

## **LABEL REQUIREMENTS FOR BOATBUILDERS AND IMPORTERS**

**ARE YOU PREPARED TO PAY UP TO \$2000 PER COPY FOR LABEL ERRORS ON THE BOATS YOU BUILD OR IMPORT? IF NOT, THEN READ ON VERY CAREFULLY.**

Coast Guard standards people have found that many boat manufacturers do not completely understand the label requirements in Subchapter S (Boating Safety) of Title 33, Code of Federal Regulations. These regulations require four labels or markings: a certification label, a Hull Identification Number (actually two HINs), a U.S. Coast Guard Maximum Capacities label and a label for boats equipped with powered ventilation. A fifth, a start-in-gear protection label, does not apply to boats, but is required on outboard motors and controls.

The following explains the requirements for these labels. That is, who is responsible for affixing the labels (a separate section addresses importers); what information each label must contain; when to affix the label; where to affix the label; the reason for the label; and how to affix the label. Descriptions are included of the various types of violations or failures to comply with these requirements and **WHAT THE MANUFACTURER MUST DO IF LABELS DO NOT COMPLY**. Some label violations only require correction in future production. Some types of violations, however, require notification (of the failure to comply) and correction in accordance with 46 U.S.C. 4310.

46 U.S.C. 4310 requires, in part, every manufacturer who discovers that a boat fails to comply with an applicable standard or regulation, to notify the first retail purchaser. Paragraph 4310 further requires the manufacturer to correct the failure to comply without charge to the retail purchaser. The full requirements for notification and correction are in paragraph 4310 of the U.S. Code and Part 179 of Title 33, Code of Federal Regulations.

Manufacturers, dealers or distributors of boats that do not comply may be liable to civil penalties of \$2000 for each violation, up to a maximum of \$100,000 for a related series of violations. In addition, a manufacturer's failure either to furnish the notification required by 46 U.S.C. 4310, or to exercise reasonable diligence in fulfilling obligations under Paragraph 4310, may result in the assessment of additional penalties of the same size for the same series of violations mentioned above. To summarize, you could be penalized for:

- (1) The noncompliance; AND
- (2) Failure to notify, OR failure to exercise reasonable diligence in the notification and correction.

Whether penalties are assessed, or how large the assessment, is based on the facts of each case. (46 U.S.C. 4311)

### **CERTIFICATION LABEL**

**ABC BOAT COMPANY  
CITY, STATE**

**THIS BOAT COMPLIES WITH U.S. COAST GUARD SAFETY  
STANDARDS IN EFFECT ON THE DATE OF CERTIFICATION**

**MODEL T-205  
ABC12345C090**

**WHO:** Manufacturers of boats and associated equipment that must comply with standards in 33 CFR 183 must affix a certification label. The standards which currently apply are the requirement for the Display of Capacity Information in Subpart B, the Safe Loading Standard in Subpart C, the Safe Powering Standard in Subpart D, the Flotation Standard in Subparts F, G and H, the Electrical Standard in Subpart I, the Fuel Standard in Subpart J and the Ventilation Standard in Subpart K.

The standards and the boats to which they apply are summarized below:

Standards	Apply to
Display of Capacity Information	Monohull boats less than 20 feet in
Safe Loading	length except sailboats, canoes,
Safe Powering (Outboards only)	kayaks and inflatables
Flotation	
Ventilation	All gasoline powered boats including most outboards
Electrical Systems	Boats that have gasoline engines for
Fuel Systems	electrical generation, mechanical power or propulsion except outboards.

A boat intended solely for export which bears a label stating that fact, is not required to bear a certification label.

**WHAT:** The certification label must contain the following information in letters at least one-eighth of an inch in height that contrast with the basic color of the label (181.17):

1. The name and address (City and State) of the manufacturer(181.15(a)):

a. If the boat is foreign-made, the importer is considered the statutory manufacturer, and the importer's name and U.S. address must appear on the label; or

b. If a private label merchandiser (PLM) will sell the boat, then the PLM's address may appear on the label. A PLM is any company in the business of selling or distributing under its own trade name, boats manufactured by another. Display of the name and address of the PLM on the certification label does not make the company responsible for compliance with standards and regulations that are applicable to the manufacturer.(181.3(g))

2. A certification of compliance statement which states either:  
(181.15(a) and (b))

a. "This (insert 'Boat' or 'Equipment') Complies with U.S. Coast Guard Safety Standards in Effect On (insert month and year of date of certification)"; or

b. If the item being certified is a boat, the label may show the words, "This Boat Complies With U.S. Coast Guard Safety Standards In Effect On The Date Of Certification".

Note: The date shown in the certification statement must be no earlier than when construction or assembly began and no later than the date on which the boat or item of associated equipment leaves the factory for the purposes of sale, or is imported (181.15(b)). The boat or item of associated equipment must comply with all applicable Coast Guard safety standards in effect on this date (181.3(d)). The date of certification may be permanently stamped, embossed, or engraved on the label.(181.17(b))

3. Optional Information (181.15(d) and (e)): The manufacturer may, in addition to the required information, include any or all of the following:

a. Model name or designation

b. Hull Identification Number if a boat, or serial number if an item of associated equipment. (Note: Display of the HIN on the certification label does not satisfy the requirement to display an HIN on the transom and a second HIN on some interior area of the boat.(181.29)

c. Model Year.

**WHEN:** The manufacturer must affix the certification label before the boat or item of associated equipment leaves the place of manufacture for the purposes of sale. If the boat or item of associated equipment is foreign-made, the manufacturer must affix the certification label before it is imported. (181.9)

**WHERE:** The regulations do not specify a location for the certification label.

**HOW:** The regulation does not prescribe specific methods for affixing the certification label, nor does it prescribe specific materials for the construction of the label. Instead, the requirements for affixing the label are stated in general terms of the performance required: The label must resist the weather and wear encountered in normal use of the boat or item of associated equipment (material that can withstand exposure to water, oil, salt spray, direct sunlight, heat, cold and wear expected in normal use), and the label must be made so that it shows visible traces of any attempt to alter or remove information on it (181.19). If an item of associated equipment is so small that a certification label cannot be affixed to it, a certification label with the information required by 33 CFR 181.15 may be printed on the smallest container in which the item is packed, or on a slip of paper packed with the item.(181.11(b))

**WHY:** The certification label shows that the builder or importer of the boat or item of associated equipment states that it complies with all applicable U.S. Coast Guard safety standards.

## **POSSIBLE VIOLATIONS AND CORRECTIVE ACTION REQUIRED**

1. Not Certified When Required: No certification label on boats subject to the standards in 33 CFR 183 requires the manufacturer to obtain labels for current production immediately.

2. Letter Size Too Small: The manufacturer must obtain labels which meet all applicable requirements when existing supply is exhausted.

## **HULL IDENTIFICATION NUMBERS**

**ABC12345C090**

**WHO:** Regulations require manufacturers to affix two Hull Identification Numbers (HINs) on every boat used or intended for use on waters subject to Federal jurisdiction. For an imported boat, the U.S. importer is considered to be the manufacturer. Manufacturers and importers of sailboards are not required to affix HINs.(181.21 and 181.23)

**WHAT:** Each HIN consists of 12 consecutive characters at least one-fourth of an inch high. The 12 characters include the Manufacturer Identification Code, Hull Serial Number, Date of Certification or Manufacture, and the Model Year.

1. *Manufacturer Identification Code (MIC)*: The first three characters of every HIN affixed by a manufacturer or importer are the Manufacturer Identification Code which is assigned to the manufacturer by the Coast Guard. The Coast Guard will issue a MIC to U.S. builders of recreational boats and U.S. importers of foreign-built boats.(181.25 and 181.31) Manufacturers and importers may obtain a MIC by sending a letter to Commandant (G-NAB-6), U.S. Coast Guard, Washington, D.C. 20593-0001 and requesting one. The letter should briefly describe the types and sizes of boats the company will manufacture or import.

Note:

a. In the case of boats imported from Canada, the U.S. importer does not need to obtain a MIC or affix the HIN. MICs issued by Transport Canada and HINs affixed to Canadian-built boats are compatible with the U.S. system.

b. In the case of boats built or imported by individuals for their own use and not for the purposes of sale, the entire HIN is assigned by the State Boating authorities (see list on page 40) in the State of residence.

2. *Hull Serial Number*: Characters four through eight are hull serial numbers assigned by the manufacturer. They must be letters of the English alphabet, Arabic numerals, or both, except that the letters I, O and Q must not be used.(181.25(b))

3. *Month and Year of the Date of Certification*: The ninth and tenth characters in each HIN are the month and year of the date of certification. If a boat is not subject to a standard, characters nine and ten are the date of manufacture. By definition, the date of manufacture is the date construction or assembly of a boat begins. Character nine is the month of certification (or manufacture) using letters of the English alphabet starting with January as "A" and ending with December as "L". Character 10 is the last digit of the year of certification (or manufacture).(181.25(c))

4. *Model Year*: Characters 11 and 12 are Arabic numerals representing the model year, such as 86 for 1986, 87 for 1987 and so on. By definition, "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.(181.3(g))

5. *Additional Characters*: Additional information displayed on the boat within two inches of the primary hull identification number, 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.(181.27)

6. *Uniqueness of the HIN*: No person may assign the same HIN to more than one boat. The combination of the same hull serial number and two different dates of certification or model years is a unique and unrepeatable serial number. For example, the two HINs ABC00001C090 and ABC00001C091 are unique numbers because their model years are different.(181.27)

**WHEN**: There is no specific requirement in the regulations for when the manufacturer must affix the HINs. In effect, 46 U.S.C. 4307 requires the manufacturer to affix the HINs before the boat is moved in interstate commerce, sold or offered for sale or imported into the United States.

**WHERE**: A Hull Identification Number must not be attached to parts of the boat that are removable:

1. The manufacturer must affix the **primary** Hull Identification Number:

a. *On boats with a transom*, 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.

b. *On boats without a transom 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.

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

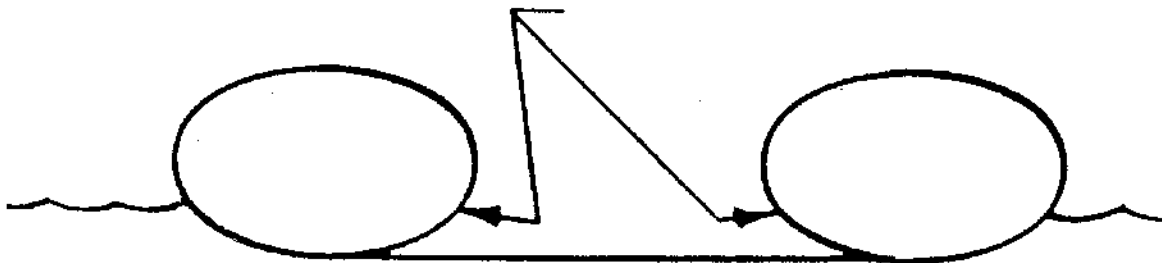
Note: If the HIN would not be visible because of rails, fittings, or other accessories, the HIN must be affixed as near as possible to the location specified in paragraph (a) of this section.

2. The manufacturer must affix a duplicate Hull Identification Number: According to §181.29(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."

Many manufacturers believe that this section requires a hidden location for the second HIN. Some inflatable manufacturers have petitioned the Coast Guard for an exemption from the requirement for the duplicate HIN because they can't find a place to hide it. No exemptions have been granted.

The Coast Guard recognizes that on some boats there is no place to hide a duplicate HIN. Manufacturers of dinghies with no removable fittings can affix the duplicate HIN to the inboard surface of the hull side beneath a thwart or support for a seat. Manufacturers of small boats which do not have seats should affix the duplicate HIN somewhere on the inboard surface of the hull.

When an inflatable boat is fully inflated, there are unexposed surfaces in the lower portion of its main buoyancy air chambers. A person looking at the boat would not be able to see a second HIN affixed to the lower inboard quadrant of a main buoyancy air chamber.



**HOW:** Each HIN 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 HIN 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. Any plate must be bonded or welded in addition to any riveting. In other words, the HIN should be affixed so that a thief cannot remove it easily, but if sufficient efforts are made to remove it, the transom surface is damaged or changed enough to show that the HIN has been removed. (181.29(c))

**WHY:** The HIN provides a uniform positive identification of a boat. In turn this provides for:

1. Identifying the standards that apply to a particular boat.
2. Identifying boats involved in a defect notification campaign.
3. Identifying boats for State registration.
4. Tracing lost or stolen boats.

#### **POSSIBLE VIOLATIONS AND CORRECTIVE ACTION REQUIRED:**

1. No HIN When Required: Complete absence of an HIN on boats subject to the HIN requirement requires manufacturers to take immediate steps to affix HINs to current production.

2. HIN Markings Not Permanent: If the method used would allow the HIN to be removed or altered easily without changing the appearance of the transom, make corrections on current production. Saving a few cents per unit by putting flimsy HINs on boats is more than offset by the cost of a penalty assessment if the HINs are not permanent.

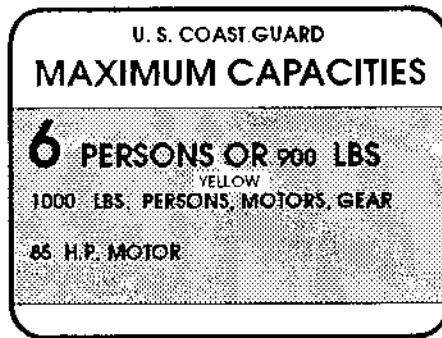
3. Spaces or Symbols Between Characters: The HIN must be 12 consecutive characters with no spaces, slashes or hyphens between them. Examples of improper HINs are: ABC 00001 C090, ABC-00001-C090, or ABC/00001/C090. Manufacturers shall immediately correct the HIN display in current production.

4. HIN Not 12 Characters: The HIN must be 12 characters. The most likely cause of short HINs is less than five hull serial numbers. Zeros or other characters (except the letters I, O and Q) may be used to make the serial number the required length, such as 00001 or AAAA1. A manufacturer must not use more than 12 characters (181.27). If additional information is displayed on the boat within two inches of the primary hull identification number, that information must be separated from the HIN by means of borders or must be on a separate label so that it will not be interpreted as part of the HIN. Manufacturers shall immediately correct the HIN display in current production.

5. Improper Date of Certification or Model Year: The ninth and tenth characters in each HIN are the month and year of the date of certification. Character nine is a letter starting with January as "A" and ending with December as "L". Character 10 is the last digit of the year of certification. Characters 11 and 12 are the model year such as 86 for 1986, 87 for 1987 and so on. By definition, "model year" means the period beginning August 1 of any year and ending on July 31 of the following year. Manufacturers shall immediately correct the HIN display in current production.

Note: While the Coast Guard currently requires corrective action only on future production for incorrect HINs, some States are refusing to register new boats with HINs in the old format. These States have titling and registration systems designed to coincide with model year instead of the date of certification or manufacture. Any boat manufacturer or importer who still uses the old HIN format could be making it very difficult for some buyers of new boats to register them.

U.S. COAST GUARD MAXIMUM CAPACITIES LABEL (33 CFR 183.23(a))



**WHO:** Manufacturers of boats subject to the Safe Loading and Safe Powering Standards must affix the U.S. Coast Guard Maximum Capacities label. The Safe Loading Standard (Subpart C of Part 183) applies to monohull boats less than 20 feet in length, except sailboats, canoes, kayaks and inflatables. The Safe Powering Standard (Subpart D of Part 183) applies to monohull boats less than 20 feet in length that use one or more outboard motors for propulsion, except sailboats, canoes, kayaks and inflatables

**WHAT:** The U.S. Coast Guard Maximum Capacities label must display Maximum Horsepower (if an outboard boat), the Maximum Persons Capacity in pounds and the number of people and the Maximum Weight Capacity (persons, motor and gear for outboards)(persons and gear for inboards, inboard-outdrives and boats without mechanical propulsion). The manufacturer calculates the capacities shown on the marking in accordance with the standards in 33 CFR 183. The capacity information must be displayed within a yellow area (see illustration for minimum character sizes) and must be displayed in the following format with no substitution of words:

1. For outboard boats (183.25(b)(1)):

**U.S. COAST GUARD MAXIMUM CAPACITIES**

**XX PERSONS OR XXX POUNDS  
XXX POUNDS PERSONS, MOTOR, GEAR  
XX HORSEPOWER MOTOR**

OR

**U.S. COAST GUARD MAXIMUM CAPACITIES**

**XX PERSONS OR XXX POUNDS  
XXX POUNDS PERSONS, MOTOR, GEAR  
XX HORSEPOWER MOTOR WITH REMOTE STEERING  
XX HORSEPOWER MOTOR WITHOUT REMOTE STEERING**

2. For inboard boats and inboard-outdrive boats (183.25(b)(2)):

**U.S. COAST GUARD MAXIMUM CAPACITIES**

**XX PERSONS OR XXX POUNDS  
XXX POUNDS PERSONS, GEAR**

3. For boats rated for motors of 2 horsepower or less (183.25(b)(3)):

**U.S. COAST GUARD MAXIMUM CAPACITIES**

**XX PERSONS OR XXX POUNDS  
XXX POUNDS PERSONS, MOTOR, GEAR  
XX HORSEPOWER MOTOR**

4. For boats rated for manual propulsion (183.25(b)(4)):

**U.S. COAST GUARD MAXIMUM CAPACITIES**

**XX PERSONS OR XXX POUNDS  
XXX POUNDS PERSONS, GEAR**

**This Boat Not Rated for Propulsion By A Motor**

Note: Abbreviations for the words "Horsepower" (HP) and "Pounds" (LBS) may be used.

**WHEN:** There is no specific requirement in the regulations for when the manufacturer must affix the U.S. Coast Guard Maximum Capacities label. In effect, 46 U.S.C. 4307 requires the manufacturer to affix the capacity label before the boat is moved in interstate commerce, sold or offered for sale or imported into the United States.

**WHERE:** The label must be clearly visible to the operator when getting the boat underway.

**HOW:** The regulation does not prescribe specific methods for affixing the U.S. Coast Guard Maximum Capacities label, nor does it prescribe specific materials for the construction of the label. Instead, the requirements for affixing the label are stated in general terms of the performance required: The label must resist the weather and wear encountered in normal use of the boat (material that can withstand exposure to water, oil, salt spray, direct sunlight, heat, cold and wear expected in normal use), and the label must be made so that it shows visible traces of any attempt to alter or remove information on it. (183.27)

**POSSIBLE VIOLATIONS AND CORRECTIVE ACTION REQUIRED**

1. No Capacity Information: Carry out the notification and correction procedures prescribed in 46 U.S.C. 4310 and 33 CFR 179.
2. Overrated Maximum Horsepower, Maximum Persons or Maximum Weight Capacities: Carry out the notification and correction procedures prescribed in 46 U.S.C. 4310 and 33 CFR 179.
3. Display of Capacity Information Using Improper Wording or in Improper Format: Correct the label wording or format as soon as possible in current production. Errors requiring notification or correction are determined on a case by case basis.
4. Display of a U.S. Coast Guard Maximum Capacities label on boats not subject to the Safe Loading or Safe Powering Standards: Cease the illegal display on current production. Boats not subject to standards may display a "capacity label" as long as it does not say "U.S. Coast Guard" on it.
5. Poor Location: Correct current production. Location errors requiring notification or correction are determined on a case by case basis. The marking should be readable from the helm on boats with remote steering. On boats with direct tiller steering, the label can be affixed to the inside surface of the hull near the operator's seat where the operator can see it while steering or operating the engine.
6. Minimum Character Size: Coast Guard standards personnel have found that some boat manufacturers are affixing capacity labels which bear characters which do not meet the minimum size width specified in the regulations. In some cases the numbers, including the large numbers used to



indicate whole numbers of persons, are inscribed with a ballpoint pen. The regulations in §183.25(c)(2) state that the stroke width of the numbers shall be one-sixth of the height, which must not be smaller than one-half inch. If the numbers are written in by hand, use a felt tip marker and make sure that the strokes are heavy enough so that they are clearly visible. Correct minimum character sizes when new labels are ordered.

### COMBINED CERTIFICATION AND U.S. COAST GUARD MAXIMUM CAPACITIES LABEL



The combined display of the certification statement and capacity information on one label is not a U.S. Coast Guard requirement. However, manufacturers seem to prefer the combined label in lieu of two separate labels. The labels may be combined, provided the following guidelines are met:

1. The two information displays are separated by a prominent line or border; and
2. The U.S. Coast Guard Maximum Capacities portion of the label is clearly the most prominent because of:
  - a. Larger type face, or
  - b. Bolder type face.

### BLOWER LABEL

**WHO:** Manufacturers of boats that are required to have an electrical exhaust blower must display a label advising the boat operator of the necessity to ventilate the bilges. Each compartment in a boat that is not open to the atmosphere and which contains a permanently installed gasoline engine with a cranking motor (starter) must be equipped with a blower.

**WHAT:** Each boat required to have an exhaust blower must have a label that contains at least the following information:

**“WARNING -- GASOLINE VAPORS CAN EXPLODE. BEFORE STARTING ENGINE OPERATE BLOWER FOR FOUR MINUTES AND CHECK ENGINE COMPARTMENT BILGE FOR GASOLINE VAPORS.”**

**WHEN:** The regulations do not specify when the blower label must be affixed. In effect, 46 U.S.C. 4307 requires the blower label to be affixed before the boat is moved in interstate commerce, sold or offered for sale or imported into the United States.

**WHERE:** The blower label must be in plain view of the operator and as close as practicable to each ignition switch.

**HOW:** The regulation does not prescribe specific methods for affixing the blower label.

**POSSIBLE VIOLATIONS:** No serious violations found to date.

### **START-IN-GEAR PROTECTION LABEL**

**WHO:** Manufacturers of any outboard motor which is capable of developing a static thrust of 115 pounds or more at any motor operating speed with any propeller or jet attachment recommended for or shipped with the motor must bear a Start-In-Gear Protection Label. Manufacturers of starting controls must display on such controls a tag or label indicating whether or not they have been equipped with a start-in-gear protection device.

#### **WHAT:**

1. **On Outboard Motors:** An outboard motor designed for remote starting that does not have a built in start-in-gear protection device must have a tag or label containing the following information:

**“STARTING CONTROLS INSTALLED WITH THIS MOTOR MUST COMPLY WITH USCG REQUIREMENTS FOR START-IN-GEAR PROTECTION IN 33 CFR 183, SUBPART L.”**

2. **On Starting Controls:** Starting controls must have a tag or label with the following information to indicate whether or not they have been equipped with a start-in-gear protection device:

**“THIS CONTROL WILL (or WILL NOT) PROVIDE START-IN-GEAR PROTECTION MEETING USCG REQUIREMENTS OF 33 CFR 183, SUBPART L.”**

#### **WHEN:**

1. **On Outboard Motors:** The Start-In-Gear Protection label or tag must be affixed on or before the time of sale.

2. **On Starting Controls:** Although the regulations do not specify when the Start-In-Gear Protection label or tag must be affixed on starting controls, it should be affixed on or before the time of sale so that installers of such equipment can match them with compatible outboard motors.

#### **WHERE:**

1. **On Outboard Motors:** The Start-In-Gear Protection label or tag must be affixed at the location of the control connection.

2. **On Starting Controls:** The regulations do not specify a location for the Start-In-Gear Protection label or tag.

**WHY:** Because any manufacturer, distributor or dealer installing an outboard motor which displays a label indicating that the motor is equipped with a start-in-gear protection device must be able to properly match it with a compatible starting control that contains a start-in-gear protection device.

**HOW:** The letters and numbers on the tag or label must be at least 1/8 inch high.

**POSSIBLE VIOLATIONS:** No serious violations found to date.

## **IMPORTED BOATS**

### **Sales of Foreign-Built Boats**

**NO PERSON MAY SELL A BOAT WHICH DOES NOT COMPLY WITH APPLICABLE SAFETY STANDARDS AND REGULATIONS.**

**WHO:** "Recreational vessel manufacturer" means a person engaged in the manufacturing, construction, assembly, or IMPORTATION of recreational vessels . . ." (46 U.S.C. 2101(26)).

That is, under Federal law, the U.S. importer of a foreign-built boat is subject to the same Coast Guard regulations as a U.S. manufacturer. A foreign manufacturer cannot export boats to the United States without having a U.S. importer.

Note: The importer must be a legal resident of the United States.

**WHAT:** Boats imported into the United States must bear the labels described on the previous pages as evidence that they comply with applicable safety standards and regulations. (Part 181)

**WHEN:** The Hull Identification Number and Certification Label must be affixed before a boat is imported (181.9). Under certain conditions, an importer may bring a boat that does not comply into the United States:

#### **1. Importer Will Make Repairs Necessary to Bring Boat Into Compliance.**

a. **Declaration Form.** The importer must file a declaration (form CG-5096 available from Customs officials at the time of entry) with the Customs Service. An entry on the form states that the importer will perform any work necessary to make the boat comply with applicable regulations and standards before anyone offers it for sale.

b. **Bond.** The Customs Service will require the importer to post a bond (an amount of money which represents a certain percentage of the value of the boat). The bond is a form of collateral: a guarantee that the importer will perform the work necessary to bring the boat into compliance. Usually the importer must bring the boat into compliance within 90 days after entry. The Customs Service will return the bond when the importer provides Customs and the Commandant of the Coast Guard with a signed statement that the boat now complies, a description of the the work performed, and identification of who performed it.

#### **2. Special Persons Who May Import Boats That Do Not Comply.**

Some people can bring noncomplying boats into the U.S., without previously posting a bond, and not worry about making corrections. These people include foreign military personnel assigned to the United States, delegates and foreign employees of the United Nations and similar organizations, and members of the foreign diplomatic community assigned to the United States. However, these individuals may not sell a noncomplying boat unless it has been brought into compliance.

### 3. Boats Imported for Tests or Experiments.

Noncomplying boats or associated equipment imported for tests or experiments may remain in the United States for as long as 1 year. The Customs Service requires the consignee (recipient of the product) to submit a signed declaration to the District Director of Customs giving name and U.S. address, entry number (assigned by Customs) and date, and the make and model of boats or a description of equipment and components. The consignee must provide a description of the tests and experiments that will be performed, the estimated time needed to complete them, and what will be done with the boat or equipment after the tests or experiments are finished. In addition the consignee should specify, if possible, the city and State where the boat, equipment or component will be kept while in the United States.

[BSCs 2-73, 27, 46, 57, 60 & 62]

#### **THE EFFECT OF HOLES ON LOAD CAPACITY**

Several years ago an independent laboratory bought a 17-foot inboard-outdrive runabout manufactured by a well-known and respected company for compliance testing. Its U.S. Coast Guard Maximum Capacities label showed that the boat was certified for a Maximum Weight Capacity of 1550 pounds. The boat was equipped with generous ventilation louvers in the aft quarter of each hull side. They ventilated the engine space and also made a rather handsome and distinctive styling device.

When the lab tested the boat for load capacity, its static float plane was drawn from the extreme point of the bow to the stern, under every point of major water ingress (entry). Sketch "A" shows how this is done. More to the point, the load tests resulted in a capacity figure for the 17-footer of 730 pounds, slightly less than half the figure on the capacity label.

Further investigation showed that the builder had drawn the static float plane at gunwale level. In other words, with the boat immersed to its "float plane" for testing, water would pour through the ventilation louvers and the 3-inch plus ducts to the engine space. Thus, it becomes obvious that what may be good for ventilation may be very bad for a boat's static float plane and testing for Maximum Weight Capacity.

Subpart C of Part 183 of Title 33, Code of Federal Regulations contains the regulations on Maximum Weight Capacity and Safe Loading. Paragraph 183.33(b)(1) says "Maximum displacement is the weight of the volume of water displaced by the boat at its maximum level immersion in calm water without water coming aboard. For the purposes of this paragraph, a boat

is level when it is transversely level and when either of the two following conditions is met:

(1) The forward point where the sheer intersects the vertical centerline plane, and the aft point where the sheer intersects the upper boundary of the transom (stern), are equidistant above the water surface or are equidistant below the water surface; OR

(2) The most forward point of the boat is level with or above the lowest point of water ingress."

Paragraph 183.35, Maximum Weight Capacity - Outboard boats - is worded like §183.33 with the exception of one phrase, which follows: "Maximum displacement is the weight of the volume of water displaced by the boat at its maximum level immersion in calm water without water coming aboard except for water coming through one opening in the motorwell with its greatest dimension not over 3 inches for outboard motor controls or fuel lines . . ."

The ABYC publication "Standards and Recommended Practices for Small Craft" contains a similar definition of the static float plane, but with a cautionary note that ventilation openings may become points of major leakage.

Some boats, as we mentioned, have been built with engine or fuel space ventilating louvers installed in the extreme quarter of each side of the hull. In the two most common sizes, the small louvers have an area of eight square inches and the large ones measure 14 square inches. Remember that any opening larger than three inches in its greatest dimension is a "major means of water ingress" or entry. The accompanying sketch "A" shows how to draw the static float plane in instances where ventilation louvers are in the hull sides.

In some instances we have found that recalculation of the Maximum Weight and Maximum Persons