



To: Everyone attending the 2011 Annual Meeting of US SAILING
From: Rob Overton, Chair, and Dick Rose, Secretary, US SAILING
Racing Rules Committee

There is considerable evidence that many competitors are not fulfilling the requirement to "follow and enforce" the rules in our sport's Basic Principle, *Sportsmanship and the Rules*. The US SAILING Racing Rules Committee (RRC) believes this is a serious problem.

In an effort to increase the acceptance of penalties and the filing of protests, the RRC has drafted two alternative procedures for dispute resolution, and we ask you to test them over the next six months. The first of these (in Section A below) is a system of penalties available to boats that realize that they have broken a rule. It is designed to encourage them to take a penalty. The second (in Section B below) is an expedited hearing procedure similar to one that has been used successfully in intercollegiate sailing. The shortened hearings proposed in Section B can be held at any time – on the water immediately after boats finish, on the dock when boats come in for the day, or ashore at the usual time for hearings. The purpose of the expedited hearings is to resolve disagreements about the rules quickly and decisively, with little or no additional risk of getting the wrong answer.

An additional section, Section C – on arbitration, is still being drafted and is not yet available.

We ask regatta organizers to test either or both of the alternatives below over the next six months. Please report back letting us know whether they helped achieve better compliance with the Basic Principle, and please give us any suggestions you have for improving them or for other approaches that you think might help.

One or both of these alternative procedures can be used by simply including rules A1 and A2, or B1 and B2, or all four rules, in your sailing instructions.

Please send your comments and feedback to rules@ussailing.org by May 1, 2012.

Thank you for your help!

ALTERNATIVE PROCEDURES FOR DISPUTE RESOLUTION

One or both of these alternative procedures apply only if the rules of Section A, Section B, or both, are included in the sailing instructions.

SECTION A OPTIONAL PENALTIES

A1 PENALTIES AT THE TIME OF THE INCIDENT

The first two sentences of rule 44.1 are changed to: 'A boat may take a One-Turn Penalty when she may have broken a rule of Part 2 or rule 31 while *racing*. However, when she may have broken a rule of Part 2 while in the *zone* around a *mark* other than a starting *mark*, her penalty shall be a Two-Turns Penalty.'

A2 PENALTIES TAKEN AFTER A RACE

A2.1 After a race, a boat that may have broken a rule of Part 2 or rule 31 while *racing* may take a Scoring Penalty. Rules 44.1(a) and (b) apply when such a penalty is taken. Rules 44.3(a) and (b) are deleted and replaced by: 'A boat takes a Scoring Penalty by informing the race committee in writing, identifying the race number and when and where the incident occurred.'

A2.2 If taken before the protest time limit, the penalty shall be a 20% Scoring Penalty. If taken after the protest time limit but before the start of a hearing of a *protest* involving the incident, the penalty shall be a 30% Scoring Penalty. The penalty shall be calculated as stated in rule 44.3(c).

SECTION B

EXPEDITED HEARINGS

B1 INFORMING THE RACE COMMITTEE

A boat intending to protest or request redress based on an incident in the racing area that she is involved in or sees shall, at the first reasonable opportunity after she *finishes*, inform the race committee at the finishing line of her intent to protest or request redress and, when applicable, the identity of the protestee.

B2 CHANGES IN HEARING PROCEDURES

This rule applies to all hearings except hearings under rule 69.

B2.1 If the protest committee is able to assemble the *parties* to a hearing before the protest or redress time limit, it may begin the hearing and may waive the requirements of rule 61.2 or 62.2.

B2.2 Rule 63.5 is changed to: 'At the beginning of the hearing, if there is no objection, the *protest* or request is valid and the hearing shall be continued. If an objection is made, the protest committee shall take any evidence . . . [*no further change*].'

B2.3 Insert a new sentence after the third sentence of rule 63.6: 'However, the committee may limit the number of witnesses and the time during which *parties* may present evidence and ask questions.'

B2.3 The first sentence of rule 65.2 is changed to: 'A *party* to the hearing is entitled to receive the above information in writing, provided she asks the protest committee for it no later than thirty minutes after being informed of the decision or coming ashore following the last race of the day, whichever is later.'

B2.4 The US SAILING prescriptions to rules 60, 63.2 and 63.4 are deleted.

B2.5 Change the third sentence of rule 66 to: 'A *party* to the hearing may not ask for a reopening.'

ADDENDUM TO SECTION A

When the sailing instructions include the rules of Section A, the race committee may find it helpful to make this form available to competitors.



SCORING PENALTY ACCEPTANCE FORM

Date & time received _____

Received by _____

Shaded area for race committee use

Fill in and check as appropriate

1. RACE NUMBER _____ DATE OF RACE _____

2. INCIDENT

Between boats When and where on the course? _____

Other boats involved in incident _____

Touched a mark Which mark? _____ When? _____

3. BOAT TAKING SCORING PENALTY

Class _____ Sail number _____

Name of crew member who completed this form (please print) _____

Signature of crew member _____