competitor's laboratory testing results return as a positive test his/her victory/win will be removed, a "no contest" decision will be entered into his/her Boxing record, and each Competitor will be notified using the contact information provided on his/her License Application.
 4. All costs associated with the foregoing tests shall be borne by the Competitor and/or the Promotor.
- D. Records. All medical reports and tests required to be performed pursuant to these Rules or the Act shall be considered confidential and shall be open to examination only to the Department or its duly authorized representatives (including a Hearing Officer if applicable), to the Competitor and, upon written authorization of the Competitor to all such designated persons or Boxing Commissions.
- E. In addition to any powers of the Referee provided in R.I. Gen. Laws § 41-5-8 and any other sections of these Rules and the Act, the Referee may, in his or her discretion, request the Physician to examine a Competitor during a Match. Should the examination occur during the course of a round, the clock shall be stopped until the examination is completed.

1.10 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 Boxing Matches or who otherwise has a financial interest in an active Professional Boxer currently registered with a Boxer Registry. For purposes of this section, the term "compensation" does not include funds held in escrow for the payment to another Person in connection with a Professional Boxing Match.

1.11 Reporting

Not later than forty-eight (48) business hours after the conclusion of a Professional Boxing Match, the Department shall report the results of such Match and any related suspensions to each Boxer Registry.

1.12 Miscellaneous

- A. No male Competitor may participate in a Boxing Event against a female Competitor or vice-versa.
- B. 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 Professional Boxer.
- C. In addition to the Physician who shall be in attendance at the Event, an ambulance and/or medical personnel with appropriate resuscitation equipment shall be continuously present at ringside.
- D. No liquid refreshments of any kind may be sold at the Event except in paper or plastic containers. Chairs must be securely attached so they are not portable.
- E. Television. Closed Circuit Television broadcasts of Events are governed by R.I. Gen. Laws § 41-5-3.7.

1.13 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.

230-RICR-30-30-1

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

CHAPTER 30 - COMMERCIAL LICENSING

SUBCHAPTER 30 - GAMING AND ATHLETICS

**PART 1 - BOXING (FORMERLY RACING AND ATHLETICS REGULATION 1) (230-
RICR-30-30-1)**

Type of Filing: Refile Capabilities

Department of State

Regulation Effective Date

Original Signing Date

Department of State Initials

Department of State Date