



# Boating Safety Circular 83

## FUEL SYSTEM MAINTENANCE

YEAR	TYPE OF ACCIDENT	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
2001	Fire or Explosion of Fuel	153	2	73	\$3,179,323
2000	Fire or Explosion of Fuel	183	2	93	\$2,580,764
1999	Fire or Explosion of Fuel	222	2	125	\$2,804,796
1998	Fire or Explosion of Fuel	202	4	90	\$3,878,520
1997	Fire or Explosion of Fuel	160	0	76	\$3,355,236

The numbers\* speak for themselves. From 1997 to 2001 there were an average of 184 boating fires and explosions annually. Had more boat owners performed regular fuel system maintenance, many of these accidents could have been prevented.

Be alert for damage to your boat's fuel system. Over a period of time fuel fittings and fuel hoses wear out and must be replaced. Inspect fuel system fittings and hoses regularly, especially near the engine where engine heat can speed up deterioration.

- Inspect fuel tanks at least annually. Pay particular attention to bottom surfaces which may have been in contact with bilge water and any part of the tank which touches the boat structure. The tank could have rusted or been damaged due to rubbing and abrasion. Permanently installed fuel tanks should be vented to the outside of the hull and outside of closed compartments.

- Be sure the fuel fill pipe is tightly fitted to the fill plate. The fill pipe should also be located where any spilled fuel will be directed overboard. Look for fuel fill hoses that are dry and cracked or soft and mushy. Such hoses should be replaced with equivalent "USCG Type" or marine fuel hoses immediately. If a fuel hose or fuel tank is leaking, replace it before using your boat.

\* Based on reported boating accidents. These figures do not include accidents involving only slight injury which did not involve medical treatment beyond first aid, or property damage less than \$500.00.

- On a boat with portable fuel tanks, make sure the vents can be closed and that each tank has a vapor-tight, leakproof cap. The vent on a portable tank should be open when the engine is running, but when the tank is not in use, the vent and the cap should be tightly closed. Do not store portable fuel tanks in enclosed areas, including the engine room (even though it may be "ventilated").

- If the boat has powered ventilation (a bilge blower), make sure the blower operates. Verify good airflow at the vent located on the boat.

- Be sure heating and cooking appliances on board are secured and operate properly. Refer to the owner's manual for the appliance for guidance on inspecting for leaks in valves and connections; never use a match.

- Make sure flammable items are stowed safely and cannot come into contact with cooking or heating appliances or hot engine parts.

- Make sure Coast Guard approved fire extinguishers on board are in working order - that gauges register and that nozzles are clear. Take a boating safety course that teaches the correct use

### Inside:

Compliance Testing Policy Guidelines .....	3
Factory Visit Program .....	4
Recall Campaigns .....	8
Country of Origin Codes and HINs .....	19
Final Rule; Certification of Navigation Lights .....	22
Final Rule; Delay of Effective Date .....	28

of a fire extinguisher aboard a boat. The time to learn is before a fire occurs.

- Look for bare wires or loose electrical connections. They might cause a short in your boat's electrical system, which could start a fire.
- Do not store small disposable propane cylinders or charcoal lighter fluid on board.
- Conduct a bow to stern inspection checking for fuel leaks, gas fumes and any malfunctioning instruments.

#### **Before Casting Off --**

“Sniff” your bilges. Usually your sense of smell is the best fuel/vapor detector. It means getting down on your hands and knees, but is the best way to do it.

Operate the bilge blower for at least four minutes before starting an inboard (or sterndrive) engine. If you still smell fumes, try to locate the source and make repairs before starting the engine.

Make sure your passengers know where fire extinguishers are located.

When refueling, close all hatches, ports and other openings; shut off all engines and motors; and refrain from smoking. Fill portable tanks on the dock.

After refueling, wipe up or wash off any excess fuel; open all hatches and ports; and let the boat air out. “Sniff” the boat's bilges. Operate the bilge blower for at least four minutes before starting an inboard or sterndrive engine.

Make these suggestions and regular engine and fuel system maintenance part of your boating routine.

## **COAST GUARD PUBLISHES FINAL RULE ON NAVIGATION LIGHTS**

At the back of this issue of the **Boating Safety Circular** is a Final Rule covering navigation lights which was published in the Federal Register on November 1, 2001. The effect of the rule will be to require domestic manufacturers of vessels to install only certified navigation lights on all new uninspected commercial vessels and recreational vessels. This rule aligns the requirements for these lights with those for inspected commercial vessels and with requirements for all other mandatory safety equipment carried on board all vessels. A second Federal Register notice delays the effective date of the navigation light final rule until November 1, 2003.

The rule directs manufacturers of uninspected commercial vessels and recreational vessels to install only navigation lights certified and labeled as meeting the technical requirements of the Navigation Rules. It will standardize the navigation light requirement for uninspected commercial vessels and recreational vessels with the requirement for inspected commercial vessels.

Before April 1997, a manufacturer of navigation lights for uninspected commercial vessels and recreational vessels could voluntarily apply for a “Letter of Acceptance” from the U.S. Coast Guard for its light models. The Coast Guard would compare a laboratory report for each model sent by the manufacturer with the technical requirements of the International and Inland Navigation Rules (together referred to as the “Navigation Rules”). If the reported data indicated that the light met the requirements of the Navigation Rules, the Coast Guard would grant a “Letter of Acceptance,” allowing the manufacturer to label the light as “U.S. Coast Guard Accepted.” The public often interpreted the acceptance label as meaning that a light was “Coast Guard Approved.”

To eliminate confusion, the Coast Guard stopped issuing Letters of Acceptance in April 1997. Consequently, vessel manufacturers, owners, surveyors, vessel inspectors, and boarding officials could rely only on a statement from the navigation light manufacturer that a model of light complied with the technical requirements of the Navigation Rules.

In 1997 the National Boating Safety Advisory Council (NBSAC)— representing operators and manufacturers of recreational vessels, State boating officials, and national boating organizations—and the National Association of State Boating Law Administrators (NASBLA) passed resolutions asking the Coast Guard to require that navigation lights installed on recreational vessels offered for sale to the public be certified. The Navigation Safety Advisory Council (NAVSAC) passed a similar resolution relating to uninspected commercial vessels. In the report, “Recreational Boat Collision Accident Research,” Underwriters Laboratories recommended that the Coast Guard take stronger measures to ensure that navigation lights installed in recreational vessels meet the requirements established by the Navigation Rules.

The new requirement will provide evidence of compliance to vessel manufacturers, surveyors, owners, inspectors, and boarding officials. It includes the same requirements as those for navigation lights for inspected commercial vessels; however, the light test requirements are less stringent. It also aligns with the International Navigation Rule requirement (COLREGS) for "Approval" (33 CFR, subchapter D, Annex I). The rule does not apply to the replacement of existing navigation lights on vessels completed before the designated effective date.

Certification will place navigation lights under regulatory control comparable to that affecting all other items of mandatory safety equipment. This will result in a general improvement in reliability, quality,

***With the addition of Subpart M - Navigation Lights as a new safety standard in 33 CFR Part 183, beginning on November 1, 2003 all U.S. boat manufacturers who install navigation lights and all U.S. importers of foreign-built boats with navigation lights installed must now affix the certification label required in 33 CFR 181.15.***

and effectiveness of domestic and imported lights available to domestic manufacturers of vessels.

This rule will discourage the practice of installing lights, custom-made or other, that are not compliant with the Navigation Rules. Navigation lights are safety equipment with the designated purpose of preventing collisions.

## **RECREATIONAL BOATING STANDARDS POLICY GUIDELINE: U.S. COAST GUARD COMPLIANCE TESTING**

Periodically the Coast Guard contractor testing boats for compliance with the Display of Capacity Information, Safe Loading and Flotation Standards buys boats on the open market and physically tests them in a tank for compliance with the standards. Experience with the Coast Guard compliance test program has shown that there are certain procedures followed in the test lab that the regulations, the compliance guidelines and the test procedures do not explicitly describe. This Compliance Testing Policy Guideline explains those procedures.

## **SAFE LOADING TESTS**

### **1. Openings Sealed During the Maximum Weight Capacity Test:**

Background: In the Safe Loading Standard the test for the Maximum Weight Capacity (MWC) of an outboard powered boat (33 CFR 183.35) allows the boat manufacturer to seal only one (1) hole in the motor well (with a maximum dimension of three (3) inches) for outboard motor controls or fuel lines. Unfortunately, this penalizes boats with large drain holes and other openings.

Policy: The MWC is based on the gross volume of water displaced by the boat at its maximum level immersion. Therefore, the test lab will seal hull openings during the test for MWC except where specifically prohibited by the CFR or the compliance test procedures. The test lab will seal the following openings:

- (1) all scuppers, freeing ports (with or without flaps) or back flow devices, regardless of size;
- (2) drain holes in the bow;
- (3) bait, fish, and anchor well fill/drain holes;
- (4) holes in the motorwell with boots (in addition to the 3-inch hole already allowed by the regulations); and
- (5) the hull-to-deck joint.

However, transom doors or equivalent may be open during normal boat use and are left open during testing. Drain holes or scuppers that may flood the boat during normal boat use are reviewed on a case by case basis, and may be considered major down flooding or water ingress points.

## **FLOTATION TESTS**

### **1. Permanently Installed Fuel Tanks:**

Background: During compliance testing, permanently installed fuel tanks must be filled with fuel. Due to the hazards of handling, storing, and testing with gasoline indoors, Coast Guard policy has allowed the test lab to substitute iron weights for the weight of gasoline. These iron weights are normally placed on top of the tank during testing, and the tank is left empty.

Policy: Weights equivalent to the weight of fuel are placed on the deck over the center of gravity of

the fuel tank. If the boat fails to comply with flotation requirements, then the iron weights are removed and the fuel tank is filled to three-fourths capacity with water. If the boat still fails to comply, then the tank is completely filled with water. If the boat still fails to comply, the Coast Guard will send the manufacturer a report describing the compliance test failure.

**2. Time Allowed To Stabilize Between Flotation Tests:**

Background: No duration is specified before a flotation compliance test is considered valid.

Policy: The time allowed for a boat to comply with the flotation safety standards is 15 minutes after all test conditions have been met, and the water levels inside and outside the boat are equal. If a boat is still bailing out or filling up with water at the end of 15 minutes, but is within passing test parameters, then the boat passes the test.

**3. Flooded Wells (bait, anchor, and fish wells, coolers, etc.) During Flotation Tests:**

Background: The regulations do not provide guidance on how to treat bait wells, anchor wells or coolers during tests for compliance with the Flotation Standard.

Policy: The lab will remove risers and drain plugs (if they can be removed) and let wells flood or drain during tests.

**4. Trolling Motors and Flotation testing:**

Background: Many boats sold today are equipped with mounting pads, battery locations, and electrical harnesses for trolling motors. In some cases, no flotation is installed for future installation of these devices.

Policy: If a boat is equipped or wired for a trolling motor, the lab will place weights from the table below at the normal operating positions of the trolling motor and battery during compliance testing. A least one dedicated battery is assumed for the trolling motor. If the actual weight of the trolling motor is known, or if the boat or trolling motor manufacturer provides the weight of the motor, the lab will use that weight, instead of the weight from the table below.

In Pounds	(does not include batteries)*
40	12
50	23
60	34
70	50
80	56
90	68
100	79
110	90
120	101
130	112

\* For battery weight see Table 4 of Subpart H

**5. Kicker Engines and Flotation Testing:**

Background: Some boats sold today are equipped with mounting pads, battery locations, and electrical harnesses for kicker engines. In some cases, no flotation is installed for future installation of these devices.

Policy: If a boat is equipped with a pad or wiring for a kicker engine, then the manufacturer should provide flotation for the swamped weight of the engine and controls. If the manufacturer does not provide a label on the boat specifying the horsepower of the kicker engine, then the lab will assume the kicker engine horsepower is 10 percent (10%) of the main engine’s horsepower rating. Weights for the kicker engine will be obtained from Table 4 in Subpart H of 33 CFR Part 183, and placed in the location of the engine and battery. The kicker engine weight will not be subtracted from the maximum weight capacity to determine person’s capacity.

**UPDATE ON RECREATIONAL BOAT FACTORY VISIT PROGRAM**

Since January 8, 2001, 14 Compliance Associates working under a Coast Guard contract for Resource Network International (RNI) of Silver Spring, Maryland have been conducting recreational boating factory visits. The purpose of the factory visit program is to emphasize the need to comply with Federal 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

Trolling Motor Thrust                      Weight in Pounds

Division assigns all recreational boat manufacturers a three character Manufacturer Identification Code (MIC). Using the Coast Guard MIC database (see [http://www.uscgboating.org/recalls/mic\\_database.htm](http://www.uscgboating.org/recalls/mic_database.htm)) the RNI Compliance Associates are contacting and visiting all recreational boat manufacturers and importers on a scheduled basis.

The compliance associate (CA) 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 CA will ask to inspect current production and will look for:

1. Noncompliances with Federal regulations which are manufacturer requirements;
2. Noncompliances 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 CA discusses the results with the manufacturer. Then the CA files a report with the Recreational Boating Product Assurance Division at 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-compliances with Federal safety standards.

The factory visit program should lead to a heightened understanding of both Federal and voluntary safety standards and regulations, and thereby provide the public with safer recreational boats.

## **PROBLEMS NOTICED IN THE FIELD:**

### **1. Certification labels on products not subject to 33 CFR Part 181.**

According to Section 181.5 **Purpose and applicability** of the Manufacturer Certification of Compliance regulations:

“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 in Part 183 of this chapter applies.”

Some component manufacturers have interpreted this to mean that fuel pumps or gasoline generator sets, for example, must bear a manufacturer certification of compliance statement.

Part 183 of Title 33, Code of Federal Regulations prescribes the safety standards and regulations for: (1) boats; and (2) associated equipment to which certification requirements in 33 CFR Part 181 apply. Each of the safety standards in Part 183, from Subpart B through Subpart L, contains an applicability section. With the exception of Subpart L, all the subparts in Part 183 apply to **boats**.

For example, Subparts B through H of Part 183 apply to certain **monohull boats** less than 20 feet in length; Subparts I and J apply to all **boats** that have gasoline engines, except outboard engines, for electrical generation, mechanical power, or propulsion; and Subpart K applies to all **boats** that have gasoline engines for electrical generation, mechanical power, or propulsion. Subpart L, on the other hand, applies to outboard motors and starting controls, and is the **only** subpart in Part 183 that currently applies to associated equipment. Had the Coast Guard intended to regulate electrical generators or other pieces of associated equipment, we would have done so as we did with outboard motors and starting controls. That is to say, we would have done so in a separate subpart.

Sections 183.405 of Subpart I and 183.507 of Subpart J of Part 183 do specifically state that each electrical component on a boat and each fuel system component on a boat subject to those subparts must meet the requirements of the Electrical and Fuel System Standards. Boats subject to those subparts, however, only include boats in their original, manufactured form. As evidence of this, 33 CFR 181, which prescribes requirements for the certification of boats and associated equipment, defines associated equipment as: “any system, part, or component of a boat **as originally manufactured ...**”

If, for example, a gasoline fueled electrical generator set is part of a boat as originally manufactured, then the certification of the boat as a unit indicates certification of the generator set, and the generator set itself is not required to be certified. Alternatively, if the generator set is installed in a boat as an after-market component, then it is not included in the certification of the boat as a unit.

Subpart B of Part 181 of Title 33, Code of Federal Regulations requires a boat manufacturer to certify that each boat is in compliance with applicable Coast Guard safety standards in Part 183 when it is sold to the public. In so doing, the boat manufacturer is certifying that all of the components on the boat meet the requirements of the regulations. Therefore, manufacturers of components such as gasoline fuel pumps or gasoline powered generator sets should certify to their customer, the boat manufacturer, on an invoice or other document, that their components will not adversely affect a boat's compliance with the regulations.

If some time in the future the Coast Guard were to begin compliance testing of electrical or fuel system components installed on boats, we would expect the components to pass. If they did not, the boat manufacturers would be required to conduct recall campaigns, and would probably look to the component manufacturers for compensation.

The Coast Guard does not keep files on associated equipment known to comply with the regulations. Also, while there currently is no regulatory requirement for manufacturers to maintain records about the compliance of equipment they are installing, our compliance associates may ask a boat manufacturer to show evidence that a component has been certified by the manufacturer.

Finally, manufacturers of products other than boats, outboard engines and starting controls should be aware that Chapter 639 of Title 14, United States Code states, in part, that "No individual, association, partnership, or corporation shall, without authority of the Commandant, use the combination of letters "USCG," ... or any combination or variation of such letters or words ... by way of advertisement to induce the effect of leading the public to believe ... that any project or business in which he or it is engaged, or product which he or it manufactures, deals in, or sells,

has in any way been endorsed, authorized, or approved by the Coast Guard. Every person violating this section shall be fined not more than \$1000, or imprisoned not more than one year, or both."

Therefore, unless the Coast Guard grants permission to use the term "U.S. Coast Guard," display of a certification label meeting the requirements of 33 CFR Part 181 on a product other than a boat is improper and illegal.

## **2. Fuel System Pressure Test. Sec. 183.542 Fuel systems.**

(a) Each fuel system in a boat must have been tested by the boat manufacturer and not leak when subjected to the greater of the following pressures:

- (1) Three pounds per square inch; or
- (2) One and one-half times the pressure created in the lowest part of the fuel system when it is filled to the level of overflow with fuel.

(b) The test pressure shall be obtained with air or inert gas.

This section requires a test of the entire fuel system, up to the engine fuel inlet. The engine fuel inlet may be a fuel filter, fuel pump or carburetor, depending upon what components are supplied with and mounted on the engine.

The entire fuel system includes:

- Fuel fill(s)
- Fuel vent(s)
- Fuel tank(s)
- Fuel distribution line(s)

Compliance associates have reported that some factories perform the test by clamping or pinching the fuel vent line where it attaches to the vent fitting. This is not an acceptable industry practice. The vent fitting must be plugged on the exterior of the boat.

If manufacturers are having problems with vent fittings that can't be plugged, then we recommend that they find another fitting supplier or find a unique way to plug the fitting. If component suppliers are getting fancier with their fittings and making it difficult for boat manufacturers to properly conduct the pressure test as required, then let the market fix the problem - don't buy vents that can't be plugged.

## **3. Grounding of Fuel Systems on Boats with Metal Hulls. Sec. 183.572 Grounding.**

Each metallic component of the fuel fill system and fuel tank which is in contact with fuel must be statically grounded so that the resistance between the ground and each metallic component of the fuel fill system and fuel tank is less than 100 ohms.

Fuel flowing from the dispensing nozzle into a fuel tank is a potential source of a static electric charge which could cause a spark between the dispensing nozzle and a metal component of the fuel tank fill system. To prevent such a spark from occurring, metallic components of the fuel tank fill system and metallic fuel tanks must be grounded. Grounding or bonding may be accomplished by connecting the metallic components electrically by running a wire from one component to the next, and so forth to the boat's ground. Grounding can usually be accomplished by a connection to the common bonding conductor or the engine negative terminal.

But what about grounding the fuel system on a boat with a metal hull, twin inboard engines and both AC and DC electrical systems?

One builder asserted that since both engines were grounded to the aluminum hull, they did not need a bond wire between the blocks. However, since the boat also had an AC electrical system on board, this was not the case and improper installation could have resulted in a potentially fatal situation.

When properly installed, AC systems and DC systems are connected at the same point, usually the ground to the engine block or to a common ground buss. They should not be grounded anywhere else on the boat.

Improper grounding creates a serious hazard to the boating community. If the ground is connected to the metal hull, a serious shock hazard exists should a ground fault occur in the primary conductor (the black wire) or the grounded conductor (also called the neutral or white wire) in the AC system. When this ground fault occurs, 110 volts is impressed on the metal hull. Anyone touching the hull or any metal on the boat that is connected to the hull could be electrocuted to death. In addition, a current is created in the water surrounding the boat, and anyone swimming nearby will receive a potentially fatal shock. If not electrocuted to death, the swimmer will be paralyzed by the AC current and drown.

The most common reason for this hazard is the use

of household appliances aboard a metal-hulled boat. In household appliances, the green grounding wire and the white neutral wire are connected inside the appliance. If household appliances are installed on a boat and the two wires are not disconnected, a ground fault will occur as discussed above.

If the engines are grounded to the hull then that ground must be disconnected. Grounded cranking motor circuits must also be connected to each other by a common conductor circuit that can carry the starting current of each of the grounded cranking motor circuits. We recommend that builders follow the American Boat and Yacht Council Standards for installing both DC and AC systems.

If a boat has only a DC system, grounding the engines to the hull would not present a danger of shock hazard should a ground fault occur in the DC system. With a locked rotor condition in one of the starters or should the windings in the armature short out, the hull would provide a path to ground. The only problem would be stray currents causing corrosion to the metal hull. Stray current corrosion is not a safety problem and is not covered by the Coast Guard safety standards.

## DEFECT NOTIFICATION AND RECALL CAMPAIGNS

Problem Descriptions:

**Basic Flotation:** Most inboard, inboard/outdrive and jetdrive powered motorboats less than 20 feet in length are required to contain sufficient flotation so that some portion of the boat remains above the surface of the water if the boat is swamped. Boats with "Basic Flotation" problems will sink if they capsize or swamp.

**Level Flotation:** Most outboard powered motorboats less than 20 feet in length are required to float level when they are swamped and to support a certain percentage of the weight which they are rated to carry. Boats with "Level Flotation" problems do not float level when swamped.

**Capacity Label Missing, Maximum Persons Capacity Overrated, Maximum Weight Capacity Overrated or Horsepower Capacity Overrated:** Almost all motorboats less than 20 feet in length are required to bear a "U.S. Coast Guard Maximum Capacities" label. If the label is missing or the values are overrated, an operator who is unfamiliar with a

particular boat may try to carry too much weight or, in the case of outboard powered boats, too much horsepower. Some insurance companies will not insure a boat that lacks the label or bears a label with incorrect information.

The recall list includes new campaigns as well as old ones. The new campaigns begun since January 2002, follow:

**AMERICAN HONDA MOTOR CORP.**

(Torrance, CA)(020129T)

Year: 2002

Models: ARX1200T3 with HINs:  
HPSA0001J102 to HPSA3548J102  
ARX1200N3 with HINs:  
HPSB0001J102 to HPSB1506J102

Units: 5,037

Problem: Bearings within throttle body subject to corrosion; throttle may not return to idle position; possibility of collision

**AMERICAN HONDA MOTOR CORP.**

(Torrance, CA)(030056T)

Year: 2002 & 2003

Models: Honda 200 & 225 HP Outboard Motors:  
2002 BF200 w/ serial nos.:  
BAEJ-1000001 to BAEJ-1000969  
BAFJ-1000001 to BAFJ-1000222  
2003 BF200 w/ serial nos.:  
BAEJ-1100001 to BAEJ-1100708  
BAFJ-1100001 to BAFJ-1100120  
2002 BF225 w/ serial nos.:  
BAGJ-1000001 to BAGJ-1003344  
BAHJ-1000001 to BAHJ-1000601  
2003 BF225 w/ serial nos.:  
BAGJ-1100001 to BAGJ-1101489  
BAHJ-1100001 to BAHJ-1100662

Units: 5,805

Problem: Potential interference between wire harness and throttle body may lead to short circuit which blows a fuse, stops the engine or overheats the throttle cable; throttle could stick; possible collision

**BAYLINER MARINE CORP.**

(Everett, WA)(030085T)

Year: 2002 & 2003

Models: 2109 and 209 Deck Boats

Units: 40

Problem: (See Blue Sea Systems on next page)

**BOMBARDIER RECREATIONAL PRODUCTS**

(Sturtevant, WI)(020082T)

Year: 2001 & 2002

Models: 2001 Utopia 185 models:  
5452, 5454, 5456 and 5458  
2001 Challenger 2000 model 5448  
2002 Utopia 185 & 205 models:  
5462, 5475, 5476 and 5745  
2002 Islandia model 5709

Units: 473

Problem: Engine wiring harness has three exposed wires (one of which carries battery voltage); possible spark if battery wire contacts metal while engine is running; possible fire/explosion if fuel or vapor source present

**BOMBARDIER MOTOR CORP. OF AMERICA**

(Benton, IL)(030010T)

Year: 2003

Models: Sportster 4-TEC Sport Boats  
Model 5770 w/ HINs:  
US-CEC55000L203 -  
US-CEC55183A303  
Model 5768 w/ HINs:  
US-CEC65001L203 -  
US-CEC65055A303

Units: 178

Problem: Fuel tank air vent nipple might have been deformed during clamp torquing procedure; potential fuel leak; possible fire/explosion if ignition source present

**BOMBARDIER RECREATIONAL PRODUCTS**

(Sturtevant, WI)(020153T)

Year: 2002

Models: Utopia 185 and 205 Sport Boats

Units: 437

Problem: Starboard and/or port console may come loose. If starboard console comes loose, operator might lose steering/control causing danger of collision. If port console comes loose handhold may separate from deck causing passengers to lose balance



**BLUE SEA SYSTEMS**

(Bellingham, WA)(030062T)

Year: 2002 & 2003

Models: T-1 Thermal Circuit Breakers:

Part Number	Amperage	Part Number	Amperage
7120	25	7020	25
7121	30	7021	30
7122	35	7022	35
7123	40	7023	40
7124	50	7024	50
7125	60	7025	60
7126	70	7026	70
7127	80	7027	80
7128	90	7028	90
7129	100	7029	100
7130	110	7030	110
7131	120	7031	120
7132	135	7032	135
7133	150	7033	150

shipped to the following OEM purchasers:

Atlas Boat Works, Inc.	Hells Bay Boat Works	Pacific Trawlers NW	Team Supreme
Beneteau Mfg. USA, Inc.	High Tech Marine, Inc.	Regal	Thoroughbred Cruisers
BHElectronics, Inc.	Hinckley Company	S2 Yachts, Inc.	Thunderbird Products
Carver Boat Corp.	Ideal Windlass Co., Inc.	Sabre Corp.	TOMCO Marine Group
Chantiers Beneteau SA	Ironwind, Inc.	Safe Boat	Trans Fbgl. Boat Co.
Chuckhouse, Inc.	DBA Moose Boats	Scandik, Inc.	Tri Tec Systems, Inc.
Cruisers Yachts	M & G Electronics Corp.	Sea Ray - Merritt Is.	US Marine Corp.
Davis Boats	Marintek	Sea Sport Boats, Inc.	WESCO (non-marine vehicle market)
Endeavor Catamaran	Medeiros Boat Wks. Ltd.	Sea Vee Boats	Wood Mfg. Company
Ennals Ives	Nordic Tugs, Inc.	Seaward Products	DBA Ranger Boats
Fleet Safety Supply	Novatron Corporation	Seawolf Marine Mfg.	
Florida Bow Thrusters	Ocean Technologies	Sharpe Marine	
Good Automatic Windlass	Pacer Marine	Silver Ships, Inc.	
Harken, Inc.	Pacific Mariner, Inc.	Silverton Marine Corp.	

Units: 54,193

Problem: Potential fire risk if circuit breaker handle is held in the “on” position after the unit is tripped and the circuit breaker contacts weld together; if the contacts weld and the short circuit is not corrected, heat may be generated that may damage attached or adjacent wiring; possible fire/explosion if fuel or vapor source present

## **LIFE JACKET RECALL**

SOSpenders Corporation of Fruitland, Idaho is recalling approximately 7,200 automatic inflatable personal floatation devices (PFDs). Approximately 300 defective Hammar units in one lot of 500 were loaded incorrectly and will not inflate the vest. SOSpenders Corp. has made the decision to recall all Hammar products for 100% safety inspection.

This unit malfunction was discovered by SOSpenders in-house testing and immediately communicated to the appropriate individuals to take corrective action. SOSpenders has received no reports of units malfunctioning. No injuries have been reported.

The PFDs have the brand name SOSpenders. The affected PFDs can be identified by a Yellow Hammar MA1 Manual/Automatic Inflator Cap:

The recalled vests include the following items and part numbers:

**8030264 STD 38 MILLENIUM-WM 38HSTDM-W (PFD)**

**8030265 HAR 38 MILLENIUM-WM 38HHARM-W (PFD)**

**8030266 STD 38 MILLENIUM 38HSTDM (PFD)**

**8030267 HAR 38 MILLENIUM 38HHARM (PFD)**

**8030233 REARM 38 AUTO HAMMAR CMH38ARP (ACCESSORY)**

**8030313 COMMERCIAL VEST SOLAS F1 38CMH (PFD)**

**8030315 TACT VEST W/POC-AUTO HAM 38HTV/9-CG (PFD)**

**8030354 MILLENIUM ,AUT, LNG, BLK 38HSTDM/7 (PFD)**

**8030318 PRO 38 MILLENIUM 8HPROM (PFD)**

**8030268 TACT VEST W/POC-AUTO HAM 38HTV/9 (PFD)**

**8030316 ULTRA LITE 38 HAMMAR 38HUL/9 (PFD)**

**Consumers should stop using the vests and immediately.**

(1) Follow the procedures provided by SOS at their website [www.sospenders.com](http://www.sospenders.com) and click on “recall.”

(2) Contact SOSpenders customer service department at 1-800-858-5876 8:00 a.m. and 5:00 p.m. PST Monday through Friday for shipping instructions.

SOS, Inc. indicated that approximately 300 defective Hammar inflators in one lot of 500 were assembled incorrectly and will not inflate the PFD with CO2 gas either automatically or manually. Only oral inflation of the PFDs with the incorrectly assembled inflators will provide any buoyancy to the user.

Since there may be a significant risk of drowning if these PFDs are not inflated, SOS, Inc. has made the decision to recall all products using the Hammar inflator for a 100% safety inspection. SOS, Inc. will apply an additional marking on each inflator that passes this inspection.

The Coast Guard points out that this recall demonstrates why it is so **important for consumers to register their inflatable PFDs or any consumer product with the manufacturer**. When a safety recall such as this is necessary, the manufacturer must have a registration on file to effectively contact affected consumers in a timely manner.

Unfortunately it appears that less than five percent (5%) of owners have registered their inflatable PFDs. Therefore the Coast Guard strongly recommends that consumers always fill out and return the consumer registration card; regardless of the product. Such action promotes safety and provides economic protection. Fortunately, it appears that West Marine, which sold most of these PFDs to recreational boaters, can identify about 75 percent (75%) of their customers. The affected PFDs have the brand name SOSPENDERS. These PFDs

mar MA1, Manual/Automatic Inflator Cap (see Figure 1):

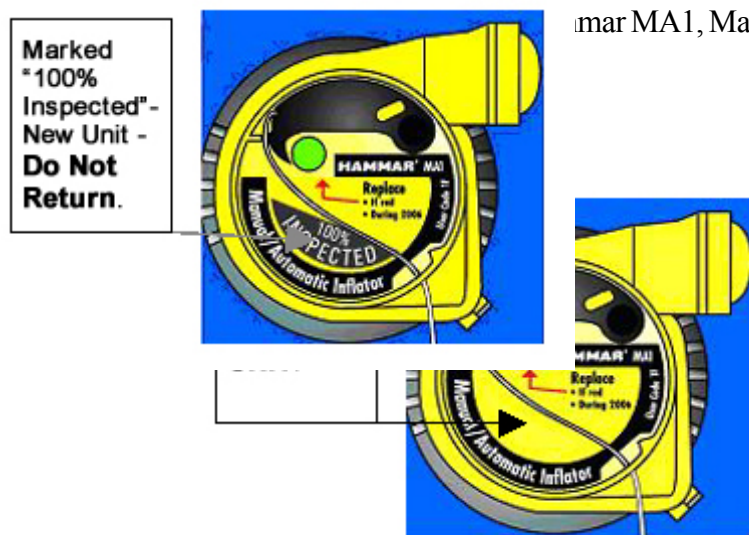


Figure 1

**BOMBARDIER MOTOR CORP. OF AMERICA**

(Waukegan, IL)(020139T)

Year: 2002

Models: 25 & 30 HP Johnson Outboards

Units: 1,046

Problem: Due to shift linkage misadjustment engines might not have start-in-gear protection

**BOMBARDIER RECREATIONAL PRODUCTS**

(Sturtevant, WI)(020185S)

Year: 2002

Models: Fish Hawk 170CC, 180CC, 210CC, 230CC, 210WA, 230WA, 200BF & 220BF Sport Boats

Units: 465

Problem: Improper fuel hoses between the fuel tank, squeeze bulb, fuel filter and engine

**CRESTLINER, INC.**

(Little Falls, MN)(020206S)

Year: 2001 & 2002

Models: 2001 & 2002 Sportfish 1850 and Superhawk 1800 and 2002 Eagle 2300

Units: 1,217

Problem: Fuel tank hold down brackets may dig into top surface of tank during expansion causing fuel leak; possible fire/explosion if ignition source present

**CRUSADER ENGINES**

(Sterling Heights, Michigan)(020198S)

Year: 2002 & 2003

Models: 5.0L MPI w/ aluminum hood and 5.7L MPI w/ aluminum hood

Units: 425

Problem: Possible arcing or open flame at the coil wire connection to the ignition coil and/or distributor cap; possible fire/explosion if fuel or vapor source present

**CRUSADER ENGINES**

(Sterling Heights, Michigan)(030013S)

Year: 2002 - 2003

Models: 8.1L MPI STD  
8.1L MPI HO

Units: 218

Problem: Fuel line connections at fuel rail may not be fully locked into place; potential fuel leak; possible fire/explosion if ignition source present

**DAVE'S CUSTOM BOATS**

(El Cajon, CA)(02R0360S)

Year: Models delivered prior to 12/02/02

Models: 22 Extreme, 24 Extreme, 28 Extreme, Mach 22, Mach 26, Mach F-26 and Mach F-34 delivered prior to 12/02/02

Units: 213

Problem: Metallic objects can contact ungrounded battery terminals; positive terminal of starter not protected against shorting

**GATORBOATS**

(Sullivan, MO)(02R0300S)

Year: 2001

Models: 2060

Units: 54

Problem: Inadequate opening/duct sizes in natural ventilation system

**GLASTRON BOATS**

(Little Falls, MN)(030063T)

Year: 2003

Models: GX 225

Units: 95

Problem: Operator and passenger seat bases might not be properly installed; possible personal injury to user

**JERSEY MARINE INDUSTRIES**

(West Berlin, NJ)(02R0362S)

Year: 2003

Models: Silverhawk

Units: 44

Problem: Metallic fuel fill not grounded

**KOHLER CO.**

(Kohler, WI)(030088T)

Year: 1950 - 1989

Models: L600 or L654 gasoline engines:  
2R, 2A, 2.5R, 2.5A, 3.5R, 3.5A, 4R,  
4A, 5R, 5A, 6.5R, 6.5A, 7.5R, 7.5A

Problem: Failure of the black iron wet exhaust pipe may cause carbon monoxide poisoning

**LARSON BOATS**

(Little Falls, MN)(030060T)

Year: 1999 - 2003

Models: Cabrio 333

Units: 90

Problem: Isolation bulkheads not properly sealed and fuel vapors could reach areas containing electrical equipment; possible fire/explosion if ignition source present

**MAXUM MARINE**

(Salisbury, MD)(020202T)

Year: 2000 & 2001

Models: 2955 SCR Sun Cruisers

Units: 453

Problem: Isolation bulkheads not properly sealed and fuel vapors could reach areas containing electrical equipment; possible fire/explosion if ignition source present

**PLEASURECRAFT ENGINE GROUP**

(Little Mountain, SC)(020196S)

Year: 2002-2003

Models: 5.7/5.0L MPI w/ serial nos.  
420733 - 430688

Units: 1093

Problem: Internal lead in coil wire not positioned correctly; possible fire/explosion if fuel or vapor source present

**POLARIS INDUSTRIES, INC.**

(Medina, MN)(020091T)

Year: 2002

Models: Virage i & Virage TXi Personal  
Watercraft

Units: 3,458

Problem: Some fuel tanks may have a hole under the fuel pump retaining nut threads; possible fire/explosion if ignition source present

**RINKER BOAT CO., INC.**

(Syracuse, IN)(02R0311S)

Year: 2002

Models: 212 Captiva

Units: 1,081

Problem: Insufficient blower capacity in powered ventilation system

**SEA MAX**

(Little Mountain, SC)(020197S)

Year: 2002-2003

Models: 5.7/5.0L MPI w/ serial nos.  
225050 - 225200 - Model Year 2002  
235026 - 235051 - Model Year 2003

Units: 50

Problem: Internal lead in coil wire not positioned correctly; possible fire/explosion if fuel or vapor source

**SPLENDOR BOATS**

(Silver Lake, IN)(02R0259S)

Year: 1998 - 2001

Models: 240 Platinum

Units: 79

Problem: Inadequate natural and powered ventilation systems; battery switch not ignition-protected

**SUMERSET CUSTOM HOUSEBOATS**

(Somerset, KY)(020189T)

Year: 1992 - 1999

Models: Various

Units: 252

Problem: Shore power service circuit breakers on boats with dual shore power option improperly wired

**TRACKER MARINE L.P.**

(Springfield, MO)(030015T)

Year: 2003

Models: Bass Buggy 18  
produced 9/3/02 - 2/25/03  
Fishin Barge 21  
produced 8/10/02 - 2/25/03  
Fishin Barge 25  
produced 8/10/02 - 2/25/03  
220F, Grn, Blu  
produced 8/10/02 - 2/25/03  
240F, Grn, Blu  
produced 8/10/02 - 2/25/03

Units: 762

Problem: Incorrectly installed fuel feed fitting; potential fuel leakage; possible fire/explosion if ignition source present

**TRACKER MARINE L.P.**

(Springfield, MO)(021065S)

Year: 2003

Models: Laker 14 &amp; 1436AWS

Units: 541

Problem: Level Flotation

**YAMAHA MOTOR CORP., U.S.A.**

(Cypress, CA)(030115T)

Year: 2003

Models: SR230 (SRT1000-B and C-B)  
Sport Boats

Units: 452

Problem: Hose clamps on fuel tank vent hose and fuel tank vent check valve cannot be tightened to proper specification and fuel tank vent check valve may have burrs on plastic fittings which could prevent proper sealing allowing vapor to escape; possible fire/explosion if ignition source present

**YAMAHA MOTOR CORP., U.S.A.**

(Cypress, CA)(020072T)

Year: 2002

Models: GP1200A-A ("GP1200R")  
XA1200A-A ("XL1200")  
XA800A-A ("XLT800")

Units: 2,097

Problem: Fuel sender assembly not adequately clamped to its rubber fuel tank fitting allowing vapor to escape; possible fire/explosion if ignition source present

**YAMAHA MOTOR CORP., U.S.A.**

(Cypress, CA)(020128T)

Year: 2002

Models: FX1000-A &amp; FX1000C-A

Units: 3,666

Problem: Fuel pump module not sealed properly to fuel tank surface; potential for vapor to escape; possible fire/explosion if ignition source present

**YAMAHA MOTOR CORP., U.S.A.**

(Cypress, CA)(020176T)

Year: 2002

Models: FX1000C-A (FX140)

Units: 6,459

Problem: Wire harness inside air cleaner case may interfere with throttle linkage and keep throttle open; danger of collision

**YAR-CRAFT, INC.**

(Menominee, MI)(021067S)

Year: 2001

Models: 1785 Wrangler DC

Units: 48

Problem: Level Flotation

**The following are the other campaigns still in progress that began before January 2002:****AMERICAN SUZUKI MOTOR CORP.**

(Brea, CA)(010159T)

Year: 2001 &amp; 2002

Models: 2001 DF90 with serial nos.:  
09001F-151013 through 152573  
2001 DF115 with serial nos.:  
11501F-151046 through 153960  
2002 DF90 with serial nos.:  
09001F-251066 through 251077  
2002 DF115 with serial nos.:  
11501F-251257 through 251314  
2002 DF115 with serial nos.:  
11501F-251527 through 251540

Units: 2,701

Problem: Under rapid acceleration clutch rod may contact steering bracket bending clutch rod; clutch shaft holder may break causing loss of shift control; possibility of collision

**ARCTIC CAT, INC.**

Thief River Falls, MN(010003T)

Year: 1999

Models: Tigershark 1100 LI

Units: 522

Problem: Throttle bodies may wear/corrode causing stiff throttle operation and return; may result in throttle remaining in open position; danger of collision

**ARCTIC CAT, INC.**

Thief River Falls, MN(000201T)

Year: 1997

Models: Tigershark:  
Daytona 770 and 1000,  
Monte Carlo 640, 770 & 1000

Units: 9,436

Problem: A crack may develop in base of fuel filler neck permitting liquid fuel or vapor leakage; possible fire/explosion if ignition source present

**BACK COUNTRY BY CHAMPION**

(Sarasota, FL)(991626S)

Year: 1996 - 1999

Models: 151 Pro Guide

Units: 55

Problem: Level Flotation

**BAJA BOATS INC.**

(Bucyrus, OH)(970122T)

Year: 1997 & 1998

Models: 1997: 232, 252, 272, 302,  
192 Islander, 212 Islander,  
232 Islander, 252 Islander,  
272 Islander, 24 Outlaw, 32 Outlaw,  
38 Special, 29 Outlaw (Single),  
29 Outlaw (Twin), Hammer, 36 Outlaw  
1998: 272, 322, 212 Islander,  
232 Islander, 252 Islander,  
Hammer, 29 Outlaw (Twin),  
38 Special, 36 Outlaw

Units: 353

Problem: Captains Call exhaust wiring routed too close to engine; insulation may melt causing a short circuit; possible fire/explosion if fuel or vapor source present

**BOMBARDIER MOTOR CORP. OF AMERICA**

(Benton, IL)(000145T)

Year: 2000

Models: GTX, XP, RX DI, GTX DI, AND LRV  
(5513, 5514, 5544, 5545, 5646, 5649,  
5651, 5653, 5655, 5656, 5659,  
5669 and 5688)

Units: 3,476

Problem: Clip securing air intake silencer could release and allow gaskets to fall into throttle bodies; for DI (direct injection) models only, fogging tube inside air silencer could also be drawn into rear throttle body; loss of speed control and possible collision

**BOMBARDIER MOTOR CORP. OF AMERICA**

(Benton, IL)(000124T)

Year: 2000

Models: Sea Doo RX 5513 and 5514

Units: 1,112

Problem: Sponsons may loosen and fall reducing steering ability at high speed; possible danger of collision

**BOMBARDIER MOTOR CORP. OF AMERICA**

(Benton, IL)(980165T)

Year: 1998

Models: Speedster and Challenger 1800  
jetboats

Units: 2,265

Problem: Seat swivel plates may crack or break; operator or passengers may fall; potential for injury

**BOMBARDIER MOTOR CORP. OF AMERICA**

(Benton, IL)(000087T)

Year: 2000

Models: GTX and GTX RFI

Units: 10,273

Problem: Fuel fill adjacent to ventilation system opening; operator could inadvertently fill engine compartment with fuel; possible fire/explosion if ignition source present

**BOMBARDIER MOTOR CORP. OF AMERICA**

(Benton, IL)(000125T)

Year: 2000

Models: Sea Doo RX DI and GTX DI

Units: 3,272

Problem: Possible fuel leak between direct air injector and fuel rail assembly; possible fire or explosion if ignition source present

**GLASTRON BOATS**

(Little Falls, MN)(010093S)

Models: I/O powered:

1999-2001 175SX

2000-2001 185SX

2000-2001 195SX

2000-2001 205SX

Units: 4,464

Problem: Basic Flotation

**GRAND BANKS YACHTS LTD.**

(Norwalk, CT)(010161T)

Year: 1999 - 2001

Models: East Bay 49 with hull nos.: 001-015,  
017-035, 042 and 043

Grand Banks 66 with hull no.: 002

Units: 38

Problem: Seal housing on propeller shaft may crack in cold weather allowing water to enter engine room

**HAMILTON JET**

(Seattle, WA)(000197T)

Year: 1998

Models: HJ 212 steering assemblies with  
serial nos.: 0001-2114  
HJ 213 steering assemblies with  
serial nos.: 0001-0299

Units: 1,261

Problem: Cracks in steering nozzle; possible  
steering failure and danger of collision**HAMILTON JET**

(Seattle, WA)(000085T)

Year: 1998 &amp; 1999

Models: HJ 212 with serial nos. 964 - 1774  
HJ 213 with serial nos. 001 - 234

Units: 676

Problem: Flange inserts on some jet units are  
oversized and may become stiff or stick under certain  
circumstances; possible steering failure and danger of  
collision**HARRISKAYOT**

(Fort Wayne, IN)(000248T)

Year: 1998 - 2001

Models: Pontoon boats equipped with Mercury  
Outboards with the following last four  
characters in their HINs: K798 - J001.

Units: 1,081

Problem: Wire on ignition interrupter switch may  
not be connected; emergency shutoff switch might not  
operate**KAWASAKI MOTOR CORP., U.S.A.**

(Santa Ana, CA)(000225T)

Year: 1999 &amp; 2000

Models: JH 1200-A1 AND JH 1200-A2

Units: 8,749

Problem: On 1999 JH 1200-A1 and 2000 JH  
1200-A2, end of fuel tank vent hose can drop into  
engine compartment, if incorrectly installed during  
vessel pre-sale setup or during service involving  
steering column. Pressure buildup in tank can expel  
gasoline or fumes from vent hose into engine  
compartment. Also, under certain conditions, with  
vent hose in correct position, fuel can be expelled  
onto deck and run into engine compartment;  
possible fire/explosion if ignition source present.**KAWASAKI MOTOR CORP., U.S.A.**

(Santa Ana, CA)(990186T)

Year: 1998 &amp; 1999

Models: 1998 JT1100-B1 (7,986 units)  
1998 JH1100-A3 (5,982 units)  
1999 JT900-B1 (3,097 units)  
1999 JT1100-B2 (4,193 units)  
1999 JH1100-A4 (1,982 units)

Units: 23,240

Problem: Engine backfire can rupture fuel pump  
diaphragm causing fuel leakage; possible fire/  
explosion if ignition source present**KAWASAKI MOTOR CORP., U.S.A.**

(Santa Ana, CA)(010023T)

Year: 2000 &amp; 2001

Models: JT-1100 C-1 (2000) &amp; F-1 (2001)

Units: 6,065

Problem: Fuel pumps may be subject to corrosion  
causing possible fuel leaks into engine compartment;  
possible fire/explosion if ignition source present**KAWASAKI MOTOR CORP., U.S.A.**

(Santa Ana, CA)(990167T)

Year: 1999

Models: Ultra 150

Units: 2,859

Problem: Overtightening of steering cable mounting  
nut may cause nut to fail causing loss of steering  
control**LARSON BOATS**

(Little Falls, MN)(010066S)

Year: 2001

Models: SEI 180 BR I/O, SEI 190 BR SF  
SEI 190 BR I/O and LXI 190 BR I/O

Units: 697

Problem: Basic Flotation

**LOWE SUNCRUISER PONTOON BOATS**

(Syracuse, IN)(010104T)

Year: 2000 &amp; 2001

Models: Boats equipped with Fikes Plastics  
fuel tanks with tank serial nos.  
001431-003129

Units: 212

Problem: Fuel tank material degradation could lead  
to cracking of the sidewall and leaks; possible fire/  
explosion if ignition source present



**MASTERCRAFT BOAT COMPANY**

(Vonore, TN)(990151T)

Year: 1999

Models: Maristar 205V, ProStar 205 V &amp; X-Star

Units: 554

Problem: Possible friction between fuel tank and shaft coupler may damage fuel tank; possible fire or explosion if ignition source present

**MAXUM MARINE**

(Everett, WA)(010122T)

Year: 2001

Models: 2100 SD

Units: 91

Problem: Isolation bulkheads not properly sealed and fuel vapors could reach areas containing electrical equipment; possible fire/explosion if ignition source present

**MERCURY MARINE**

(Fond du Lac, WI)(000247T)

Year: 2000 &amp; 2001

Models: 240 HP M2 Jet Drive with serial nos.: 0E370718 to 0E394131

Units: 4,440

Problem: Potential short in voltage regulator; possible fire/explosion if fuel or vapor source present

**MERCURY MARINE**

(Fond du Lac, WI)(010074T)

Year: 2001

Models: MCM 496 MAG Sterndrive Engines  
MCM 496 MAG HO Sterndrive Engines  
MIE 8.1S Horizon Inboard Engines  
MIE 8.1S HO Inboard Engines  
All have serial numbers in the range between 0M025000 - 0M061418

Units: 2,501

Problem: Fuel line/ fuel rail outlet plug may not be properly connected to fuel rail and may cause fuel leakage; possible fire/explosion if ignition source present

**MERCURY MARINE**

(Fond du Lac, WI)(010063T)

Year: 1999 &amp; 2000

Models: 225/250 HP Mercury/Mariner  
200/225 HP Optimax

3.0L Carb/Work versions

These are outboards with serial nos.:

0G927950 to 0T264046

Units: 14,108

Problem: Insufficient weld penetration between bracket and shift cable attaching stud; potential loss of shift control

**MERCURY MARINE**

(Fond du Lac, WI)(990173T)

Year: 1998 and 1999

Models: Mercury and Mariner 225/250 HP,  
3.0 Litre (Carb/EFI) XL, CXL, XXL  
and CXXL3.0 Litre (OptiMax) XL, CXL, XXL  
and CXXL with serial nos.:

0G644802 thru 0G870075

Units: 6,830

Problem: Steering arm attaching bolt may fail; possible loss of steering control

**MERCURY MARINE**

(Fond du Lac, WI)(020177S)

Year: 2003

Models: Mercury Racing 575 Sci

Units: 128

Problem: Fuel line between fuel filter and throttle bodies on some Mercury 575 Sci engines may crack allowing fuel to leak; possible fire/explosion if ignition source present

**PRO-LINE BOATS**

(Crystal River, FL)(980233T)

Models: 1997: 2810 W/A, 2700 Sport,  
251 W/A1998: MM2810W/A, SJ2700 Sport,  
WA251 W/A, WW2610 W/A1999: MM2810 - W/A, SJ2700 Sport,  
WA251 - W/A, 2610 W/A

Units: 651

Problem: Sea Land sani pump used to drain cockpit deck fish boxes may have a circuit board subject to corrosion/short circuit

**PRO-LINE BOATS**

(Crystal River, FL)(990192T)

Year: 2000

Models: All boats with breaker box  
manufactured by ESI South, Inc.

Units: 147

Problem: Breaker box may contain non ignition-  
protected circuit breakers; possible fire/explosion if  
fuel or vapor source present**PURSUIT/S2 YACHTS, INC.**

(Fort Pierce, FL)(000106S)

Year: 2000

Models: 2260 Denali w/ HINs:  
SSUF2099G900 - SSUF2107K900  
2460 Denali w/ HINs:  
SSUF4362F900 - SSUF439IL900

Units: 39

Problem: Blower warning label missing

**PURSUIT FISHING BOATS DIV. OF TIARA  
YACHTS**

(Ft. Pierce, FL)(980041T)

Year: 1995 - 1997

Models: 2870 Offshore &amp; 2870 Walkaround

Units: 185

Problem: Novatron 110 V shore power units wired  
incorrectly; possible shock hazard**RIVIERA CRUISER**

(Columbia City, IN)(990117S)

Year: 1999

Models: Pontoon Boats equipped with built-in  
Fikes Plastics Fuel Tanks w/ serial  
nos: 904001 - 905159

Units: 97

Problem: Fuel tank leakage; possible fire or  
explosion if ignition source present**SEARAY BOATS**

(Knoxville, TN)(970080T)

Year: 1997

Models: 190BR &amp; 210BR

Units: 1,259

Problem: Abrasion of fuel vent line by alternator;  
possible fire/explosion if ignition source present**SEARAY BOATS**

(Knoxville, TN)(010092S)

Year: 2001

Models: 225WE with hull nos.: 3016-3102,  
3104-3109, 3111-3117, 3119-3126,  
3128-3191, 3193-3200, 3202-3216,  
3218-3231, 3234, 3236-3246,  
3248-3263, 3265-3295, 3297-3307,  
3310-3314

240DA with hull nos.: 3341-3358,

3361-3378, 3380, 3382, 3384-3385,  
3387-3390, 3392-3419

240SD with hull nos.: 3358, 3568,

3571, 3575, 3580, 3585, 3590, 3595,

3596, 3600, 3602, 3605, 3609, 3613,

3618, 3619, 3626, 3630, 3636, 3638,

3642, 3643, 3647, 3654, 3656, 3658,

3664, 3666, 3670, 3671, 3675, 3682,

3684, 3686, 3692, 3694, 3698, 3699,

3703, 3710, 3712, 3714, 3720, 3722,

3726, 3727, 3731, 3738, 3740, 3742,

3748, 3750, 3753, 3756, 3760, 3763,

3767, 3770, 3774, 3777, 3781, 3784,

3788, 3791, 3792

245WE with hull nos.: 3158-3182,

3187-3188, 3202, 3206-3210, 3218,

3221-3222, 3229-3230, 3233-3235,

3237-3238

Units: 466

Problem: Potential fuel leak at fuel tank pickup  
hose connection; possible fire/explosion if ignition  
source present**SEARAY BOATS**

(Knoxville, TN)(010089S)

Year: See below

Models: 370 AC (1997 - 2000) (186 units)

400 DB (1996 - 2001) (500 units)

420 AC (1996 - 2001) (223 units)

450 EB (1998 - 2001) (132 units)

460 DA (1999 - 2001) (130 units)

480 DB (1998 - 2001) (313 units)

540 CMY (2001) (19 units)

540 DA (1998 - 2001) (150 units)

560 DB (1998 - 2001) (109 units)

580 SS (1997 - 2000) (35 units)

Units: See above

Problem: Lack of overcurrent protection could lead  
to heat buildup in electrical wiring; possible fire/  
explosion if fuel or vapor source present

CONTINUED ON PAGE 21

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 181**

[USCG-2003-14272]

RIN 1625-AA53

**Country of Origin Codes and Revision of Regulations on Hull Identification Numbers****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to allow U.S. manufacturers of recreational boats to display a 2-character, country of origin code before the 12-character Hull Identification Number (HIN) without separating the 2-character code by means of borders or on a separate label as is currently required by the HIN regulations. The current prohibition adversely affects U.S. manufacturers who seek to export some of their recreational boats. The removal of the current restriction would allow U.S. manufacturers to comply with the International Organization for Standardization (ISO) HIN standard, without changing the information collected by States on undocumented vessels they register.

**DATES:** Comments and related material must reach the Docket Management Facility on or before September 18, 2003.

**ADDRESSES:** You may submit comments identified by the Coast Guard docket number USCG-2003-14272 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

- (1) *Web site:* <http://dms.dot.gov>.
- (2) *Mail:* Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001.
- (3) *Fax:* 202-493-2251.
- (4) *Delivery:* Room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(5) *Federal Rulemaking Portal:* <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call Mr. Alston Colihan, Office of

Boating Safety, Coast Guard, telephone 202-267-0984. If you have questions on viewing or submitting material to the docket, call Ms. Dorothy Beard, Chief, Dockets, Department of Transportation, telephone 202-366-5149.

**SUPPLEMENTARY INFORMATION:****Public Participation and Access to Comments**

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted, without change, to <http://dms.dot.gov> and will include any personal information you have provided. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see the "Privacy Act" paragraph below.

*Submitting comments.* If you submit a comment, please include your name and address, identify the docket number for this rulemaking (USCG-2003-14272), indicate the specific section of this document to which each comment applies, and give the reason for each comment. You may submit your comments and material by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 812 by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

*Viewing comments and documents:* To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://dms.dot.gov> at any time and conduct a simple search using the docket number. You may also visit the Docket Management Facility in room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy Act.* Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of

Transportation's Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://dms.dot.gov>.

**Public Meeting**

We do not now plan to hold a public meeting. But you may submit a request for one to the Docket Management Facility at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

**Background and Purpose**

In 1995, the International Organization for Standardization (ISO) issued a Hull Identification Number standard (ISO 10087:1995(E)) consisting of the same format as the existing Coast Guard 12-character HIN (manufacturer's identification, serial number, month of manufacture, year of manufacture, and model year) preceded by a 2-character country code and a hyphen. Under the ISO HIN standard, a boat made in the U.S. for export to a foreign country would bear a HIN such as:

US-ABC12345G303.

Boat manufacturers in the United States that export to Europe started using the ISO HIN standard beginning with the 1996 model year. According to ISO 10087:1995(E), paragraph (4), Composition of HIN, "A HIN shall consist of 14 consecutive characters plus a hyphen \* \* \*." But our regulation for displaying information near the HIN, 33 CFR 181.27, states, "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." While the ISO HIN standard includes a paragraph with language that is nearly identical to § 181.27, these ISO requirements do not apply to the country code and hyphen, which precede our 12-character HIN.

The American Boat and Yacht Council (ABYC) develops voluntary consensus safety standards for the design, construction, equipment, maintenance, and repair of small craft. An ABYC Technical Committee studying the ISO HIN standard and our HIN standard concluded that the differing requirements create a problem for U.S. builders exporting to Europe. One large U.S. manufacturer that exports to Europe pointed out that use of a separate tape to create the border

required by our HIN standard often results in misalignment and other flaws that may be confused with attempts to alter an HIN. This proposal was discussed at the October 29, 2001 meeting of the National Boating Safety Advisory Council and there were no objections by State Boating Law Administrators in attendance at the meeting. (66 FR 49445, September 27, 2001). The NBSAC unanimously passed a resolution requesting the Coast Guard to immediately pursue rulemaking for an exception to current regulations to allow the USA HIN system to conform to the ISO HIN standard while still allowing the states to not require the "Country Code" in their registration process.

### Discussion of Proposed Rule

This rule would relieve manufacturers of recreational boats who sell both internationally and domestically of the burden of separating the country of origin code for the United States, "US-", from the other 12 characters in a HIN by means of borders or a separate label. Any other information would still have to be separated from characters in the HIN by means of borders or a separate label.

### Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Allowing manufacturers to separate the Country of Origin Code without the use of borders or a separate label would relieve a burden and thereby reduce the costs of complying with the HIN display requirement.

### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently

owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Small Business Administration (SBA) has set up size standards for each SIC code based on the number of employees or annual receipts. The only type of small entity that this rule would affect would be small businesses. There were 4,420 U.S. manufacturers of recreational boats in 2002, an estimated 80 percent of which qualify as small businesses by the size standards of the SBA. However, we have observed that the businesses we have identified as small do not manufacture as many boats as their larger competitors. In addition, most of the businesses we have identified as small do not export to the European market and therefore would not follow the ISO HIN format.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment to the Docket Management Facility at the address under **ADDRESSES**. In your comment, explain why you think it qualifies and how and to what degree this rule would economically affect it.

### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effect on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Mr. Alston Colihan, Project Manager, Office of Boating Safety, by telephone at (202) 267–0981 or by e-mail at [acolihan@comdt.uscg.mil](mailto:acolihan@comdt.uscg.mil).

### Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or

impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

### Taking of Private Property

This proposed rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

### Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

### Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

### Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

### Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have

determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(a) of the Instruction, from further environmental documentation. The proposed rule to remove the requirement to separate the

2-character country of origin code from the 12-character HIN by means of borders or on a separate label relates to the documentation of vessels and is not expected to have any environmental impact.

A draft "Environmental Analysis Check List" and a draft "Categorical Exclusion Determination" are available in the docket where indicated under **ADDRESSES**. Comments on this section will be considered before we make the final decision on whether the rule should be categorically excluded from further environmental review.

#### List of Subjects in 33 CFR Part 181

Labeling, Marine safety, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 181 as follows:

#### PART 181—MANUFACTURER REQUIREMENTS

1. The authority citation for part 181 is revised to read as follows:

**Authority:** 46 U.S.C. 4302 and 4310; Pub. L. 103-206, 107 Stat. 2439; Department

of Homeland Security Delegation No. 0170.

2. Revise § 181.27 to read as follows:

#### § 181.27 Information displayed near hull identification number.

With the exception of the characters "US-", which constitute the country of origin code for the United States, if information is displayed on the boat within 2 inches of the hull identification number (HIN), 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 hull identification number.

Dated: June 12, 2003.

**David S. Belz,**

*Rear Admiral, U.S. Coast Guard,  
Director of Operations.*

[FR Doc. 03-15640 Filed 6-19-03; 8:45 am]

CONTINUED FROM PAGE 19

#### STARDUST CRUISERS, INC.

(Monticello, KY)(010047T)

Year: 1997 - 2000

Models: Houseboats with Mathers multistation propulsion control system with hull nos.: TKZ00850 - TKZ01100

Units: 343

Problem: Engine control relays not ignition-proof; possible fire/explosion if fuel or vapor source present

#### SUMERSET CUSTOMHOUSEBOATS

(Somerset, KY)(010012T)

Year: 1984 - 1997

Models: Various

Units: 377

Problem: Routing of generator exhaust beneath swim platform causes dangerously high concentrations of carbon monoxide

#### TRACKER MARINE L.P.

(Springfield, MO)(961490S)

Year: 1996

Models: Super GV14T with HINs:  
BUJ16639H596 - BUJ36157E696

Units: 87

Problem: Level Flotation

#### VOLVO PENTA OF THE AMERICAS, INC.

(Chesapeake, VA)(980145T)

Year: 1997

Models: BY engines w/ serial nos.:  
4110155491 - 4110159682

Units: 2,000

Problem: Improperly machined fuel pump inlet fitting may cause fuel leakage; possible fire/explosion if ignition source present

#### WELLCRAFT MARINE CORP.

(Sarasota, FL)(010147S)

Year: 2000 & 2001

Models: Wellcraft and Aquasport models equipped with gasoline generators

Units: 187

Problem: Fuel filter fails to meet Federal requirements

**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Parts 84 and 183****46 CFR Part 25****[USCG-1999-6580]****RIN 2115-AF70****Certification of Navigation Lights for Uninspected Commercial Vessels and Recreational Vessels****AGENCY:** Coast Guard, DOT.**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is requiring domestic manufacturers of vessels to install only certified navigation lights on all newly manufactured uninspected commercial vessels and recreational vessels. This rule aligns the requirements for these lights with those for inspected commercial vessels and with requirements for all other mandatory safety equipment carried on board all vessels. The Coast Guard expects the resulting reduction in the use of noncompliant lights to improve safety on the water.

**DATES:** This final rule is effective November 1, 2002. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of November 1, 2002.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-1999-6580 and are available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, room PL-401, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Richard Blackman, Project Manager, Office of Boating Safety, Coast Guard, by telephone at 202-267-6810 or by e-mail at [rblackman@comdt.uscg.mil](mailto:rblackman@comdt.uscg.mil). If you have questions on viewing the docket, call Dorothy Beard, Chief, Dockets, Department of Transportation, telephone 202-366-5149.

**SUPPLEMENTARY INFORMATION:****Regulatory History**

The Coast Guard published a notice of proposed rulemaking (NPRM) to establish requirements for approval,

certification, installation, and performance of navigation lights on vessels less than 20 meters in length in the **Federal Register** on September 7, 1978 (43 FR 39946), and a supplemental notice on December 29, 1980 (45 FR 85468). It published a notice withdrawing the proposed rulemaking in the **Federal Register** on January 7, 1982 (47 FR 826). The proposed rule was withdrawn because a newly established voluntary standard and Coast Guard enforcement policies were deemed sufficient.

On October 9, 1997, the Coast Guard published in the **Federal Register** (62 FR 52673) a request for comments on whether navigation lights on uninspected commercial vessels and recreational vessels need to be regulated. We received 34 comments. On August 4, 2000, we published a notice of proposed rulemaking (NPRM) entitled Certification of Navigation Lights for Uninspected Commercial Vessels and Recreational Vessels in the **Federal Register** (65 FR 47936). We received 11 comments on the proposed rule. No public hearing was requested and none was held.

**Background and Purpose**

The rule will direct manufacturers of uninspected commercial vessels and recreational vessels to install only navigation lights certified and labeled as meeting the technical requirements of the Navigation Rules. It will standardize the navigation light requirement for uninspected commercial vessels and recreational vessels with the requirement for inspected commercial vessels. This action is consistent with the treatment for all other items of safety equipment.

Previously, only lights specifically manufactured for inspected commercial vessels were regulated. These regulations appear in Title 46 CFR subchapter J-Electrical Engineering, and they state in part that each light must "be certified by an independent laboratory to the requirements of [Underwriters Laboratories, Inc. (UL)] 1104 or an equivalent standard" and be so labeled. The "independent laboratory" must be recognized by the Coast Guard as bonafide and have been placed on a list, which is available from G-MSE-3 at U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593-0001.

Rulemakings to establish regulatory controls of navigation lights on uninspected commercial vessels and recreational vessels were proposed in September 1978 and December 1980. They were withdrawn in January 1982

because a newly established voluntary standard and Coast Guard enforcement policies were deemed sufficient to eliminate the need for the regulation. However, by 1997, several entities concerned with recreational boating safety were calling for regulations.

Before April 1997, a manufacturer of navigation lights for uninspected commercial vessel and recreational vessels could voluntarily apply for a "Letter of Acceptance" from the U.S. Coast Guard for its light models. The Coast Guard would compare a laboratory report for each model sent by the manufacturer with the technical requirements of the International and Inland Navigation Rules (together referred to as the "Navigation Rules"). If the reported data indicated that the light met the requirements of the Navigation Rules, the Coast Guard would grant a "Letter of Acceptance," allowing the manufacturer to label the light as "U.S. Coast Guard Accepted." The public often interpreted the acceptance label as meaning that a light was "U.S. Coast Guard Approved."

To eliminate the confusion, the Coast Guard stopped issuing Letters of Acceptance in April 1997. Consequently, vessel manufacturers, owners, surveyors, vessel inspectors, and boarding officials could rely only on a statement from the navigation light manufacturer that a model of light complied with the technical requirements of the Navigation Rules. In 1997 the National Boating Safety Advisory Council (NBSAC)—representing operators and manufacturers of recreational vessels, State boating officials, and national boating organization—and the National Association of State Boating Law Administrators (NASBLA) passed resolutions asking the Coast Guard to require that navigation lights installed on recreational vessels offered for sale to the public be certified. The Navigation Safety Advisory Council (NAVSAC) passed a similar resolution relating to uninspected commercial vessels. In the report, "Recreational Boat Collision Accident Research," UL recommended that the Coast Guard take stronger measures to ensure that navigation lights installed in recreational vessels meet the requirements established by the Navigation Rules.

A request for comments on the proposed rulemaking was published in the **Federal Register** on October 9, 1997. State law-enforcement personnel, vessel owners, marine professionals (manufacturers and marine surveyors), standard-setting organizations, manufacturers of navigation lights, and

a laboratory testing navigation lights submitted comments. Of the 34 respondents, 28 favored the rule. Some expressed concern about installing lights in vessels with bow-high cruising trim angles that tend to obstruct sidelight visibility. While it would not require certification of navigation light installations, the rule will require that the installed lights be certified as compliant with the visibility requirements established by the Navigation Rules. A complete discussion of these comments was included in the NPRM, which may be found in the docket at the locations listed under **ADDRESSES**.

In its response to the October 1997 request for comments, UL stated that during the past 20 years compliance with the Navigation Rules for navigation lights has steadily declined. UL stated that about half of the lights tested have failed to meet minimum performance requirements.

To address this decline in compliance, the rule requires that vessel manufacturers install only lights that are certified. The new requirement will provide evidence of compliance to vessel manufacturers, surveyors, owners, inspectors, and boarding officials. It includes the same requirements as those for navigation lights for inspected commercial vessels; however, the light test requirements are less stringent. It also aligns with the International Navigation Rule requirement (COLREGS) for "Approval" (33 CFR, subchapter D, Annex I.)

The rule does not apply to the replacement of existing navigation lights on vessels completed before the designated effective date.

#### **Discussion of Comments and Changes**

Respondents to the NPRM published August 4, 2000, included State law-enforcement officials, a marine safety service, a tug operator, several tug and tow operation companies, and two waterways associations representing the towing industry. Of the nine respondents, four favored the rulemaking.

All opposing comments came from representatives of the towing industry. Some cited the expense of certifying barge mooring lights; however, barge mooring lights are outside the scope of this rule because they are not generally installed by the builder.

Other comments requested that commercial vessel lights be grandfathered. Although the NPRM did not specify that this rulemaking applied to only newly manufactured vessels, that was the original intent. This has

been clarified in the final rule by adding an applicability section to the new subpart 25.10 in 46 CFR. We also added a definition section to the new subpart 25.10. Furthermore, only uninspected commercial vessels and recreational vessels are within the rule's scope, as inspected commercial vessels are covered in other regulations.

Another comment recommended that when non-certified lights need to be replaced that they be replaced with certified lights. The Coast Guard disagrees with this comment. A planned amendment to Navigation Rule 38 will grandfather all existing lights, whether installed or on the shelf, implying that original equipment may be replaced in kind.

Comments also expressed concern about bulb "monopolies" resulting from this rulemaking. The labeling requirements call for "identification of the bulb used in the compliance test." Although "identification" will include bulb make along with specifications regarding wattage, rated voltage, and filament configuration, this rule does not preclude the use of any make bulb that allows the performance requirements of the light to be satisfied.

One towing company cited lack of enforcement of the Navigation Rules as the crux of the problem while another objected to using "pre-focus lamps" (lamps with screened lenses designed to meet the sector requirements) rather than "incandescent rough service lamps." Neither of these comments are within the scope of this rule. However, the intent of this rulemaking is to discourage the use of non-compliant lights on uninspected commercial vessels and recreational vessels as a step in enforcing the Navigation Rules. A requirement for "approval," or third-party certification, has always existed in the International Navigation Rules. The intent to establish a similar requirement in the Inland Rules is evidenced by Inland Rule, Annex I, 84.25 Approval, currently marked "reserved." This rule satisfies that intent.

Additionally, the need for this rule is reflected in a memo from Marine Safety Office, New Orleans to the Executive Director, Navigation Safety Advisory Committee that details problems associated with lights noncompliant with the International Navigation Rules and the Inland Rules and includes accident examples implicating improper navigation lights. This memo has been placed in the docket for this rulemaking as supplemental information and may be viewed at the locations listed on the **ADDRESSES** section of this document.

Of those favoring the rulemaking, a comment from a State law-enforcement agency reported that a significant number of collisions occur during the hours of darkness or reduced visibility, and that not seeing the other vessel's navigation lights is commonly cited as the cause. The U.S. Coast Guard agrees with this comment and has placed a letter from the City of Fort Lauderdale and the U.S. Coast Guard's response in the docket for this rulemaking as supplemental information. The letter refers to a horrendous nighttime collision in November 1997, which prompted an accident record review that caused city officials to question the adequacy of the navigation lights.

One comment recommended a more stringent labeling requirement. The Coast Guard agrees and has amended the labeling requirement to read that the label must be permanent and indelible and that it be visible without removing or disassembling the light. Another comment favoring the rulemaking stated that UL 1104 is too stringent as a testing standard. The Coast Guard also agrees with this comment. ABYCA-16, the most basic standard, has been substituted for UL 1104.

The aforementioned comments, combined with those received from UL in response to our original request for comments on October 9, 1997, indicate substantial support for the rulemaking. The UL comments state that more than half of the lights for small craft, which are not regulated, do not comply with minimum Navigation Rule requirements, but most regulated lights, that is, those for commercial vessels, do.

The new rule will be placed in Title 33 CFR, Part 183, subpart M, and not subpart I. We noticed after publication of the NPRM that subpart I applies only to gasoline-powered vessels. To ensure that the regulation properly applies to all uninspected commercial and recreational vessels, as originally stated in the preamble to the NPRM (65 FR 47938), we are recodifying the regulation in a new subpart. This has required that we draft new applicability and definitions sections to be placed in subpart M. These additions do not change the rule.

#### **Regulatory Evaluation**

This rule is not a 'significant regulatory action' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget (OMB) has not reviewed this rule under that Order. Since we

expect the economic effect of this rule to be very minimal, a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is not necessary.

**Costs of the Rule**

(1) Manufacturers of navigation lights will incur initial costs for laboratory tests to certify that their lights comply with Navigation Rules. This may result in a minor increase in the market price for certified lights. Navigation light manufacturers will pass these costs on to vessel manufacturers. In turn, the vessel manufacturers will charge consumers more. We conclude that these increases should be so small that their effect on vessel manufacturers and consumers will be negligible.

Most recreational vessel manufacturers install navigation lights on their vessels. We have discovered

that eight types of lights are now on the market, and each light manufacturer may make multiple models of each type. Our survey of available lights determined that each manufacturer produces an average of 10 models for each type and introduces 3 new models a year. Certification will require that a representative light of each model pass a performance test before it is marketed. Specifically, we identified nine domestic manufacturers of lights that this rule might affect. To conduct a cost analysis involving these nine manufacturers we must allow a one-year delay in the effective date of this rule. The one-year delay will allow the navigation light manufacturers time to alter their products and procedures to meet certification requirements. Consequently, initial costs will not begin to incur until the year 2002, when the rule becomes effective. Given that 3 new models are introduced each year,

we will set a period of 15 years over which the analysis of the impacts of this rule will span. For the first year, 2002, we have analyzed the cost of certifying currently available models. For the remaining fourteen years, 2003–2016, we analyze the cost of certifying new models.

An e-mail exchange between the Office of Boating Safety and a navigation light manufacturer regarding costs associated with this rule can be found in the docket for this rulemaking. In conversations with UL and Imanna Laboratory, testing laboratories approved by the Coast Guard, we developed an estimate of \$500 for a performance test of each model. Volume discounts for multiple model tests from these laboratories will decrease the cost of each model to \$400. We can therefore calculate a partial cost of the rule as follows.

Types of light	X	No. of models	X	No. of manufacturers	X	Cost per test for each model	= Total cost
8		10		9		\$400	\$288,000

To account for the current value of benefits and costs in the future, we determined the present value of this cost to 2001 through discounting. The present value represents the expected value of any benefits or costs-one-time or recurring-discounted by the interest rate compounded over the period of analysis. The Office of Management and Budget requires that all Federal Agencies, including the Department of

Transportation, use a standard discount rate of 7 percent, which we incorporate into our cost analysis. A partial calculation of the total cost of the rule is therefore the following:  
 $(\$288,000)/(1.07)^1 = \$269,158.88 =$   
 Partial Cost 1

This figure is the one-time testing cost for the total of all existing models of lights occurring during the first year of the regulation. If a manufacturer decides to introduce a new model of light, that

model will also have to be tested by an independent laboratory approved by the Coast Guard before it can be marketed. When calculating costs, we must also account for the three new models of lights that each manufacturer sends yearly to the market. In order to perform this calculation we sum the cost over the remaining 14 years using a discount rate of 7 percent through the following formula:

$$\sum_{n=2}^{15} [(no. of manufacturers) \times (no. of models) \times (testing cost per light)] / (1.07)^n$$

We know that the nine manufacturers of navigation lights introduce three new models each year with a testing cost of

\$400 per model. We can say that the cost associated with testing three new models each year can be calculated by

inserting the number of manufacturers, number of models, and testing costs into the above equation,

$$\sum_{n=2}^{15} [(9) \times (3) \times (\$400)] / (1.07)^n = \$88,272.00 = \text{Partial Cost 2}$$

The present value of the total testing over 15 years is therefore:  
 $\$269,158.88 + \$88,272.00 =$   
 $\$357,430.88$

(2) New labeling requirements for the certified lights will add to the cost of the regulation. Much of the verification will be printable on an insert with the package, or on a sticker (described in Title 33 CFR 183.810). This rule will not

involve modification of the package to accommodate the labeling. Using estimates from labeling companies, we have determined that manufacturers will pay about \$240 for 1,000 labels. Since the Notice of Proposal for Rulemaking, we have obtained a more accurate cost for labels and have revised our analysis to include \$240 for labeling costs in the formula. When

computing labeling costs, we make the following assumptions: each model will need 1000 labels, each of 9 manufacturers produces 10 models of each of 6 light types, and each manufacturer introduces 3 new models per year. We first compute the one-time cost of labeling for the 10 models of each type of light.



Types of light	X	No. of models	X	No. of manufacturers	X	Cost per test for each model	= Total cost
8		10		9		\$240	\$172,800

In computing the cost of labeling we must also include a one-time \$45 plate charge for each model. This means that  $10 \times 9 \times 8 \times 45 = \$32,400$  must be added to \$172,800 for obtaining \$205,500 as the labeling cost for the existing ten models. The present value of this cost is  $\$205,500/1.07$  or \$192,056.

The cost of labeling for the three new models of lights introduced can be computed as follows:

$$\sum_{n=2}^{15} [(9 \text{ manufacturers} \times 3 \text{ new models} \times \$240)] / (1.07)^n = \$52,963.$$

Calculating labeling costs for the three new models would again require us to add the one-time cost of the plate.

$$\sum_{n=2}^{15} [(9 \text{ manufacturers} \times 3 \text{ new models} \times \$45)] / (1.07)^n = \$695.14.$$

The total cost of labeling would therefore be  $\$192,056 + 52,963 + 695.14$  or \$245,714.14. This represents Partial Cost 3. Finally we can say that the present value of the total cost of the rule is:

$$\text{Partial Cost 1} + \text{Partial Cost 2} + \text{Partial Cost 3} = \$269,158.88 + \$88,272.00 + \$245,714.14 = \$603,145.02$$

**Benefits of the Rule**

(1) Certification will place navigation lights under regulatory control comparable to that affecting all other items of mandatory safety equipment. This will result in a general improvement in reliability, quality, and effectiveness of domestic and imported lights available to domestic manufacturers of vessels.

(2) This rule will discourage the practice of installing lights, custom-made or other, that are not compliant with the Navigation Rules. Navigation lights are safety equipment with the designated purpose of preventing collisions. According to the 2000 Boating Accident Reporting Database (BARD) statistics collected by the U.S. Coast Guard, accidents due to collisions with another vessel account for 35 percent of all reported boating accidents occurring over the year. These collisions lead to fatalities and injuries as well as property damage. Consequently, fatalities and injuries due to a collision with another vessel comprise around 10 percent of all reported fatalities and 32 percent of all reported injuries arising from recreational boating accidents. These BARD statistics also indicate that accidents involving a collision with another vessel result in property

damages amounting to \$8,735,300. The intent of this regulation is to reduce these numbers and lessen the costs society pays in terms of property damage, lives lost, or injuries when collisions occur.

(3) Lack of compliance with rules for navigation lights has also led to recalls of certain recreational vessels. Under the Federal Boat Safety Act of 1971, the U.S. Coast Guard can declare non-complaint lights as “defective” once they are installed. Recreational boats with defective items are subject to recall completely at the vessel manufacturers’ expense. According to U.S. Coast Guard data on recalls, recreational vessels of 13 different makes have been recalled as a result of the navigation lights failing to comply with the Navigation Rules since 1990. This regulation would therefore minimize the recall cost burden placed on vessel manufacturers by assuring them that a light meets the Navigation Rules requirements before they begin installation.

(4) Certification will also facilitate exports to countries enforcing the requirement of the COLREGS for approval of navigation lights.

**Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations independently owned and operated and not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

We identified nine manufacturers who could be affected by this rule. Four of the nine manufacturers qualify as small businesses by the size standards of the Small Business Association (SBA). However, we observed that the four businesses we identified as small entities offer fewer models of each type of light than their larger competitors. These 4 manufacturers offer between 1 and 5 models of each type, which is well below the average of 10 models each. Therefore, we do not believe that they will bear a disproportionate amount of the burden of this rule. We have found that these four manufacturers have annual revenues of \$2.5m-\$5.0m; \$5.0m-\$10m; \$10m-\$20m; and \$20m-\$50m. The greatest possible cost for testing and labeling incurred by these four light manufacturers would be  $\$18,000$ , or  $\$685$  (testing + labeling costs)  $\times 6$  light types  $\times 5$  models per type. In addition to this, if they each test at least two new models per year then they will have to bear an extra \$1,280, or  $\$685 \times 2$ . A total of \$19,200 is well below 5 percent of the revenue of even the smallest company, indicating that this regulation will have a negligible effect on revenues to these small businesses. We expect prices in the industry will remain stable allowing companies to competitively enter the industry. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities.

**Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–

121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

#### Collection of Information

This rule would call for a new collection of information under the Paperwork Reduction Act of 1995 [44 U.S.C. 3501-3520]. As defined in 5 CFR 1320.3(c), "collection of information" comprises reporting, recordkeeping, monitoring, posting, labeling, and other similar actions. The title and description of the collections, a description of those who perform them, and an estimate of the total annual burden follow. The estimate covers the time for submitting a new model of light to the third-party certifier and for designing a label for each model of light.

#### Summary of the Collection of Information

The rule will impose a new burden of collection of information on manufacturers of navigational lights for uninspected commercial vessels and recreational vessels. Each manufacturer of the lights would incur a one-time burden of submitting paperwork to the third-party certifier and of designing labeling for each model of light.

#### Need and Proposed Use for Information

This collection of information is necessary to accomplish the third-party certification and the labeling. The third-party certifier would use the information to document and test the models of lights. Once the model had passed performance testing, the manufacturer of the light would design and provide a label for its product so the consumer would know that the product was certified.

#### Description of Respondents

The collection of information would affect the current manufacturers of navigational lights for recreational and uninspected vessels. It would also affect any future manufacturers that may enter the market.

#### Number of Respondents

There are nine manufacturers of lights in the market. This collection of information will affect them all.

#### Frequency of Response

This collection would take place only when a manufacturer undertook to place a new light on the market.

#### Burden of Response

We estimate that it would take one employee about one hour to prepare the paperwork to submit a light for performance tests. He or she would be an administrative assistant and, as such, would cost around \$24 an hour. If each of these manufacturers submitted three new models of lights for testing each year, the burden for the submitted would be 27 hours and \$648.

We also estimate that it would take one employee about one hour to update the labeling for each new model. He or she, too, would cost around \$24 an hour. The burden for the labeling requirement would likewise be 27 hours and \$648 if each of nine manufacturers submitted 3 new models for testing each year.

#### Estimate of Total Annual Burden

Using the above estimates, the total burden in hours would be 54 and the total cost would be \$1,296.

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 35)7(d), we have submitted a copy of this rule to the Office of Management and Budget (OMB) for its review of the collection of information. OMB has approved the collection. The section numbers are 33 CFR part 183 and 46 CFR 25. The corresponding approval number from OMB is OMB Control Number 2115-0645, which expires on September 9, 2003. You are not required to respond to a collection of information unless it displays a currently valid OMB Control Number.

#### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

It is well settled that States may not regulate in categories reserved for regulation by the Coast Guard. It is also well settled, now, that all of the categories covered in 46 U.S.C. 3306, 3703, 7101, and 8101 (design,

construction, alteration, repair, maintenance, operation, equipping, personnel qualification, and manning of vessels), as well as the reporting of casualties and any other category in which Congress intended the Coast Guard to be the sole source of a vessel's obligations, are within the field foreclosed from regulation by the States. (See the decision of the Supreme Court in the consolidated cases of *United States v. Locke and Intertanko v. Locke*, 529 U.S. 89, 120 S.Ct. 1135 (March 6, 2000).) Because the States may not regulate within this category, preemption under Executive Order 13132 is not an issue.

#### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

**Energy Effects**

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

**Environment**

We have considered the environmental impact of this rule and concluded that, under figure 2–1, paragraph (34)(d), of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. A requirement for certification of navigation lights should not have any environmental impact. A Determination of Categorical Exclusion is available in the docket where indicated under **ADDRESSES**.

**List of Subjects**

33 CFR Part 84

Navigation (water), Waterways.  
33 CFR Part 183

Incorporation by reference, Marine safety.

46 CFR Part 25

Fire prevention, Incorporation by reference, Marine safety, Reporting and recordkeeping requirements.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR parts 84 and 183, and 46 CFR part 25, as follows:

**PART 84—ANNEX I: POSITIONING AND TECHNICAL DETAILS OF LIGHTS AND SHAPES**

1. The citation of authority for part 84 continues to read as follows:

**Authority:** 33 U.S.C. 2071; 49 CFR 1.46.

2. Add § 84.25 to read as follows:

**§ 84.25 Approval.**

The construction of lights and shapes and the installation of lights on board the vessel must satisfy the Commandant, U.S. Coast Guard.

**PART 183—BOATS AND ASSOCIATED EQUIPMENT**

3. The citation of authority for part 183 continues to read as follows:

**Authority:** 46 U.S.C. 4302; 49 CFR 1.46.

4. Amend § 183.5 (b) by adding in alphabetical order the following standard:

**§ 183.5 Incorporation by reference.**

\* \* \* \* \*

(b) \* \* \*

American Boat and Yacht Council, Inc.,  
3069 Solomons Island Road,  
Edgewater, Maryland 21037–1416  
ABYC A–16 Electric Navigation Lights-  
1997 § 183.810

\* \* \* \* \*

5. Add subpart M to part 183 to read as follows:

**Subpart M—Navigation Lights**

Sec.  
183.801 Applicability.  
183.803 Definitions.  
183.810 Navigation light certification requirements.

**§ 183.801 Applicability.**

This subpart applies to recreational vessel manufacturers, distributors, and dealers installing such equipment in new recreational vessels constructed after November 1, 2002.

**§ 183.803 Definitions.**

As used in this subpart:  
*Dealer* means any person who is engaged in the sale and distribution of recreational vessels to purchasers who the seller in good faith believes to be purchasing any such recreational vessel for purposes other than resale.

*Distributor* means any person engaged in the sale and distribution of recreational vessels for the purpose of resale.

*Manufacturer* means any person engaged in:

- (1) The manufacture, construction, or assembly of recreational vessels, or
- (2) The importation of recreational vessels into the United States for subsequent sale.

*Navigation lights* are those lights prescribed by the Navigation Rules (Commandant Instruction 16672.2 series) to indicate a vessel’s presence, type, operation, and relative heading.

**§ 183.810 Navigation light certification requirements.**

- (a) Except as provided by paragraph
- (b) of this section, each navigation light must—

(1) Meet the technical standards of the applicable Navigation Rules;

(2) Be certified by a laboratory listed by the Coast Guard to the standards of ABYC A–16 (incorporated by reference, see § 183.5) or equivalent, although portable battery-powered lights need only meet the requirements of the standard applicable to them; and

(3) Bear a permanent and indelible label that is visible without removing or disassembling the light and that states the following:

(i) “USCG Approval 33 CFR 183.810.”

(ii) “MEETS.....” (Insert the identification name or number of the standard under paragraph (a)(2) of this section, to which the laboratory type-tested.)

(iii) “TESTED BY.....” (Insert the name or registered certification-mark of the laboratory listed by the Coast Guard that tested the fixture to the standard under paragraph (a)(2) of this section.)

(iv) Name of manufacturer.

(v) Number of model.

(vi) Visibility of the light in nautical miles.

(vii) Date on which the light was type-tested.

(viii) Identification and specifications of the bulb used in the compliance test.

(b) If a light is too small to attach the required label—

(1) Place the information from the label in or on the package that contains the light; and

(2) Mark each light “USCG” followed by the certified range of visibility in nautical miles (nm), for example, “USCG 2nm”. Once installed, this mark must be visible without removing the light.

**46 CFR PART 25—REQUIREMENTS**

6. The citation of authority for part 25 continues to read as follows:

**Authority:** 33 U.S.C. 1903(b); 46 U.S.C. 3306, 4302; 49 CFR 1.46.

7. Amend § 25.01–3(b) by adding the following standard in numerical order to those listed under American Boat and Yacht Council as follows:

**§ 25.01–3 Incorporation by reference.**

\* \* \* \* \*

(b) \* \* \*

Standard A–16–97, Electric  
Navigation Lights, July 1997 § 25.10–3

\* \* \* \* \*

8. Add subpart 25.10 to part 25 to read as follows:

**§ 25.10–1 Applicability.**

This subpart applies to vessel manufacturers, distributors, and dealers installing navigation lights on all uninspected commercial vessels, except those completed before November 7, 2002.

**§ 25.10–2 Definitions.**

As used in this subpart:

*Dealer* means any person who is engaged in the sale and distribution of vessels to purchasers who the seller in good faith believes to be purchasing any such vessel for purposes other than resale.

*Distributor* means any person engaged in the sale and distribution of vessels for the purpose of resale.

*Manufacturer* means any person engaged in:

(1) The manufacture, construction, or assembly of vessels, or

(2) The importation of vessels into the United States for subsequent sale.

*Navigation lights* are those lights prescribed by the Navigation Rules (Commandant Instruction 16672.2

series) to indicate a vessel's presence, type, operation, and relative heading.

**§ 25.10–3 Navigation light certification requirements.**

(a) Except as provided by paragraph (b) of this section, each navigation light must—

(1) Meet the technical standards of the applicable Navigation Rules;

(2) Be certified by a laboratory listed by the Coast Guard to the standards of ABYC A–16 (incorporated by reference, see § 25.01–3), or equivalent, although portable battery-powered lights need only meet the requirements of the standard applicable to them; and

(3) Bear a permanent and indelible label stating the following:

(i) “USCG Approval 33 CFR 183.810”

(ii) “MEETS \_.” (Insert the identification name or number of the standard under paragraph (a)(2) of this section, to which the light was type-tested.)

(iii) “TESTED BY \_.” (Insert the name or registered certification-mark of the laboratory listed by the Coast Guard that

tested the fixture to the standard under paragraph (a)(2) of this section.)

(iv) Name of Manufacturer.

(v) Number of Model.

(vi) Visibility of the light in nautical miles (nm).

(vii) Date on which the light was type-tested.

(viii) Identification of bulb used in the compliance test.

(b) If a light is too small to attach the required label—

(1) Place the information from the label in or on the package that contains the light; and

(2) Mark each light “USCG” followed by the certified range of visibility in nautical miles, for example, “USCG 2nm.” Once installed, this mark must be visible without removing the light.

Dated: October 4, 2001.

**Kenneth T. Venuto,**

*Rear Admiral, U.S. Coast Guard, Acting Assistant Commandant for Operations.*

[FR Doc. 01–27385 Filed 10–31–01; 8:45 am]

**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Parts 84 and 183****46 CFR Part 25**

[USCG–1999–6580]

RIN 2115–AF70

**Certification of Navigation Lights for Uninspected Commercial Vessels and Recreational Vessels**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** The Coast Guard is delaying the effective date of the final rule on Certification of Navigation Lights for Uninspected Commercial Vessels and Recreational Vessels published in the **Federal Register** on November 1, 2001. The final rule requires domestic manufacturers of vessels to install only certified navigation lights on all newly manufactured uninspected commercial vessels and recreational vessels. This rule aligns the requirements for these lights with those for inspected commercial vessels and with requirements for all other mandatory safety equipment carried on board all vessels. The Coast Guard expects the resulting reduction in the use of

noncompliant lights to improve safety on the water.

**EFFECTIVE DATE:** The final rule is effective on November 1, 2003.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–1999–6580 and are available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, room PL–401, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, contact Richard Blackman, Project Manager, Office of Boating Safety, Coast Guard, by telephone at 202–267–6810 or by e-mail at [rblackman@comdt.uscg.mil](mailto:rblackman@comdt.uscg.mil). If you have questions on viewing the docket, call Dorothy Beard, Chief, Dockets, Department of Transportation, by telephone at 202–366–5149.

**SUPPLEMENTARY INFORMATION:** On November 1, 2001, the Coast Guard published a final rule entitled “Certification of Navigation Lights for

Uninspected Commercial Vessels and Recreational Vessels” in the **Federal Register** (66 FR 55086). The final rule, which was to become effective on November 1, 2002, directs manufacturers of uninspected commercial vessels and recreational vessels to install only navigation lights certified and labeled by a laboratory listed by the Coast Guard as meeting the technical requirements of the Navigation Rules.

Upon publication of the final rule, the Coast Guard noted that the implementation date may not provide enough time to complete the testing of navigation lights by laboratories listed by the Coast Guard to allow the recreational boat manufacturers to comply with the regulation. July 2002 is the date most of next year boat models will appear on show room floors. Photo boats for sales brochures will be built in March and April 2002 so that these brochures can be printed in time for the introductions. Actual new model year production will start in April and May 2002. Thus, boat builders must make their navigation light selections for the upcoming model year as early as February 2002. Each navigation light manufacturer will have to make tooling changes to meet the new marking requirements, and many will have to retest their applicable product line.

Sufficient time is not available to do this by February 2002. The alternative would be to pull all unsold boats off the market on November 1, 2002, replacing them either with new boat models equipped with compliant navigation lights or modifying their navigation lights to meet the new marking and certification requirements. Most, if not

all, agree that this latter alternative is not a reasonable course to take. Based upon this concern, the Coast Guard is delaying the effective date of the final rule to November 1, 2003. Accordingly, in FR Doc. 01-27320 published in the **Federal Register** on November 1, 2001, at 66 FR 55086, the effective date for the referenced final

rule is changed from November 1, 2002, to November 1, 2003.  
 Dated: January 9, 2002.  
**Terry M. Cross,**  
*Rear Admiral, U. S. Coast Guard,*  
*Assistant Commandant for Operations.*  
 [FR Doc. 02-1252 Filed 1-16-02; 8:45 am]  
 BILLING CODE 4910-15-P

DISTRIBUTION -SDL No. 139

	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x	y	z
A	1	1				1			1	1			1	1	1	1			1							
B		1	1			1		1	1	1				5	1		1	1								1
C	1	1		1	1		1		1				3										1			1
D				1																						
E	1									1	1	1		1												
F																										
G																										
H																										

NON-STANDARD DISTRIBUTION: B:c First District (125) only; Fifth District (250) only

The **Boating Safety Circular** is in the public domain. It may be reproduced in whole or in part by an organization or individual without permission. If it is reproduced, however, the Coast Guard would appreciate knowing how it is used. Write the Commandant (G-OPB), U.S. Coast Guard, Washington, DC 20593-0001, or call: 1-800-368-5647.



• Search

- [Safety](#)
- [Regulations](#)
- [Recalls & Safety Defects](#)
- [News](#)
- [Statistics](#)
- [Glossary](#)
- [FAQs](#)
- [Links](#)
- [Grants](#)

- [About Us](#)
- [Contact Us](#)
- [Site Map](#)

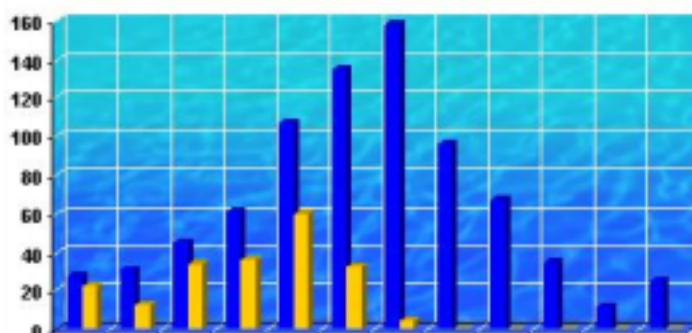
**Take America's Boating Course®**

**Welcome** to the official website of the U.S. Coast Guard Office of Boating Safety! Learn how to prevent accidents, injuries, and fatalities while boating. Review safety tips, news, recalls, defects, and laws and regulations you should know.

**Comparison of U.S. Recreational Boating Fatalities**

The numbers are declining! (Figures for 2002 and 2003 are preliminary.)

**Fatality Statistics**



Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
27	31	45	61	107	135	158	96	67	35	11	25
22	12	34	36	60	33	4	-	-	-	-	-

■ Average monthly fatalities based on cumulative data for 1999-2003  
 ■ 2003 Statistics

**Beacons**

**Carbon Monoxide -THAT SILENT KILLER -**

Carbon Monoxide -THAT SILENT KILLER- Finds Yet Another Way To Kill: Coast Guard warns public of dangers associated with: "Teak Surfing" ...[more>>](#)

**Interim Life Jacket Rule Effective Dec 23, 2002**

The United States Coast Guard's interim life jacket rule for children under 13 becomes effective December 23, 2002 ...[more>>](#)

**National Boating Safety Advisory Council Vacancy**

Vacancy announcement and application procedures for NBSAC ...[more>>](#)

**U.S.C.G Recalls Houseboats Due to Carbon Monoxide**

Get a free [Vessel Safety Check](#)

Take a [Boating Safety Course](#)

Wear Your [Life Jacket](#)

Never [Boat Under the Influence](#)



[You're In Command Resource Center](#)

[Carbon Monoxide Information](#)

**Alerts!**

**100-Yard-Approach**  
Do not approach within ...[more>>](#)

**KOHLER Generator Recall**  
A carbon monoxide hazard ...[more>>](#)

**Television Antennae Interference With GPS**  
Some active television antennae cause ...[more>>](#)



- Search
- [Dangers of CO Monoxide](#)
- [Where CO May Accumulate](#)
- [How to Protect Others & Yourself](#)
- [Helpful Checklists & Maintenance Tips](#)
- [Reports / News Articles / Testimonials](#)
- [Downloadable Educational Tools](#)
- [Related Links](#)

## Carbon Monoxide

**Carbon monoxide (CO) can harm and even kill you inside or outside your boat!**

Did you also know:

- CO symptoms are similar to seasickness or alcohol intoxication?
- CO can affect you whether you're underway, moored, or anchored?
- You cannot see, smell, or taste CO?
- CO can make you sick in seconds. In high enough concentrations, even a few breaths can be fatal?

Most important of all, did you know carbon monoxide poisonings are **preventable**? Every boater should be aware of the risks associated with carbon monoxide - what it is; where it may accumulate; and the symptoms of CO poisoning. To protect yourself, your passengers, and those around you, learn all you can about CO.

[Dangers of Carbon Monoxide](#)  
The must-know facts about carbon monoxide. If you don't recognize the symptoms of CO poisoning, you may not receive the medical attention you need.

[Where CO May Accumulate](#)  
You're not just at risk inside a boat. Knowing all the possible places where CO may accumulate could save your life.

[How to Protect Others & Yourself](#)  
CO poisoning is preventable. Here are specific steps you can take to help prevent carbon monoxide from harming you, your passengers, or fellow boaters.

[Helpful Checklists and Maintenance Tips](#)  
A checklist for every trip, plus a monthly and annual checklist. They're easy for you to print and use.

[Reports/ News Articles / Testimonials](#)  
The latest reports and studies on carbon monoxide. Also, hear from those who lost loved ones to CO poisoning and those who survived close calls with CO.

[Downloadable Educational Tools](#)  
Brochures, photos, posters, and other tools to help increase awareness about carbon monoxide and recreational boating.

[Related Links](#)