

RULE 17 — ON THE SAME TACK; PROPER COURSE

If a boat *clear astern* becomes *overlapped* within two of her hull lengths to *leeward* of a boat on the same *tack*, she shall not sail above her *proper course* while they remain on the same *tack* and *overlapped* within that distance, unless in doing so she promptly sails *astern* of the other boat.

Rule 16.1 (Changing Course) is about limiting how fast a right-of-way boat can turn near a keep-clear boat; rule 17 is about limiting where a *leeward* boat (L) can sail when near a *windward* boat (W). Note that rule 17 simply puts a “limit” on where L can sail when near W in certain situations. It does not shift any right-of-way to W. When near each other, W must remember that rule 11 (On the Same Tack, Overlapped) requires her to *keep clear* of L wherever L is sailing.

The concept in rule 17 is simple: either L is “limited” to sailing no higher than her *proper course* or she is “free” to sail up to head to wind if she pleases; it is *always* one or the other for L whenever L and W are *overlapped* on the same *tack* and within two of L’s lengths of each other.

Whether L is “limited” or “free” depends on the following four factors:

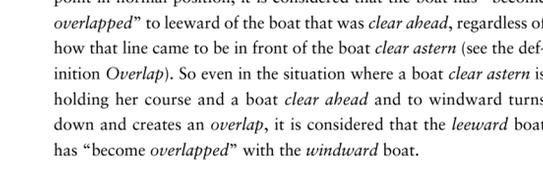
- 1) whether the boats are *overlapped* on the same *tack* (note: two boats sailing downwind on opposite *tacks* can be *overlapped* (see the definition *Clear Astern* and *Clear Ahead*; *Overlap*); but rule 17 does not apply to them;
- 2) whether the boats are within two of L’s hull lengths of each other;
- 3) whether L became *overlapped* from *clear astern* within two of her hull lengths of W and was on the same *tack* as W at the time; and
- 4) whether the starting signal has been made.

A few clarifying points on the four factors listed above:

- When L is not “limited” under rule 17, she is “free” to sail up to head to wind if she pleases (commonly described as having “luffing rights”), provided if she changes course she gives W *room* to *keep clear* in a seamanlike way (rule 16.1, Changing Course). To clarify, even if L is only *overlapped* with W by two feet, L can sail up to head to wind. Appeal 17 says, “A boat is head to wind when her bow is facing the wind, and the centerline of her hull is parallel to, irrespective of the position of her sails.” This clarification is helpful because often when a boat is head to wind her sails will blow momentarily to the other side giving the illusion that she is past head to wind and therefore subject to rule 13 (While Tacking).

Remember that when L is head to wind, it is quite possible that W will be required to go *beyond* head to wind in order to *keep clear* under rule 11 (On the Same Tack, Overlapped). If this is the case, W must do so. If it’s not possible for W to *keep clear* without fouling other boats to windward of her, W should clearly alert L that she needs more *room* to *keep clear* (as required by rule 16.1).

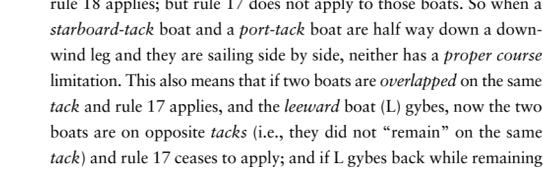
- The only time L is “limited” is when she is on the same *tack* as W and becomes *overlapped* to *leeward* of W from *clear astern* within two of her lengths of W. That’s it! The “limit” does not apply when L *overlaps* W when more than two lengths apart, or when W becomes *overlapped* to windward of L, or when L becomes *overlapped* to leeward of W on the opposite *tack* and then gybes.



Whenever L becomes overlapped to leeward of W from clear astern within two of her lengths of W, she cannot sail above her proper course while less than that distance apart, unless she promptly sails astern of W.

- Note that rule 17 uses the phrase “becomes overlapped.” This means that any time a boat that was *clear astern* crosses a line perpendicular to the *clear ahead* boat’s centerline drawn through the boat’s aftermost point in normal position, it is considered that the boat has “become overlapped” to leeward of the boat that was *clear ahead*, regardless of how that line came to be in front of the boat *clear astern* (see the definition *Overlap*). So even in the situation where a boat *clear astern* is holding her course and a boat *clear ahead* and to windward turns down and creates an *overlap*, it is considered that the *leeward* boat has “become overlapped” with the *windward* boat.

- The “limit” in rule 17 only applies to boats that are “overlapped” on the same *tack*. The terms *clear ahead*, *clear astern* and *overlap* apply to boats on opposite *tacks* when sailing below beam reaches or when

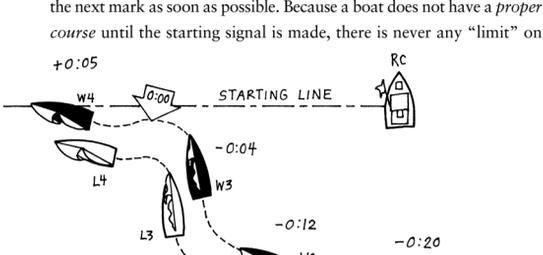


Whenever W becomes overlapped to windward of L, L can turn all the way up to head to wind for the duration of the overlap, provided she gives W room to keep clear in the process.

rule 18 applies; but rule 17 does not apply to those boats. So when a *starboard-tack* boat and a *port-tack* boat are half way down a downwind leg and they are sailing side by side, neither has a *proper course* limitation. This also means that if two boats are *overlapped* on the same *tack* and rule 17 applies, and the *leeward* boat (L) gybes, now the two boats are on opposite *tacks* (i.e., they did not “remain” on the same *tack*) and rule 17 ceases to apply; and if L gybes back while remaining *overlapped* with W, rule 17 does not apply and L has “luffing rights.”

- The “limit” only applies when L and W are within two lengths of each other. The “two lengths” distance is determined by two of L’s hull lengths; i.e., the length of L’s hull, and not the additional length of any bowsprits, overhanging mizzen booms, etc. This is particularly important when boats of different sizes are near each other. That means that if rule 17 applies and the two boats remain *overlapped* but sail more than two of L’s lengths apart, rule 17 ceases to apply; and if the two boats remain *overlapped* and converge again, rule 17 does not apply and L has “luffing rights.”

- The “limit” in rule 17 is that L cannot sail above her *proper course*. “Above” means on a course higher than the course that will get her to the next mark as soon as possible. Because a boat does not have a *proper course* until the starting signal is made, there is never any “limit” on



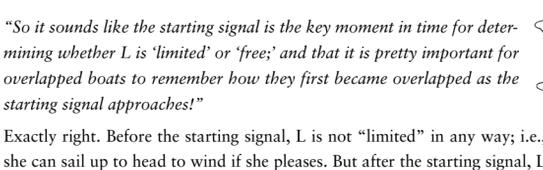
Before the starting signal, even though L becomes overlapped to leeward from clear astern, she is permitted to sail up to head to wind provided she gives W room to keep clear. However, after the starting signal, L may not sail above her proper course which, when sailing to windward, is normally a close-hauled course.

L before her starting signal (see the discussion of definition *Proper Course*). Therefore, before the starting signal, L can sail up to head to wind at all times, regardless of how she became *overlapped*.

But at the starting signal, L will be “limited” or “free” depending on how the *overlap* began (whenever it began). Note that this applies regardless of whether the boats have actually *started*; i.e., have crossed the starting line or not. If with 20 seconds to go before the starting signal L becomes *overlapped* from *clear astern* within two lengths of W, then at the starting signal L is “limited” and must sail no higher than her *proper course*. If with 20 seconds to go W *overlaps* L to windward, then at the starting signal L continues to be “free” to sail up to head to wind if she pleases.

“So it sounds like the starting signal is the key moment in time for determining whether L is ‘limited’ or ‘free,’ and that it is pretty important for overlapped boats to remember how they first became overlapped as the starting signal approaches!”

Exactly right. Before the starting signal, L is not “limited” in any way; i.e., she can sail up to head to wind if she pleases. But after the starting signal, L is “limited” to sailing no higher than her *proper course* if she originally



L is slowly luffing up to a new proper course in order to get to a puff of wind sooner. Because she would do that even in the absence of W, she is not sailing above her proper course, and she is not breaking rule 17; and because she is giving W room to keep clear, she is not breaking rule 16.1. W must keep clear under rule 11.

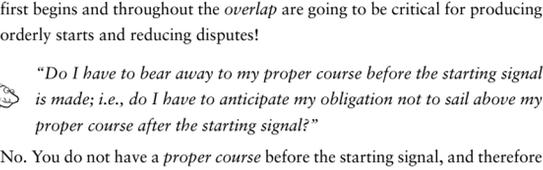
became *overlapped* from *clear astern*. The advantage of having L’s limitation begin at the starting signal is that it is a precise and predictable moment in time.

And the moment the starting signal is made, L instantly gets a *proper course* (see the definition *Proper Course*). At that moment it is critical for L and W to remember how they became *overlapped*! Hails when the *overlap* first begins and throughout the *overlap* are going to be critical for producing orderly starts and reducing disputes!

“Do I have to bear away to my proper course before the starting signal is made; i.e., do I have to anticipate my obligation not to sail above my proper course after the starting signal?”

No. You do not have a *proper course* before the starting signal, and therefore you are not “limited” as to where you can sail. When the starting signal is made, and if you are now “limited” because you originally became *overlapped* from *clear astern*, you are required to sail no higher than your *proper course*. The course you will sail to get to the next *mark* as soon as possible will include the course you are on at the moment the starting signal is made. If you must then bear away to a lower course to get to the next *mark* as soon as possible, you must do so immediately. For instance, if you are head to wind before an upwind start, your *proper course* will be to bear away to a close-hauled course or even slightly lower to build speed and sail upwind.

“How does rule 17 work in a Slam Dunk?”



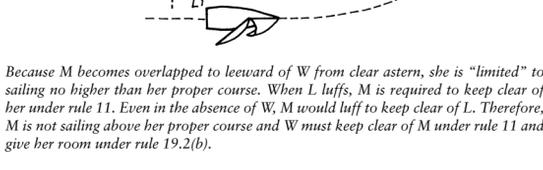
Because M becomes overlapped to leeward of W from clear astern, she is “limited” to sailing no higher than her proper course. When L luffs, M is required to keep clear of her under rule 11. Even in the absence of W, M would luff to keep clear of L. Therefore, M is not sailing above her proper course and W must keep clear of M under rule 11 and give her room under rule 19.2(b).

Good question! A “Slam Dunk” is an aggressive tactical maneuver used by a *starboard-tack* boat (S) on a beat to windward when a *port-tack* boat (P) is ducking close astern of her. (A detailed analysis of the Slam Dunk can be found at the end of this chapter.) Consider two close-hauled boats on opposite *tacks* (S and P) converging. P bears away to pass astern of S. When P gets near S’s stern, S tacks. At some point during S’s tack, P becomes *overlapped* to leeward of S. Is P “limited” or “free” under rule 17?

Let’s assume for this discussion that at the moment S passes head to wind, she is *clear ahead* of P. Therefore, when P becomes *overlapped* to leeward of her, she and S are both on port tack, and rule 17 applies, meaning that P cannot sail above her *proper course*, which in the absence of S is a close-hauled course. In other words, P is “limited” to sailing no higher than a close-hauled course. Of course, if when S passes head to wind, P is already *overlapped* to leeward of her, then P would be “free” under rule 17 to luff up to head to wind, but she would still need to give S *room* to *keep clear* under rule 16.1 (Changing Course).

“What happens in the situation where L and W are both sailing their *proper courses* and the two boats are converging; who has to keep clear?”

W must *keep clear* of L under rule 11 (On the Same Tack, Overlapped). Rule 17 only requires that L not sail above her *proper course*. As long as L is on her *proper course*, she is complying with rule 17. Note that the phrase in rule 17 “her *proper course*” clarifies that it is L who gets to sail her *proper course*.



Therefore, when L is sailing on “her” proper course, W must keep clear under rule 11, even when W’s proper course may be a lower course than L’s. (See Cases 7 and 14.)

Remember that a *proper course* is essentially any course a boat chooses to sail in order to get to the next *mark* as quickly as possible. Therefore it is possible that there may be several *proper courses* at any given moment depending upon the circumstances involved. It is also obvious that two *overlapping* boats sailing for the same *mark* will converge. Note also that a boat’s *proper course* is not necessarily a straight-line course. It can change with changes in the breeze, current or waves, or with a change in the boat’s strategy (see Case 134 and the discussion of the definition *Proper Course*). However, whenever L wants to change her course to a new *proper course*, she must give W *room* to *keep clear* under rule 16.1 (Changing Course). A hail that she intends to change course is strongly recommended.

If L is “limited” and W thinks that L is sailing above L’s *proper course*, W must still *keep clear* (rule 11); she can then protest under rule 17. If the two boats hit, and it were decided by the protest committee that L was sailing above her *proper course*, both boats will likely be disqualified: W for failing to *keep clear* of L (rule 11), and L for sailing above her *proper course* (rule 17).

“What happens when L wants to luff two or more boats and one of the middle boats is subject to rule 17 relative to a boat to windward of her?”

Good question! Let’s take the situation where L and W are sailing down a reach about two lengths or so apart and L is not “limited” by rule 17. A boat from astern (M) catches up and becomes *overlapped* between them. When M becomes *overlapped* on W, W is clearly able to *keep clear*, so M is complying with rule 15 (Acquiring Right of Way). And W can give M *room* to pass L such that she is entitled to *room* from W to pass L (rule 19.2(b), Giving Room at an Obstruction). Now L begins to luff to windward of M and W. M responds by luffing. W must *keep clear* of M under rule 11 (On the Same Tack, Overlapped) and give her *room* under rule 19.2(b). And M is not breaking rule 17 because in fact M is not sailing above her *proper course*. Here’s the reason. Take the two boats involved, M and W. M became *overlapped* on W to leeward from *clear astern*. Rule 17 requires M, therefore, not to sail above her *proper course*. In determining her *proper course*, the definition *Proper Course* instructs us to remove the boats referred to in the rule using the term “*proper course*.” In this case, rule 17 uses the term and refers to the *windward* boat W, so we remove W. As M was sailing a course to *keep clear* of L, she would have been sailing the same course in the absence of W; therefore, M was sailing her *proper course* and not above it. (See Appeal 4.)

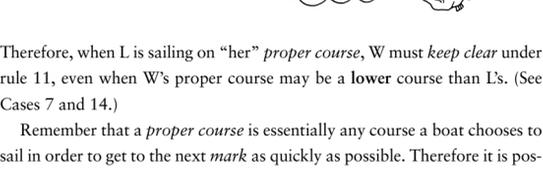
“What’s the purpose of the phrase in rule 17, ‘...unless in doing so she promptly sails astern of the other boat?’”

This is to close a very subtle, undesirable loophole in the rule. Here’s a potential scenario: on a run, you sail into *leeward* of a boat that was *clear ahead* of you, but you realize that you won’t be able to sail past them due to their wind shadow. You want to get out of there but you will have to luff above your *proper course* to pass astern of them. No problem. Rule 17 clarifies that you can certainly luff (i.e., sail above your *proper course*) provided you promptly sail astern of W. If you luff and then realize that your bow won’t clear W’s transom and have to pull your bow back down, you have broken rule 17.

“I thought there was a rule that said you couldn’t sail below your proper course if you were to windward of another boat or clear ahead of a boat that was trying to pass you to leeward?”

You are right; there “was”. But it was removed from the rule book entirely in the 2009–2012 rules. The reason it was removed is that it wasn’t widely known, it was very difficult to prove a boat was breaking it, and with far fewer races run on triangular courses (where the rule balanced the game coming into the gybe mark), the need for the rule is far less.

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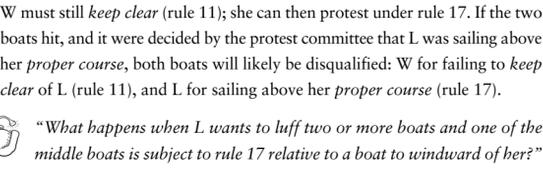


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“I can’t believe he’s going in there... he’s BARGING!”

“Don’t go in there... you’re BARGING!”



W is right... there is no rule that prohibits her from sailing below her proper course.

Therefore, when L is sailing on “her” proper course, W must *keep clear* under rule 11, even when W’s proper course may be a lower course than L’s. (See Cases 7 and 14.)

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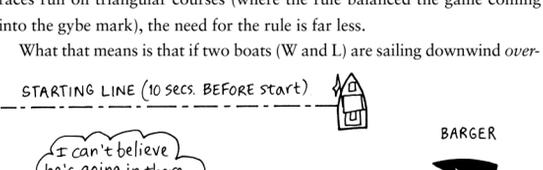
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