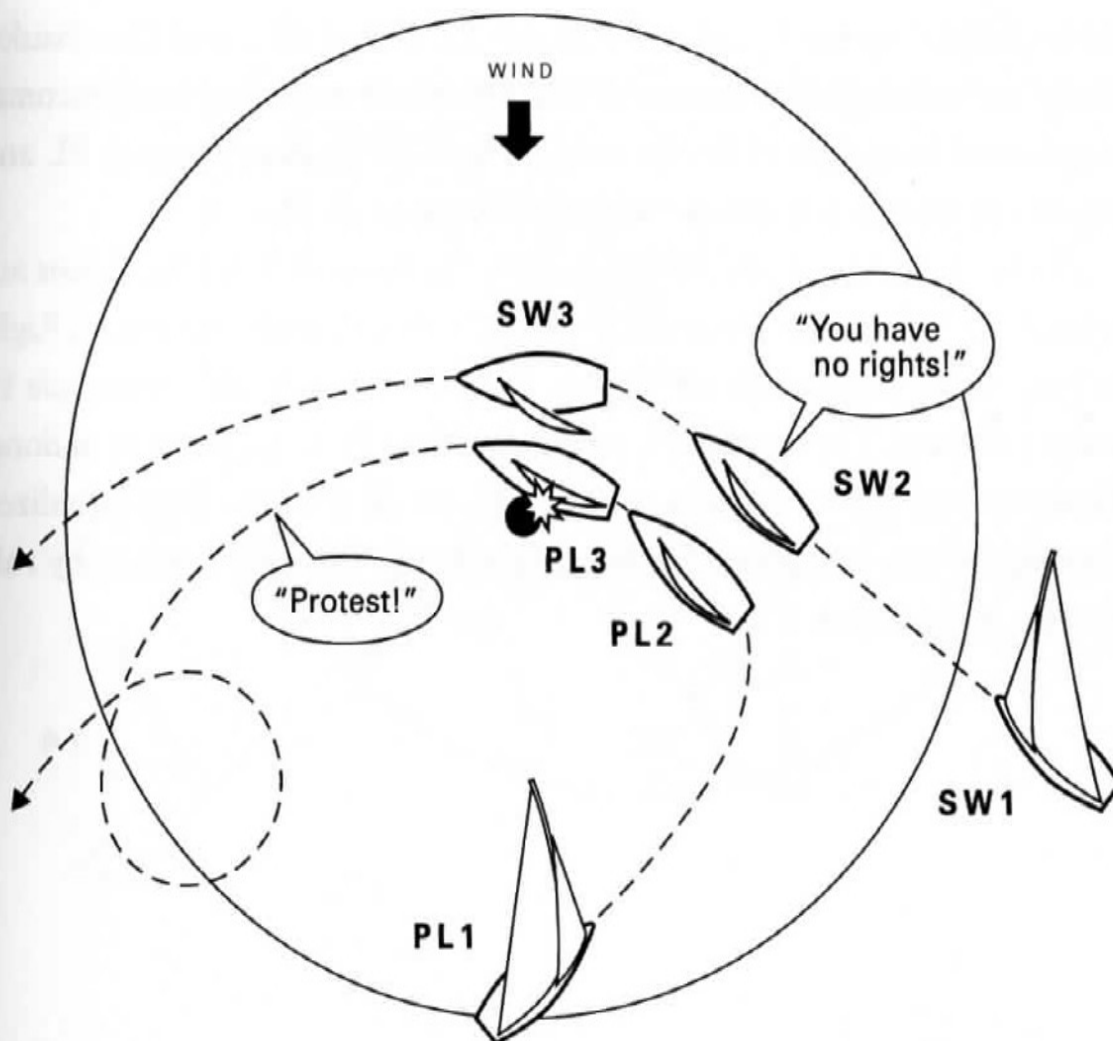


## Quiz 38

Within one hull length of a windward mark to be left to port, Boat PL (an 18-foot boat on port tack) tacks to a close-hauled course to leeward of Boat SW (on starboard tack). As PL's bow approaches the mark, SW remains close-hauled and hails to PL, "You have no rights!" As SW bears away to round the mark she forces PL to bear away into the mark to avoid hitting her. PL immediately gets clear of the other boats, hailing "Protest" as she does, and does one turn that includes a tack and a gybe. SW sails on. After the race, PL files a protest against SW for failing to keep clear of her. You are on the protest committee; how would you decide this?



### ANSWER TO QUIZ 38

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

When PL passes head to wind within the zone at the mark, rule 18.3, Passing Head to Wind in the Zone, requires that she not cause SW to sail above close-hauled to avoid contact, and that she give SW mark-room if SW becomes overlapped inside of her. SW did not sail inside of PL nor did she sail above close-hauled; therefore PL did not break rule 18.3. Once PL is on a close-hauled course and overlapped to leeward of SW, SW (as the windward boat) becomes required to keep clear of her by rule 11. By bearing away towards PL and causing PL to take action to avoid her, SW breaks rule 11.

PL chooses to take a penalty for touching the mark. This, however, does not remove her right to also protest SW (see rule 60.1(a), Right to Protest; Right to Request Redress or Rule 69 Action). Based on the facts, SW breaks rule 11 and is penalized. The fact that PL took a One-Turn Penalty cannot be undone. However, had PL not taken a penalty, she would not have been penalized because she was exonerated for breaking rule 31, Touching a Mark, by rule 43.1(a), Exoneration.