



2024 UNITED STATES GRAND PRIX

18 – 20 October 2024

From	The Stewards	Document	85
To	US Race Management	Date	12 November 2024
		Time	07:00

SUMMARY

At the 2024 US Grand Prix, the Stewards took a Decision (Document 75) concerning an alleged breach of the regulations. Following that Decision, a Petition for a Right of Review was lodged by the Promoter and Circuit License Holder, Circuit of the Americas (COTA) and the Sporting Organizer, US Race Management (USRM).

The Stewards conducted a hearing on November 11, admitted the Right of Review and then proceeded to receive extensive evidence from COTA and USRM.

Based on that new evidence, the Stewards have determined that COTA did in fact take “reasonable measures” in the preparation of its safety plan for the event, and that therefore there was no breach of Article 12.2.1.h of the FIA International Sporting Code.

However, spectators gained access to the track, on the main straight, prior to the competing cars reaching the parc fermé and this is a breach of Article 26.7 of the Formula One Sporting Regulations. COTA agrees that this was a breach and accepts responsibility for that.

Accordingly, the Stewards determined that the requirement for a remediation plan and the penalty of a fine, partly suspended, as specified in the original Decision, remain (refer point 37 below).

HEARING PART 1

- 1) Following the display of the checkered flag of the US Grand Prix, October 20, 2024, but before all cars were in parc fermé, a large number of fans jumped from the front straight grandstand and gained access to the front straight of the circuit.
- 2) Following the race, the promoter/circuit owner, COTA and the Sporting Organizer, USRM, were summoned (Document n°70), and a hearing was held.
- 3) The Stewards found that a breach of Article 12.2.1.h of the ISC had occurred and the Stewards issued Document no. 75 (the Decision) at 2010hrs CST (USA) on October 20, 2024.
- 4) On October 23, 2024, COTA and US Race Management petitioned for a Right of Review under Article 14 of the FIA International Sporting Code (ISC).
- 5) Consequently, the Stewards issued summonses for COTA, USRM and representatives of the FIA, to appear at a hearing convened by video conference, at 1500 hrs CST (USA) Monday November 11, 2024. (Documents 76, 77, 78, 79 and 80).

- 6) The hearing commenced as scheduled at 1500 hrs CST (USA).
- 7) Attending the hearing were:
 - On behalf of COTA: Bobby Epstein, Chairman, Alyssa Epstein, General Counsel and Regan Holley, EVP Major Events.
 - On behalf of USRM: Tim Mayer, President
 - On behalf of the FIA and as expert witnesses: Nikolas Tombazis, Tim Malyon and Niels Wittich.
- 8) The hearing was conducted in two parts, the first part to determine, at the sole discretion of the Stewards (as specified in Article 14.3 of the ISC), if there was “a significant and relevant new element...which was unavailable to the parties seeking the review at the time of the decision concerned” (Article 14.1.1 of the ISC). In this case the parties concerned were COTA and USRM. The second part would only take place if such a new element was found to exist.
- 9) On October 24, COTA and USRM submitted an extensive list of elements they believed met the criteria required in Article 14.1.1 and provided written argument as to why these elements, in the opinion of COTA and USRM, met those criteria. This list was amended on October 29 with a number of elements being withdrawn having been considered by COTA and USRM as not relevant.
- 10) The elements which COTA and USRM claimed to meet the criteria of Article 14.1.1 were:
 - a. Evidence from the Formula 1 Safety Team
 - b. Evidence from the Head of Munger US Security Company
 - c. Evidence of COTA Security Staff
 - d. Resumes of COTA Security Consultants
 - e. Overview of COTA Security for the Event
 - f. COTA Security Expenditure
 - g. Evidence from the Clerk of the Course
 - h. Evidence from the Circuit Maintenance staff
 - i. Evidence from Christian Epp of Tilke GmbH & Co
 - j. Evidence from City of Austin in relation to Special Event Permit and Procedures, COTA Certificate of Occupancy, NFPA Fire and Life Safety Codes and ANSI Standard ES1.9-2020, COTA Emergency Action Plan, List of major Austin City events.
 - k. Evidence from Track Insurance Broker
 - l. Evidence from other COTA Security Consultants
 - m. Evidence from COTA Vice President of Ticketing
 - n. Evidence from COTA Marketing Department.
- 11) The Stewards asked if there were any further elements being proposed by the parties, or if any party wished to make further comment relevant to the consideration of the elements’ compliance or otherwise with Article 14.1.1

12) There being no further submissions or comments, the hearing was adjourned at 1525hrs CST in order for the Stewards to determine if there existed a new element meeting the criteria required under Article 14.1.1

DECISION 1

13) Having considered the submissions of COTA and USRM and noting there were no comments at this time from the FIA representatives, the Stewards, using their sole discretion, **DETERMINE** that the following elements referred to in point 11 above, meet the criteria of Article 14.1.1:

d. Resumes of COTA Security Consultants

f. COTA Security Expenditure

j. Evidence from City of Austin in relation to Special Event Permit and Procedures, COTA Certificate of Occupancy, NFPA Fire and Life Safety Codes and ANSI Standard ES1.9- 2020, COTA Emergency Action Plan, List of major Austin City events.

14) Appendix A attached lists the submitted elements and the determination of the Stewards in relation to each of the four criteria required under Article 14.1.1

HEARING PART 2

15) The hearing was reconvened at 1535hrs CST (US) with the parties specified in point 7 in attendance.

16) The Chair announced the Stewards' determination that new elements complying with Article 14.1.1 did exist and specified which elements these were.

17) The decision of the Stewards as to whether such an element exists, is non appealable (refer ISC Article 14.3)

18) The Stewards then proceeded to hear evidence in relation to these elements.

19) The Stewards chose to hear the case "de novo" including the new elements.

20) The Stewards noted that COTA, via the ASN for the USA (ACCUS) held an FIA Circuit License valid until December 31, 2025.

21) Accordingly, COTA is deemed to be an FIA License holder and is therefore deemed to be acquainted with, and must comply with, the FIA International Sporting Code (Article 2.6.1.a).

22) The Stewards heard evidence from: Alyssa Epstein, Bobby Epstein, Regan Holley, Tim Mayer, Nikolas Tombazis and Tim Malyon.

23) COTA and USRM submitted that fans took illegal actions in gaining access to the circuit however they submitted that the new elements demonstrated that the security measures put in place, for the event, were "reasonable" and therefore there was no breach of Article 12.2.1.h

24) COTA and USRM submitted that the proper test of whether actions were "reasonable" should not be based on hindsight but rather whether their facilities and plans were adequate given what was known in advance, i.e. was the plan reasonable?

25) In particular, the above parties provided evidence in relation to:

- a. The credentials of the COTA Security consultants
- b. The security expenditure
- c. The overall security plan including the plan for the track invasion post event
- d. The FIA circuit design and homologation standards
- e. The City of Austin requirements for a permit including input from various agencies
- f. The significant numbers of security personnel present
- g. The significant number of police and other government agency personnel present
- h. Other F1 circuit designs
- i. The definition of "reasonable".

26) Mr Malyon informed the Stewards of the reasons for the gap between the barriers and the debris fencing.

27) The Stewards then heard evidence from Mr Tombazis who stipulated that given the additional information provided, the FIA considered the planning and preparation made by COTA were "reasonable".

28) The Stewards, however, note that notwithstanding the above, a track incursion did occur.

29) COTA and USRM agreed that it was unacceptable that fans gained access to the track, regardless of the level of risk and agreed that this was a breach of Article 26.7 of the Formula One Sporting Regulations.

30) The FIA representatives agreed that this breach had occurred.

31) Article 12.3.1 of the ISC provides that any breach of the Code or "of the regulations of the FIA" may be penalised. The Formula One Sporting Regulations are regulations of the FIA.

32) Further, the Promoter and the Circuit License Holder are required to comply with the requirements of the ISC.

33) There is an agreement between the COTA and USRM that places responsibility for the security of the public under the control of COTA

34) The Stewards note that the Safety Plan for the allowance of the public onto the track post-race, was actually well implemented. The record crowd was, overall, very well controlled.

35) Notwithstanding the above, the incursion did occur. However, based on the evidence now tendered, the Stewards accept that the Safety Plan had been reasonably prepared based on the experience of the previous 12 years. The illegal misconduct by a number of spectators was a significant contributor to this incident.

36) The Stewards note the strong commitment by Mr Epstein to ensuring the security of future events. We also note the cooperation of all parties in these proceedings.

DECISION 2

37) Accordingly, having considered the substantial evidence submitted at this hearing and the original hearing on October 20, the Stewards **DETERMINE** as follows:

- a. That the original decision that COTA breached Article 12.2.1.h of the ISC and that there was a “failure to take reasonable measures thus resulting in an unsafe condition”, is set aside. The Stewards believe, based on the evidence submitted at this hearing, that the measures taken were indeed reasonable.
- b. That COTA is in breach of Article 26.7 of the FIA Formula One Sporting Regulations, which require that “no one is allowed on the track” until “the last car enters the parc ferme”.
- c. That COTA is required, by December 31, 2024, to submit a full remediation plan for the approval of the FIA which adequately addresses this issue and also assesses whether other potential incursion areas exist around the circuit.
- d. That a fine of €500,000 is imposed on the Promoter. However, in view of the fact this is the first case of its kind at this circuit in its 12-year history of Formula One events, €350,000 of the fine is suspended until December 31, 2026, on the condition that between now and that date, there are no further similar mass track incursions at this circuit during any FIA Championship Event.
- e. The Stewards recommend to the FIA that the proceeds of the unsuspended portion of the fine be dedicated to additional motorsport safety by the FIA Safety Department.

38) In view of the above Decision, the Decision in Document 75 is automatically replaced with the above, and consequently the Appeal against the Decision of October 20 before the FIA International Court of Appeal has become moot.

All parties 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 Chapter 4 of the FIA Judicial and Disciplinary Rules, within the applicable time limits.

Decisions of the Stewards are taken independently of the FIA and are based solely on the relevant regulations, guidelines and evidence presented.

Garry Connelly

Loïc Bacquelaine

Derek Warwick

Dennis Dean

The Stewards

Appendix A

Stewards' Determination of whether submitted elements met criteria under Article 14.1.1

	Element submitted	Unavailable	New	Relevant	Significant
a.	Evidence from the Formula 1 Safety Team	✓		✓	✓
b.	Evidence from the Head of Munger US Security Company		✓	✓	✓
c.	Evidence of COTA Security Staff		✓	✓	
d.	Resumes of COTA Security Consultants	✓	✓	✓	✓
e.	Overview of COTA Security for the Event	✓		✓	✓
f.	COTA Security Expenditure	✓	✓	✓	✓
g.	Evidence from the Clerk of the Course		✓	✓	✓
h.	Evidence from the Circuit Maintenance staff		✓	✓	✓
i.	Evidence from Christian Epp of Tilke GmbH & Co	✓		✓	✓
j.	Evidence from City of Austin in relation to Special Event Permit and Procedures, COTA Certificate of Occupancy, NFPA Fire and Life Safety Codes and ANSI Standard ES1.9- 2020, COTA Emergency Action Plan, List of major Austin City events.	✓	✓	✓	✓
k.	Evidence from Track Insurance Broker	✓	✓		✓
l.	Evidence from other COTA Security Consultants		✓	✓	✓
m.	Evidence from COTA Vice President of Ticketing	✓			
n.	Evidence from COTA Marketing Department.	✓			