



2008
Substance Abuse Policy

Preamble

The United States Auto Club (“USAC”) strives to maintain the integrity of the Club and its Events (Event as defined in the USAC Rule Book). USAC is concerned about the problem of substance abuse in America's society and, more particularly, the threat that this may create for the safety of our racing participants. The use of illegal drugs at any time, or the use of alcohol during an Event, and even the proper use of certain medications during an Event, may endanger the internal and external perception of the Club. Such conduct cannot be permitted by USAC.

With the above in mind, this Substance Abuse Policy (“Policy”) has been adopted. It applies to drivers, mechanics and crew members (hereinafter "Competitor" or "Competitors"), as well as to USAC officials (hereinafter "Official" or "Officials"). It may also be applied to other participants in an Event as USAC deems appropriate in its sole discretion.

1. Prohibited Acts and Substances

A. Prohibited Substances

For the purpose of this Policy, “prohibited substances” are substances that are determined by USAC, in its sole discretion, to adversely affect the integrity of the Club or well-being of Competitors or Officials, or others, or the performance of a Competitor or Official in connection with an Event. “Prohibited substances” include, but are not limited to, illegal drugs such as marijuana, cocaine, and hallucinogens. Furthermore, for purposes of the foregoing, the definition of “prohibited substances” also includes, without limitation, paraphernalia associated with illegal drug use and mind-altering and/or addictive substances, which are not sold as drugs or medicines, but are used or marketed for their mind or behavior-altering effect. USAC may make a determination that any particular substance is a prohibited substance at any time, in its sole discretion. Competitors and Officials are prohibited from using, possessing, purchasing, selling, manufacturing and/or participating in the distribution of prohibited substances, regardless of the amount, at any time.

B Proper and Improper Use of Prescription and Over-the-Counter Medications/Substances

USAC recognizes that there are many prescription and over-the-counter medications that serve essential or beneficial purposes for the health and well-being of Competitors and Officials, and nothing in this Policy is intended to discourage the proper use of these medications. Just as importantly, however, it must be recognized that there are some medications that, even when properly used, may adversely affect a participant's fitness to be involved in a racing event or events. For example, many types of cough medicines contain codeine, which is a potent narcotic that may result in drowsiness or diminished alertness.

Misuse and the illegal use, acquisition or distribution of a prescription or over-the-counter medication or any mind-altering or addictive substance by an individual is prohibited and, for these purposes, is deemed to be the use of such a medication in a manner which is inconsistent with the instructions provided by the manufacturer, pharmacist and/or the prescribing physician. In addition, illegal use, acquisition, or distribution of any prescription

drug, over-the-counter medication, or any mind-altering and/or addictive substance are strictly prohibited at any time. For example, it is a violation of this Policy for an individual to use a prescription or over-the-counter medication in a manner that is not consistent with the intended and medically-prescribed use.

To the extent that USAC in its sole discretion determines that the use of any prescribed medication or other substance, including properly prescribed prescription drugs and properly used over-the-counter medications, causes an individual to have a diminished or impaired ability to perform his or her duties on the day of an Event, those substances shall be deemed to be prohibited substances for purposes of this Policy.

C Alcohol

No Official or Competitor may consume alcohol in the hours prior to or during an Event involving on track activity, nor may any Official or Competitor be under the influence of alcohol at any Event. "Under the influence," for purposes of this Policy means that in the sole judgment of USAC the Official or Competitor has an impaired ability due to alcohol consumption to conduct himself or herself as USAC would expect at an Event. Nothing in this paragraph shall preclude USAC from determining that a Competitor or an Official with any alcohol usage, however minimal, is physically unfit for driving, participating, or officiating in an Event. An alcohol test by breathalyzer, blood test, or other scientifically-acceptable method may be performed if deemed appropriate by USAC at its sole discretion. In connection with the foregoing, USAC may take such action as it deems appropriate.

2. Targeted Testing for Reasonable Suspicion of Drug/Alcohol Use

USAC may require a Competitor or Official to submit to a test or tests, including without limitation, urine, blood, saliva, hair, breath tests, and/or any other scientifically-acceptable method of testing when USAC has reasonable suspicion that the Competitor or Official has violated any part of this Policy or that he/she has diminished ability to perform due to the use of any prohibited substance or alcohol. Examples of the conditions, observations and/or reports that may result in "reasonable suspicion" include, but are not limited to, the following:

- A. When a Competitor or Official is found or observed in possession of illegal drugs or drug paraphernalia at any time;
- B. Observation of signs, symptoms and/or behaviors that may be associated with the use of prohibited substances or alcohol including, but not limited to:
 - 1. Direct observation of an individual engaged in drug-related or alcohol-related activity.
 - 2. Discovery or presence of prohibited substances or alcohol in an individual's possession.
 - 3. Odor or residual odor associated with prohibited substances or alcohol.
 - 4. Statements made by an individual that may indicate that he/she uses prohibited substances or alcohol.
 - 5. Red or droopy eyes, dilated or constricted pupils.
 - 6. Slurred speech, stumbling, or hyperactivity.

7. Needle marks or other physical evidence that an individual has used a prohibited substance.
8. Unexplained disappearances from an Event.
9. Nose constantly runs, appears red, or persistent sniffing.
10. Unexplained tardiness, absences, or missed appointments;
11. Chronic forgetfulness or broken promises.
12. Involvement in an accident during an Event.
13. Inability to concentrate, remember, or maintain attention.
14. Mental confusion, paranoia, or expression of abnormal or threatening statements.
15. Violent tendencies, loss of temper, or irritability.
16. Unexplained or excessive negligence or carelessness.
17. Extreme, unusual, or unexplained personality change, or unusual, irrational or erratic behavior.
18. Deteriorating personal hygiene or appearance.
19. Pattern of abnormal conduct.
20. Repeated failure to follow instructions or operating procedures.
21. Violation of USAC safety policies or failure to follow safe practices.
22. Display of any item that reflects that the individual may be in violation of this Policy.
23. Evidence that an individual has tampered with or not cooperated with a prior drug or alcohol test.

C. An arrest or conviction for driving while under the influence of alcohol or drugs, or a drug or alcohol related arrest or conviction.

D. Receipt of a report from a source deemed credible or reliable by USAC that a Competitor or Official is under the influence of drugs or alcohol on the day of an Event, or, at any time, that an individual is in violation of this Policy.

E. An examination or test, as provided by the USAC Rules, which shows evidence of use of a prohibited substance or alcohol abuse or of adulteration or manipulation of the specimen.

F. Aroma of an alcoholic beverage or prohibited substance on or about the breath or body of a Competitor or Official consistent with use of a prohibited substance or alcohol.

G. Following an incident in which careless acts were observed in connection with an Event.

3. Testing – Scheduled and Random

At its sole discretion, USAC may require Competitors or Officials to submit to an annual and/or random testing for the use of a prohibited substance and/or alcohol. Selection of individuals for random testing shall be done by USAC, at its sole discretion.

4. Authorization for Testing and Release

If, upon request by USAC, a Competitor or Official refuses to promptly execute the authorization for testing and release form enclosed with this Policy and deliver it to USAC by the time designated by USAC for receipt, that Competitor or Official will not be issued an USAC

Competitor's or Official's license and/or membership and, if already issued, the USAC license and/or membership will be suspended until the Competitor or Official executes the above mentioned authorization and release and delivers it USAC. If USAC directs a Competitor or Official to submit to a test to determine whether he/she is in violation of this Policy, that Competitor or Official must consent to and promptly and fully participate in and cooperate with the test in accordance with the instructions of USAC. If that Competitor or Official refuses to promptly consent and/or fully participate in and cooperate with such a test or tests within the time period designated by USAC, USAC may eject the Competitor or Official from the racing premises or take such other action as may be appropriate, and that Competitor or Official will also be subject to disciplinary action.

5. Screening

Annual random testing will be formal. While random or targeted testing may be formal, USAC may conduct random or targeted screening by USAC approved medical staff to determine if formal testing is appropriate.

6. Collection and Transport of Specimen(s) as to Formal Testing

USAC may designate specific USAC representatives or USAC may designate others to be in charge of collection of specimen(s) to be tested. Such designated individuals shall:

- A. Ensure that the specimen(s) are from the Competitor or Official in question (including, where necessary, observation of the collection of the specimen(s)).
- B. Ensure that the specimen(s) are collected within the time period designated. Normally, collection shall be made within one (1) hour or less of the notification of the Competitor or Official that testing will be conducted, unless a different time is designated by an Official based on the circumstances.
- C. Ensure that the specimen(s) have not been adulterated or manipulated by promptly measuring the temperature of the specimen(s). Where results indicate that the sample is inappropriate for testing, USAC may require the Competitor or Official to provide additional specimen(s) as necessary.
- D. Label, secure, and transport the specimen (s) to USAC's designated testing facility in such a manner as to ensure that the specimen(s) are not misplaced, tampered with, or relabeled.
- E. Provide a form to be completed by the Competitor or Official in question that identifies all prescription and over-the-counter medications consumed by the Competitor or Official in the preceding three months.

7. Facility for Formal Testing

All testing will be performed at a facility or facilities selected by USAC at its sole discretion.

8. Technological Aspects of Testing

The USAC-designated testing facility will determine whether and in what amount a particular specimen tests positive with respect to a prohibited substance and/or alcohol, and whether the specimen has been adulterated or manipulated. The testing facility will transmit the results to USAC Director of Competition and to any designated third party medical review facility.

9. Procedures if a Test Shows the Presence of Prohibited Substances or Alcohol

A. With Respect to Prohibited Substances Other Than Alcohol:

1. Upon being notified that a Competitor or Official has tested "true positive" for a prohibited substance, USAC's Director of Competition or his/her designee may suspend that Competitor's or Official's USAC license and/or membership for an indefinite period and/or take such other disciplinary action deemed appropriate under the circumstances.

2. If that Competitor or Official wishes to return to racing or officiating during or after the suspension period, that Competitor or Official must submit to a re-test or re-tests. This will be done at a time and place and under conditions specified by USAC, at the Competitor's or Official's expense, which expense will include laboratory fees and all other direct and indirect costs incurred by USAC in connection with each test. If and when a Competitor's or Official's test shows no evidence of a prohibited substance, that Competitor or Official may be allowed to return to racing or officiating, but only if he/she is not otherwise ineligible. Furthermore, if the Competitor or Official does return to racing or officiating, he/she shall be subject to future tests for any substance, drug or alcohol, at such times and places as may be determined by USAC, at its sole discretion, and at the expense of the Competitor or Official.

B. With Respect to Alcohol:

1. Upon being notified that a Competitor or Official has been determined to have consumed alcohol in violation of this Policy, the USAC Director of Competition or his/her designee may suspend that Competitor's or Official's USAC license and/or membership for an indefinite period and/or take such other disciplinary action deemed appropriate under the circumstances.

2. If a Competitor or Official does return to racing or officiating during or after the suspension period, he/she shall be subject to future tests for any substance, drug or alcohol, at such times and places as may be determined by USAC, at its sole discretion, and at the expense of the Competitor or Official.

C. Testing Results

USAC may publish the results of any test or tests conducted pursuant to this Policy and the circumstances giving rise to such test to such third parties as USAC, in its sole discretion, deems reasonable under the circumstances. The Competitor or Official shall have no claim or cause of action of any kind against USAC or any director, officer, employee or agent of USAC with respect to

such publication. It is the intent of USAC, and USAC will endeavor to, treat the results of any test or tests as confidential as warranted by the circumstances.

10. Falsification or Withholding Information

Any Competitor or Official who attempts to or does falsify, alter, or otherwise tamper with, adulterate or manipulate any specimen or any aspect of a test performed under this Policy will be subject to disciplinary action that USAC in its sole discretion deems appropriate. A specimen that is identified as having been adulterated or manipulated shall be treated in the same manner as a "true positive" test result for a prohibited substance other than alcohol, with all of the consequences of such a positive test, including those provided in Paragraph 9.A. 1. and 2, above.

11. Disciplinary Action for Prohibited Acts Where There is No Evidence of or Testing for Prohibited Substances or Alcohol

With respect to any prohibited act described herein, if USAC determines that a Competitor or Official has engaged in any such prohibited act, USAC may eject the Competitor or Official from the premises or take such other action as deemed appropriate by USAC in its sole discretion, and that Competitor or Official shall also be subject to disciplinary action that USAC in its sole discretion deems appropriate.

12. Treatment for Drugs/Alcohol

USAC does not provide drug or alcohol rehabilitation programs. However, USAC strongly encourages self-help and treatment for those who may have a drug or alcohol abuse problem. Many worthy programs, both public and private, are available for the treatment of drug and alcohol abuse. USAC will continue its efforts to support a drug-free America and a society in which alcohol is not abused.

13. Applicability of the USAC Rules

This Policy, as it may be amended from time to time, is a supplement to the provisions of the USAC Rules, and will be interpreted and applied by USAC. This Policy is binding upon all USAC members in the same manner and to the same extent as are the provisions of the USAC Rules.

Listing of Prohibited Substances

<u>Amphetamines</u>	<u>Narcotics</u>	<u>Benzodiazepines</u>	<u>Barbiturates</u>	<u>Marijuana</u>
Amphetamine	Alfentanil	Alprazolam	Amobarbital	
Methamphetamine	Codeine	Diazepam	Butabarbital	<u>Cocaine/Crack</u>
MDMA	Dihydrocodeine	Lorazepam	Butalbital	
MDEA	Fentanyl	Oxazepam	Pentobarbital	<u>Meprobamate/Carisoprodol</u>
MDA	Hydromorphone	Temazepam	Phenobarbital	
Phentermine	Hydrocodone		Secobarbital	<u>Methylphenidate</u>
PMA	Meperidine			
	Methadone			<u>Zolpidem</u>
<u>Ephedrine Class</u>	Morphine			
Ephedrine	Oxycodone			<u>Specimen Validity</u>
Pseudoephedrine	Propoxyphene			Nitrites
Phenylpropanolamine	Sufentanil			Chromates
				Specific Gravity



USAC SUBSTANCE ABUSE POLICY

AUTHORIZATION FOR TESTING AND RELEASE

I have read the United States Auto Club (USAC) Substance Abuse Policy. I hereby give my consent to USAC and its designated agents to collect blood, urine, saliva, hair, and breath specimens from me; and to screen and/or test those specimens for the presence of alcohol and/or any prohibited substance under USAC's Substance Abuse Policy; and to conduct such other tests as USAC deems necessary from time to time to determine my fitness to participate in or at an Event, all as set forth in the USAC Substance Abuse Policy as it may be amended from time to time. In addition, I give my permission to any doctor, nurse, technician, laboratory, or health facility which administers drug or alcohol tests or screens to release the results of any tests of examinations to USAC.

I recognize that the USAC Substance Abuse Policy has been adopted and is administered by USAC to promote the integrity of USAC-sanctioned racing. Accordingly, I **ALSO HEREBY RELEASE, DISCHARGE, COVENANT NOT TO SUE AND AGREE TO HOLD HARMLESS** USAC, its officers, employees, representatives, agents, and testing facilities, as well as any individual or company in any way affiliated with USAC and any other persons or entities against whom I might have a claim, from and/or for claims, damages, losses, or expenses of any kind, whether caused by negligence or otherwise, arising out of the implementation of the USAC Substance Abuse Policy, or any act or omission in connection therewith, including and without limitation the testing of specimens and the publication of the test results and circumstances giving rise to such test or tests to any third party or parties by USAC or said drug testing facilities, as well as the officers, employees, and agents of each of them, or any other persons or entities.

I have received and read a copy of this document

(Date)

(Printed Name of Competitor or Official)

(City and State)

(Signature)