Racing Rules of Sailing
Rule 48.2, New Appendix TS

A submission from the Chairman of the Oceanic and Offshore Committee

Purpose or Objective
To provide the race committee with advice, background information, and suggested wording for use in their sailing instruction and notice of race to clarify how boats may sail in or near Traffic Separation Schemes (TSS). Further objectives are to avoid boats spuriously protesting one-another under the hard-to-interpret parts of IRPCAS rule 10, and to provide protest committees with rules that can be rigorously interpreted.

This submission contains 2 proposals. Proposal 2 is a TS Appendix to the Racing Rules of Sailing. Proposal 1 is a note to be added to the RRS that is relevant only if Proposal 2 is approved.

Proposal 1

Rule 48.2
Add this note under rule 48.2:

Note: Appendix TS, Traffic Separation Schemes, is available at the World Sailing website. The notice of race or sailing instructions may change rule 48.2 by stating that Section A, Section B, or Section C of Appendix TS applies.

Current Position
None.

Proposal 2
Add new Appendix TS as follows:

APPENDIX TS
Traffic Separation Schemes

This appendix proposes wording for race committees to consider to replace rule 48.2 that can be more strictly interpreted by boats and protest committees. Rule 48.2 makes all parts of IRPCAS rule 10 applicable to boats that are racing. IRPCAS rule 10 is shown below to point out certain phrases that would be difficult for boats or protest committees to interpret. Those
phrases, which are not precise and not usually found in the RRS, are underlined in the text below.

---INTERNATIONAL---

Steering and Sailing Rules

RULE 10

Traffic Separation Schemes

(a) This Rule applies to traffic separation schemes adopted by the Organization and does not relieve any vessel of her obligation under any other rule.

(b) A vessel using a traffic separation scheme shall:

(i)    proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;

(ii)   so far as practicable keep clear of a traffic separation line or separation zone;

(iii)  normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.

(c) A vessel shall, so far as practicable, avoid crossing traffic lanes but if obliged to do so shall cross on a heading as nearly as practicable at right angles to the general direction of traffic flow.

(d) (i) A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 meters in length, sailing vessels and vessels engaged in fishing may use the inshore traffic zone.

(ii) Notwithstanding subparagraph (d)(i), a vessel may use an inshore traffic zone when en route to or from a port, offshore installation or structure, pilot station or any other place situated within the inshore traffic zone, or to avoid immediate danger.

(e) A vessel other than a crossing vessel or a vessel joining or leaving a lane shall not normally enter a separation zone or cross a separation line except:

(i) in cases of emergency to avoid immediate danger;

(ii) to engage in fishing within a separation zone.

(f) A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.

(g) A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.

(h) A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.

(i) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.

(j) A vessel of less than 20 meters in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.

Section A, Section B, or Section C of this appendix applies to a specified traffic separation scheme (TSS) if the notice of race or the sailing instructions so states. For long races that encounter multiple TSSs, the race committee may choose to handle specific TSSs in different ways and decide that Section A, Section B, or Section C be used for one or more TSS.

Note that neither the RRS nor race committees can modify IRPCAS. Local maritime authorities, however, can make special rules regarding their harbors and roadsteads under rule 1(b) of the IRPCAS. As noted below, a race committee may change rule 48.2 using Section A or Section C of this appendix only if it has obtained the agreement of local maritime authorities.

Section A
Section A is appropriate for a TSS in which marine authorities only require boats to not impede power-driven vessels in traffic lanes. This change requires the agreement of the local maritime authorities.

Suggested wording for the notice of race or sailing instructions:

Appendix TS, Section A applies to the following TSS _________________.

Insert the name of the TSS.

TS1   Rule 48.2 is changed to:

48.2   (a) A Traffic Separation Scheme (TSS) shall be understood to mean an area shown on a nautical chart, or in the notice of race or sailing instructions, as a TSS.

(b) A boat shall not impede, or present a threat of impeding, the safe passage of a power-driven vessel in a TSS traffic lane.

(c) If a commercial, government, or naval power-driven vessel in a traffic lane makes five short and rapid blasts on her whistle (a danger signal, see IRPCAS rule 34(d)) and the boat causing the danger signal can be identified, then the boat is subject to protest under rule 48.2(b).

(d) If an official complaint/action is lodged against a boat by a commercial, government, or naval power-driven vessel, by a pilot, by vessel traffic service (VTS), or by other local government authority, it shall be presumed that the boat has broken rule 48.2(b).

(e) The race committee will cooperate with and provide relevant information to VTS and other governmental authorities regarding investigations of boats impeding a power-driven vessel.

Application and background:

Approaches similar to TS1 have been shown to work in areas like San Francisco, where extensive racing takes place within multiple TSSs, precautionary areas, and deep-water routes that are tightly managed by San Francisco’s vessel traffic service (VTS). The VTS and pilots appreciate the consideration shown by racers, and racers appreciate being able to race in the waters of the TSSs and other VTS controlled areas. In the San Francisco experience, boats nearly always lose protests filed by the race committee in response to an official complaint/action lodged against a boat by a ship pilot, ship captain, or the VTS, and so boats pay careful attention to not impeding the passage of ships.

Section B

Section B is appropriate for a TSS where there is sufficient surrounding water for the boats to avoid the TSS entirely.
Suggested wording for the notice of race or sailing instructions:

Appendix TS, Section B applies to the following TSS _____________.

Insert the name of the TSS.

TS2  Rule 48.2 is changed to:

48.2  (a)  A Traffic Separation Scheme (TSS) shall be understood to mean an area shown on a nautical chart, or in the notice of race or sailing instructions, as a TSS.

     (b)  A boat shall not enter a TSS and, while near a TSS, shall not impede, or present a threat of impeding, a vessel using a TSS traffic lane.

     (c)  Add to the definition Obstruction: ‘A TSS is an obstruction.’

Application and background:

Rule TS2 has been shown to be an effective way to keep racing boats out of a TSS and away from the commercial vessels using the TSS. A good example of how this option has worked is the Fastnet Race. Similar language is used by the Royal Ocean Racing Club in its sailing instructions.

Section C

Section C is appropriate for a TSS where the race committee chooses to allow boats to use the TSS while racing. The wording below, including the 100-degree threshold, has been used by the Volvo Ocean Race in past races and enables boats to use the TSS in nearly any wind direction. This change requires the agreement of the local maritime authorities.

Suggested wording for the notice of race or sailing instructions:

Appendix TS, Section C applies to the following TSS _____________.

Insert the name of the TSS.

TS3  Rule 48.2 is changed to:

48.2  (a)  A Traffic Separation Scheme (TSS) shall be understood to mean an area shown on a nautical chart, or in the notice of race or sailing instructions, as a TSS.

     (b)  While a boat is in a TSS traffic lane, she shall sail a course that is within 100 degrees of the direction of travel of the lane.

     (c)  A boat shall not impede, or present a threat of impeding, the safe passage of a power-driven vessel in a TSS traffic lane.

     (d)  If an official complaint/action is lodged against a boat by a commercial, government, or naval power-driven vessel, by a pilot, by vessel traffic service
(VTS), or by other local government authority, it shall be presumed that the boat has broken rule 48.2.

(e) The race committee will cooperate with and provide relevant information to VTS and other governmental authorities regarding investigations of boats impeding a power-driven vessel.

Application and background:

This approach allows rigorous interpretation by boats and protest committees but may only be used with the agreement of local maritime authorities.

Current Position

None.

Reasons

1. The existing rule 48.2 incorporates IRPCAS rule 10 into the RRS. As seen in the preamble of the Appendix TS, IRPCAS rule 10 is difficult for boats and protest committees to rigorously interpret. The proposed alternative wordings provide race committees with suggestions that may meet the needs of the race and of local maritime authorities and that can be strictly interpreted.

2. Appendix TS treats all TSSs the same, whether they are IMO-Adopted or not, even though IRPCAS rule 10 only applies to IMO-Adopted TSSs. It isn't practical for boats to determine whether a TSS on a chart is IMO-Adopted. Further, if there is a non-IMO-Adopted TSS, precautionary area, or deep-water route in the race area it was put there by local maritime authorities to control traffic for safety. Local maritime authorities, under the provisions of IRPCAS rule 1(b), can make their own special rules in their roadsteads, harbors, rivers, lakes, or inland waterways connected with the high seas and navigable by seagoing vessels. It is preferable for the race committee to discuss the TSS and local navigation rules with the local maritime authorities.