

DECISION

Protest

Request No.: 03

Event: 2021 RVYC Waves Regatta Race Number: 1
Hearing Date: 2021-06-19

PARTIES AND WITNESSES

Request No.: 03: laser - radial - 17 - colin gilley
laser - radial - 319 - Tommasi Viola

Witnesses: jury boat, cruz custodinho

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

Radial319 (Protestee) did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b). Jury (David Cramb) observed the incident on the water and provided evidence during the hearing.

FACTS FOUND

1. Wind 6-7 kn, no waves.
2. Both boats sailing downwind on port gybe to gate mark, with R17 (Protestor) clear ahead of Radial319 at the zone. Both boats rounding the mark to port.
3. When within 1 boat length of the mark Radial319 became overlapped to windward of Radial17.
4. Radial319 attempted the round the mark inside Radial17.
5. Contact between bow of Radial319 and midships of Radial17 and Radial319 also touched the mark.

Diagram: No Diagram Needed

CONCLUSIONS AND RULES THAT APPLY

Rules: 18.2(b), 11, 14, 31, 43.1(c)

1. Radial319 clear astern at the time Radial17 reached the zone, failed to give Radial17 mark-room, and broke RRS 18.2(b).
2. Radial319 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for Radial17 the right-of-way boat and the boat sailing within the mark-room to which she was entitled to avoid contact with Radial319 when it was clear that Radial319 was not keeping clear and giving mark-room. Radial17 did not break RRS 14.
4. Radial319 touched mark # 2 and broke RRS 31.
5. Since Radial17 was right-of way boat and sailing within the mark-room to which she was entitled and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for breaking RRS 14.

DECISION

Date & Time: 2021-06-19 19:20 PDT

The Protest is Upheld

Radial319 is DSQ in race # 1.

PROTEST COMMITTEE

