

COURT OF APPEALS

JUDGEMENT OF THE COURT OF APPEALS
Sam Henry vs. SOM COA Ref. No. 20-04-MW
July 21, 2020

FACTS IN BRIEF

Following the Sunday, May 31, 2020, Group 4 race of the Gateway Hoosier Super Tour at World Wide Technology Raceway, Sam Henry, driver of F Production (FP) #37, filed a protest against the Provisional Results, claiming incorrect race length and therefore, an incorrect race winner. Mr. Henry based his protest on General Competition Rules (GCR) 6.10.4. (Race Winner) and Supplemental Regulations VI.A. (Race Length).

The Stewards of the Meeting (SOM) Barry Bean, Karen Crider, and Jim Richardson (Chairman) met to hear and rule on the Protest. The SOM ruled the race had exceeded the published length of maximum 35 Minutes or 31 Laps and applied GCR 6.10.4.C. (Late Checker) to direct the race be scored at the completion of the lap during which 35 minutes had elapsed.

Mr. Henry disagreed with the ruling of the SOM and submitted an appeal within the time parameter specified in the GCR. Consideration of his appeal was delayed awaiting receipt of the event documentation.

DATES OF THE COURT

The Court of Appeals (COA) James Averett, Jack Kish, and Laurie Sheppard (Chairman) met on July 16, 2020, to review, hear, and render a decision on the appeal.

DOCUMENTS AND OTHER EVIDENCE RECEIVED AND REVIEWED

1. Appeal letter from Sam Henry, received June 10, 2020.
2. Appellant's evidence and video links, received June 10, 2020.
3. Protest and Hearing documentation, received July 9, 2020.
4. Letter from Chief Steward Kevin Coulter, received July 12, 2020.
5. Letter from Clerk of the Course Fred Brinkel, received June 25, 2020.

FINDINGS

Mr. Henry provided a well-organized and thorough description of his position in a PowerPoint presentation with embedded images and video links. He cites section VI.A. of the event Supplementary Regulations which states in part, "Saturday races will be 25 minutes. Sunday races will be a maximum of 35 minutes or 31 laps." This regulation was the basis of his Protest as well, with an emphasis on the word "maximum." He argues that the race should have ended before 35 minutes was reached, regardless of the number of laps completed. He also alleges that operational factors should have influenced how many laps could be completed in the Group 4 race following a stoppage and suggests the race organization changed the rules for scoring after his protest hearing was completed.

The COA notes the following rules must be applied in this situation. Per GCR 6.1.1.A. (Green Flag) and 6.5.3.D. (The SCCA Standard Rolling Start) "Racing begins and passing may occur throughout the field when the green flag is displayed." However, per GCR 6.10.1. (Starting Line for Timing and Scoring) "Unless otherwise defined in the Supplementary Regulations, the start/finish line is the control line where timing begins/ends when crossed by a car." Per GCR 6.10.4.A. (Checkered Flag) the race ends when the checkered flag is displayed to the overall leader "...after he completes the prescribed time..." The winner is the person who has completed the greatest distance before the race ends (GCR 6.10.4.) Per the Supplemental Regulations, the "prescribed time" in Mr. Henry's race was 35 minutes (maximum) and the checkered flag should have been displayed to the overall leader after he had completed that time. Instead, the race continued for one additional lap. The SOM correctly amended the results to reflect the appropriate lap of completion.

Mr. Henry calculated the elapsed time of each of the seven races on May 31, 2020, and noted his opinion of whether the timing/scoring was compliant with the Supplemental Regulations or not. The COA notes the race for Group #1 was ended before it reached either 31 laps or 35 minutes. Based on the lap times of the leader, 31 laps were possible before the prescribed time elapsed, but the race ended one lap early due to course conditions. Group #2 raced for 35 minutes and the checkered flag was shown to the leader the next time he crossed the control line completing lap 29. All subsequent races other than Group 4 were shown the checkered flag when the leader completed 31 laps or after 35 minutes had elapsed. Timing and Scoring and the race organization did not alter their procedures due to the protest result as Mr. Henry suggested.

The COA finds that all races with a prescribed time must end when the race leader first breaches the control line after the time has elapsed. In the case of a specified number of laps with a prescribed time, whichever condition is met first (or met simultaneously) will end the race. The COA understands that Mr. Henry believes the word "maximum" should be applied for calculating the race finish in the same

way it is for any measurement where a minimum is not specified. Doing so would be a disservice to competitors because functionally, “maximum of 35 minutes” does not distinguish between a 3-minute race and a 34-minute race. The COA acknowledges the use of the word “maximum” in this context is easily misinterpreted.

The COA finds the SOM took appropriate action to amend the race results according to GCR 6.10.4.C. (Late Checker) after considering Mr. Henry’s protest.

DECISION

The COA upholds the SOM decision in its entirety. Mr. Henry’s appeal is well founded and his appeal fee, less the administrative portion retained by SCCA, will be returned.