

CASE 11

Definition, Obstruction

Rule 14, Avoiding Contact

Rule 19.2(b), Room to Pass an Obstruction: Giving Room at an Obstruction

Rule 20.1, Room to Tack at an Obstruction: Hailing

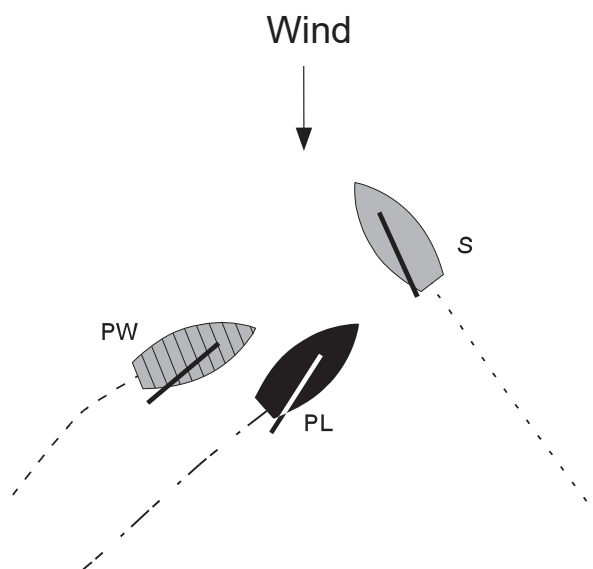
Rule 21(a), Exoneration

When boats are overlapped at an obstruction, including an obstruction that is a right-of-way boat, the outside boat must give the inside boat room to pass between her and the obstruction.

Facts

PW and PL, close-hauled on port tack and overlapped, approached S on the windward leg. PL could pass safely astern of S. PW, on a collision course with S, hailed PL for room to pass astern of S when PW and PL were about three hull lengths from S. PL ignored the hail and maintained her course. When PW bore away to avoid S, she and PL had slight beam-to-beam contact with no damage or injury. PW protested under rule 19.2(b).

The protest committee held that rule 19.2(b) did not apply, stating that PW could easily have tacked into the open water to windward to keep clear, and should have done so. PW was disqualified under rule 11 and appealed.



Decision

S was an obstruction to PW and PL because both PW and PL would each have needed to change course substantially if they had been sailing directly towards S and were one hull length from her, and because they both were required by rule 10 to keep clear of her (see the definition Obstruction). Under rule 19.2(a), PL, as the right-of-way boat, was entitled to pass S on either side. She chose to pass to leeward of S. Therefore, under rule 19.2(b) PW was entitled to room to pass between PL and the stern of S. PL did not give PW that room, so PL broke rule 19.2(b). PL was subject to rule 14, but since she held right of way over PW and there was no damage or injury, she is exonerated for breaking that rule (see rule 14(b)).

PW could not have known that PL was not going to give sufficient room until she was committed to pass between S and PL. PW broke rule 11, but she did so while sailing within the room to which she was entitled by rule 19.2(b). Therefore, as required by rule 21(a), PW is exonerated for breaking rule 11. Also, when it became clear that PL was not giving room, it was not reasonably possible for PW to avoid the contact that occurred, so PW did not break rule 14.

PW was not required to ‘tack into open water to windward to keep clear’ because PL did not hail under rule 20.1 for room to tack and avoid S. Had PL hailed, PW would have been required by rules 20.2(b) and 20.2(c) to respond even though rule 20.1(a) prohibited PL from hailing because she did not have to make any change of course to avoid S.

PW’s appeal is upheld. The decision of the protest committee disqualifying PW is reversed. PW is reinstated, and PL is disqualified for breaking rule 19.2(b). (See Case 125 for discussion of a similar situation.)