

# Regulatory Analysis Form

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

(1) Agency

Department of State  
State Athletic Commission

(2) I.D. Number (Governor's Office Use)

16-41

IRRC Number: <sup>4</sup> 2694

(3) Short Title

Mixed Martial Arts

(4) PA Code Cite

58 Pa. Code Chapter 29

(5) Agency Contacts & Telephone Numbers

Primary Contact: Gregory P. Sirb, Executive Director,  
State Athletic Commission 717-787-5720  
Secondary Contact: Martha H. Brown, Counsel  
State Athletic Commission 717-783-2804

(6) Type of Rulemaking (check one)

- Proposed Rulemaking  
 Final Order Adopting Regulation  
 Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- No  
 Yes: By the Attorney General  
 Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The Commission amends its regulations to add Chapter 29 (relating to professional and amateur mixed martial arts) to 58 PA Code Part I, Subpart B, in order to regulate the sport of mixed martial arts. Mixed martial arts (MMA) is defined as competition involving the use of a combination of techniques from different disciplines of the martial arts, including grappling, kicking and striking. While rules vary with the individual organizations and associations, a unified set of MMA rules is emerging, which increasingly has been adopted by other state athletic commissions. The intent of the regulation is to regulate a sport which has actively sought regulation across the nation and in the Commonwealth.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

The regulation is authorized under sections 103(b)(1) and 302 of the State Athletic Code (5 Pa. C.S. §§ 103(b)(1) and 302), which authorize the Commission to establish policy and promulgate rules and regulations regarding professional and amateur boxing contests and exhibitions and all matters pertaining thereto. The Athletic Code broadly defines boxing to include all variations of the sport permitting or using other parts of the human body, including, but not limited to, the foot, knee, leg, elbow or head.

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(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

No.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The popularity of mixed martial arts has surged in recent years, both nationwide and in Pennsylvania, particularly in the southeastern part of the state. National clubs and associations such as Ultimate Fighting Championships, PRIDE Fighting Championships and International Fight League have approached the Commission to permit the sport in Pennsylvania. The Commission estimates that over 200 contestants train in Pennsylvania, but cannot legally compete in the Commonwealth. There is no one sanctioning body for the sport and rules vary with the individual organizations and associations which practice mixed martial arts. A unified set of MMA rules is emerging, which increasingly has been adopted by other state athletic commissions. The intent of the instant regulation is to regulate a sport which has actively sought regulation across the nation and in the Commonwealth and which otherwise would remain unregulated and underground. Failure to recognize and regulate the sport may result in unregulated, unsupervised "bootleg" MMA shows, where participant and spectator safety is not assured.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

Nonregulation will result in unsupervised MMA shows, where participant and spectator safety is not assured. Regulation of the sport will assure licensure and testing of participants for communicable diseases, as well as emergency medical care and insurance required for participants. Regulation of the sport will ensure that events are orderly and crowd control is maintained.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

Members of the public who are fans of and follow the sport will benefit by being able to attend mixed martial arts contests and exhibitions in the Commonwealth. Mixed martial arts contestants will directly benefit from the regulation through the ability to compete in Pennsylvania under a unified set of MMA rules. Licensing and bonding of MMA promoters will also ensure that contestants are treated fairly.

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

The Commission has not identified any particular groups that will be adversely affected by the regulation.

## Regulatory Analysis Form

(15) List the persons, groups or entities that will be required to comply with the regulation.

(Approximate the number of people who will be required to comply.)

All licensed professional and amateur mixed martial arts contestants would have to comply with the regulation, as well as mixed martial arts promoters, referees, judges and timekeepers. The Commission anticipates that 100 professional mixed martial arts contestants, 180 amateur mixed martial arts contestants and 20 mixed martial arts promoters will seek licensure with the Commission. The Commission anticipates that, while some licensed boxing referees, judges and timekeepers will cross over to mixed martial arts events, the regulation will add approximately 5-6 new referees, 6-10 judges and 2-3 timekeepers.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The Commission requested and received input from mixed martial arts clubs, associations and practitioners in the development of the proposed rulemaking. At the Commission's regularly-scheduled meeting on February 26, 2007, testimony from the interested public was received on mixed martial arts. Five organizations appeared to testify before the Commission and one sent information which was viewed by the Commission on digital video disc. The Commission forwarded an exposure draft of the regulations to MMA clubs and promoters both in Pennsylvania and in other states, who had expressed interest in the rulemaking. The Commission also forwarded an exposure draft of the regulations to the Association of Boxing Commissions (ABC) and the athletic commissions of New Jersey, Ohio, Maryland and Nevada. There were no comments on the proposed regulation after it was published in the *Pennsylvania Bulletin* on May 10, 2008 (31 Pa.B. 2155).

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures that may be required.

Mixed martial arts licensees (contestants, promoters, referees, judges and timekeepers) will pay annual licensing fees which are the same as that of boxing licensees. However, no legal, accounting or consulting procedures will be implicated in complying with the regulations and therefore, no other additional costs are estimated.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures that may be required.

There are no costs or savings to local governments associated with complying with the regulation.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures that may be required.

There are no costs or savings to state government associated with the implementation of the rulemaking, because the State Athletic Commission is self-supporting and uses no General Fund monies. The Commission generated over \$350,000 in net revenue in 2007, which is deposited into the Athletic Commission Augmentation Account. The Commission will incur additional costs in enforcing the regulation. However, the Commission expects there will be 15-20 MMA events per year, which has the potential to increase Commission revenues by \$50,000 to \$80,000, generated through the Commission's 5% tax on gross gate receipts.

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(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>SAVINGS:</b>	0	0	0	0	0	0
<b>Regulated Community</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Savings</b>	0	0	0	0	0	0
<b>COSTS:</b>	0	0	0	0	0	0
<b>Regulated Community</b>	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Costs</b>	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635
<b>REVENUE LOSSES:</b>	0	0	0	0	0	0
<b>Regulated Community</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Revenue Losses</b>	0	0	0	0	0	0

(20a) Explain how the cost estimates listed above were derived.

100 professional mixed martial arts contestants x \$22 = \$2,200/year  
 180 amateur mixed martial arts contestants x \$10 = \$1,800/year  
 20 mixed martial arts promoters x \$100 = \$2,000/year  
 5-6 new referees x \$35 = \$175 - \$210/year  
 6-10 new judges x \$35 = \$210 - \$350/year  
 2-3 new timekeepers x \$25 = \$50 - \$75/year

Total estimate = \$6,435 - \$6,635/year

## Regulatory Analysis Form

(20b) Provide the past three-year expenditure history for programs affected by the regulation.

Program	FY 2005-2006	FY 2006-2007 (projected)	FY 2007-2008 (budgeted)	FY 2008-2009 (budgeted)
State Athletic Commission	\$ 360,852.17	\$ 375,000.00	\$ 480,000.00	\$

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

There are annual licensure costs to the regulated community, but these minimal costs are outweighed by the benefits described in (11), (12) and (13) above.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

No nonregulatory alternatives were considered, because a variety of clubs and associations practice the sport and there is not one national organization which controls the sport.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

No alternative regulatory schemes were considered because there are no other governmental organizations which regulate the sport.

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

There are no federal standards.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

Presently, 40 states and tribal organizations permit and/or regulate professional mixed martial arts. Many of the larger and traditionally active boxing states have adopted unified regulations on MMA within the past five years, including California, Nevada and Florida. Of the six states surrounding the Commonwealth, the boxing commissions of two states (Ohio and New Jersey) regulate mixed martial arts and have adopted similar requirements. Legislation permitting mixed martial arts events in Maryland was signed into law on May 22, 2008; and similar legislation has been introduced in the New York State Assembly this year. West Virginia does not permit mixed martial arts. Delaware has no boxing commission. The rulemaking will not put Pennsylvania at a competitive disadvantage.

## Regulatory Analysis Form

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This regulation will have no impact on the regulations of other state agencies.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

The Commission provides an opportunity for public input into its activities, including its rulemaking proposals, at its regularly scheduled meetings. The dates, times and places of the Commission's meetings are available from the State Athletic Commission, 2601 North 3rd Street, Harrisburg, PA 17110; phone (717) 787-5720, as well as on the Commission's website at [www.dos.state.pa.us/sac](http://www.dos.state.pa.us/sac).

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports, which will be required as a result of implementation, if available.

No change to existing reporting, record keeping, or other paperwork is required by this regulation, as the sport of mixed martial arts is currently unregulated.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

The Commission and the Department have perceived no special needs of any subset of groups or persons affected for which special accommodations should be made.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulation will be effective upon publication as final rulemaking in the *Pennsylvania Bulletin*.

(31) Provide the schedule for continual review of the regulation.

The Department will review the regulations promulgated under this section yearly to determine whether new requirements should be promulgated.

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

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Copy below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Copy below is approved as to form and legality. Executive or Independent Agencies.

BY: \_\_\_\_\_  
(DEPUTY ATTORNEY GENERAL)

State Athletic Commission  
(AGENCY)

*[Signature]*  
BY: \_\_\_\_\_  
*Andrew C. Clark*

DOCUMENT/FISCAL NOTE NO. 16-41

OCT 29 2008

\_\_\_\_\_  
DATE OF APPROVAL

DATE OF ADOPTION: \_\_\_\_\_

\_\_\_\_\_  
DATE OF APPROVAL

BY: *[Signature]*  
Charles P. Bednarik

(Executive  
Deputy General Counsel  
Chief Counsel,  
Independent Agency  
Strike inapplicable  
title)

TITLE: Chairman, State Athletic Commission  
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

- [ ] Check if applicable. Copy not approved. Objections attached.
- [ ] Check if applicable. No Attorney General approval or objection within 30 day after submission.

FINAL RULEMAKING  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
STATE ATHLETIC COMMISSION  
58 Pa. Code Chapter 29  
MIXED MARTIAL ARTS

The State Athletic Commission (Commission) amends its regulations to add Chapter 29 (relating to professional and amateur mixed martial arts), to read as set forth in Annex A.

Notice of proposed rulemaking was published at 38 Pa.B. 2155 (May 10, 2008). Publication was followed by a 30-day public comment period, during which the Commission received no public comments or comments on the proposed regulation from the House or Senate State Government Committees. The Independent Regulatory Review Commission (IRRC) submitted comments to the proposed rulemaking on July 9, 2008.

**A. Effective Date**

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

**B. Statutory Authority**

The amendments are authorized under section 103(b)(1) of the State Athletic Code (Code) (5 Pa.C.S. § 103(b)(1)), which authorizes the Commission to establish policy and promulgate rules and regulations regarding professional and amateur boxing contests and exhibitions and all matters pertaining thereto. The amendments are further authorized by section 302 of the Code (5 Pa.C.S. §302), which defines boxing as “the act of attack and defense with the fists, practiced as a sport. The term includes all variations of the sport permitting or using other parts of the human body, including, but not limited to, the foot, knee, leg, elbow or head.”

**C. Comments Received**

The only comments received were from the Independent Regulatory Review Commission (IRRC). The Commission responds to all IRRC’s comments in the order in which they were raised:

**Referees**

IRRC questioned whether there would be enough qualified referees to officiate all of the matches, if the number of professional and amateur contestants and the number of events held each year is greater than the Commission estimates. IRRC also asked what implementation procedures are in place to ensure that a sufficient number of qualified referees are available for this new form of competition.

Like IRRC, the Commission also believes that having a sufficient number of qualified referees familiar with the regulation and other safety protocols is essential to protecting the health



and safety of the contestants. The Commission has begun the process of cross-training some of its currently-licensed professional boxing referees to referee MMA events, by sending the Pennsylvania officials to training programs in New Jersey and Ohio. The athletic commissions of those two neighboring states have adopted MMA rules very similar to those adopted by this rulemaking. When training of mixed martial arts officials begins in Pennsylvania, the Commission will utilize as instructors a list of referees and judges licensed in Ohio and New Jersey who are specifically recommended to the Commission by the athletic commissions of these states. The Commission also retains a list of qualified referees and judges from New Jersey and Ohio who would be available for licensure and work in Pennsylvania if needed. Finally, pursuant to § 29.17(c), the Commission reserves the right to limit the number of mixed martial arts events per month to ensure the proper regulation of each event.

IRRC also questioned whether the rules for boxing referees found at 58 Pa. Code §21.11, which apply to MMA referees, are sufficient to ensure that MMA referees are adequately trained and prepared to officiate an MMA contest.

The existing rules at 58 Pa. Code §21.11 are sufficient to protect contestant health, safety and welfare in MMA events. The referee rules are quite detailed in their scope and provide that referees serve an apprenticeship of at least three months, as well as work and undergo instruction under the direction of licensed officials under conditions and occasions that the Commission designates. §21.11(b)(2). The powers and duties of the referees are clearly spelled out in the regulation at §21.11(c), and include the requirement to continually and carefully observe the physical condition of the participants. Whether the event is boxing, kickboxing or mixed martial arts, the referee has full and final responsibility (either at his own discretion or upon direction from the attending physician) to immediately halt a contest when the safety of a participant is jeopardized. §21.11(c)(6). Referees have absolute authority to interrupt a round in the event of injury to a participant and request that the attending physician examine and rule upon the condition of the injured contestant. §21.11(c)(7). The Executive Director of the Commission is charged with training, supervision, ensuring adherence to procedures and monitoring operations of officials. 5 Pa.C.S. §105 (3) and 58 Pa. Code § 3.1(b) and (e). The Commission, through its Executive Director, will make its expectations clear to all referees in the course of mandatory training and will not permit those who are unable to satisfactorily perform the duties required by §21.11 to act as referees.

### **Commission approvals**

IRRC noted several places in the regulation which state that approval from the Commission is needed for contestant equipment, ring set-up and other match-related items, and asserted that it is not clear how these approvals will be granted by the Commission. IRRC recommended that the final-form regulation should specifically state how contestants and promoters must obtain the approvals required through this regulation.

The Commission's existing regulations are replete with the requirement for Commission approval on most aspects of competition: from boxer-manger contracts (§ 21.1(d)); the time, place and duration of events (§ 21.4(g) and § 5.2(b)); matchups (§3.1(h)); ring flooring material and deviations to the ring size (§21.3); gloves and other equipment (§21.4(d) and §21.8(m)(4)); changes to an already-established program (§21.4(h)), to name a few. The existing boxing regulations, which will apply to mixed martial arts unless otherwise provided by Chapter 29, do not always specify the manner of approval. The type and manner of Commission approval varies with the event or object to be approved. Typically, Commission approvals of contracts, events permits, and duration of rounds are done well ahead of the event and in writing. But as the date of the event draws closer, approvals are typically done on a verbal basis, due to time constraints. The Commission stresses the fluidity of boxing events: match-ups may change at the last minute as opponents fail to make weight or do not clear medical requirements on the day of the fight. Ring set-up occurs the morning of the event; gloves and other equipment are observed by Commission representatives shortly before the start of each fight. The Commission anticipates that the same time constraints will be present at mixed martial arts events as well. Additionally, while the Executive Director of the Commission is on-site at and directing nearly every boxing event, the Secretary or the Executive Director may designate Commission or Department staff to act on behalf of the Executive Director at events under the jurisdiction of the Commission. § 1.3(g). Therefore, the Commission feels that it is impractical and unduly restrictive to the Commission and participants alike to specify the exact procedures for many of the approvals in question, including those in sections 29.4(b)(4), (c)(4) and (c)(6), 29.25(a) and (b), and 29.26(a). The Commission also notes that the Commission approval language of sections 29.4(b)(4), (c)(4) and (c)(6), 29.25(a) and (b), conforms to similar provision in the boxing regulations in Chapter 21. However, the Commission will amend section 29.9(a)-(d) and 29.27(a)-(f) to conform to existing boxing language on gloves at §21.4(d), in order to provide more clarity and specificity to contestants and promoters.

### Fees

IRRC noted that section 29.3(b) requires a professional contestant to be licensed by the Commission and recommended that the Commission add a cross-reference to the appropriate boxing fees.

The Commission has made this change by adding section 29.3(f) to make clearer that all boxing fees contained in Chapter 13 of the Commissions' current regulations apply to mixed martial arts events and licensees, unless otherwise specified by Chapter 29.

### Commission-approved forms

IRRC noted that sections 29.3(c) and 29.22(d) require debut contestants to complete a "Commission-approved form." IRRC recommended that the final-form regulation should state how this form is obtained.

The Commission has made this change by adding text to those sections making it clear that the form may be obtained by request from the Commission office or on-line at the Commission's website at <http://www.dos.state.pa.us/sac>.

**Cleaning of ring or fenced area**

IRRC wrote that section 29.4(d) requires the promoter to “thoroughly clean” the ring area after each match and that the final-form regulation should specify acceptable methods for cleaning the ring and whether the Commission intends for the ring area to be disinfected or merely washed down between matches.

Because there will be more competitor skin contact with the mat in mixed martial arts than in boxing, the ring area is to be both cleaned and disinfected between matches. The Commission has made this change to require disinfection, as well as cleaning, of the ring or fenced area. The Commission finds it unnecessary to specify acceptable methods for cleaning the ring, although it notes that typical methods of cleaning are wiping and mopping.

**Duration of rounds**

IRRC commented that section 29.5(a) and (b) include the phrase “except with the permission of the Commission or the Executive Director.” IRRC questioned whether both written and oral permission were permitted and recommended that the final-form regulation clarify this point.

Permission in these subsections may be either written or oral. The Commission has made this change. The Commission has also made this change to the corresponding amateur rules on duration of rounds at section 29.25(a) and (b).

**Acts constituting fouls/flagrant fouls**

IRRC commented that it is not clear what constitutes a “flagrant foul” under sections 29.12(a) and 29.29(a), noting that the term is not defined in this section, in section 29.2 (relating to Definitions) or in the Athletic Code relating to Boxing (5 Pa.C.S. § 302). IRRC suggested that this term be defined in the final-form regulation.

The Commission notes that neither the term “foul” nor “flagrant foul” is defined in chapter 29 (relating to mixed martial arts), in the Boxing Act (5 Pa.C.S. § 302) or in the Commission's regulations at 58 Pa. Code § 1.1 (relating to definitions). However, a list of fouls for boxing is provided in section 21.16 and for kickboxing in section 25.6. Fouls in boxing, kickboxing and mixed martial arts may be accidental or intentional. A flagrant foul in mixed martial arts is an intentional foul—using any foul technique enumerated under section 29.12(b) or 29.29(b)—that

causes harm or injury to an opponent, after which the injured contestant may not be able to continue with competition. This concept is already contained in the boxing regulations at section 21.5 (relating to scoring system), in which a boxer may be disqualified if he “inflicts, by foul means, a crippling injury upon his opponent so that the latter is adjudged incapable of continuing the contest.” 58 Pa. Code §21.5(c). The Commission has added this definition to section 29.2 (relating to definitions) and incorporated the language of section 21.5(c). A flagrant foul tends to be, but is not always, a stand-alone separate act. An example of a foul which is not flagrant would be one which is committed inadvertently, in the process of or at the end of a legitimate move.

**Promoter licensing and bonding requirements**

IRRC questions whether the 10-day notice required in section 29.17(3) should be received by the Commission “at least 10 days in advance of the event” or merely should be postmarked by that date.

The Commission clarifies this notice requirement in the final-form regulation by specifying that notification should be received by the Commission at least ten days in advance of the event.

With regard to the requirement in section 29.17(3) that promoters must receive written approval from the Commission to hold the event on the specified date, IRRC asks in what timeframe the Commission will respond with such approval.

The approval procedure is the same as what the Commission presently requires for boxing and kickboxing events. The Commission office typically responds to such requests within 1-2 days.

**D. Fiscal Impact and Paperwork Requirements**

The final-form regulation will have no adverse fiscal impact on the Department of State or the Commission, because the Commission is self-supporting and uses no General Fund monies. While the Commission will incur additional costs in enforcing the regulations, the Commission expects revenues generated from the 5% tax on gross gate receipts will pay for such enforcement. The amendment will also have no adverse fiscal impact on the Commonwealth or its political subdivisions. Any additional paperwork requirements upon the Commonwealth or the private sector will be limited to applying for and maintaining licensure for mixed martial arts licensees (contestants, promoters, referees, judges and timekeepers). The amendment will have no adverse fiscal impact on the boxers, boxing and wrestling promoters, referees, judges and timekeepers which the Commission currently regulates.

**F.**     **Sunset Date**

The Commission and the Department monitors the regulations of the Commission on a continuing basis. Therefore, no sunset date has been assigned.

**H.**     **Regulatory Review**

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 24, 2008, the Department submitted copies of the notice of proposed rulemaking, published at 38 Pa.B. 2155 (May 10, 2008) to IRRC, the Senate State Government Committee and the House State Government Committee for review and comment.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), this final-form regulation was deemed approved by the Senate State Government Committee on \_\_\_\_\_, 2008, and deemed approved by the House State Government Committee on \_\_\_\_\_, 2008. Under section 5.1(e) of the Regulatory Review Act, IRRC met on \_\_\_\_\_, 2008, and approved the final-form regulation.

**I.**     **Additional Information**

Individuals who require information about the final-form rulemaking may contact Gregory P. Sirb, Executive Director or the State Athletic Commission, 2601 North Third Street, Harrisburg, PA 17110; telephone (717) 787-5720.

**J.**     **Findings**

The Commission finds that:

(1) Public notice of intention to adopt these regulations was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered in drafting this final-form rulemaking.

(3) The amendments made to the final-form rulemaking do not enlarge the original purpose of the proposed rulemaking as published under section 201 of the Act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1201).

(4) These regulations are necessary and appropriate for administering and enforcing the authorizing act identified in Part B of this Preamble.

**K. Order**

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission at 58 Pa. Code are amended to read as set forth in Annex A.

(b) The Commission shall submit this order and Annex to the Office of General Counsel and the Office of Attorney General for approval as required by law.

(c) The Commission shall certify this order and Annex and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on publication in the *Pennsylvania Bulletin*.

CHARLES BEDNARIK  
Chairman of the State Athletic Commission

ANNEX

TITLE 58. RECREATION

PART I. STATE ATHLETIC COMMISSION

SUBPART B. BOXING

CHAPTER 29. MIXED MARTIAL ARTS

Subchapter A. PROFESSIONAL MIXED MARTIAL ARTS

§ 29.1. General provisions.

The Boxing Act, as it relates to professional boxers, and Chapter 21 (relating to professional boxing) are applicable to professional mixed martial arts competitors, promoters and other licensees, except as otherwise provided in this chapter.

§ 29.2. Definitions.

(a) The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Boxing Act – 5 Pa.C.S., Part I, Subpart B.

Contestant—Any person who engages in mixed martial arts competition, either as a professional or as an amateur.

FLAGRANT FOUL—AN INTENTIONAL FOUL, USING ANY FOUL TECHNIQUE UNDER SECTIONS 29.12(B) or 29.29(B), THAT CAUSES A CRIPPLING INJURY UPON

AN OPPONENT, SUCH THAT THE INJURED CONTESTANT IS ADJUDGED INCAPABLE OF CONTINUING THE CONTEST OR EXHIBITION.

Mixed martial arts—Competition involving the use, subject to any applicable limitations set forth in this chapter, of a combination of techniques from different disciplines of the martial arts, including grappling, kicking and striking.

(b) The definitions in sections 101 and 302 of the Athletic Code (relating to definitions) are incorporated for the regulatory provisions relating to professional boxing.

**§ 29.3. General requirements.**

(a) Professional contests and exhibitions of mixed martial arts must be conducted under the supervision and authority of the Commission.

(b) Professional contestants shall be licensed by the Commission.

(c) Debut contestants shall complete a Commission-approved form detailing the contestant's experience and training in mixed martial arts competitions. THE FORM MAY BE OBTAINED BY REQUEST FROM THE COMMISSION OFFICE OR FROM THE COMMISSION'S WEBSITE AT [HTTP://WWW.DOS.STATE.PA.US/SAC](http://www.dos.state.pa.us/sac).

(d) The Commission may review the applicant's experience, qualifications, medical records, win-loss record and training record as part of its determination whether to issue or renew any professional mixed martial arts license.

(e) Professional mixed martial arts contestants shall be covered by insurance which shall be set by Commission policy and paid for by the promoter or sponsor of the event.



(F) ALL FEES SPECIFIED BY CHAPTER 13 (RELATING TO BONDS AND FEES) ARE APPLICABLE TO MIXED MARTIAL ARTS PERMITS, CONTESTANTS, PROMOTERS AND OTHER LICENSEES, EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER.

**§ 29.4. Ring or fenced area requirements.**

(a) Mixed martial arts contests and exhibitions must be held in a ring or in a fenced area.

(b) A ring used in a contest or exhibition of mixed martial arts must meet the following requirements:

(1) The ring must be at least 20 feet square and no larger than 32 feet square within the ropes.

(2) The ring floor must extend at least 18 inches beyond the ropes and must be padded with Ensolite, vinyl or similar closed-cell foam, with at least a 1-inch layer of foam padding. Padding must extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that gathers in lumps or ridges may not be used.

(3) The ring platform must not be more than 4 feet above the floor of the building and must have suitable steps for the use of the contestants.

(4) Ring posts must be four in number and made of metal, extending from the floor of the building to a minimum height of 58 inches above the ring floor, and must be properly padded in a manner approved by the Commission. Ring posts must be at least 18 inches away from the ring ropes.

(5) There must be five ring ropes, at least 1 inch in diameter and wrapped in soft material.

The lowest ring rope must be 12 inches above the ring floor.

(6) There may not be any obstruction or object, including, without limitation, a triangular border, on any part of the ring floor.

(c) A fenced area used in a contest or exhibition of mixed martial arts must meet the following requirements:

(1) The fenced area must be circular or have at least six equal sides and must be at least 20 feet wide and no larger than 32 feet wide.

(2) The floor of the fenced area must be padded with Ensolite, vinyl or another similar closed-cell foam, with at least a 1-inch layer of foam padding, with a top covering of canvas, duck or similar material tightly stretched and laced to the platform of the fenced area. Material that gathers in lumps or ridges may not be used.

(3) The platform of the fenced area must not be more than 4 feet above the floor of the building and must have suitable steps for the use of the contestants.

(4) Fence posts must be at least six in number and made of metal, extending from the floor of the building to between 6 and 7 feet above the floor of the fenced area, and must be properly padded in a manner approved by the Commission.

(5) The fencing used to enclose the fenced area must be made of a material that will prevent a contestant from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including, chain link fence coated with vinyl.

(6) Any metal portion of the fenced area must be covered and padded in a manner approved by the Commission and may not be abrasive to the contestants.

(7) The fenced area must have at least two entrances.

(8) No obstruction may be placed on a part of the fence which surrounds the area where contestants compete.

(d) The promoter of the event shall be responsible to thoroughly clean AND DISINFECT the ring area after each match.

**§ 29.5. Duration of rounds.**

(a) A non championship contest of professional mixed martial arts may not exceed three rounds of 5 minutes per round with a 1 minute rest period following each round, except with the WRITTEN OR ORAL permission of the Commission or the Executive Director.

(b) A championship contest of professional mixed martial arts may not exceed five rounds of 5 minutes per round with a 1 minute rest period following each round, except with the WRITTEN ORAL permission of the Commission or the Executive Director.

**§ 29.6. Weight classes of contestants.**

(a) The weight classes for contestants competing in professional mixed martial arts contest or exhibitions are as follows:

Flyweight..... up to 125 lbs.

Bantamweight..... over 125 to 135 lbs.

Featherweight..... over 135 to 145 lbs.

Lightweight..... over 145 to 155 lbs.

Welterweight..... over 155 to 170 lbs.

Middleweight..... over 170 to 185 lbs.

Light Heavyweight..... over 185 to 205 lbs.

Heavyweight..... over 205 to 265 lbs.

Super Heavyweight..... over 265 lbs.

(b) Sections 710 and 711 of the Athletic Code (relating to weights and classes; and limitation on difference in weights) are incorporated by reference.

**§ 29.7. Proper attire of contestants.**

a) Trunks. Each contestant shall wear mixed martial arts shorts, biker shorts, boxing or kickboxing shorts during competition as approved by the commission.

b) Shirt or gi. Male contestants may not wear a shirt or gi during competition. Female contestants shall wear a body shirt and blouse during competition.

c) Shoes. Contestants may not wear shoes or padding on their feet during competition.

**§ 29.8. Physical appearance of contestants.**

(a) Each contestant shall present a clean appearance.

(b) The excessive use of grease or any other foreign substance, including grooming creams, lotions or sprays, may not be used on the hair or any portion of the body of a contestant. The referee

or the Commission will cause any excessive grease or foreign substance to be removed. A light coating of petroleum jelly is permitted on the face only and must be applied at cage side or ring side in the presence of the referee or the Commission. This coating is at the discretion of the referee.

(c) The Commission will determine whether head or facial hair presents any hazard to the safety of the contestant or the opponent or will interfere with the supervision and conduct of the contest or exhibition. If the head or facial hair of a contestant presents such a hazard or will interfere with the supervision and conduct of the contest or exhibition, the contestant may not participate in the contest or exhibition unless the circumstances creating the hazard or potential interference are corrected to the satisfaction of the Commission. Without limiting the standard in this subsection, head hair must be trimmed or tied back in such a manner that it will not interfere with the vision of either contestant or cover any part of a contestant's face.

(d) Contestants may not wear any jewelry or other piercing accessories while competing.

(e) Taping of the hands, wrists and ankles are permitted at the discretion of the Commission.

(f) Finger and toe nails must be trimmed.

#### **§ 29.9. Equipment.**

(a) The gloves used in professional mixed martial arts contests and exhibitions must be new for all main events. The gloves used for all undercard events must be in good condition and approved by the ~~Commission~~ REFEREE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE BEFORE AND DURING USE or they must be replaced.

(b) Contestants shall wear open finger gloves weighing between 4 to 8 ounces, which shall be

supplied by the promoter and approved by the Commission REFEREE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE BEFORE AND DURING USE . Contestants are not permitted to supply their own gloves.

(c) Male contestants shall provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission REFEREE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE.

(d) Female contestants shall provide and wear a chest protector during competition. The chest protector is subject to examination and approval by the Commission REFEREE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE. Female contestants may provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission REFEREE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE.

(e) For each contest or exhibition, the licensed promoter shall provide each contestant's corner with a clean water bucket and a stool.

**§ 29.10. Method of judging.**

The method of judging professional mixed martial contests or exhibitions must comply with requirements in the Boxing Act, as it relates to professional boxers and Chapter 21 (relating to professional boxing).

**§ 29.11. Scoring.**

(a) Professional mixed martial arts techniques are defined as:

(1) Effective striking. The total number of legal heavy strikes landed.

(2) Effective grappling. The successful execution of a legal takedown or reversal, or both,

including the following maneuvers:

(i) Takedowns from standing position to mount position.

(ii) Passing the guard to mount position.

(iii) Bottom position fighters using an active, threatening guard.

(3) Fighting area control. Dictating the pace, location and position of the contestant using

the following maneuvers:

(i) Countering an opponent's attempt at takedown to remain standing and legally striking effectively.

(ii) Taking down an opponent to force a ground fight.

(iii) Creating threatening submission attempts past the guard to achieve mount, while on the ground.

(iv) Creating striking opportunities.

(4) Effective aggressiveness/defense. Moving forward and landing a legal strike, while avoiding being struck, taken down and/or reversed, while performing the maneuvers described above.

(b) Judges shall evaluate professional mixed martial arts techniques in the following order:

(1) Effective striking.

(2) Effective grappling.

(3) Fighting area control.

(4) Effective aggressiveness/defense.

**§ 29.12. Acts constituting fouls.**

(a) Disqualification from a mixed martial arts contest or exhibition occurs after any combination of three fouls or after a flagrant foul as determined by the referee.

(b) The following acts constitute fouls in a professional mixed martial arts contest or exhibition:

- (1) Butting with the head.
- (2) Eye gouging of any kind.
- (3) Biting.
- (4) Hair pulling.
- (5) Fishhooking.
- (6) Groin attacks of any kind.
- (7) Putting a finger into any orifice or into any cut or laceration on an opponent.
- (8) Small joint manipulation.
- (9) Striking to the spine or the back of the head.
- (10) Striking downward using the point of the elbow.
- (11) Throat strikes of any kind, including, without limitation, grabbing the trachea.
- (12) Clawing, pinching or twisting the flesh.
- (13) Grabbing the clavicle.
- (14) Kicking the head of a grounded opponent.
- (15) Kneeing the head of a grounded opponent.



- (16) Stomping a grounded opponent.
- (17) Kicking to the kidney with the heel.
- (18) Spiking an opponent to the floor surface on his head or neck.
- (19) Throwing an opponent out of the ring or fenced area.
- (20) Holding the shorts or gloves of an opponent.
- (21) Spitting at an opponent.
- (22) Engaging in any type of unsportsmanlike conduct, especially that which may cause an injury to an opponent.
- (23) Holding the ropes or the fence.
- (24) Using abusive language in the ring or fenced area.
- (25) Attacking an opponent on or during the break.
- (26) Attacking an opponent who is under the care of the referee.
- (27) Attacking an opponent after the bell has sounded the end of the period of competition.
- (28) Disregarding the instructions of the referee.
- (29) Timidity, including, without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece or faking an injury.
- (30) Interference by the corner. Team members including cornermen and trainers shall stay in their designated area at all times during an event.

**§ 29.13. Deduction of points for fouls; effect of low blow.**

(a) If a contestant fouls his opponent during a contest or exhibition of professional mixed martial arts, the referee may penalize him by deducting points from his score, whether or not the foul was intentional. Except as otherwise provided in Chapter 21 (relating to professional boxing), the referee may determine the number of points to be deducted in each instance and shall base his determination on the severity of the foul and its effect upon the opponent.

(b) When the referee determines that it is necessary to deduct a point or points because of a foul, he shall warn the offender of the penalty to be assessed.

(c) The referee shall, as soon as is practical after the foul, notify the judges and both contestants of the number of points, if any, to be deducted from the score of the offender.

(d) Any point or points to be deducted for any foul shall be deducted in the round in which the foul occurred and may not be deducted from the score of a subsequent round.

(e) A contestant may not be declared the winner of a contest or exhibition of professional mixed martial arts on the basis of his claim that his opponent accidentally fouled him by hitting him in the groin. If a contestant falls to the floor of the ring or fenced area or otherwise indicates that he is unwilling to continue after a maximum of a 5-minute rest period, because of a claim of being hit in the groin, the contest or exhibition shall be declared to be a technical knockout in favor of the contestant who is willing to continue.

**§ 29.14. Accidental fouls.**

(a) If a contest or exhibition of professional mixed martial arts is stopped because of an accidental foul, the referee, with advice from the ringside physician, shall determine whether the

contestant who has been fouled can continue or not. If the contestant's chance of winning has not been seriously jeopardized as a result of the foul, the referee may order that the contest or exhibition continue after a recuperative interval of not more than 5 minutes. Immediately after separating the contestants, the referee shall inform the Commission's representative of a determination that the foul was accidental.

(b) If the referee determines that a contest or exhibition of professional mixed martial arts may not continue because of an injury suffered as the result of an accidental foul, the contest or exhibition shall be declared a no contest if the foul occurs during either of the following:

(1) The first two rounds of a non-championship contest or exhibition.

(2) The first three rounds of a championship contest or exhibition.

(c) If an accidental foul renders a contestant unable to continue the contest or exhibition after the completed second round of a non-championship contest or exhibition, or after the completed third round of a championship contest or exhibition, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

(d) If an injury inflicted by an accidental foul later becomes aggravated by fair blows and the referee orders the contest or exhibition stopped because of the injury, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

**§ 29.15. Results of contests.**

(a) A mixed martial arts contest may end under the following results:

(1) Through submission by:

(i) Physical tap out.

(ii) Verbal tap out.

(2) Technical knockout by the referee stopping the contest.

(3) Decision by the means of the scorecards, including unanimous decision, split decision or majority decision.

(4) Draw.

(5) Technical decision.

(6) Technical draw.

(7) Disqualification.

(8) Forfeit.

(9) No contest.

(b) The referee and ringside physician are the sole arbiters of a contest and are the only individuals authorized to enter the ring or fenced area at any time during competition and to stop a contest.

**§ 29.16. Use of prohibited substances; detection and penalties.**

The use of any illegal drug, narcotic, stimulant, depressant, analgesic of any description, or alcohol substance, by a contestant either before or during a match, will result in the immediate disqualification of the contestant from the match and may result in disciplinary action in accordance with 5 Pa.C.S. §1304 (relating to suspension or revocation of licenses or permits).

**§ 29.17. Promoter licensing and bonding requirements.**

Mixed martial arts promoters shall:

- (1) Be licensed by the Commission.
- (2) Be required to execute and file a surety bond with the Commission of not less than \$10,000.
- (3) Notify the Commission in writing, at least 10 days in advance of the event, of the time, date and location of the event. SUCH NOTIFICATION MUST BE RECEIVED BY THE COMMISSION AT LEAST 10 DAYS IN ADVANCE OF THE EVENT. Promoters must receive written approval from the Commission to hold the event on the specified date. The Commission reserves the right to limit the number of mixed martial arts events per month so as to ensure the proper regulation of each event.
- (4) Submit a written list of all the scheduled match-ups which includes the full names, records and scheduled rounds for all contestants. The Commission reserves the right to limit the number of mixed martial arts bouts scheduled for each event.
- (5) Submit a list of all officials that may be working that event, including referees, judges and timekeepers. Officials must be approved by the Commission. Officials for professional events shall also be licensed by the Commission.

**Subchapter B. AMATEUR MIXED MARTIAL ARTS**

**§ 29.21. General provisions.**

The Boxing Act, as it relates to professional boxers and Chapter 21 (relating to professional boxing) apply to amateur mixed martial arts competitors, promoters and other licensees, except as otherwise

provided in this chapter. Subchapter A (relating to professional mixed martial arts) applies to amateur mixed martial arts, except as otherwise provided in this subchapter.

**§ 29.22. General requirements.**

(a) Amateur contestants shall be at least 18 years of age.

(b) Amateur contests and exhibitions of mixed martial arts shall be conducted under the supervision and authority of the Commission.

(c) Amateur contestants shall be licensed by the Commission.

(d) Debut amateur contestants shall complete a Commission-approved form detailing the contestant's experience and training in mixed martial arts competitions. THE FORM MAY BE OBTAINED BY REQUEST FROM THE COMMISSION OFFICE OR FROM THE COMMISSION'S WEBSITE AT [HTTP://WWW.DOS.STATE.PA.US/SAC](http://www.dos.state.pa.us/sac). The trainer of the debut contestant shall certify that the contestant is skilled enough to compete and has never engaged in any type of professional mixed martial arts event. A professional boxer may compete as an amateur in a mixed martial arts event only with the approval of the Commission.

(e) The Commission may review the applicant's experience, qualifications, medical records, win-loss record and training record as part of its determination whether to issue or renew any amateur mixed martial arts license.

(f) Amateur mixed martial arts contestants shall be covered by insurance which will be set by Commission policy and paid for by the promoter or sponsor of the event.

(g) Amateur contestants shall attend the pre-bout meeting with a designee of the Commission to review all rules and regulations of the Commission pertaining to amateur mixed martial arts.

**§ 29.23. Amateur mixed martial arts license fee.**

A nonrefundable annual license fee of \$10 must accompany each application for a license or renewal of a license as an amateur mixed martial arts contestant.

**§ 29.24. Conduct of contests.**

Amateur events must have at least two professional bouts.

**§ 29.25. Duration of rounds.**

(a) A contest of amateur mixed martial arts with a contestant with three or less amateur bouts may not exceed three rounds of 2 minutes per round with a 1 minute rest period between rounds, except with the WRITTEN OR ORAL permission of the Commission or the Executive Director.

(b) A contest of amateur mixed martial arts with a contestant with more than three amateur bouts may not exceed three rounds of 3 minutes per round with a 1 minute rest period between rounds, except with the WRITTEN OR ORAL permission of the Commission or the Executive Director.

**§ 29.26. Proper attire for contestants.**

a) *Trunks*. Each amateur contestant shall wear mixed martial arts shorts, biker shorts, boxing or kickboxing shorts during competition as approved by the Commission.

b) Shirt or gi. Male contestants may not wear a shirt or gi during competition, other than a close-fitting rash guard. Any rash guard must be approved by the Commission. Female contestants shall wear a body shirt and blouse during competition.

c) Shoes. Contestants may not wear shoes or padding on their feet during competition.

**§ 29.27. Equipment.**

(a) The gloves used in amateur mixed martial arts contests and exhibitions must be new for all main events. The gloves used for all undercard events must be in good condition and approved by the Commission REFERENCE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE BEFORE AND DURING USE or they must be replaced.

(b) Amateur contestants shall wear open finger gloves weighing at least 7 ounces, which shall be supplied by the promoter and approved by the Commission REFERENCE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE BEFORE AND DURING USE. Contestants are not permitted to supply their own gloves.

(c) Contestants shall wear a mouth guard, shin pads and instep pads during competition.

(d) Ankle wraps may be used during competition. Ankle wraps are subject to examination and approval by the Commission REFERENCE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE.

(e) Male contestants shall provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission REFERENCE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE.



(f) Female contestants shall provide and wear a chest protector during competition. The chest protector is subject to examination and approval by the Commission REFEREE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE. Female contestants may provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission REFEREE AND THE EXECUTIVE DIRECTOR OR HIS DESIGNEE.

(g) For each contest or exhibition, the licensed promoter shall provide each contestant's corner with a clean water bucket and a stool.

**§ 29.28. Legal techniques.**

(a) The following acts constitute legal techniques while standing in any amateur mixed martial arts contest or exhibition:

- (1) Closed hand strikes to head and body.
- (2) Kicking to body and legs.
- (3) Knees to body and legs.
- (4) Throws.
- (5) Take downs.
- (6) Sweeps.
- (7) Standing submissions.
- (8) Chokes.
- (9) Armbars.
- (10) Shouldering.

(b) The following acts constitute legal techniques while on the ground in any amateur mixed martial arts contest or exhibition:

- (1) Closed hand strikes to body and legs.
- (2) Submissions (chokes, armbars, straight leg locks only).

**§ 29.29. Acts constituting fouls.**

(a) Disqualification from an amateur mixed martial arts contest and exhibition occurs after any combination of three fouls or after a flagrant foul as determined by the referee.

(b) The following acts constitute fouls in a contest or exhibition of amateur mixed martial arts:

- (1) Any act prohibited by § 29.12 (relating to acts constituting fouls).
- (2) Any of the following illegal techniques while standing:
  - (i) Elbows of any kind.
  - (ii) Knees to head.
  - (iii) Kicks to knees or head.
  - (iv) Stomps on feet.
  - (v) Slamming – All throws should be completed in a controlled manner.
  - (vi) Throws against a joint.
  - (vii) Neck cranks.
  - (viii) Pinching, biting, gouging.
- (2) Any of the following illegal techniques while on the ground:
  - (i) Any striking to the head.

- (ii) Neck cranks.
- (iii) Heel hooks.
- (iv) Finger locks.
- (v) Toe locks.
- (vi) Choking with hand on throat.
- (vii) Smothering (hand over mouth).
- (viii) Spine locks.
- (ix) Hammer locks.
- (x) Slamming.
- (xi) Pinching, biting, gouging.

# PROPOSED RULEMAKING

## STATE ATHLETIC COMMISSION

[ 58 PA. CODE CH. 29 ]

### Mixed Martial Arts

The State Athletic Commission (Commission) proposes to add Chapter 29 (relating to professional and amateur mixed martial arts) to read as set forth in Annex A.

#### A. Effective Date

The proposed regulations would be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

#### B. Statutory Authority

The proposed regulations are authorized under 5 Pa.C.S. § 103(b)(1) (relating to duties of commission), which authorizes the Commission to establish policy and promulgate rules and regulations regarding professional and amateur boxing contests and exhibitions and all matters pertaining thereto. The regulations are further authorized by 5 Pa.C.S. § 302 (relating to definitions), which defines boxing as "the act of attack and defense with the fists, practiced as a sport. The term includes all variations of the sport permitting or using other parts of the human body, including, but not limited to, the foot, knee, leg, elbow or head."

#### C. Background and Purpose

Mixed martial arts (MMA) is a sport using a combination of boxing, kickboxing, wrestling, karate, taekwondo, jujitsu, muay thai and other martial arts techniques, including grappling, kicking and striking. Since its inception in the early 1990s, the sport has changed considerably, with formalized rules and the banning of the most dangerous techniques. There is presently no single general sanctioning body for the sport. While rules vary with the individual organizations and associations, a unified set of MMA rules is emerging, which increasingly has been adopted by other state athletic commissions. Presently, 38 states and tribal organizations permit or regulate, or both, professional mixed martial arts. Many of the larger and traditionally active boxing states have adopted unified regulations on MMA within the past 5 years, including California, Nevada and Florida. Additionally, MMA clubs and practitioners, such as Ultimate Fight Championship, PRIDE Fighting Championships and International Fight League, have actively sought the regulation of MMA in this Commonwealth by the Commission. Because of the growing popularity of mixed martial arts competition, the failure to legalize the sport may result in unregulated, unsupervised "bootleg" MMA shows, where participant and spectator safety is not assured. Therefore, the Commission voted unanimously at its February 26, 2007, meeting to explore regulations on amateur and professional mixed martial arts.

The proposed regulations would regulate all mixed martial arts competition in this Commonwealth. The regulations are based on the unified regulations in effect in other states which regulate mixed martial arts. Chapter 29 would be divided into two subchapters: Subchapter A sets forth proposed regulations for professional mixed martial arts. Subchapter B sets forth proposed regula-

tions for amateur mixed martial arts. The proposed regulations were approved by the Commission at its meeting on June 25, 2007.

#### D. Description of the Proposed Regulations

##### Subchapter A. Professional Mixed Martial Arts

Proposed § 29.1 (relating to general provisions) provides that Chapter 21 (relating to professional boxing) is generally applicable to professional mixed martial arts.

Proposed § 29.2 (relating to definitions) sets forth definitions to be utilized in Chapter 29.

Proposed § 29.3 (relating to general requirements) sets out the general requirements for professional mixed martial arts contests and exhibitions, including the requirement that debut contestants inform the Commission of their experience and training. As in boxing, all professional contestants shall obtain insurance coverage through the Commission.

Proposed § 29.4 (relating to ring or fenced area requirements) details the requirements for the ring or fenced area in which contest or exhibitions must be held. The Commission permits the use of a modified boxing ring or an octagon-shaped caged area, the latter which is in use by the major mixed martial arts promoters, such as Ultimate Fight Championship.

Proposed § 29.5 (relating to duration of rounds) provides specifics on the conduct of professional mixed martial arts contests, specifically the duration of rounds.

Proposed § 29.6 (relating to weight classes of contestants) sets forth the weight classes for mixed martial arts contestants.

Proposed § 29.7 (relating to proper attire of contestants) sets forth the attire for contestants. Unlike boxing, footwear is not permitted for contestants.

Proposed § 29.8 (relating to physical appearance of contestants) provides specific rules on the physical appearance of contestants, for the health and safety of all competitors. Most notably, contestants may not use greasy grooming creams, lotions or sprays, wear jewelry or piercing, and may not have head or facial hair which interferes with the conduct of the contest.

Proposed § 29.9 (relating to equipment) sets forth the equipment to be worn by mixed martial arts competitors. This section provides that specific equipment and gloves must be utilized.

Proposed § 29.10 (relating to method of judging) provides that Chapter 21 is generally applicable to the judging of professional mixed martial arts. This entails the use of the same ringside officials as for boxing contests and exhibitions: one referee, three judges, a timekeeper, an announcer and a physician.

Proposed § 29.11 (relating to scoring) sets forth the scoring system for mixed martial arts competition. Judges will evaluate competitors on four distinct techniques: striking, grappling, area control and aggressiveness/defense.

Proposed §§ 29.12 and 29.13 (relating to acts constituting fouls; and deduction of points for fouls; effect of low blow) set forth acts which constitute fouls and how a contestant using foul tactics in a contest or exhibition will be disqualified or have points deducted from his score.

Proposed § 29.14 (relating to accidental fouls) sets forth how accidental fouls will be assessed and handled.

Proposed § 29.15 (relating to results of contests) specifies how a mixed martial arts contest may end and that the referee and ringside physician are the only individuals authorized to stop a contest.

Proposed § 29.16 (relating to use of prohibited substances; detection and penalties) prohibits the use of any illegal drug, narcotic, stimulant, depressant, analgesic or alcohol substance by competitors.

Proposed § 29.17 (relating to promoter licensing and bonding requirements) sets forth requirements for mixed martial arts promoters, who will be licensed and bonded by the Commission in the same manner as boxing promoters. Because of the newness of mixed martial arts competition and regulation in this Commonwealth, the Commission will initially require mixed martial arts promoters to provide information in writing about event specifics to the Commission. As with boxing events, the Commission reserves the right to limit the number of mixed martial arts events per month and the number of mixed martial arts bouts scheduled for each event to ensure the proper oversight of each event.

#### *Subchapter B. Amateur Mixed Martial Arts*

Proposed § 29.21 (relating to general provisions) provides that the rules regarding professional mixed martial arts apply to amateur mixed martial arts events except as otherwise provided.

Proposed § 29.22 (relating to general requirements) sets out the general requirements for amateur mixed martial arts contests and exhibitions, including the requirement that all amateur contestants be licensed by the Commission. Like professional contestants, debut contestants shall inform the Commission of their experience and training. Amateur contestants shall obtain insurance coverage.

Proposed § 29.23 (relating to amateur mixed martial arts license fee) sets out the license application fee of \$10 for each amateur contestant.

Proposed § 29.24 (relating to conduct of contests) provides that amateur events must have at least two professional mixed martial arts bouts.

Proposed § 29.25 (relating to duration of rounds) provides specifics on the conduct of amateur mixed martial arts contests, specifically the duration of rounds, which is shorter than that for professional mixed martial arts competitors.

Proposed § 29.26 (relating to proper attire for contestants) sets forth the attire for contestants and specifies that amateur contestants may wear rash guards.

Proposed § 29.27 (relating to equipment) sets forth the equipment to be worn by amateur mixed martial arts contestants. This section provides that heavier gloves must be utilized for amateur competition, as well as mouth guards, shin pads and instep pads.

Proposed § 29.28 (relating to legal techniques) enumerates the legal techniques which may be used in amateur mixed martial arts competition.

Proposed § 29.29 (relating to acts constituting fouls) sets forth the acts which constitute fouls in amateur competition and how a contestant using foul tactics in a contest or exhibition will be disqualified or have points deducted from his score. Fouls include any act prohibited by proposed § 29.12, as well as additional specified techniques.

#### *E. Input from the Public*

The Commission requested and received input from mixed martial arts clubs, associations and practitioners in the development of this proposed rulemaking. At the Commission's regularly-scheduled meeting on February 26, 2007, testimony from the interested public was received on mixed martial arts. Five organizations appeared to testify before the Commission and one sent information which was viewed by the Commission on digital video disc.

As part of its review, the Commission also afforded the opportunity for predraft comment by forwarding an exposure draft of Annex A to MMA clubs and promoters both in this Commonwealth and in other states, who had expressed interest in the rulemaking. The Commission also forwarded an exposure draft of the regulations to the Association of Boxing Commissions and the athletic commissions of New Jersey, Ohio, Maryland and Nevada. The Commission received several comments on the draft, all of which were considered in drafting the proposed regulations.

#### *F. Fiscal Impact and Paperwork Requirements*

The proposed regulations will have no adverse fiscal impact on the Department of State (Department) or the Commission, because the Commission is self-supporting and uses no General Fund moneys. While the Commission will incur additional costs in enforcing the regulations, the Commission expects revenues generated from the 5% tax on gross gate receipts will pay for the enforcement. The proposed regulations will also have no adverse fiscal impact on the Commonwealth or its political subdivisions. Any additional paperwork requirements upon the Commonwealth or the private sector will be limited to applying for and maintaining licensure for mixed martial arts licensees (contestants, promoters, referees, judges and timekeepers). The proposed regulations will have no adverse fiscal impact on the boxers, boxing and wrestling promoters, referees, judges and timekeepers which the Commission currently regulates.

#### *G. Sunset Date*

The Commission and the Department monitor the regulations of the Commission on a continuing basis. Therefore, no sunset date has been assigned.

#### *H. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (act) (71 P. S. § 745.5(a)), the Commission submitted a copy of these proposed regulations on April 24, 2008, to the Independent Regulatory Review Commission (IRRC), the Senate State Government Committee and the House State Government Committee. In addition to submitting the proposed rulemaking, the Commission has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department. A copy of this material is available to the public upon request.

Under section 5(g) of the act (71 P. S. § 745.5(g)), if IRRC has comments, recommendations or objections regarding any portion of the proposed rulemaking, it will notify the Commission within 30 days of the close of the public comment period. The notification will specify the regulatory review criteria that have not been met. The act specifies detailed procedures for review of comments, recommendations and objections by the Commission, the General Assembly, and the Governor prior to publication of the regulations.

*I. Public Comment*

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Gregory P. Sirb, Executive Director of the State Athletic Commission, 2601 North 3rd Street, Harrisburg, PA 17110, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16-41 (Mixed Martial Arts), when submitting comments.

CHARLES P. BEDNARIK,  
*Chairperson*

**Fiscal Note:** 16-41. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART I. STATE ATHLETIC COMMISSION**

**Subpart B. BOXING**

**CHAPTER 29. MIXED MARTIAL ARTS**

**Subchapter A. PROFESSIONAL MIXED MARTIAL ARTS**

Sec.	
29.1.	General provisions.
29.2.	Definitions.
29.3.	General requirements.
29.4.	Ring or fenced area requirements.
29.5.	Duration of rounds.
29.6.	Weight classes of contestants.
29.7.	Proper attire of contestants.
29.8.	Physical appearance of contestants.
29.9.	Equipment.
29.10.	Method of judging.
29.11.	Scoring.
29.12.	Acts constituting fouls.
29.13.	Deduction of points for fouls; effect of low blow.
29.14.	Accidental fouls.
29.15.	Results of contests.
29.16.	Use of prohibited substances; detection and penalties.
29.17.	Promoter licensing and bonding requirements.

**§ 29.1. General provisions.**

The Boxing Act, as it relates to professional boxers, and Chapter 21 (relating to professional boxing) apply to professional mixed martial arts competitors, promoters and other licensees, except as otherwise provided in this chapter.

**§ 29.2. Definitions.**

(a) The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Boxing Act*—5 Pa.C.S., Part I, Subpart B.

*Contestant*—A person who engages in mixed martial arts competition, either as a professional or as an amateur.

*Mixed martial arts*—Competition involving the use, subject to any applicable limitations in this chapter, of a combination of techniques from different disciplines of the martial arts, including grappling, kicking and striking.

(b) The definitions in sections 101 and 302 of the Athletic Code (relating to definitions) are incorporated by reference for the regulatory provisions relating to professional boxing.

**§ 29.3. General requirements.**

(a) Professional contests and exhibitions of mixed martial arts must be conducted under the supervision and authority of the Commission.

(b) Professional contestants shall be licensed by the Commission.

(c) Debut contestants shall complete a Commission-approved form detailing the contestant's experience and training in mixed martial arts competitions.

(d) The Commission may review the applicant's experience, qualifications, medical records, win-loss record and training record as part of its determination whether to issue or renew any professional mixed martial arts license.

(e) Professional mixed martial arts contestants shall be covered by insurance which shall be set by Commission policy and paid for by the promoter or sponsor of the event.

**§ 29.4. Ring or fenced area requirements.**

(a) Mixed martial arts contests and exhibitions must be held in a ring or in a fenced area.

(b) A ring used in a contest or exhibition of mixed martial arts must meet the following requirements:

(1) The ring must be at least 20 feet square and no larger than 32 feet square within the ropes.

(2) The ring floor must extend at least 18 inches beyond the ropes and must be padded with Ensolite, vinyl or similar closed-cell foam, with at least a 1-inch layer of foam padding. Padding must extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that gathers in lumps or ridges may not be used.

(3) The ring platform must not be more than 4 feet above the floor of the building and must have suitable steps for the use of the contestants.

(4) Ring posts must be four in number and made of metal, extending from the floor of the building to a minimum height of 58 inches above the ring floor, and must be properly padded in a manner approved by the Commission. Ring posts must be at least 18 inches away from the ring ropes.

(5) There must be five ring ropes, at least 1 inch in diameter and wrapped in soft material. The lowest ring rope must be 12 inches above the ring floor.

(6) There may not be any obstruction or object, including, without limitation, a triangular border, on any part of the ring floor.

(c) A fenced area used in a contest or exhibition of mixed martial arts must meet the following requirements:

(1) The fenced area must be circular or have at least six equal sides and must be at least 20 feet wide and no larger than 32 feet wide.

(2) The floor of the fenced area must be padded with Ensolite, vinyl or another similar closed-cell foam, with at least a 1-inch layer of foam padding, with a top covering of canvas, duck or similar material tightly stretched and laced to the platform of the fenced area. Material that gathers in lumps or ridges may not be used.

(3) The platform of the fenced area must not be more than 4 feet above the floor of the building and must have suitable steps for the use of the contestants.

(4) Fence posts must be at least six in number and made of metal, extending from the floor of the building to between 6 and 7 feet above the floor of the fenced area, and must be properly padded in a manner approved by the Commission.

(5) The fencing used to enclose the fenced area must be made of a material that will prevent a contestant from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including chain link fence coated with vinyl.

(6) Any metal portion of the fenced area must be covered and padded in a manner approved by the Commission and may not be abrasive to the contestants.

(7) The fenced area must have at least two entrances.

(8) No obstruction may be placed on a part of the fence which surrounds the area where contestants compete.

(d) The promoter of the event shall be responsible to thoroughly clean the ring area after each match.

#### § 29.5. Duration of rounds.

(a) A nonchampionship contest of professional mixed martial arts may not exceed three rounds of 5 minutes per round with a 1 minute rest period following each round, except with the permission of the Commission or the Executive Director.

(b) A championship contest of professional mixed martial arts may not exceed five rounds of 5 minutes per round with a 1 minute rest period following each round, except with the permission of the Commission or the Executive Director.

#### § 29.6. Weight classes of contestants.

(a) The weight classes for contestants competing in professional mixed martial arts contest or exhibitions are as follows:

Flyweight	.....	up to 125 lbs.
Bantamweight	.....	over 125 to 135 lbs.
Featherweight	.....	over 135 to 145 lbs.
Lightweight	.....	over 145 to 155 lbs.
Welterweight	.....	over 155 to 170 lbs.
Middleweight	.....	over 170 to 185 lbs.
Light Heavyweight	.....	over 185 to 205 lbs.
Heavyweight	.....	over 205 to 265 lbs.
Super Heavyweight	.....	over 265 lbs.

(b) Sections 710 and 711 of the Athletic Code (relating to weights and classes; and limitation on difference in weights) are incorporated by reference.

#### § 29.7. Proper attire of contestants.

(a) *Trunks*. Each contestant shall wear mixed martial arts shorts, biker shorts, boxing or kickboxing shorts during competition as approved by the Commission.

(b) *Shirt or gi*. Male contestants may not wear a shirt or gi during competition. Female contestants shall wear a body shirt and blouse during competition.

(c) *Shoes*. Contestants may not wear shoes or padding on their feet during competition.

#### § 29.8. Physical appearance of contestants.

(a) Each contestant shall present a clean appearance.

(b) The excessive use of grease or any other foreign substance, including grooming creams, lotions or sprays, may not be used on the hair or any portion of the body of a contestant. The referee or the Commission will cause any excessive grease or foreign substance to be removed. A light coating of petroleum jelly is permitted on the face only and must be applied at cage side or ring side in the presence of the referee or the Commission. This coating is at the discretion of the referee.

(c) The Commission will determine whether head or facial hair presents a hazard to the safety of the con-

testant or the opponent or will interfere with the supervision and conduct of the contest or exhibition. If the head or facial hair of a contestant presents a hazard or will interfere with the supervision and conduct of the contest or exhibition, the contestant may not participate in the contest or exhibition unless the circumstances creating the hazard or potential interference are corrected to the satisfaction of the Commission. Without limiting the standard in this subsection, head hair must be trimmed or tied back in a manner that it will not interfere with the vision of either contestant or cover any part of a contestant's face.

(d) Contestants may not wear any jewelry or other piercing accessories while competing.

(e) Taping of the hands, wrists and ankles are permitted at the discretion of the Commission.

(f) Finger and toe nails must be trimmed.

#### § 29.9. Equipment.

(a) The gloves used in professional mixed martial arts contests and exhibitions must be new for all main events. The gloves used for all undercard events must be in good condition and approved by the Commission or they must be replaced.

(b) Contestants shall wear open finger gloves weighing between 4 to 8 ounces, which shall be supplied by the promoter and approved by the Commission. Contestants are not permitted to supply their own gloves.

(c) Male contestants shall provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission.

(d) Female contestants shall provide and wear a chest protector during competition. The chest protector is subject to examination and approval by the Commission. Female contestants may provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission.

(e) For each contest or exhibition, the licensed promoter shall provide each contestant's corner with a clean water bucket and a stool.

#### § 29.10. Method of judging.

The method of judging professional mixed martial contests or exhibitions must comply with requirements in the Boxing Act, as it relates to professional boxers and Chapter 21 (relating to professional boxing).

#### § 29.11. Scoring.

(a) Professional mixed martial arts techniques are defined as:

(1) *Effective striking*. The total number of legal heavy strikes landed.

(2) *Effective grappling*. The successful execution of a legal takedown or reversal, or both, including the following maneuvers:

(i) Takedowns from standing position to mount position.

(ii) Passing the guard to mount position.

(iii) Bottom position fighters using an active, threatening guard.

(3) *Fighting area control*. Dictating the pace, location and position of the contestant using the following maneuvers:

(i) Countering an opponent's attempt at takedown to remain standing and legally striking effectively.

(ii) Taking down an opponent to force a ground fight.

(iii) Creating threatening submission attempts past the guard to achieve mount, while on the ground.

(iv) Creating striking opportunities.

(4) *Effective aggressiveness/defense.* Moving forward and landing a legal strike, while avoiding being struck, taken down or reversed, or both, while performing the maneuvers described in this subsection.

(b) Judges shall evaluate professional mixed martial arts techniques in the following order:

(1) Effective striking.

(2) Effective grappling.

(3) Fighting area control.

(4) Effective aggressiveness/defense.

#### § 29.12. Acts constituting fouls.

(a) Disqualification from a mixed martial arts contest or exhibition occurs after any combination of three fouls or after a flagrant foul as determined by the referee.

(b) The following acts constitute fouls in a professional mixed martial arts contest or exhibition:

(1) Butting with the head.

(2) Eye gouging of any kind.

(3) Biting.

(4) Hair pulling.

(5) Fishhooking.

(6) Groin attacks of any kind.

(7) Putting a finger into any orifice or into any cut or laceration on an opponent.

(8) Small joint manipulation.

(9) Striking to the spine or the back of the head.

(10) Striking downward using the point of the elbow.

(11) Throat strikes of any kind, including, without limitation, grabbing the trachea.

(12) Clawing, pinching or twisting the flesh.

(13) Grabbing the clavicle.

(14) Kicking the head of a grounded opponent.

(15) Kneeing the head of a grounded opponent.

(16) Stomping a grounded opponent.

(17) Kicking to the kidney with the heel.

(18) Spiking an opponent to the floor surface on his head or neck.

(19) Throwing an opponent out of the ring or fenced area.

(20) Holding the shorts or gloves of an opponent.

(21) Spitting at an opponent.

(22) Engaging in any type of unsportsmanlike conduct, especially that which may cause an injury to an opponent.

(23) Holding the ropes or the fence.

(24) Using abusive language in the ring or fenced area.

(25) Attacking an opponent on or during the break.

(26) Attacking an opponent who is under the care of the referee.

(27) Attacking an opponent after the bell has sounded the end of the period of competition.

(28) Disregarding the instructions of the referee.

(29) Timidity, including, without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece or faking an injury.

(30) Interference by the corner. Team members including cornermen and trainers shall stay in their designated area at all times during an event.

#### § 29.13. Deduction of points for fouls; effect of low blow.

(a) If a contestant fouls his opponent during a contest or exhibition of professional mixed martial arts, the referee may penalize him by deducting points from his score, whether or not the foul was intentional. Except as otherwise provided in Chapter 21 (relating to professional boxing), the referee may determine the number of points to be deducted in each instance and shall base his determination on the severity of the foul and its effect upon the opponent.

(b) When the referee determines that it is necessary to deduct a point or points because of a foul, he shall warn the offender of the penalty to be assessed.

(c) The referee shall, as soon as is practical after the foul, notify the judges and both contestants of the number of points, if any, to be deducted from the score of the offender.

(d) Any points to be deducted for any foul shall be deducted in the round in which the foul occurred and may not be deducted from the score of a subsequent round.

(e) A contestant may not be declared the winner of a contest or exhibition of professional mixed martial arts on the basis of his claim that his opponent accidentally fouled him by hitting him in the groin. If a contestant falls to the floor of the ring or fenced area or otherwise indicates that he is unwilling to continue after a maximum of a 5-minute rest period, because of a claim of being hit in the groin, the contest or exhibition shall be declared to be a technical knockout in favor of the contestant who is willing to continue.

#### § 29.14. Accidental fouls.

(a) If a contest or exhibition of professional mixed martial arts is stopped because of an accidental foul, the referee, with advice from the ringside physician, shall determine whether the contestant who has been fouled can continue or not. If the contestant's chance of winning has not been seriously jeopardized as a result of the foul, the referee may order that the contest or exhibition continue after a recuperative interval of not more than 5 minutes. Immediately after separating the contestants, the referee shall inform the Commission's representative of a determination that the foul was accidental.

(b) If the referee determines that a contest or exhibition of professional mixed martial arts may not continue because of an injury suffered as the result of an accidental foul, the contest or exhibition shall be declared a no contest if the foul occurs during either of the following:

(1) The first two rounds of a nonchampionship contest or exhibition.

(2) The first three rounds of a championship contest or exhibition.



(c) If an accidental foul renders a contestant unable to continue the contest or exhibition after the completed second round of a nonchampionship contest or exhibition, or after the completed third round of a championship contest or exhibition, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

(d) If an injury inflicted by an accidental foul later becomes aggravated by fair blows and the referee orders the contest or exhibition stopped because of the injury, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

#### § 29.15. Results of contests.

(a) A mixed martial arts contest may end under the following results:

(1) Through submission by:

- (i) Physical tap out.
- (ii) Verbal tap out.

(2) Technical knockout by the referee stopping the contest.

(3) Decision by means of the scorecards, including unanimous decision, split decision or majority decision.

(4) Draw.

(5) Technical decision.

(6) Technical draw.

(7) Disqualification.

(8) Forfeit.

(9) No contest.

(b) The referee and ringside physician are the sole arbiters of a contest and are the only individuals authorized to enter the ring or fenced area at any time during competition and to stop a contest.

#### § 29.16. Use of prohibited substances; detection and penalties.

The use of any illegal drug, narcotic, stimulant, depressant, analgesic of any description, or alcohol substance, by a contestant either before or during a match, will result in the immediate disqualification of the contestant from the match and may result in disciplinary action in accordance with 5 Pa.C.S. § 1304 (relating to suspension or revocation of licenses or permits).

#### § 29.17. Promoter licensing and bonding requirements.

Mixed martial arts promoters shall:

(1) Be licensed by the Commission.

(2) Be required to execute and file a surety bond with the Commission of not less than \$10,000.

(3) Notify the Commission in writing, at least 10 days in advance of the event, of the time, date and location of the event. Promoters must receive written approval from the Commission to hold the event on the specified date. The Commission reserves the right to limit the number of mixed martial arts events per month to ensure the proper regulation of each event.

(4) Submit a written list of all the scheduled match-ups which includes the full names, records and scheduled rounds for all contestants. The Commission reserves the right to limit the number of mixed martial arts bouts scheduled for each event.

(5) Submit a list of all officials that may be working that event, including referees, judges and timekeepers. Officials must be approved by the Commission. Officials for professional events shall also be licensed by the Commission.

### Subchapter B. AMATEUR MIXED MARTIAL ARTS

Sec.

- 29.21. General provisions.
- 29.22. General requirements.
- 29.23. Amateur mixed martial arts license fee.
- 29.24. Conduct of contests.
- 29.25. Duration of rounds.
- 29.26. Proper attire for contestants.
- 29.27. Equipment.
- 29.28. Legal techniques.
- 29.29. Arts constituting fouls.

#### § 29.21. General provisions.

The Boxing Act, as it relates to professional boxers and Chapter 21 (relating to professional boxing) apply to amateur mixed martial arts competitors, promoters and other licensees, except as otherwise provided in this chapter. Subchapter A (relating to professional mixed martial arts) applies to amateur mixed martial arts, except as otherwise provided in this subchapter.

#### § 29.22. General requirements.

(a) Amateur contestants shall be at least 18 years of age.

(b) Amateur contests and exhibitions of mixed martial arts shall be conducted under the supervision and authority of the Commission.

(c) Amateur contestants shall be licensed by the Commission.

(d) Debut amateur contestants shall complete a Commission-approved form detailing the contestant's experience and training in mixed martial arts competitions. The trainer of the debut contestant shall certify that the contestant is skilled enough to compete and has never engaged in any type of professional mixed martial arts event. A professional boxer may compete as an amateur in a mixed martial arts event only with the approval of the Commission.

(e) The Commission may review the applicant's experience, qualifications, medical records, win-loss record and training record as part of its determination whether to issue or renew any amateur mixed martial arts license.

(f) Amateur mixed martial arts contestants shall be covered by insurance which will be set by Commission policy and paid for by the promoter or sponsor of the event.

(g) Amateur contestants shall attend the prebout meeting with a designee of the Commission to review all rules and regulations of the Commission pertaining to amateur mixed martial arts.

#### § 29.23. Amateur mixed martial arts license fee.

A nonrefundable annual license fee of \$10 must accompany each application for a license or renewal of a license as an amateur mixed martial arts contestant.

#### § 29.24. Conduct of contests.

Amateur events must have at least two professional bouts.

#### § 29.25. Duration of rounds.

(a) A contest of amateur mixed martial arts with a contestant with three or less amateur bouts may not exceed three rounds of 2 minutes per round with a 1

minute rest period between rounds, except with the permission of the Commission or the Executive Director.

(b) A contest of amateur mixed martial arts with a contestant with more than three amateur bouts may not exceed three rounds of 3 minutes per round with a 1 minute rest period between rounds, except with the permission of the Commission or the Executive Director.

**§ 29.26. Proper attire for contestants.**

(a) *Trunks.* Each amateur contestant shall wear mixed martial arts shorts, biker shorts, boxing or kickboxing shorts during competition as approved by the Commission.

(b) *Shirt or gi.* Male contestants may not wear a shirt or gi during competition, other than a close-fitting rash guard. Any rash guard must be approved by the Commission. Female contestants shall wear a body shirt and blouse during competition.

(c) *Shoes.* Contestants may not wear shoes or padding on their feet during competition.

**§ 29.27. Equipment.**

(a) The gloves used in amateur mixed martial arts contests and exhibitions must be new for all main events. The gloves used for all undercard events must be in good condition and approved by the Commission or they must be replaced.

(b) Amateur contestants shall wear open finger gloves weighing at least 7 ounces, which shall be supplied by the promoter and approved by the Commission. Contestants are not permitted to supply their own gloves.

(c) Contestants shall wear a mouth guard, shin pads and instep pads during competition.

(d) Ankle wraps may be used during competition. Ankle wraps are subject to examination and approval by the Commission.

(e) Male contestants shall provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission.

(f) Female contestants shall provide and wear a chest protector during competition. The chest protector is subject to examination and approval by the Commission. Female contestants may provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission.

(g) For each contest or exhibition, the licensed promoter shall provide each contestant's corner with a clean water bucket and a stool.

**§ 29.28. Legal techniques.**

(a) The following acts constitute legal techniques while standing in any amateur mixed martial arts contest or exhibition:

- (1) Closed hand strikes to head and body.
- (2) Kicking to body and legs.
- (3) Knees to body and legs.
- (4) Throws.

- (5) Take downs.
- (6) Sweeps.
- (7) Standing submissions.
- (8) Chokes.
- (9) Armbars.
- (10) Shouldering.

(b) The following acts constitute legal techniques while on the ground in any amateur mixed martial arts contest or exhibition:

- (1) Closed hand strikes to body and legs.
- (2) Submissions (chokes, armbars, straight leg locks only).

**§ 29.29. Acts constituting fouls.**

(a) Disqualification from an amateur mixed martial arts contest and exhibition occurs after any combination of three fouls or after a flagrant foul as determined by the referee.

(b) The following acts constitute fouls in a contest or exhibition of amateur mixed martial arts:

- (1) An act prohibited by § 29.12 (relating to acts constituting fouls).
- (2) Any of the following illegal techniques while standing:
  - (i) Elbows of any kind.
  - (ii) Knees to head.
  - (iii) Kicks to knees or head.
  - (iv) Stomps on feet.
  - (v) Slamming. Throws should be completed in a controlled manner.
  - (vi) Throws against a joint.
  - (vii) Neck cranks.
  - (viii) Pinching, biting or gouging.
- (2) Any of the following illegal techniques while on the ground:

- (i) Striking to the head.
- (ii) Neck cranks.
- (iii) Heel hooks.
- (iv) Finger locks.
- (v) Toe locks.
- (vi) Choking with hand on throat.
- (vii) Smothering (hand over mouth).
- (viii) Spine locks.
- (ix) Hammer locks.
- (x) Slamming.
- (xi) Pinching, biting or gouging.

[Pa.B. Doc. No. 08-877. Filed for public inspection May 9, 2008, 9:00 a.m.]



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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 9, 2008

Gregory Sirb, Executive Director  
State Athletic Commission  
2601 North 3rd Street  
Harrisburg, PA 17110

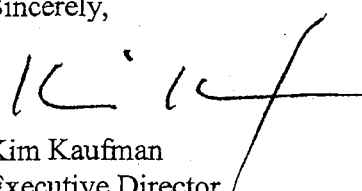
Re: Regulation #16-41 (IRRC #2694)  
State Athletic Commission  
Mixed Martial Arts

Dear Mr. Sirb:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulatory review criteria that have not been met.

The comments will be available on our website at [www.irc.state.pa.us](http://www.irc.state.pa.us). If you would like to discuss them, please contact me.

Sincerely,

  
Kim Kaufman  
Executive Director

wbg

Enclosure

cc: Honorable Jeffrey E. Piccola, Chairman, Senate State Government Committee  
Honorable Anthony H. Williams, Minority Chairman, Senate State Government Committee  
Honorable Babette Josephs, Majority Chairman, House State Government Committee  
Honorable Matthew E. Baker, Minority Chairman, House State Government Committee

## Comments of the Independent Regulatory Review Commission



### State Athletic Commission #16-41 (IRRC #2694)

#### Mixed Martial Arts

July 9, 2008

We submit for your consideration the following comments on the proposed rulemaking published in the May 10, 2008 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Athletic Commission (Commission) to respond to all comments received from us or any other source.

#### **1. General. - Protection of the public health, safety and welfare; Implementation procedures; Clarity.**

##### *Referees*

According to the Regulatory Analysis Form submitted with the proposed rulemaking, the Commission anticipates that 100 professional and 180 amateur mixed martial arts (MMA) contestants will seek licenses to compete in Pennsylvania. In addition, the Commission estimates that five or six referees will become licensed and that 15 to 20 MMA events will be held each year. We have two concerns. First, if the number of professional and amateur contestants and the number of events held each year is greater than the estimates noted above, will there be enough qualified referees to officiate all of the matches?

Second, we believe that having a sufficient number of qualified referees familiar with the regulation and other safety protocols is essential to protecting the health and safety of the contestants. What implementation procedures are in place to ensure that a sufficient number of qualified referees are available for this new form of competition? We understand that the rules for boxing referees found at 58 Pa. Code § 21.11 would apply to MMA referees. Are those regulations sufficient to ensure that MMA referees are adequately trained and prepared to officiate an MMA contest?

##### *Commission approvals*

Several places in this regulation state that approval from the Commission is needed for contestant equipment, ring set-up and other match-related items. However, it is not clear how these approvals will be granted by the Commission. The final-form regulation should specifically state how contestants and promoters must obtain the approvals required through this

regulation. The approvals in question include Sections 29.4(b)(4), (c)(4) and (c)(6), 29.9(a) through (d), 29.25(a) and (b), 29.26(a) and 29.27(a) through (f).

**2. Section 29.3. General requirements. – Clarity.**

*Fees*

Subsection (b) requires a professional contestant to be licensed by the Commission. Commission staff indicates that the fees for boxing apply also to MMA contestants. For clarity, the Commission should add a cross-reference to the appropriate boxing fees.

*Commission-approved forms*

Subsection (c) requires a debut professional contestant to complete a “Commission-approved form.” The final-form regulation should state how this form is obtained. A similar concern applies to debut amateur contestants under Section 29.22(d).

**3. Section 29.4. Ring or fenced area requirements. – Reasonableness; Clarity.**

Subsection (d) requires the promoter to “thoroughly clean” the ring area after each match. However, it is not clear what constitutes a “thorough” cleaning. Does the Commission intend for the ring area to be disinfected or merely washed down between matches? The final-form regulation should specify acceptable methods for cleaning the ring.

**4. Section 29.5. Duration of rounds. – Clarity.**

Subsections (a) and (b) both include the phrase “except with the permission of the Commission or the Executive Director.” Is written permission required or can it be oral? The final-form regulation should clarify this point.

**5. Section 29.12. Acts constituting fouls. – Clarity.**

It is not clear what constitutes a “flagrant foul” under Subsection (a). We note that the term is not defined in this section, in Section 29.2 (relating to Definitions) or in the Athletic Code relating to Boxing (5 Pa.C.S.A. § 302). To be clear, this term should be defined in the final-form regulation. A similar concern applies to Section 29.29(a).

**6. Section 29.17. Promoter licensing and bonding requirements. – Clarity.**

Subsection (3) requires that the Commission be given at least ten days notice prior to an event and that the promoters must receive written approval from the Commission in order to hold that event. We have two concerns. First, it is not clear whether the notification should be received by the Commission “at least 10 days in advance of the event” or if it merely should be postmarked by that date. This notice requirement should be clarified in the final-form regulation.

Second, in what timeframe will the Commission respond in order to allow enough time for the promoter to receive “written approval” before the event?

The State Athletic Commission received no public comment on the mixed martial arts rulemaking.



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
STATE ATHLETIC COMMISSION  
2601 NORTH THIRD STREET  
HARRISBURG, PA 17110  
(717) 787-5720**

October 30, 2008

The Honorable Arthur Coccodrilli  
Chairman  
Independent Regulatory Review Commission  
14<sup>th</sup> Floor, Harristown 2  
333 Market Street  
Harrisburg, PA 17101

Re: Final Rulemaking of the State Athletic Commission  
Mixed Martial Arts (16-41)

Dear Chairman Coccodrilli:

Enclosed is a copy of the final regulation of the State Athletic Commission pertaining to mixed martial arts.

The State Athletic Commission, as always, will be pleased to provide your committee with any assistance it may require during the course of its review of this regulation.

Sincerely,

A handwritten signature in black ink that reads "Martha H. Brown".

Martha H. Brown  
Counsel, State Athletic Commission

MHB/kmh  
Enclosures

cc: Albert H. Masland, Chief Counsel  
Department of State  
Joyce McKeever, Deputy Chief Counsel  
Department of State  
Cynthia Montgomery, Regulatory Counsel  
Department of State  
Gregory Sirb, State Athletic Commission

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

I.D. NUMBER: 16-41  
 SUBJECT: MIXED MARTIAL ARTS  
 AGENCY: DEPARTMENT OF STATE  
 STATE ATHLETIC COMMISSION

**TYPE OF REGULATION**

- Proposed Regulation
- X Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
  - a. With Revisions
  - b. Without Revisions

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**FILING OF REGULATION**

DATE	SIGNATURE	DESIGNATION
10/30	<i>Marianne Spinnic</i>	HOUSE COMMITTEE ON STATE GOVERNMENT
10/30	<i>Victoria L Hill</i>	MAJORITY CHAIRMAN <u>          JOSEPHS          </u>
10/30	<i>Scott</i>	SENATE COMMITTEE ON STATE GOVERNMENT
10/30	<i>Miss Piccola</i>	MAJORITY CHAIRMAN <u>          PICCOLA          </u>
10/30/08	<i>Kathy Cooper</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
_____	_____	ATTORNEY GENERAL (for Final Omitted only)
_____	_____	LEGISLATIVE REFERENCE BUREAU (for Proposed only)