

US SAILING Board of Directors Meeting
July 25, 2011
Tele-Conference

Present: Ed Adams, Dean Brenner, Walter Chamberlain, John Dane III, Susan Epstein, Secretary Fred Hagedorn, Stan Honey, Vice President Tom Hubbell, President Gary Jobson, Treasurer Leslie Keller, Maureen McKinnon-Tucker, Dawn Riley, Bill Stump and non-voting Ex Officio members Executive Director Jack Gierhart and House of Delegates Chair, Jim Walsh.

Guests: Robe Overton, Jim Capron, John Rousmaniere, Ron Trossbach, Steve Benjamin and many members of the House of Delegates

- 1) The meeting was called to order by President Jobson at 8:02 pm EDT.
- 2) Secretary Hagedorn called the Roll and announced that a quorum was present.
- 3) Announcements
 - a) Secretary Hagedorn reminded the Board about the Process surrounding the nomination and selection of the Herreshoff Award.
- 4) Consent Calendar – was **MOVED**, Seconded and APPROVED:
 - a) Minutes of the 4/01/2011 Meeting of the Board of Directors
 - b) Minutes of the 4/02/2011 Meeting of the Board of Directors
 - c) Minutes of the 4/25/2011 Meeting of the Board of Directors
 - d) Minutes of the 5/23/2011 Meeting of the Board of Directors
 - e) The Appointment of Ron Ward as a Judge Emeritus
 - f) The holding of the 2012 J/24 World Championships at the Rochester YC
 - g) The holding of the 2012 Soling World Championships at the Milwaukee YC
 - h) The acceptance of the Deed of Gift of the Helen Hanley Trophy for the US Singlehanded Sailing Championships for Women.
- 5) A proposed change to Regulation 6.05 was presented by the Chair of the Nominating Committee. It was **MOVED**, Seconded and APPROVED to initiate this change and send it to the Bylaws committee for language review.

6.05 BOARD NOMINEE CAMPAIGNING

Campaigning for election to the Board or for the Office of President of US SAILING is limited as follows:

A. **US SAILING will distribute the** ~~The Candidate Profile included in a mailing from US SAILING shall be the only campaigning employed by a candidate;~~

B. Candidates shall not undertake any form of **wholesale** campaigning including **commercial mass** mailing, phone or e-mail campaigns **or commercial campaign advertising;**

C. Candidates may make themselves available for individual inquiries and engage in private conversations regarding the candidate's intentions and plans for US SAILING;

~~D. Unless both candidates running against each other are provided equal opportunity to participate, opposed candidates shall not engage in public debate, interviews, panels, web logs (blogs), or other discussion groups;~~

E. ~~If an opposed candidate receives may accept a request to speak to a group, to make a submission to a printed publication (or website) or for an interview (on or off the record) by an organisation or the media, the e Candidates shall not accept the request but shall refer notify the media contact at US SAILING Public Relations of all such requests; unopposed candidates may accept but should notify US SAILING Public Relations.;~~

F. Individuals or groups may express support for one or more candidates in class or club newsletters, or similar printed and web publications – there should be no fee incurred by the individual or group;

G. Complaints about campaigning should be made to the NGG Governance Committee Chair who may forward them to the Review Board, if necessary.

- 6) It was **MOVED**, Seconded an APPROVED to delete the current US SAILING Prescription to OSR 5.01 and replace it with a new Prescription to OSR 5.01:

US SAILING prescribes for Categories 0,1,2, and 3: either a lifejacket defined above (See Note 1), or a USCG approved Type I non-inflatable personal flotation device (PFD), or a USCG approved yoke-type inflatable with 33lb (150N) or greater buoyancy with or without crotch strap, face guard, or buddy line. Each inflatable PFD shall be inflated and inspected annually. Service dates shall be marked on each PFD. It is recommended that all inflatable PFDs be integrated with safety harnesses (see OSR 5.02) (See Note 2)

Note 1: ISO 12402 is not currently approved by the USCG. Boats operating in US waters are not exempt from USCG requirements.

Note 2: Many inflatable PFD's with built-in harnesses are designed for people greater than 5' 5" in height and are potentially dangerous if you are below that height.

Note 3: Inflatable PFDs with the required buoyancy will generally have inflation cylinders containing 33g or more of CO2.

Note 4: "Yoke-type" is defined as a PFD that is designed to keep its wearer face-up and head-up in the water and that provides buoyancy in front of the chest and behind the neck immediately when inflated.

- 7) It was **MOVED**, Seconded and APPROVED to make the following Submissions (which may be found in their entirety in Appendix A) to the ISAF for their upcoming Annual Meeting in November, 2011:
- a) Safety-At-Sea Committee
 - i) OSR 1.01.1 Lifelines
 - ii) OSR 3.03.1(b) and 3.03.2(b)
 - b) Appeals Committee
 - i) Case 104
 - ii) Case 105
 - iii) Case 106
 - c) Racing Rules Committee
 - i) Preamble to Section A of Part 2
 - ii) Rule 6 and Appendix L, Instruction 24
 - iii) Rule 20
 - iv) Rule 29.1
 - v) Rule 42.3(c)
 - vi) Rule 61.1(b)
 - vii) Rule 63.6
 - viii) Rules 90.3 and A4, Appendix K – para. 13, Appendix L – instruction 17
 - ix) Rule A11 and Appendix L – instruction 16.6

- x) Rule P5
- xi) Appendix M – Para. 3.2, 7th bullet-point
- xii) Definition – Keep Clear
- d) Olympic Sailing Committee
 - i) Include Paralympic Events in World Cup Regattas

- 8) President's Report – President Jobson asks that we all encourage our fellow members to attend the AGM in Annapolis this coming October. Jobson shared that he will be hosting a summit on Multihull sailing in September in California. Three (3) issues are on the forefront of Jobson's mind at this time – Race Administration, The Handicap Rules and Safety Issues.

Steve Benjamin was invited to share what his committee at the New York YC is currently thinking and doing... They support the Universal Measurement Form (UMF) and the Honey/Jobson Pyramid – PHRF and Portsmouth Yard Stick supporting the base of sailors, ORC and IRC supporting the middle tier, and a High Performance Rating Rule for the upper tier. To this end, NYYC has been working on developing a new VPP comparison rule – the goal is to have it validated and available by January 2012.

Two accidents have our attention this summer. The 14-year old girl who drowned after her 420 capsized and the two crew members who drowned when their boat capsized and sank during the Chicago-to-Mackinac race. US SAILING has asked John Rousmaniere to review the 420 incident and report his finding back to the Association at the AGM in October. With the Chicago Yacht Club, US SAILING has set up an incident review group to be chaired by Chuck Hawley, to study what happened and report back to the association at the AGM in October. The goal in both instances is to find the best practices and to learn what other practices would help make our sport better.

- 9) Executive Directors Report – Executive Director Gierhart shared that our financials are positive and are continue to trend in a positive direction. We have softness in Offshore as not as many boats are getting certificates this summer as anticipated. Merchandizing is also soft, and the Marketing Team is looking at ways to boost sales. Membership is making progress. The entire staff is focused on how to build our membership and membership base.

The annual appeal is about to be dropped in the mail.

The new e-store will go live during August!

Looking toward 2012, the Staff Directors held an offsite and shared their ideas with Gierhart. One large topic of conversation was the role of the Marketing Department vis-à-vis each of our other departments. Gierhart sent a proposed setoff directions/trends to the Board for its consideration as we look toward building the 2012 budget. The Board committed to reading the piece and providing feed back to the ED so it may be re-presented and approved at our August 22, 2011 meeting of the Board of Directors.

- 10) Treasurer's Report – We have seen a slight erosion in our Current Ratio from 3.98 to 3.68. This is mainly due to the use of cash to support a number of Capital Expenditure needs that should allow the business to be more effective in the future.

11)Olympic Report – Chairman Brenner shared that the USA just won three (3) medals at the Youth Worlds, all Silver. Up from last year when we won 3 Bronze. The Olympic Test Event will be held in August in Weymouth, UK. We are sending a full team with virtually full support team as well to see how it all fits together in this locale. The team is pumped and ready to go to work.

The High Performance Plan is due to the USOC by August 5, 2011.

Looking toward the next Quad, Brenner presented a set of ideas to reorganize the Olympic Leadership roles for the next quad. Based on the discussions with the Board and on a previous conversation with representatives of the USOC, Brenner and Jobson suggested that this be put on the table while some more work could be done on refining it further.

12)Team/Crew of the Year Award – Deferred to August

13)Non-OSC World Team Selection Review Committee – Deferred to August

14)Windfall Regulation – Deferred to August.

15)House of Delegates – Chairman Jim Walsh shared that the HOD is working on improving its functional aspects. In addition, Jory Hinman has been nominated by the HOD to be a Director of US SAILING. There are currently 7 vacancies on the HOD. Of the 37 active seats, 21 responded to a question regarding the need for a Spring Meeting for the House; 10 preferred to not have a meeting, 11 preferred having a meeting.

16)Old Business – None

17)New Business – None

18)The meeting was adjourned at 10:30 pm EDT. It should be noted that the next call will be at 7:30 pm EDT on August 22, 2011.

Respectfully submitted,

Frederick H. Hagedorn
Secretary

Appendix A

Offshore Special Regulations – Definitions, Abbreviations, Word Usage

OSR 1.01.1 Definitions of Terms used in this document

A Draft submission from the United States Sailing Association (US SAILING)

Purpose or Objective

Change the definition of “Lifeline”

Proposal

Lifeline: **rope or** wire line rigged as guardrail / guardline around the deck

Current Position

Lifeline: wire line rigged as guardrail/guardline around the deck

Reason

The current definition is inconsistent with OSR 3.14.6 which permits Dyneema rope

Offshore Special Regulations – Hull Construction Standards (Scantlings)

3.03.1 b) and 3.03.2 b) Hull Construction Standards (Scantlings)

A submission from the United States Sailing Association (US SAILING)

Purpose or Objective

Replace the current ISAF-based regulations regarding hull construction of large yachts (greater than 24 meters) by specifying currently available standards while allowing for the implementation of future standards.

Proposal

b) Yachts with LOA over 24m and built after 1 January 2010 shall be designed, built, repaired and maintained in accordance with an appropriate rule for sailing craft published by a member of IACS in effect at the time of initial Classification, Plan Approval or Plan Review. A certificate or letter indicating Classification, Plan Approval or Plan Review by an IACS member, or a notified body recognized by ISAF shall be carried on board. A letter from the builder stating the vessel was built in accordance with the approved design shall be carried on board. (Mo0,1,2)

Current Position

3.03.1 b) A yacht of 24m in hull length and over (measured in accordance with ISO 8666) with Age or Series Date on or after 1 January 2010 shall have:

- been designed and built in accordance with requirements as from time to time specified by ISAF.
- on board a certificate of building plan review from an organization recognized by ISAF.
- on board a declaration signed and dated by the builder to confirm the yacht is built in accordance with the requirements.

3.03.2 b) A yacht of 24m in hull length and over (measured in accordance with ISO 8666), with Age or Series Date on or after 1 January 2010, if subject to any significant repair or modification to the hull, deck, coachroof, keel or appendages on or after the 1 January 2010, shall have

- the repair or modification designed and built in accordance with the requirements as from time to time specified by ISAF.
- on board a certificate of building plan review for the repair or modification from an organization recognized by ISAF
- on board a declaration signed and dated by the builder to confirm that the repair or modification is in accordance with the requirements.

Reason

There currently exists significant ambiguity in the large sailing vessel designing and building arena regarding the intention and stability of the current OSR. The current wording is unclear in which standards are and will be acceptable. The proposed regulation clarifies the situation by allowing large yachts to meet the appropriate construction rules produced by a member of the International Association of Classification Societies, groups including: Lloyds, GL, DnV, ABS, etc. This will allow for flexibility in the wide arena of large sailing vessels that may be classed or have plan approval or review. For instance, large non-planing yachts may choose to class using the ABS Guide for Offshore Yachts, or a sailing school ship that occasionally races would be classed to a commercial standard, as would many large yachts intended for the charter trade. Future rules developed by IACS-member classification societies for large planing yachts would automatically be an option.

Racing Rules of Sailing

New Case

A submission from the United States Sailing Association

Purpose

To provide a Case to clarify the application of the RRS to decisions about rating or measurement certificates.

Proposal

CASE XXX (Appeal 104)

Rule 62.1(a), Redress

Rule A3, Starting Times and Finishing Places

A race committee does not have the authority to re-score a race by using a new rating issued after the race has been completed. An appeals committee may consider an allegation that a boat has broken a rule only when it is deciding an appeal of a protest committee decision concerning that allegation.

Summary of the Facts

Rocinante raced in the Queen's Cup Race and was scored by the race committee using the rating on her PHRF certificate that was in effect at the time of the race. No protest against her was made. Several weeks after the completion of the race, the regional PHRF committee changed *Rocinante's* rating acting on its own volition. The race committee then re-scored the race using the new rating, which made her score significantly worse.

Rocinante requested redress, claiming that it was improper for the race committee to re-score the race without a hearing on that issue by a protest committee. The protest committee agreed and granted her redress by reinstating her original score.

Chance requested redress from the protest committee's decision, claiming it was an improper action because the rating on *Rocinante's* certificate was incorrect at the time of the race and therefore her certificate was invalid. She further claimed that, because of the new rating, the race committee should have treated *Rocinante's* original score as a scoring error and recalculated it accordingly, and that this action would not have made her score "significantly worse" within the meaning of rule 62.1.

The protest committee denied *Chance's* request for redress, and she appealed.

Decision

The race committee acted correctly in using the rating on *Rocinante's* certificate that was in effect during the race to determine her corrected time and finishing place (see rule A3). Therefore the race was scored correctly and there was no scoring error to be corrected. Although that rating was changed after the race by a rating authority acting on its own volition, the race committee did not have the authority to re-score the race using the new rating. Therefore the race committee acted improperly when it re-scored the race, and the protest committee acted correctly when it granted *Rocinante* redress.

Concerning *Chance*'s claim that *Rocinante*'s rating on her certificate was incorrect at the time of the race, the only way for a question of the validity of a boat's certificate to become the subject of an appeal would be for a protest committee to first decide a protest based on the allegation that the certificate was invalid. In this case, no such protest was made. An appeals committee has no authority to consider an allegation of a rule breach that was not the subject of a protest committee's decision that was properly appealed.

Chance's appeal is denied, and the protest committee's decision is upheld.

December 2010

Current Position

None

Reasons

This appeal's decision contains useful clarifications of the RRS as they affect decisions of race committees or protest committees concerning rating or measurement certificates. The Case would not duplicate others in the Case Book.

Racing Rules of Sailing

New Case

A submission from the United States Sailing Association

Purpose

To provide a Case containing explanations of the definition Mark-Room as it applies in RRS 18.

Proposal

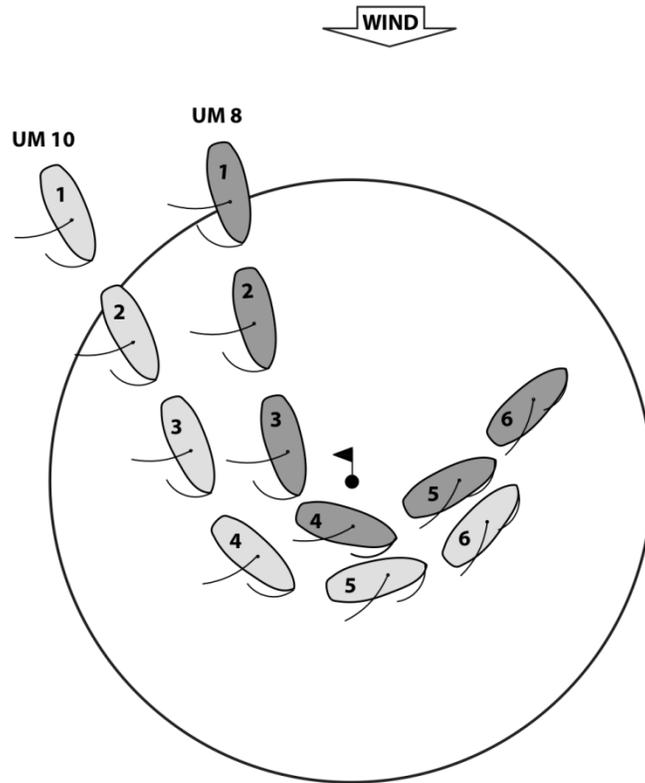
CASE XXX (Appeal 105)

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

In the definition Mark-Room, the phrase “room to sail to the mark” means space to sail in a seamanlike way to a position close to, and on the required side of, the mark. When the mark is abeam of the boat’s bow and she is close to it, she has arrived “at” it. While “at” the mark, the boat is entitled to room to sail her proper course.

Summary of the Facts

UM8 and UM10, overlapped on port tack with UM8 inside, approached a leeward mark to be left to port and subsequently rounded it as shown in the diagram. UM8 protested UM10 under rule 18.2(b) for not giving her enough room to sail to the mark and round it. The protest committee decided that UM10 did give UM8 the room she was entitled to, both while she was sailing to the mark and while she was at the mark, and denied the protest. UM8 appealed.



Decision

The definition Mark-Room creates an important distinction between the room, as defined by the definition Room, to which a boat is entitled while she is sailing “to” a mark and the room to which she is entitled while “at” the mark. The phrase “*room to sail to the mark*” in the definition Mark-Room means space to sail in a seamanlike way to a position close to, and on the required side of, the mark. While “at” the mark, however, she is entitled to room to sail her proper course. The transition between the two types of room occurs at the moment the boat arrives “at” the mark. In this case, *UM8* is “at” the mark in position 3 in the diagram because the mark is abeam of her bow and she is close to the mark.

We agree with the protest committee’s application of rule 18.2(b) and the two components of the definition Mark-Room. Therefore, the appeal is denied and the decision of the protest committee is upheld.

December 2010

Current Position

None

Reasons

The phrase “at the mark” in the definition Mark-Room is new to the RRS and has given rise to discussion and debate among judges and competitors alike. Questions about the precise meaning of this phrase have no obvious answers in the rules themselves, and dictionaries provide so many meanings of “at” that they are of no practical use for purposes of the right-of-way rules.

There are two basic questions: (1) exactly when does a boat arrive “at the mark,” and (2) exactly when does she cease to be “at the mark”? This proposed Case answers the first question, and the proposed Case in Submission xxx –xx (US SAILING Appeal 106) answers the second one.

Although the usefulness of this Case if adopted may not extend beyond 2012 if rule 18 is substantially revised, it nevertheless will be very important to competitors and officials during 2012, the year of the Olympic Regatta and the many national, continental and international championships that will be held in 2012, including some that national authorities will use as Olympic selection events. Without official international interpretations that only ISAF can provide, there will be no reliable guidance concerning how the definition Mark-Room applies in rule 18.

Racing Rules of Sailing

New Case

A submission from the United States Sailing Association

Purpose

To provide a Case containing explanations of the definition Mark-Room as it applies in RRS 18.

Proposal

CASE XXX (Appeal 106)

Rule 14, Avoiding Contact

Rule 16.1, Changing Course

Rule 18.1, Mark-Room: When Rule 18 Applies

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

Rule 18.5, Mark-Room: Exoneration

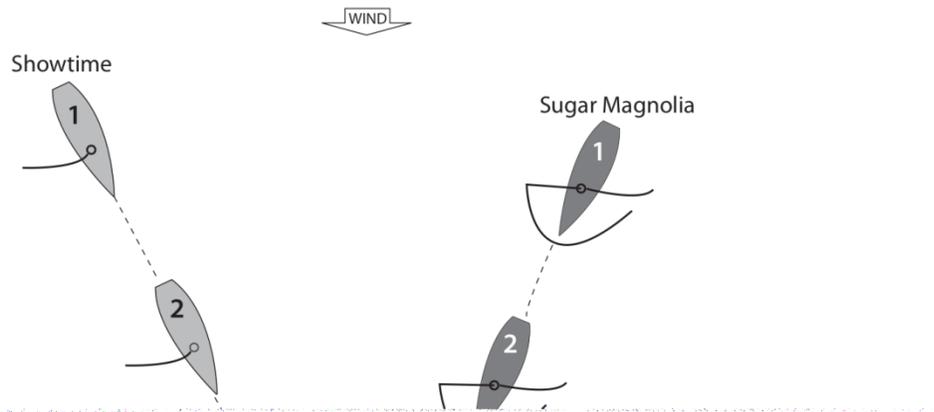
Definitions, Mark-Room

A boat rounding a mark is no longer “at the mark” after she has left the mark astern and it no longer has any effect on her course.

Summary of the Facts

Sugar Magnolia, an Olsen 25, and *Showtime*, an S2 7.9, 25 and 26 feet long respectively, were overlapped on opposite tacks, sailing on converging courses, and approaching a leeward mark to be left to port. The wind speed was 5-8 knots with commensurate sea conditions; there was no current.

Between positions 2 and 3 in the diagram, *Sugar Magnolia* gybed onto port tack. Between positions 3 and 6, she sailed her proper course, heading up to not quite close-hauled. *Showtime*'s course after position 4 at first widened the space between her and *Sugar Magnolia*; she then luffed to a course that at position 5 placed the boats on converging courses. At that point *Showtime* hailed *Sugar Magnolia* to keep clear. Between positions 5 and 6, neither boat changed course, and the space between them diminished until they were very close. At position 6, *Sugar Magnolia* luffed and her stern swung into *Showtime*'s topsides with damage resulting.



Sugar Magnolia protested. She argued that mark-room entitled her to sail her proper course while “at the mark,” and that at the time of contact she was still “at the mark” because rule 18 still applied and because she was not yet on her proper course towards the next mark. *Sugar Magnolia* also argued that although she broke rule 11, On the Same Tack, Overlapped, she should have been exonerated under rule 18.5(a) because she was taking mark-room to which she was entitled under rule 18. *Showtime* argued that at position 5 *Sugar Magnolia* had left the mark astern and therefore she was no longer “at the mark” or entitled to mark-room.

The protest committee found that before and while rounding the mark *Showtime* gave *Sugar Magnolia* mark-room as required by rule 18.2(b). It also found that after she changed course and before contact occurred, *Showtime* gave *Sugar Magnolia* room to keep clear as required by rule 16.1, but *Sugar Magnolia* failed to keep clear of *Showtime* as required by rule 11. Concerning *Sugar Magnolia*’s argument, the committee said it did not consider her to be “at the mark” when she broke rule 11 because she had left the mark astern and it was no longer affecting the course she was sailing. The committee also concluded that both boats could have avoided the contact if they had acted in time. It disqualified *Sugar Magnolia* for breaking rules 11 and 14 and *Showtime* for breaking rule 14. *Sugar Magnolia* appealed.

Decision

The primary issue in this incident was whether *Sugar Magnolia* was “at the mark” at the time of the contact between her and *Showtime*.

Rule 18 applied as long as at least one of the boats was in the zone (see rule 18.1), and rule 18.2(b) required *Showtime* to give *Sugar Magnolia* mark-room as soon as *Sugar Magnolia* reached the zone. However, in rule 18.2 the definition Mark-Room introduces another provision. After *Sugar Magnolia* had finished sailing “to” the mark, and was “at” it, she became entitled to “room to sail her proper course while at the mark,” which was the course she would have sailed to finish as soon as possible in the absence of *Showtime*.

When she reached position 5, *Sugar Magnolia* had left the mark astern and, as the protest committee noted, from that point on the mark was no longer affecting the course she was sailing. Therefore, at position 5 *Sugar Magnolia* was beyond the mark, not “at” it.

Since *Sugar Magnolia* was no longer “at the mark” when contact occurred (position 6), she therefore was no longer entitled to room to sail her proper course or to the exoneration provided by rule 18.5. The fact that she was still sailing her proper course (slightly below close-hauled to regain her normal speed) had no bearing on whether she was still “at the mark.” Although rule 18.2(b) still applied, it had no effect because it did not specify any rights or obligations after *Sugar Magnolia* was no longer “at the mark.” Therefore, at the time of the contact between the boats, the only rules of consequence were rules 11 and 14.

There are other circumstances in which a boat can be “at the mark” even though she has left the mark astern. The other determining factor is whether the mark still has an effect on her course. For example, in a strong adverse current a boat may have to sail beyond the point where she has left the mark astern before being able to change course to round the mark without risk of the current pushing her into it. In that case, the boat would still be “at the mark.”

Rule 11 required *Sugar Magnolia* to keep clear of *Showtime* but she failed to do so. She could have been exonerated under rule 18.5(a) if she had been taking mark-room to which she was entitled, but she was not; therefore she is not exonerated from breaking rule 11. Had *Sugar Magnolia* been unable to keep clear of *Showtime* immediately after she was no longer at the mark, that fact could have been evidence that *Showtime* failed to provide mark-room, but in this case *Sugar Magnolia* was able to keep clear of *Showtime* as soon as she was no longer at the mark.

Rule 14 required *Sugar Magnolia* to avoid contact “if reasonably possible.” She had been hailed by *Showtime* at position 5 and so must have been aware that the boats’ courses were converging. She had enough time and space to change course and avoid the collision, but failed to act soon enough, and so broke rule 14.

Showtime also broke rule 14. Although rule 14(a) provided that she did not need to act to avoid *Sugar Magnolia* until it was “clear” that *Sugar Magnolia* was not keeping clear, that fact had been evident for some time because *Sugar Magnolia* was not changing course as *Showtime* approached.

Sugar Magnolia’s appeal is denied and the decision of the protest committee to disqualify both boats is upheld.

Current Position

None

Reasons

The phrase “at the mark” in the definition Mark-Room is new to the RRS and has given rise to discussion and debate among judges and competitors alike. Questions about the precise meaning of this phrase have no obvious answers in the rules themselves, and dictionaries provide so many meanings of “at” that they are of no practical use for purposes of the racing rules.

There are two basic questions: (1) exactly when does a boat arrive “at the mark,” and (2) exactly when does she cease to be “at the mark”? This proposed Case answers the second question, and the proposed Case in Submission xxx –xx (US SAILING Appeal 105) answers the first one.

Although the usefulness of this Case if adopted may not extend beyond 2012 if rule 18 is substantially revised, it nevertheless will be very important to competitors and officials during 2012, the year of the Olympic Regatta and the many national, continental and international championships that will be held in 2012, including some that national authorities will use as Olympic selection events. Without official international interpretations that only ISAF can provide, there will be no reliable guidance concerning how the definition Mark-Room applies in rule 18.

Racing Rules of Sailing

Preamble to Section A of Part 2

A submission from US SAILING

Purpose or Objective

To clarify the meaning of the preamble's first sentence.

Proposal

*A boat has right of way **over another boat** when **the other** ~~another~~ boat is required to **keep clear** of her. However, some rules in Sections B, C and D limit the actions of a right-of-way boat.*

Current Position

As above.

Reason

The preamble's current first sentence can be interpreted to mean that, when Boat A is required to keep clear of Boat B, B has right of way over all other boats. The intended meaning is that, when A is required to keep clear of B, B has right of way over A. The proposal states clearly what is intended.

Racing Rules of Sailing

Rule 6, New, and Appendix L, Instruction 24

A submission from US SAILING

Purpose or Objective

To take a specific and enforceable step toward the goal of preserving the environment in which we compete.

Proposal

Add the following new rule to Part 1 – Fundamental Rules:

6 ENVIRONMENTAL RESPONSIBILITY

Participants are encouraged to minimize the environmental impact of the sport of sailing. A competitor shall not intentionally put trash in the water.

Appendix L

24 TRASH DISPOSAL

~~Boats shall not put trash in the water.~~ Trash may be placed aboard support and race committee boats.

Current Position

Rule 6 is new. Appendix L, instruction 24: as above.

Reason

This rule introduces, as a fundamental principle, the widely-accepted proposition that participants in the sport of sailing should take an active role in protecting the environment. There are many actions that all participants can and should take in that direction, but most are difficult or impossible to enforce or not practical for all events. However, a ban on putting trash in the water is enforceable and easily implemented at all events.

The proposed rule requires that the act of putting trash in the water be intentional, to prevent a boat from being penalized, for example, for capsizing and not being able to retrieve objects that might be categorized as trash.

The proposal moves a widely-used sailing instruction from the Sailing Instruction Guide (Appendix L) into the main body of rules.

Racing Rules of Sailing

Rule 20

A submission from US SAILING

Purpose or Objective

To organize the rule into a logical structure similar to that used in rules 18 and 19. For reasons of safety and fairness, to extend the rule to improve the treatment of situations involving three or more boats. To incorporate constructive suggestions from the Racing Rules Committee responding to a similar proposal from US SAILING made in 2010.

Proposal

Delete rule 20 and replace it with:

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*. However, she shall not hail if

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

20.2 Responding

- (a) After a boat hails, she shall give the hailed boat time to respond.
- (b) The hailed boat shall respond even if the hail breaks rule 20.1.
- (c) 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.
- (d) When the hailed boat responds, the hailing boat shall tack as soon as possible.

20.3 Passing a Hail to an Additional Boat

When a boat has been hailed for *room* to tack and she intends to respond by tacking, she may hail another boat on the same *tack* for *room* to tack and avoid her. She may hail even if her hail does not meet the conditions of rule 20.1. Rule 20.2 applies between her and the boat she hails.

20.4 Exoneration

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

Current Position

Current rule 20.

Reason

Rule 20 has received less attention in previous rules cycles than the other rules of Section C. This proposal is the result of an extensive discussion and submissions in 2010, followed by revisions in 2011 to respond to input from the Racing Rules Committee, the Section C Working Party, and others.

The current rule mixes hailing and responding rules into one section, goes on to exoneration, and then returns to restrictions on hailing in its final section.

The proposed rule has been reorganized into a more logical structure. The first section brings together the requirements and restrictions for a boat hailing for room to tack. The requirements for responding to the hail are together in the next section. Passing on a hail to a third boat is covered in its own section, and the rule concludes with a section on exoneration. This structure will make the rule easier to learn and use and more straightforward to cite in decisions.

The proposed rule largely and as far as possible retains the wording used in current rule 20. It also adds language to clarify the hailed boat's obligation to respond and covers multiple-boat situations much more comprehensively than the current rule.

There are three ways in which the proposed rule differs from the submission made by US SAILING in 2010:

1. Rule 20.1(c), which deals with hailing a boat that can fetch an obstruction which is also a mark, has been reworded to be simpler. The 2010 version was over-complicated in an attempt to cover multiple boat situations where, for instance, only the windward boat can fetch. After extensive discussion it was decided that this feature is important, so better wording has been developed.

As a side benefit, the new wording improves the fairness of the rule in two-boat situations: when two boats, L and W, approach an obstruction that is also a mark which W is fetching, if L hails for room to tack and W replies "You tack", L does not break rule 20.1(c) unless W needs to make a course change to give L the room she has requested. Under the current rule, L would be penalized even if W has to make no change of course.

2. Rule 20.2(b), requiring response to a hail, was, in the 2010 proposal, less logically located at the end of rule 20.2.
3. The 2010 proposal contained a stand-alone sentence at the end of rule 20.1 permitting a boat, once she has been hailed for room to tack, to "pass on" the hail to another boat when she herself needs room to tack. In this proposal this issue is handled in a separate new section, rule 20.3. This change was made for two reasons. First, these situations are less common; moving them out of rule 20.1 simplifies the narrative of the rule, making it easier to understand and learn. Second, it is important for safety that such a "middle" boat is free to hail without risking a penalty for violating the normal restrictions on hailing contained in rule 20.1. It is easier to give relief from these restrictions in a separate sub-rule than in the rule containing the restrictions.

Relationships between the Proposed Rule and the Current Rule

Proposed rule 20.1 is constructed from parts of current rules 20.1 and 20.3, using almost identical wording. It makes clear when a boat may hail.

Proposed rule 20.2 follows current rules 20.1 (a), (b), and (c), with virtually unchanged wording. It takes the reader step-by-step through the sequence of events following a hail.

Rule 20.2(b) has no equivalent in the current rule. It adds an important safety feature by making it clear that the hailed boat must respond when she has been hailed under either rule 20.1 or rule 20.3, even if the hailing boat does not qualify to hail under those rules. This avoids dangerous disagreements on the water, in situations where delay can result in damage or injury. The hailed boat must respond; her remedy for an improper hail is to protest. This change embodies a principle expressed in Match Race Call MR 38 and in Team Race Call B7.

Proposed rule 20.3 handles hailing in multiple-boat rule 20 situations, as described above in the section on changes from the 2010 submission.

Proposed rule 20.4, Exoneration, is 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.

Here are some examples of the numerous multiple-boat situations which are not well resolved by the current rule but would be handled by the proposed rule. In each, the middle boat is in an impossible situation, with no safe option that complies with the current rule.

- Three boats are overlapped approaching an obstruction. The middle and windward boats can fetch the obstruction, but the leeward boat cannot 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 the first sentence of current rule 20.
- Three boats are overlapped approaching an obstruction. 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 breaks current rule 20.3. However, under proposed rule 20.3's second and third sentences the middle boat's hail does not break rule 20 and the windward boat is required to respond. The leeward boat breaks rule 20.1(c) and she is not exonerated.

Note that the proposed rule is consistent with the conclusions of a recent Case (Case 113); all boats that can hear a hail of room to tack and need to respond must do so, but that does not relieve intervening boats of the obligation to pass on the hail.

Racing Rules of Sailing

Rule 29.1

A submission from US SAILING

Purpose or Objective

To correct a logical problem in the current rule.

Proposal

29.1 Individual Recall

When at a boat's starting signal any part of her hull, crew or equipment is on the course side of the starting line or she must comply with rule 30.1, the race committee shall promptly display flag X with one sound. The flag shall be displayed until all such boats **have returned completely to** ~~are completely on~~ the pre-start side of the starting line or one of its extensions and have complied with rule 30.1 if it applies, but no later than four minutes after the starting signal or one minute before any later starting signal, whichever is earlier. If rule 30.3 applies this rule does not.

Current Position

As above.

Reason

The current rule has an unintended and undesirable feature. It requires that flag X remain displayed until all boats that were over the line at the starting signal are on the pre-start side of the starting line at the same time. That may never happen. For example, under the current rule if two boats were over the line at the starting signal and the first returns and starts, and later the second returns and starts, the recall flag should not be lowered because at no time were both boats completely on the pre-start side of the line. Under the proposed rule, flag X would be lowered after the second boat returns completely to the pre-start side. Changing "are completely on" to "have returned completely to" corrects the logical problem in the current rule and is consistent with both the intent of the rule and current race committee practice.

Racing Rules of Sailing

Rule 42.3(c)

A submission from US SAILING

Purpose or Objective

To bring rule 42.3(c) into line with current actions and expectations of competitors and with the penalties currently given by on-water Appendix P judges.

Proposal

42.3 Exceptions

- (c) Except on a beat to windward, when surfing (rapidly accelerating down the **front** ~~leeward~~ side of a wave) or planing is possible, the boat's crew may pull the sheet and the guy controlling any sail in order to initiate surfing or planing, but only once for each wave or gust of wind.

Current Position

As above.

Reason

If a wave is travelling from north to south, both oceanographers and sailors refer to its south side as its 'front side'. That is the side of the wave that, when the wave is high enough, is surfable. The other side of the wave is referred to as its 'back side'.

Current rule 42.3(c) defines surfing as rapidly accelerating down the leeward side of a wave. Therefore, the current rule permits pulling the sheet to initiate surfing only on waves that are moving in approximately the same direction as the wind. However, the rule was not intended to limit surfing only to waves travelling in the same direction as the wind. There are times when a wave large enough to initiate surfing is not travelling in the direction of the wind. It is often possible to rapidly accelerate down the front side of a wave when the front side is not the leeward side of the wave. This frequently occurs when the wave is caused by a passing spectator boat or by waves left over from a strong wind that previously was blowing from a different direction than the current wind. Pulling the sheet and guy on such a wave would not be protested by most competitors or penalized by most on-water Appendix P judges.

The proposed change would permit pulling the sheet and guy while on the front side of any wave large enough to rapidly accelerate the boat down that side of the wave. The change would result in the rule that was intended and one that permits pulling the sheet and guy at times that most judges and competitors think it is appropriate to allow that action.

Racing Rules of Sailing

Rule 61.1(b)

A submission from US SAILING

Purpose or Objective

To make it clear that when a race or protest committee observes an incident in the racing area and intends to protest a boat, it can not inform her at the time of the incident, which might be “as soon as reasonably possible”, but instead it is required to wait until after the race to inform her.

Proposal

61.1 Informing the Protestee

- (b) A race committee or protest committee intending to protest a boat shall inform her as soon as reasonably possible **unless** ~~However, if~~ the *protest* arises from an incident the committee observes in the racing area, **in which case** it shall inform **her** ~~the boat~~ after the race within the time limit of rule 61.3.

Current Position

As above.

Reason

Current rule 61.1(b) has been interpreted in an unintended way. Some officials have read the rule to mean that, whenever a race committee or protest committee intends to protest a boat, it must notify the boat as soon as reasonably possible and that, in addition, it must inform the boat of its intention after the race within the limit of rule 61.3. The proposal would make it clear that when a committee observes an incident in the racing area, it is required to wait until after the race and only then inform the boat of its intention within the time limit of rule 61.3.

Racing Rules of Sailing

Rule 63.6

A submission from US SAILING

Purpose or Objective

To correct a contradiction between current rules 63.3(b) and 63.6, and to require a protest committee member who saw the incident that led to a hearing to disclose that fact and to give testimony about the incident only while evidence is being taken during the hearing.

Proposal 1

63.6 Taking Evidence and Finding Facts

The protest committee shall take the evidence of the *parties* **present at** ~~to~~ the hearing and of their witnesses and other evidence it considers necessary. A member of the protest committee who saw the incident may give evidence, **but only in the presence of those parties**. A *party* **present at** ~~to~~ the hearing may question any person who gives evidence. The committee shall then find the facts and base its decision on them.

Proposal 2

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 to the protest committee and** 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 for Proposal 1

If a party to a protest or request for redress does not come to the hearing, the protest committee, acting under rule 63.3(b), may nevertheless conduct the hearing and decide the protest or request. However, rule 63.6 directs the protest committee to take the evidence of “the *parties*”, and it makes no exception for a party that does not come to the hearing. Changing “*parties* to the hearing” to “*parties* present at the hearing” removes the contradiction between those two rules. The change in the penultimate sentence from “A *party* to the hearing” to “A *party* present at the hearing” is made for the same reason.

The right of the parties to be present throughout the hearing of all the evidence, granted by rule 63.3(a), and the right to question any person who gives evidence are fundamental to the fairness of the hearing process. It follows that, when a protest committee member has seen an incident and gives evidence, that evidence must be given in the presence of the parties. Currently, this important principle is found only as a recommendation to the protest committee in Appendix M, paragraph M3.2. The addition of “but only in the presence of those *parties*” makes this practice a requirement, rather than just a recommendation.

Reason for Proposal 2

Under current rule 63.6, a judge could base his (or her) decision regarding an incident on what he saw without disclosing the fact that he saw the incident to either the other members of the protest committee or the parties. Therefore, that decision could be influenced by information that was not made available to the rest of the committee and was not subject to questioning by the parties or the other judges. Proposal 2 would reduce the chance that this injustice would occur.

A companion submission proposes changes in Appendix M, paragraph 3.2, 7th bullet point.

Racing Rules of Sailing

Rules 90.3(a) and A4, Appendix K, Paragraph 13, Appendix L, Instruction 17

A submission from US SAILING

Purpose or Objective

To simplify several rules by removing reference to the Bonus Point Scoring System, which has been used very infrequently in recent years.

Proposal

90.3 Scoring

- (a) The race committee shall score a race or series as provided in Appendix A using the Low Point System, unless the sailing instructions specify ~~the Bonus Point System or~~ some other system. A race shall be scored if it is not *abandoned* and if one boat sails the course in compliance with rule 28.1 and *finishes* within the time limit, if any, even if she retires after *finishing* or is disqualified.

A4 ~~LOW POINT AND BONUS POINT SYSTEMS~~

~~Most series are scored using either the Low Point System or the Bonus Point System. The Low Point System uses a boat's finishing place as her race score. The Bonus Point System benefits the first six finishers because of the greater difficulty in advancing from fourth place to third, for example, than from fourteenth place to thirteenth. The Low Point System will apply unless the sailing instructions specify another system; see rule 90.3(a). If the Bonus Point System is chosen it can be made to apply by stating in the sailing instructions that 'The Bonus Point System of Appendix A will apply.'~~

- A4.1** Each boat *starting* and *finishing* and not thereafter retiring, being penalized or given redress shall be scored points as follows:

<i>Finishing place</i>	Low Points System	Bonus Point System
First	1	0
Second	2	3
Third	3	5.7
Fourth	4	8
Fifth	5	10
Sixth	6	11.7
Seventh	7	13
Each place thereafter	Add 1 point	Add 1 point

Appendix K

13 SCORING

~~Include only if the Low Point System is replaced by the Bonus Point System.~~

~~13.1 The Bonus Point System of Appendix A will apply.~~

~~(OR)~~

Include only if ~~neither~~ of the Low Point Scoring System in Appendix A ~~scoring systems~~ will not be used. Describe the system.

13.1 The scoring system is as follows: _____.

Appendix L

17 SCORING

~~Include only if the Low Point System is replaced by the Bonus Point System.~~

~~17.1* The Bonus Point System of Appendix A will apply.~~

~~(OR)~~

Include only if ~~neither~~ of the Low Point Scoring System in Appendix A ~~scoring systems~~ will not be used. Describe the system.

17.1* The scoring system is as follows: _____.

Current Position

As above.

Reason

An informal survey of over 30 international judges at Palma in April revealed that the Bonus Point Scoring System is used very infrequently. Classes that wish to continue to use this system may do so by changing rule A4. Removing reference to a choice of systems in Appendix A will simplify the rulebook and, for most events, the sailing instructions as well.

Comment: The Racing Rules Committee may wish to consider whether or not to recommend that the Racing Rules Working Party add an optional sailing instruction in Appendix LE that a race committee may use if it wishes to use the Bonus Point Scoring System for an event.

Racing Rules of Sailing

Rule A11 and Appendix L, Instruction 16.6

A submission from US SAILING

Purpose or Objective

To properly relocate a scoring abbreviation in the rule with all other such abbreviations.

Proposal

A11 SCORING ABBREVIATIONS

These scoring abbreviations shall be used for recording the circumstances described:

DNC Did not start; did not come to the starting area

DNS Did not start (other than DNC and OCS)

OCS Did not start; on the course side of the starting line at her starting signal and failed to start, or broke rule 30.1

ZFP 20% penalty under rule 30.2

BFD Disqualification under rule 30.3

SCP Took a Scoring Penalty under rule 44.3(a)

DNF Did not finish

RAF Retired after finishing

DPI Discretionary penalty imposed

DSQ Disqualification

DNE Disqualification (other than DGM) not excludable under rule 90.3(b)

DGM Disqualification for gross misconduct not excludable under rule 90.3(b)

RDG Redress given

Appendix L

16 PROTESTS AND REQUESTS FOR REDRESS

16.6 Breaches of instructions 11.3, 18, 21, 23, 24, 25, 26 and 27 will not be grounds for a protest by a boat. This changes rule 60.1(a). Penalties for these breaches may be less than disqualification if the [protest committee] [jury] so decides. ~~The scoring abbreviation for a discretionary penalty imposed under this instruction will be DPI.~~

Current Position

As above.

Reason

Discretionary penalties are increasingly used in events so that protest committees can, when appropriate, impose a lesser penalty than disqualification for breaches of rules that do not affect the outcome of the race. The proposed change properly locates a scoring abbreviation in the list of other such abbreviations and also will shorten many events' sailing instructions.

Racing Rules of Sailing

Rule P5(a)

A submission from US SAILING

Purpose or Objective

To align rule P5(a) with other race committee signalling rules in both function and wording.

Proposal

P5 FLAGS O AND R

- (a) If the class rules permit pumping, rocking and ooching when the wind speed exceeds a specified limit, the race committee may signal that those actions are permitted, as specified in the class rules, by displaying flag O **no later than** ~~before or with~~ the warning signal. ~~The flag shall be removed at the starting signal.~~

Current Position

As above.

Reason

Under the current rules, flag O is displayed no later than the warning signal and removed at the starting signal. However, there are some situations in which it is appropriate to continue to display flag O after the starting signal, and other situations in which it is more appropriate to remove flag O at the starting signal.

Displaying flag O for a few minutes after the starting signal makes the signal available for boats arriving late to the starting line, enabling them to learn that pumping, rocking and ooching are permitted. Continuing to display flag O after the starting signal is also appropriate when there is a general recall or a short postponement and the wind speed remains above the specified limit. However, when the warning signal for a succeeding class is made with the starting signal of the previous class, it may be necessary to remove flag O at the starting signal.

With the proposed change, the procedure for displaying flag O in rule P5(a) is analogous to the procedure for signalling the course under rule 27.1, i.e., there is a time requirement for the display of the signal, but its removal is dictated by the situation.

The phrase "before or with the warning signal" is changed to "no later than the warning signal." The two phrases have the same meaning, but the latter phrase is most often used in the rulebook.

Racing Rules of Sailing

Appendix M, Paragraph 3.2, 7th Bullet Point

A submission from US SAILING

Purpose or Objective

To add additional guidance for hearings when a member of the protest committee has seen the incident that led to the hearing.

Proposal

- Allow a member of the protest committee who saw the incident to give evidence (rule 63.6) but only in the presence of the *parties*. ~~The member~~ **Members who give evidence** may be questioned, **should take care to relate all they know about the incident that could affect the decision,** and may remain **on the protest committee** ~~in the room~~ (rule 63.3(a)).

Current Position

As above.

Reason

A protest committee member who sees an incident and gives testimony as a witness has a responsibility to share his knowledge of the incident with the parties and the other members of the protest committee. Otherwise, the parties will not have the opportunity to question his facts and the other members of the protest committee will not have the same evidence with which to make a decision.

A companion submission proposes changes in rule 63.6.

Racing Rules of Sailing

Definition *Keep Clear*

A submission from US SAILING

Purpose or Objective

To clarify the second part of the definition by removing the reference to a boat “changing course in both directions”, which is a physical impossibility.

Proposal

Keep Clear One boat *keeps clear* of another if the other can sail her course with no need to take avoiding action and, when the boats are *overlapped* on the same *tack*, if the *leeward* boat can **luff and can bear away** ~~change course in both directions~~ without immediately making contact with the *windward* boat.

Current Position

As above.

Reason

See Purpose above.

Title: Regulation 24.3.1 and 24.3.2

Subtitle: Olympic and Paralympic Sailing

A submission from US SAILING

Purpose or Objective

To amend Regulation 24.3.1 and 24.3.2 in order to allow for the inclusion of Paralympic events and equipment in all future ISAF World Cup Sailing Events

Proposal

Amend Regulation 24.3.1 to read:

“Only the events and equipment included in the next Olympic Sailing Competition shall be included in the programme of ISAF Sailing World Cup Events. **Events and equipment included next Paralympic Sailing Competition may be also included in the programme of ISAF Sailing World Cup Events subject to ISAF’s approval**”

Amend Regulation 24.3.2 to read:

“The format of the event shall be decided by ISAF and shall comply with the next Olympic **and Paralympic (if the relevant events and equipment are included in the programme of the ISAF Sailing World Cup)** Sailing Competition.”

Current Position

24.3.1 Only the events and equipment included in the next Olympic Sailing Competition shall be included in the programme of ISAF Sailing World Cup Events.

24.3.2 The format of the event shall be decided by ISAF and shall comply with the next Olympic Sailing Competition.

Reason

The inclusion of Paralympic sailing and equipment has occurred on an informal basis during the current quadrennium at the invitation of the host event organisers. Sailing has grown to the point where some ISAF Sailing World Cup events now include all the three Paralympic classes. The success of able bodied and disabled sailors in the ISAF Sailing World Cup is now apparent. We would like therefore to allow the Paralympic Sailing to be kept in the ISAF Sailing World Cup.

20% of the global population is disabled. This group is under-represented in our sport because of past organisational and attitudinal barriers. The potential for full inclusion in sailing is much greater than in many other sports.

A wide range of equipment is now available which is challenging for people of all abilities, allowing:

- inclusion of sailors with a disability within mixed ability teams;

- equitable competition between sailors with a disability and their able-bodied peers

IFDS is governed by International Paralympic Committee and ISAF where they provide the specialist athlete classification and boat adaptations. All sailors accept and compete under ISAF Racing Rules of Sailing.

The ISAF Sailing World Cup Grade 1 series now provides 7 events per year: 5 in Europe, 1 in Oceania and 1 in North America. This promotes both Olympic and Paralympic sailing in search of excellence.