



European Commission

Enterprise and Industry Directorate-General

Directive 94/25/EC relating to Recreational Craft as amended by Directive 2003/44/EC

Johan Renders

Unit “Aerospace, defence and maritime industries”
Maritime Industries - Regulatory Aspects

“production” directive 94/25/EC

Scope (article 1)


– Recreational Craft

- **any boat** of any type, regardless of the it means of propulsion
- defined by **size** (hull length from 2,5 to 24 m), and
- defined by its **intended use** (sports and leisure)

– Partly completed boats

(a hull or a hull and one or more components, kit boats)

– Components referred to in Annex II

- ignition-protected equipment for inboard and stern drive engines
- start-in-gear protection devices for outboard engines
- steering wheels, steering mechanisms and cable assemblies
- fuel tanks and fuel hoses 
- prefabricated hatches and portlights

Scope extended to **personal watercraft** and **propulsion engines** through Directive 2003/44/EC

Amended by Directive 2003/44/EC: fuel tanks **intended for fixed installations** and fuel hoses

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Exclusions

- Craft intended solely for racing
- Canoes and kayaks, gondolas and pedalos
- Sailing surfboards
- Powered surfboards, personal watercraft (jet skis)
- Original, and replicas of, historical boats designed before 1950 and built predominantly with original materials
- Experimental craft (if not subsequently placed on the market)
- Craft built for own use (if not placed on the market within 5 years)
- Commercial passenger craft
- Submersibles, air cushion vehicles, hydrofoils



Personal watercraft removed from and **external combustion steam powered craft** added to the list of exclusions through Directive 2003/44/EC

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Placing on the market and putting into service (article 2)

1. Products may be placed on the market and put into service for use in accordance with their intended purpose only if they do not endanger the safety and health of persons, property or the environment when correctly constructed and maintained.
2. Member States may adopt, in compliance with the Treaty, provisions concerning navigation on certain waters for the purpose of protecting the environment, fabric of waterways and ensuring safety of waterways, only if this does not require modification to craft in conformity with the Directive

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Essential requirements (article 3)

Products shall meet the essential safety, health, environmental protection and consumer protection requirements set out in Annex I 

Boat design categories: 

| Design category | Wind force (Beaufort scale) | Significant wave height ($H_{1/3}$ m) |
|------------------------|--------------------------------|---|
| A - ‘Ocean’ | exceeding 8 | exceeding 4 |
| B - ‘Offshore’ | up to, and including, 8 | up to, and including, 4 |
| C - ‘Inshore’ | up to, and including, 6 | up to, and including, 2 |
| D - ‘Sheltered waters’ | up to, and including, 4 | up to, and including, 0.3 |

 Annex I extended by Directive 2003/44/EC to cover exhaust and noise emissions

 Definitions of design category A and D amended through Directive 2003/44/EC

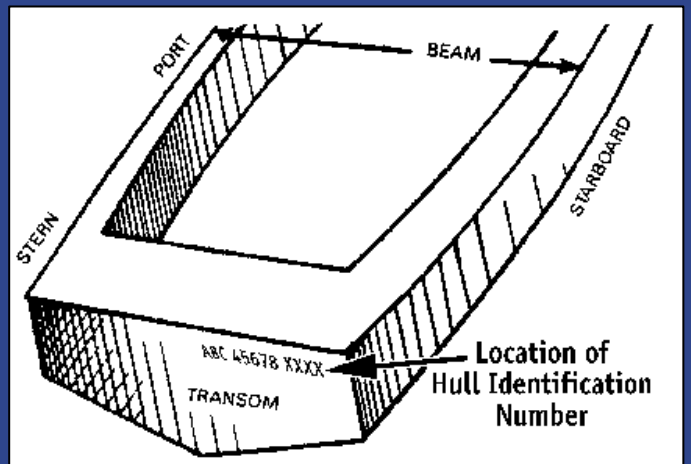
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Essential Requirements (Annex I)

Boat Design Categories

General Requirements:

hull identification, ⚠



○ AU-STA 36119 H899 ○

COUNTRY CODE _____
HYPHEN _____
MANUFACTURERS IDENTIFICATION _____
SERIAL NUMBER _____
MONTH OF MANUFACTURE _____
YEAR OF MANUFACTURE _____
MODEL YEAR _____

The HIN shall be displayed in alphanumeric characters and upper case letters and shall read from left to right.




⚠ Hull identification changed into **craft identification** through Directive 2003/44/EC

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Essential Requirements (Annex I)

Boat Design Categories

General Requirements:
hull identification, builder's plate

| | |
|---|---|
| ABC Boatyard | Manufacturer's name |
| C | Boat design category |
| Max.  4 | Maximum persons' capacity |
| Max.  +  = 500 kg | Manufacturer's recommended maximum load, excluding the mass of the contents of fixed fuel and water tanks when full |
| CE XXX | CE mark and notified body's identification number (if applicable) |

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Essential Requirements (Annex I)

Boat Design Categories

General Requirements:

hull identification, builder’s plate, owner’s manual, etc

Integrity and Structural Requirements:

structure, stability and freeboard, buoyancy and flotation, flooding, maximum recommended load, liferaft stowage, escape, anchoring, etc.

Handling Characteristics

Installation Requirements:

engines and engine spaces, fuel system, electrical system, steering system
gas system, fire protection, navigation lights & discharge prevention

requirement for **personal watercraft** added (5.1.5) and requirements for **fuel tanks** (5.2.2), **fire-fighting equipment** (5.6.2) and **discharge prevention** (5.6.2) amended by Directive 2003/44/E

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Free movement (article 4)

CE-marked products

partly completed boats (if accompanied by an Annex IIIa declaration that the boat is intended to be completed by others)

components intended for incorporation into recreational craft (if accompanied by an Annex IIIb declaration)

non-compliant products can be showed at trade fairs
(if visible sign indicates they may not be placed on the market or put into service until they have been made to comply)

CE-marking for products subject to other directives



Article 4 has been extended by Directive 2003/44/EC to cover propulsion engines

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Presumption of conformity (article 5)

for products meeting the relevant harmonised standards

Comitology procedures (article 6)

- if harmonised standards are considered not to fully cover the essential requirements (referral to 98/34/EC committee)
- for adoption of measures and examination of questions relating to the application of the Directive (advisory committee 94/25/EC)


Safeguard clause (article 7)

An article 6a has been added through Directive 2003/44/EC, establishing a **regulatory** committee

Article 7 has been amended through Directive 2003/44/EC

“production” directive 94/25/EC

Conformity assessment procedures (article 8)


| Design Category | Available Modular Choice  | | | |
|----------------------|--|---------------------------|---|---------------|
| | 2.5 m ≤ hull length < 12 m | 12 m ≤ hull length ≤ 24 m | | |
| A “Ocean” | B+C or B+D or B+F or G or H B+C or B+D or B+F or G or H or B+E | | | |
| B “Offshore” | | | Aa or B+C or B+D or B+E or B+F or G or H | |
| C “Inshore” | | | are harmonised standards for stability and buoyancy complied with ? | |
| | | | Yes: A or Aa | No: Aa |
| | or B+C or B+D or B+E or B+F or G or H | | | |
| D “Sheltered waters” | A or Aa or B+C or B+D or B+E or B+F or G or H | | | |
| “Components” | B+C or B+D or B+F or G or H | | | |
| “PWC” | A or Aa or B+C or B+D or B+E or B+F or G or H | | | |



Modular choice for design and construction extended through Directive 2003/44/EC

“production” directive 94/25/EC

Notified bodies (article 9)

- notification procedure and publication of list of notified bodies
- minimum criteria to be applied for assessing notified bodies (Annex XIV) 
- withdrawal procedure for notified bodies no longer satisfying the minimum criteria

CE marking (article 10)

- list products to be CE-marked when placed on the market
- how to affix CE-marking (visible, legible, indelible) and identification number of notified body
- prohibition of affixing misleading markings
- remedial measures against wrongly affixed CE markings



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Decisions (article 11)

detailed grounds and means of redress and appeal to be given for decisions on restricting the placing on the market of products

Information (article 12)

Commission to ensure that data affecting pertinent decisions concerning the management of the Directive are made available

Transposition (article 13)

Entry into force (article 14)

“emissions” amendment 2003/44/EC

objectives:

- **introduce environmental protection requirements**
aimed at **reducing exhaust and noise emissions** of petrol and diesel engines intended for recreational craft and personal watercraft.
- **avoid market fragmentation and barriers to trade**
through the introduction of **harmonised Community limits** for exhaust and noise emissions by recreational marine engines.

“emissions” amendment 2003/44/EC

specifies harmonised limits:

for **emissions of CO, HC, NOx and particulate pollutants**

limits depending on rated engine power and type of engine

scope: propulsion engines installed or intended for installation on or in recreational craft and personal watercraft, also when subject to a major engine modification (article 1.1.b)

exemptions: listed in article 1.2.b

for **noise emissions**

limits depending on rated engine power and number of engines

scope: recreational craft with inboard engines or stern drives without integral exhaust, also when subject to major craft conversion and placed on the market within 5 years after conversion, personal watercraft, outboard engines and stern drives with integral exhaust (article 1.1.c)

exemptions: listed in article 1.2.c

“emissions” amendment 2003/44/EC

exhaust emissions levels (new Annex I.B)

| Exhaust → component Engine Type ↓ | Carbon Monoxide $CO = A + B/P_N^n$ g/kWh | | | Hydrocarbons $HC = A + B/P_N^n$ g/kWh | | | Nitrogen oxides NOx g/kWh | Particulates PT g/kWh |
|--|--|-------|-----|---|-------|------|--|---------------------------------|
| | A | B | n | A | B | n | | |
| Two-stroke spark ignition | 150,0 | 600,0 | 1,0 | 30,0 | 100,0 | 0,75 | 10,0 | Not applicable |
| Four-stroke spark ignition | 150,0 | 600,0 | 1,0 | 6,0 | 50,0 | 0,75 | 15,0 | Not applicable |
| Compression ignition | 5,0 | 0 | 0 | 1,5 | 2,0 | 0,5 | 9,8 | 1,0 |

Where P_N is the rated engine power in kW and A, B and n are constants as indicated in the table

“emissions” amendment 2003/44/EC

exhaust emissions (new Annex I.B)

General requirements:

- **Engine identification** (Annex I.B.1),
- **Durability** (Annex I.B.3)
- **Owner’s manual** (Annex I.B.4)

noise emissions (new Annex I.C)

Demonstration of compliance:

- **Full pass-by sound measurement tests**, (Annex I.C.1.1)
- **Power/displacement and Froude Number** (Annex I.C.1.2)
- **Certified reference boat concept** (Annex I.C.1.4)

“emissions” amendment 2003/44/EC

noise emissions levels (Annex I.C.1)

| Engine Power In kW | Maximum Sound Pressure Level = L_{pASmax} * In dB |
|-----------------------|---|
| $P_N \leq 10$ | 67 |
| $10 < P_N \leq 40$ | 72 |
| $P_N > 40$ | 75 |

* 3 dB allowance for twin and multiple engine installations

“emissions” amendment 2003/44/EC

Other amendments to the articles:

- scope extended to **personal watercraft** (art. 1.1.a.ii & 1.3.b) and **propulsion engines** (art. 1.1.b.i & 1.3.c)
- concept of “**major engine modification**” (art. 1.1.b.ii & 1.3.d) and “**major craft conversion**” (art. 1.1.c.ii & 1.3.e) introduced
- definition of “**means of propulsion**”, “**engine family**”, “**manufacturer**” and “**authorised representative**” (art. 1.3.f to art. 1.3.i)
- **free movement for inboard engines and stern drive engines** and for **engines type-approved according to other directives** (art.4.4)
- **Regulatory Committee** (new article 6a)
- procedure for **post-construction conformity assessment** (art. 8.1)
- **extended modular choice** and **new module E** (product quality assurance) (art. 8.2 to 8.4)
- **CE-marking** (art. 10)

“emissions” amendment 2003/44/EC

Amendments to Annex I.A:

- Boat design category A** (excluding abnormal conditions) and **design category D** (significant wave height lowered to 0,3 m) amended
- HIN changed to CIN (**Craft Identification Number**) (§ 2.1)
- Maximum recommended load** on builder’s plate (§ 2.2) and in owner’s manual (§ 3.6) amended
- Essential requirements for **personal watercraft** (§ 5.1.5) introduced
- Essential requirements for **fuel tanks** (§ 5.2.2), **fire-fighting equipment** (§ 5.6.2), and **discharge prevention** (§ 5.8) amended

Amendments to Annex VI:

- New Part B for “module Aa” assessment of conformity with **noise emission**

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Amendments to Annex VIII:

New section 4 concerning “module C” assessment of conformity with **exhaust emissions** if the engine manufacturer is not working under a relevant quality system

Amendments to Annex X:

New subparagraph on statistical verification for assessment of conformity with **exhaust emissions** under “module F”

Amendments to Annex XIII:

Annex XIII on the technical documentation to be supplied by the manufacturer has been completely revised

“emissions” amendment 2003/44/EC

Amendments to Annex XIV:

reinforced **minimum criteria for the independence of notified bodies**
(§.1 and 1.a)

Amendments to Annex XV:

revised requirements on the **written declaration of conformity**

New Annex XVI:

conformity assessment **module E (product quality assurance)** introduced

New Annex XVII:

conformity of production assessment for **exhaust and noise emissions**

“emissions” amendment 2003/44/EC

Provisions on implementation (article 3):

- Directive 2003/44/EC adopted on 19 May 2003
- National implementing measures to be transposed by 30 June 2004 and to be applied as from 1 January 2005
- transitional arrangements:
 - general: until 31.12.2005
 - diesel and 4-stroke spark ignition engines: until 31.12. 2005
 - 2-stroke spark ignition engines: until 31.12.2006
- full application as from 1 January 2007

Penalties (article 4):

- Effective, proportionate and dissuasive penalties to be determined for breaching the national implementing measures

More information

Commission website on EUROPA:

http://europa.eu.int/comm/enterprise/maritime/index_en.htm

Regulatory Aspects

Application guides:

