

Racing Rules of Sailing

New Definition - Exonerate

A submission from US SAILING

Proposal

Exonerate A boat exonerated for breaking a rule is exempt from the consequences of breaking it and is treated as if she were complying with it.

Current Position

None.

Reason

The term 'exonerated' is used in rules 18.5, 20.2, and 64.1(c). One dictionary definition defines 'to exonerate' as 'to hold blameless', and this is close to the meaning intended in the racing rules; however, there are several other dictionary definitions of 'exonerate', including one that involves punishment alone. None of those other definitions would be correct in the context of the rules. Therefore, we should not rely on dictionaries for the meaning of 'exonerate' as we use it in the racing rules. Under our rules a boat that breaks a rule and is exonerated for that breach is not simply excused or pardoned for breaking the rule, but is to be treated as if she had never done so. Thus, for example, a boat taking mark-room to which she is entitled can sail to the mark as if the rules of Section A did not apply to her. If she breaks such a rule in taking that room, she is treated as if she had never broken it, rather than as a boat that has simply escaped punishment for breaking it.

In some of the current rules, exoneration for breaking a rule occurs simultaneously with the breach of the rule. Consider this situation at a leeward mark. Boats W and L are overlapped when the first of them reaches the zone. W is inside L. L is required by rule 18.2(b) to give W mark-room and W is required by rule 11 to keep clear of L. However, L does not give W adequate space and W touches the mark while only barely managing to avoid contact with L. W is exonerated for her breach of rule 31. W's exonerated for breaking rule 31 occurs simultaneously with the breach of rule 31, and so W is under no obligation to take a One-Turn Penalty for breaking rule 31. It is to cover such situations that the phrase "and is treated as if she were complying with it" is included in the proposed definition.

Note that if the proposal is accepted, it may be possible to delete rule C8.1(b).

This submission is part of a 'package' of related submissions from US SAILING involving penalties, exonerated and rules compliance. The submissions in this 'package' are those involving Sportsmanship and the Rules, Rule 14, Rule 44.1, Rules 44 and 64.1(c), a new definition Exonerated and two submissions involving Rule 44.1(b).
