



“Can you explain what you mean by ‘protected by rule 43.1(b)’?”

Sure. There are times when the inside boat is a keep-clear boat (a *windward* or *port-tack* boat) and she is sailing to and around the *mark* in a seamanlike way as she is entitled to by *mark-room*, but she nevertheless has contact with an outside right-of-way boat or the outside right-of-way boat has to change course to give her *mark-room*. In that case the inside keep-clear boat has broken rule 10 (*port/starboard*) or rule 11 (*windward/leeward*), both rules of Part 2, Section A. Or sometimes the outside boat does not give the inside boat enough *room* and the inside boat is forced to touch the *mark* breaking rule 31 (Touching a Mark). Rule 43.1(b) (Exoneration) is the rule that “exonerates” the inside boat, meaning she is freed from being penalized for her breach.

RULE 18.1 — WHEN RULE 18 APPLIES

Rule 18 applies between boats when they are required to leave a *mark* on the same side and at least one of them is in the *zone*. However, it does not apply

- (a) between boats on opposite *tacks* on a beat to windward,**
- (b) between boats on opposite *tacks* when the *proper course* at the *mark* for one but not both of them is to tack,**
- (c) between a boat approaching a *mark* and one leaving it, or**
- (d) if the *mark* is a continuing *obstruction*, in which case rule 19 applies.**

“Does rule 18.1(a) mean that ‘*mark-room*’ doesn’t apply at the windward *mark*?”



No; rule 18.1(a) means that if two boats are coming into a windward *mark* on **opposite *tacks*** (including a finishing *mark* when the finish is at the end of a beat), rule 18 (Mark-Room) doesn’t apply. But if the boats are coming into a windward *mark* on the same *tack*, then rule 18 applies just like at any other *mark*.

Case 132 says in effect that “two boats on opposite *tacks* are considered to be ‘on a beat to windward’ (1) when the proper course for each of them is close-hauled or above, or (2) when one or both of them have overstood the close-hauled layline to the mark and are sailing below close-hauled.”

Picture a windward *mark* to be left to port or the left end of an upwind finishing line, looking upwind. It would be chaos if suddenly a *port-tack* boat could come in and call for *mark-room* from a *starboard-tack* boat while still on *port tack*.

“While the boats are on opposite *tacks*, rule 10 (*port/starboard*) applies; and if the *port-tack* boat (PI) tacks to *leeward* of the *starboard-tack* boat (SO) within the *zone*, she is subject to rule 13 (While Tacking) and rule 18.3 (Passing Head to Wind in the Zone).

Notice that the exception in rule 18.1(a) applies only when opposite-*tack* boats are approaching a *mark* on a beat to windward. The reasoning is that at all the other *marks* (offwind *marks*), even though the boats may be on opposite *tacks*, they are going in more or less the same direction, or at least generally converging at much smaller angles. Therefore, at leeward *marks*, inside/*port-tack* boats are entitled to room under rule 18.2 (Giving Mark-Room) from outside/*starboard-tack* boats.



“What does rule 18.1(b) refer to?”

This is a bit of a “loophole closer.” It covers situations that rarely arise, but can. For instance, on a windward leg the wind shifts 60 degrees to the right. Boats that were near the starboard-tack layline are now reaching on the leg. They are no longer “beating” to windward or “on a beat to windward.” However, the boats on the left are beating up to the *mark*, so they are still “on a beat to windward.” When a *port-tack* boat (P) from the left meets a *starboard-tack* boat (S) from the right at the *mark*, the exception in 18.1(a) doesn’t apply because **both** boats are not “on a beat to windward.” But because P’s *proper course* is to tack at the *mark*, and because S does not have to tack, the exception in rule 18.1(b) applies, meaning that rule 18 does not apply, P is not entitled to *mark-room*, and she needs to *keep clear* of S under rule 10 (Opposite Tacks).

The same is true when two boats are sailing to a *gybe mark* and a boat finds herself below the *mark* (due to current or a windshift or strong wind carrying her lower than she wanted to be), and she has to tack to get up to the *gybe mark*. Now she will be on the opposite *tack* from boats approaching the *mark*, and because she will have to tack to sail her *proper course* around the *mark*, she is not entitled to *mark-room*.



“Can you explain what the terms “approaching” and “leaving” mean in rule 18.1(c)?”

Sure. The rule writers wanted to make it clear that rule 18 does not apply to boats that aren't rounding the *mark* at essentially the same time. The rule clarifies that if one boat is just completing her rounding maneuver and is "leaving" the *mark* and she meets a boat that is just "approaching" the *mark* to begin her rounding maneuver, neither boat needs to give each other *mark-room*. The rules in Section A and B apply, including rule 16 (Changing Course) which requires a right-of-way boat to give the keep-clear boat *room* to *keep clear* when she changes course. This commonly comes up at port-hand windward *mark* roundings when the boat rounding the *mark* will be on *starboard-tack*. She must watch for nearby *port-tackers* when she bears away around the *mark*. Note that the exoneration from breaking rule 16 in rule 43.1(b) (Exoneration) does not apply, because rule 18 does not apply due to the exception in rule 18.1(c). (See Case 60.)

Finally, the exception in rule 18.1(d) clarifies that if the *mark* is a "continuing *obstruction*," such as an island while the boats are passing it on a required side, rule 18 does not apply and rule 19 (Room to Pass an Obstruction) applies. This is primarily because it is an undesirable situation to require a boat that was astern or *overlapped* on the outside when first arriving at the island or long *obstruction* to continue to give the other boat(s) *mark-room* even if she gets ahead of them while passing the *obstruction*.

We've discussed thoroughly how rule 18 applies slightly differently in certain situations, primarily at windward *marks* (including windward **finishing marks**), leeward *marks* where inside boats need to gybe to sail their *proper* course, starting *marks* and continuing *obstructions*. These are its only exceptions. Otherwise, the rules for "mark-room" are exactly the same at every other *mark* on the course, including the finishing *marks*.