

Recreational craft and personal watercraft

2011/0197(COD) - 09/10/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 626 votes to 17, with 11 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on recreational craft and personal watercraft.

Parliament adopted its position at first reading, following the ordinary legislative procedure. The amendments adopted in plenary were the result of a compromise reached between the European Parliament and the Council. They amend the Commission proposal as follows:

Scope: this Directive should apply to personal watercraft and partly completed personal watercraft.

It should not apply to canoes and kayaks designed to be propelled solely by human power, gondolas and pedalos; surfboards designed solely to be propelled by wind and to be operated by a person or persons standing; watercraft built for own use; amphibious vehicles.

Products subject to CE marking: the following products should be subject to CE marking when they are made available on the market or put into service: (a) watercraft; (b) components; (c) propulsion engines.

In the case of watercraft, the CE marking shall be affixed on the watercraft builder's plate mounted separately from the watercraft identification number. In the case of a propulsion engine, the CE marking shall be affixed on the engine.

Watercraft design categories: the titles of the watercraft design categories should only be based on the essential environmental conditions for navigation, namely **wind force and significant wave height**.

Four design categories, A, B, C and D, specify ranges of wind force and of significant wave height for the purpose of design with explanatory notes

Market surveillance: where the market surveillance authorities of one Member State have sufficient reason to believe that a product covered by this Directive presents a risk to the health or safety of persons, to property or to the environment, they should carry out an evaluation in relation to the product concerned covering the relevant requirements laid down in this Directive.

In the case of a **private importer**, where, in the course of that evaluation, the market surveillance authorities find that the product does not comply with the requirements laid down in this Directive, the private importer shall be informed without delay of the appropriate corrective action to be taken to bring the product into compliance with those requirements, to suspend the putting into service of the product or to suspend the use of the product, commensurate with the nature of the risk.

General requirements: the amended text stipulates that watercraft should be designed to **minimise the risks of falling overboard and to facilitate reboarding**. Means of reboarding shall be accessible to or deployable by a person in the water unaided. For recreational craft, the main steering position shall give the operator, under normal conditions of use (speed and load), good all-round visibility.

Each product shall be provided with an **owner's manual** providing all the information necessary for safe use of the product drawing particular attention to set up, maintenance, regular operation, prevention of risks and risk management.

Integrity and structural requirements: all habitable multihull recreational craft susceptible of inversion shall have **sufficient buoyancy** to remain afloat in the inverted position.

Every sailing recreational craft and single-propulsion engine non-sailing recreational craft with remote-controlled rudder steering systems shall be provided with **emergency means of steering** the recreational craft at reduced speed.

Reporting: the Commission shall submit a report to the European Parliament and to the Council on the following:

- the technical feasibility for further reducing the emissions of marine propulsion engines and introducing requirements for evaporative emissions and fuel systems that apply to propulsion engines;
- the impact on consumer information and on manufacturers, in particular small and medium-sized enterprises, of the watercraft design categories listed in Annex I.

These reports shall, where appropriate, be accompanied by legislative proposals.

Transitional period: the new rules allow 3 years to industry from the date of entry into force to comply with the limits set by the Directive. Small and medium-sized enterprises which have manufactured engines with power equal to or less than 15 kW should be allowed a transition period of six years after the entry into force of this Directive.