



Waiver Procedures for SCCA® Solo® Events

There always seems to be a bit of confusion surrounding the “Release and Waiver of Liability, Assumption of Risk and Indemnity Agreement” document (what we call a “waiver”) especially when minors are involved. I’ll attempt to cover most of the concerns and I will always be glad to hear from you if you have any concerns.

A Chief of Waivers is *required* at all SCCA Solo events to make sure proper procedures are followed (e.g., making sure the waivers have been witnessed and signed). The description of this position is found in Section 5.5 of the *2017 SCCA® National Solo® Rules* (page 41).

All waivers *must* be in color and witnessed by an adult SCCA member. To be considered valid legal documents, it is crucial they are in color. There are three adult waiver forms and two minor waiver forms except if you’re a resident of California, Florida, or New York. I’ll cover those states as I go.

THE “GATE” PER EVENT ADULT WAIVER

One of the adult waiver forms is the per event waiver (used for all states except New York) at the site entrance with which we are most familiar. It has about 10 lines towards the bottom for signatures. The per event waiver has “SCCA Adult Event Waiver 1155 02/16” printed in the lower right corner. There is also an adult per event waiver in Spanish – “Exoneración de Adultos para Eventos de SCCA 1155 02/16.” If the waivers at your events have anything else in the lower right corner, please do *not* use them and discard them. *Never* have a minor sign this waiver and *never* have an adult sign this waiver for a minor (I’ll cover the minor waiver later). An adult SCCA member *must* witness each signature. The member must sign and date *each page* where indicated at the bottom of the waiver form (missing witness signatures have been a concern).

Does everyone need to sign the per event adult waiver?

There are two types of insurance at every SCCA event – participant insurance covers the “hot” areas and spectator insurance covers the “cold” areas. A waiver is required for the participant insurance; a waiver is *not* required for the spectator insurance. A participant *must* sign the waiver to have access to “hot” areas – active grid, staging, start, finish, and course areas (paddock is not a “hot” area). Spectators do not have access to these hot areas and therefore do not need to sign the waiver. If a spectator is given access to hot areas, that spectator technically becomes a participant and needs to sign the waiver. If a Region doesn’t want to have spectators and/or the event site is not suited for spectators, then everyone must sign the waiver or present their annual waiver membership card.

I may be using the terms “spectator” and “participant” differently than commonly used, but I’m just trying to clarify who needs to sign the waiver. Participant insurance covers those while in the active grid, staging, start, finish, and course areas or “hot” areas. Spectator insurance covers those while in paddock and other “cold” areas. Even if the Region doesn’t allow spectators and a competitor is injured in the paddock, spectator insurance covers that, not participant insurance. Thankfully, we usually don’t have to concern ourselves with those details.

If the Region allows spectators to enter the site, there should be some method to delineate the boundary between the “hot” and “cold” areas. Some sort of physical barrier (row of cones,



streamers, fence, signage, etc.) and/or a crowd control marshal to watch may be all that's needed to keep spectators in the "cold" area(s).

New York adult per event waiver

The state of New York requires a different adult per event waiver. This waiver has "SCCA Adult NY Event CL-29 2/16" printed in the lower right corner. Any other event waiver in the state of New York should *not* be used and be discarded.

ANNUAL WAIVER FOR ADULTS

The adult annual waiver has "SCCA Adult Annual Waiver 1306 01/16" printed in the lower right corner. It must be witnessed by an adult SCCA member in good standing. For SCCA Solo events, any member can be an official (this is a bit different from SCCA Club Racing). If an adult SCCA member is not available to witness the signing, it can be witnessed by a notary (except in California) and then sent to the SCCA National office. If a non-California resident has their annual waiver on file with SCCA and travels to a Solo event in California, it's valid in California.

California Adult Annual Waivers – notary witness

If a resident in the state of California, the correct waiver to be notarized has "SCCA Adult CA Annual Waiver 1306 01/16" printed in the lower right corner.

MINOR WAIVERS – all minor waivers are annual waivers

There are five minor waivers used in SCCA with California and Florida having some differences explained later. The waiver most used has "SCCA Minor SCCA Official 1068 09/15" printed in the lower right corner and is two pages. The first page is for *both* parents to sign; the waiver is *not* a lawful document *without both* parent signatures. An adult SCCA member *must* witness and sign. The second page is for the minor participant to sign and must also be witnessed and signed by an adult SCCA member. The minor participant *must* sign the second page; this is a requirement of our insurer. If the waiver is witnessed and signed on site, the Region should retain the original and send to the National office for issuance of an annual waiver (membership) hard card. If the minor will be participating in other SCCA events before receiving a hard card, the original may be copied or a second waiver may be filled out with "Copy" written on it to be retained and presented until they receive their hard card. If a minor is not an SCCA member and can be a passenger in a car or a worker on course, a weekend membership should also be filled out and sent to the National office with the completed minor waiver.

If one parent has full custody of the minor and no other parent/guardian has any claim to custody, then one signature is all that is required. A signed affidavit will be helpful in these instances. Just have the parent write a statement on a separate paper of sole custody with signature and date witnessed by an adult SCCA member. The parent does not have to show any type of document to confirm custody. There is a blank affidavit available that can be used.

Do all minors need to have a signed waiver?

No. Only those minors that go into "hot" areas; they are participants. If a minor takes a ride with a competitor or is old enough to safely fill a worker position, a minor waiver as discussed previously should be presented. Children under 12, except Junior drivers, are not permitted in "hot" areas per the Solo Rules section 1.3.2.0; therefore, a minor waiver is not necessary.



Minor Waivers – notary witness

There is another minor waiver to be used if an adult SCCA member is not available. Having a notary witness the signatures necessitates the use of form “SCCA Minor Notary 1068 09/15” printed in the lower right corner except in California.

California Minor Waivers – notary witness

In the state of California, the appropriate minor waiver for notary witness use has “SCCA Minor CA Notary 1068 09-15” printed in the lower right corner.

Florida Minor Waivers

The minor waivers in the state of Florida can be a bit confusing, but it depends on the site of the Solo events. Florida Solo events that are on the property of a permanent race track facility (including a track’s parking lot) should use the “SCCA Minor Notary 1068 09/15” minor waiver form previously mentioned. However, Florida Solo events that are *not* on a race track property (shopping center parking lot, airport tarmac, etc.) must use “SCCA Minor FL SCCA Official 1895 09/15” for those events.

If the Solo events in Florida change locations between a permanent race track facility and other properties throughout the year, just use the latter annual minor waiver, “SCCA Minor FL SCCA Official 1895 09/15.” This minor waiver form will be used by most SCCA Regions in Florida.

CONCLUSION

If your annual waiver is notated on your membership card, it is valid in all states. For example, if your residence is in AZ, NV, OR, or any other state, your annual waiver is good in California and vice versa. It’s the same if your residence is in AL, GA, or any other state, your annual waiver is good in Florida and vice versa.

All SCCA waiver forms can be found on the “Downloads” webpage. Go to www.scca.com, click on “ABOUT SCCA” near the top of the page, and then click on “DOWNLOADS” from the drop-down menu. They are under “Insurance Forms (Must Be Printed in Color).” There is also an “SCCA WAIVER CHART” pdf file that can be helpful in determining which is the correct waiver form to use.

I hope this has clarified most of your concerns. I’m always willing to discuss this.

Thank you for all that you do for our club and Solo! Have fun!

-Doug

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