

Coast Guard, DHS

§ 160.077-27

all defects have been corrected and re-examination or reinspection is authorized by the Commandant or an authorized representative of the Commandant.

(3) A rejected lot or rejected PFD may not be sold or offered for sale with the representation that it meets this subpart or that it is Coast Guard approved.

[CGD 78-174, 50 FR 33928, Aug. 22, 1985, as amended by CGD 78-174A, 51 FR 4351, Feb. 4, 1986; CGD 78-174, 60 FR 2488, Jan. 9, 1995]

§ 160.077-25 Manufacturer records.

(a) Each manufacturer of hybrid PFD's must keep the records required by § 159.007-13 of this chapter, except that they must be retained at least 120 months after the month in which the inspection or test was conducted.

(b) Each record required by § 159.007-13 of this chapter must also include the following information:

(1) For each test, the serial number of the test instrument used if there is more than one available.

(2) For each test and inspection, the identification of the samples used, the lot number, the approval number, and the number of PFD's in the lot.

(3) For each lot rejected, the cause for rejection, any corrective action taken, and the final disposition of the lot.

(c) The description or photographs of procedures and apparatus used in testing is not required for the records prescribed in § 159.077-13 of this chapter as long as the manufacturer's procedures and apparatus meet the requirements of this subpart.

(d) Each manufacturer of hybrid PFD's must also keep the following records:

(1) Records for all materials used in production including the following:

(i) Name and address of the supplier.

(ii) Date of purchase and receipt.

(iii) Lot number.

(iv) Certification meeting § 160.077-11(a)(4).

(2) A copy of this subpart.

(3) Each document incorporated by reference in § 160.077-9.

(4) A copy of the approved plans and specifications.

(5) The approval certificate.

(6) Calibration of test equipment, including the identity of the agency performing the calibration, date of calibration, and results.

(e) The records required by paragraph (d)(1) of this section must be kept for at least 120 months after preparation. All other records required by paragraph (d) of this section must be kept for at least 60 months.

EFFECTIVE DATE NOTE: At 50 FR 33935, Aug. 22, 1985, § 160.077-25 (a) and (e) were added. This amendment contains information collection requirements which will not be effective until approval has been obtained from the Office of Management and Budget.

§ 160.077-27 Pamphlet.

(a) Each recreational hybrid PFD sold or offered for sale must be provided with a pamphlet that a prospective purchaser can read prior to purchase. The required pamphlet text must be printed verbatim and in the sequence set out in paragraph (e) of this section. Additional information, instructions, or illustrations must not be included within the required text. The type size shall be no smaller than 8-point.

(b) Each pamphlet must be prominently marked "Seller, do not remove pamphlet."

(c) No person may sell or offer for sale any recreational hybrid PFD unless the pamphlet required by this section is provided with it.

(d) The text specified in paragraphs (e)(2) of this section must be accompanied by illustrations of the types of devices being described. The illustrations provided must be either photographs or drawings of the manufacturer's own products or illustrations of other Coast Guard-approved PFDs.

(e) For a Type I hybrid PFD intended for recreational use or a Type II, III, or V recreational hybrid PFD, the pamphlet contents must be as follows:

(1) The text in UL 1517, Section 39, item A;

(2) The following text and illustrations:

THERE ARE FIVE TYPES OF PERSONAL
FLOTATION DEVICES

This is a Type [insert approved Type] Hybrid Inflatable PFD.

NOTE: The following types of PFDs are designed to perform as described in calm water and when the wearer is not wearing any other flotation material (such as a wetsuit).

Type I—A Type I PFD has the greatest required inherent buoyancy and turns most unconscious persons in the water from a face down position to a vertical and slightly backward position, therefore greatly increasing one's chances of survival. The Type I PFD is suitable for all waters, especially for cruising on waters where rescue may be slow coming, such as large bodies of water where it is not likely that boats will be nearby. This type PFD is the most effective of all types in rough water. It is reversible and available in only two sizes—Adult (over 40 kg (90 lb)) and child (less than 40 kg (90 lb)) which are universal sizes (designed for all persons in the appropriate category).

[Insert illustration of Type I PFD]

Type II—A Type II PFD turns most wearers to a vertical and slightly backward position in the water. The turning action of a Type II PFD is less noticeable than the turning action of a Type I PFD and the Type II PFD will not turn as many persons under the same conditions as the Type I. The Type II PFD is usually more comfortable to wear than the Type I. This type of PFD is designed to fit a wide range of people for easy emergency use, and is available in the following sizes: Adult (over 40 kg (90 lb)), Medium Child (23-40 kg (50-90 lb)), and two categories of Small Child (less than 23 kg (50 lb) or less than 14 kg (30 lb)). Additionally, some models are sized by chest sizes. You may prefer to use the Type II where there is a good chance of fast rescue, such as areas where it is common for other persons to be engaged in boating, fishing and other water activities.

[Insert illustration of Type II PFD]

Type III—The Type III PFD allows the wearer to tilt backwards in the water, and the device will maintain the wearer in that position and will not turn the wearer face down. It is not designed to turn the wearer face up. A Type III is generally more comfortable than a Type II, comes in a variety of styles which should be matched to the individual use, and is often the best choice for water sports, such as skiing, hunting, fishing, canoeing, and kayaking. This type PFD normally comes in many chest sizes and weight ranges; however, some universal sizes are available. You may also prefer to use the Type III where there is a probability of quick rescue such as areas where it is common for other persons to be engaged in boating, fishing, and other water activities.

[Insert illustration of Type III PFD]

Hybrid Inflatable Type I, II, or III—A Type I, II, or III Hybrid PFD is an inflatable device which is the most comfortable PFD to

wear and has a minimal amount of buoyancy when deflated and significantly increased buoyancy when inflated (See accompanying table for actual buoyancy for your Type of hybrid). When inflated it turns the wearer with the action of a Type I, II, or III PFD as indicated on its label. Boaters taking advantage of the extra comfort of hybrid inflatable PFDs must take additional care in the use of these devices. Boaters should test their hybrid PFDs in the water, under safe, controlled conditions to know how well the devices float them with limited buoyancy. Approximately 90 percent of boaters will float while wearing a Type II or III hybrid inflatable PFD when it is not inflated. However, hybrid inflatable PFDs are not recommended for non-swimmers unless worn with enough additional inflation to float the wearer. Almost all boaters will float while wearing a Type I hybrid inflatable PFD that is not inflated. The PFD's 'performance type' indicates whether it should be used only where help is nearby, or if it also may be used where help may be slow coming. Type I hybrids are suitable where rescue may be slow coming, while Types II and III are good only when there is a chance of fast rescue. Type I hybrids are approved in three weight ranges, adult, for persons weighing over 40 kg (90 lb); youth, for persons weighing 23-40 kg (50-90 lb); and small child, for persons weighing 14-23 kg (30-50 lb). Type II hybrid PFDs are approved in the same size ranges as Type I hybrids but may be available in a number of chest sizes and in universal adult sizes. Type III hybrids are only approved in adult and youth sizes but may also be available in a number of chest sizes and in universal adult sizes.

[For a pamphlet provided with a Type I, II or III hybrid PFD, insert illustration of the Type Hybrid PFD being sold]

Type IV—A Type IV PFD is normally thrown or tossed to a person who has fallen overboard so that the person can grasp and hold the device until rescued. Until May 15, 1995 (or May 1, 1996 at commercial liveries), the Type IV is acceptable in place of a wearable device in certain instances. However, this type is suitable only where there is a good chance of quick rescue, such as areas where it is common for other persons to be nearby engaged in boating, fishing, and other water activities. It is not recommended for use by non-swimmers and children.

[Insert illustration of Type IV PFD]

Type V (General)—A Type V PFD is a PFD approved for restricted uses or activities such as boardsailing, or commercial white water rafting. These PFDs are not suitable for other boating activities. The label on the PFD indicates the kinds of activities for which the PFD may be used and whether there are limitations on how it may be used.

Type V Hybrid—A Type V Hybrid PFD is an inflatable device which can be the most comfortable and has very little buoyancy when it is not inflated, and considerably more buoyancy when it is inflated. In order for the device to count toward carriage requirements on recreational boats, it must be worn except when the boat is not underway or when the user is below deck. When inflated it turns the wearer similar to the action provided by a Type I, II, or III PFD (the type of performance is indicated on the label). This type of PFD is more comfortable because it is less bulky when it is not inflated. Boaters taking advantage of the extra comfort of hybrid inflatable PFDs must take additional care in the use of these devices. Boaters should test their hybrid PFDs in the water, under safe, controlled conditions to know how well the devices float them with limited buoyancy. Approximately 70 percent of boaters will float while wearing a Type V hybrid PFD when the device is not inflated. Therefore, it is not recommended for non-swimmers unless worn with enough additional inflation to float the wearer. The PFD's "performance type" indicates whether it should be used only where help is nearby, or if it may also be used where help may be slow coming. This type of PFD is approved in two sizes, adult, for persons weighing over 40 kg (90 lb); and youth, for persons weighing 23-40 kg (50-90 lb), and may be available in a number of chest sizes and in universal adult sizes.

[For a pamphlet provided with a Type V hybrid PFD, insert illustration of TYPE V Hybrid PFD]

(3) A table with the applicable PFD Type, size, and buoyancy values from Table 160.077-15(b)(13) or 160.077-17(b)(11), as applicable; and

(4) The text in UL 1517, Section 39, items D, E, and F.

[CGD 78-174, 50 FR 33928, Aug. 22, 1985, as amended by CGD 78-174, 60 FR 2489, Jan. 9, 1995]

§ 160.077-29 PFD Manuals.

(a) *Approval*. The text of each manual required by this section is reviewed with the application for approval. Changes may be required if needed to comply with this section.

(b) *Required Manuals*. An owner's manual must be provided with each recreational and commercial hybrid PFD sold or offered for sale as follows:

(1) The manual text for a recreational hybrid PFD must be printed verbatim and in the sequence set out in

paragraph (c) or (d) of this section, as applicable.

(2) The manual for a commercial hybrid PFD must meet the requirements of paragraph (f) of this section except that the manual for a commercial Type I PFD which is also labeled for recreational use must meet the requirements of paragraph (c) of this section.

(3) Additional information, instructions, or illustrations may be included within the specified text of the manuals required by this section if there is no contradiction to the required information.

(c) *Type I, II or III Hybrid PFD*. For a Type I, II and III hybrid PFD the manual contents must be as follows:

(1) The following text:

HYBRID LIMITATIONS

This PFD has limited inherent buoyancy which means YOU MAY HAVE TO INFLATE THIS PFD TO FLOAT, and its inflatable portion requires maintenance. While these PFDs are not required to be worn, if you have an accident or fall overboard, you are much more likely to survive if you are already wearing a PFD.

There is only one way to find out if you will float while wearing the PFD when it is not inflated. That is to try this PFD in the water as explained in [insert reference to the section of the manual that discusses how to test the PFD]. If you have not tested this device in accordance with these guidelines, the Coast Guard does not recommend its use.

(2) Instructions on use including instructions on donning, inflation, replenishing inflation mechanisms, and recommended practice operation;

(3) Instructions on how to properly inspect and maintain the PFD, and recommendations concerning frequency of inspection;

(4) Instructions on how to get the PFD repaired;

(5) The text in UL 1517, Section 40, items B and D;

(6) The following text:

WHY DO YOU NEED A PFD?

A PFD provides buoyancy to help keep your head above water and to help you stay face up. The average in-water-weight of an adult is only about 5 to 10 pounds. The buoyancy provided by most PFDs will support that weight in water. However, the hybrid Type I, II, or III PFD may be an exception. The uninflated buoyancy provided by this PFD may only float 90 percent of the boating