

Section 19 – World Racing Group Appeal Commission:

DIRTcar Racing (World Racing Group, the Advance Auto Parts World of Outlaw Sprint Cars, the World Outlaw Late Models, the Advanced Auto Parts Super DIRT Series and all World Racing Group sanctioned events including but not limited to; DIRTcar, MARS, UMP and/or any of its sanctioned tracks) has established an independent Appellate Board to provide an administrative remedy to hear and review any penalty determination issued to any World Racing Group Member drivers and owners who feel they were unduly penalized in any sanctioned event, per any decision or rules enforcement that has been deemed appropriate for appeal. Only DIRTcar licensed members in the current calendar year have the right to appeal.

The administrative remedy and purpose of the commission, the chairman and the appellant board members is pursuant to fair judgment and the appropriateness of any issued penalty that is brought to appeal.

Section 19-1: Jurisdiction –

- 1.)** The World Racing Group Commission may hear appeals of any penalty determination made pursuant to the any of the World Racing Group rulebooks which include, but are not limited to; the Advance Auto Parts World of Outlaw Sprint Cars, the World of Outlaw Late Models, the Advance Auto Parts Super DIRT Series, DIRTcar, MARS and UMP.
- 2.)** DIRTcar sanctioned weekly tracks may establish homogeneous procedures and processes for appeals and penalties which shall operate exclusive of World Racing Group Appeals Commission.
- 3.)** If any member wishes to appeal, the Member shall make a **written request** for such action to the World Racing Group Appeal and Rules Commission. The following deadlines must be met for each series;
 - a. Advance Auto Parts World of Outlaws Sprint Cars seven (7) calendar days of the issuance of the penalty.
 - b. World of Outlaws Late Models seven (7) calendar days of the issuance of the penalty.
 - c. Advance Auto Parts Super DIRT Series events seven (7) days of the issuance of the penalty.
 - d. DIRTcar, MARS and/or UMP events seven (7) days of the issuance of the penalty.

The written request must be accompanied by a \$250 non-refundable hearing fee.

The written request and the scheduled fee must be hand delivered via an international recognized courier (the Appellant must obtain and retain a receipt showing date of deposit with courier) to one of the following for the appeal hearing to be processed:

- a. Advance Auto Parts World of Outlaws Sprint Cars
World of Outlaw Late Models
DIRTcar, MARS and/or UMP (or any other sanctioned division);

C/O – World Racing Group Appeal Commissioner
Corporate Headquarters
7575-D West Winds Blvd.
Concord, N.C. 28027
- b. Advance Auto Parts Super DIRT Series (Big Block or 358 Modified);

C/O – World Racing Group Appeal Commissioner
Northeast Office
1 Speedway Drive
Weedsport, N.Y. 13166

Electronically, verbally, or any other type of appeal, including without limitations, faxes, e-mails, and voice mails will not be accepted and processed as an official appeal to the World Racing Group Appeal and Rules Commission

4.) Commission Members:

<u>Chairman -</u>	Joe Skotnicki
Scott Boyd	Erica Bicknell
Nancy Bicknell	Mike Graham
Randy Kisacky	Ray Brooks
Tom Helfrich	Dale McDowell
Steve York	Alan Kreitzer
Pete Chuckta	Larry Kemp
Paul Kirkland	Bob Sargent
Roger Slack	Tom Eiklor

- a. The Chairman of the Commission will be appointed upon approval of the Board of Directors of the World Racing Group. The Chairman shall be an administrative member and will designate an alternate Chairman who shall, in the event of death, retirement, or incapacity of the Chairman, perform the duties of the Chairman until the Board of Directors of the World Racing Group appoints a new Chairman or the Chairman is able to resume his/her duties.
- b. From time-to-time Commission Members may vacate the board, be added and/or adjusted at the discretion of the World Racing Group Commission Chairman.

5.) Meetings – The Commission shall meet at such places and at such times as are necessary for the efficient and prompt disposition of its business. Three (3) members, including the Chairman, constitute a quorum. Meetings may take place with members participating via telephone, teleconference, video-conference, computer conference, in person and/or any other forum as designated by the Chairman.

6.) Administrative Hearing Procedures –

- a. In order for an appeal to be presented to the World Racing Group Commission, the appellant must have standing to appeal. Any decision determined as non-appealable and final during any sanctioned event by Officials employed and/or contracted by the World Racing Group will be considered as a final decision that is non-appealable. Standing is defined as subject matter that is being appealed is not precluded by any Rules as set forth by the sanctioning body and/or specific event and that the appellant has actually been penalized by a decision that is specifically issued to the appellant.
- b. The World Racing Group Commission will establish and communicate the most appropriate procedure and/or manner for hearing any particular appeal and shall inform all involved parties how to proceed prior to the hearing. Members/appellants may appear in person at hearings before the Commission (but not through a representative or attorney).
- c. When conducting a hearing and deciding an appeal, the World Racing Group Commission shall not be bound by technical or formal rules of evidence and/or procedure, except as otherwise provided herein, but shall conduct its proceedings in the manner best suited to establishing the relevant facts – and the merits of the parties positions.
- d. Unless contacted by a member of the Commission, the appellant, any competitor, the car owner, car sponsor and/or any other representative(s) involved, may not discuss the subject matter of the appeal hearing with any Commission Member, including the Chairman, outside of the hearing.
- e. All appeals shall be docketed when received via courier to the Chairman of the World Racing Group Commission and shall be set for hearing at an appropriate time and location as determined by the Commission Chairman.
- f. The Commission may require/summon, either orally or in writing, in its sole discretion any World Racing Group member and/or official to testify in and/or at a hearing. Any member who is required / summoned to testify and refuses or fails to appear and/or testify may be subject to indefinite suspension or other disciplinary action as deemed appropriate by the World Racing Group Commission.

- g. If the World Racing Group Commission finds any Member and/or Official to be “in contempt” during a hearing, the Member and/or Official may be subject to indefinite suspension or other disciplinary action as deemed appropriate by the World Racing Group Commission.
- h. In the event that the Chairman and/or Commission Member is involved in the appeal the Chairman and/or Commission Member shall disqualify themselves from participating as a Commission Member on the appeal and the remaining Members of the Commission shall select a replacement.
- i. A majority of the members of the Commission / Quorum must concur to modify any penalty (including, but not limited to, imposing different or increased penalties) or determine any appeal. If a majority cannot agree on the action the appeal shall be referred to the Chairman of the World Racing Group Commission for decision.
- j. In each appeal the relevant item shall be the accuracy of the decision by the Official(s) in light of the facts and not the results and/or ramifications of the ruling.
- k. If the World Racing Group Commission determines that the proceedings in respect to any appeal have been instituted or continued without reasonable grounds, the cost of such proceedings shall be assessed against the Appellant who instituted or continued such proceedings.
- l. The World Racing Group Commission shall have the right (and will) publish the judgment of the Commission and the names of the parties involved. A party shall have no claim or cause of action of any kind against the World Racing Group, the World Racing Group Commission or the publisher.
- m. If the appeal involves a component of any racing vehicle, equipment and/or any other technical element, the piece(s) will be placed into a chain of custody, until the World Racing Group Commission has heard the appeal and made a decision. A receipt will be given to the Appellant regarding the piece(s) until the conclusion of the hearing. The piece(s) may be confiscated following the hearing as per the determination of the World Racing Group Commission.

7.) Execution of Penalty and Pending Appeal – At the request of the affected Member, the World Racing Group Commission Chairman may determine in the interest of all involved parties that the penalty under review shall be temporarily deferred until the appeal of such penalty has been resolved. Otherwise, the penalty shall be executed promptly. If the Commission temporarily defers execution of the penalty, but later denies the appeal in whole or in part, it may reinstate the original penalty as of the date of issue of the original Penalty and/or Penalty Notice, or take such action as it deems appropriate to effectuate in whole or in part the Penalty and/or Penalty Notice, including disallowance of finishing position, points, or prize money otherwise earned in any Event during the period of temporary deferral of the penalty.

8.) Execution Steps for Administrative Hearing –

- a. The decision of the official(s) being appealed shall be put into the record.
- b. The contents of the written appeal shall be put into the record.
- c. The Appellant will put forth their statement to the World Racing Group Commission Chairman and present Commission Members presenting any witness(es) and/or other elements regarding their appeal.
- d. The official(s) will put forth their statement regarding the decision and issuance of the appealed penalty to the World Racing Group Chairman and present Commission Members presenting any witness(es) and/or other elements regarding their appeal.
- e. The Appellant will be permitted to present any rebuttals, additions to the records and/or summations to the World Racing Group Commission Chairman and present Commission

Members.

- f. The official(s) will be permitted to present any rebuttals, additions to the records and/or summations to the World Racing Group Commission Chairman and present Commission Members.
- g. At any time during the hearing at the discretion of the World Racing Group Chairman and/or present Commission Members may request information of anyone present at the hearing.
- h. At the conclusion of the hearing, the World Racing Group Chairman and/or present Commission Members will deliberate in private and make any determination, decision and/or recommendation regarding the presented appeal by a majority vote of those members present. The World Racing Group Commission may:
 - 1.) Reverse the decision.
 - 2.) Modify the decision.
 - 3.) Uphold the original issued penalty.
- i. All interested parties shall be reasonable notified of the Board's decision.

9.) Bond for Costs – The World Racing Group Commission may require the Appellant to post a sufficient bond to cover the costs of the appeal or any reasonably foreseeable economic impairment presented to the World Racing Group or other Member(s) that might be caused by the appeal. If such a bond is required, its form and substance will be in the discretion of the World Racing Group Commission Chairman.

10.) Finality –

- a. An appeal hearing will be 'heard' if the Chairman, in his sole discretion, determines that the Appellant(s) request is appealable. Matters that will not be heard include; matters where there are no triable facts, frivolity, lack of standing, matters which are not subject to protest or appeal pursuant to the rules, appeals filed in any form of harassment and/or any appeal determined as 'non-appealable' by the World Racing Group Commission Chairman.
- b. The determination of the World Racing Group Commission at the conclusion of any hearing is final and is not for appeal and/or further mediation.
- c. In the event that the World Racing Group Commission does not reach a conclusion and/or the appealing member requires an additional hearing, then the Commissioner Potestas (Dave Stevens) may be considered for assistance and/or a second appeal, to be heard and determined by the Commissioner Potestas without further board involvement. If the Member is permitted to request the additional hearing the Member shall make a written request for such action to the Commissioner Potestas within seven (7) days of the conclusion of the originating hearing.

The written request must be accompanied by a \$1,000 non-refundable hearing fee.

The written request and the scheduled fee must be hand delivered via an international recognized courier (the Appellant must obtain and retain a receipt showing date of deposit with courier) to one of the following for the final appearing hearing to be processed:

Advance Auto Parts World of Outlaws Sprint Cars
World of Outlaw Late Models
Advance Auto Parts Super DIRT Series (Big Block or 358 Modified)
DIRTcar, MARS and/or UMP (or any other sanctioned division);

C/O – World Racing Group Appeal Post - Commissioner Potestas
Corporate Headquarters
7575-D West Winds Blvd.
Concord, N.C. 28027

