

Rally Dakar 2022

30. December 2021 - 14. January 2022



Date: **Thursday, 30th December 2021**

Time: **20.00 hrs**

Subject: **STEWARDS DECISION N° 1**

Document No: **2.3**

From: *The Stewards*

To: Competitor car **no 214** Name: **CHRISTIAN LAVIEILLE**
Crew: **CHRISTIAN LAVIEILLE / JOHNNY AUBERT**

Number of pages: 2

Attachments: 0

The Stewards, having received a report from the FIA Technical Delegate, having examined the photos included in the report, have considered the following matter, determine the following:

Fact: Both crew members have presented the correct overalls during pre-event scrutineering. However, all other parts of the flame-resistant clothing are not in compliance the new FIA 8856-2018 standard.

Offence: Breach of FIA International Sporting Code, Appendix L (2022), Chapter III-2
Breach of Article 48.1 of the 2022 FIA Cross-Country Rally Sporting Regulation (in force as of 28. December 2021)

Decision: **To impose a fine of 1000 € to the driver**, which is suspended during the FIA World Rally-Raid Championship 2022, subject to no further breach of a similar nature during this period.

Reason: The driver explained that he got an information for ASO (organiser) that he should have the overall to the new FIA Standard. There was no specific information on the rest of the clothing.

According to ISC Appendix L – Chapter III Drivers' Equipment, 2. Flame-resistant clothing, "*in selective sections of cross-country competitions....., all drivers and co-drivers must wear overalls as well as gloves (optional for co-drivers), long underwear, a balaclava, socks and shoes homologated to the FIA 8856-2000 standard (Technical List N°27) or FIA 8856-2018 standard (Technical List No 74)*". However, Appendix L also states that Drivers, if listed as a Priority driver, and participating in the FIA World Championship for Cross-Country Rallies must wear flame-resistant clothing homologated to the FIA 8856-2018 standard (Technical List No 74).

I. As to the penalty:

- (1) As the mandatory requirement to wear flame-resistant clothing homologated to the FIA 8856-2018 standard refers only to drivers listed as a Priority driver whereas clothing homologated to the FIA 8856-2000 standard is still acceptable for all other drivers, the Steward understand that the latter standard still gives a reasonable and acceptable protection and they do hence not consider the infringement of the above driver as a major infringement of the safety regulations which would, like in most other cases, give rise to a more severe sanction than the one imposed here.
- (2) In imposing the above amount of a penalty, the Stewards also considered that the requirement of the FIA 8856-2018 standard refers only to Priority drivers and not to their co-drivers who are not listed on any list of Priority drivers but who are nevertheless competing in the same vehicle.

The Stewards finally conclude that there is a breach of the regulations and that a fine is necessary but sufficient for the reasons set out here.

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II. As to the suspension of sentence:

- (1) The LIST OF THE FIA CROSS-COUNTRY PRIORITY DRIVERS for 2022 was published on 14 December 2021, and it was thus only after this date that a driver could become aware to be a Cross-Country Priority Driver.
- (2) Additionally, the FIA Cross-Country Rally Sporting Regulations state that all drivers registered for the FIA World Rally-Raid Championship are also Priority drivers. (Article 5.1 of the CCRSR)
- (3) An inaccuracy to be considered is that Appendix L 2022 refers to a *FIA World Championship for Cross-Country Rallies*, which does not exist. In the corresponding regulations, this Championship is named *FIA World Rally-Raid Championship*.
- (4) Even if the drivers had realised in mid-December that they were Priority drivers, it would probably have been difficult for them to obtain the necessary equipment, especially during the Christmas holidays.
- (5) The Rally Dakar 2022 actually started in 2021, when the new rules (Appendix L) were not yet in force. ISC Article 2.1.7.a reads: "*A Competition is considered to have begun as from the time scheduled for the beginning of administrative checking and/or scrutineering*". Both began on 30. December 2021.

Under these circumstances, the stewards consider it appropriate to give the above driver the opportunity to obtain the required equipment before the next Championship competition in which he will participate.

The decision to suspend the sentence is not a precedent for the next FIA World Rally-Raid Championship competition.

The decision is based on the FIA International Sporting Code Art. 11.9.1, Art. 11.9.3 f; Art. 12.3.1; Art. 12.4.1.c. and Art. 12.4.6.

Competitors are reminded that they have the right to appeal certain decisions of the Stewards, in accordance with Article 15 of the FIA International Sporting Code and Article 9.1.1 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.

Uwe M. SCHMIDT
FIA Chairman of the Stewards

Jordi PARRO
FIA Steward

Ahmad JAN
ASN Steward

This decision was notified via SPORTITY to the competitor representative as below:

<i>Name in block letters</i>	CHRISTIAN LAVIEILLE	Date	30.12.2021
<i>Position in the team</i>	Driver	Time	19.45 hrs

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