

Recreational craft and personal watercraft

2011/0197(COD) - 20/11/2013 - Final act

PURPOSE: to ensure up-to-date requirements for the design and manufacture of recreational craft.

LEGISLATIVE ACT: Directive 2013/53/EU of the European Parliament and of the Council on recreational craft and personal watercraft and repealing Directive 94/25/EC.

CONTENT: this Directive **updates the requirements for the design and manufacture of pleasure boats** and personal watercraft such as sailing boats, motorboats and sea scooters, as well as provisions on their free movement in the Union.

It also clarifies the conditions for economic operators (manufacturers, representatives, importers, distributors) to place recreational craft on the internal market, including those imported from third countries. The aim is to **increase the safety of users and environmental protection**.

A first Directive (Directive 94/25/EC) was adopted to harmonise safety characteristics and to remove obstacles to trade in recreational crafts between EU countries. That Directive covered only recreational craft of a minimum hull length of 2.5 m and a maximum length of 24 m.

Directive 2003/44/EC of the Council and the European Parliament extended the scope of that Directive to include personal watercraft, and integrated environmental protection requirements into the amended Directive by adopting exhaust emission limits (CO, HC, NOx and particulates) and noise limits levels for propulsion engines.

The new directive further adapts the emission rules to reflect the technological developments that make it possible to improve the environmental performance of nautical engines. It also introduces the following new elements:

Design categories for boats: four design categories, A, B, C and D, of leisure boats are based on environmental conditions for navigation, and specify **ranges of wind force and of significant wave height**. For example, a recreational craft given design category A is considered to be designed for winds that may exceed wind force 8 (Beaufort scale) and significant wave height of 4 m and above.

CE marking: this is affixed to these boats is the marking of conformity indicating that the product complies with EU legislation. The following products are subject to CE marking: (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 will be on the engine.

Essential requirements: the Directive also provides, *inter alia*:

- each watercraft shall be marked with an **identification number** and carry the watercraft builder's plate;
- watercraft shall be designed to **minimise the risks of falling overboard** and to facilitate reboarding;
- 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;
- all habitable multihull recreational craft susceptible of inversion shall have **sufficient buoyancy** to remain afloat in the inverted position;
- tiller-controlled outboard propulsion engines shall be equipped with an **emergency stopping device** which can be linked to the helmsman.

Transition period: the new rules **give industry three years** from the date of their entry into force (until 18 January 2017) to conform to the Directive's requirements. Small and medium-sized manufacturers of outboard spark-ignition propulsion engines with power equal to or less than 15 kW will have a transition period of **six years** (until 18 January 2020) to conform to the new rules.

ENTRY INTO FORCE: 17.01.2014.

TRANSPOSITION: 18.01.2016.

DELEGATED ACTS: the Commission may adopt delegated acts in order to take into account the progress of technical knowledge and new scientific evidence.

The power to adopt such acts is conferred on the Commission for a period of **five years** from 17 January 2014. The European Parliament or the Council may raise objections with regard to a delegated act within two months of the date of notification (which may be extended by two months). If Parliament or Council raise objections, the delegated act will not enter into force.