

## **GENERAL DISCLAIMER STATEMENT**

***The rules and /or regulations set forth herein are designed to provide for the orderly conduct of racing events and to establish minimum acceptable requirements for such events. These rules shall govern the conditions of all events, and by participating in these events, all participants agree to comply with these rules. NO EXPRESS OR IMPLIED WARRANTY OF SAFETY SHALL RESULT FROM PUBLICATION OF, OR COMPLIANCE WITH, THESE RULES AND/OR REGULATIONS. They are intended as a guide for conduct of the sport and in no way a guarantee against injury or death to a participant, spectator or official.***

***The race director shall be empowered to impose any further restrictions that in his/her opinion do not alter the minimum acceptable requirements. NO EXPRESS OR IMPLIED WARRANTY OF SAFETY SHALL RESULT THEREFROM. Any interpretation of these rules is left to the discretion of the officials. THEIR DECISION IS FINAL.***

## **SECTION 1 – GENERAL RULES**

### **1.1 AMENDMENT OF THE RULES**

HWY 16, LLC reserves the right to add to, delete, supersede or modify any rules exhibits or drawings that HWY 16, LLC deems necessary for the betterment and/or safety of racing. The HWY 16, LLC rules may be amended at any time before or after an annual meeting of the administration, and subsequent publication in the HWY 16, LLC rulebook. In addition, HWY 16, LLC may issue amendments during the racing season in the form of serially numbered and dated technical bulletins, which shall be distributed to the licensed competitors and published in the next season's rulebook. Participants shall be responsible for being aware of and complying with all such amendments issued in the form of technical bulletins.

### **1.2 COMPETITOR OBLIGATION**

Every driver must inspect the racing surface and the racetrack area to learn of any defects, obstructions, or anything in which, in the driver's opinion, is unsafe and the driver shall report the condition in writing to HWY 16, LLC or to a track official. Any driver entering any racing event is considered to have inspected the track and determined that all the conditions are satisfactory. If the driver does not feel that the conditions are satisfactory, then the driver should not race. The driver further acknowledges that the driver is aware that auto racing involves risks and that by competing in an event the driver assumes these risks with full awareness and knowledge.

### **1.3 FINALITY OF DECISIONS AND INTERPRETATIONS AND COVENANT NOT TO SUE.**

**1.3.1 THE DECISIONS OF TRACK OFFICIALS, AT A HWY 16, LLC SANCTIONED RACING EVENT, INCLUDING THE INTERPRETATION AND APPLICATION OF RULES AND THE SCORING OF POSITIONS, SHALL BE FINAL, BINDING AND NON-APPEALABLE, EXCEPT AS PROVIDED IN PARAGRAPH 1.4 BELOW.**

**1.3.2 ALL PARTICIPANTS AS A CONDITION OF PARTICIPATING IN A HWY 16, LLC SANCTIONED RACING EVENT, AGREE THAT ALL DECISIONS OF HWY 16, LLC OFFICIALS, OR TRACK OFFICIAL, REGARDING THE INTERPRETATION AND APPLICATION OF THE HWY 16, LLC RULES, AND SCORING OF POSITIONS SHALL BE NON-LITIGABLE. ALL PARTICIPANTS FURTHER COVENANT AND AGREE THAT THEY WILL NOT INITIATE ANY TYPE OF LEGAL ACTION AGAINST HWY 16, LLC OR A HWY 16, LLC PROMOTER, TO CHALLENGE SUCH DECISIONS, TO SEEK MONETARY DAMAGES, TO SEEK INJUNCTIVE RELIEF OR TO SEEK ANY OTHER KIND OF LEGAL REMEDY, IF A PARTICIPANT PURSUES ANY SUCH LEGAL ACTION, WHICH VIOLATES THIS PROVISION, THEN THE PARTICIPANT EXPRESSLY AGREES TO REIMBURSE HWY 16, LLC, OR THE HWY 16, LLC PROMOTER, FOR ALL OF ITS ATTORNEY'S FEES AND COST IN DEFENDING AGAINST SUCH LEGAL ACTION.**

### **1.4 INFORMAL REVIEW**

#### **1.4.1 Procedure**

A participant desiring informal review of action taken by HWY 16, LLC must submit a written request for informal review, accompanied by a relevant documentation, within the time and manner specified in paragraph 1.6 below.

#### **1.4.2 Review and Decision**

The written request and documentation submitted will be reviewed by an informal review panel. The panel, in its sole discretion, may elect to confer by telephone with the affected participant and/or interested parties; provided, however, the participant shall not have a right to request a telephone conference with the panel. A decision will be made by the panel and mailed to the participant by certified mail, return receipt requested, within seven (7) days of the receipt of request for informal review.

#### **1.4.3 Appeal Hearing After Informal Review Decision**

A participant aggrieved by a decision after an informal review may subsequently seek an appeal hearing, by filing a request for appeal hearing within five (5) days after the receipt of the written informal review panel decision.

### **1.5 Appeal Hearing**

#### **1.5.1 Procedure**

A participant desiring an appeal hearing on action taken by HWY 16, LLC must submit a written request for and appeal hearing, accompanied by any relevant documentation, within the same time, and in the manner, specified in 1.6

### 1.5.2 **Appeal Hearing Fee**

The request for and appeal hearing must be accompanied by a fee of \$350.00 in cash, cashiers check or certified funds, which shall be non-refundable unless the hearing panel decides in the appealing participants favor.

### 1.5.3 **Informal Review Not a Prerequisite**

An informal review is not necessary, or is not a prerequisite, before requesting an appeal hearing.

### 1.5.4 **Hearing**

Within 15 days of the receipt of the request for appeal hearing, HWY 16, LLC shall appoint an appeal panel and shall notify the participant of the date, time and place of the appeal hearing, which hearing shall be scheduled not less than 20 days, nor more than 45 days, from the date HWY 16, LLC received the request for appeal hearing. The panel will decide on the appropriate procedure for conducting the hearing and shall not be bound by formal rules of evidence or procedure but shall pursue the best procedure for obtaining relevant facts to reach a decision.

The Appealing participant shall appear in person at the hearing (but not through a representative or and attorney) and may be accompanied by not more than three witnesses. HWY 16, LLC head tech inspector, or other designated HWY 16, LLC person, shall appear in person at the hearing (but not through a representative or and attorney) and may be accompanied by not more than three witnesses. No other persons shall be present during the hearing.

The hearing shall be conducted by the manager of HWY 16, LLC, or his designate. No record of the hearing shall be made by either the participant or HWY 16, LLC, by tape recording, court reporter or any other method.

### 1.5.5 **Hearing Panel Decision**

After the hearing, a decision will be made by the hearing panel and will be mailed in writing to the participant by certified mail, return receipt requested, with in 7 days of the date of the hearing. The decision of the appeals panel shall be not further appealable with HWY 16, LLC or to any other court, it being the agreement and understanding that the appeal hearing is the sole and final remedy for the appeal of fines or suspensions.

### 1.6 **Time for Filing, and Contents or, Request for Informal Review or Appeal Hearing**

A request for informal review, or a request for an appeal hearing, must be made in writing by the participant and sent to the Administration, at the HWY 16, LLC. office, with a postmark no later than five day after the date of receipt of written notice by the participant informing him/her of the imposition of the fine or suspensions or, in the case of and appeal after an informal review, within five days after the date of receipt of the written informal review panel decision. In the case of both and informal review and an appeal hearing, the written request must specifically state what parts of a HWY 16, LLC action are to be reviewed, or are to be appealed, and must set forth with particularity the grounds or reasons why the participant believes the HWY 16, LLC actions should be changed or overturned.

#### 1.6.1 **Composition of Informal review and Appeal Hearing panels.**

An informal review panel, and the appeal hearing panel, shall each consist of three members, designated by HWY 16, LLC, none of whom were involved in the original determination resulting in the fine or suspension or, in the case of and appeal hearing, non of whom participated as a panel member in any prior informal review relating to the same matter.

#### 1.6.2 **Continuation of Fines and Suspensions**

Fines and suspensions imposed shall remain in effect during the time period that any request for informal review or request for appeal hearing is pending, notwithstanding the expiration date of any suspension prior to the review or the hearing, until a decision has been made after the informal review or after and appeal hearing.

### 1.7 **VIOLATION OF SPIRIT OR INTENT OF RULES- UNSPORTSMAN LIKE CONDUCT**

Any participant who defies or violates the spirit or intent of the HWY 16, LLC rules shall be considered to have engaged in unsportsmanlike conduct and shall be dealt with by HWY 16, LLC or track officials depending on the nature of the infraction. Unsportsmanlike conduct will result in a fine of up to \$1000.00 and/or suspension of up to one year and/or probation for up to one year from the date of the infraction.

### 1.8 **RESERVED PARTICIPATION RIGHT**

HWY 16, LLC, or the HWY 16, LLC promoter reserves the right to refuse to accept the entry of any car or participant. Furthermore, HWY 16, LLC, or the HWY 16, LLC promoter reserves the right to revoke or cancel any entry, or participant's claimed right to be on the track premises, if it is felt or determined that the participant's

presence or conduct is not in the best interests of the sport of auto racing, the other competitors, the spectators, track management and/or employees of HWY 16, LLC

## **1.9 CONDUCT**

### **1.9.1 Driver Responsibly**

The Driver is responsible for the actions of his pit crew in all respects. The driver shall be the sole spokesperson for his/her car owner and pit crew in any and all matters, and must talk with the Chief official in charge regarding their conduct or behavior.

### **1.9.2 Fighting**

Any participant directly involved with any fighting or misconduct at any HWY 16, LLC, sanctioned event, on the racetrack, in the pits, or on the track premises, at any time, may be fined up to \$500.00, may be suspended from all HWY 16, LLC events for two years from the date of infraction and shall forfeit all HWY 16, LLC points to the date of infraction and all prize money earned in the event.

### **1.9.3 Assault/ Abuse of Officials**

No participant shall subject any HWY 16, LLC official, track official, track employee or sponsor to any abuse or improper language at any time. Any driver who get out of his/her racecar, or any participant, who assaults or threatens any HWY 16, LLC official, track official, track employee or sponsor may be suspended for up to two years from the date of infraction and may be fined up to \$500.00 and shall forfeit all HWY 16, LLC points.

### **1.9.4 Alcoholic Beverages**

Consumption of Beer or alcoholic beverages in the pit area, or being under the influence of beer or alcoholic beverages in the pit area is prohibited during an event. An event is considered complete when the final checkered flag of all the scheduled races is flown. If a participant is caught consuming alcoholic beverages in the pit area, or is deemed to be under the influence of alcoholic beverages while in the pit area, before events are complete, he/she shall be immediately ejected from the race track premises and shall be subject to the a mandatory \$500.00 fine and a 90 day suspension.

## **1.10 HWY 16, LLC DRUG POLICY**

### **1.10.1 ILLEGAL DRUGS, DEFINITION:**

Illegal drugs are those substances or drug substances defined and prohibited by state and / or federal laws.

### **1.10.2 GENERAL PROHIBITION:**

Possession or use of illegal drugs or drug substances, as defined above, is prohibited in any form, by any participant at a HWY 16, LLC sanctioned event either on speedway grounds or in any area considered to be used in the operation of the Speedway, such as parking lots or leased properties.

### **1.10.3 PARTICIPANT**

All participants are considered to be responsible for their personal conduct.

### **1.10.4 SPECIFIC PROHIBITION, VIOLATIONS AND PENALTIES:**

Any person who is:

- 1.10.4.1 found to be in possession of, or under the influence of, any illegal drug or drug substances on the speedway property; or
- 1.10.4.2 arrested by duly constituted authorities and charged with possession and/or use of illegal drugs or drug substances, regardless of whether the offence occurred on or off the speedway property; or
- 1.10.4.3 formally charged by a court of law with any illegal drug violation, regardless of whether the offense occurred on or off the Speedway property.
- 1.10.4.4 SHALL BE SUBJECT TO THE FOLLOWING PENALTIES BY HWY 16, LLC Suspension from competition and eviction from all HWY 16, LLC sanctioned events, and denial of further entry to HWY 16, LLC sanctioned events for a period to be determined by HWY 16, LLC officials.
- 1.10.4.5 Any participant who is formally charged by a court of law with an illegal drug violation, regardless of the level of the offence, upon HWY 16, LLC being so advised, shall be suspended from all forms of participation at HWY 16, LLC sanctioned events until such time as the charges are fully adjudicated through the legal process.
- 1.10.4.6 Any participant convicted of and illegal drug violation, regardless of the level of the offense, by a court of law shall be prohibited from taking part in any HWY 16, LLC. sanctioned for a minimum period of 1 year from the date of conviction.
- 1.10.4.7 In addition, during any suspension imposed above, all point fund money, including all contingency awards, shall be held by HWY 16, LLC pending adjudication of the charges and shall be forfeited if

the participant is convicted of the charges.

#### 1.10.5 **APPEAL AND HEARING**

Any participant suspended for violation of these drug policies will be granted a formal appeal hearing by a panel designated by HWY 16, LLC, provided the suspended participant requests such a hearing, to HWY 16, LLC, in writing, within 14 calendar days of the day of suspension. It is the responsibility of the participant to make such a request for a hearing.

#### 1.10.6 **REINSTATEMENTS:**

A participant suspended for a violation of these drug policy rules, EXCEPT IN THE CASE OF PERSONS CHARGED WITH THE SELLING OF DRUGS, may as a result of a decision reached through the appeal and hearing process be reinstated, if:

- 1.10.6.1 In the case of drug use, it is mutually agreed that the participant, at his or her own expense, will produce documentation from a physician licensed within in the state, certifying that he/she is drug independent, as a result of random and periodic examinations and urinalysis testing, made at the request of HWY 16, LLC
- 1.10.6.2 In the case of drug possession, that the participant produces evidence, satisfactory to the hearing panel that he or she was not in possession of illegal drugs.

#### 1.10.7 **PRESCRIBED DRUGS:**

If a participant is using prescription drugs on the advise of a physician, such use must be reported to the Race Director or pit steward prior to the participants entry into any Speedway activities. Failure to so notify will subject he participants to penalties as prescribed above.

#### 1.11 **HAVE FUN!**

#### 1.12 **ILLEGAL PARTS**

- 1.12.1 **Illegal parts.** Illegal parts shall be any parts or components of a racecar, or any alterations or modifications to any such parts or components, that do not meet the particular HWY 16, LLC rules and specifications of the class in which the racecar is competing.
- 1.12.2 **Illegal.** Being illegal consists of any aspect of the racecar, which violates, or results in a violation of any DCS HWY 16, LLC rules or specifications.
- 1.12.3 **Disallowed if not allowed.** If the rules do not specifically allow a part or component, or do not allow specific alterations or modifications to a part or component, then they are disallowed.
- 1.12.4 **Removal of identifying marks.** Any grinding, defacing or otherwise removing or obliterating casting marks, casting marks, or any other identifying marks or numbers on a motor or chassis part will automatically render the part illegal, except that this particular paragraph will not apply to open competition events.
- 1.12.5 **Penalty.** Except for a specific penalty as otherwise provided, the penalty for illegal parts, or being illegal, as defined above, whether discovered through post race inspection, through tear down, as a result of a protest or in connection with a claim, shall be a \$200.00 fine, a suspension of 30 days, and a loss of all accumulated points for the current season.

#### 1.13 **RESERVED TEAR DOWN RIGHT**

- 1.13.1 **Tear down.** After feature race, HWY 16, LLC, or the Race Director, or the pit steward, reserves the right to tear down the engine of any racecar in any class. This reserved tear down right is separate and distinct from any inspection to which any racecar in any class is subject under rule 2.4.
- 1.13.2 **Procedure.** A tear down shall consist of the disassembly of the upper end, or lower end, or both, of the engine An upper end tear down includes, but is not limited to, the removal of the carburetor, spacer plates or adapters, valve covers, intake manifold, exhaust manifolds, headers, valve train components and heads. A lower end tear down includes, but not limited to, removal of oil pan, crankshaft, rods and pistons.
- 1.13.3 **Fee for Tear Down.** HWY 16, LLC, or track official, shall advise the driver that a tear down is requested and shall post a tear down fee that is equal to the protest fees set forth in paragraph 5.5. If, after a tear down, the engine is found to be legal, then the posted tear down fee will be paid to the driver. If, after the tear down, the engine is found to be illegal, the posed tear down fee will be retained by HWY 16, LLC., or the track official.
- 1.13.4 **Illegal Parts.** If any engine parts are found to be illegal, the provisions of rule 1.12 regarding illegal parts, and 1.14 regarding confiscation of illegal part, shall apply.

#### 1.14 **CONFISCATION OF ILLEGAL PARTS.**

- 1.14.1 All illegal parts or components discovered though inspection, though tear down or as a result of a protest or claim,

- shall be confiscated by track officials and forfeited by the participant to HWY 16, LLC
- 1.14.2 All such forfeited parts, after being tagged with numbered tamper proof tags, shall be delivered by officials to HWY 16, LLC to be disposed of in its discretion.
- 1.14.3 Failure of a participant to surrender illegal parts for confiscation shall result in a separate penalty, in addition to any other penalties for illegal parts under these rules, of two times the estimated retail value of the illegal parts (as determined by HWY 16, LLC)

**1.15 INDEPENDENT CONTRACTORS:**

All HWY 16, LLC participants are independent contractors and are not the agents or employees of HWY 16, LLC or any HWY 16, LLC sanctioned race. HWY 16, LLC participants, as independent contractors are solely responsible for preparing their racecars, to perform in HWY 16, LLC racing events, in accordance with the HWY 16, LLC rules and procedures. As independent contractors, HWY 16, LLC participants are solely responsible for compensating their employees, agents, or pit crew members HWY 16, LLC participants, as independent contractors, also assume full responsibility for reporting or filing any reports or tax returns with the appropriate authorities on any earnings or funds received as a result of their participation in HWY 16, LLC sanctioned racing events, including but not limited to, Federal Social Security Taxes, Federal Income taxes, State income taxes, Federal and State withholding taxes, unemployment taxes and workers compensation insurance.

**1.16 COMPETITOR AGREEMENT REGARDING RULES**

A participant, by competing in a HWY 16, LLC sanctioned racing event, specifically agrees and acknowledges the following:

- 1.16.1 That he or she is familiar with and understands all of the HWY 16, LLC rules and procedures as set forth in this rulebook.
- 1.16.2 That by applying for a HWY 16, LLC competitors license, or by participating in a HWY 16, LLC sanctioned racing event, he or she specifically agree to abide by all of the HWY 16, LLC rules and procedures.
- 1.16.3 That by entering a HWY 16, LLC sanctioned racing event, a competitor certifies that his or her racecar meets all of the requirements of the HWY 16, LLC rules for participating in a HWY 16, LLC sanctioned racing event.
- 1.16.4 That, if as a result of an inspection, tear down, protest or claim, a competitors racecar is determined to be illegal, is the sole responsibility of the competitor, who bears the burden of proof, to prove that his or her racecar is in compliance with the applicable HWY 16, LLC rules and requirements.

**Fines may be levied to a class/division or group deemed responsible if a single offender is not evident.**

**1.17 FLUID and Tire DISPOSAL**

- 1.17.1 Any tires and hazardous waste oil shall be disposed of in the designated environmental area, or said oil must be removed from the premises by the participant and disposed of following any state and/or federal laws concerning tires and waste oil.
- 1.17.2 No dumping of tires or dumping or draining of waste oil or gas of any kind on the Speedway grounds or pavement will be permitted.
- 1.17.3 Violators will be fined and/or suspended at the discretion of HWY 16, LLC