



## PROPOSED LEGISLATION AMENDMENTS

L1 201.13 Open Water Committee page 49

### 201.1.3 One-Event Registration

**A Open Water One-Event Registration**—USMS shall offer a one-event registration, with no age limitations, that allows an athlete to participate in USMS sanctioned open water events and clinics. Membership cards shall not be issued for one-event registration. One-event registrants must be considered unattached and agree to be governed by the open water rules and regulations of USMS, except that their swims shall not be eligible for USMS national open water awards and recognition. One-event registrants shall be identified as such in the meet results.

**B Pool One-Event Registration**—An LMSC may offer a single-event registration that allows an athlete to participate in one event sanctioned by that LMSC. Membership cards shall not be issued for one-event registration. One-event registrants must be considered unattached and agree to be governed by the rules and regulations of USMS, except that their times shall not be considered for Top 10 tabulation, national or world records, All-American status or any other USMS special awards. One-event registrants shall be identified as such in the meet results.

Rationale: Creates a widely available open water One-Event Registration without age limitations. This type of one event registration will help with event development and allow USMS OW to be competitive in the marketplace. Leaves the pool OEVT intact.

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### **ARTICLE 204:** **Open Water Sanction**

#### 204.1 Sanctions

Swims achieved at sanctioned events are considered for USMS open water national awards and recognition.

204.1.1 Sanction Requirements—Sanctions shall be issued, withheld or withdrawn in accordance with the following:

A USMS each year shall make available to LMSCs an open water sanction application. Each LMSC is required to use this application. LMSCs may not add additional sanction requirements without the approval of USMS.

B Applications for sanction shall be made to the LMSC within which the event is to be held, and applications shall be accompanied by a copy of the entry form. If any events are to be swum in more than one LMSC, the LMSC where the meet will originate will



have jurisdiction in issuing the sanction. This does not prohibit the other LMSC from also issuing a sanction for the meet.

(1) The entry forms shall contain the language of the liability release as stated in article 205.1. The language may only be modified by naming the sanctioning LMSC, sponsoring USMS club(s) and/or additional insured(s) following “UNITED STATES MASTERS SWIMMING INC.” All swimmers, before participating, shall have signed the liability release.

(2) Entry forms and programs must bear the statement “Sanctioned by (LMSC name) for USMS Inc. Sanction number: \_\_\_\_\_.”

(3) The sanction fee shall be established by USMS. LMSCs desiring to add an additional sanction fee must receive approval from USMS.

C All sanctions shall be signed by the LMSC’s authorized representative, and a record thereof shall be retained for two years. The LMSC's authorized representative shall report the sanction to USMS.

D Sanctions issued to one organization cannot be transferred to another. Any sanctions so transferred shall be void for all purposes, and the LMSC may deny further sanctions to any organization violating this provision.

E No sanction of any event shall be granted with the word “Olympic” or any derivative thereof used in any manner in connection with said event unless consent is obtained from the USOC.

F All sanctioned events are subject to the following conditions:

(1) The conduct of a sanctioned event shall be in compliance with applicable USMS open water swimming rules, or when the sanctioned event is held simultaneously in conjunction with a USA Swimming sanctioned open water event, USA Swimming members shall swim under applicable USA Swimming open water rules and administrative regulations.

(2) When open water events include both USMS and USA Swimming members, with the USMS events sanctioned by USMS and the USA Swimming events sanctioned or approved by USA Swimming, under no circumstances shall a USMS athlete and a USA Swimming athlete be considered part of the same event, but they may swim at the same time on the same course. Athletes holding both USMS and USA Swimming memberships must declare their race affiliation, in writing, prior to the start of the event.

(3) All swimmers entered in USMS sanctioned events shall be USMS members, or shall have valid travel permits or their equivalents, and shall have acceptable proof of current USMS membership, or complete a one-event open water registration.

(4) In order to be in compliance with FINA rules, an LMSC may grant exceptions to specific USMS open water swimming rules and administrative regulations when sanctioning a FINA Masters World Championship open water event.

(5) Sanctioned events may include nonconforming swimming events so long as they are conducted in a safe manner.

(6) All swimmers shall submit with their entries copies of their current USMS membership cards or travel permits, or supply proof of current USMS Masters membership acceptable to the LMSC; however, at the discretion of the meet director and exclusive of national championship meets, a swimmer may enter indicating “number pending,” as long as proof of USMS membership is presented prior to the swimmer’s participation in the event.



(7) For competitive open water events that calculate individual scoring for place and/or club scoring, a swimmer's valid club affiliation and age must be displayed after the name in the program.

(8) Event directors shall submit official results of the event to USMS for inclusion in an open water event results database.

G A further sanction may be denied to any organization that has failed to conduct such event in accordance with applicable USMS open water swimming rules and administrative regulations, or as stated on the entry form.

Rationale: The open water sanction information exists in Part 2 and Part 3 of the rule book. In addition, the legislation on Sanctions/Recognition in Part 2 (article 202) is largely about pool competitions. This is a confusing situation. The proposed articles 204 and 205 separate open water sanction and liability release code from the pool code and modify the code to be more relevant to open water. The sanction code in article 301.2 and 301.3 has been incorporated in the new articles.

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**ARTICLE 205:  
Open Water Liability Release**

205.1 Release

All individual membership application forms and sanctioned entry forms shall include a liability release. The liability release shall be signed by the person registering or entering. The language of the membership release shall be:

“I, the undersigned participant, intending to be legally bound, hereby certify that I am physically fit and have not been otherwise informed by a physician. I acknowledge that I am aware of all the risks inherent in Masters swimming (training and competition), including possible permanent disability or death, and agree to assume all of those risks. AS A CONDITION OF MY PARTICIPATION IN THE MASTERS SWIMMING PROGRAM OR ANY ACTIVITIES INCIDENT THERETO, I HEREBY WAIVE ANY AND ALL RIGHTS TO CLAIMS FOR LOSS OR DAMAGES, INCLUDING ALL CLAIMS FOR LOSS OR DAMAGES CAUSED BY THE NEGLIGENCE, ACTIVE OR PASSIVE, OF THE FOLLOWING: UNITED STATES MASTERS SWIMMING INC., THE LOCAL MASTERS SWIMMING COMMITTEES, THE CLUBS, HOST FACILITIES, MEET SPONSORS, MEET COMMITTEES OR ANY INDIVIDUALS OFFICIATING AT THE MEETS OR SUPERVISING SUCH ACTIVITIES. In addition, I agree to abide by and be governed by the rules of USMS. Finally, I specifically acknowledge that I am aware of all the risks inherent in open water swimming and agree to assume those risks.

205.1.1 The language of the entry release may be modified as described in article 204.1.1A(1).

205.1.2 The waiver for one-event registrants under the age of 18 shall be signed by a parent or guardian.



Rationale: Provides a waiver for open water that is complete and does not require event hosts to look in two places to find the OW waiver.

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## ARTICLE 504

### L 4 504.1 Membership page 75

#### 504.1.4 All Zone Chairs

**Rationale:** The Zone Chairs used to be members of the House of Delegates by virtue of being members of the Zone Committee. After the elimination of the Zone Committee, 504.1.4 was removed, but the Zone Chairs were not added back into the membership of the House of Delegates.