<table>
<thead>
<tr>
<th>Rule Change Type</th>
<th>Effective Date</th>
<th>Draft Received</th>
<th>Board Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard</td>
<td>12/1/2021</td>
<td>9/1/2020</td>
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</tbody>
</table>

**Rule Change Intent**

By moving the process out of the rule book and into a policy and procedure document, it creates greater efficiency and flexibility with regard to the Mileage Exemption process to better meet the needs of our membership, including the ability to make necessary annual adjustments to the process in response to the continually evolving competition environment.

**Proponent Details**

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**Linked Rules**

**Comments**

**Committee Actions**
CHAPTER 3 - COMPEITION LICENSING

SUBCHAPTER 3-D MILEAGE EXEMPTION AND COMPETITION LICENSE DISPUTES

GR315 Mileage Exemption

1. General.
   a. This section will apply to Mileage Exemption Panels and Internal Review Panels.
   b. All communications pertaining to mileage exemption requests must go through the Federation Competition Department staff who will serve as the liaison between all parties to a mileage exemption request. At no time may any ex parte communications occur between panelists and any party to a mileage exemption request, including affected parties and representatives.
   c. All Panel members will sign a Confidentiality and No Contact Agreement prior to serving on a Panel.
   d. Once a decision is issued by a Panel, the Panel is not permitted to reconvene and reconsider that decision unless it is under the specifications of a modification to the request per GR 315.5.

1. General.
   All communications pertaining to mileage exemption requests must go through the Federation Competition Department staff who will serve as the liaison between all parties to a mileage exemption request.

2. Mileage Exemption.
   When a competition license application is denied by the Federation due to a mileage conflict, the Applicant may seek a mileage exemption to allow the applying competition to occur. The Federation will send a Mileage Exemption Request Form along with the notification of denial to the Applicant. **Mileage Exemption procedures are available at www.usef.org.**

2. Mileage Exemption.
   When a competition license application is denied by the Federation due to a mileage conflict, the Applicant may seek a mileage exemption to allow the applying competition to occur. The Federation will send a Mileage Exemption Request Form along with the notification of denial to the Applicant. **Mileage Exemption procedures are available at www.usef.org.**

3. All Licensed Competitions operating under an approved mileage exemption will have the applicable mileage protection against new competitions. Additionally, these competitions will have the applicable mileage protection for the following year’s comparable dates, provided that the license application and applicable fees are received within 60 calendar days of the last day of the current year’s competition. This does not preclude the Federation from granting additional mileage exemption requests for new competitions to be held within any mileage boundary.

4. Competitions with an approved mileage exemption which have been held for two or more consecutive years may apply for designation as a perpetual mileage exemption. If approved, the competition will apply annually for renewal under GR 302.3. To be eligible for this designation, the competition must indicate this request on the application and pay the requisite mileage exemption fee. Any conditions associated with the approved mileage exemption will remain in place. Upon receiving this designation, any changes to location, rating and/or level will result in loss of this designation and the competition will be required to apply for a mileage exemption. Designated perpetual mileage exemption competitions will have the applicable mileage protection against new competitions unless the license cannot be granted. This does not preclude the Federation from granting additional mileage exemption requests for new competitions to be held within any mileage boundary. The Federation may revoke this designation at any time.

3. The Federation may consider different circumstances in determining whether a mileage exemption is warranted. These include, but are not limited to, the following:
   a. Competition Standards:
      1. Whether the Applicant competition may alleviate concerns about the safety and welfare of horses, competitors, and/or spectators for a given rating and/or level at a Priority Date Holder’s competition;
      2. Whether the Applicant competition may enable a Priority Date Holder to better achieve the competition standards for a given rating and/or level;
      3. Whether the Applicant competition may alleviate overcrowding of horses and/or competitors in a given geographic area at a given venue.
   b. Competition and Calendar Factors:
      1. Whether the Applicant competition provides access to competitors that may need a choice based on a Priority Date Holder’s costs to competitors or offered ratings and/or levels;
      2. Whether the Applicant competition serves a need that the Priority Date Holder does not serve as to the schedule of classes, sections, and divisions, which may be too limited;
      3. Whether the Applicant competition should be given an opportunity to enter the marketplace where a Priority Date Holder seemingly dominates the calendar in a given geographical area, which may create unilateral competition effects;
      4. Whether the Applicant competition alleviates the negative impact on competitors that may occur when the number of consecutive competitions of the same rating and/or level in a given geographic area at a given venue creates unilateral competition effects;
      5. For Eventing competitions; USEF Licensed Eventing Competitions occurring a minimum of two weeks prior
to, and two weeks following the applicant competition, will be taken into consideration when determining the 
Applicant competition’s impact on the competition calendar, regardless of mileage boundary.

c. Sport Growth and Visibility:
1. Whether the Applicant competition may create growth and visibility of the sport in one of the following ways, 
   which is not exclusive:
2. The Applicant competition is warranted due to community support and/or involvement;
3. The Applicant competition may broaden access to competitors at all levels of the sport;
4. The Applicant competition is unique and provides exceptional promotional benefits to the sport.

In addition, the Federation will consider the following factors in determining whether a mileage exemption should be 
granted:
1. Geographic location and time of year with regard to concentration and migration of competitors;
2. Experience and expertise of competition management;
3. Competitions outside of boundary mileage of Priority Date Holder and Applicant Competition, which may 
affect density and competitive level of competitors;
4. Density and competitive level of competitors in a given geographic area at a given time of year.

4. Mileage Exemption Procedure

a. An Applicant must first contact the Priority Date Holder(s) and seek cooperation in running the proposed event.

1. If the Priority Date Holder(s) agree to the exemption request, then the terms and conditions of any 
   agreement must be fully disclosed to the Federation in writing along with submission of the Mileage Exemption 
   Response. Submission of these materials indicates that the parties agree that the Federation is not responsible 
   for the enforcement or performance of the terms and conditions of the agreement between the competition 
   organizer and those parties expressly waive any claim against the Federation for failure to perform.
2. If the Priority Date Holder(s) does not agree to the exemption request, then the Applicant will submit the 
   Mileage Exemption Request Form to the Federation in accordance with these rules.

b. Beginning with competitions conducted in the 2017 competition year, the Applicant will submit the Mileage 
   Exemption Request Form, fully completed, to the Federation no earlier than 360 calendar days and no later than 240 
   calendar days before the start date of the proposed competition. The fully completed Mileage Exemption Request Form 
   must be accompanied with the non-refundable application fee. A mileage exemption request will not be accepted 
   unless the Mileage Exemption Request Form is fully completed and the application fee is paid in full. Within 21 days of 
   acceptance of a properly submitted request and application fee, the Federation will notify the Applicant that their 
   request is being processed.

   If the Priority Date Holder(s) grant the exemption, the Federation will notify the 
   Priority Date Holder(s) and provide the submitted Mileage Exemption Request Form. An Applicant is not permitted 
   to advertise or promote the proposed competition until the competition has received final approval. Non-compliance with 
   this requirement may disqualify the applicant and may result in disapproval of the application. BOD 11/11/19 Effective 

12/4/19 BOD 1/11/20

c. Within 21 days of acceptance of a properly submitted request and application fee, the Federation will notify the 
   Priority Date Holder(s) and provide the submitted Mileage Exemption Request Form. The Priority Date 
   Holder(s) must provide written comments justifying the denial of the mileage exemption request given the 
   considerations in paragraph 3 above.

   For competitions requesting to renew a previously approved mileage exemption, within 15 calendar days of receipt of 
   a completed Mileage Exemption Response Form and the terms and conditions of an agreement, if such agreement was 
   reached between the affected parties, the request will be reviewed by the Federation Internal Review Panel, which will 
   determine whether it is in the best interest of the sport to either deny or grant the approval and under what terms and 
   conditions such approval will be given. The Federation Internal Review Panel consists of the Federation Chief 
   Executive Officer or his designee; the Director of Competitions; and a staff member from the relevant breed or 
   discipline chosen by the Sport Director.

   For first year mileage exemptions, or where a Priority Date Holder(s) object to the mileage exemption request or do 
   not provide a timely response, within 15 calendar days of receipt of a completed Mileage Exemption Response Form 
   from Priority Date Holder(s) objecting to the request, or the expiration of the 21-day response period if no completed 
   Mileage Exemption Response Form is submitted, the Federation will notify the applicable Recognized Breed/Discipline 
   Affiliate and provide all documentation received in the process from any party. The applicable Recognized 
   Breed/Discipline Affiliate has 30 calendar days from notification from the Federation to submit to the Federation 
   Competitions Department, a recommendation to approve or disapprove the exemption request accompanied by a 
   detailed explanation based on the considerations enumerated in paragraph 3 above. If the Federation learns that an 
   individual with a conflict of interest was present when an Affiliate considers its recommendation under this Chapter, 
   then such recommendation will not be considered by the Federation panel.

   For Eventing competitions, the USEA will have 60 calendar days from the notification from the Federation to 
   submit to the Federation Competitions Department, a recommendation to approve or disapprove the exemption 
   request accompanied by a detailed explanation based on the circumstances enumerated in Section 3.3.

   For Eventing competitions, within 30 calendar days of receiving the USEA’s recommendation on licensure, the 
   Federation’s Eventing Sport Committee will make a recommendation regarding licensure to the USEF Internal Review 
   Panel.
h. Within 15 calendar days of receipt of written comments from the Recognized Affiliate, USEA and Eventing Sport Committee when required for Eventing Competitions, a Federation Internal Review Panel will convene to review the recommendation of the Affiliate in light of all materials submitted and the considerations enumerated in GR315.3. If this Panel agrees with the Recognized Affiliate’s recommendation, or the recommendations of USEA and Eventing Sport Committee when required for Eventing competitions then a decision letter will be issued to the affected parties accordingly. If this Panel disagrees with the Recognized Affiliate recommendation, disagrees with the recommendations of the USEA and Eventing Sport Committee when required for Eventing competitions, if the USEA and Eventing Sport Committee disagree, or if this panel identifies further consideration that should be given, the Federation President has 30 days to appoint a Mileage Exemption Panel to review the request. If for any reason the President is unable to appoint this Panel, the Vice-President, if available, or the Secretary/Treasurer, if the Vice-President is unable, will appoint the Panel.

i. The Federation Mileage Exemption Panel consists of the Federation Chief Executive Officer or his designee; a Senior Active Member with competition management experience; and a Senior Active Member who participated in the determination of the Affiliate. Together this Panel will consider all materials received from all parties related to the request, the recommendation of the Recognized Affiliate, the recommendation of the Eventing Sport Committee when required for eventing competitions, the comments of the Internal Review Panel, and the considerations in GR315.3. Upon completion of its review, the Federation Mileage Exemption Panel will determine whether it is in the best interest of the sport to either deny or grant the approval and under what terms and conditions such approval will be given.

j. The identity of the Federation Mileage Exemption Panel members must be provided to the Applicant and Priority Date Holder(s). These parties have 5 days to submit a written objection to any Panel member. Objections must specifically articulate the basis of the objection and how the appointee cannot render a fair and unbiased decision. Objections will be evaluated and a determination will be made whether a replacement is warranted. Failure to timely object is deemed acceptance of the appointed panelists.

k. The Federation, through the Federation Internal Review and Federation Mileage Exemption Panels, will have final decision-making authority on all exemption requests and will not delegate this responsibility. The Panel’s decision will be provided to the Applicant, Priority Date Holder(s), and the Recognized Affiliate within seven calendar days of the decision, excluding national holidays. The Panel’s decision is provisional until such time that any dispute process under these rules has been exhausted. An Applicant will not advertise or promote the proposed competition unless and until the competition has received final approval. Non-compliance with this requirement may result in withdrawal of the application.

5. Modifications or amendments to an approved exemption are not permitted unless approved by the Federation in writing. A modification to an approved Request for Mileage Exemption must be approved in writing by the Federation after review by the original Mileage Exemption Panel. If the original Mileage Exemption Panel is unable to convene, modification requests will be reviewed by the Federation Internal Review Panel along with a representative appointed by the relevant breed/discipline affiliate. Modifications to an approved Request for Mileage Exemption must be received by the Federation at least 60 days prior to the start of competition. Competitions that would be impacted by the requested modification will have the opportunity to submit written comments to the Federation prior to a determination. Comments must be received from the competitions impacted within 10 calendar days of receiving notification of the requested modification. The Federation decision will be rendered within 30 days from the date the modification request is received in the Federation office.

6. Mileage Exemptions are granted for one year only. Approval in one year does not guarantee future approval of a mileage exemption request.

7. All Licensed Competitions operating under an approved mileage exemption will have the applicable mileage protection against new competitions. Additionally, these competitions will have the applicable mileage protection for the following years comparable dates, provided that the license application and applicable fees are received within 60 calendar days of the last day of the current year’s competition. This does not preclude the Federation from granting additional mileage exemption requests for new competitions to be held within any mileage boundary.

8. Competitions with an approved mileage exemption which have been held for two or more consecutive years may apply for designation as a perpetual mileage exemption. If approved, the competition will apply annually for renewal under GR 302.3. To be eligible for this designation, the competition must indicate this request on the application and pay the requisite mileage exemption fee. Any conditions associated with the approved mileage exemption will remain in place. Upon receiving this designation, any changes to location, rating and/or level will result in loss of this designation and the competition will be required to apply for a mileage exemption. Designated perpetual mileage exemption competitions will have the applicable mileage protection against new competitions unless the license cannot be granted. This does not preclude the Federation from granting additional mileage exemption requests for new competitions to be held within any mileage boundary. The Federation may revoke this designation at any time. BOD 1/11/20 Effective 2/1/2020