

US SAILING Board of Directors Meeting
July 19, 2010
Teleconference

Present: Dick Allsopp, Dean Brenner, Walt Chamberlain, John Craig, John Dane, Susan Epstein, Secretary Fred Hagedorn, Stan Honey, Vice President Tom Hubbell, President Gary Jobson, Treasurer Leslie Keller, Bill Stump, Jim Tichenor and non-voting Ex Officio members, Executive Director Charlie Leighton and House of Delegates Chair, Jim Walsh.

Guests included Cory Sertl -- ISAF Council Member, Dick Rose, Rob Overton, Ron Trossback, Dan Nowlan, Chris Petracco, Robin Wallace, Don Becker, Bruce Cook and Steve Wrigley.

- 1) The meeting was called to order by President Jobson at 8:02 pm ET.
- 2) Secretary Hagedorn called the Roll and announced that a quorum was present.
- 3) Consent Calendar
The approval of the Consent Calendar was **MOVED**, Seconded and APPROVED. The following is therefore approved:
 - a) Minutes from May 17, 2010
 - b) US Comments on ISAF Olympic Commission Report (see Appendix 1)
- 4) ISAF Submissions and Nominations:
 - a) The following Nominations were **MOVED**, SECONDED and APPROVED for endorsement to the ISAF:
 - i) International Umpire -- Glenn Oliver
 - ii) International Judge -- Cliff Black
 - iii) International Race Officer -- Jeff Borland
 - b) Offshore Safety Regulations
The Safety-At-Sea Committee presented two changes to the OSRs, 4.03 (Soft Wood Plugs) and 5.02 (Safety Harness and Safety Lines). Both were **MOVED**, SECONDED and APPROVED. (see Appendix 2)
 - c) Rules Submissions
The Racing Rules Committee presented a number of changes to the Racing Rules of Sailing. Three themes run through these submissions: Exoneration, Rule 20, and the Definition of Room. All of the proposed submissions were **MOVED**, SECONDED and APPROVED. (see Appendix 3)
 - d) Olympic Submissions
The Olympic Sailing Committee presented two submissions regarding the "World Championships or Grand Final in the Olympic Year" and the "Sailing World Cup Hosts for 2013-2016". Both were **MOVED**, SECONDED and APPROVED. (see Appendix 4)
- 5) President's Report – President Jobson shared that he has been very active, traveling about the country. Many are still commenting on the need (or not) of ¼ Finals for our "Ladder Events." It is obviously a passionate topic. Gary was able to attend the Memorial for John Bonds (past Executive Director).

- 6) Executive Directors Report – Executive Director Leighton explained that the association is off to its strongest 6 month period in over 5.5 years. The number of boats participating in both the Newport-Bermuda and Chicago Mac races are up. Membership is up over 7% over last year. Annual Fund is already at \$50,000 and we have Olympic Program Pledges of \$350,000 so far this year.

IT is getting there. All departments are working together in a positive and proactive manner!

Charlie St. Cloud is about to be released in movie theaters and there are some very good product placements and mentions of US SAILING! The US SAILING Partnership Program is being re-started (formally the Golden Anchor).

The Following Mission Statement has been under discussion both with the Board and with the Staff. The following was **MOVED**, **SECONDED** and **APPROVED**:

MISSION STATEMENT for US SAILING:

Leadership, integrity and advancement of the sport of sailing.

- 7) Treasurer's Report – Treasurer Keller reported that the audit is essentially complete. The Form 990 is on track for September Review. The quadrennial USOC Audit is in process and all looks fine. Finally, and on many level most importantly, our Cash Flow is in very good shape.
- 8) Olympic Report – Chairman Brenner reported that Katie and Marni did a fabulous job rolling-out and explaining the Olympic Team Selection Process for 2012. We have had an overwhelmingly positive response. Great news – we won 3 Bronze medals at the 2010 Youth World Championships!

Annual Planning process for 2011 is already underway. All Athletes submitted plans on 7/1/2010 for 2011. The OSC will submit its request to the USOC on 8/1. Out of this, the OSC Budget will be completed and then submitted to the Budget Committee and ultimately the Board for review and approval.

- 9) US Coast Guard Grants. Executive Director Leighton shared our success in winning a \$246,000 grant in support of Power Boat Training, and a \$46,000 partner grant. Vice President Muldoon will provide a presentation on these grants at the fall AGM.
- 10) Offshore Rating Systems – President Jobson and Director Honey shared that in order to generate growth in Big Boat usage, we need to be engaged in the Rating Rules of the sport. US SAILING is doing well as a “pure” Administrator. We need to continually remember that PHRF is very important to our association. It will be interesting to learn what we learn when IRC comes to meet with our staff.

11) Sailing/Racing Simplification – For all disciplines, working with the “Study Questions” is considered to be very important and helpful. The Race Administration group is recognizing that test re-takes should be allowed without requiring that the candidate re-take the entire course! The Essay test options are continuing to evolve and improve, but have a ways to go... it was also noted that “speedy” results is critical to a good feeling on the part of the participant.

It was agreed that some time with the Race Administration Committee would be set up for the Board at the AGM this October.

12) Yacht Club Summit – We need to be sure to encourage “small Clubs” to attend. A gathering of the Board and the summit speakers will be held at the Chicago Yacht Club.

13) Our Board is actively involved in our sport. President Jobson asked each Board member to list in 30 seconds or less what sailing they had been doing in the previous month:

- a) Dick Allsopp Teaching Training Courses
- b) Dean Brenner Team Racing and Match Racing
- c) Walt Chamberlain Racing many different boats
- d) John Craig Managing races at St. Francis YC, and crewing
- e) John Dane PHRF, Melges 32, +
- f) Susan Epstein Judging, sailing her 210, supporting her grand children
- g) Fred Hagedorn E-boats, Judging 505 NAs
- h) Stan Honey Bermuda, Oracle-BMW
- i) Tom Hubbell Thistle racing
- j) Gary Jobson Bermuda, E-22 racing, 12 mR
- k) Leslie Keller Hobie 16 Worlds
- l) Charlie Leighton NYYC Cruise
- m) Dawn Reily Detroit Mac, Sailing Centre on Long Island
- n) Bill Stump Sailing a Star with Hal Haenel, PRO and Judging, too
- o) Jim Tichenor J-105 sailing, Judge at the Opti Team Trials
- p) Jim Walsh J-95 racing, Annapolis NOOD, PRO at the Opti Team Racing

14) Old Business –

- a) Championships Committee – answered the questions that had been sent to them on behalf of the Board after the May meeting of the Board. As a result the following was **MOVED**, **SECONDED** and **APPROVED**:

For Junior/Youth Championships of US SAILING, a competitor shall be a US Citizen or resident alien (if specifically allowed).

For Adult Championships of US SAILING, a competitor shall be open to all. The winner's name shall be engraved on the trophy, however, the title of US Champion shall be held only by a US Citizen or Resident Alien. (the International, Women's Keelboat Championship is exempted from this requirement).

- b) 2011 Spring Meeting. The staff attempted to extend our block of rooms a day earlier at the Yacht Club Summit, however, it was not possible to do so. As a result, we do not have a place to meet in the spring of 2011. The Board agreed that we should attempt, with the support of the staff, to utilize technology and use various forms of teleconferencing to accomplish the work of the association in the Spring of 2011. The approach was **MOVED**, **SECONDED** and **APPROVED** by the Board of Directors.

15)New Business – None

16)The meeting was adjourned at 10:22 pm ET.

Respectfully submitted,

Frederick H. Hagedorn
Secretary

Please note, the next meeting of the Board will begin at 7 pm, ET, on 9/20/2010.

Appendix 1

Comments ISAF Olympic Commission Draft Report US SAILING

US SAILING offers the following comments on the Olympic Commission Report:

1. US SAILING supports the five key principles of the report: Universality, Expanding Qualification Opportunities, Building Popularity, Improving Event Structure, and Enhancing the Olympic Games. However, US SAILING believes that at several points in the Commission Report there is inherent conflict among the five principles. [For example, US SAILING believes that Universality and Improving Event Structure will often be in direct conflict with each other as the idea of Universality will point towards certain host locations that are new and may not be the *best* location for the event, while Improving Event Structure will point towards established locations.]
2. US SAILING continues to support the following:
 - a. Gender equity and event symmetry in Olympic sailing (See deferred submission 087-08).
 - b. A commitment of longer than four years to a consistent equipment slate.
 - c. All unique disciplines (keel, dinghy, multihull and board) should be included in the Games slate.
3. US SAILING supports the conclusion that Olympic class sailing should have one pinnacle event each year. US SAILING supports the Olympic Class World Championships. In addition:
 - a. US SAILING supports limiting the SWC schedule to first 6-7 months of each year.
 - b. Limiting Olympic Class World Championships to the period of August to October.
4. US SAILING supports format changes at the Games such as fewer competition days and fewer technical officials.
5. US SAILING does not support the aspect of the Olympic Commission Report that appears to eliminate the existing “off season” of October-December where currently fewer events are scheduled. US SAILING believes that having a year-round event schedule with little time for recovery and rest is bad for the athletes.
6. US SAILING does not support the change of the ISAF Combined World Championship from year 3 of the quadrennium, to year 2.
7. US SAILING supports the need for one Olympic class ranking system.

Please see attached SWC Vision Paper, which provides an alternate solution that US SAILING believes is a reasonable path forward for the sport of sailing.

Appendix 2

Title: OSR 4.03 (Soft Wooden Plugs)

Subtitle:

A submission from the US SAILING Association

Proposal

4.03 Soft Wood Plugs

Soft wood or polyurethane foam plugs, tapered and of the appropriate size, shall be attached or stowed adjacent to the appropriate fitting for every through-hull opening.

Current Position

4.03 Soft Wood Plugs

Soft wood plugs, tapered and of the appropriate size, shall be attached or stowed adjacent to the appropriate fitting for every through-hull opening.

Reason

Innovations in polyurethane foam manufacturing have produced tapered polyurethane foam plugs that will function as efficiently as soft wood plugs in through-hull applications. Testing has demonstrated that these plugs hold in excess of 3 meters of continuous head pressure for an extended period of time.

Referring to Appendix G, Part C 4.2.3, polyurethane foam plugs will conform to irregular shaped holes in the hull and can be used to mitigate and minimize flooding.

Title: 5.02 Safety Harness and Safety Lines (Tethers)

Subtitle: 5.02.1

A submission from the US SAILING Association

Proposal

5.02 Safety Harness and Safety Lines (Tethers)

5.02.1 Each crew member shall have a harness and safety line that complies with ISO 12401 or equivalent with a safety line not more than 2m in length.

MoMu0,1,2,3

MoMu0,1,2,3

Harnesses and safety lines manufactured prior to Jan 2010 shall comply with either ISO 12401 or EN 1095.

~~Harnesses and safety lines manufactured prior to Jan 2001 are not permitted.~~

Current Position

5.02 Safety Harness and Safety Lines (Tethers)

5.02.1 Each crew member shall have a harness and safety line that complies with ISO 12401 or equivalent with a safety line not more than 2m in length.

MoMu0,1,2,3

MoMu0,1,2,3

Harnesses and safety lines manufactured prior to Jan 2010 shall comply with either ISO 12401 or EN 1095.

Harnesses and safety lines manufactured prior to Jan 2001 are not permitted.

Reason

Recommend that the OSR 5.02.1 requirement (new in 2010) stating "Harnesses and safety lines manufactured prior to Jan 2001 are not permitted" be removed because of the cost of replacing this equipment every ten years. This change was inserted without member nations voting on it and is too arbitrary. The US has issued a prescription change that makes this requirement a recommendation until this issue can be re-examined by the international body (ISAF).

Appendix 3

Racing Rules Submissions

Racing Rules of Sailing

Basic Principle, Sportsmanship and the Rules

A submission from US SAILING

Proposal

BASIC PRINCIPLE

SPORTSMANSHIP AND THE RULES

Competitors in the sport of sailing are governed by a body of *rules* that they are expected to follow and enforce. A fundamental principle of sportsmanship is that, when **a boat breaks a rule and is not exonerated, she** ~~competitors break a rule they~~ will promptly take a penalty, which may be to retire.

Current Position

As above.

Reason

The current Basic Principle has an unintended and undesirable feature. It suggests that a boat should take a penalty for a breach even if she is will be exonerated for that breach under rule 64.1(c), 18.5 or 20.2. If the proposal is accepted, this feature of the principle will be removed.

Also, the proposal changes the reference to ‘competitors’ to a reference to ‘a boat’, which seems more appropriate given the wording of virtually all the other rules in the rulebook.

This is a companion submission to the other 2010 submission from US SAILING that deals with a new rule 44.1 and with current rule 64.1(c), which makes all exoneration concurrent with the incident.

Racing Rules of Sailing

Rule 14

A submission from US SAILING

Proposal

14 AVOIDING CONTACT

A boat shall avoid contact with another boat if reasonably possible. However, **if a boat has right of way or is entitled to room or mark-room and if she is complying with the other rules of Part 2,** ~~a right-of-way boat or one entitled to room or mark-room~~

- (a) **she** 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) **she** shall **be exonerated for breaking** ~~not be penalized under~~ this rule unless ~~there is~~ **the** contact ~~that~~ causes damage or injury.

If the proposal is accepted, here, without underlining, bold or struck-through words, is how rule 14 would read:

14 AVOIDING CONTACT

A boat shall avoid contact with another boat if reasonably possible. However, if a boat has right of way or is entitled to *room* or *mark-room* and if she is complying with the other rules of Part 2,

- (a) she 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) she shall be exonerated for breaking this rule unless the contact causes damage or injury.

Current Position

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.

Reason

The current second sentence of rule 14, which includes rules 14(a) and 14(b), grants protection to a boat even when she is breaking a rule of Part 2 other than rule 14. The following simple incident provides an example. Two boats, A and B, are on the same tack on a downwind leg in strong wind. A is a short distance clear ahead of B. B is on a track to pass to windward of A. A luffs suddenly into B's path. B promptly does all she can to keep clear, but A has not given her room to do so and there is contact with damage. Clearly A breaks rule 16.1, but she does not break current rule 14. A had right of way and before she luffed B was keeping clear. Therefore, under rule 14(a), A was under no obligation to act to avoid contact. As soon as A luffed, B was no longer keeping clear and A became obligated under rule 14 to avoid contact if reasonably possible, but by that time it was no longer possible to avoid contact.

Boat W in Case 70 provides another example of a boat that failed to break current rule 14 while she was breaking another rule of Part 2. Her failure to break current rule 14 was also due to the wording of that rule's second sentence.

The second sentence of rule 14 was intended, by incorporating a principle from the *International Regulations for Preventing Collisions at Sea*, to avoid burdening a boat with a *de facto* requirement to keep clear while she has right of way or the right to room and she is complying with the rules. It was not intended to provide such protection to a boat which is breaking one or more of the other rules of Part 2. The proposed changes to that sentence restore its intended effect.

The statement in rule 14(b) that a boat 'shall not be penalized under this rule' leaves open the question of whether breaking rule 14 (by making contact with another boat when it was reasonably possible to avoid doing so) is condoned or simply not penalized. This places competitors who try to comply with the rules at a disadvantage to those who merely try to avoid penalties – exactly the opposite of the intended effect. Also, a right-of-way boat or a boat entitled to room that touches another boat without damage is nonetheless required by Sportsmanship and the Rules and rule 2 to take a penalty. The proposed wording eliminates both these problems and does so by using wording that is consistent with the exoneration wording used in rules 18.5, 20.2 and 64.1(c).

Racing Rules of Sailing

Rule 20 and the Preamble to Section C

A submission from US SAILING

Proposal

20 ROOM TO TACK AT AN OBSTRUCTION

20.1 Hailing

When approaching an *obstruction*, a boat may hail for *room* to tack and avoid a boat on the same *tack*, but she shall not hail if

- (a) she is sailing below close-hauled,
- (b) she can avoid the *obstruction* safely without making a substantial course change, or
- (c) the *obstruction* is a *mark* and a boat that is *fetching* it would be required by rule 20.2(b) to change course as a result of the hail.

A boat that has been hailed for *room* to tack may always hail for *room* to tack and avoid a third boat.

20.2 Responding

- (a) After a boat hails, she shall give the hailed boat time to respond.
- (b) The hailed boat shall respond by giving the hailing boat *room* to tack and avoid her, either by tacking as soon as possible, or by immediately replying 'You tack' and then giving the hailing boat that *room*.
- (c) When the hailed boat responds, the hailing boat shall tack as soon as possible.

The hailed boat shall respond even if the hail breaks rule 20.1.

20.3 Exoneration

When a boat is taking *room* to which she is entitled under rule 20.2(b), she shall be exonerated if she breaks a rule of Section A or rule 15, 16 or 18.2 with respect to the hailed boat.

Preamble to Section C

Section C rules do not apply at a starting mark surrounded by navigable water or at its anchor line from the time boats are approaching them to start until they have passed them.
~~When rule 20 applies, rules 18 and 19 do not.~~

Current Position

20 ROOM TO TACK AT AN OBSTRUCTION

20.1 Hailing and Responding

When approaching an *obstruction*, a boat sailing close-hauled or above may hail for *room* to tack and avoid another boat on the same *tack*. After a boat hails,

- (a) she shall give the hailed boat time to respond;
- (b) the hailed boat shall respond either by tacking as soon as possible, or by immediately replying 'You tack' and then giving the hailing boat *room* to tack and avoid her; and
- (c) when the hailed boat responds, the hailing boat shall tack as soon as possible.

20.2 Exoneration

When a boat is taking *room* to which she is entitled under rule 20.1(b), she shall be exonerated if she breaks a rule of Section A or rule 15 or 16.

20.3 When Not to Hail

A boat shall not hail unless safety requires her to make a substantial course change to avoid the *obstruction*. Also, she shall not hail if the *obstruction* is a *mark* that the hailed boat is *fetching*.

Preamble to Section C – As above.

Reason

Introduction

Rule 20 has in the past received less attention than the other rules of Section C. This proposal is the result of extensive discussion. As far as possible, however, it retains the language used in current rule 20. The objectives of the proposal are:

- To organize the rule into a logical structure similar to that used in rules 18 and 19. This will make the rule easier to learn and use and more straightforward to cite in decisions. The reorganization of material in the proposed rule groups the requirements and restrictions for a boat hailing for room to tack into one section. The requirements for responding to the hail are together in the next section. The current rule, by contrast, mixes hailing and responding rules into one section, goes on to give rules about exoneration, and then returns to give more restrictions on hailing in its final section.
- To handle a number of multiple-boat situations that are not covered by the current rule. These changes enhance safety and are reinforced by clarifications of when a boat may hail and when she must respond to a hail.
- To simplify how rule 20 interacts with other rules. The 2009 changes to Section C, in particular the separation of obstructions from marks and the introduction of exoneration, allow

simplifications in rule 20. The current rule does not take full advantage of these possibilities. One result is that the obscure final sentence of the Section C preamble is no longer needed.

Proposed Rule 20.1

As in the current rule, the proposed rule 20 comes into play when a boat hails for room to tack and avoid another boat on the same tack. Rule 20.1 sets out the conditions under which a boat may hail and brings together the circumstances under which she shall not. The proposed rule adds some important features.

- It makes it clear that a boat may always hail when she has herself been hailed for room to tack by a third boat. She may do so even if she would not otherwise meet the conditions of rule 20.1. This is essential in multiple boat situations so that an intervening boat can always 'pass on' the hail to the boat to windward of her without being penalized for an improper hail.
- Proposed rule 20.1(c) extends the application of the last sentence of current rule 20.3, concerning hailing when a hailed boat can fetch a mark that is also an obstruction. Again, the change is to address multiple boat situations.

Proposed Rule 20.2

Proposed rule 20.2 takes the reader step-by-step through the sequence of events following a hail. It follows the structure of current rules 20.1 (a), (b), and (c), with almost unchanged wording. This proposed rule also adds important features.

- Rule 20.2(b) clarifies that the hailed boat's basic responsibility is to give the hailing boat room to tack and avoid her, whether she does so by tacking immediately or by using the 'You tack' option. This is not explicit in the current rule.
- The final sentence of rule 20.2 adds an important safety feature by making it clear that the hailed boat must respond even if the hailing boat's hail breaks rule 20.1. This avoids dangerous disagreements on the water in situations where delay can easily result in damage or injury.

Proposed Rule 20.3

Proposed rule 20.3, Exoneration, is a simple sentence very similar to current rule 20.2. It adds the words 'with respect to the hailed boat' at the end. This restriction limits exoneration so that it is only available for interactions between the hailing boat and the hailed boat. The current rule can be read as permitting exoneration for breaking a rule with respect to a third boat that just happens to be close by but is not involved in the rule 20 interaction.

Proposed rule 20.3 adds rule 18.2 to the list of rules for which exoneration is available. This handles some relatively rare situations. For instance: two overlapped boats on port tack enter the zone at a windward mark to be left to port and encounter a starboard-tack boat. The leeward port-tack boat hails the windward port-tack boat for room to tack under rule 20. However, under rule 18.2, she owes the windward port-tack boat mark-room. The proposed rule resolves this conflict in favour of rule 20, allowing the leeward boat to hail and tack without penalty.

Section C Preamble and Rule Conflicts

In the current preamble to section C, the final sentence is intended to resolve conflicts between rule 20 and rules 18 and 19 in favour of rule 20. However, this wholesale dis-application of rules 18 and 19 can have unintended effects that are well beyond what is desirable. The sentence is also poorly understood

and remote from the rules to which it applies. As part of this proposal, it is proposed to delete the sentence, as explained below.

Careful analysis indicates that a much less intrusive approach is sufficient and will not change the game. The only true conflict with rule 18 is the one described in the paragraph above on proposed rule 20.3. Examination of rule 19.2(a) shows that it handles any possible conflicts with rule 19. When approaching an obstruction, a boat that hails for room to tack under rule 20 is always either a leeward boat or a boat clear ahead and thus always has right of way over the hailed boat. Rule 19.2(a) gives the right-of-way boat the right to choose which side of the obstruction she will pass. This typically arises when two overlapped port-tack boats approach a starboard-tack boat. If the windward port-tack boat wants to pass astern of the starboard-tack boat and the leeward port-tack boat wants to tack, the leeward port-tack boat, under rule 19.2(a), has the right to choose. By hailing for room to tack, the hailing boat is exercising that right – immediately the hail is made, the hailed boat loses her claim to room to pass between the obstruction and the hailing boat.

Multiple-Boat Application of Rule 20

In analysing rule 20 situations involving three or more boats, it quickly becomes clear that current rule 20 is inadequate. Here are some examples of the numerous situations which are not well resolved by the current rule but would be handled by the proposed rule.

- Three boats are overlapped approaching an obstruction. The middle and windward boats can fetch the obstruction. The leeward boat hails the middle boat for room to tack. Under current rule 20, if the middle boat hails the windward boat for room to tack in order to comply with her obligation to the leeward boat, she would break rule 20.3.
- As above but this time the obstruction is a mark that only the windward boat can fetch. The leeward boat hails the middle boat for room to tack. Under current rule 20, if the middle boat hails the windward boat for room to tack in order to comply with her obligation to the leeward boat, she would break rule 20.3.
- Three boats are overlapped approaching an obstruction. The leeward boat hails for room to tack. The middle boat is sailing below close-hauled. Again, if she passes on the hail to the windward boat, she will break current rule 20 - the first sentence.

Note that the proposed rule does not change the conclusions of a recent Case (Case 113), that all boats that can hear a hail of room to tack and that need to respond must do so, but that does not relieve intervening boats of the obligation to pass on the hail. Although this Case shows and resolves a three-boat rule 20 situation, it is carefully described to avoid any of the questions raised by the examples above, and is in fact probably the only three-boat situation that the current rule does cover.

Racing Rules of Sailing

Rule 44.1

A submission from US SAILING

Proposal

44.1 Taking a Penalty

A boat may take a Two-Turns Penalty when she may have broken a rule **or rules** of Part 2 **in an incident** while *racing* ~~or~~. **She may take** a One-Turn Penalty when she may have broken rule 31. Sailing instructions may specify the use of the Scoring Penalty or some other penalty, **in which case the specified penalty shall be used in place of the Two-Turns Penalty**. However, *[no further changes]*

Current Position

As above.

Reason

It is common practice in our sport that, when a boat breaks more than one rule of Part 2 in an incident, she will not be disqualified if she has taken just one Two-Turns Penalty. However, there is no basis in the current rules, and in particular in rule 44.1, for that practice. Indeed, it can logically be argued that current rule 44.1 implies that, to avoid disqualification, such a boat must take a Two-Turns Penalty for each Part 2 rule that she breaks. The new words in the first sentence of rule 44.1 are proposed so that the rule makes it clear that a boat that may have broken more than one Part 2 rule in an incident need take only one Two-Turns Penalty.

The first sentence is broken into two sentences for clarity.

If the sailing instructions state, as suggested in Appendix L, Instruction 14.1, “The Scoring Penalty, rule 44.3 will apply.”, then under the current wording of rule 44.1 it is not clear whether the Scoring Penalty is to be used in place of the Two-Turns Penalty or whether a boat then has a choice of taking either the Scoring Penalty or the Two-Turns Penalty. The rules are simpler and it is easier to write unambiguous sailing instructions if a clear default is included in rule 44.1. The proposed addition of “in which case . . . Two-Turns Penalty” provides a default. That default was chosen for the proposal because most events that use the Scoring Penalty intend it to be used in place of the Two-Turns Penalty.

Racing Rules of Sailing

Rule 44.1(b)

A submission from US SAILING

Proposal 1

- (b) if **by her breach** the boat caused injury or serious damage or gained a significant advantage in the race or series ~~by her breach~~, her penalty shall be to retire.

Proposal 2

- (b) if the boat caused injury or serious damage or gained a significant advantage in the race or series by her breach her penalty shall be to retire **promptly after the incident.**

If both Proposal 1 and Proposal 2 are accepted, rule 44.1 will read:

- (b) if **by her breach** the boat caused injury or serious damage or gained a significant advantage in the race or series ~~by her breach~~, her penalty shall be to retire **promptly after the incident.**

Current Position

- (b) if the boat caused injury or serious damage or gained a significant advantage in the race or series by her breach her penalty shall be to retire.

Reason

The wording proposed in Proposal 1 makes the rule easier to understand and makes it clear that the phrase 'by her breach' applies when the boat caused injury or serious damage, as well as when she gained a significant advantage in the race or series.

Under a fundamental principle of our sport, as described in the Basic Principle, Sportsmanship and the Rules, a boat that breaks a rule is expected to take a penalty promptly. Under Proposal 2, the requirement in rule 44.1(b) and the expectation in the Basic Principle will be in agreement with each other, just as they were under the rules in effect from 2005-2008.

Racing Rules of Sailing

Rule 44.1(b)

A submission from US SAILING

Proposal 1

- (b) if the boat caused injury or serious damage or, **despite taking a penalty**, gained a significant advantage in the race or series by her breach, her penalty shall be to retire.

Proposal 2 (contingent on acceptance of Proposal 1)

- (b) if the boat caused injury or serious damage or, **despite taking a penalty**, gained **an** ~~significant~~ advantage in the race or series by her breach, her penalty shall be to retire.

If Proposal 1 is not accepted, then Proposal 2 is withdrawn.

Current Position

As above.

Reason

Proposal 1: It is unclear in the current rule whether the criterion for gaining a significant advantage is to be applied before or after the Two-Turns Penalty (or other penalty specified in the sailing instructions) is taken. The intent of this provision is to deal with situations where the advantage gained by the breach of a rule is not negated by a Two-Turns Penalty (or other penalty). Experience in match and team racing using the proposed approach shows that this is a clean and useful feature (see rules C8.3(a) and D2.2(d)(5)).

Proposal 2: The main function of the word 'significant' in the current rule is to suggest an advantage so great that the Two-Turns Penalty (or other penalty) will not remove it. With the change in Proposal 1, the word is no longer required.

Racing Rules of Sailing

Rules 44 and 64.1(c)

A submission from US SAILING

Proposal

1. Change the title of rule 44 to:

EXONERATION AND PENALTIES AT THE TIME OF AN INCIDENT

2. Add a new rule, rule 44.1, and renumber current rules 44.1 – 44.3 accordingly:

44.1 Exoneration

When a boat breaks a *rule* and as a consequence compels another boat to break a *rule*, the other boat shall be exonerated.

3. Delete rule 64.1(c) and replace it with:

- (c) When a boat has broken a *rule* and is exonerated for her breach under rule 18.5, 20.2 or 44.1, she shall not be penalized under rule 64.1(a) for that breach.

Current Position

Proposed rule 44.1 is new.

64.1 Penalties and Exoneration

- (c) When as a consequence of breaking a *rule* a boat has compelled another boat to break a *rule*, rule 64.1(a) does not apply to the other boat and she shall be exonerated.

Reason

Current rule 64.1(c) only applies to incidents that become the subject of a hearing. This was appropriate before the development of on-the-water penalties. Now, however, many if not most incidents are resolved on the water when one boat takes a penalty under rule 44. If the other boat in the incident has been forced to break a rule as a direct consequence of the first boat's breach, she should be exonerated at the time. Under the current rules a boat that is compelled to break a rule should nevertheless take a penalty, to fulfil the requirements of Sportsmanship and the Rules. This is contrary to normal practice, to all principles of fairness, and to the intent of rule 44.

The appropriate place for a rule about exoneration therefore is in rule 44 itself, which deals with on-the-water penalties. In addition, the proposed new rule covers exoneration that results from a hearing. The title of rule 44 should thus be modified to reflect the added topic.

Although this proposal moves exoneration to rule 44, it is still necessary in rule 64.1 to direct protest committees not to apply penalties when the boat has already been exonerated for her breach. Proposed Rule 64.1(c) makes this clear.

Proposed Rule 64.1(c) also allows for the possibility that a boat may break two or more rules in a single incident. If she is only exonerated for one of her breaches, she should be penalized for the rules she broke for which she was not exonerated. For example: Boats A and B are overlapped on starboard tack at a windward mark to be left to port, with A inside. A bears off sharply around the mark and her stern swings to windward. B does not have room to keep clear. As A bears away, she turns also into the path of boat C, approaching the mark on port tack. C does not have room to keep clear of A. A is exonerated by rule 18.5 for her breach of rule 16.1 with regard to boat B, but must take a penalty for breaching rule 16.1 with regard to boat C.

Racing Rules of Sailing

Rule 63.6

A submission from US SAILING

Proposal

63.6 Taking Evidence and Finding Facts

The protest committee shall take the evidence of the *parties* to the hearing and of their witnesses and other evidence it considers necessary. A member of the protest committee who saw the incident **shall disclose that fact as soon as possible during the hearing and shall give evidence if asked to do so** ~~may give evidence~~. A *party* to the hearing may question any person who gives evidence. The committee shall then find the facts and base its decision on them.

Current Position

As above.

Reason

Parties to a hearing should have the opportunity to hear all the evidence and to question all witnesses. If a member of the protest committee has seen the incident, the member should state that fact. The current rule can result in evidence coming to light during the decision stage of the hearing when the parties are not present and are unaware that the evidence exists. It is only fair that the protestor and protestee have the opportunity to hear what the protest committee member thought he or she saw in order to be able to ask questions and present possible alternatives about positioning, timing, and identification.

Racing Rules of Sailing

Rule A1

A submission from US SAILING

Proposal

A1 NUMBER OF RACES; NUMBERING RACES

A1.1 The number of races scheduled and the number required to be completed to constitute a series shall be stated in the sailing instructions.

A1.2 Races shall be numbered sequentially in the order in which they are completed.

Current Position

As above.

Reason

Proposed new rule A1.2 clarifies an issue that is often raised by scorers and competitors. For events with special named races within a series, the sailing instructions can modify the rule.

It also clarifies an issue involving rule 30.3. Suppose that in Race 1 of a series Boat X breaks rule 30.3 and that after the starting signal the race is abandoned. Under proposed rule A1.2, the first race that is completed will be Race 1 and, clearly, Boat X must be penalized in that race for breaking rule 30.3. If the first race that was completed was considered to be Race 2, then Boat X would avoid being penalized for breaking rule 30.3, an undesirable result that is not consistent with the intent of rule 30.3.

Racing Rules of Sailing

New Rule D1.1(f)

A submission from US SAILING

Proposal

- (f) When rule 20 applies, the following arm signals by the helmsman are required in addition to the hails:
 - (a) for 'Room to tack', repeatedly and clearly pointing to windward; and
 - (b) for 'You tack', repeatedly and clearly pointing at the other boat and waving the arm to windward.

Current Position

The proposed rule is a new rule.

Reason

The proposed rule is identical to match racing rule C2.7. In team racing, just as in match racing, it is essential that competitors and umpires know when a hail for room to tack or a hail of 'You tack' has been made. In heavy wind and seas, hearing a hail is difficult. Even in light air conditions, motor noise and other factors make it easy for umpires to miss a hail.

While the principal reason for this new rule involves umpired racing, there are also benefits for non-umpired races. Moreover, to avoid confusion it makes sense to apply the same rule whether or not races are umpired.

Racing Rules of Sailing

Appendix L, Instruction 11.1

A submission from US SAILING

Proposal

Change the marginal note in the first option in Instruction 11.1 as follows:

(OR)

*Include only if the asterisked option in rule 26 will be used. Insert the number of minutes. **For long starting lines ten minutes is recommended.***

11.1 Races will be started by using rule 26 with the warning signal made _____ minutes before the starting signal.

Current Position

As above.

Reason

When there is a long starting line, boats need more than five minutes after the warning signal to determine the course and position themselves for the start. Allowing five additional minutes has generally proven in the past to be adequate.

Instruction 11.1, first option, with ten minutes selected as the interval between the warning and the starting signal is similar, but not at all the same as Instruction 5.4. Instruction 5.4 is designed to be used after a long postponement. After such a postponement boats are often quite a distance away from the starting area. It alerts the boats that a warning signal will be made soon so that they are able to sail to the starting area and not be late for their start. Instruction 11.1, first option with a ten-minute interval, has an important feature that Instruction 5.4 lacks – it gives boats enough time after the warning to determine the course and to position themselves for a start at any point on the starting line. It is appropriate to use Instruction 5.4 after a long postponement with any length of starting line. Instruction 11.1, first option with a ten-minute interval, is appropriate for any start, whether postponed or not, when the line is long. If there were to be a long postponement when the fleet is large or the line is long, it would be appropriate to implement both Instruction 11.1, first option with a ten-minute interval, and Instruction 5.4.

Racing Rules of Sailing

Appendix L, Instructions 11.2 and 13

A submission from US SAILING

Proposal

Change Appendix L, instruction 11.2, 2nd option as follows:

- 11.2*** The starting line will be between a staff displaying an orange flag on the starting mark at the starboard end and **the course side of** the port-end starting mark.

Change Appendix L, instruction 13, 2nd option as follows:

- 13*** The finishing line will be between a staff displaying an orange flag on the finishing mark at the starboard end and **the course side of** the port-end finishing mark.

Make similar changes in Appendix LE.

Current Position

As above

Reason

To provide recommended sailing instructions that unambiguously specify the starting and finishing lines when a buoy is used as the port-end mark. The proposed new words are particularly important when the buoy used is relatively large in comparison to the size of the boats racing. (The 1st option in Instructions 11.2 and 13 covers the situation in which the marks at the ends of the line are both race committee vessels.)

Racing Rules of Sailing

New Definition *Exonerate*

A submission from US SAILING

Proposal

Exonerate A boat *exonerated* for breaking a rule is exempt from the consequences of breaking it and is treated as if she were complying with it.

Current Position

None. The proposed definition is new.

Reason

The term 'exonerated' is used in rules 18.5, 20.2, and 64.1(c). One dictionary definition defines 'to exonerate' as 'to hold blameless', and this is close to the meaning intended in the racing rules; however, there are several other dictionary definitions of 'exonerate', including one that involves punishment alone. None of those other definitions would be correct in the context of the rules. Therefore, we should not rely on dictionaries for the meaning of 'exonerate' as we use it in the racing rules. Under our rules a boat that breaks a rule and is exonerated for that breach is not simply excused or pardoned for breaking the rule, but is to be treated as if she had never done so. Thus, for example, a boat taking mark-room to which she is entitled can sail to the mark as if the rules of Section A did not apply to her. If she breaks such a rule in taking that room, she is treated as if she had never broken it, rather than as a boat that has simply escaped punishment for breaking it.

In some of the current rules, exoneration for breaking a rule occurs simultaneously with the breach of the rule. Consider this situation at a leeward mark. Boats W and L are overlapped when the first of them reaches the zone. W is inside L. L is required by rule 18.2(b) to give W mark-room and W is required by rule 11 to keep clear of L. However, L does not give W adequate space and W touches the mark while only barely managing to avoid contact with L. W is exonerated for her breach of rule 31. W's exoneration for breaking rule 31 occurs simultaneously with the breach of rule 31, and so W is under no obligation to take a One-Turn Penalty for breaking rule 31. It is to cover such situations that the phrase "and is treated as if she were complying with it" is included in the proposed definition.

Note that if the proposal is accepted, it may be possible to delete rule C8.1(b).

Racing Rules of Sailing

Definition *Postpone*

A submission from US SAILING

Proposal

Delete the definition *Postpone*.

~~***Postpone*** A postponed race is delayed before its scheduled start but may be started or abandoned later.~~

Current Position

As above.

Reason

The primary definition of 'postpone' in the dictionary is 'to delay or put off to a later time'. That is exactly the meaning that the term has in the racing rules (see rule 27.3 and Race Signals, Postponement Signals). Therefore, there is no need for a definition of 'postpone' in the Definitions section of the rulebook.

The current definition, when read literally, only applies to a race that is delayed before its scheduled starting time. It is often the case, however, that a race is postponed before its scheduled starting and then postponed again after its warning signal. Such a subsequent postponement is not a postponement under the current definition. Thus, races are already being postponed, without confusion or complaint, in a manner consistent with the dictionary's definition of 'postpone' and not with the definition in our rulebook.

Racing Rules of Sailing

Definition *Room*

A submission from US SAILING

Proposal

Room The space a boat needs in the existing conditions while manoeuvring promptly in a seamanlike way, **including the space she needs to comply with the rules of Part 2 and rule 31.**

Current Position

As above.

Reason

When several boats come together it is common that a 'middle' boat is simultaneously entitled to room from one boat and required to give room to or keep clear of another. The proposal provides a clear answer to the question of whether the boat required to give room to such a 'middle' boat has to allow for that boat's obligations to other boats. Under the current rules this is not clear; in a separate submission from the Chairman of the Racing Rules Committee a new case is proposed to clarify this issue. If accepted, the case will handle the question until the revised rulebook takes effect on 1/1/2013. However, it would be better for such an important matter to be covered in the rules rather than in a case.

For example, consider three boats at a downwind mark. A, B and C are overlapped and on the same tack when the first of them reaches the zone. A is on the outside, C is on the inside and B is between them. It is important that A gives enough room to B that B can give mark-room to C.

Similarly, consider three boats L, M and W, overlapped and on the same tack with L to leeward, W to windward and M between them. L has no proper course restriction and she luffs. The rules should be explicit that L's obligation to M under rule 16.1, to give M room to keep clear, should also include allowing for M's obligation under rule 16.1 to give W room to keep clear.

The proposed addition to the definition of Room makes it clear that a boat required to give room has not complied with the rules if she compels another boat to break a rule of Part 2.

The proposal also provides that room include the space needed to avoid touching a mark. This too is covered in the proposed new case from the Chairman of the Racing Rules Committee, which states that it is unseamanlike to touch a mark. As pointed out above, it is better to make such an important concept explicit in the rules themselves.

Appendix 4

Title: World Championships of the Olympic Classes

Subtitle: World Championships or Grand Final

A submission from US SAILING

Proposal

Change Regulation 18.2:

Each ISAF Class is automatically granted the right, subject to the notification requirements of Regulation 18.10, to hold one annual World Championship. **ISAF Classes selected for the Olympic Games shall not hold a World Championship in the year of the Olympic Games.**

Current Position

Regulation 18.2

Reason

The intent of this submission is to confirm that the Olympic Classes have the right to hold an annual World Championship. The change would be that the Olympic Classes may hold a World Championship in the first, second and third years of the Olympic cycle, but not in the fourth year.

US SAILING agrees with the Olympic Commission that there must be only one annual pinnacle event. The choice is either a World Championship or a new Grand Final of the Sailing World Cup. These two events are mutually exclusive, one or the other, but not both. The World Championships of the Olympic Classes have a long heritage and tradition that should not be discarded.

The schedule of events during the year of the Olympic Games is too crowded. The pinnacle event of that year should be the Olympic Games.

This submission is not intended to change the obligation of the Olympic Classes to participate in the ISAF Worlds whenever it may be scheduled. Although it is not part of this submission, US SAILING recommends that ISAF organize an ISAF World Championship in year two and year three. The Olympic Classes would organize a traditional World Championship in year one. Continental qualification for the Olympic Games would occur in year three and year four.

Title: Sailing World Cup Hosts 2013-2016

Subtitle: “3.5 Model”

A submission from US SAILING

Proposal

1. Each of the six traditional sites host three and one half events during the four year cycle. They co-host the half event with a new city.
2. The new site hosts five of the “portable” Olympic Classes; Laser, Radial, RS:X M&W and Women’s MR (assuming the events and classes remain unchanged).
3. Simultaneously, the traditional site hosts the remaining five classes; 470 M&W, 49er, Star and Finn.
4. Together it is one “virtual” SWC event in two locations with a common website, branding and marketing.

	2013	2014	2015	2016
Dec	Melbourne	Melbourne	Melbourne Miami/South America	Melbourne/Oceania
Jan	Miami	Miami	America	Miami
Mar	Palma	Palma	Palma/Africa	Palma
Apr	Hyerer	Hyerer	Hyerer	Hyerer/Asia
May	Medemblik	Medemblik	Medemblik/Asia	Medemblik
Jun	Kiel	Kiel	Kiel	Kiel/Europe

Current Position

Seven Sailing World Cup Events on three continents.

Reason

In an ideal world, the ISAF Sailing World Cup would have six events with one on each of the six continents and the scoring system would allow competitors to count five of the six events. The best athletes in the world would compete and the results would be vitally important for media, funding and Olympic qualification. ISAF and the Event Hosts would have television contracts, prize money and commercial sponsors.

However, the costs of shipping boats and travelling to six continents for SWC Events and a Grand Final would be extraordinarily expensive for the MNA’s. A conservative estimate would be \$150,000 USD in additional costs for each event outside of Europe for each MNA that entered two boats in each class and supported them with eight coaches. The aggregate additional costs for thirty MNA’s to compete in the full season would exceed \$15,000,000. It is not at all clear that the MNA’s and athletes would support the new SWC Events outside of Europe.

The commercial history of past ISAF World Championships and ISAF Sailing Games is abysmal. They were fabulous events for the sailors, but financially ruinous for ISAF and the

hosts. Building a SWC Event from scratch is the exact equivalent of hosting the ISAF World Championships. The budget for Perth 2011 is an order of magnitude greater than the budgets for the existing SWC events.

What if we bid it, build it and nobody comes? At least the hosts of the ISAF Worlds are virtually guaranteed full participation. What if the athletes just decide to go to the old Grade 1 events in Europe anyway? Is it realistic to go to six continents in 2013 and 2014?

This submission proposes a gradual evolution towards the ideal vision. The six traditional sites continue to host events and six new cities are invited to host “half” of an event simultaneously with their co-host during 2015 or 2016. These new events in Asia, Africa and South America would also be perfect for continental Olympic qualification.

Many cities and MNA's around the world would be capable of hosting half a SWC event on three circles without investing in additional infrastructure. They would likely have very strong participation in the “portable” classes such as Laser, RS:X and Women's MR. The risk of financial failure is reduced to near zero.

For 2017 and beyond ISAF could move to permanent co-hosts of full events (e.g. Kiel in even years, Singapore in odd years). With this proposal, ISAF and the SWC are able to preserve the experience and capabilities of the traditional hosts while gradually expanding the opportunity to new cities around the world.