

## **Section 13 – Substance Abuse Policy**



**WORLD RACING GROUP**

### **SUBSTANCE ABUSE POLICY TERMS AND CONDITIONS**

#### **I. PURPOSE.**

The World Racing Group (hereinafter “WRG”) is dedicated and committed to making its racing series safe for both competitors and spectators. WRG understands that misuse and abuse of alcohol and drugs, both legal and illegal, is a serious threat to the safety and security of motorsports, and by way of this policy, it seeks to control and eliminate such misuse and abuse at or in connection with its events. WRG requires the cooperation and assistance of all of its competitors and members in effectively implementing the “World Racing Group Substance Abuse Policy” (hereinafter “Policy”). WRG shall appoint a third-party organization (hereinafter “Administrator”) to help oversee the Policy and its procedures including, but not limited to, test scheduling, Participant selection of testing, on-site specimen collection, and results management. All members, drivers, mechanics, crew members, officials, workers, and others participating in WRG events in any way (hereinafter collectively “Participants”) agree to be bound by, and to comply with, the Policy terms and conditions at all WRG events at all times.

#### **II. PROHIBITIONS.**

##### **A. Prohibited Substances.**

Pursuant to this Policy, prohibited substances include those substances that, in the WRG’s sole determination or in collaboration with the Administrator, may adversely affect the safety and well-being of the Participants or the competition at a WRG event. Such substances include, but are not limited to, illegal drugs and the paraphernalia associated with the use of illegal drugs. WRG reserves the right, in its sole discretion, to make a determination with regard to the prohibition of any substance at any time. Pursuant to this Policy, said discretion includes the ability of WRG to make the determination after it receives the results of a drug test pursuant to this Policy. Participants shall not use, possess, purchase, sell, manufacture or participate in the distribution of prohibited substances, in any amount and at any time.

##### **B. Prescriptions and Over-the-Counter Medications.**

Participants shall use prescription and over-the-counter medications responsibly, and Participants should be fully informed as to the medications’ potential impact and effect on participation at WRG events. Participants should not use prescription or over-the-counter medications during WRG event if such use impairs or diminishes their skills or abilities, or if it affects the Participants’ safety or the safety of others. Even when properly used, prescription and over-the-counter medications can be dangerous and result in an unsafe environment, particularly during high speed motorsports activities.

Misuse of a prescription or over-the-counter medication by Participants, including, without limitation, use that is inconsistent with the instructions provided by the manufacturer, pharmacist, and/or the prescribing physician, is strictly forbidden. WRG reserves the right and ability to prohibit the use or misuse of any particular prescription or over-the-counter medication, and to deem such use or misuse detrimental to the safety of Participants, the sport, and/or others. Any medication that causes Participants to have a diminished or impaired ability to perform his or her duties at a WRG event shall be deemed to be prohibited for the purpose of this Policy. The illegal acquisition and/or distribution of any prescription or over-the-counter medication is also strictly prohibited.

##### **C. Alcohol.**

On event days, Participants in WRG events are strictly prohibited from consuming or being under the influence of alcohol prior to or during the event. Participants shall be deemed under the influence of alcohol if a test taken before, during, or immediately after participation (in any capacity) indicates a blood alcohol content level at or above 20 mg per 100ml (.02%). However, nothing in the terms and conditions of this Policy shall prevent WRG from exercising its sole discretion to determine that a Participant evidencing alcohol usage in any amount (even with a blood alcohol content level of below 20mg per 100ml [.02%]) is under the influence and/or physically unfit for participating in the event. WRG reserves the right and ability to take such action in the interest of safety and in the best interest of the sport.

#### **III. TESTING BASED UPON REASONABLE SUSPICION.**

WRG can require a Participant to submit to a test or tests for the presence of alcohol, drugs or medications if a WRG event, sanctioning body official, or Administrator official has reasonable suspicion that the Participant has violated any part of this Policy or has impaired or diminished abilities to perform as a result of using a prohibited substance. Pursuant to this Policy, testing may be performed using breath, urine, saliva, and/or blood. WRG also reserves the right and ability to determine that Participants are under the influence of alcohol, drugs, or medications through the use of a physical field test checking physical impairments or

diminished capacities.

Circumstances and factors that may cause WRG to have reasonable suspicion include, without limitation the following:

- A. Illegal substances or illegal drug paraphernalia is observed in the possession of the Participant at any time;
- B. The Participant is observed exhibiting one or more of the following symptoms or behaviors, which can potentially be associated with the use of alcohol, drugs, and/or medications:
  - 1) Physical signs of red or droopy eyes, and/or dilated or constricted pupils;
  - 2) Slurred speech, stumbling, or hyperactivity;
  - 3) Needle marks present on the Participant's body;
  - 4) Repeated unexplained disappearances from an event;
  - 5) A constantly running or sniffing nose, or a nose that appears consistently red or irritated;
  - 6) The inability to understand or track time, exhibited, for example, by the Participant being regularly tardy or absent from appointments or commitments;
  - 7) Chronic forgetfulness or broken promise;
  - 8) An abnormal number of accident during events;
  - 9) Involvement in conduct which violates WRG safety procedures or involvement in careless acts during a WRG event;
  - 10) Inability to concentrate, lack of recollection, and/or lack of attention;
  - 11) Mental confusion, paranoia, or the presence of abnormal or unreasonable thoughts and ideas;
  - 12) Exhibitions of violent tendencies, loss of temper, irritability, or unreasonably aggressive behavior;
  - 13) Statements by a Participant that may indicate that he or she uses prohibited substances;
  - 14) Extreme personality changes and/or mood swings;
  - 15) Noticeably declining personal hygiene and appearance;
  - 16) A pattern of abnormal conduct;
  - 17) Violation of WRG rules or a failure to follow safe practices; and
  - 18) Evidence of attempts to falsify, alter or modify prior alcohol or drugs tests.
- C. The Participant is charged with, suspected of, or arrested or convicted for driving while under the influence of alcohol, drugs, medications, or other prohibited substances;
- D. The Participants is charged with, suspected of, or arrested or convicted for any type of drug related offense;
- E. The WRG receives information from a reliable source that the Participant is under the influence of alcohol, drugs, medications, or other prohibited substances on the day of a WRG event, or that the Participant is using, possessing, distributing, or selling illegal drugs or other prohibited substances at any time.
- F. The smell of alcohol or other prohibited substance is evident on the person of any Participant on the day of any WRG event.
- G. The results of an examination or test administered by, or at the request of WRG, indicates evidence that the Participant is or was using a prohibited or illegal substance, or the Participant is abusing alcohol;
- H. The Participant attempts to alter or manipulate a specimen used in connection with testing under this Policy, or the Participant attempts to alter or manipulate the results of any such testing or examination.

#### **IV. RANDOM TESTING.**

Participants understand and acknowledge that WRG reserves the right and ability to implement (in its sole discretion) a random and/or annual testing procedure and require Participants to submit to such testing. The selection of Participants to submit to random or annual testing shall be made by either the WRG or Administrator.

## **V. AUTHORIZATION FOR TESTING; WAIVER AND RELEASE; COMPLIANCE.**

If a WRG Participant refuses to sign, execute, and/or deliver an authorization for testing in connection with this Policy, and/or the "WRG Substance Abuse Policy Waiver and Release, Express Assumption of the Risk, and Indemnity Agreement" prior to participation in WRG events as required by WRG, the Participant will not be issued membership in, or a license to, WRG, and the Participant will not be permitted to participate in WRG events. In such a circumstance, if a Participant is already a member, and/or already has a WRG license, the Participant will be suspended until he or she complies with all requirements of this Policy.

Upon request pursuant to this Policy, Participants must comply and submit to testing within the time period designated by the WRG or Administrator officials. If a Participant refuses to comply with or participate in testing within the time period designated by the WRG or Administrator officials, the Participant may be removed from WRG event premises and suspended from competition. In such a circumstance, the Participant will also be subject to additional disciplinary action pursuant to this Policy.

## **VI. COLLECTION PROCEDURES AND TESTING PROTOCOLS.**

### **A. Participant Notification Procedures.**

WRG shall designate and assign certain WRG officials (hereinafter "Site Coordinator") with the responsibility to carry out the following notification procedures with due care and diligence:

- 1) Designated Site Coordinator will be given a list of selected Participants by assigned Drug Testing Personnel (hereinafter "Collectors") or WRG Officials.
- 2) Each selected Participant shall be notified in person of their selection to provide a urine sample by the Site Coordinator.
- 3) Each selected Participant shall be escorted directly to the testing area by the Site Coordinator or another assigned WRG official unless that Participant has a valid reason for a delay in reporting. Valid reasons for a delay in reporting may include, but are not limited to; pre or post competition obligations, media, medical requirements, and award ceremonies.
- 4) If the selected Participant is allowed a delay in reporting to the testing area, s/he shall be monitored by the Site Coordinator or another assigned WRG official until the selected Participant is able to report to the testing area.
- 5) The Site Coordinator shall inform the selected Participant to bring a valid form of photo identification to the testing area and to avoid over-hydrating in order to ensure a valid urine sample provision.

### **B. Collection of Urine Specimens.**

The Administrator shall designate and assign Collectors with the responsibility to collect urine specimens and to carry out the following procedures with due care and diligence. Collectors should immediately inform a WRG or Administrator official if a Participant does not comply with any of these procedures.

- 1) Only those authorized by the Collector will be allowed in the testing area.
- 2) The Collector shall not be responsible for providing food or fluid to Participants.
- 3) Upon entering the testing area, the Participant will provide photo identification to the Collector. If the Participant does not have photo identification, the Site Coordinator or another WRG official will positively identify the Participant by signing their name in SCAN.
- 4) The Participant will select a unique set of beaker barcode numbers from a selection of such and that number will be recorded in SCAN by the Collector.
- 5) The Participant may not carry any item into the testing area when a specimen is being provided.
- 6) The Participant must remain in visual contact with the Collector until the specimen collection is complete.
- 7) When ready to urinate, the Participant will select a sealed beaker from a supply of such. The beaker will be kept in the Collector's sight at all times.
- 8) A Collector who is the same gender of the Participant providing a sample, will accompany the Participant into the toilet area and will instruct the Participant to rinse their hands with water only (no soap).
- 9) The Collector, serving as the validator, will monitor the furnishing of the urine specimen by the Participant under direct visual observation until a specimen of at least 50mL is produced. The Collector must have a clear and unobstructed view of

the passing of the specimen.

- 10) If the Participant is unable to provide a complete specimen and must leave the testing area for a reason approved by the Collector, the Participant must either: (i) remain with the Collector and during this time the Participant is responsible for keeping the beaker closed and controlled under the observation of the Collector; or (ii) the incomplete specimen must be packaged in accordance with the Partial Specimen Protocol below. The Participant will be monitored by an assigned WRG official or Collector at all times until they return to provide a complete specimen at a time determined by the Collector.
- 11) The Collector who served as the validator and observed the furnishing of the urine specimen will attest by signature in SCAN that the specimen was provided under their direct observation.
- 12) In the presence of the Participant, the Collector will pour off a small amount of the specimen and measure the specimen's specific gravity ("SG"). If the specimen has a SG below 1.005, the specimen will be discarded in the toilet in the presence of the Participant and the Participant will be required to provide additional specimens under direct observation until a specimen of adequate SG requirements ( $\geq 1.005$ ) is provided.
- 13) When a specimen with adequate volume and SG has been provided, the Participant will select a unique specimen number and sealed specimen collection kit from a supply of such. The Collector will ask the Participant to make sure that all numbered specimen seals match.
- 14) Under observation of the Participant, the Collector will open the sealed specimen collection kit and pour no less than 30mL of urine into the larger "A-Vial" and no less than 15mL of urine into the smaller "B-Vial". The Collector will then place the uniquely numbered seals on the vials and seal the vials for transportation to the laboratory back into the kit box that they were originally sealed.
- 15) The Collector and the Participant will attest by signature in SCAN that the collection procedures were followed.
- 16) The Collector may provide the Participant with a form that includes the date of the specimen collection, the Participant's name, and specimen number.
- 17) All specimens must be secured and controlled by the Collector at all times until handed off to FedEx. If reasonably feasible, the Collector should deliver specimens to a FedEx location as soon as possible following the completion of the collection. If circumstances do not allow for the shipment of the specimens on the same day as the collection, the Collector should store the specimens in a cool and secure location until delivery to FedEx.

### **C. Partial Urine Specimen Protocols**

Participants who provide a partial urine specimen (*i.e.*, a urine specimen less than the required 50mL) and are required to leave the testing area for an approved reason by the Collector or Site Coordinator must be monitored by an assigned WRG official or Collector until they return to the testing area. The partial specimen will be packaged as outlined below.

- 1) The partial urine specimen must remain in the collection beaker.
- 2) The Participant will select a set of specimen seals provided from a supply of such.
- 3) The set of specimen seals includes five bar code seals (a seal for the A vial, a seal for the B vial, a shipping box seal, a seal for the Specimen Processing Form and a seal for the Participant's copy of the Specimen Processing Form) and one blank extra seal.
- 4) The Collector will place a Specimen Processing Form bar code on the white and pink copy of the Participant's Specimen Processing Form.
- 5) The Collector will have the Participant initial or sign the blank extra seal and place it on the beaker containing the partial urine specimen in such a way that the act of opening the beaker would cause the seal to be broken.
- 6) The Collector will place the sealed beaker in the larger compartment of a plastic shipping bag.
- 7) The Collector will seal the plastic bag in the same manner it is sealed for shipping of a complete specimen.

- 8) The Collector will have the Participant initial or sign a tamper evident seal placed on the bag in such a way that any subsequent seal breakage or tampering would be evident to the Participant.
- 9) The sealed, initialed specimen will remain with the Collector in the testing area.
- 10) After the Participant returns to the testing area, the Participant will show photo identification to the Collector, inspect the bag containing the beaker to ensure it is their specimen and inspect the tamper evident seal on the beaker. If the Participant is satisfied that the bag and seal are unbroken and tamper-free, the Participant will then provide additional urine in the beaker according to the established protocol.
- 11) In the event that the Participant elects to provide a new specimen, the initial specimen will be discarded.
- 12) In the event that the Participant does not provide the required 50mL specimen and must leave the testing area again for an approved reason by the Collector or Site Coordinator, the Collector will begin with step 1 of this partial specimen protocol until the required 50mL specimen is obtained.
- 13) Once the required 50mL specimen is obtained, the Collector will package the specimen in the usual manner for shipping to the laboratory.
- 14) The Participant will sign their name indicating that all processing and packaging protocols were followed, including this partial specimen packaging protocol, and that the specimen is his/her urine with no evidence of tampering.

#### **D. Testing Laboratory.**

All testing pursuant to this Policy will be completed at a laboratory (or laboratories) selected by the WRG or Administrator, in their sole discretion, from the listing of those laboratories that have been certified by the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services and/or by the College of American Pathologists Forensic Urine Drug Testing Program (hereinafter the "Laboratory").

#### **E. Testing Specifics.**

The Laboratory shall determine the appropriate standards and methods of analysis regarding specimens submitted concerning WRG Participants. The Laboratory shall also determine if, and to what extent, a specimen is deemed to be a true positive for a prohibited substance and/or alcohol, along with whether or not the specimen has been altered or manipulated. The Laboratory shall transmit all testing results to an Administrator official (or officials) designated by WRG for interpretation, and for determination of the appropriate course of action.

### **VII. DISCIPLINE.**

#### **A. Positive Tests.**

Any tests conducted under the Policy will be considered "positive" under the following circumstances:

- 1) If any prohibited substance is detected in the specimen provided by the Participant.
- 2) A Participant fails or refuses to take a test pursuant to Section IV or otherwise engages in activity that prevents the collection of a specimen under the Policy.
- 3) A Participant attempts to substitute, dilute, mask or alter a specimen, attempts to impair the excretion of a prohibited substance in a specimen, or attempts to tamper with a test in any way (including, but not limited to, catheterization, specimen substitution and/or adulteration).

#### **B. Sanctions Concerning All Prohibited Substances.**

- 1) Upon being notified by the designated Administrator official (or officials) of a true positive test result for a WRG Participant, the WRG Officials shall inform that Participant of the positive result and the following sanctions shall apply. **First Offense:** Participants will be withheld from competition for 90 days from the date of the test and fined \$1000. This suspension term may be reduced to 60 days with the completion of an alcohol or drug-education program. Reinstatement will be conditional on two negative tests over the final 14-day period of the suspension and payment of the fine (Note: a positive result on a re-test will count as a second offense).
- 2) **Second Offense:** Participants will be withheld from competition for 180 days from the date of the test and fined \$2500. This suspension term may be reduced to 120 days with the completion of an enhanced alcohol or drug-education program. Reinstatement will be

conditional on two negative tests over the final 14-day period of the suspension and payment of the fine (Note: a positive result on a re-test will count as a third offense).

- 3) **Third Offense:** Participants will be withheld from competition for 365 days from the date of the test and fined \$5000. Reinstatement will be conditional on three negative tests over the final 30-day period of the suspension and payment of the fine

The determination of whether a test is "positive" under section VII.A.2 or VII.A.3 shall be made by the WRG in its sole determination. A Participant who violates Section VII.A.2 or VII.A.3 shall be considered to have tested positive for the category of prohibited substance in which he/she was attempting to avoid detection. If, following a suspension (and the enforcement of any other disciplinary action), a Participant desires to resume participation in any way in a WRG event, the Participant must obtain approval from the WRG Appeals Board and/or WRG Supervisory Officials and must voluntarily submit himself or herself to follow up, and regularly scheduled, testing as deemed necessary by the WRG Supervisory Officials and/or Board. Such follow up testing shall be conducted in a manner, and under certain conditions, as determined necessary by the WRG Supervisory Officials and/or Board. The follow up testing as determined by the WRG Supervisory Officials and/or Board shall also be conducted solely at the expense of the Participant. In the event that a suspended Participant submits to follow up testing and such testing shows no evidence of a prohibited substance, the WRG Supervisory Officials and/or Board may reinstate the Participant, assuming the Participant is otherwise eligible to participate, and assuming that the Participant agrees to make himself or herself available for future random tests without the need for reasonable suspicion. Such random testing shall be conducted as the WRG Supervisory Officials and/or Board sees fit, shall take place at any time and at any WRG event, and shall be conducted at Participant's sole expense.

### **C. Appeals.**

An appeal of a penalty imposed by any violation, as stated in the World Racing Group Substance Abuse Policy, are dictated by Section 12 of the General Rules and Specifications. Appeals will require a \$500 administrative fee. All other aspects of Section 12 will apply.

### **D. Therapeutic Use Exemptions.**

Participants may have illnesses or conditions that require the use of a prohibited substance as treatment. In such a case, a Therapeutic Use Exemption (hereinafter "TUE") may, under strict conditions, provide a Participant with the authorization to take a needed medicine during competition. In no instance will an actively competing Participant be granted a TUE for a substance that would impair their ability to compete or endanger other Participants or spectators. If a TUE is approved that would impair a Participant's ability or endanger other Participants or spectators, that Participant will not be allowed to compete while undergoing such approved treatment. All TUE's will be reviewed by the WRG and in conjunction with a designated Medical Review Officer (hereinafter "MRO"). In order to obtain an approval for a TUE, a Participant must have a well-documented medical condition supported by reliable and relevant medical data.

### **E. Publication.**

Participants agree that WRG may, as it deems reasonable under the circumstances, publish the results of any test or tests conducted pursuant to this Policy and the circumstances giving rise to such test to such third parties. Participants also agree that WRG may, in its discretion, publish information regarding disciplinary action taken as a result of any testing or any violation of the Policy. Participants shall have no claim or cause of action of any kind against WRG, the Administrator, or any of its officials, directors, officers, employees or agents with respect to any such publication.

## **VIII. PROHIBITED ACTED UNDER THIS POLICY.**

If WRG determines that a Participant has engaged in any prohibited act under this Policy or has acted in a manner contrary to the purpose and intent of this Policy, WRG may remove the Participant from the WRG event premises and/or take any other emergency action as is deemed appropriate under the circumstances. In such a circumstance, the Participant will also be subject to disciplinary action as issued in the discretion of the WRG Supervisory Officials and/or WRG Appeals Board.

## **IX. TREATMENT FOR ALCOHOL, DRUGS, OR MEDICATIONS.**

WRG shall not be involved in recommending or prescribing any particular rehabilitation programs or procedures in response to a violation of this Policy. However, WRG strongly encourages Participants in violation of the Policy to obtain professional and ongoing help and assistance. In determining potential reinstatement and future participation, WRG will take into account a Participant's efforts to obtain professional help, and it will consider the results and successful completion of programs and assistance.

## **X. WRG RULES.**

This Policy, as it may be amended from time to time, serves as a supplement to the currently effective WRG Rules as promulgated by the WRG Supervisory Officials and/or WRG Board of Directors. This Policy shall be interpreted and applied by the WRG in the context of and in connection with the WRG Rules. This Policy is,

and shall be, binding upon all WRG members in the same manner, and to the same extent, as the WRG Rule