TrackDay Alliance®

# TDA Policy Guide for Organizers and Other Roles

*Based on TDA's model and Swedish legislation. Insurance terms and insurance information are provided by If Skadeförsäkring AB. TDA's documents describe only the sporting function of the license and organizer processes.*

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### 1. Purpose

This policy describes the basic requirements that apply to organizers, marshals, and instructors at trackdays and similar driving activities conducted under TrackDay Alliance (TDA). The policy ensures that:

- third parties are protected in accordance with the Motor Racing Insurance Act (1976:357)
- the event complies with the Work Environment Act (1977:1160)
- the organizer fulfills its liability obligations under the Tort Liability Act (1972:207)
- all roles are covered by appropriate insurance protection

TDA is not a competition federation and therefore does not follow, for example, Svemo's competition regulations. However, TDA's policy is based on the same fundamental safety principles found in established motorsport rules, such as:

- clear roles and responsibilities for organizers, marshals, and instructors
- requirements for adequate protective equipment for riders/drivers
- requirements for the safety level of the track environment
- requirements for medical preparedness and communication

These principles are used to ensure professional and safe operations.

See also section 8 of this Policy regarding limitations of liability and purpose.

### 2. Organizer's Responsibility

The organizer is ultimately responsible for ensuring that the activity is conducted safely and lawfully. This means that the organizer must:

#### 2.1 Ensure insurance protection

- **valid Event Insurance** (through the TDA Organizer License for Motor Racing Insurance) to cover the Motor Racing Insurance Act (1976:357), covering damage to third parties, track owners, spectators, ambulance personnel, visitors, and other external actors. The law also states that **drivers participating in competition** must also have protection (such as a TDA driver license)
- **valid protection for marshals and instructors** through the TDA Marshal License and TDA Instructor License in their respective roles under this policy and work environment laws

**The Event Insurance** is purely liability insurance and never covers personal injuries to marshals or instructors, regardless of whether they are riding/driving or not. The organizer must therefore ensure that these roles are covered by separate protection corresponding to the risks in their duties.

The organizer must also

- Ensure that **subcontractors** working for the organizer at the track have their own insurance to perform the work in accordance with the law.

- **Ambulance personnel** are available to handle any accidents, including vehicles and equipment. Medical preparedness must correspond to the risk level of track driving and be staffed by competent personnel with a clear communication route to the organizer's management.

**Possible consequences if the organizer does not ensure proper protection**

The organizer is responsible for ensuring that all events are conducted with insurance protection that meets applicable legislation and TDA's guidelines. This includes both marshals and instructors, because they perform duties on behalf of the organizer and are therefore covered by the Work Environment Act.

**If the organizer does not ensure:**

- Motor Racing Insurance (for competition elements), marshal protection for marshals, and instructor protection for instructors, including protection during their own riding/driving

...the following risks arise:

- the organizer breaches the Work Environment Act, because marshals and instructors are employees in the meaning of the law
- the organizer may become personally liable for damages for personal injuries to marshals, instructors, or third parties
- the organizer may be subject to injunctions, fines, or prosecution reports for work environment violations
- marshals and instructors risk being left entirely without compensation in the event of an accident, because the event insurance does not cover internal roles
- track owners and third parties may bring recourse claims directly against the organizer

This responsibility cannot be contracted away. The organizer must therefore always ensure that proper insurance protection exists for all roles, including instructors who ride/drive while on duty.

**2.2 Work Environment Responsibility**

**This is up to the Organizer or Motor Track Owner, but most organizers fall under the Work Environment Act**

Most trackdays today fall under the Work Environment Act because the events have evolved from small, informal gatherings into organized operations where people perform clearly defined duties under the organizer's management. When marshals, instructors, flag marshals, ambulance personnel, or other roles participate in the event so that the activity can be carried out, they are regarded as employees in the meaning of the Work Environment Act—regardless of whether they are volunteers, temporary, or unpaid.

Previously, smaller and more spontaneous driving days could fall into a grey area, but today's trackdays have a completely different structure: schedules, roles, instructions, safety procedures, communication, division of responsibilities, and often paying participants. This means that the organizer is considered an employer in the meaning of the law and must therefore meet the requirements of the Work Environment Act regarding a safe work environment, risk management, and insurance protection for everyone working at the event.

It is therefore not the size of the event that determines this, but **the fact that someone organizes, leads, and is responsible for an activity in which others perform work duties**. Modern trackdays are therefore covered by the Work Environment Act, even though similar activities may previously have been carried out more informally.

Most organizers are covered by the Work Environment Act (1977:1160) because the organizer organizes, leads, and is responsible for an activity in which people perform duties on the organizer's behalf. The Work Environment Act applies regardless of whether the work is voluntary, temporary, or performed without an employment contract. It is the work duty itself, not the compensation, that determines whether the law applies.

Marshals and instructors are therefore regarded as employees in the meaning of the Work Environment Act, because they perform duties that are necessary for the event to be carried out and do so under the organizer's management and instructions. The organizer is therefore regarded as an employer in the meaning of the law.

As employer, the organizer is responsible for ensuring that:

- the work environment is safe and organized
- risks are identified and managed
- roles and instructions are clear
- marshals and instructors have protection corresponding to the risks in their duties
- no one is exposed to unacceptable risks during the event
- marshals and instructors have the right competence
- everyone working at the event has insurance protection corresponding to the risks

This responsibility cannot be contracted away or transferred to marshals, instructors, or participants. The Work Environment Act follows the activity and the work duties, not the organizational form, compensation, or licenses.

**2.3 Control of Roles and Protection**

Before the event, the organizer should document that:

- marshals are covered by the event's marshal protection
- instructors are covered by adequate protection when teaching
- instructors are covered by adequate protection when riding/driving (see section 4)
- The organizer must ensure that drivers use protective equipment corresponding to the risk level of track driving. Drivers participating in competition elements should also use an airbag.
- The organizer must appoint a responsible driving leader with documented competence and a clear mandate to stop driving, remove drivers, or change group assignments for safety reasons.

**2.4 Prepared Procedures and Documentation in the Event of an Accident**

- Before each event, the organizer should have prepared and documented procedures for how accidents and incidents are to be handled. These procedures must include:
    - clear division of roles (driving leader, marshals, medical staff, paddock manager)
    - communication routes between marshals, paddock management, and medical staff
    - instructions for stopping driving and securing the track
    - procedures for receiving and assisting rescue personnel
    - procedures for informing participants and resuming driving safely
- In the event of an accident, the organizer should document:
    - the course of events
    - which roles were involved
    - which instructions were given
    - which measures were taken and when
    - any deficiencies or deviations from the procedures

This documentation should be retained for at least 12 months and be available in the event of any recourse investigation, authority inquiry, or internal follow-up. See also the appendix as an example of documentation.

**2.5 Right of Recourse in the Event of an Accident**

- An insurance company that compensates an injured driver always has the right to bring a recourse claim against the party considered to have caused the damage or the party that failed in its responsibility as organizer. This applies even if the injured driver's own motorcycle insurance "applies on track."
- If the organizer lacks correct event insurance (Motor Racing Insurance), recourse may be directed directly against the organizer. Recourse may also be directed against the driver who caused the accident if that driver lacks valid personal injury protection.
- Participants signing waivers or "drive at your own risk" documents does not affect insurance companies' right of recourse and does not release the organizer from liability under law.
- The organizer must therefore ensure that all roles are covered by correct protection in order to avoid recourse claims that may lead to significant financial consequences.

**2.6 Right of Recourse and Liability in the Event of Deficiencies in the Organizer's Protection**

If the organizer does not meet the requirements set out in this policy under law, including ensuring correct insurance protection for third parties, marshals, instructors, and drivers participating in competition elements, there is a significant risk of recourse claims from insurance companies.

Recourse means that an insurance company that has paid compensation to an injured party may claim back all or part of the amount from the party considered to have caused or enabled the damage. For the organizer, this means that:

- insurance companies may bring recourse claims directly against the organizer if the event lacks correct liability insurance or motor racing insurance
- recourse may be directed against the organizer even if the damage was caused by a driver, if the organizer has not ensured that the driver had valid personal injury protection or if the organizer has failed in its obligations as the operator of the activity
- recourse may be directed against the organizer if marshals or instructors lack adequate protection, because under the Work Environment Act the organizer is responsible for their safety
- recourse may be directed against the organizer for damage to third parties, track owners, or spectators if event insurance is missing or invalid

Having drivers, marshals, or instructors sign waivers or "drive at your own risk" documents is useful but does not affect the right of recourse and does not release the organizer from liability under law.

The organizer must therefore always ensure that all roles are covered by correct insurance protection and that the event is conducted in accordance with applicable legislation and TDA's requirements. Failure to do so may lead to significant financial consequences, including personal liability for damages.

**2.7 Motor Tracks.**

The organizer shall only use tracks that meet established safety requirements for track driving, including run-off areas, rescue routes, and medical preparedness. See the TDA website under "Motor Tracks" regarding trackdays, training, and competition.

### 2.8 Noise Level and Environmental Requirements

The organizer shall ensure that all vehicles participating in the event meet the noise level applicable to the relevant motor track under its environmental permit. Most Swedish tracks apply a limit of 95 dB (drive-by), but local variations occur and must always be followed.

The organizer is responsible for:

- informing participants about applicable noise requirements
- conducting noise checks when needed
- rejecting vehicles that exceed the permitted noise level
- stopping driving if the track's environmental requirements risk being exceeded

Breaches of the noise requirements may lead to the track owner stopping the event, permits being withdrawn, or sanctions being directed against the organizer. Noise level requirements are therefore a mandatory part of the organizer's responsibility.

### 2.9 License Distribution and Sales

TDA's licenses (Driver License, Instructor License, and Marshal License) are personal and may not be resold, packaged, or distributed by the organizer. All license handling takes place directly between TDA and each individual to ensure correct registration, personal consent, and valid insurance protection.

The organizer may not include TDA licenses in entry fees or market them as part of the organizer's own products. However, the organizer may provide participant lists to TDA for license checks in accordance with TDA's procedures.

## 3. Marshals

Marshals are persons who perform duties for the organizer without driving a vehicle themselves. Marshals are covered by:

### 3.1 Marshal Protection

Marshals shall be covered by the event's marshal insurance, which covers:

- personal injuries
- accidents
- recourse claims (claims from insurance companies)
- liability while on duty

### 3.2 Competence Requirements

Marshals shall:

- have received instructions for their duties
- understand the event's safety procedures
- understand their role and its limitations

## 4. Instructors

Instructors may work in two different roles:

### 4.1 Instructor Teaching (no riding/driving)

When the instructor:

- leads briefings
- instructs from beside the track
- works in a marshal-like role

...the instructor shall be covered by marshal protection.

**4.2 Instructor Riding/Driving a Motorcycle**

When the instructor:

- rides/drives with participants
- demonstrates racing lines
- participates in practical exercises
- rides/drives warm-up laps

...the instructor shall be covered by personal protection that covers their own personal injury.

This can be achieved through:

- **TDA's Instructor License** or **personal TDA Driver License insurance**, or another license/insurance approved by the organizer that covers the instructor's own riding/driving while on duty (the instructor shall assure the organizer that they have such protection – see Appendix 2)

**4.3 Organizer's Responsibility**

- The organizer shall ensure functioning communication between paddock management, marshals, and medical staff throughout the event.

- The organizer shall stop or pause riding/driving in unsafe conditions, such as an accident, obstacle on the track, weather changes, or poor visibility.

The organizer shall ensure that the instructor has protection that:

- covers personal injury during their own riding/driving
- corresponds to the risk level of the assignment
- is valid throughout the entire event

The organizer must ensure that the protection **exists**. The organizer may, where applicable, purchase a specific discount code from TDA for its specific instructors in order to subsidize it.

**5. Drivers / Participants**

Drivers are personally responsible for:

- their personal accident insurance, their equipment, and complying with the organizer's rules and instructions

The organizer is responsible for:

- informing participants about requirements and checking that they meet them (preferably through written acknowledgement)

As organizer, you should ensure that each participant confirms the following before riding/driving:

1. Self-check or inspection The driver confirms that they have completed the self-check of the motorcycle and protective equipment in accordance with the organizer's instructions—or that the motorcycle has undergone the organizer's inspection.

2. Understanding of rules and conditions The driver confirms that they have read and understood the rules, instructions, and safety procedures that apply to the event.

3. Insurance protection The driver confirms that they have personally checked their insurance protection and are aware of any limitations in their own insurance when riding/driving on track.

4. Personal responsibility when riding/driving The driver confirms that track riding/driving takes place at their own risk in the sense that the driver is personally responsible for their riding/driving, their decisions on track, and their own equipment. This does not mean that the organizer waives liability under law, but that the allocation of responsibility is clarified and that the driver is aware of the risks associated with track riding/driving. Purpose of the confirmation This confirmation is not a technical inspection, an insurance assessment, or a legal waiver by the organizer. It is a tool to:

- clarify the allocation of responsibility
- ensure that each driver is informed and prepared
- reduce the risk of misunderstandings
- create a safer, more professional, and more predictable driving day

Such a procedure strengthens the organizer's safety work, reduces organizational risk, and contributes to a higher standard across the entire trackday sector.

The organizer must not provide misleading information about insurance protection. Incorrect statements that a driver's private insurance applies on track may result in liability for damages under the Tort Liability Act.

**TDA strongly recommends that each organizer ensures that all drivers approve a clear and documented risk acceptance before riding/driving begins**.

A risk acceptance reduces the risk of misunderstandings, disputes, and recourse claims between participants, and contributes to a safer and more professional implementation process. Risk acceptance is not a legal requirement, but it is an established and well-tested part of good practice in motorsport and similar activities, both in Sweden and internationally.

TDA provides recommended wording for risk acceptance that organizers may use in their driver form below.

> "*I hereby confirm that I participate in the riding/driving at my own risk, that I have read and understood the risks associated with riding/driving on track, and that I bear full responsibility for my actions and for any damage to my own vehicle.*"

**Recommendation on Vehicle Condition, Inspection, and Written Acceptance**

TDA recommends that the organizer, to the extent practically possible, carries out a simple visual check of participants' vehicles before riding/driving. The purpose is to improve general safety by allowing more people to notice obvious defects or risks. Such a check is voluntary and does not constitute a technical inspection.

It is important to emphasize that responsibility for the condition of the vehicle always and without exception rests with the driver. The driver is fully responsible for ensuring that the vehicle is safe, roadworthy, and compliant with the rules before and throughout the entire event, regardless of whether the organizer has carried out a visual check or not.

TDA therefore recommends that the organizer obtains a **written acceptance** from each driver in which the driver confirms full responsibility for the condition of the vehicle. This acceptance can preferably be integrated into the terms and risk acceptance that the driver should approve upon registration or check-in.

To assist the driver, TDA also provides a **self-checklist** on the website. The organizer is encouraged to refer drivers to this list as support for ensuring that the vehicle is in proper and safe condition before riding/driving begins.

TDA recommends that the organizer clarifies that instructors who participate in the riding/driving do so on the same terms as other drivers. Instructors do not have any extended responsibility for other participants' riding/driving or vehicles, and their presence on track does not mean that the organizer or instructor assumes any responsibility for other drivers' actions. Each driver is fully responsible for their own riding/driving, decisions, and vehicle, including in situations where instructors are on track or provide advice before or during the session. This should be stated in the written risk acceptance obtained by the organizer from the driver.

**6. Track Owner**

The track owner is covered by the event's liability insurance as a third party. The track owner has the right to refuse events that do not comply with laws and regulations. The organizer shall ensure that the track owner:

- is informed about the event's insurance protection, receives documentation where needed, and is not exposed to unacceptable risks

**7. Documentation**

Before each event, the organizer shall document:

- which marshals are participating
- which instructors are participating
- that each role is covered by correct protection and that information is sent to TDA before the event (marshal)
- that the event insurance is valid

The documentation shall be retained for at least 12 months after an event.

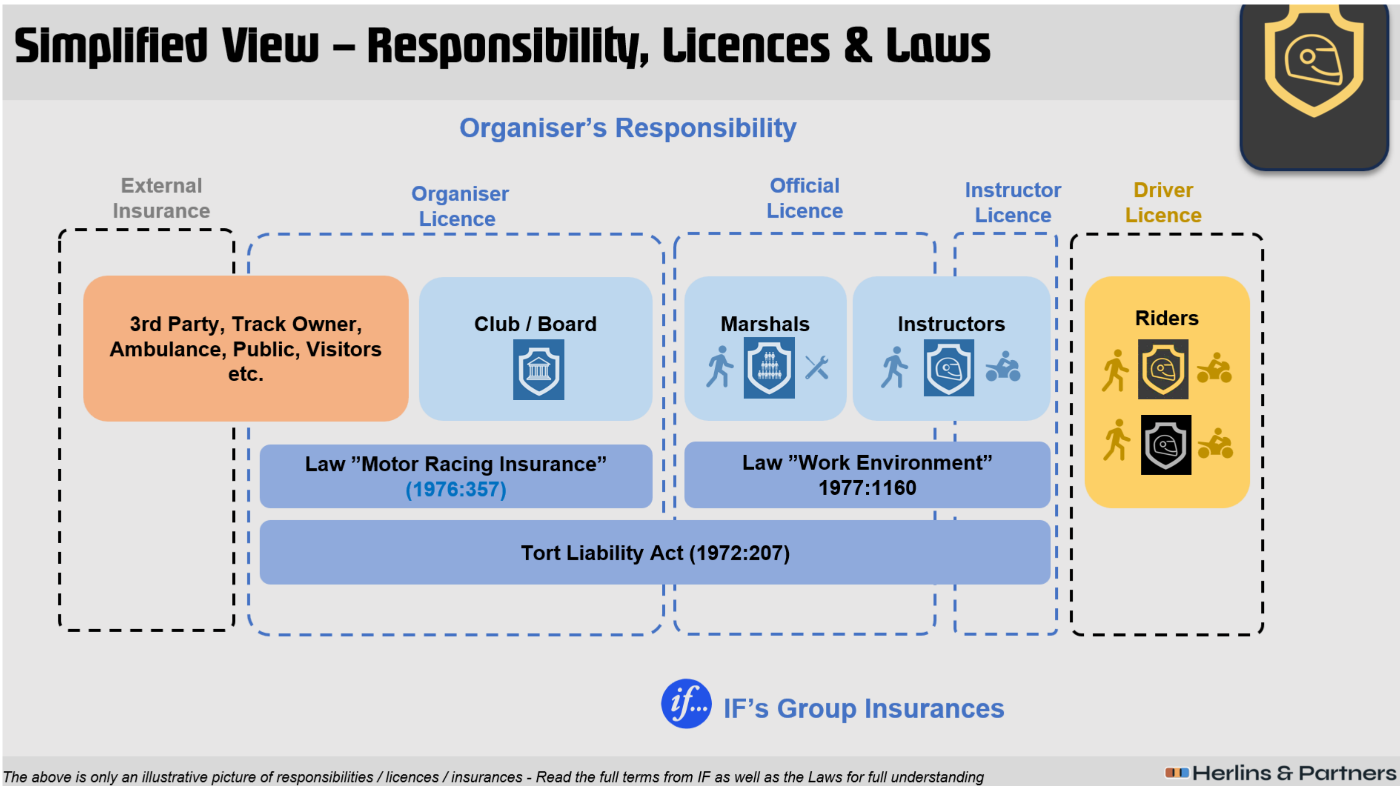
**8. Limitation of Liability**

This policy is a simplified overview and should be regarded as guidance and advice for organizers in order to reduce risk for everyone involved. Full terms and conditions are found in:

- TDA's terms and conditions
- Swedish legislation
- the full insurance terms and conditions of each respective insurance company

In the event of a conflict, **law and insurance terms and conditions** always prevail over this policy.

# Appendix A – Overview Image

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# Appendix B

## Instructor Certificate of Insurance Protection

**This certificate must be submitted to the Organizer before the Instructor's first work task**

As an instructor, I understand that I am personally responsible for having personal insurance protection that applies when I participate as an instructor and driver during the organizer's trackdays.

It is appropriate that the insurance covers riding/driving on a motor track under the different formats (for example trackday, timing, training, or competition, with or without a license) that the events may include on enclosed motor tracks and closed-off areas.

I am aware that the organizer's insurance does not cover personal injuries to instructors.

**Organizer:** ______________________________________________

**Instructor:**

Name: ___________________________________

Email: ___________________________________

Telephone no.: ___________________________________

**Place and date:** ________________________________________

**Instructor signature:** ___________________________________

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# Appendix C -

# Prepared Procedures for Accident Management (Before the Event)

**Purpose:**
To ensure that the organizer has clear, documented, and prepared procedures for handling accidents and incidents in a safe, prompt, and structured manner. This appendix is for guidance only, and the work may be carried out in many ways.

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**1. Roles and Responsibilities**

**Responsible Driving Leader (pit exit marshal post)**

Name: ___________________________
Telephone: _________________________

**Paddock Manager & Noise Control Manager:**
Name: ___________________________
Telephone: _________________________

**Medical Manager:**
Name: ___________________________
Telephone: _________________________

**Flag / Track Marshals / Tower:**
Name: ___________________________
Telephone: _________________________

**Responsible Event Manager (legal)**
Name: ___________________________
Telephone: _________________________

**2. Communication Routes**

**Primary communication (radio/telephone):**
☐ Radio
☐ Mobile phone
☐ Other: ________________________

**Communication channels:**

- Driving Control ↔ Marshals & Tower
- Driving Control ↔ Medical Team
- Driving Control ↔ Paddock
- Driving Control ↔ Event Manager

**Description of communication chain:**

### 3. Procedures for Stopping Driving

**Instructions for stopping driving:**
☐ Red flag
☐ Radio call
☐ Paddock signal
☐ Other: ______________________

**Person responsible for initiating stop:** ______________________

### 4. Procedures for Securing the Track

☐ Marshals are alerted
☐ Medical team is alerted
☐ Marshal posts confirm stop
☐ Track is checked before restart

Any special instructions: ______________________ ______________________

### 5. Procedures for Receiving Rescue Personnel

☐ Gates are opened
☐ Route guidance is assigned
☐ Medical team meets them
☐ Driving Control informs marshals

### 6. Procedures for Resuming Driving

☐ Track checked
☐ Obstacle removed
☐ Medical team clearance
☐ Marshals clearance
☐ Driving leader approves restart

### 6. Procedures for Noise Control

☐ Measure noise level (separate protocol is usually provided by the track)
☐ Number of black flags
☐ Number of exclusions

### 7. Signature

Organizer's name: ________________________________________
Date: _____________________
Signature: ______________________________________________

# Appendix D – Accident Report / Incident Report (After the Event)

**Purpose:**
To document the course of events and measures taken in the event of an accident or incident. This appendix is for guidance only, and the work may be carried out in many ways.

**1. Basic Information**

**Date:** ________________________
**Time:** ___________________________
**Location on track:** _________________
**Weather conditions:** _______________

**2. Persons Involved**

**Driver:**
Name: ____________________________
Start number/group: ________________

**Instructor (if applicable):**
Name: ____________________________

**Marshals on site:** ____________________________

**3. Course of Events**

Briefly describe what happened: ____________________________ ____________________________

**4. Measures Taken**

☐ Driving was stopped
☐ Marshals were alerted
☐ Medical team was alerted
☐ Rescue personnel were assisted
☐ Track was secured
☐ Participants were informed

**Timeline (if possible):**

- Alert received: _________
- First marshal on site: _________
- Medical team on site: _________
- Track cleared for restart: _________

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**5. Serious Deviations or Deficiencies from Procedures**

☐ None
☐ Yes, describe:

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### 6. Procedures for Noise Control

☐ Measure noise level (separate protocol is usually provided by the track)
☐ Number of black flags
☐ Number of exclusions

### 7. Assessment and Recommendations

### 7. Signatures

**Responsible driving leader:**

Name: ________________________

Signature: ___________________