

## NONMETALLIC HOSE CLAMPS

*What are the restrictions on the use of a hose clamp made of plastic on a boat?*

In the absence of a picture or sample of the clamp about which you are inquiring, I can only explain the requirements and let you draw your own conclusions. First of all, as far as recreational boats are concerned, the Coast Guard would not "review" a product such as a hose clamp. However, clamps used in the fuel systems of boats with permanently installed gasoline inboards, stemdrives and auxiliary generators, must meet certain requirements.

Under Section 183.532 of the Fuel System Standard, hose clamps must be made of a corrosion resistant material; must not cut or abrade the fuel line; and if installed on a system requiring testing under the fire test, must not separate under a one-pound tensile force. Each hose clamp on a hose from the fuel tank to the fuel inlet connection on the engine; on a hose between the fuel pump and the carburetor; or on a hose used as a vent line must not depend solely on the spring tension of the clamp for compressive force (33 CFR 183.560(d)). The regulations prohibit the use of nonmetallic clamps on the fuel fill (33 CFR 183.564(b)(3)).

Plastic clamps would be permitted on any fuel or vent hose which is not required to be "USCG Type A1 or A2" (fire resistant).

## REMOTE START AND NO BLOWER

*What are the circumstances under which a boat with remote starting would not require a powered ventilation system?*

The requirements for powered ventilation (an electric blower) apply only to boats with permanently installed gasoline engines equipped with remote starting. If such an engine is installed in a compartment which is "open to the atmosphere," i.e. at least 15 square inches of openings are directly exposed to the atmosphere for each cubic foot of net compartment volume, powered ventilation is not required. If the boat operator has to open the engine cover to operate the remote starter, the requirements for powered ventilation would not apply, because the operator's action would create a compartment "open to the atmosphere."

## STAINLESS FUEL SYSTEM

*Can stainless steel be used in fuel systems on gasoline powered pleasure vessels?*

Stainless steel fittings are acceptable, but stainless steel fuel lines are prohibited. Each metallic fuel line connecting the fuel tank with the fuel inlet connection on the engine must be made of seamless annealed copper, nickel-copper or copper-nickel.

## COMMERCIAL VS. RECREATIONAL

*What is the Coast Guard's policy on sales of commercial boats for recreational purposes?*

Sales of "commercial boats" to members of the public who will use them for recreational purposes are prohibited by law. Title 46 U.S.C. 4307 — Prohibited acts — states, in part, that a person may not manufacture, construct, assemble, sell or offer for sale, introduce or deliver for introduction into interstate commerce, or import into the United States, a recreational vessel, associated equipment, or component of the vessel or equipment unless it conforms with applicable regulations.

A significant number of small boat manufacturers are designating their boats "For Commercial Use," and several State boating officials have observed these craft being used for general recreational purposes. These boats usually are not equipped or built to meet Federal regulations, even though their manufacturers have produced recreational boats from the same molds. They may cost less than the same hull certified to meet Federal standards. Therefore, there is an incentive to sell the less expensive hull, the "For Commercial Use" hull, for recreational purposes. While the Coast Guard is concerned about the commercial fisherman who may occasionally use the boat for a family outing, of equal concern is the individual who buys a commercial boat for recreational purposes.

The Coast Guard distinguishes between commercial boats and recreational boats by the manner in which they are advertised. If they are not equipped with the proper certification labels and there is further evidence, such as the absence of labels saying "For Commercial Use," indicating that the manufacturer did not intend to build them to meet the standards, we

have the authority to initiate Civil Administrative Penalty procedures against the seller and the builder of the boat. The basis is a violation of Title 46 U.S.C. 4311 in conjunction with Title 46 U.S.C. 2101.25.

Finally, a manufacturer or dealer who knowingly sells a boat that does not comply with applicable standards for use as a recreational boat may suffer serious financial penalties if the purchaser has an accident. Both the courts and juries are showing an increasing inclination to assess substantial penalties in product liability suits.

While the Coast Guard recognizes that operators such as commercial fishermen may legally use "commercial boats," the Coast Guard recommends that as a minimum they use boats that meet the Federal safety standards applicable to recreational boats under 33 CFR Subchapter S.

## CHARITABLE DONATIONS

*Will the Coast Guard donate boats from the Coast Guard compliance testing program to qualified non-profit organizations?*

Unfortunately, the Coast Guard does not donate boats to organizations outside of the Coast Guard. However, all boats purchased for compliance testing are eventually sold at public auctions held by the General Services Administration (GSA). Generally, a boat sells for approximately 45 percent of its list price.

*Can I donate my boat to the Coast Guard?*

No. The Coast Guard does not accept donations of boats beyond an occasional donation to the Coast Guard Academy sailing program.

## COAST GUARD ENDORSEMENTS

*Can I display the Coast Guard name and insignia on certain life preservers manufactured by my company?*

First of all, U.S. laws, under Title 14, United States Code, Chapter 639, are very specific about prohibitions against the use of any combination of letters by way of advertisement to induce the effect of leading the public to believe that any product has in any way been endorsed, authorized, or approved by the Coast Guard without the authority of the Commandant.

This is because Federal law requires the car-

riage of certain safety equipment aboard recreational boats and merchant vessels operating in U.S. waters. In most cases such equipment must be Coast Guard approved. That is, the equipment must meet stringent design, construction and performance standards. Such equipment must bear a statement indicating that it is Coast Guard approved and must bear a Coast Guard issued approval number. Such items of equipment include life preservers, fire extinguishers, distress signals, etc.

On the basis of our review of your letter and the brochures which accompanied it, none of the products manufactured by your company would meet the Federal standards for life preservers. Since the appearance of the Coast Guard name or insignia on any of your company's products could mislead the public into believing that your "swim aids" were Coast Guard approved life preservers, we cannot grant your company permission for such a display.

For your information, Part 159 of Title 46 of the Code of Federal Regulations prescribes the procedures for obtaining Coast Guard approval of equipment and materials.

*How do I obtain "Coast Guard approval" for my marine navigation school?*

There are no USCG approved schools or courses specifically relating to recreational boats; however, the Coast Guard does approve courses designed to assist individuals in meeting the various licensing requirements of commercial operators. The revised course approval regulation, 46 CFR 10, was published in the Federal Register on January 14, 1989, and lists the specifics that must be followed in order to have the course work of a navigation school approved.

Section 10.302 of Title 46, "Course Approval," reads, in part, that:

"(a) The Coast Guard only approves courses satisfying regulatory requirements. The owner or operator of a training school desiring to have a course approved by the Coast Guard shall submit a written request through the appropriate Officer in Charge, Marine Inspection Office to the Commandant (G-MVP), U.S. Coast Guard, Washington, D.C. 20593-0001, that contains:

- (1) A list of the curriculum including a description of and the number of classroom hours required in each subject;
- (2) A description of the facility and equipment;
- (3) A list of instructors including the experi-

## SHUTOFF VALVE ACCESSIBILITY

What is the Coast Guard's interpretation of 33 CFR 183.568(c)(1), and does it allow an installation in which the operator must reach through an access port into the fuel tank compartment in order to turn the valve handle?



READILY ACCESSIBLE

NOT READILY ACCESSIBLE

### MANUAL SHUTOFF VALVE BENEATH ACCESS PORT

Section 183.568 of the Fuel System Standard contains the regulations covering anti-siphon protection. Anti-siphon protection is intended to prevent a fuel tank from draining into the boat if there is a leak in the fuel distribution line or when the system is disconnected for maintenance.

Four methods of providing anti-siphon protection are permitted:

- (1) The fuel line may slope down to the fuel tank from the engine; or
- (2) An electrically operated stop valve may be installed at the tank; or
- (3) A check valve (anti-siphon valve) may be installed at the tank; or
- (4) A manual valve may be installed at the tank in conjunction with other restrictions.

Your question concerns the restriction on the accessibility of the manual valve, method (4) which is illustrated above.

To paraphrase Section 183.568(c)(1):

Provided that the fuel tank top is below the level of the carburetor inlet, [each fuel line from the fuel tank to the fuel inlet connection on the carburetor] must be metallic fuel lines meeting the construction requirements of §183.538 or "USCG Type A1" hose, with one or two manual shutoff valves installed directly at the fuel tank connection arranged to be readily accessible for operation from outside of the compartment.

The phrase, "readily accessible from outside the compartment," would include a shutoff valve installed on the top of the tank close under the cockpit sole or deck, if that valve is directly below an access port in the sole or deck which is easily opened, and through which the valve can be operated. A shutoff valve would *not* be considered "readily accessible from outside the compartment" if the boat operator needs special tools to open the access port, or has to grope around beneath the cockpit sole or deck to find the valve and close it.

ence, background and the qualifications of each; and

(4) Specify the Coast Guard training requirements the course is intended to satisfy.

For further information, or a copy of the applicable Federal Register, contact your nearest Officer in Charge, Marine Inspection Office."

## NAVIGATION RULES

Can I carry a privately printed version of COMDTINST M16672.2A in lieu of an actual copy of the Rules of the Road?

Yes.

## SMALL SOUNDS

What type of sound signaling device is required for a recreational vessel less than 12 feet in length?

Sound signals for vessels less than 12 meters (39.4 feet) are not required to meet the decibel and frequency requirements of COLREGS Annex III. Any reasonable device is permitted.

The only restrictions are that the device must be capable of delivering a short blast of about one second's duration and a prolonged blast of from four to six seconds duration.

## RENDERING ASSISTANCE

*I don't think my boat is presently capable of towing a disabled vessel. Are there Coast Guard standards for the installation of deck hardware used for anchoring, mooring, docking or towing? What are my responsibilities concerning rendering of assistance in casualties?*

There are no Coast Guard standards for the installation of deck hardware used for anchoring, mooring, docking or towing. With regard to voluntary standards, I suggest you contact the American Boat and Yacht Council (ABYC), P.O. Box 747, Millersville, MD 21108 and request a copy of ABYC Standard A-5. There is a \$5.00 charge which includes postage and handling.

Among other things, ABYC Standard A-5, "Anchoring, Mooring, Docking, Towing and Lifting," contains standards and practices recommended for the design, construction and installation of cleats.

With regard to the subject of rendering assistance in marine casualties, let me quote the applicable statute. Under 46 U.S.C. 2304 - Duty to provide assistance at sea:

"(a) A master or individual in charge of a vessel shall render assistance to any individual found at sea in danger of being lost, so far as the master or individual in charge can do so without serious danger to the master's or individual's vessel or individuals on board."

Obviously, the circumstances and therefore, the nature of assistance that may be required will vary with each incident; however, I would agree that there is no direct requirement for "a master or individual in charge of a vessel" to provide a tow. The major point of the statute is to render reasonable assistance.

The person in charge of a vessel, who does not believe that deck hardware on either boat is capable of resisting the stresses of towing, would be relieved from any towing requirement. Therefore, I would agree that offering to radio for help, transferring passengers from one vessel to another or simply standing by until vessels or personnel who can provide the necessary assistance are "on the scene" would be sufficient in so far as the statutes are concerned.

## PERMANENCY

*Does a stamped MYLAR® label meet the permanency requirements for the second unexposed hull identification number (HIN)?*

According to §181.29(c), each hull identification number must be carved, burned, stamped, embossed, molded, bonded, or otherwise permanently affixed to the boat so that alteration, removal, or replacement would be obvious. If the number is on a separate plate, the plate must be fastened in such a manner that its removal would normally cause some scarring of or damage to the surrounding hull area. Also, a hull identification number must not be attached to parts of the boat that are removable.

In your letter you state that you wish to use a stamped MYLAR® tag for the unexposed HIN and that its location would be such that it would not be painted over should an owner decide to paint one of your company's boats. The Coast Guard would consider the use of a MYLAR® label in such a location as meeting the requirement for the second HIN and §181.29(c).

On the subject of the use of MYLAR® labels in general, the Coast Guard has no prohibition concerning their use. A label that is carefully applied with a quality adhesive will meet the permanency requirements of the regulations, while others that are carelessly applied using an inferior adhesive have been known to fall off after contact with water.

## A LICENSE TO CHARTER

*Do I need a license to charter a boat and what type of insurance would be required?*

Your letter did not make it clear as to whether you planned to charter a vessel for your own use or charter your boat to someone else for their use.

The only circumstances under which you would need a license would be if you were the captain of a boat carrying passengers for hire. That is, the passengers paid you to operate the boat. If you leased your boat to someone else for their use in what is referred to as a "bareboat" charter, you would not need a Coast Guard license. For information on insurance, I suggest you talk to a marine underwriter.

If you are planning to charter a boat for your own use, you do not need a license; whomever you charter the boat from would be responsible for insuring the boat; and whomever you charter the boat from usually supplies the equipment.

For other information on optional items, first aid, anchoring, electronics, etc., I suggest you read "Piloting, Seamanship and Small Boat Handling" by William F. Chapman.

(See related article on next page)

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