

A Racer for the Racer's by Scott Frazier

I wanted to do a critical reading of the press release presented by the APBA and follow it up with some information that I have uncovered over the past few days, I think it is important that racers and promoters alike are fully informed before making a decision whether to support any plan or proposal for race sanctioning. The bold points in quotes are the passages of the Jan 23, 2004 Press release which I feel raise some red flags. I have obtained a copy of Patrick Mell's proposal that was circulated to the promoters and have elaborated on some of that proposal's content within this evaluation. All information obtained in this reading comes from either the press release, the proposal, or interviews with the APBA office, other APBA promoters, boat magazine columnists, IJSBA promoters, and legal searches.

“The new APBA Personal Watercraft Racing (PWR) program is something that has been in the works for several months now. The APBA has worked extensively on the development of this new division to manage and market the sport of watercraft racing in the United States and service the current U.S. promoters and racers.”

For something that has been in the works for a few months prior to the release, there sure were a lot of unanswered questions and persons uninformed in the greater PWC industry. I fail to see how “extensive development” on this program could come about without significant input from a majority of PWC racers and current promoters. I spoke with at least five promoters after this announcement was released and none of them had any prior or subsequent knowledge of any development that went into the program. Taking this part of the press release at face value, the only possible explanations are that either the creation of this plan had little to no input from current PWC racers or promoters or that any input came from promoters and racers of which the US PWC racing circuit is unfamiliar with. Either explanation does not bode well for any confidence that the needs of the current US racers would be best served by this plan to be the US affiliate for IJSBA racing.

“In 2003, APBA events were broadcast on more than 50 nationally televised shows on Speed Channel, The Outdoor Channel, Fox Sports Net and other national and worldwide sports networks. Last year, APBA celebrated its 100-year anniversary.”

I felt that the placement of this passage is somewhat deceptive. I am sure that the author(s) will state that this statement was made only to inform the public as to the extent of APBA prestige, but I feel the placement gives the inference that the PWC promoters that operate under this plan will have greater access to major media and that APBA participation will increase the likelihood of television coverage for the PWC events. Nowhere in the actual proposal which was circulated by Patrick Mell is there any mention of coverage for PWC events nor is there any system, formula, contract, cost chart, or any other shown method for the APBA sanctioned PWC promoters to acquire such coverage. In no way does the APBA itself secure television coverage for any event. Television coverage, like race sponsorship and endorsements, are the sole doings of the individual promoter or club.

“The vision for the APBA PWR category is to be the premier provider of watercraft racing content in the world, providing a fair and stable environment for competitors, and managing the commercial development of the sport in a manner that continuously improves the economic environment for all stakeholders.”

This passage raises some questions about APBA's ambition to be the world's premiere provider of PWC racing. The APBA is the United States affiliate of the UIM (Union Internationale Motonautique), a major international sanctioning body for boat racing located in Monaco. Things get complicated here. The UIM has its own PWC program in foreign countries (Aquabike series). The UIM series has always been in direct competition with the IJSBA foreign affiliates. So under this proposal, we are going to have the IJSBA affiliate be an extension of the APBA which as an affiliate of the UIM which competes with the IJSBA. Add to this mess that the UIM has their own world finals system. On its face, this system seems to be in conflict with the reliable IJSBA foreign affiliates which have shared resources with us for years. Is the APBA program an attempt to sever the US racing market and hand it over to the UIM? What regulatory controls does the UIM have over APBA sanctioned races?

These are questions for which racers and promoters should have answers.

“The American Power Boat Association (APBA) is extremely excited about personal watercraft racing returning under the APBA sanction”, said Gloria Urbin, APBA Executive Administrator. “We are confident that the APBA, together with the new APBA PWR staff, will be able to professionally manage the sport of personal watercraft racing.”

Pay close attention to the wording of this quote. The APBA itself is planning to professionally “MANAGE” US PWC racing. Please note how different a word this is from words such as funding, promoting, or assisting. This is because the APBA is not going to fulfill any of those roles. Contrary to the popular belief that seems to manifest in the internet discussions, the APBA does not have a general fund which distributes to the promoters or clubs. Each promoter sanctioned by the APBA is solely responsible for its own money, advertising, budget, and the like. The actual APBA office does not engage

“I am very excited to work with the APBA once again”, said Patrick Mell. “They are a professional organization and I look forward to being able to use their resources and guidance to help promote the sport.”

I feel that this is another misleading passage. This passage gives the appearance that the APBA will be contributing resources to the PWC racing community. The facts appear to be quite the opposite as it is with all APBA category races. Promoters and APBA clubs PAY THE APBA. To quote verbatim an APBA outboard promoter which I interviewed: “One thing is for sure, the APBA puts no money in the races.” From Patrick Mell’s own proposal PWC promoters will have to pay fees for the maintenance of APBA’s 8000 square foot building and other APBA overhead. The balance of fees assessed by PWC promoters would pay the PWR division category expenses. Under Patrick Mell’s program, manufacturers do not have to pay a fee for their product to participate in the PWR events. So that it is clear, **UNDER PATRICK MELL’S PLAN: MANUFACTURERS MUST PAY NOTHING WHILE PROMOTERS AND RACERS ARE LIABLE FOR ALL EXPENSES.** Further under Patrick Mell’s plan the promoters, dealerships, and aftermarket companies are asked to rally together to form a grassroots marketing campaign. This spells out that the US PWC community is totally responsible for our own marketing and publicity except for whatever portions of the APBA magazine and websites we may or may not have access to. I fail to see where this proposal enhances any marketing opportunities for PWC racers or promoters.

“The APBA has been elected by the outgoing IJSBA Board of Directors to serve as the United States representative on the newly created IJSBA Transition Coordinating Committee consisting of 10 international sanctioning bodies.”

The big question to be asked is: Why is the APBA even bothering with participating in an IJSBA committee when the APBA is such a successful entity of its own? I believe the answer is simple. The APBA PWR plan wants all the funds and resources that come from the 1,500 person population of US PWC racers to be diverted instantly to the control of the APBA/ PWR category. To be sure, the IJSBA intellectual properties such as IJSBA name, IJSBA Logos, and the IJSBA World Finals are valuable properties which can be financially exploited for substantial financial gain. The reason the IJSBA symbols and events are of such value is because of the prestige and dedication from the US PWC racers and promoters that have been supporting and participating in the IJSBA for the last two decades. Thus far, this APBA plan reads that US Racers give all their chips to the APBA PWR division, headed by Patrick Mell, and hope for the best. Absent from the plan submitted by Mell to promoters is whether Patrick is an exclusive licensee of the PWR division, or a recognized club, or exactly how his relationship with the PWR division works. Further, it has not been established whether Patrick will continue to be a promoter in addition to being the head of the PWR.

Here are some more facts about the proposal submitted by Patrick Mell:

1. OEM manufacturers are not required to pay any monies but have membership in the rules committee
2. For 2004 no riders are on the rules committee.
3. As of this writing, the APBA PWR plan has no known insurance. Despite having been released one week after the initial APBA press release (which announced months of development), the Patrick Mell proposal to promoters did not have any insurance in place.
4. Patrick Mell’s relationship with the APBA is not finalized nor are there any concrete finalized plans for PWC’s. This entire proposal is an invention of Patrick Mell and not of APBA.
5. Patrick Mell’s plan gives racers no voice for 2004.
6. Patrick Mell’s plan gives OEM’s a voice at no cost while racers and promoters pay all costs.

Here are some facts about the APBA:

1. The APBA does not fund races. Promoters and clubs fund the APBA.

2. The APBA, according to a recent court document, has in place licensing agreements that bring the APBA more than a million dollars of income over the next few years.

3. The APBA grants exclusive licenses to private corporations for the control of particular categories. Last years APBA PWC races put on by Lou Peralta were a product of sanctioning by the APBA-Offshore Racing corporation which has the license to make exclusive use of APBA's offshore category. It is entirely possible that the APBA could (or already has) granted an exclusive license to a marketing company to have complete control of the PWR category.

4. The APBA office has no plans to give any funding or share any budget with the PWR division. The APBA does not fund races nor does it seek and solicit sponsorships for races. The APBA does not seek and secure television coverage for races.

5. The APBA recently was recently involved in legal turmoil for the Board of Directors violating New York's laws on Non Profit Corporations. To date there has at least been a temporary injunction granted setting aside illegal directory appointments made as contrary to the by-laws of the APBA. Please note that this concerned the board of directors, not the office staff of the APBA.

For these reasons, I suggest that the promoters reject this APBA PWR proposal. Rushing into a commitment which will bind the current resources of the PWC racing community may lead to a total disaster. I also strongly encourage all persons to do their own independent and thorough investigation into the facts behind the APBA and the PWR proposal.

So that my position is clear, I totally support the APBA sanctioning PWC events and races. I do not support that the PWC promoters and racers who have carried this sport, especially through the last few rough years, become bound to any organization that does not give the racers and promoters complete control of their sport. I particularly affirm this position when the organization seeking to take control of our sport has no monetary offers for the freedom we will be giving up. The current IJSBA promoters have the best chance for themselves if they join or form an affiliation that is just of themselves.

I also want to be very clear that this letter should not be read to have any negative implications against the APBA. The APBA is a quality organization that has been in the business of sanctioning boat racing for years. The APBA director, Gloria Urbin, is a person of high integrity. In asking her questions on the phone she was very friendly and honest; the APBA should be very proud to have an administrator like her handling the affairs. The purpose of being very matter-of-fact about some of the APBA facts are to dispel the myths that are floating around regarding all these beneficial things that people seem to think will happen if we align ourselves with the APBA. Because Patrick Mell has been speaking as the voice of the APBA it may be difficult to discern if the intention Patrick has expressed have are solely his or his expression of the APBA's intentions. As discussions go on further, I will try to delineate what can be established as Mell's objectives as those of the APBA.

I welcome any criticism or rebuttal on my findings and opinions but