

§ 179.17 Penalties.

Each manufacturer who fails to comply with a provision of 46 U.S.C. 4310 or the regulations in this part, is subject to the penalties as prescribed in 46 U.S.C. 4311.

[CGD 93-055, 61 FR 13926, Mar. 28, 1996]

§ 179.19 Address of the Commandant.

(a) Each report and communication sent to the Coast Guard and required by this part concerning boats and associated equipment other than inflatable personal flotation devices, must be submitted to Commandant (G-OPB-3), U.S. Coast Guard, 2100 Second St., SW., Washington, DC 20593-0001.

(b) Each report and communication sent to the Coast Guard and required by this part concerning inflatable personal flotation devices, must be submitted to Commandant (G-MSE-4), U.S. Coast Guard, 2100 Second St. SW., Washington, DC 20593-0001.

[CGD 93-055, 61 FR 13927, Mar. 28, 1996; CGD 96-026, 61 FR 36629, July 12, 1996]

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AUTHORITY: 46 U.S.C. 4302 and 4310; 49 CFR 1.46.

SOURCE: CGD 72-60, 37 FR 15779, Aug. 4, 1972, unless otherwise noted.

Subpart A—General

§ 181.1 Purpose and applicability.

This part prescribes requirements for the certification of boats and associated equipment and identification of boats to which 46 U.S.C. Chapter 43 applies.

[CGD 85-002, 51 FR 37573, Oct. 23, 1986]

§ 181.3 Definitions.

As used in this part:

Associated equipment means:

(1) Any system, part, or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair, or improvement of such system, part, or component;

(2) Any accessory or equipment for, or appurtenance to, a boat; and

(3) Any marine safety article, accessory, or equipment intended for use by a person on board a boat; but

(4) Excluding radio equipment.

Boat means any vessel manufactured or used primarily for noncommercial use; leased, or rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

Date of certification means the date on which a boat or item of associated equipment is certified to comply with all applicable U.S. Coast Guard safety standards in effect on that date.

Date of manufacture means the month and year during which construction or

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assembly of a boat or item of associated equipment begins.

Manufacturer means any person engaged in:

(1) The manufacture, construction, or assembly of boats or associated equipment; or

(2) The importation into the United States for sale of boats, associated equipment, or components thereof.

Model year means the period beginning August 1 of any year and ending on July 31 of the following year. Each model year is designated by the year in which it ends.

Private label merchandiser means any person engaged in the business of selling and distributing, under his own trade name, boats, or items of associated equipment manufactured by another.

[CGD 96-026, 61 FR 33669, June 28, 1996; 61 FR 36786, July 12, 1996]

§ 181.4 Incorporation by reference.

(a) Certain materials are incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than the one listed in paragraph (b) of this section, notice of change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material is on file at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC, and at the Lifesaving and Fire Safety Standards Division (G-MSE-4), 2100 Second Street, SW., Washington, DC 20593-0001, and is available from the sources listed in paragraph (b) of this section.

(b) The materials approved for incorporation by reference in this part, and the sections affected are:

Underwriters Laboratories, Inc.

333 Pfingsten Road, Northbrook, IL 60062.
UL 1123, Marine Buoyant Devices, 181.703.
February 17, 1995.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990, as amended by CGD 93-055, 61 FR 13927, Mar. 28, 1996; CGD 96-026, 61 FR 33669, June 28, 1996]

Subpart B—Manufacturer Certification of Compliance

§ 181.5 Purpose and applicability.

This subpart prescribes requirements for the certification of boats and associated equipment to which 46 U.S.C. Chapter 43 applies and to which a safety standard prescribed in Part 183 of this chapter applies.

[CGD 85-002, 51 FR 37573, Oct. 23, 1986]

§ 181.7 Compliance certification label required.

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 or associated equipment may deliver that boat or equipment for the purpose of sale;

(b) No person may import into the United States any boat or associated equipment; and

(c) No person engaged in the business of selling or distributing boats or associated equipment may sell or offer for sale any boat or associated equipment.

§ 181.9 Affixing labels.

(a) Each manufacturer of a boat or item of associated equipment to which a standard or regulation prescribed in Part 183 of this chapter applies shall affix a certification label that contains the information required by § 181.15 to that boat or equipment before it:

(1) Leaves the place of manufacture for the purpose of sale; or

(2) Is imported.

(b) The manufacturer of a boat or item of associated equipment that is sold to a private label merchandiser may, at the option of the private label merchandiser, affix a certification label identifying the private label merchandiser as the manufacturer before the boat or item of associated equipment leaves the place of manufacture.

§ 181.11 Exceptions to labeling requirement.

(a) This part does not apply to boats or associated equipment intended solely for export, and so labeled, tagged, or marked on the boat or equipment and

on the outside of the container, if any, which is exported.

(b) If an item of associated equipment is so small that a certification label that meets the requirements in § 181.15 cannot be affixed to it, a certification label that contains the information required by § 181.15 may be printed on the smallest container in which the item is packed or on a slip packed with the item.

(c) This subpart does not apply to any outboard motor or starting control to which § 183.710 of this chapter applies.

[CGD 72-60, 37 FR 15779, Aug. 4, 1972, as amended by CGD 79-137, 46 FR 3515, Jan. 15, 1981; 46 FR 9579, Jan. 29, 1981]

§ 181.13 Removal of labels.

No person may remove a label required by this part or remove or alter any information on a label required by this part, unless authorized by the Commandant.

§ 181.15 Contents of labels.

(a) Each label required by § 181.7 must contain:

(1) The name and address of the manufacturer or private label merchandiser who certifies that the boat or item of associated equipment complies with the standards prescribed in Part 183 of this subchapter; and

(2) Except as provided in paragraph (c) of this section, the words:

(i) "This (insert 'Boat' or 'Equipment') Complies With U.S. Coast Guard Safety Standards In Effect On (insert date of certification as prescribed in paragraph (b) of this section)"; or

(ii) If the item being certified is a boat or boat hull, the label may show the words, "This Boat Complies With U.S. Coast Guard Safety Standards In Effect On The Date of Certification."

(b) Date of certification must be no earlier than the date on which construction or assembly began and no later than the date on which the boat or item of associated equipment leaves the place of manufacture or assembly or import for the purposes of sale.

(c) [Reserved]

(d) Except as provided in paragraph (e) of this section, the manufacturer may, in addition to the information required by paragraphs (a) and (b) of this

section, display on the certification label any or all of the following information:

(1) Model name or designation.

(2) Hull identification number (if a boat) or serial number (if an item of associated equipment).

(3) Model year.

(e) Display of the hull identification number on the certification label does not satisfy the display requirements of § 181.29.

(f) Each boat which displays a maximum horsepower capacity determined in accordance with § 183.53(b) must, in addition to the information required by paragraphs (a), (b) and (d) of this section, display on the certification label, the following statement in letters no less than one-quarter of an inch in height:

THIS BOAT IS INTENDED FOR RACING AND OTHER HIGH PERFORMANCE ACTIVITIES. THE SKILL REQUIRED MAY EXCEED THE ABILITIES OF SOME OPERATORS.

[CGD 72-60, 37 FR 15779, Aug. 4, 1972, as amended by CGD 83-012, 49 FR 39327, Oct. 5, 1984; CGD 85-002, 51 FR 37573, Oct. 23, 1986]

§ 181.17 Label numbers and letters.

Letters and numbers on each label must:

(a) Be no less than one-eighth of an inch in height; and

(b) Contrast with the basic color of the label, except that the date of certification may be permanently stamped, engraved, or embossed on the label.

§ 181.19 Construction of labels.

(a) Each label must be made of material that can withstand exposure to water, oil, salt spray, direct sunlight, heat, cold, and wear expected in normal use of the boat or item of associated equipment without deterioration of legibility.

(b) Each label must be made of material that shows visible traces of the alteration or removal of information on the label.

Subpart C—Identification of Boats

SOURCE: CGD 79-013, 48 FR 40718, Sept. 9, 1983, unless otherwise noted.

§ 181.21 Purpose, applicability and effective dates.

(a) This subpart prescribes the requirements for identification of boats to which section 46 U.S.C. 4301 applies.

(b) These amendments are effective on August 1, 1984, however, a manufacturer may voluntarily comply with this regulation on January 1, 1984.

[CGD 79-013, 48 FR 40718, Sept. 9, 1983, as amended by USCG-1998-3799, 63 FR 35534, June 30, 1998]

§ 181.23 Hull identification numbers required.

(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:

(1) A primary hull identification number affixed in accordance with §§ 181.29(a) and (c) of this subpart; and

(2) A duplicate hull identification number affixed in accordance with §§ 181.29(b) and (c) of this subpart.

(b) A person who builds or imports a boat for his or her own use and not for the purposes of sale, must identify that boat with two hull identification numbers that meet the requirements of this subpart.

(c) No person may assign the same hull identification number to more than one boat.

§ 181.25 Hull identification number format.

Each of the hull identification numbers required by § 181.23 must consist of twelve characters, uninterrupted by slashes, hyphens, or spaces, as follows:

(a) The first three characters must be a manufacturer identification code assigned under § 181.31(a) or the importer designation assigned under § 181.31(b).

(b) Characters four through eight must be a serial number assigned by the manufacturer in letters of the English alphabet, or Arabic numerals, or both, except the letters I, O, and Q.

(c) Characters nine and ten must indicate the month and year of certification when a date of certification is required. In all other cases characters nine and ten must indicate the date of manufacture. The date indicated can be no earlier than the date construction

or assembly began and no later than the date the boat leaves the place of manufacture or assembly or is imported into the United States for the purposes of sale. Character nine must be indicated using letters of the English alphabet. The first month of the year, January, must be designated by the letter "A", the second month, February, by the letter "B", and so on until the last month of the year, December. Character ten must be the last digit of the year of manufacture or certification and must be an Arabic numeral.

(d) Characters eleven and twelve must indicate the model year using Arabic numerals for the last two numbers of the model year such as "82" for 1982 and "83" for 1983.

§ 181.27 Information displayed near hull identification number.

If additional information is displayed on the boat within two inches of the hull identification number, that information must be separated from the hull identification number by means of borders or must be on a separate label so that it will not be interpreted as part of the hull identification number.

§ 181.29 Hull identification number display.

Two identical hull identification numbers are required to be displayed on each boat hull.

(a) The primary hull identification number must be affixed—

(1) On boats with transoms, to the starboard outboard side of the transom within two inches of the top of the transom, gunwale, or hull/deck joint, whichever is lowest.

(2) On boats without transoms or on boats on which it would be impractical to use the transom, to the starboard outboard side of the hull, aft, within one foot of the stern and within two inches of the top of the hull side, gunwale or hull/deck joint, whichever is lowest.

(3) On catamarans and pontoon boats which have readily replaceable hulls, to the aft crossbeam within one foot of the starboard hull attachment.

(4) If the hull identification number would not be visible, because of rails,

fittings, or other accessories, the number must be affixed as near as possible to the location specified in paragraph (a) of this section.

(b) The duplicate hull identification number must be affixed in an unexposed location on the interior of the boat or beneath a fitting or item of hardware.

(c) Each hull identification number must be carved, burned, stamped, embossed, molded, bonded, or otherwise permanently affixed to the boat so that alteration, removal, or replacement would be obvious. If the number is on a separate plate, the plate must be fastened in such a manner that its removal would normally cause some scarring of or damage to the surrounding hull area. A hull identification number must not be attached to parts of the boat that are removable.

(d) The characters of each hull identification number must be no less than one-fourth of an inch high.

[CGD 79-013, 48 FR 40718, Sept. 19, 1983; 48 FR 53558, Nov. 28, 1983]

§ 181.31 Manufacturer identification code assignment.

(a) Each person required by § 181.23 to affix hull identifications numbers must request a manufacturer identification code in writing from the Recreational Boating Product Assurance Division, 2100 Second Street SW., Washington, DC 20593-0001. The request must indicate the manufacturer's name and U.S. address along with the general types and lengths of boats that will be manufactured.

(b) For boats manufactured outside of the jurisdiction of the United States, a U.S. importer must obtain a manufacturer identification code as required by paragraph (a) of this section. The request of an importer, as defined in § 181.3 of this subpart, must indicate the importer's name and U.S. address along with a list of the manufacturers, their addresses, and the general types and sizes of boats that will be imported. If a nation has a hull identification number system which has been accepted by the U.S. Coast Guard for the purpose of importing boats, it may be used by the importer instead of the one specified within this subpart. To request a list of those nations having

such a numbering system, write to the Recreational Boating Product Assurance Division, 2100 Second Street SW., Washington, DC 20593-0001.

(c) Persons who are required to identify boats under § 181.23(b) must obtain the required hull identification number from the State Boating Law Administrator of the State where the boat will be principally used, or, if the State Boating Law Administrator does not assign these numbers, from the Coast Guard District office in the area of principal use.

[CGD 79-013, 48 FR 40718, Sept. 9, 1983, as amended by CGD 88-052, 53 FR 25122, July 1, 1988; CGD 96-026, 61 FR 33669, June 28, 1996]

§ 181.33 Conditions for use of manufacturer identification codes.

(a) No manufacturer or importer may sell or transfer a manufacturer identification code or use a manufacturer identification code that has been assigned to another.

(b) A manufacturer or importer who changes the business name or address must advise the Recreational Boating Product Assurance Division, 2100 Second Street SW., Washington, DC 20593-0001 of the change in writing.

[CGD 79-013, 48 FR 40718, Sept. 9, 1983, as amended by CGD 88-052, 53 FR 25122, July 1, 1988; CGD 96-026, 61 FR 33669, June 28, 1996]

§ 181.35 Removal of numbers.

No person may remove or alter a number required by this subpart unless authorized by the Commandant, U.S. Coast Guard.

Subparts D-F—[Reserved]

Subpart G—Instruction Pamphlet for Personal Flotation Devices

SOURCE: CGD 75-008a, 43 FR 9767, Mar. 9, 1978, unless otherwise noted.

§ 181.701 Applicability.

This subpart applies to all personal flotation devices that are sold or offered for sale for use on recreational boats.

§ 181.702

33 CFR Ch. I (7–1–98 Edition)

§ 181.702 Information pamphlet: requirement to furnish.

(a) Each manufacturer of a Type I, II, III, IV, or V personal flotation device (PFD) must furnish with each PFD that is sold or offered for sale for use on a recreational boat, an information pamphlet meeting the requirements of § 181.703, § 181.704, or § 181.705 of this subpart, as appropriate.

(b) No person may sell or offer for sale for use on a recreational boat, a Type I, II, III, IV, or V PFD unless an information pamphlet required by this section is attached in such a way that it can be read prior to purchase.

[CGD 93–055, 61 FR 13927, Mar. 28, 1996]

§ 181.703 Information pamphlet: Contents.

Unless otherwise specified in this subpart, each information pamphlet must contain the information specified in sections 33, 34 and 35 of UL 1123.

[CGD 93–055, 61 FR 13927, Mar. 28, 1996]

§ 181.704 Contents of information pamphlet: Recreational hybrid PFD.

Each information pamphlet for a recreational hybrid PFD approved under 46 CFR 160.077 must contain the information specified in 46 CFR 160.077–27.

[CGD 93–055, 61 FR 13927, Mar. 28, 1996]

§ 181.705 Contents of information pamphlet: Recreational inflatable PFD.

Each information pamphlet for a recreational inflatable PFD approved under 46 CFR 160.076 must contain the information required by 46 CFR 160.076–35.

[CGD 93–055, 61 FR 13927, Mar. 28, 1996]

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