Racing Rules of Sailing

New Rule 43 and Rules 14, 21, 64.1 and 86.1(a)

A submission from US Sailing

Purpose

To move the three rules under which a boat can be exonerated into a new rule 43 titled ‘Exoneration’.

Proposal

1. Renumber current rule 43 as ‘49’ and insert the following new rule 43 in its place. Renumber current rules 49 – 55 accordingly.

43

EXONERATION

43.1 When as a consequence of breaking a rule a boat has compelled another boat to break a rule, the other boat shall be exonerated for her breach.

43.2 When a boat is sailing within the room or mark-room to which she is entitled, she shall be exonerated for her breach if, in an incident with a boat required to give her that room or mark-room,

(a) she breaks a rule of Section A of Part 2, rule 15 or rule 16, or

(b) she is compelled to break rule 31.

43.3 A right-of-way boat or one entitled to room or mark-room shall be exonerated for breaking rule 14 if the contact does not cause damage or injury.

2. Change rule 86.1(a) by adding new rule 43 to the list of rules in rule 86.1(a).

Consequential Changes

Change rule 14 as follows:

14 AVOIDING CONTACT

A boat shall avoid contact with another boat if reasonably possible. However, a right-of-way boat or one entitled to room or mark-room need not act to avoid contact until it is clear that the other boat is not keeping clear or giving room or mark-room;

and (b) shall be exonerated if she breaks this rule and the contact does not cause damage or injury.

Delete rule 21, Exoneration, and renumber current rules 22, 23, and 24 as 21, 22 and 23.
Change rule 64.1 as follows:
- Delete rule 64.1(a).
- Change the title of rule 64.1 from 'Penalties and Exoneration' to 'Penalties'.
- Renumber current rules 64.1(b) and (c) as 64.1(a) and (b).

Current Position

As above.

Reason

1. Reason for moving rules 14(b) and 21 out of Part 2: Current rules 14(b) and 21 do not belong in Part 2. They are not rules that govern how a boat sails when she ‘meets’ another boat.

2. Reason for moving rule 64.1(a) out of rule 64.1: Rule 64.1 is a rule that directs a protest committee to take certain actions at the end of a protest hearing. So, strictly speaking, rule 64.1(a) does not apply on the water just after an incident. Nonetheless, competitors commonly act as if a boat exonerated under rule 64.1(a) is exonerated on the water immediately after an incident, even if the incident never goes before the protest committee at a protest hearing.

3. Reason for moving current rules 14(b), 21 and 64.1(a) into new rule numbered ‘43’: When a boat decides that she has broken a rule of Part 2 or rule 31, she must decide whether she is exonerated for that breach and, if she is not exonerated, which penalty she will take. Proposed new rule 43 states the three conditions under which she can be exonerated. If she is not exonerated, rule 44 tells her what on-the-water penalties are available to her. For those reasons, it is logical to locate these rules next to one another.

4. There is a principle that applies in all three of the current exoneration rules: A specified boat is exonerated by a rule for breaking a particular rule. Rule 14(b) exonerates a right-of-way boat or a boat entitled to room or mark-room for breaking rule 14. Rule 21 exonerates a boat sailing within the room or mark-room to which she is entitled for breaking a rule of Section A of Part 2 or rule 15, 16 or 31. Rule 64.1(a) exonerates a boat that was compelled to break a rule for her breach of that rule – i.e., the rule that she was compelled to break. The wording of proposed rules 43.1, 43.2 and 43.3 clearly follows that principle.

5. The three rules in new rule 43 are central to how the Part 2 rules are applied. It would be quite chaotic if any of them were changed by the notice of race, sailing instructions, class rules or a national prescription. For that reason, it is appropriate to add new rule 43 to the list of unchangeable rules in rule 86.1(a).

6. Reason for renumbering current rule 43 as ‘49’: Current rules 43 and 49.1 are both concerned with clothing and equipment worn or carried by a competitor, so it is logical that those two rules be located next to one another.