



# BOATING SAFETY CIRCULAR

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## Boating Safety Circular

The *Boating Safety Circular* is a product of the Recreational Boating Product Assurance Branch (CG-BSX-23), Office of Auxiliary and Boating Safety, United States Coast Guard. Commandant (BSX-23), 2703 Martin Luther King Jr Ave SE., Stop 7501 Washington, DC 20593-7501

The *Boating Safety Circular* is for information only. No Federal Statutes or Regulations are established or changed in this circular.

[www.uscgboating.org](http://www.uscgboating.org)

## The Circular is Back

With this issue, Number 87, the *Boating Safety Circular* is publishing again. Within this issue, you will find highlighted articles selected from prior *Circulars*. The articles are chosen as a reminder that recreational boating safety is never outdated, no matter when the article was first published. As the Circular moves forward, we

hope to touch on topics of interest to all in the recreational boating community, be that the manufacturer or the boat owner.

If you have suggestions for future articles or would like to submit an article, please email your suggestions or articles to Kerry L. Freese at [Kerry.L.Freese@uscg.mil](mailto:Kerry.L.Freese@uscg.mil).

## U.S. Coast Guard Announces Release of Propeller Guard Test Procedure Report

The U.S. Coast Guard's Office of Auxiliary and Boating Safety on Sept. 11, 2013 announced the release of the Propeller Guard Test Procedure report, intended for use by developers of propeller guard devices and independent third party testing entities to test propeller guard products in a consistent and repeatable manner.

"The report provides the means to evaluate the boat performance characteristics and the level of protection of personnel in the water resulting from the installation of a propeller guard on a particular sterndrive or outboard-powered recreational boat," said Phil Cappel, chief, Recreational Boating Product Assurance Branch.

The test procedure was developed through comprehensive on-water testing of various available propeller guards to compile evaluative performance criteria and laboratory testing of the personnel

protection capabilities of these same propeller guards.

The diagnostic test equipment required for the performance testing will be made available on a loan basis to interested parties on a first-come, first-served basis for the cost of shipping and insurance. The point of contact to arrange the logistics of borrowing the equipment is Eric Johnson at (202) 372-1101 or via email at [Eric.A.Johnson@uscg.mil](mailto:Eric.A.Johnson@uscg.mil).

The test procedure will be reviewed in approximately three years or earlier, if necessary, and will consider any comments received from interested parties. The test procedure was developed for the Coast Guard by the American Boat and Yacht Council and may be viewed and downloaded at

[www.uscgboating.org/safety/default.aspx](http://www.uscgboating.org/safety/default.aspx).



## Bare Hulls; What Are They?

**A**n easy answer; a bare hull is not a boat!

A manufacturer that is in the business of building bare hulls; that is, a basic hull with no installed seating, no controls, no consoles, no flotation, no navigation lights, no nothing. A bare hull is just that – BARE! Additionally, bare hulls are not subject to Federal minimum safety standards.

The reason there are no minimum Federal safety standards for bare hulls is simple; a manufacturer has no way of knowing the eventual weight of the finished boat (necessary for determining safe loading information and any required volume of flotation material).

A bare hull manufacturer has no way of knowing whether the finished boat will be powered by an outboard or an inboard and whether the fuel used will be gasoline or diesel.

If the finished boat is later recalled for failure to comply with an applicable Federal minimum safety standard for a defect which creates a substantial risk of personal injury to the public, the bare hull manufacturer is not held responsible for defect notification and correction (unless, of course, such a defect involved complete hull failure).

Bare hull manufacturers are not boat manufacturers.

**Therefore, a bare hull manufacturer should not:**

1. affix a Hull Identification Number (HIN), because the Manufacturer Identification Code (MIC) in an HIN affixed to a boat identifies the entity that is legally responsible for construction of the entire boat -- not just the hull;
2. affix a certification label;
3. affix a U.S. Coast Guard Maximum Capacities label; or
4. install flotation.

The Flotation Standard is predicated on the assumption that a manufacturer has

performed certain tests in accordance with the Safe Loading Standard. Since these tests are not performed on bare hulls, then logically, there is no regulation requiring a bare hull manufacturer to install flotation material. Instead, the individual or company that buys a bare hull is subject to the regulations. The individual who buys a bare hull to complete, for his or her own use, would obtain a Hull Identification Number from the State where he or she resides.

A company engaged in the business of assembling a bare hull and an engine package would be the one that should apply for a MIC, assign the Hull Identification Number and, if necessary, build the boat to comply with applicable Coast Guard safety standards and regulations. The Coast Guard recognizes that there are boat manufacturers with MICs who manufacture both finished boats and bare hulls. The finished boats must be built to comply with the regulations; however, the bare hulls they sell for completion by individuals or other companies should be free of HINs or other compliance labels.

There have been reports that "Custom" builders have been manufacturing completed boats less flotation, an engine (an outboard), and navigation lights and selling them as bare hulls to the general public. The buyer is also provided a materials list so the buyer can present the information to their State's registration authority in order to have the State issue a HIN. This type of manufacturing operation is using the non-descript aspect of the Federal regulations to build a boat and not take responsibility for it. The buyer has no Federal recourse in the event the boat has a built-in defect that creates a substantial risk defect. States are beginning to take note of these types of operations and, in some instances, refusing to issue "homebuilt" HINs to their new owners. This is truly an example of "buyers be-

*“When a boat leaves the place of manufacture or assembly for the purposes of sale, it must comply with applicable Coast Guard safety standards and regulations ....”*

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ware."

When a boat leaves the place of manufacture or assembly for the purposes of sale, it must comply with applicable Coast Guard safety standards and regulations:

- All boats must bear two identical Hull Identification Numbers (HINs): (1) a primary HIN (usually affixed to the transom); and (2) a duplicate HIN (affixed to an unexposed location on the interior surface of the boat or beneath a fitting or item of hardware).

- If the boat is a monohull that is less than 20 feet in length, and is not a sail-

boat, canoe, kayak or inflatable, it must bear a U.S. Coast Guard Maximum Capacities label and contain flotation.

- If a boat is inboard powered and uses gasoline as fuel, it must comply with the Electrical, Fuel and Ventilation Standards.

- If a boat will be outboard powered with remote steering, shift controls must be designed for start-in-gear protection.

- If a boat is equipped with navigation lights, the lights must be certified.

- Finally, if the boat is subject to a Coast Guard safety standard, it must bear a certification label. ■

## Kit Boat Manufacturers and Coast Guard Safety Standards and Regulations

At the end of Session 403 - Wooden Kit Boats—during the International Boat Builders' Exhibition and Conference (IBEX) in Miami Beach, Florida on November 2, 2006, many attendees were surprised to learn that kit boat manufacturers are subject to U.S. Coast Guard safety standards and regulations.

The term, "recreational vessel manufacturer" in section 2101 of Title 46, United States Code means:

*"a person engaged in the manufacturing, construction, assembly or importation of recreational vessels, components [emphasis supplied], or associated equipment."*

Further, §181.7 of Title 33, Code of Federal Regulations states, in part:

*"Unless there is affixed to it a certification label that contains the information required by §181.15:*

*(a) No person who manufactures, constructs, or assembles a boat ... may deliver that boat ... for the purposes of sale."*

Coast Guard safety standards and regulations in 33 CFR Parts 181 and 183 apply to manufacturers of recreational boats for

the purposes of sale to the public. Just because a kit boat builder manufactures a set of components for eventual assembly by an individual for his or her personal use does not relieve the kit boat builder from the legal obligation to provide the purchaser with all components and instructions necessary to build the boat in compliance with the regulations.

All recreational boats manufactured for the purposes of sale to the public must have a primary and a duplicate hull identification number (HIN) affixed. Therefore, all kit boat manufacturers must obtain a Manufacturer Identification Code (MIC) and assign Hull Identification Numbers. If, due to the nature of the kit, a HIN cannot be affixed to a kit part, the kit boat manufacturer needs to provide purchasers with instructions which will result in the proper placement and attachment of the Hull Identification Numbers.

If the completed boat is a monohull boat less than 20 feet in length, that is not a sailboat, canoe, kayak, or inflatable, the kit boat manufacturer is subject to applicable Coast Guard safety standards in 33 CFR Part 183 (Display of Capacity Infor-

*"All recreational boats manufactured for the purposes of sale to the public must have a primary and a duplicate hull identification number (HIN) affixed."*

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mation, Safe Loading, Safe Powering and Flotation). If a U.S. Coast Guard Maximum Capacities label displaying maximum horsepower, maximum persons and

maximum weight capacities cannot be pre-placed on a part, the kit manufacturer should provide instructions to explain the proper placement of the capacity label. ■

*“... U.S. manufacturers who export, foreign-built boats imported into the United States must bear Hull Identification Numbers consisting of a U.S. Coast Guard Assigned MIC.”*

## Sale of Foreign-Built Boats by Importers

All recreational boats sold or offered for sale in the United States must bear two identical Hull Identification Numbers consisting of a U.S. Coast Guard assigned Manufacturer Identification Code (MIC). Personnel from the Recreational Boating Product Assurance Branch have visited several boat shows where they encountered a number of foreign-built recreational boats which had Hull Identification Numbers in the newly required International Organization for Standardization (ISO) format. While use of the ISO HIN standard is mandatory for use on all craft to be used in the European Common Market, and is optional for U.S. manufacturers who export, foreign-built boats imported into the United States must bear Hull Identification Numbers consisting of a U.S. Coast Guard Assigned MIC.

According to 46 U.S. Code 4307 (a)(1)(A)(i),

*“A person may not ... sell or offer for sale, introduce or deliver for introduction into interstate commerce, or import into the United States, a recreational vessel ... unless — it conforms with this chapter or a regulation prescribed under this chapter ...”*

According to 33 CFR 181.23(a),

*“A manufacturer (or importer) as defined in 181.3 of this part, must identify each boat produced or imported with two hull identification numbers that meet the requirements of this subpart.”*

The Coast Guard is one of several regulatory agencies which participated in the development of a Mutual Recognition Agreement (MRA) with the European Community (EC).

According to Section 2(b) of the Sectoral Annex for Recreational Craft (recreational boats), the EC has agreed that the relevant requirements for boats exported from Europe to the United States are any product falling under the scope of 46 U.S. Code Chapter 43; 33 CFR Parts 81, 84, 159, 179, 181, 183; and 46 CFR Part 58.

Therefore, boats exported from Europe must bear Hull Identification Numbers consisting of a MIC the U.S. Coast Guard assigned to the U.S. importer. Sale of a boat in the United States with an HIN consisting of the MIC another country assigned to a foreign manufacturer is prohibited. ■

## Boat Essentials Mobile App



Under a U.S. Coast Guard grant awarded to the American Boat & Yacht Council (ABYC) a Boating Safety checklist and iPhone app "Boat Essentials-USCG Safety Gear" were developed for use by the boating public.

The free app is a simple checklist for boaters to identify the required and recommended safety items to have onboard. It also includes a float plan option. To download the paper checklist or the iPhone app go to <http://www.abycinc.org/mobileapps/>

The checklist is also available in paper form. For more information on the app or the checklist, please contact ABYC's Matt Wienold at [mwienold@abycinc.org](mailto:mwienold@abycinc.org).

The U.S. Coast Guard recommends that boat manufacturers place information on this app as an extra safety benefit to boaters in their boat sales packages. ■

## Recreational Boat Factory Visit Program

The Coast Guard Recreational Boating Product Assurance Branch continues to operate the Recreational Boat Factory Visit Program and PPG Marine remains the prime contractor providing Factory Inspectors to accomplish the many tasks associated with this vital work. The purpose of factory inspections is to ensure compliance with Federal minimum safety standards and regulations; to ensure each manufacturer understands the regulations; and to assist manufacturers in certifying compliance with the regulations.

The Recreational Boating Product Assurance Branch assigns all recreational boat manufacturers a three character Manufacturer Identification Code (MIC). Using the Coast Guard MIC database (see <http://www.uscgboating.org/recalls/mic1.aspx>) the PPG Factory Inspectors are contacting and visiting all recreational boat manufacturers and importers on a scheduled basis.

The factory inspector usually contacts the manufacturer a couple of times before a visit. The first contact—a few weeks before a visit—is to arrange an inspection date, and to confirm information such as address and types of boats produced. The second contact—a few days before the visit—is to reconfirm the date and time of the visit.

Typically, a factory inspector will ask to inspect current production and will look for:

1. Non-compliances with Federal regulations which are manufacturer requirements;
2. Non-compliances with Federal regulations which are operator requirements; and
3. Manufacturing practices for which voluntary industry safety standards and recommended practices are available.

At the end of the visit, which normally takes a couple of hours, the factory inspector discusses the results with the manufacturer then files a report with Coast Guard Headquarters. Usually, for minor, non-safety-related problems, corrective action is limited to future production. Headquarters may also direct the manufacturer to conduct defect notification for any serious non-compliance with Federal safety standards.

The factory inspection program has provided manufacturers with a heightened understanding of both Federal and voluntary safety standards and regulations, and thereby provides the public with safer recreational boats.

If you have any questions or if you are a manufacturer who would like to schedule a visit, please contact CWO Darren Pauly at 202-372-1077. ■

*“The purpose of the factory visit program is to emphasize the need to comply with Federal safety standards and regulations ....”*

## Coast Guard Manufacturer Identification Code Database

The Coast Guard requests your help in keeping our Manufacturer Identification Code database current. Accordingly, we ask each recreational boat manufacturer to visit

[www.uscgboating.org/recalls/mic1.aspx](http://www.uscgboating.org/recalls/mic1.aspx) annually to confirm your company data.

Coast Guard regulations require that a manufacturer or importer who changes the business name and/or address must advise the Recreational Boating Product

Assurance Branch of the change in writing. Print any changes to the database on a copy of your company’s letterhead or stationery or enclose a business card and mail it to:

Commandant (CG-BSX-23)  
U.S. Coast Guard, Stop 7501  
2703 Martin Luther King Jr Ave SE.  
Washington, DC 20593-7501

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## Websites of Note

### Main Boating Safety Website:

[www.uscgboating.org](http://www.uscgboating.org)



#### Regulations

- Federal Laws
- Federal Regulations
- State Boating Laws
- Navigation Rules
- Federal Register
- Boat Builders Handbook

#### Recalls and Safety Defects

- Manufacturers Identification
- Consumer Safety Defect Report
- Recalls
- Product Assurance Branch
- Boating Safety Circulars

### Manufacturer Outreach Website:

[www.safeafloat.com](http://www.safeafloat.com)

#### Meet the People

- Headquarters Boating Safety Team
- Factory Visit Team
- Boat Testing Team

#### Recalls and Safety Defects

- Manufacturers Identification
- Consumer Safety Defect Report
- Recalls

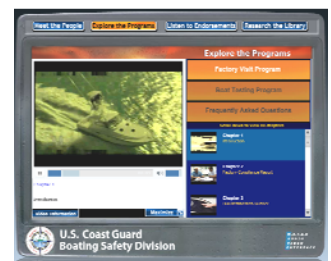
- Product Assurance Branch
- Boating Safety Circulars

#### Listen to Endorsements

- Factory Visit and Boat Testing Program Endorsements by NMMA, MRAA, ABYC, BoatUS, U.S. Congressman, MSBC, etc.

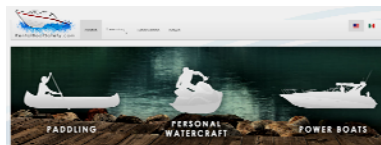
#### Research the Library

- Factory Visit Checklist



### Rental Boat Safety Website:

[www.rentalboatsafety.com](http://www.rentalboatsafety.com)



#### General Safety

- Boating Safety Information Videos
  - Negligent Operation
  - Life Jackets
  - Children Onboard

#### Boat Types

- Boating Safety Information Videos by Specific Boat Type

#### Resources

- Downloadable Rental Company Resources
  - Rental Info Flip chart
  - Tiller Steered Checklist
  - Wheel Steered Checklist
  - Pontoon/Deckboat Checklist
  - Ski/Runabout checklist

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# Recalls

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**UFLEX USA, INC**

(Sarasota, FL)

Year: 2012

Model(s): X-66 Tilts Steering  
Assembly

Units: 1769

Problem: Manufacturer voluntarily informed that limited number of X66 tilt steering assembly produced between March 12, 2012 (LOT 41379-112) and May 13, 2012 (LOT 41379-222) may have defective pivot pin within the tilt assembly, which has potential to cause a locking condition resulting in the loss of steering. 1,742 units were sold to Mercury Marine, and 54 units were sold to additional 14 Other Equipment Manufacturers.

**CARAVELLE POWERBOATS**

Year: 2012

Model(s): 202 BR IB Powered Boat

Units: 1

Problem: The underground supply conductor from the storage battery to the trip pump did not have over current protection within 72 inches of the battery.

**GODFREY MARINE COMPANY**

(Elkhart, IN)

Year: 2011

Model(s): SS 188 IO

Units: 64

Problem: Barrier material improperly installed resulting in inadequate ventilation of the machinery space.

**AMERICAN HONDA MOTOR CORP**

(Torrance, CA)

Year: 2011

Model(s): BF2D, BF5A, BF225A, BF200A

Units: 1407

Problem: Plastic deadman switch clips found to be too weak.

**PERKO INC**

(Miami, FL)

Year: 2011

Model(s): 0540 0580 0582 1319

Units: 3548

Problem: Fuel System: When the mounting screws on the flange of plastic body fuel fills are tightened the flange may crack.

**MASTERCRAFT BOAT COMPANY**

(Vonore, TN)

Year: 2011

Model(s): Hydrasport Boats

Units: 259

Problem: Fuel System: Hose clamps prone to corrosion and breakage.

**NORDIC BOATS INC**

(Lake Havasu City, AZ)

Year: 2011

Model(s): '29 Deck Boat' IB Powered Boat

Units: 1

Problem: The engine compartment natural exhaust ventilation openings are of insufficient size for the compartment net volume.

**MACKIE'S HOUSEBOAT PARTS AND REPAIR**

(Redding, CA)

Year: 2011

Model(s): '1556 Custom' IB Houseboat

Units: 7

Problem: Ventilation and fuel system.

**RANGER BOATS LLC**

(Flippin, AR)

Year: 2011

Model(s): Z520, Z521, Z522, 6121VS, 620VS

Units: 103

Problem: Electrical: A specific capacitor used in the power distribution box may fail. The internal heat generated may melt some of the potting compound in the power distribution box. There is the possibility that the hot compound may drip from the power distribution box, contacting the boat's operator and potentially causing injury.

**SEA RAY BOATS**

(Knoxville, TN)

Year: 2011

Model(s): 260SD

Units: 81

Problem: Ventilation:

**TOWEE BOATS**

(Mcminnville, TN)

Year: 2011

Model(s): 'Rivermaster 16' OB Powered Boat

Units: 1

Problem: Safe Loading Persons: Manufacturer did not have calculations or test data to show compliance with the Coast Guard Safe Loading Capacities.

**WELDCRAFT MARINE SERVICES**

(Clarkston, WA)

Year: 2011

Model(s): '240 Cuddy King' OB Powered Boat

Units: 1

Problem: There was no natural ventilation system installed in the compartment containing a gasoline fuel tank and electrical component that was not ignition protected.

**BOMBARDIER**

(Wausau, WI)

Year: 2011

Model(s): 150 Speedster 180 Challenger

Units: 405

Problem: Electrical: Throttle/shift control may have been incorrectly manufactured. Engine could be started while throttle lever is activated, shift lever can be moved from forward to reverse and vice versa while throttle remains activated — throttle and shift levers could get stuck.

**MERCURY MARINE**

(Fond du lac, WI)

Year: 2010

Model(s): Mercrsr Alpha &amp; Bravo Sterndrive

Units: 12787

Problem: The crimp process used to secure the threaded end of the intermediate shift cable to the inner core wire may not adequately retain the end of the core wire. If the end is detached from the inner wire, shift control will be lost.

**ALEXANDRIA SEAPORT FOUNDATION**

(Alexandria, VA)

Year: 2010

Model(s): Challenge Wherry

Units: 1

Problem: Failing boat test, failed max person in pounds, max weight capacity and flotation test for persons capacity re-tested.

**BAYLINER**

(Knoxville, IL)

Year: 2010

Model(s): 195BR, 215BR and 197SD

Units: 40

Problem: Navigation Lights: Some 2010 model year boats built with optional wake toers and bimini tops may not have all around lights installed. May not have all around stern lights installed.

**ELIMINATOR BOATS INC**

(Mira Loma, CA)

Year: 2010

Model(s): '30 Daytona' Inboard Powered

Units: 1

Problem: Fuel system and ventilation.

**NAUTICSTAR BOATS**

(Amory, MS)

Year: 2010

Model(s): Bay, OS DC, SSD, OS, RG

Units: 82

Problem: Boats manufactured in 2010 had extra character inserted into HIN.

**MALIBU BOATS**

(Merced, CA)

Year: 2010

Model(s): Response LX

Units: 31

Problem: A limited number of Response LX inboard ski boats manufactured between January 2009 and December 2010 may have approximately 3 cubic feet of basic flotation foam omitted.

**YAMAHA MOTOR CORP**

(Cypress, CA)

Year: 2010

Model(s): F2, 5M5H, F4MHA/LMHA, F6MHA/LMHA

Units: 2454

Problem: Deteriorated fuel fill cap gasket.

**YAMAHA MOTOR CORP**

(Knoxville, IL)

Year: 2010

Model(s): AR240 HO, 5X240 HO, 242 LTD

Units: 775

Problem: Dynamic instability.