

RACING ROOM

CLUB RACING BY JOHN NESBITT

MECHANICAL PROTESTS

Mechanical protests can be a mystery. The process appears complicated and costly, and therefore folks shy away from them. But the fact is, the process is straightforward and often does not require any expense.

First, we need to clarify a few points. Mechanical protests are not related to post-race impound. If Tech finds a car out of compliance, the Chief of Tech makes a report to the Chief Steward (CS), who deals with the infraction.

If an SCCA compliance team visits the event, its inspections are very similar to post-race checks done by the local Tech team. They report any infractions to the CS, who deals with them.

Of course, you may protest a Chief Steward's Action (CSA) or appeal a decision of the Stewards of the Meeting (SOM).

Finally, the CS has the power to order a teardown of a car (via a CSA). In practice, this process is very similar to a mechanical protest, with the CS being the "protestor" and the organizing region responsible for any costs incurred by the CS.

FILING YOUR PROTEST

You must file a mechanical protest "... no later than one hour before the start of the race." The SOM may extend this limit if the protestor can show that the issue arose after the normal protest period (e.g. an FF comes to the race grid with a wing not on the car before).

Complete the standard protest form. You may protest any component defined in the rules. Cite specific sections of the GCR. You cannot simply write "illegal engine." You must specify in detail which components are non-compliant, citing the relevant rules. The SOM Chairman may come back to you to clarify the details of your protest.

Submit the protest, with the appropriate protest fee, to the CS, who transmits it to the SOM.

When the SOM accepts your protest, it notifies all the parties. The SOM collects the logbook of the protested car and assigns an official, either an SOM member or a scrutineer, to observe the protested car. This preserves the integrity of the protested car.

SETTING THE BOND

The SOM meets with the protestor, the protested party and the scrutineers to clarify any open questions and to determine the factors necessary to establish a bond. The bond will be sufficient to cover the costs of disassembly, inspection and reassembly, and will include consumables, transportation charges and shop labor (if necessary). Some inspections (e.g., verifying the final drive ratio) may require no bond at all.

The SOM may group the teardown tasks and execute them in a logical order, with the protestor allowed to decide whether to proceed at the completion of each step.

The protestor must post bond by cash, check or credit card. The protested party may be required to post a bond or sign a repair order if a third party shop does some or all of the teardown/inspection. The bond for this work will be the same as the protestor's bond.

If the car proves compliant, the protestor forfeits the bond; if non-compliant, the SOM returns the bond to the protestor and the protested party must stand the expenses.

INSPECTION

The SOM establishes a secure area for inspection. Only the SOM, scrutineers and the protested party may enter. The protestor may not observe.

Refusal to allow inspection of a protested car will attract an immediate automatic penalty (disqualification, six-month suspension and \$250 fine).

If any protested part of the car is non-compliant, the Chairman will inform the protested party and ask for an explanation. Tech may repeat measurements for the protested party to observe. (If the inspection reveals non-compliant parts outside the scope of the protest, the protest is not affected. The CS deals with them as if found in post-race inspection.)

If the inspection finds a non-compliant part, the protestor has the option to stop the teardown at that point.

RESOLUTION

When the teardown is completed, the SOM will give both protestor and protested party an opportunity to make additional statements or provide other witnesses or evidence. If they do, the SOM will conduct a normal protest hearing.

The SOM then delivers a judgment. If the protest specified multiple items, just one non-compliant item will cause the SOM to uphold the protest. If the SOM upholds the protest, the protested party receives a written notice, detailing the penalty imposed. As with any protest, all named parties have the right to appeal the SOM judgment.

If the inspection revealed any non-compliant parts, the Chairman will direct Tech to note the infraction in the vehicle logbook and to inspect those parts at the car's next event. The SOM retains non-compliant parts, pending appeal.

SCCA holds the protest bond until the end of the appeal period or until any appeal is decided. As noted, all named parties have the right of appeal. The appeal process is the same in all cases.

Thus, a mechanical protest follows the same process as an ordinary protest, with some added steps dealing with cars and parts. The basic principle is the same: to provide a fair and impartial means of resolving disputes, with due process and a right of appeal.

Mechanical protests involving teardowns may involve the posting of a bond by the protestor.



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