

P12 BREATH AND ALCOHOL TESTING

Scheduled Reviewed Triennially or as required

Date of Board Approval 30 May 2016 Last Board Review: 11 November 2019

Introduction

“KA” believes that the presence of alcohol in individuals whilst participating in motor sport is unsafe and has an Alcohol Policy in place.

KA also believes that testing procedures for alcohol should be clear, consistent and well-structured.

Purpose

This By-law details the actions required by an Accredited Testing Official (who has completed the KA training module) to select a CP for Testing, through to the reporting and referral to the Stewards of the Meeting following a Positive Reading from a Confirmation Test.

It also outlines the compulsory action which must be taken by the Stewards of the Meeting because of such Positive Readings.

To ensure good governance and duty of care, random Testing may be conducted on participants in any motor sport activity held under KA sanction.

Applies To

The policy applies to the KA Board, employees, and contractors, Officials, Volunteers and Members including but not limited to Drivers, Parents, Participants, Competitors and Team Members (“**Covered Persons**”).

Definitions

Capitalised terms used in this policy have the following meanings:

Breathalyser means a device used to conduct Testing by means of a breath sample.

ATO means a KA Accredited Testing Official.

CP means a Covered Person

Chaperone means an authorised person (preferably a KA Official) who accompanies and observes a CP following a Positive Reading from a Screening Test, up until the completion of a Confirmation Test.

Confirmation Test means a CP’s second Test, performed by an ATO following a Screening Test.

Crew means any individual(s), regardless of whether they hold any KA licence or not, who is assisting or associated with a competitor.

Member has the meaning given to that term in the Australian Karting Association Ltd Constitution

Mouthpiece means a disposable plastic tube that is inserted into a Breathalyser.

Negative Reading means a reading that is less than or equal to “0.010” as displayed on a Breathalyser.

Official has the meaning given to that term in the Australian Karting Manual.

Other Individual means any of the following:

- KA or KA member contractors;
- any individual(s) who has agreed to be bound by this Policy; and
- any individual(s) who is advised in writing, by KA or an SKA, that they may be subjected to Testing for a specified period

Participant has the meaning given to that term in the Australian Karting Manual.

Policy means the ‘KA Alcohol Policy’ published by KA and as maybe amended from time to time.

Positive Reading means a reading greater than “0.010” as displayed on a Breathalyser.

Screening Test means a CP's first Test, performed by an ATO.

Testing means the process of collecting and analysing bodily samples to detect alcohol in a CP.

Procedure

Selection Of A CP For Testing

- The ATO shall determine the CP(s) to be tested. The ATO shall record details of all Testing undertaken on the KA Breath Alcohol Testing Log Sheet.
- The ATO shall liaise with the Clerk of the Course and/or the Stewards of the Meeting as necessary, to determine the best time to conduct Testing. Any potential impact Testing may have on the running of the Meeting should be considered at this time.

NOTE:

Ideally, Testing should be conducted prior to participation in competition, however it may be carried out at any time during a Meeting.

Notification Of A CP For Testing

- The ATO shall identify themselves and their role to the CP by showing the appropriate credential.
- The ATO shall advise the CP of the authority for Testing.
- The ATO shall ask the CP if they have been Tested previously at a Meeting or if they would like an explanation of the procedure. If the CP has not been Tested previously or so requests, the ATO shall provide them with an explanation of the procedure.
- If the CP refuses to submit to Testing, or deliberately fails to follow the instructions of the ATO, the ATO shall warn the CP that such a refusal will result in the matter being referred to the Stewards of the Meeting for due process which shall include mandatory exclusion.
- If the CP still refuses to submit to Testing or fails to follow the ATO's instructions, the ATO shall refer the matter to the Stewards of the Meeting.
- The Stewards of the Meeting must exclude the CP from that day of the Meeting as a minimum.
- For Meetings that consist of multiple days of practice or competition, the CP may resume their participation no sooner than the next day if permitted by the Stewards of the Meeting.

Conducting A Screening Test

- The ATO shall instruct the CP to take a deep breath and blow steadily and forcefully into the Mouthpiece until the Breathalyser indicates that an adequate amount of breath has been obtained.

NOTE:

All Breathalysers must meet the requirements of *Australian Standard 3547 – Breath Alcohol Devices for Personal Use*. KA and each SKA is currently responsible for ensuring this requirement is met and maintained.

- If requested to do so, the ATO shall show the CP the Screening Test result displayed on the Breathalyser.
- If the Breathalyser displays a Negative Reading, the ATO shall advise the CP that Testing is complete. This concludes the procedure for this CP.
- If the Breathalyser displays a Positive Reading, the ATO shall conduct a Confirmation Test, as described in section 4 of this procedure.

Conducting A Confirmation Test

- The ATO shall show the CP the Positive Reading displayed on the Breathalyser and inform them that a Confirmation Test is required to determine if they have breached the Policy.
- The ATO shall inform the CP that the Confirmation Test will be undertaken no sooner than 15 minutes and no later than 20 minutes after the Screening Test.

NOTE: The official 'time' of the Screening Test is the time the CP started blowing into the Mouthpiece.

- The ATO shall instruct the CP that, during the 15-20-minute waiting period, the CP must not eat, drink, smoke

or put anything in their mouth (for example chewing gum).

- The ATO shall engage a Chaperone to isolate and observe the CP until the Confirmation Test is completed. If no individual is available to act as the Chaperone, the ATO shall perform this section 4.4.
- After 15 minutes, but before 20 minutes, the ATO shall insert a new Mouthpiece and shall instruct the CP to take a deep breath and blow steadily and forcefully into the Mouthpiece until the Breathalyser indicates that an adequate amount of breath has been obtained.
- If requested to do so, the ATO shall show the CP and the Chaperone the Screening Test result displayed on the Breathalyser.
- If the Breathalyser displays a Negative Reading, the ATO shall advise the CP that Testing is complete and no further action shall be taken against the CP.
- If the Breathalyser displays a Positive Reading, the ATO shall refer this to the Stewards of the Meeting, as described in section 5 of this procedure.

Referring A Positive Reading Following A Confirmation Test

- If a Confirmation Test results in a Positive Reading, the ATO shall advise the CP that they are in breach of the Policy and that the matter will be immediately referred to the Stewards of the Meeting and/or the Clerk of the Course by way of a report.
- The ATO shall provide a report, which is to include the KA Breath Alcohol Testing Log Sheet as well as a verbal briefing, to the Stewards of the Meeting and the Clerk of the Course as soon as practicable.
- The Stewards of the Meeting must exclude the CP from that day of the Meeting as a minimum.
- For Meetings that consist of multiple days of practice or competition, the CP may resume their participation no sooner than the next day if approved by the Stewards of the Meeting.
- If the Stewards of the Meeting consider that a further penalty is warranted against the CP, then the Stewards of the Meeting shall make such a recommendation to KA or the relevant SKA.

ATO's Report

- Following any Positive Reading from a Confirmation Test, the ATO shall provide copies of all reports generated, to the Clerk of the Course for inclusion with the Clerk of the Course Report.
- After all Testing for the Meeting, the ATO (and Chaperone if applicable) shall sign all KA Breath Alcohol testing log sheets produced and forward all reports and log sheets to KA or the relevant SKA.

Important Note

- If a CP is excluded, the ATO shall remind the CP of their legal obligation to not drive if they are over the legal limit (currently 0.050 in Australia)