

## **Chapter 20 Boxing and Wrestling: General Rules**

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## **2000 APPLICABILITY**

This chapter applies to applicants for and holders of licenses to participate in boxing, wrestling, or kickboxing events, professional or amateur, in the District of Columbia.

Chapters 21 (Boxing Events), 22 (Wrestling Events), and 23 (Kickboxing Events) of this title supplement this chapter.

**AUTHORITY:** Unless otherwise noted, the authority for this chapter is section 7 of the District of Columbia Boxing and Wrestling Commission Act of 1975, D.C. Law 1-20, D.C. Code § 2-606 (1994 Repl. and 1999 Supp.).

**SOURCE:** Final Rulemaking published at 22 DCR 5265 (March 31, 1976); as superseded by Final Rulemaking published at 35 DCR 3710 (May 20, 1988)

## **2001 BOXING AND WRESTLING COMMISSION**

2001.1 The Chairperson of the Commission shall designate the time and place of the Commission's meetings.

2001.2 The Chairperson may sign all orders and other documents of the Commission on behalf of the Commission.

2001.3 No member or employee of the Commission may be the manager, full or part-time, of a contestant or otherwise have a financial or business interest in a contestant or in the result of an event.

2001.4 The Commission may waive or modify any of the provisions of this chapter in the following circumstances:

(a) In the case of amateur events sponsored by schools, colleges, or universities, provided that the sponsoring organization directs a letter to the Commission prior to the event specifying the event, certifying the federal tax-exempt status of the organization, and certifying that any proceeds will be used solely for the benefit of the organization; and

(b) In championship contests as specifically authorized by this chapter or Chapter 21 of this title.

**SOURCE:** Final Rulemaking published at 35 DCR 3710-11 (May 20, 1988).

## **2002 GENERAL LICENSING PROVISIONS**

2002.1 The Commission shall issue licenses for the following participants in an event:

- (a) Professional boxer;
- (b) Professional wrestler;
- (c) Professional kickboxer;

- (d) Amateur boxer;
- (e) Manager;
- (f) Promoter;
- (g) Second;
- (h) Matchmaker;
- (i) Referee;
- (j) Timekeeper;
- (k) Inspector;
- (l) Physician;
- (m) Judge; and
- (n) Announcer.

2002.2 A license issued by the Commission is valid for one (1) year from the date it is issued.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3711 (May 20, 1988).

## **2003 GENERAL APPLICATION REQUIREMENTS**

2003.1 Each applicant for a license under this chapter shall:

- (a) Submit a completed application on a form prescribed by the Commission, including the following information:
  - (1) The applicant's legal name, and any assumed names or aliases used by the applicant;
  - (2) The applicant's current street address;
  - (3) The applicant's date of birth; and
  - (4) Other information requested by the application.
- (b) Submit with the application two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2"x2"); and

(c) Pay the required application fee, if any.

2003.2 An applicant for a license, other than an applicant for a license as a contestant, shall prove to the satisfaction of the Commission that the applicant is at least twenty-one (21) years of age.

2003.3 The Commission shall include on each application form for a license or permit issued pursuant to this chapter a notice to the effect that “The making of a false statement on this application or on documents required by this application is punishable by criminal penalties.”

SOURCE: Final Rulemaking published at 35 DCR 3710, 3711-12 (May 20, 1988).

## **2004 PROFESSIONAL BOXER’S LICENSE**

2004.1 No person shall box in a professional boxing event without a professional boxer’s license issued pursuant to this chapter.

2004.2 An applicant for a professional boxer’s license shall prove to the satisfaction of the Commission that the applicant is at least eighteen (18) years old. However, the Commission may waive this requirement with the written consent of the parents or legal guardian of the applicant.

2004.3 An applicant for a license under this section shall pass a physical examination conducted by a physician approved by the Commission who is licensed to practice medicine in the District. The physical examination consists of any tests and procedures that the Commission deems necessary to protect the health and safety of contestants, including a basic physical examination, an electroencephalogram (EEG), a computerized axial tomography (CAT) scan, and an ophthalmological examination. The Commission shall include the results of the examination on the licensee’s passport.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3712 (May 20, 1988).

## **2005 PROFESSIONAL WRESTLER’S LICENSE**

2005.1 No person shall wrestle in a professional wrestling event without a professional wrestler’s license issued pursuant to this chapter.

2005.2 An applicant for a professional wrestler’s license shall prove to the satisfaction of the Commission that the applicant is at least eighteen (18) years of age.

2005.3 An applicant under this section shall include information requested by the application concerning the applicant’s health history.

2005.4 The Commission may require additional information or tests, or compliance with specified procedures, to establish the identity of the applicant or to determine the applicant's physical fitness.

2005.5 The Commission may require an applicant under this section to provide a record of all past matches.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3712-13 (May 20, 1988).

## **2006 PROFESSIONAL KICKBOXER'S LICENSE**

2006.1 No person shall kickbox in a professional kickboxing event without a professional kickboxer's license issued pursuant to this chapter.

2006.2 An applicant for a professional kickboxer's license shall prove to the satisfaction of the Commission that the applicant is at least eighteen (18) years of age.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3713 (May 20, 1988).

## **2007 AMATEUR BOXER'S LICENSE**

2007.1 No person shall box in an amateur boxing event without an amateur boxer's license issued pursuant to this chapter.

2007.2 An applicant for a license as an amateur boxer shall submit the following with the application:

(a) A certificate of consent signed by the applicant's parents or legal guardians if the applicant is younger than eighteen (18) years old;

(b) A statement from the organization for which the applicant will compete as a contestant that the applicant is a member of that organization; and

(c) Proof satisfactory to the Commission that the applicant is registered and in good standing with the United States Amateur Boxing Federation.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3713 (May 20, 1988).

## **2008 MANAGER'S LICENSE**

2008.1 Subject to § 2008.2, no person shall manage a professional contestant without a valid manager's license issued by the Commission.

2008.2 A contestant who manages his or her own affairs is not required to obtain a manager's license.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3713-14 (May 20, 1988).

## **2009 PROMOTER'S LICENSE**

2009.1 No person shall promote an event without a promoter's license issued pursuant to this section.

2009.2 An applicant for a license as a promoter shall submit the following information with the application:

(a) If the applicant is a corporation, the names and street addresses of its directors, officers, and resident agent;

(b) If the applicant is a partnership or joint venture, the name and street address of each partner or joint venturer, but if a partner or joint venturer is a corporation, the name and street address of each director, officer and the resident agent of the partner or joint venturer;

(c) If the applicant is an unincorporated association, the names and street addresses of all trustees and managing directors of the applicant; and

(d) Any information required by the Commission to determine whether the applicant or any of its principal officers have been convicted of a felony or misdemeanor involving fraud or which has a substantial relationship to the regulation of boxing.

2009.3 An applicant is not eligible for a license as a promoter if the applicant has been convicted of a misdemeanor within five (5) years, or a felony within ten (10) years, preceding the date of application.

2009.4 The Commission may take disciplinary action against a promoter in the case of the violation by a matchmaker of § 2011.3.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3714 (May 20, 1988).

## **2010 SECOND'S LICENSE**

2010.1 Except as provided in § 2010.2, no person shall act as a second in an event between professional contestants without a second's license issued pursuant to this chapter.

2010.2 The manager of a contestant may act as a second for the contestant if the manager is licensed pursuant to this chapter.

2010.3 An applicant for a license as a second shall include with the applicant the name of the applicant's employer.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3714-15 (May 20, 1988).

## **2011 MATCHMAKER'S LICENSE**

2011.1 No person shall act as a matchmaker for an event without a matchmaker's or promoter's license issued pursuant to this chapter.

2011.2 An applicant for a license as a matchmaker shall be employed by a promoter licensed under this chapter.

2011.3 A matchmaker shall not match contestants in such a way that one of the contestants is far superior to the other, considering the experience, demonstrated ability, record, and reputation of the contestant, and the quality of the contestant's opponents.

2011.4 The Commission may take disciplinary action against a matchmaker if:

- (a) The matchmaker violates § 2011.3; or
- (b) The matchmaker provides to the Commission false information concerning a contestant's record.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3715 (May 20, 1988).

## **2012 REFEREE'S LICENSE**

2012.1 No person shall act as a referee for an event without a referee's license issued pursuant to this chapter.

2012.2 An applicant for a license as a referee shall pass a written or oral examination administered by the Commission which tests an applicant's knowledge of the rules governing events of the type which the applicant is qualified to referee.

2012.3 An applicant for a license as a referee shall pass a medical examination conducted by a licensed physician approved by the Commission.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3715 (May 20, 1988).

## **2013 TIMEKEEPER'S LICENSE**

2013.1 No person shall act as a timekeeper in an event without a timekeeper's license issued pursuant to this chapter.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3715 (May 20, 1988).

## **2014 INSPECTOR'S LICENSE**

2014.1 No person shall act as an inspector in an event without an inspector's license issued pursuant to this chapter.

2014.2 An applicant for a license as an inspector shall pass a written or oral examination administered by the Commission which tests an applicant's knowledge of the rules governing contests of the type for which the applicant is qualified to act as an inspector.

2014.3 An applicant for a license as an inspector shall prove to the satisfaction of the Commission that the inspector:

- (a) Does not maintain, directly or indirectly, a financial or business interest in the management of a contestant;
- (b) Is not an individual promoter; and
- (c) Is not a stockholder or an employee of, or otherwise has a financial or business interest in a corporation, unincorporated club, partnership, or association that promotes contests.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3715-16 (May 20, 1988).

## **2015 PHYSICIAN'S LICENSE**

2015.1 No person shall act as physician in an event without a physician's license issued pursuant to this chapter.

2015.2 An applicant for a license as a physician under this chapter shall submit with the application:

- (a) Proof satisfactory to the Commission that the applicant is licensed to practice medicine in the District and is in good standing; and
- (b) A statement of the educational and professional experience of the applicant.

2015.3 An applicant under this section shall complete a period of apprenticeship under a physician licensed by the Commission.

2015.4 The Commission shall not grant a license to an applicant under this section unless it has received a recommendation of the chief physician concerning the applicant's qualifications based on the applicant's performance during the period of apprenticeship.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3716 (May 20, 1988).

## **2016 JUDGE'S LICENSE**

2016.1 No person shall judge an event without a judge's license issued pursuant to this chapter.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3716 (May 20, 1988).

## **2017 ANNOUNCER'S LICENSE**

2017.1 No person shall announce an event without an announcer's license issued pursuant to this chapter.

SOURCE: Final Rulemaking published at 35 DCR 3710 (May 20, 1988).

## **2018-2021 [RESERVED]**

## **2022 PASSPORTS**

2022.1 The Commission shall issue a professional boxer who is licensed by the Commission a passport, which shall include the following information:

- (a) The boxer's legal name;
- (b) A photograph, two inches by two inches (2"x 2"), of the face with the Commission's seal on the photograph; and
- (c) The medical and competitive history of the boxer; and
- (d) Any other information that the Commission requires.

2022.2 The Commission shall update the medical and competitive history of a boxer when the license is renewed.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3717 (May 20, 1988).

## **2023 DESIGNATION OF OFFICIALS**

2023.1 The Commission shall appoint a chief inspector, chief referee, chief judge, chief physician, chief announcer, and first chief official who will oversee the functioning of the appointed chief officials. The chief officials serve at the pleasure of the Commission.

2023.2 The Commission shall designate or approve the inspectors, referees, judges, physicians, timekeepers, and announcers for all events, professional or amateur.

2023.3 No person other than the official designated by the Commission may perform the duties of that official.

2023.4 No change of designations or assignments may be made without the approval of the Commission.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3717 (May 20, 1988).

## **2024-2025 [RESERVED]**

## **2026 PERMITS FOR EVENTS**

2026.1 Except as provided in § 2026.2, no person shall hold an event or telecast an event without a permit issued pursuant to this chapter.

2026.2 A permit is not required for an event for which no prize or purse is offered or for which no admission fee is charged.

2026.3 Only a promoter licensed pursuant to this chapter and in good standing may apply for a permit under this section.

2026.4 Subject to § 2026.5, an applicant for a permit under this section shall at least thirty (30) days prior to the event do the following:

(a) Submit a completed application to the Commission on the prescribed form including the following information:

- (1) The applicant's name, street address, and license number;
- (2) The date and location of the event;
- (3) The name of each contestant in each event;
- (4) The number of rounds in each event;
- (5) The designation of the main event and "semi-main" event or events; and

(6) A list of all sources from which the applicant reasonably expects to derive income in connection with the event for which the permit is sought and the amount of income projected from each source.

(b) Pay the required fee; and

(c) Submit with the application the following:

(1) A financial statement demonstrating that the applicant has sufficient funds to meet all financial obligations of promoting the event for which the permit is sought;

(2) Certificates of insurance evidencing that the applicant has obtained:

(A) Insurance covering property damage and personal injury to spectators in an amount as required by the facility at which the event will be held and as approved by the Commission; and

(B) Insurance providing medical coverage for each contestant in an amount to be approved by the Commission based on prevailing costs of medical treatment and the circumstances of each event, but in no case less than ten thousand dollars (\$10,000); and

(3) A deposit, in the form of cash, certified check, cashier's check, or money order in the amount of the total purse of all contestants in the event.

2026.5 The Commission, in its discretion, may shorten the period required by § 2026.4.

2026.6 The Commission shall not issue a permit for a boxing event unless the program of which the event is a part has been scheduled for a total of thirty-two (32) rounds of boxing, in the case of a professional program, or twenty-six (26) rounds, in the case of a professional-amateur event. The Commission, in its discretion, may reduce the number of rounds required.

2026.7 The Commission, in its discretion, may make the permit contingent upon approval by the Fire Department, prior to the event, of plans showing the seating arrangements, aisle spacing, exit facilities, and location of fire fighting appliances.

2026.8 The chief inspector shall report to the Commission any violation that cannot be corrected by the starting time of the event and, upon such a report, the Commission may cancel the permit for the event issued under this section.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3717-19 (May 20, 1988).

## **2027 TELECAST REQUIREMENTS**

2027.1 A person presenting a telecast shall file with the Commission, within seventy-two (72) hours (excluding Saturdays, Sundays, and legal holidays) after the telecast, a report setting forth the following:

- (a) The identity and address of the telecasters;
- (b) The date of the telecast;
- (c) The names of the featured contestants;

- (d) The length of the telecast;
- (e) The sites of the telecast, if over closed-circuit television;
- (f) The subscribing telecast system, if over subscription television;
- (g) The exact number of tickets sold for the telecast;
- (h) The gross receipts from the sale of such tickets;
- (i) If no tickets are sold, the price in money or value paid or owed for the telecast;  
and
- (j) The telecaster's District tax number, if any.

2027.2 Except as provided in § 2027.3, a person presenting a telecast shall within seventy-two (72) hours (excluding Saturdays, Sundays and legal holidays) after the telecast, pay a fee of five percent (5%) of the first one hundred thousand dollars (\$100,000) of the gross receipts from, or price paid or owed for, the telecast, and two percent (2%) of any gross receipts or price paid or owed in excess of one hundred thousand dollars (\$100,000).

2027.3 The Commission, in its discretion, may require a person presenting a telecast in lieu of the requirements of § 2027.2, to pay in advance of the telecast a fee based on the estimated gross receipts or value of the telecast. In making such an estimate, the Commission shall consider the reasonably projected sources and amount of receipts or value including any sponsors or subscribers and any fees paid for closed-circuit telecasts.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3719-20 (May 20, 1988).

## **2028-2030 [RESERVED]**

### **2031 CONDUCT OF LICENSEES**

2031.1 A licensee under this chapter shall conduct himself or herself professionally at all times.

2031.2 A licensee shall not:

- (a) Use profane or abusive language;
- (b) Make a threat against or inflict bodily harm upon boxing officials or members of the boxing public;

(c) Make allegations against boxing officials which a licensee knows or should know are false;

(d) Take part, or agree to take part, in an arrangement by which a contestant is to engage, or does engage, in any fake or sham contest or dishonest exhibition of the contestant's skills;

(e) Wager or gamble on any contest; or

(f) Engage in any other unprofessional conduct.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3720 (May 20, 1988).

## **2032 CONTESTS BETWEEN OPPOSITE SEXES**

2032.1 No contest shall be conducted, and no contestant shall engage in a contest, between opposite sexes.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3720 (May 20, 1988).

## **2033-2040 [RESERVED]**

## **2041 DENIALS AND DISCIPLINARY ACTIONS**

2041.1 The Commission may take one or more of the actions listed in § 2041.4 against an applicant or licensee for the violation of this chapter or chapters 21, 22, or 23 of this title, and in the case of an applicant, for conduct that would constitute a violation if committed by a licensee.

2041.2 The Commission may deny a license to an applicant, or may revoke or suspend a license, or take other adverse action against a licensee, when the applicant or licensee has been denied a license or has been made subject to a disciplinary action, in another jurisdiction for reasons of health and safety, or for conduct that, if committed in the District, would be grounds for denial or disciplinary action.

2041.3 The Commission may deny a license to an applicant who has provided false or fraudulent information on the applicant's application, and may revoke or suspend any license that was granted on the basis of information subsequently shown to have been false or fraudulent.

2041.4 The Commission may take the following disciplinary actions against an applicant or licensee:

(a) Deny a license;

- (b) Revoke a license;
- (c) Suspend a license;
- (d) Restrict or place conditions on a license;
- (e) Censure or reprimand a licensee;
- (f) Impose a civil fine or penalty on a licensee; and
- (g) Withhold the purse from a contestant and order that it be forfeited, in whole or part.

2041.5 Alternative civil sanctions for infractions of the Act of this chapter or chapters 21, 22 or 23 of this title may be imposed pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Law 6-42, D.C. Code §§ 6-2701 et seq. (1995 Repl. and 1999 Supp.), and rules promulgated thereunder, 16 DCMR chapters 31 and 32.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3720-21 (May 20, 1988).

EDITOR'S NOTE: The text of section 2041.5 has been changed without formal rulemaking to denote that the regulations which implement the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 were removed from Title 1 of the District of Columbia Municipal Regulations and republished at Title 16 of the DCMR (Consumers, Commercial Practices and Civil Infractions).

## **2042 WITHHOLDING AND FORFEITURE OF THE PURSE**

2042.1 The Commission shall withhold, or order to be withheld, in whole or part, a contestant's purse, if:

- (a) The referee determines that a contestant has committed a foul intentionally;
- (b) The referee stops the contest because the referee determines that a contestant is attempting to lose the contest; or
- (c) The Commission determines that a contestant did not put forth the contestant's best efforts in a contest.

2042.2 The Commission, upon reaching a final decision after a hearing, may:

- (a) Order that the purse be released to the contestant; or

(b) Order that the purse, in whole or part, be forfeited, to the promoter.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3721-22 (May 20, 1988).

## **2043 NOTICE OF PROPOSED ACTION AND OPPORTUNITY FOR A HEARING**

2043.1 Each applicant or licensee shall be notified and given an opportunity to be heard before the Commission takes any of the following actions:

- (a) Denies a license for any cause other than failure to pass a required test or physical examination.
- (b) Suspends a license;
- (c) Revokes a license;
- (d) Restricts or places conditions upon a license;
- (e) Reprimands or censures a licensee;
- (f) Refuses to restore a license;
- (g) Refuses to renew a license for any cause other than failure to pay the prescribed fees;
- (h) Imposes a civil fine or penalty; or
- (i) Orders a contestant's purse forfeited to the promoter.

2043.2 When the Commission proposes to deny a license pursuant to § 2043.1(a) or (f), it shall give the applicant the following information in writing:

- (a) A statement indicating how the applicant has failed to satisfy the Commission as to the applicant's qualifications for licensure; and
- (b) A statement that the Commission will take the proposed action unless the respondent requests a hearing by certified letter addressed to the Commission, mailed with twenty (20) days after service of the notice.

2043.3 When the Commission proposes to take any action specified in § 2043.1(b), (c), (d), (e), (g), (h) or (i), it shall give the respondent the following information in writing:

- (a) A statement that the Commission has evidence, and setting forth the nature of the evidence, which if not rebutted or explained, justifies the proposed action; and

(b) A statement that the Commission will take the proposed action unless the applicant or licensee requests a hearing by letter addressed to the Commission and mailed no later than twenty (20) days after service of the notice.

2043.4 If the respondent does not request a hearing within the time specified, the Commission may take the action specified in the notice without holding a hearing. The Commission shall give written notice of its action to:

- (a) The respondent;
- (b) The Corporation Counsel; and
- (c) The Director.

2043.5 A notice of a proposed disciplinary action listed in § 2043.1(b), (c), (d), (e), (g), (h), or (i) shall be in the form of charges and specifications. A notice of a proposed denial action listed in § 2043.1(a) or (d) shall be in a form of a letter of proposed denial.

2043.6 Any notice required by this section may be served personally or by certified mail, return receipt requested, directed to the respondent at the respondent's last known residence or business address as shown by the records of the Department.

2043.7 If notice is served personally, it is deemed served when delivery is made to the respondent.

2043.8 If notice is served by certified mail, it is deemed served on the date written on the return receipt showing delivery of the notice to the respondent, or the refusal of the respondent to receive the notice. An indication that the addressee is unknown or has moved with no forwarding address constitutes a refusal by the addressee to receive the notice.

2043.9 If an applicant or respondent does not appear for a scheduled hearing, and if the Commission does not grant a continuance, the Commission may receive evidence and render a decision on the basis of the evidence presented at the hearing.

2043.10 If the respondent requests a hearing in accordance with this section, the Commission shall notify the respondent, within twenty (20) days following receipt of the request, of the time and place of the hearing.

2043.11 The Commission shall schedule a hearing for a date not more than sixty (60) days nor less than fifteen (15) days following the date of service of notice upon applicant or respondent unless the respondent agrees to an earlier or later date.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3722-24 (May 20, 1988).

## **2044 CONDUCT OF HEARINGS**

2044.1 A hearing before the Commission is open to the public.

2044.2 Except when a hearing officer is designated, a majority of the members of the Commission must be present to hear evidence and render a decision.

2044.3 A respondent entitled to a hearing has the following rights:

- (a) To be represented by counsel;
- (b) To present relevant evidence by means of witnesses and books, papers, and documents;
- (c) To examine opposing witnesses on any matter relevant to the issues; and
- (d) To cause the Commission, upon written request, to issue subpoenas to compel testimony and the production of relevant books, papers, and documents.

2044.4 In connection with any hearing held in accordance with this chapter, the Commission or its designee has the following powers:

- (a) To require the attendance of witnesses and the production of books, papers, and other evidence;
- (b) To administer oaths or affirmations to witnesses;
- (c) To take testimony and examine witnesses;
- (d) To require the respondent to undergo a medical examination by a physician approved by the Commission;
- (e) To direct the continuance of a case; and
- (f) To issue other orders necessary to its conduct of the proceedings.

2044.5 The Commission shall require the attendance of witnesses and production of books, papers, and other evidence reasonably requested by the respondent.

2044.6 In case of contumacy by or refusal by any person to obey a subpoena or other lawful order of the Commission, the Commission may refer the matter to the Superior Court of the District of Columbia, which may by order require the person to appear and give testimony or produce books, papers, or other evidence bearing on the hearing or to undergo a medical examination. Refusal to obey such an order constitutes contempt of court.

2044.7 The Commission shall exclude irrelevant, immaterial or unduly repetitious evidence or testimony.

2044.8 The Commission may take official notice, at the request of a party or on its own motion, of the following:

(a) The law and rules of the District of Columbia, the United States, and any state of the United States:

(b) Material facts in the official files of the Commission or the Department or other District agency; or

(c) A fact which is not subject to reasonable dispute in that it is generally known within the District of Columbia or is capable of accurate and ready determination by resort to sources the accuracy of which cannot reasonably be questioned.

2044.9 If the Commission takes official notice of material fact not appearing in evidence in the record, a party shall be given an opportunity to show the contrary at the hearing or on motion made within five (5) days after the hearing.

2044.10 The parties may, by stipulation in writing filed with a board, agree on the facts or any portion thereof involved in a hearing. The parties may also stipulate the testimony that would be given by a witness if the witness were present. The Commission, in its discretion, may require additional evidence regarding any matter covered by a stipulation.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3724-26 (May 20, 1988).

## **2045 BURDEN OF PROOF**

2045.1 The District of Columbia has the burden of proof by a preponderance of the evidence in a disciplinary action by the Commission listed in § 2043.1(b), (c), (d), (e), (g), (h), or (i).

2045.2 The applicant has the burden of proof by a preponderance of the evidence in a proposed denial action by the Commission listed in § 2043.1(a) or (f).

SOURCE: Final Rulemaking published at 35 DCR 3710, 3726 (May 20, 1988).

## **2046 CONDUCT OF PARTIES AND COUNSEL AT THE HEARING**

2046.1 All parties at a hearing shall maintain decorum and good order at all times, and the Commission may exclude or have removed from the hearing room any person violating any reasonable order of the chairperson of the Commission.

2046.2 The Commission may bar counsel from further participation in a hearing for disruptive conduct.

2046.3 If counsel has been barred from participating in a hearing, the Commission may proceed with the hearing if consistent with the due process rights of the parties. Otherwise, the Commission shall adjourn the hearing to give the party whose counsel has been barred an opportunity to secure new representation expeditiously.

2046.4 Counsel who has been barred from participating in a hearing may seek, and the Commission may grant, reinstatement to participate in the hearing on such terms as the board prescribes. The Commission shall not permit a reinstatement application to delay the proceedings.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3726 (May 20, 1988).

## **2047 RECORD OF HEARING**

2047.1 In all hearings conducted under this chapter, the Commission shall make a complete record of all evidence presented during the course of a hearing.

2047.2 The Commission shall make a transcript of a hearing on a proposed action specified in § 2043.1(b), (c), (d), (e), (g), (h), or (i), unless the parties and the Commission agree not to have a transcript made.

2047.3 The Commission may make a transcript of a hearing on a proposed action specified in § 2043.1(a) or (f), and shall make a transcript upon written request of a party made at least five (5) days prior to the hearing.

2047.4 If the Commission does not make a transcript of the hearing, it shall make an electronic recording of the hearing.

2047.5 The Commission shall provide a copy of an approved transcript or recording of a hearing to any person requesting it, upon payment of the required fee.

2047.6 A party may move to correct a transcript by filing a motion with a board within ten (10) days of receipt of the transcript. If no opposition to the motion is filed, the transcript may, upon approval by the Commission, be changed to reflect the corrections.

2047.7 In the event of disputes with respect to the record, the Commission shall settle the record and rule on all contested motions to correct the record.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3726-27 (May 20, 1988).

## **2048 DECISIONS OF THE COMMISSION**

2048.1 The Commission shall render a decision, in writing, no later than ninety (90) days after the date the hearing is completed.

2048.2 A decision of the Commission adverse to a respondent shall contain the following:

- (a) Findings of fact;
- (b) Conclusions of law based upon the findings of fact and application of the laws;
- (c) An order; and
- (d) A statement informing the respondent of the right to have the decision reviewed by the District of Columbia Court of Appeals, and the time within which judicial review shall be sought according to the rules of that Court.

2048.3 The Commission, in addition to taking other disciplinary action, may revoke the license of a respondent whose license has expired if the decision was based on conduct that occurred while the respondent was licensed.

2048.4 Within five (5) days after the decision is rendered, the Commission shall serve a copy of the written decision upon the respondent, or the respondent's counsel of record.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3727 (May 20, 1988).

## **2049 REOPENING PROCEEDINGS**

2049.1 If because of accident, sickness, or other good cause, a person fails to appear for a scheduled hearing, the person may apply within thirty (30) days to reopen the proceedings. If the Commission finds the cause sufficient, the Commission shall promptly fix a time and place for a hearing.

2049.2 The Commission may reopen a proceeding for any other cause it believes is sufficient; provided, that no appeal is pending before or has been decided by a court.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3727-28 (May 20, 1988).

## **2050 JUDICIAL REVIEW**

2050.1 A person aggrieved by an adverse decision of the Commission, issued after a hearing, may seek a review of the decision by the District of Columbia Court of Appeals.

2050.2 Filing notice of appeal does not act as a stay of the order of the Commission.

2050.3 Failure to seek judicial review in the manner and within the time as the Court of Appeals by rule may prescribe results in the decision of the Commission becoming final.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3728 (May 20, 1988).

## **2051 RECONSIDERATION OR REINSTATEMENT**

2051.1 A person whose application for a license or renewal of a license has been denied or whose license has been suspended or revoked, may, by filing a new application accompanied by the proper fee, request the Commission to reconsider the matter.

2051.2 Upon showing of cause satisfactory to it that the applicant fulfills all the requirements for the license sought, the Commission may issue the license or renewal of license.

2051.3 A licensee who has been ordered by the Commission to pay a fine, or whose purse has been withheld by final decision of the Commission, may petition for reconsideration by filing a petition within ten (10) days after the date of service of the order on the licensee.

2051.4 The Commission shall grant or deny a petition filed pursuant to § 2051.3 within twenty (20) days after the filing of the petition, but failure of the Commission to act within that period constitutes a denial of the petition.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3728 (May 20, 1988).

## **2052 COMPUTATION OF TIME**

2052.1 In computing any period of time specified in this chapter, the day of the act, event, or default is not be counted, and the last day of the period is counted unless it is a Saturday, Sunday, legal holiday, or day on which the Department is officially closed, in which event the time period continues until the next day that is not a Saturday, Sunday, legal holiday, or day on which the Department is officially closed.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3728-29 (May 20, 1988).

## **2099 DEFINITIONS**

2099.1 As used in this chapter, the following terms and phrases have the meanings ascribed:

**Act** - the District of Columbia Boxing and Wrestling Commission Act, as amended, D.C. Code §§ 2-601 to 2-610 (1994 Repl. and 1999 Supp.).

**Commission** - the District of Columbia Boxing and Wrestling Commission established by the Act.

**Contestant** - a boxer, wrestler, or kickboxer, as the context requires.

**Department** - Department of Consumer and Regulatory Affairs.

**Director** - the Director of the Department of Consumer and Regulatory Affairs, or the Director's designee.

**Event** - a boxing, wrestling, or kickboxing contest, match, exhibition, or showing, as the context requires.

**Inspector** - an official of the Commission who enforces the rules applicable to the preparation for and holding of contests, in areas such as the collection of gate receipts, dressing room activity, and readiness and use of equipment, and who supervises the activity in the corner of the ring during a contest.

**Judge** - an official of the Commission who scores the performance of contestants.

**Matchmaker** - a person who examines the history and skills of two (2) contestants to determine the reasonable equivalence of skills which will result in a competitive contest.

**Passport** - an international record book containing medical and competitive history.

**Program** - one or more contests held at the same place on the same day or for which a single admission fee is charged.

**Referee** - an official of the Commission who presides over each contest and enforces the rules applicable to the contest.

**Second** - person who tends to a contestant in the corner of ring during a contest.

**Take Down** – clinching or wrestling an opponent to the mat.

**Technical knockout** – a termination of a contest by the referee in order to protect an injured, defenseless contestant, and such that the decision is awarded to the non-injured contestant unless that contestant has caused injury by fouling.

**Telecast** – a presentation or showing of an event on closed circuit telecast or subscription television viewed within the District, whether or not originating within the District.

**Timekeeper** – an official of the Commission who keeps official time in each contest and who marks the passing of seconds, or count.

SOURCE: Final Rulemaking published at 35 DCR 3710, 3729-30 (May 20, 1988).