

**RULE 21 — STARTING ERRORS; TAKING PENALTIES; BACKING A SAIL**

**RULE 21.1**

A boat sailing towards the pre-start side of the starting line or one of its extensions after her starting signal to *start* or to comply with rule 30.1 shall *keep clear* of a boat not doing so until her hull is completely on the pre-start side.

**RULE 21.2**

A boat taking a penalty shall *keep clear* of one that is not.

**RULE 21.3**

A boat moving astern through the water, or sideways to windward, by backing a sail shall *keep clear* of one that is not.

Rule 21 is actually three rules in one. Let's look at rule 21.1 first. Rule 28.1 (Sailing the Course) reads, "A boat shall *sail the course*." And the definition *Sail the Course* says, "A boat *sails the course* when (a) she *starts*..." So, if your hull isn't completely on the pre-start side of the starting line or its extensions at the starting signal, you have to get there before you can *start* the race. However, even when you and everyone else knows you are on the course side of the starting line at the starting signal (OCS), you keep all your right of way until you are sailing **back towards** the pre-start side of the starting line or one of its extensions; i.e., you are converging with it. This means that you continue to have rights even while slowing down or luffing in order to get clear enough to turn back. When it is obvious that you are sailing back towards the starting line, you must then *keep clear* of all boats that have *started* properly or are on the pre-start side of the starting line.

Once your hull is completely on the pre-start side of the starting line or its extensions, you are instantly subject to the Section A rules again; however, remember that if you acquire the right of way over another boat, you have to initially give her *room to keep clear* of you under rule 15 (Acquiring Right of Way).

Notice that when rule 30.1 (I Flag Rule), commonly referred to as the "one minute rule" or "round-an-end rule" is in effect, the requirement to *keep clear* in rule 21.1 applies only when you are sailing towards either end of the starting line to comply with rule 30.1 **after** your starting signal. Before your starting signal you have your normal right of way, even when you are over the line and obviously sailing toward an end to comply with rule 30.1.

Between two or more OCS boats sailing towards the pre-start side of the line after the starting signal, the Section A rules apply in the usual way.

"I realize that if another boat fouls me and forces me to be over the starting line at the gun I'm OCS, but do I have to go back and restart?"

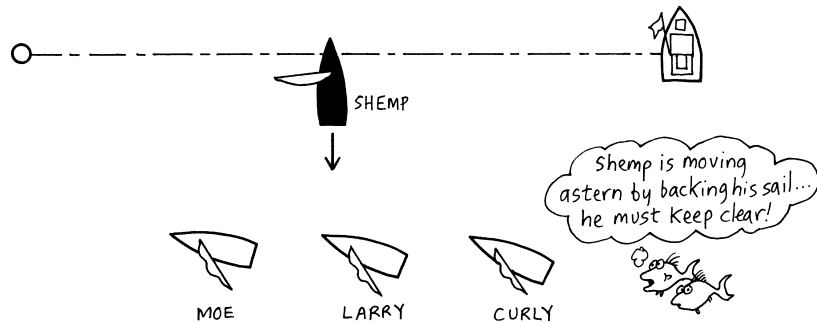


I'm afraid you do. If you don't, then you haven't *started* the race and have broken rule 28.1 (Sailing the Course). And you are only exonerated for breaking a *rule* when another boat "compels" you to break a *rule* (see rule 43.1(a), Exoneration). In your case, the other boat may have forced you over the line, and you certainly should win your *protest* against her, but she hasn't caused you to not return to the pre-start side and *start*. Therefore no exoneration is available (see Appeal 101). This is similar to the situation when an outside boat wrongfully fails to give you enough *room* at a *mark* and forces you on the wrong side of it. Though you were clearly fouled, you still must round the *mark* on the correct side.

These are two examples of situations where you can be right under the *rules* but have your finishing place seriously hurt by a keep-clear boat with no way for a protest committee to compensate you. At these times I'm reminded of the old saying, "He was in the right as he sped along; but he's just as dead as if he was wrong!"

Rule 21.2 talks to boats that are doing either a One-Turn Penalty for breaking rule 31 (Touching a Mark) or a Two-Turns Penalty for possibly breaking a rule of Part 2, under rule 44.2 (One-Turn and Two-Turns Penalties). It clearly tells them that, while they are taking their penalties, they have to *keep clear* of other boats, which makes sense.

Notice that when you hit a *mark* or possibly break a rule of Part 2, you still have all your rights as long as you continue sailing the course and while you are sailing well clear of the other boats in preparation to doing your penalty turn(s). But the moment it is obvious to other boats that you are clearly beginning to make a penalty turn, you must then *keep clear* of other boats in the race. You get your rights back when you have completed your last turn; but remember that if you acquire the right of way over another boat, you must initially give her *room to keep clear* of you under rule 15 (Acquiring Right of Way).



Note that if you touch a starting *mark* or possibly break a rule of Part 2 before the starting signal, you have to make your penalty turn(s) as soon as possible, as opposed to waiting for the starting signal before doing them. And when two boats are making a penalty turn, the Section A rules apply in the usual way, as does rule 23.2 (Interfering with Another Boat).

Rule 21.3 covers the situation where a boat actually backs its sail (i.e., holds the sail against the wind) and thereby causes the boat to move backwards, or sideways to windward (called "crabbing"), through the water. When a boat does this, she must *keep clear* of any other boat that is not doing likewise. Furthermore, she must remember that when she begins moving backwards or sideways, her action gives the right of way to boats astern or to windward of her; therefore they do not have to give her any *room to keep clear* of them under rule 15 (Acquiring Right of Way) because they acquired the right of way by the action of the boat moving astern or sideways.

Note that if a boat begins to move backwards or sideways due to the backing of her sail, she continues to be subject to this rule for as long as she is moving astern or sideways, even if she stops backing her sail. However, if a boat simply begins to move backwards because she has lost her headway, rule 21.3 does not apply to her.