

## Racing Rules

### Definition *Obstruction*

A submission from US Sailing

#### Purpose or Objective

State the conditions under which an obstruction is a continuing obstruction. Improve wording related to lines and areas as obstructions. Reformat the exceptions in the definition for ease of reading.

Note: Proposals 1, 2 and 3 are independent of one another.

#### Proposal 1

Change the definition *Obstruction* as shown:

***Obstruction*** An object that a boat could not pass without changing course substantially, if she were sailing directly towards it and one of her hull lengths from it. An object that can be safely passed on only one side and an object, area or line so designated by the sailing instructions are also *obstructions*. **An obstruction becomes a continuing obstruction when boats are passing it and will pass alongside it for more than a short distance.** However, a boat *racing* is not an *obstruction* to other boats unless they are required to *keep clear* of her or, if rule 22 applies, avoid her. A vessel under way, including a boat *racing*, is never a continuing *obstruction*.

#### Current Position

As above.

#### Reasons

There was a case that first appeared in *The Case Book* in 1974 that dealt with this issue, but it was removed from *The Case Book* in 2009 when vessels under way were no longer deemed to be continuing obstructions. That case was about boats that were obstructions, and made it clear that the key to being a continuing obstruction was that boats were sailing alongside it, not that it was large. When the definition *Obstruction* was changed to remove vessels as continuing obstructions, the discussion on the topic was dropped from *The Case Book*, leaving no cases that deal with the topic. Several writers of books explaining the RRS, including Dave Perry and Trevor Lewis, emphasize that a mark is only a 'continuing obstruction' while boats are alongside it, not before they come to it. The proposed words state that long-standing principle.

An alternative approach would be to interpret "continuing obstruction" as any object large enough so that if boats were to pass it they might be alongside it for some distance. Such an interpretation would change the game substantially when boats are approaching a large object such as a pier or breakwater that is also a mark, and they are not sailing alongside it. If one boat is clear ahead at

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the zone, she expects to be entitled to mark-room at the obstruction itself, just as she would be at any mark that was also an obstruction.

The only reason the RRS remove the protection of rule 18 at continuing obstructions is so that rule 19.2(c), which could be in direct opposition to rule 18.2(b), can take effect. There is no reason to do that until the boats are sailing alongside the obstruction.

### Proposal 2

Change the definition *Obstruction* as shown:

***Obstruction*** An object that a boat could not pass without changing course substantially, if she were sailing directly towards it and one of her hull lengths from it. **The following are also obstructions: an An object that can be safely passed on only one side, and an object, area or line that the sailing instructions or applicable government rules prohibit boats from entering or crossing** ~~designated by the sailing instructions are also obstructions.~~ However, a boat *racing* is not an *obstruction* to other boats unless they are required to *keep clear* of her or, if rule 22 applies, avoid her. A vessel under way, including a boat *racing*, is never a continuing *obstruction*.

### Current Position

As above.

### Reasons

**Designated prohibited areas and lines** Currently, if sailing instructions prohibit boats from crossing certain lines or entering certain areas but do not also state that those lines or areas are obstructions, some have argued that rules 19 and 20 do not apply at them. Conversely, if the sailing instructions define such an area or line to be an obstruction but do not prohibit boats from entering or crossing it, it is not clear to sailors whether they can do so. This proposal relieves the race committee from having to make a seemingly redundant statement in the SIs and ensures that rules 19 and 20 will apply where they obviously should.

**Applicable government rules** Suppose there is an area into which boats are prohibited from entering. Regardless of whether that prohibition is repeated in the sailing instructions, it is reasonable to give a boat room to avoid such an area, as otherwise boats could force other boats to break the law. This does not relieve the organizing authority and the race committee from their responsibility to inform sailors of relevant exclusion zones for an event in the notice of race or sailing instructions, but if they fail to do so, this proposal protects the sailors.

### Proposal 3

Change the definition *Obstruction* as shown:

***Obstruction*** An object that a boat could not pass without changing course substantially, if she were sailing directly towards it and one of her hull lengths from it. An object that can be safely passed on

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only one side and an object, area or line so designated by the sailing instructions are also *obstructions*. However,

- (a) a boat *racing* is not an *obstruction* to other boats unless they are required to *keep clear* of her or, if rule 22 applies, avoid her; **and**
- (b) a vessel under way, including a boat *racing*, is never a continuing *obstruction*.

#### Current Position

As above.

#### Reasons

Both of the last two sentences in the current definition *Obstruction* are exceptions to the sentences that precede them. Therefore, the 'However' should apply to both of them. Giving them the designations (a) and (b) will help protest committees when writing decisions and will structure the definition so that it is easier for a reader to understand.

#### Clean Copy of the Definition *Obstruction* if Proposals 1, 2 and 3 are Approved

***Obstruction*** An object that a boat could not pass without changing course substantially, if she were sailing directly towards it and one of her hull lengths from it. The following are also *obstructions*: an object that can be safely passed on only one side, and an area or line that the sailing instructions or applicable government rules prohibit boats from entering or crossing. An *obstruction* becomes a continuing *obstruction* when boats are passing it and will pass alongside it for more than a short distance. However,

- (a) a boat *racing* is not an *obstruction* to other boats unless they are required to *keep clear* of her or, if rule 22 applies, avoid her; and
  - (b) a vessel under way, including a boat *racing*, is never a continuing *obstruction*.
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