

Racing Rules of Sailing

New Case

A submission from US Sailing

Purpose

To provide a clear example of how the changes made in rule 21 in 2017 apply in a simple luffing incident that often occurs as boats on starboard tack approach the committee boat at the starboard end of the starting line.

Proposal

CASE XXX

Definitions, Room

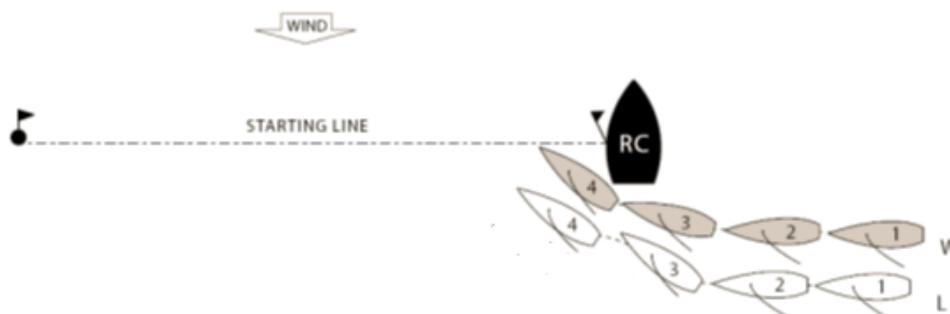
Rule 11, On the Same Tack, Overlapped

Rule 16.1, Changing Course

Part 2, Section C Preamble

Rule 21, Exoneration

When boats are approaching a starting mark to start and a leeward boat luffs, the windward boat is exonerated under rule 21(a) if she breaks rule 11 while sailing within the room to which she is entitled under rule 16.1.



Facts

Two boats, L and W, were approaching the race committee signal boat, overlapped on starboard tack, ten seconds before the starting signal. As W was passing astern of the committee boat, L luffed. W luffed slightly but was unable to respond further to L's luff without hitting the committee boat. L bore away to avoid contact. L protested.

The protest committee disqualified W under rule 11, claiming that she should not have sailed between L and the committee boat and that she was 'barging.' W appealed.

Decision

The race committee signal boat was both a mark and an obstruction for L and W (see the definitions Mark and Obstruction). However, because the committee boat was surrounded by navigable water and L and W were approaching it to start, the rules in Section C of Part 2 (specifically rules 18 and 19) did not apply. Accordingly, L was under no obligation to give W room to pass the committee boat.

At positions 1 and 2, L was able to sail her course with no need to take avoiding action, and could change course in both directions without immediate contact. Therefore W was keeping clear as required by rule 11 (see the definition Keep Clear).

When L luffed at position 3, she was required by rule 16.1 to give W room to keep clear. This obligation applies even when boats are passing the committee boat and are about to start. 'Room' is the space W needed to keep clear of L while also complying with her obligations under the rules of Part 2, which includes rule 14, and rule 31. See Case 114.

When L luffed, W luffed as far as she could without risk of touching the committee boat which would have broken rule 31. By bearing away, L gave W room to keep clear in compliance with rule 16.1.

At position 3, L was unable to sail her course with no need to take avoiding action; therefore W broke rule 11. However, as W was sailing within the room to which she was entitled under rule 16.1, she is exonerated under rule 21(a).

W's appeal is upheld, the decision of the protest committee is reversed, and W is reinstated in her finishing place.

Note: The term 'barging' is not used in *The Racing Rules of Sailing*. The term is commonly used to refer to the situation where a leeward boat (L) is holding her course and a windward boat (W) sails between the committee boat and L and either hits L or forces L to bear off to avoid contact. In such a case W breaks rule 11 and is not exonerated because L is holding her course and, therefore, rule 16.1 does not apply.

USA 2018/117

Current Position

None. The case is new.

Reasons

Two changes were made in rule 21 in 2017. The words 'under a rule of Section C' were deleted and the rule was moved from Section C to Section D. The effect of these changes is that now, when either rule 15 or rule 16.1 applies, the keep-clear boat will be exonerated if, while sailing within the room to which she is entitled under either of those rules, she breaks a rule of Section A, rule 15 or 16.1 or she is compelled to break rule 31. This case illustrates how these changes in rule 21 apply to a simple luffing situation, which frequently occurs as boats on starboard tack approach the starting line. The interpretations and applications of the rules are consistent with those in MR Call B11.

This case also describes what “barging” is. That term is commonly used when describing a windward and a leeward boat passing a race committee boat, a situation that is commonly misunderstood.