

Rule Discussion:

Situation:

Yellow was clear ahead of Green when she reached the zone. At position 1 Green was clear astern of Yellow by a boat length. As Yellow reached the Starboard layline, she tacked to round the mark. As Yellow completed her tack on to starboard, Green was unable to avoid contact with Yellow and hit Yellow without damaged.

Question 1:

Part 1: At position 1, who is the ROW boat?

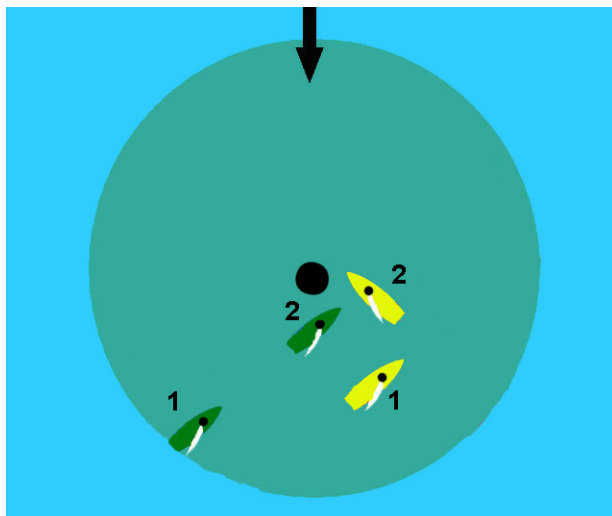
Part 2: What rule(s) apply?

Question 2:

Part 1: At position 2, who is the ROW boat?

Part 2: What rule(s) apply?

Part 3: Who should accept a penalty and why?



Answers:

Question 1:

Part 1: Yellow, Clear ahead port tack boat.

Part 2: Rule 12
Rule 18.2b

Question 2:

Part 1: Yellow, Starboard tack boat.

Part 2: Rule 10
Rule 13
Rule 14
Rule 15
Case 27

Part 3: Green broke Rule 14 but shall be exonerated because Yellow failed to provide room and opportunity for Green to **initially** keep clear (Rule 15). Yellow broke rule 15 and 14 by not **initially** allowing room for Green to keep clear when she became the ROW boat after tacking and should accept a penalty turn. Even though Yellow had completed her tack and started a close hauled course, Rule 15 required Yellow to **Initially** allow room and opportunity for Green to keep clear at that point. Case 27 acknowledges that the Green boat does not have to anticipate the Yellow boat will break Rule 15 even though Green knew that the Yellow boat would have to tack to round the mark. Even though Yellow boat passed head to wind onto a starboard tack, Rule 13 states that **until she is on a close- hauled course**, Rules 10, 11, & 12 do not apply and Yellow boat must keep clear of other boats.

Green boat's obligation to keep clear started at the time Yellow boat was **on a CLOSE HAULED COURSE**, not just on starboard tack.

10 ON OPPOSITE TACKS

When boats are on opposite tacks, a port-tack boat shall keep clear of a starboard-tack boat.

12 ON THE SAME TACK, NOT OVERLAPPED

When boats are on the same tack and not overlapped, a boat clear astern shall keep clear of a boat clear ahead.

13 WHILE TACKING

After a boat passes head to wind, she shall keep clear of other boats **until she is on a close-hauled course**. During that time rules 10, 11 and 12 do not apply. If two boats are subject to this rule at the same time, the one on the other's port side or the one astern shall keep clear.

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

(a) 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 not be penalized under this rule unless there is contact that causes damage or injury.

15 ACQUIRING RIGHT OF WAY

When a boat acquires right of way, she shall initially give the other boat room to keep clear, unless she acquires right of way because of the other boat's actions.

18.2 Giving Mark-Room

(a) When boats are overlapped the outside boat shall give the inside boat mark-room, unless rule 18.2(b) applies.

(b) If boats are overlapped when the first of them reaches the zone, the outside boat at that moment shall thereafter give the inside boat mark-room. If a boat is clear ahead when she reaches the zone, the boat clear astern at that moment shall thereafter give her mark-room.

(c) When a boat is required to give mark-room by rule 18.2(b), she shall continue to do so even if later an overlap is broken or a new overlap begins. However, if the boat entitled to mark-room passes head to wind or leaves the zone, rule 18.2(b) ceases to apply.

(d) If there is reasonable doubt that a boat obtained or broke an overlap in time, it shall be presumed that she did not.

(e) If a boat obtained an inside overlap from clear astern and, from the time the overlap began, the outside boat has been unable to give mark-room, she is not required to give it.

Case 27

Rule 2, Fair Sailing

Rule 14, Avoiding Contact

Rule 15, Acquiring Right of Way

A boat is not required to anticipate that another boat will break a rule. When a boat acquires right of way as a result of her own actions, the other boat is entitled to room to keep clear.

Summary of the Facts

AS was clear ahead of BP when she reached the zone. Between position 1 and 2, AS, a hull length to leeward and a hull length ahead of BP, tacked as soon as she reached the starboard-tack lay line. Almost immediately she was hit and damaged by BP travelling at about ten knots. The protest committee disqualified AS for breaking rule 15. It also disqualified BP under rule 2, pointing out that she knew AS was going to tack but did nothing to avoid a collision. BP appealed, asserting that she was not obligated to anticipate an illegal tack.

Decision

BP's appeal is upheld. She is to be reinstated. After AS reached the zone, BP was required to keep clear of AS and give her mark-room under rule 18.2(b). Both these obligations ended when AS passed head to

wind because the boats were then on opposite tacks and on a beat to windward. When AS passed through head to wind, BP became the right-of-way boat under rule 13 and held right of way until AS assumed a close-hauled course on starboard tack. At that moment AS, having just acquired right of way under rule 10, was required by rule 15 to give BP room to keep clear. BP took no action to avoid a collision, but what could she have done? Given her speed and the distance involved, she had perhaps one to two seconds to decide what to do and then do it. It is a long-established principle of the right-of-way rules, as stated in rule 15, that a boat that becomes obligated to keep clear by an action of another boat is entitled to sufficient time for response. Also, while it was obvious that AS would have to tack to round the mark, BP was under no obligation to anticipate that AS would break rule 15, or indeed any other rule. BP broke neither rule 2 nor rule 14.