

## RACING ROOM

CLUB RACING BY JOHN NESBITT

### SHOULD I PROTEST?

**S**omething bad happens. Another driver blocks you on course or punts you, causing damage to your car. Or, a steward informs you that he is penalizing you for a pass under yellow. You believe that you have been done wrong. What do you do? One option is to file a protest.

Filing a protest requires a bit of time and effort, and posting a protest fee (\$25 for a Regional race, \$50 for a National). Is it worth doing? The answer, as it is to most questions is, "It depends."

Many drivers are reluctant to file a protest. The usual reasons are concern about conflict with fellow drivers or a feeling that protesting doesn't justify the time and effort required. This is very much an individual decision. It depends how much you want to correct what you believe to be a wrong.

Drivers sometimes tell me that they wanted to protest a penalty, but "a steward" warned them that the Stewards of the Meeting (SOM) might increase the penalty if they protested it. Strictly speaking, this is true. The SOM, when reviewing a penalty, can uphold it, overturn it or modify it up or down. In practice, they very seldom increase a penalty. Courts almost invariably return the protest fee, as

**There are a variety of reasons to file a protest – but some things might just come under the "that's racing" category and need no further action.**

long as the protestor presents a reasonable case.

Drivers also tell me that they didn't protest another driver's action because it was pointless; the SOM couldn't order the offending driver to pay for repairs to their car. This, also, is true. When we go on track, we accept that we shall be paying for our own repairs, no matter who caused the damage.

Sometimes a protest is not the best approach. If you disagree with an operational decision by the Chief Steward (for example, how cars were gridded for a restart), you can protest. You might win, but the SOM can't correct the problem. You would do better to contact the Division's Executive Steward and work toward preventing another occurrence.

Now, let's look at some of the reasons why you might file a protest.

First and foremost, it might be the "right" thing to do. You may have evidence or a rule citation that justifies overturning your penalty or penalizing another driver. A protest is how you make the system work for you.

Second, you help establish a paper trail around the offending driver. Over time, penalties can become more severe as courts see the same bad boy again and again. On the other hand, if a court hammers someone who has a bad reputation but no formal history, the penalty can be (and has been) overturned on appeal.

Third, there is psychic benefit

in fighting back. Nobody likes feeling victimized; most of us prefer to push back.

Finally, a protest preserves your standing in the matter, and gives you the right to appeal any SOM ruling.

Consider the following scenario. After an incident, you tell the operating steward that you want to protest another driver. The steward says, "Don't bother. I am taking care of it."

Now you face a choice: to protest or not. If you leave the matter to the steward, you save the time and effort of filing a protest. However, there is a risk. You may not be satisfied with the steward's action (or inaction). It will then be too late for you to file your protest. You will have lost your standing in the matter and cannot protest or appeal.

Remember that you can file your protest, thus preserving your standing, and withdraw it if the steward's action satisfies you. The only thing that will guarantee you a hearing is to file a protest. Without that, you are a spectator.

There are definitely several factors to consider when contemplating a protest. Do you believe that you have been done wrong? Do you have some evidence or rule upon which to base a protest? What do you hope to achieve by protesting? Are you willing to invest a couple of hours in the effort? These should guide you toward an answer that is correct for you.



DENNIS WOOD