Racing Rules of Sailing

Rule 21

A submission from US Sailing

Purpose or Objective

To provide the same basis for exoneration for a breach of each of the rules referred to in rules 21(a) and (b).

Proposal

Change rule 21 as follows:

21 EXONERATION

When a boat is sailing within the room or mark-room to which she is entitled, she shall be exonerated, if as a consequence of an incident with a boat required to give her that room or mark-room, (a) she breaks a rule of Section A, rule 15, or rule 16, or 31, (b) she is compelled to break rule 31.

Clean Copy of Proposal

21 EXONERATION

When a boat is sailing within the room or mark-room to which she is entitled, she shall be exonerated if, as a consequence of an incident with a boat required to give her that room or mark-room, she breaks a rule of Section A, rule 15, 16 or 31.

Current Position

As above.

Reasons

1. Current rule 21(b) states that a boat must be ‘compelled’ to break rule 31 in order to be exonerated. This creates two problems for an inside boat when she is not being given the mark-room to which she is entitled and may hit the mark. She can choose to hit the boat that owes her mark-room instead of the mark and hope she doesn’t break rule 14 with damage, which makes no sense in a world where most marks are inflatables. Or, she can choose to sail to the wrong side of the mark and lose places while circling to attempt a second rounding, in effect taking a penalty instead of being exonerated. Both these outcomes are inconsistent with the intent of rule 21 to exonerate a boat when she is sailing within the mark-room to which she is entitled.
2. This proposal simplifies rule 21 and fixes both problems noted above by making a breach of rule 31 subject to the same conditions as the other listed rules. The words “in an incident” are replaced with “as a consequence of an incident”, to make clear that a boat can only be exonerated when her rule breach is caused by an incident with the boat required to give room or mark-room. For example, if an inside windward boat is being given mark-room and hits the mark, that breach is an incident, but it is not as a consequence of an incident with the boat that owes mark-room; and she is not exonerated. However, if she is not being given mark-room and breaks rule 11 and/or 31, she is exonerated.

3. The change from ‘in an incident’ to ‘as a consequence of an incident’ also clarifies that rule 21 will apply in a three-boat incident where a boat sailing within her entitled room or mark-room breaks a rule with a boat other than the one required to give room or mark-room. For example, PW and PL are overlapped approaching S, an obstruction for both boats. All three boats are close-hauled. PL chooses to sail behind S and fails to give PW room to do the same. PW tacks to avoid contact and causes S to change course to avoid her. PW is exonerated for her breach of rule 13 with S, which occurred as a consequence of an incident with PL who failed to give her room to pass behind S.