

## Racing Rules of Sailing

### Rule 28

A submission from the Chairman of the Racing Rules Committee

#### Purpose or Objective

To clarify, improve and add to rule 28 in several ways as discussed in the Reason for each proposal below.

Note that these proposals are independent of one another.

#### Proposal 1

**28.1** A boat shall *start*, leave each *mark* on the required side in the correct order, and *finish*, so that a string representing her track after *starting* and until *finishing* would when drawn taut

- (a) pass each *mark* on the required side,
- (b) touch each rounding *mark*, and
- (c) pass between the *marks* of a gate from the direction of the previous *mark*.

She may correct any errors to comply with this rule, **provided she has not already finished**. After *finishing* she need not cross the finishing line completely.

#### Current Position

As above.

#### Reasons for Proposal 1

In the 2001-2004 rules, the sentence in rule 28.1 about correcting errors read as follows, “She may correct any errors to comply with this rule, provided she has not already *finished*.” That sentence was changed in 2005 by deleting the phrase “provided she has not already *finished*.”

The proposal restores the phrase that was deleted in 2005. Since then there has frequently been debate, even among rules experts, as to when a boat is not longer permitted to correct an error she made under rule 28.1 while sailing the course. Clearly, there ought to be a specified time after which a boat may no longer correct such an error. That time was clearly stated in rule 28.1 prior to 2005. Therefore, to remove the confusion about when an error may be corrected, this proposal reinstates the phrase that was used in rule 28.1 prior to 2005.

The reason for deleting the phrase in 2005 was that a boat could inadvertently cross the finishing line, for example, after rounding the leeward mark on the second leg of a four-leg course. If she did, she would be recorded as having finished. Furthermore, if she then completed the course and crossed the finishing line a second time, she would not be scored in the finishing place she was in at the time of her ‘second finish’. If the companion submission to change the definition Finish is

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approved, such a boat would be scored in the finishing position she was in at the time of her 'second finish'.

### Proposal 2

**28.2** A boat may leave on either side a *mark* that does not begin, bound or end the leg she is sailing ~~on~~. However, she shall leave a starting *mark* on the required side when she is approaching the starting line from its pre-start side to *start*.

### Current Position

As above.

### Reasons for Proposal 2

The proposal solves a potentially dangerous problem at marks involving rules 28.2 and rule 18.1.

Rule 18 applies between boats when they are required to leave a mark on the same side. Rule 28.2 states that a mark has a required side for boats only when it begins, bounds or ends the leg they are on. A problem can occur between two boats at a mark when one of them has sailed the course correctly prior to arriving at the mark and the other has not.

For example, suppose the course is described as follows: Start, round the windward mark, the windward offset mark and the leeward mark, leaving them to port, and then finish. Boats A and B are overlapped approaching the leeward mark, with B inside A. A has sailed the course correctly, but B failed to leave the offset mark to port after rounding the windward mark and she did not correct her error.

The term 'leg' is not defined in the rules. It is not clear from the rules whether or not, as she approaches the leeward mark B is 'on' the leg to the leeward mark or 'on' the leg to the offset mark. Therefore, it is not clear whether, under rules 28.2 and 18, A is required to give B mark-room. However, it is clear from the boats' behavior that both A and B are 'sailing' the leg that ends at the leeward mark, even though B may not be 'on' that leg.

For safety, the rights and obligations between two boats approaching a mark to round it on the same side should be the same regardless of whether one of them has made an uncorrected error at a previous mark. The proposed change in rule 28.2 ensures that this is the case.

### Proposal 3

**28.1** A boat shall *start*, leave each *mark* on the required side in the correct order, and *finish*, so that a string representing her track after *starting* and until *finishing* would when drawn taut

(a) pass each *mark* on the required side, and

~~(b) touch each rounding mark, and~~

~~(be)~~ pass between the *marks* of a gate from the direction of the previous *mark*.

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She may correct any errors to comply with this rule. After *finishing* she need not cross the finishing line completely.

Consequential housekeeping changes needed if this proposal is accepted:

In rule 32.2(a), change “rounding *mark*” to “*mark of the course*”.

In rule 33, delete “rounding”.

In rule C7.3(b), delete “rounding”.

In rule J2.1(5), delete “and identifying all rounding *marks*”.

In Appendix L, delete instruction 9.2 and renumber instructions 9.3, 9.4 and 9.5 appropriately.

### Current Position

Rule 28.1 – as above. Current rules 32.2(a), 33, C7.3(b) and J2.1(5), also current instruction 9.2 in Appendix L.

### Reasons for Proposal 3

Most races are sailed using a Windward-Leeward, Triangle or Trapezoid course (see examples in Addendum A to Appendix L). If such a course is used, then the string representing the track of a boat that complies with rule 28.1(a) will touch each rounding mark. Rule 28.1(b) is not needed and serves no purpose in such races.

Rule 28.1(b) only makes a difference in the course boats sail in rather unusual circumstances. Here is an example. The sailing instructions list four rounding marks designated A, B, C and D, all of which are permanently anchored buoys. The course is: start, sail to marks A, B, C and D in that order leaving each of them to port, and then finish. A chart, which is part of the sailing instructions, shows the locations of the rounding marks. C is directly north of A, and B is located to the west of the straight line from A to C. In such a case, a boat can leave B to port while sailing a straight line northerly course from A to C. However, if she does so, the string representing her track will not, when drawn taut, touch B. In order to comply with rule 28.1(b) with respect to B, a boat must sail to B and then sail an anti-clockwise loop around B so that after she has rounded C her string, when drawn taut, will touch B. Such a rounding could be quite dangerous for a large fleet of boats racing in close proximity to one another. If the race committee wants the boats to sail to B, then the safest way to achieve that would be to require them to leave B to starboard. If the race committee required that B be left to starboard, then rule 28.1(b) would not be needed.

Rule 28.1(b) has been in the racing rules since 1985, but it has not served a constructive purpose during all those years. When a race committee does set a course that requires boats to loop one of the rounding marks, some boats often fail to do so and are surprised to learn that they have not properly sailed the course even though they have left all the marks on the required side. Courses that require boats to loop a rounding mark often result in contentious protests, appeals and unhappy competitors.

The conclusion of this analysis is that rule 28.1(b) only has an effect on the course boats sail when the race committee sets a course that requires each boat to loop one of the rounding marks. As indicated above, looping marks is undesirable from a safety point of view and can easily be avoided by appropriately designating the side on which each of the marks of the course is to be left.

Summary: Deleting rule 28.1(b) serves several benefits. It simplifies rule 28.1 by eliminating a rather complex rule that serves little purpose. It is likely to reduce the number of difficult protests and appeals that involve whether or not a boat complied with rule 28.1. It promotes safety because

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boats will no longer be required to loop a mark in situations like the one described in the second paragraph above.

#### Proposal 4

Delete rule 28 and replace it with:

#### **28 SAILING THE COURSE**

- 28.1** A boat shall *start*, sail each leg of the course and then *finish*. While doing so, she may leave on either side a *mark* that does not begin, bound or end the leg she is on. After *finishing* she need not cross the finishing line completely.
- 28.2** A string representing a boat's track from the time she begins to approach the starting line from its pre-start side to *start* until she *finishes* shall, when drawn taut,
- (a) pass each *mark* on the required side and in the correct order,
  - (b) touch each rounding *mark*, and
  - (c) pass between the *marks* of a gate from the direction of the previous *mark*.

She may correct any errors to comply with this rule.

#### Current Position

Current rule 28.

#### Reasons for Proposal 4

The proposal reorders the rule's requirements in a more logical order, starting from the approach to the line to start. The 'string' rule is often referred to in writing protest and appeal decisions and in talking about the rule. It is, therefore, logical to separate it from the other parts of rule 28 and assign it its own number.

Under the proposal, the 'string' representing a boat's track will begin to 'unwind' when the boat begins her final approach to the starting line from its pre-course side to start. This is desirable in situations in which a starting limit mark is used. Often such a mark is set approximately on the starting line near the race committee boat at the starboard end of the line, and, in order to avoid collisions between racing boats and the race committee boat, the sailing instructions require boats to leave it to starboard. Such a mark is also used at some venues when the starting line is determined by a transit on shore. Frequently, such a starting limit mark is pushed by the wind and current to the pre-start side of the line. The proposed 'string' rule will apply to all marks that boats are required to pass on a required side, including such a starting line limit mark. This is a simpler way to state rule 28's requirements.

#### Proposal 5

Add new rule 28.3 as follows:

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**28.3** **Except at a gate, when the race committee signals a change of the next leg of the course, a boat shall pass between the nearby *mark* and the race committee boat signalling the change, leaving the *mark* on the required side.**

Consequential housekeeping changes needed if this proposal is accepted:

In Appendix L, delete instructions 9.5 and 12.2.

Current Position

Rule 28.3 is new. Current instructions 9.5 and 12.2 in Appendix L.

Reasons for Proposal 5

The proposal is important to ensure that, when the next leg of the course is substantially changed under rule 33 after a major windshift, trailing boats do not gain an advantage over the leaders by being able to sail a shorter course to the new position of the moved mark before reaching the mark where the change is being signalled to the leaders.

The proposed rule is not needed at a gate because a boat's 'string' is required to pass between the marks of a gate from the directions of the previous mark (see rule 28.1(c)). That rule requires all boats to sail the same distance when a change of the next leg of the course is signaled at a gate.

If the proposal is accepted, instructions 9.5 and 12.2 in Appendix L are no longer needed. Thus, the proposal has the added advantage that it will enable sailing instructions to be shorter.

Proposal 6

Add new rule 28.3 as follows:

**28.3** **When a *mark* whose position had been given to competitors is missing, when no substitute has been provided and when the race is not *abandoned*, a boat that can show that her track would have complied with rule 28.1 at that *mark*, had it been present, shall be exonerated for breaking that rule.**

Note: Proposal 5 also proposes a new rule 28.3. If both Proposals 5 and 6 are approved, then the rule in Proposal 6 should be numbered '28.4' and follow the new rule in Proposal 5.

Current Position

The proposed rule is new.

Reasons for Proposal 6

The proposed new rule enables races to be scored when, for whatever reason, the race committee is unable to provide a substitute for a missing mark. If competitors have been given the intended or expected position of a mark and it is missing when they arrive at that position, a boat that can show that she passed on the required side of the position where it should have been ought to be

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considered to have complied with rule 28.1 at that mark. If the missing mark is one of the two finishing line marks, a boat can show that her course would have complied with rule 28.1 by passing close to the remaining mark in the direction of the course from the last mark.

Competitors may be given the position of a mark in any of several ways. For example, its position may be shown on a chart included in the sailing instructions, or its Global Positioning System coordinates or its distance and bearing from the previous mark may have been provided.

This submission was prepared by the Rule 28 Working Party.

Clean Copy of Rule 28 if Proposals 1 – 6 are all accepted:

## **28 SAILING THE COURSE**

**28.1** A boat shall *start*, sail each leg of the course and then *finish*. While doing so, she may leave on either side a *mark* that does not begin, bound or end the leg she is sailing. After *finishing* she need not cross the finishing line completely.

**28.2** A string representing a boat's track from the time she begins to approach the starting line from its pre-start side to *start* until she *finishes* shall, when drawn taut,

(a) pass each *mark* on the required side and in the correct order, and

(b) pass between the *marks* of a gate from the direction of the previous *mark*.

She may correct any errors to comply with this rule, provided she has not already *finished*.

**28.3** Except at a gate, when the race committee signals a change of the next leg of the course, a boat shall pass between the nearby *mark* and the race committee boat signalling the change, leaving the *mark* on the required side.

**28.4** When a *mark* whose position had been given to competitors is missing, when no substitute has been provided and when the race is not *abandoned*, a boat that can show that her track would have complied with rule 28.2 at that *mark*, had it been present, shall be exonerated for breaking that rule.

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