

# Professional Racing Substance Abuse Policy

The AMA Pro Racing Substance Abuse Policy is provided to AMA Pro Racing licensed riders in accordance with the AMA Pro Racing license agreement. Compliance with the AMA Pro Racing Substance Abuse Policy, and participation in its testing program, is mandatory for all licensed riders and is essential to the safety of professional motorcycling activity.

## Section Pro Racing Substance Abuse Policy

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## Preamble

The safety and integrity of professional motorcycle racing are of paramount concern to AMA Pro Racing. Substance abuse is fundamentally inconsistent with safety and with the integrity of motorcycle sport. Accordingly, AMA Pro Racing has established this Substance Abuse Policy, which is a supplement to AMA Pro Racing's Rules for Competition and which is binding upon all licensed riders in the same manner and to the same extent as AMA Pro Racing Rules for Competition. Riders applying for any AMA Pro Racing license must agree to the following:

### **B1 Prohibited Acts and Substances**

- B1.1 AMA Pro Racing licensed riders are prohibited from using, possessing, purchasing, selling and/or participating in the distribution of illegal or prohibited substances.
- a. Prohibited substances are those substances that, in AMA Pro Racing's sole determination, may adversely *affect* the safety or integrity of the sport of motorcycle racing.
  - b. AMA Pro Racing may make this determination with respect to a particular substance at any time, including and without limitation at the time of discovery of drug test results.
- B1.2 Illegal acquisition, distribution, or misuse, including use without a prescription, of any legal prescription or over-the-counter drug, is strictly forbidden.
- a. Misuse of a prescription or over-the-counter drug is the use of such a drug in a manner which, in AMA Pro Racing's sole determination, may adversely *affect* the safety or integrity of the sport of motorcycle racing.
  - b. AMA Pro Racing may make this determination with respect to a particular substance at any time, including and without limitation at the time of discovery of drug test results.

- B1.3 At any time when involved in track activities, AMA Pro Racing licensed riders are prohibited from being under the influence of alcohol.
- a. Any rider discovered to have a measurable blood alcohol content during a professional racing event shall be considered under the influence of alcohol and barred from any further involvement or participation in the event. Further, they will be subject to disciplinary actions as provided for in this Substance Abuse Policy.

## **B2 Voluntary Disclosure**

- B2.1 AMA Pro Racing encourages voluntary disclosure of substance abuse and supports voluntary rehabilitation efforts by persons subject to the terms of this Policy. Consequently, AMA Pro Racing is agreeable to accommodating such persons during their recovery and abstinence so long as the safety and integrity of AMA Pro Racing's professional racing program are not jeopardized.
- B2.2 AMA Pro Racing's primary objective with regard to voluntary disclosure is to prevent participation of individuals who are in violation of this Policy until such time as the violation is no longer a threat to the safety or integrity of the racing program. In principal, persons who voluntarily disclose violations of this Policy, and who voluntarily withdraw from participation until their eligibility status is resolved, will receive more favorable consideration than those whose violations are discovered through testing of body fluids and who have continued to knowingly participate in AMA Pro Racing's program while in violation of this Policy.
- B2.3 Individuals are encouraged to contact the Program Administrator or Race Director to voluntarily disclose violations of the Substance Abuse Policy. Persons who do so will be subject to whatever actions and controls AMA Pro Racing deems necessary to protect the safety and integrity of its racing program, and such steps may include withholding of competition privileges.
- B2.4 Individuals who voluntarily disclose their violation(s) of the Substance Abuse Policy, and who cooperate with the Program Administrator in setting a plan of action for reinstatement, shall not, under normal circumstances, be charged with a first offense of this Policy.
- B2.5 Individuals who voluntarily disclose their violation(s) of the Substance Abuse Policy will be subject to a preliminary test to be conducted in a timely manner at the direction of AMA Pro Racing and any subsequent testing as determined by the Program Administrator. Costs of such test shall be borne by the individual. Under no circumstances will the individual be permitted to participate in AMA Pro Racing-sanctioned activities until they have passed a substance abuse test.
- a. If the results of the preliminary test reveal that the participation of the individual will not jeopardize the safety or integrity of AMA Pro Racing program, as determined in the sole discretion of AMA Pro Racing, the individual will be permitted to continue participation in the program, without penalty, during a probationary period specified by AMA Pro Racing.
- b. If the results of the preliminary test reveal that the participation of the individual may jeopardize the safety or integrity of the AMA Pro Racing program, as determined in the sole discretion of AMA Pro Racing, then the further participation of the individual will be withheld until such time as there is evidence, acceptable to AMA Pro Racing, that the individual's participation will no longer jeopardize the safety and integrity of the program.
- B2.6 Individuals who voluntarily disclose violation(s) of the Substance Abuse Policy will be required, prior to continued participation, to enter into a Voluntary Disclosure Agreement with AMA Pro Racing stipulating the conditions of their probation.
- B2.7 Individuals who have no previous offenses of this Policy may voluntarily disclose violation(s) even at the time of selection for a random test under the provisions of Item 2.4 of this Policy or at the time of notification of a test under the reasonable suspicion provisions of Item 2.3. By doing so, the individual will be granted coverage under this section of the Policy (Voluntary Disclosure) rather than Item 5 (First Offenses). However, such individuals must immediately cease their participation in the day's activities and refrain from any further participation in AMA Pro Racing-sanctioned activities until their eligibility status has been resolved.
- B2.8 Individuals who have one or more previous offenses of this Policy are offered no specific protections under this section of the Policy. However, voluntary disclosure of repeat violation(s), and voluntary withdrawal from participation, will be viewed as mitigating factors by AMA Pro Racing in determining any penalties which might be invoked.
- B2.9 Any violation of the Substance Abuse Policy discovered while an individual is on probation under these provisions for voluntary disclosure shall be treated as an offense under the appropriate item of this Policy.

## **B3 Reasonable Suspicion**

- B3.1 AMA Pro Racing may require designated licensed riders to submit to urine, blood, breath and/or eye testing if officials have a reasonable suspicion that a person may have violated one or more provisions of this Policy.
- B3.2 Some of the conditions, observations, and/or reports that may cause AMA Pro Racing officials to have such a reasonable suspicion include, but are not necessarily limited to, the following:
- a. Red or droopy eyes, dilated or constricted pupils
  - b. Slurred speech, stumbling or hyperactivity
  - c. Needle marks
  - d. Sudden, repeated disappearances
  - e. Persistent sniffing, red or runny nose
  - f. Time distortion, repeated tardiness or missed appointments
  - g. Frequent accidents
  - h. Inability to concentrate, remember or follow instructions
  - i. Mental confusion, paranoia or manifestation of bizarre thoughts or ideas
  - j. Violent tendencies, inability to control temper
  - k. Extreme personality changes or mood swings
  - l. Deteriorating personal hygiene or appearance as observed over time
- B3.3 In addition, AMA Pro Racing may require a designated rider to submit to a urine, blood, breath and/or eye test following any incident or accident involving injury, death or property damage.

#### **B4 Random Testing**

- B4.1 Unannounced, random tests of licensed riders for prohibited substances, drugs and alcohol may be conducted from time to time at the sole discretion of AMA Pro Racing.
- a. Riders chosen to provide specimens for testing shall number not fewer than three nor more than 20 percent of the competition class in which testing is planned. Selection shall be made at random, with all registered riders having an equal chance of selection.
- B4.2 Selection of individuals to be tested shall be governed by the following guidelines:
- a. Selection of licensed riders for random testing shall be overseen by the Program Administrator or his designee with at least one additional AMA Pro Racing official as witness. All registered riders shall have an equal chance of selection.
  - b. Names of all riders entered in the event shall be pooled together. There will be a predetermined number of riders to be selected (not fewer than three per class nor more than 20 percent of the rider field). Names will be selected at random until the predetermined number of riders has been achieved.
  - c. Riders taking part in more than one class of competition shall be eligible for random selection in each class entered.

#### **B5 First Offenses: Procedures and Penalties**

- B5.1 The penalties for a first violation under Item 1 of this Policy, and conditions under which reinstatement may be considered, shall be as follows:
- a. Suspension from participation in AMA Pro Racing competition for an indefinite period. AMA Pro Racing shall at its sole discretion determine the effective date and length of suspension. The period of suspension may be adjusted, in AMA Pro Racing's sole discretion, if the rider successfully completes the Road to Recovery program per B.15.A.
  - b. A fine of up to \$500.00 may be levied at the sole discretion of AMA Pro Racing. All fines must be paid before reinstatement will be considered.
  - c. Reimbursement of all testing and associated costs incurred by AMA Pro Racing must be made before reinstatement will be considered.
  - d. Pass one or more tests for prohibited substances, such test to be conducted at a time and place determined by the Program Administrator. The costs of the test are to be borne by the rider under suspension. Failure to pass this test may constitute a second offense of this Policy. Under no circumstances will any person be reinstated until they have

passed at least one follow-up test.

- e. Compliance with all provisions of a one-year probationary period which shall be imposed in connection with any first offense under this Policy. The conditions of such probation shall be at the sole discretion of AMA Pro Racing. During the probationary period, the licensed rider shall be subject to further routine testing as determined by the Program Administrator or as otherwise applicable under the random and reasonable suspicion provisions of this Policy. Additionally, they shall be subject to unannounced urine or blood tests upon request by the Program Administrator. Costs of such tests are to be borne by the rider on probation.

B5.2 Suspensions and other disciplinary actions invoked by AMA Pro Racing for violations of this Policy are subject to appeal as provided for in Item 11. These appeal procedures are specific to the AMA Pro Racing Substance Abuse Policy and take precedence over the general appeal procedures contained in the AMA Pro Racing Rules for Professional Competition.

## **B6 Second Offenses: Procedures and Penalties**

B6.1 The penalties for a second violation under Item 1 of this Policy, and conditions under which reinstatement may be considered, shall be as follows:

- a. Suspension from participation in AMA Pro Racing competition for an indefinite period of not less than two years. AMA Pro Racing shall at its sole discretion determine the effective date and length of suspension. The period of suspension may be adjusted, in AMA Pro Racing's sole discretion, if the rider successfully completes the Road to Recovery program per B.15.A.
- b. A fine of up to \$1,000.00 may be levied at the sole discretion of AMA Pro Racing. All fines must be paid before reinstatement will be considered.
- c. Reimbursement of all testing and associated costs incurred by AMA Pro Racing must be made before reinstatement will be considered.
- d. Pass one or more tests for prohibited substances, such test(s) to be conducted at a time and place determined by the Program Administrator. The costs of the test are to be borne by the rider under suspension. Failure to pass this test(s) will constitute a third offense of this Policy and penalties prescribed in Item 7 will apply. Under no circumstances will any person be reinstated until they have passed at least one follow-up test.
- e. Compliance with all provisions of a five-year probationary period which shall be imposed in connection with any second offense under this Policy. The conditions of such probation shall be at the sole discretion of AMA Pro Racing. During the probationary period, the person shall be subject to further routine testing under the random and reasonable suspicion provisions of this Policy. Additionally, they shall be subject to unannounced urine or blood tests upon request by the Program Administrator. Costs of such tests are to be borne by the person on probation.

B6.2 Suspensions and other disciplinary actions invoked by AMA Pro Racing for violations of this Policy are subject to appeal as provided for in Item 11. These appeal procedures are specific to the AMA Pro Racing Substance Abuse Policy and take precedence over the general appeal procedures contained in the AMA Pro Racing Rules for Professional Competition.

## **B7 Third Offenses: Procedures and Penalties**

B7.1 If a licensed rider is found in violation of Item 1 of this Policy for a third time, that person shall be permanently banned from holding any AMA Pro Racing professional license and from participation in any AMA Pro Racing event in any capacity. The ban may be adjusted, in AMA Pro Racing's sole discretion, if the rider successfully completes the Road to Recovery program per B.15.A.

B7.2 Suspensions and other disciplinary actions invoked by AMA Pro Racing for violations of this Policy are subject to appeal as provided for in Item 11. These appeal procedures are specific to the AMA Pro Racing Substance Abuse Policy and take precedence over the general appeal procedures contained in the AMA Pro Racing Rules for Professional Competition.

## **B8 Non-Compliance with Policy Provisions**

B8.1 If a licensed rider refuses to abide by the drug, substance and alcohol testing provisions of the licensing agreement; refuses to execute the "Participant Notification Form" or "AMA Pro Racing Authorization for Testing and Release;" or fails to comply with any other procedures related to this Policy when instructed by AMA Pro Racing and/or the Program Administrator; that

person shall be suspended from participation in any AMA Pro Racing competition for an indefinite period of not less than two years.

- B8.2 If any licensed rider refuses to submit to a urine, blood, breath and/or eye test under any provision of this Policy, that person may be ejected from the premises or other emergency action may be taken as deemed appropriate at the sole discretion of AMA Pro Racing; and that person shall be suspended from participation in any AMA Pro Racing competition for an indefinite period of not less than two years.
- B8.3 Any infraction under this section of AMA Pro Racing Substance Abuse Policy shall be considered of equal severity to a second offense under Item 6, and the penalties and procedures governing fines, suspensions, probations, etc., shall be comparable.
- B8.4 Any second infraction under this section of the AMA Pro Racing Substance Abuse Policy shall be considered of equal severity to a third offense under Item 7, and the penalties and procedures governing fines, suspensions, probations, etc., shall be comparable.

#### **B9 Falsifying or Withholding Information**

- B9.1 Any licensed rider who attempts to or does falsify, alter or otherwise tamper with a urine or blood sample, shall be suspended from any participation in AMA Pro Racing-sanctioned activities for an indefinite period of not less than two years.
- B9.2 Any licensed rider who attempts to or does falsify, alter or otherwise tamper with any documentation related to the Substance Abuse Policy; or who attempts to or does withhold required information; shall be suspended from any participation in AMA Pro Racing sanctioned activities for an indefinite period of not less than two years.
- B9.3 Any infraction under this section of the AMA Pro Racing Substance Abuse Policy shall be considered of equal severity to a second offense under Item 6, and the penalties and procedures governing fines, suspensions, probations, etc., shall be comparable.
- B9.4 Any second infraction under this section of the AMA Pro Racing Substance Abuse Policy shall be considered of equal severity to a third offense under Item 7, and the penalties and procedures governing fines, suspensions, probations, etc., shall be comparable.

#### **B10 Release of Information**

- B10.1 AMA Pro Racing reserves the right, in its sole discretion, to release and disclose the results of any substance abuse tests performed under this Policy, together with any conclusions and interpretations related to such test results or the performance of such tests. AMA Pro Racing further reserves the right, in its sole discretion, to release and disclose the background and details related to any disciplinary actions taken under the provisions of this Policy.

#### **B11 Protests and Appeals**

- B11.1 Except as otherwise provided herein, applicable provisions of the AMA Pro Racing Rules for Professional Competition regarding Offenses, Penalties, Protests and Appeals shall apply.
- B11.2 Licensed riders disqualified from a race meet for a suspected violation of this Policy may protest their disqualification to the Race Director or his designee as provided in applicable AMA Pro Racing Rules. The Race Manager or his designee's decision shall be final and disqualification from participation in the meet, if upheld by the Race Manager or his designee shall include the loss of any rights with regard to the event in question.
- B11.3 There shall be two types of appeals permitted under this Policy.
  - a. Appeal of the findings of AMA Pro Racing's testing laboratory with respect to a body fluid.
  - b. Upon notification of a positive test result, a person may request an analysis of the second body fluid specimen held in secure storage as provided for in Item 12.1(b).
  - c. Request for the analysis of the second specimen must be made in writing to the AMA Pro Racing Substance Abuse Policy Administrator within seven days of the notification of the positive test result. A filing fee of \$250 must accompany the request and will be refunded only if the second test does not support the original findings. Failure to request a second test within the seven day appeal period shall constitute acceptance of the test results.
  - d. AMA Pro Racing will use its best efforts to expedite the second test, which will be at the expense of the licensed rider who tested positive.
  - e. The licensed rider who tested positive may attend the second test with a layman or expert witness of their choice,

provided a written request to that effect was made to the Program Administrator at the time of the appeal.

f. Appeal of disciplinary actions levied under this Policy.

B11.4 Appeal of disciplinary actions imposed by the Administrator of the AMA Pro Racing Substance Abuse provisions of this Policy.

- a. Policy must be made in writing, and within 7 days of notification of the penalty, to Program Administrator. Specific procedures for such an appeal are provided in the AMA Pro Racing Rules for Professional Competition.
- b. There shall be no provision to permit a person to continue participation in AMA Pro Racing-sanctioned events while appealing a suspension related to the use or abuse of a prohibited substance. Under no circumstances will any person be reinstated until they have passed a follow-up test.

## **B12 Collection and Transport of Specimens**

AMA Pro Racing will designate persons or organizations to be in charge of body fluid collection and/or the administration of other testing protocols and they will be responsible for duties including the following:

B12.1. Insure that two body fluid specimens are correctly obtained, identified and labeled.

- a. One specimen shall be used for performing the preliminary analysis and, when necessary, confirmation tests.
- b. The second specimen shall be properly maintained in secure storage for analysis in the event of an appeal.

B12.2 Insure that specimens, once properly labeled, are maintained in suitable and secure conditions for delivery to the designated testing laboratory.

B12.3 Insure that all proper documentation related to tests is completed and compiled.

## **B13 Facility for Testing**

B13.1 All testing of specimens will be conducted at a facility or facilities selected by AMA Pro Racing, and according to testing methodologies selected by AMA Pro Racing.

B13.2 The testing facility will determine whether a particular specimen tests positive with respect to a prohibited substance and/or alcohol.

B13.3 All positive test results will be verified by a confirmation analysis of the same body fluid specimen before the test results will be considered to be "true positive".

## **B14 Costs of Tests**

B14.1 Costs of routine random tests conducted under this program will be paid by AMA Pro Racing. Under certain circumstances, as specified in this Policy, individuals are responsible for testing costs. In such instances, the price for each test conducted, collection and shipping of specimens inclusive, shall be \$100.00. AMA Pro Racing reserves the right to adjust this cost.

## **B15 Treatment for Drug or Alcohol Abuse**

B15.1 AMA Pro Racing does not recommend or provide specific drug or alcohol rehabilitation programs. Rather, AMA Pro Racing strongly encourages self-help and professional treatment for those afflicted with a drug or alcohol abuse problem. Many assistance programs, both public and private, are available and can provide quality care and treatment.

### **B15.A. The Road to Recovery**

**AMA Pro racing shall also send the rider suspended anywhere under this Section B a letter containing terms and conditions for consideration of reinstatement of the Member's AMA Pro racing license. If the rider wishes to have AMA Pro Racing lift the suspension, the rider must agree to AMA Pro racing's terms and conditions. In conjunction with the terms and conditions of reinstatement, the Program Administrator will also facilitate an evaluation for the Road to Recovery Program by coordinating an evaluation with the appropriate substance abuse professional for advising on creation of a Road to Recovery Plan that may include substance abuse counseling, treatment or rehabilitation. The Program Administrator will determine how many times the rider will be tested, for how long, and for what substances. The Program Administrator may also require that collections be under direct observation. Testing will be done at a time and place and under conditions specified by AMA Pro racing and/or the Program Administrator, at the rider's expense, which will include laboratory fees and all other direct and indirect costs incurred by AMA Pro racing or the laboratory in connection with each test. If and when a rider has, to the satisfaction of the Program Administrator, completed the requirements set forth in the letter, the rider is eligible for reconsideration of reinstatement of an AMA Pro racing license.**

**B16 Program Administration and Integrity**

B16.1 The AMA Pro Racing Professional Racing Substance Abuse Policy is governed by AMA Pro Racing in order to protect the safety and integrity of motorcycle sport.

B16.2 AMA Pro Racing shall designate a Program Administrator. The Program Administrator shall have the responsibility for the conduct and the enforcement of all provisions of this Policy.

**B17 Applicability of AMA Pro Racing Rules of Competition**

B17.1 The AMA Pro Racing Substance Abuse Policy is a supplement to the provisions of the AMA Pro Racing Rules for Competition and will be interpreted, enforced and applied by AMA Pro Racing. The AMA Pro Racing Substance Abuse Policy is binding upon all AMA Pro Racing licensed riders in the same manner and to the same extent as the AMA Pro Racing Rules for Competition.

I acknowledge that I have read, understood and agree to the terms of this Professional Racing Substance Abuse Policy.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
AMA Pro Racing Witness