

Question

Does she break rule 42.1?

Answer

No. A boat begins racing at her preparatory signal. During the period in which the boat was racing she was using wind as a source of power as required by rule 42.1. Her motion also resulted from momentum created by engine power that propelled her before she began racing. Nothing in the rule requires that a boat be in any particular state of motion or non-motion when she begins racing. Therefore rule 42.1 was not broken.

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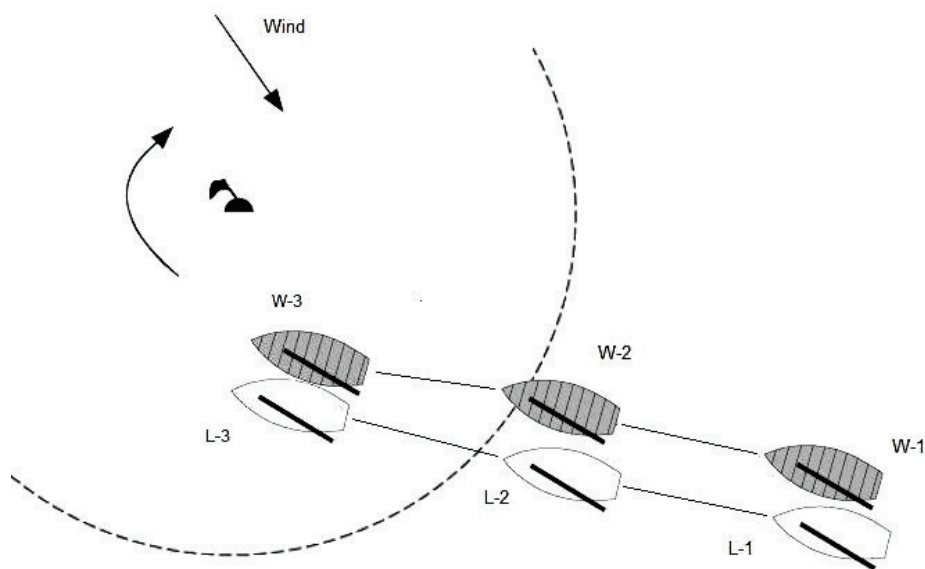
Definitions, Mark-Room

Rule 11, On the Same Tack, Overlapped

Rule 18.2(b), Mark-Room: Giving Mark-Room

Rule 21(a), Exoneration

An inside overlapped windward boat that is entitled to mark-room from the outside boat must keep clear of the outside boat and, if she is sailing outside of the mark-room to which she is entitled, she is not exonerated if she fails to keep clear.



Facts

L and W, both about 14 feet (4 m) long, were sailing on starboard tack at about 4 knots, approaching a windward mark to be left to starboard. The direction of the course to the next mark was downwind. The boats were overlapped with W, the inside boat, slightly ahead. W requested mark-room and L replied, 'Mark-room will be given when needed.' Subsequently, when 20 feet (6 m) from the mark, the boats made contact beam to beam. No damage or injury occurred. L protested W, alleging that W broke rule 11.

The protest committee disqualified L for not giving W room to sail to the mark after she asked for it. L appealed.

Decision

Before and at the time of the contact, rule 11 required W to keep clear of L. While W was sailing to the mark, she broke rule 11 by sailing so close to L that there was a need for L to take avoiding action. Under rule 18.2(b) W was entitled to mark-room from L. W's proper course was to sail close to the mark, and so she was entitled to the space she needed in the existing conditions to sail promptly to it in a seamanlike way. The diagram accepted by the protest committee showed that, from the time W reached the zone until contact occurred, L had given W room to sail to the mark, but when W broke rule 11 she was not sailing within that room. For this reason, W is not exonerated under rule 21(a) for breaking rule 11.

Both boats could easily have avoided the contact, and so both broke rule 14. However, the contact caused neither damage nor injury and, because L was the right-of-way boat and W was entitled to mark-room, both boats are exonerated for breaking rule 14 (see rule 14(b)).

L's appeal is upheld. She is reinstated in her finishing place and W is disqualified for breaking rule 11.