

## § 181.4

(1) Manufactured or used primarily for noncommercial use;

(2) Leased, rented, or chartered to another for the latter's noncommercial use; or

(3) Operated as an uninspected passenger vessel subject to the requirements of 46 CFR chapter I, subchapter C.

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

*Date of manufacture* means the month and year during which construction or assembly of a boat or item of associated equipment begins.

*Manufacturer* means any person engaged in:

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

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

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

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

[CGD 96-026, 61 FR 33669, June 28, 1996; 61 FR 36786, July 12, 1996, as amended by USCG-1999-5040, May 15, 2002]

### § 181.4 Incorporation by reference.

(a) Certain materials are incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than the one listed in paragraph (b) of this section, notice of change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material is available for inspection at the Life-saving and Fire Safety Standards Division (G-MSE-4), 2100 Second Street, SW., Washington, DC 20593-0001, and at the National Archives and Records Administration (NARA). For information on the availability of this material at

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NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). All approved material is available from the sources listed in paragraph (b) of this section.

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

*Underwriters Laboratories, Inc. (UL)*

12 Laboratory Drive, Research Triangle Park, NC 27709-3995  
UL 1123, Marine Buoyant Devices, 181.703.  
February 17, 1995.

[CGD 81-023, 55 FR 32034, Aug. 6, 1990, as amended by CGD 93-055, 61 FR 13927, Mar. 28, 1996; CGD 96-026, 61 FR 33669, June 28, 1996; USCG-2000-7223, 65 FR 40059, June 29, 2000; 69 FR 18803, Apr. 9, 2004; USCG-2004-18057, 69 FR 34926, June 23, 2004]

## Subpart B—Manufacturer Certification of Compliance

### § 181.5 Purpose and applicability.

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

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

### § 181.7 Compliance certification label required.

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

(a) No person who manufactures, constructs, or assembles a boat or associated equipment may deliver that boat or equipment for the purpose of sale;

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

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

### § 181.9 Affixing labels.

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

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

(2) Is imported.

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

### § 181.11 Exceptions to labeling requirement.

(a) This part does not apply to boats or associated equipment intended solely for export, and so labeled, tagged, or marked on the boat or equipment and on the outside of the container, if any, which is exported.

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

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

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

### § 181.13 Removal of labels.

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

### § 181.15 Contents of labels.

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

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

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

(i) “This (insert ‘Boat’ or ‘Equipment’) Complies With U.S. Coast Guard Safety Standards In Effect On (insert

date of certification as prescribed in paragraph (b) of this section)”; or

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

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

(c) [Reserved]

(d) Except as provided in paragraph (e) of this section, the manufacturer may, in addition to the information required by paragraphs (a) and (b) of this section, display on the certification label any or all of the following information:

(1) Model name or designation.

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

(3) Model year.

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

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

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

[CGD 72-60, 37 FR 15779, Aug. 4, 1972, as amended by CGD 83-012, 49 FR 39327, Oct. 5, 1984; CGD 85-002, 51 FR 37573, Oct. 23, 1986; USCG-1999-5832, 64 FR 34716, June 29, 1999]

### § 181.17 Label numbers and letters.

Letters and numbers on each label must:

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

(b) Contrast with the basic color of the label, except that the date of certification may be permanently