

Racing Rules of Sailing

Rules 64.1(a), 31.3 (new) and 44.4

A submission from US Sailing

Proposal:

1. Add a new sentence at the end of rule 64.1(a) as follows:

64.1 Penalties and Exoneration

- (a) When the protest committee decides that a boat that is a *party* to a protest hearing has broken a *rule*, it shall disqualify her unless some other penalty applies. A penalty shall be imposed whether or not the applicable *rule* was mentioned in the *protest*. **However, if the boat has taken an applicable penalty she shall not be penalized further with respect to the same incident.**

2. Insert a new rule 31.3 as follows:

31.3 A boat need not take the penalty provided in rule 31.2 if she takes a penalty under rule 44.1 with respect to the same incident.

3. Delete rule 44.4.

Current Position:**64.1 Penalties and Exoneration**

- (a) When the protest committee decides that a boat that is a *party* to a protest hearing has broken a *rule*, it shall disqualify her unless some other penalty applies. A penalty shall be imposed whether or not the applicable *rule* was mentioned in the *protest*.

31.3 [There is no current rule.]**44.4 Limits on Penalties**

- (a) When a boat intends to take a penalty as provided in rule 44.1 and in the same incident has touched a *mark*, she need not take the penalty provided in rule 31.2.
- (b) A boat that takes a penalty shall not be penalized further with respect to the same incident unless she failed to retire when rule 44.1 required her to do so.

Reason:

The principle in rule 44.4(b) against penalizing a boat more than once for breaking a

rule in a single incident belongs in rule 64.1(a) because that rule governs penalization and because it should apply more broadly than to incidents to which rule 44 applies. The provision in rule 44.4(a) relating to breaches of rule 31.1 should be located in rule 31 because it is there (in rule 31.2) that the optional penalty for breaking rule 31.1 is stated. These changes to rules 64.1(a) and 31 make rule 44.4 unnecessary.