

### **Answer to Scenario 3 – Mark Room 2**

Boat S is penalized under [Rule 11](#), On the Same Tack, Overlapped. As P approaches S on the opposite tack, P is required to keep clear under [rule 10](#), On Opposite Tacks. Once P is on a close-hauled course, she becomes the right-of-way boat (as the leeward boat), and is required by [rule 15](#), Acquiring Right of Way, to initially give S room to keep clear of her. Throughout the maneuver, S never needs to take avoiding action; there P keeps clear and then complies with rule 15 as required.

When P passes head to wind in the zone at the mark, [rule 18.3](#), Tacking in the Zone, requires that she not cause S to sail above close-hauled to avoid contact. S did not sail above close-hauled; therefore, P did not break rule 18.3. Once P is on a close-hauled course and overlapped to leeward of S, S (as the windward boat) becomes required to keep clear of her under rule 11. By bearing away towards P and causing P to take action to avoid her, S breaks rule 11.

P chooses to take a penalty for touching the mark. This, however, does not remove her right to also protest S (see rule 60.1(a), Right to Protest: Right to Request Redress or Rule 69 Action). Based on the facts, S breaks rule 11 and is penalized. The fact the P took a one-turn penalty cannot be undone. However, had P not taken a penalty, she would be exonerated by the protest committee for breaking [rule 31](#), Touching a Mark, under rule 64.1(a), decisions, Penalties and Exoneration.

(From Dave Perry's 100 Best Racing Rules Quizzes, Quiz 34. Used with permission.)