

**RSG Subgroup meetings
Joure, Netherlands**

10-11 October, 2011

This was a meeting of the Recreational Craft Sectoral Subgroups. The subgroups consist of the Notified Bodies (NB) for the Recreational Craft Directive, and representatives of industry. NMMA is a member of these subgroups. The main objective of the meetings was to deal with issues concerning the applicability of the Amended Recreational Craft Directive.

PFE – Proposal for Inquiry

RFU – Recommendation for Use

ARFU – Approved RFU by the Standing Committee

IDG – Internet Discussion Document

NB – Notified Body

CEN – European Committee for Standardization

WG – ISO Work Group

PCA – Post Construction Assessment

NKIP from the Netherlands is back on board now under the name of DCI and they hosted the meeting.

RSG Conformity Assessment Procedures (CAP) Subgroup meeting

RCD Revision – DG Enterprises (see attached IN CAP#24-11 New RCD COM 2011 456 110907)

- Commission finalized its work on the Directive 26 July and was submitted to the Council and the EU Parliament.
- Proposed changes to the scope are only clarifications. Amphibious craft is excluded, specified what canoes and kayaks are excluded (designed to be propelled by hand paddle power only) and only PWCs intended for sports and leisure are included.
- New definitions specific to the sector (article 3) were “craft built for own use” and “private importer”.
- There is an added General Safety Requirement statement adding procedures for reporting products that create a risk to the consumer.
- Stricter exhaust emission limits for NOx, HC and particulates. The CO limits are slightly relaxed to achieve decrease of other air pollutants and to ensure that the compliance costs remain proportionate.
- Notified bodies may accept engines tested with the US and Japanese test fuels however the RCD requests the use of European test fuels.
- There is an inclusion to have a mandatory installation of holding tanks to craft fitted with toilets.
- The scope of post constructions assessment (PCA) has now been extended to PWCs. There are also other clarifications related to boats with major conversions, change in a craft’s original intended purpose, or craft built for own use before the end of the 5 year period. The use of PCA is restricted to cases of non commercial import. Finally, the obligation to provide documents to the Notified Body has widened.
- There was a clarification that the affixing of the CE mark can be put on packaging for components if fixing to the product is not possible.
- Member states are not asked to report on the application of the Directive every five years.
- The structure and look of the Directive is different aligning with the new legislative framework.
- Category C boats 12 to 24m can use Module Aa (self certification) when they are constructed using the harmonized standards.
- Expect the revised RCD to be issued in 2012 with an 18 month or 24 month transposition period. Even though the Directive may come into force on 2012, it cannot be put on DOCs until at least one country has transposed it into law. RSG will be providing notification of when the first transposition has occurred.

CEN report

- The CEN consultant provided his report dated 5 July 2011. See attached IN CAP #24-4 CEN Report 01-06 2011 110809.

PFE's

- PFE 206/RFU 81 Validity of Certificates – periods of validity cannot be set however there may be special circumstances. The builder should be reminded of their obligation to inform the NB of any substantial changes to the product. The RFU will be amended to reflect those thoughts.
- PFE 239 Declaration of Conformity for Products which require EC Type examination certification – issue was raised concerning some manufacturer's attempts to add new products under existing certificates. It was determined that the product must be clearly stated as being covered by the certificate.
- PFE 244 Post Construction, Outboard Engines – the group agreed that PCA only applies to recreational craft and not engines.
- PFE 247r2 Notified Body, inspection, independence – was put on hold until the next meeting pending further discussion.
- There were 3 PFE's provided by ECB without recommended solutions until late. It was decided to give them numbers and provide them for the group's review and comment. They will be discussed at the next meeting.

Issues of the CAP Subgroup

- It was brought to the group the need to provide a "type accepted" list of CE compliant components. The proposal lacked support to move forward however several notified bodies are going to work with the technical secretary to show how easy it would be to support such an idea.
- The group discussed that in the new Directive, the manufacturer has the obligation to take into account the latest version of the standard and a NB has to reassess the EC type examination certificate against the new version of the standard. There is going to be a real problem as to when the Directive goes into effect and to how new DOCs will be labeled moving forward. ICOMIA is suggesting that old standards are allowed to maintain the presumption of conformity (legal standing for manufacturers) for existing designs and the use of the new versions of the standards apply to new designs only.
- Comments were provided to the Commission asking them to bring in line the disparity of the country code of the CIN between country of manufacture and country of manufacturer.
- ISO TC 188 has accepted RSG's membership. We have a voice but don't have a vote.
- Follow up items from the May 2011 ADCO meeting
 - ADCO accepted the fact that we have a permanent representative for RSG (Christer Bergstrom)
 - Switzerland has asked that the RSG look into creating a separate chapter in the Guidelines for boats that have received an LPG conversion for propulsion systems. The group has decided to take the task on and passed it to the EXH group's meeting agenda.
 - ADCO requests that RSG revise RFU 85 as market surveillance is looking for a minimum scantling structure for boat construction materials as a way to check for conformity. It provided for a large discussion that pointed that 12215-5 was published noting that it was already being revised. The group was to decide to leave ARFU 85 alone or to delete it. RSG decided to leave it alone and answer ADCO in a letter.
- RSG Guidelines 2012 – the impact of the New Directive was discussed. RSG will issue a request to the NBs to check the existing Guidelines against the changes in the upcoming new RCD. Input will be accepted until the end of this year with an eye towards creating review groups in calendar year 2012.
- It was also discussed that the CC Paper could be updated by the Commission.
- There are still many RFUs up for approval at the next Standing Committee meeting on Dec 9.
- The definition of the term "boat" was discussed. We settled on: a boat is a man-made vehicle of any size designed to float or plane to provide passage for persons or freight onboard across water. This will be formalized into a PFE for the next subgroup meeting.
- We discussed the possibility of doing a PFE that outlines language for high speed craft assessment.

- RFU 71 was challenged by France seeking better verbiage for the current answer. After much discussion, it was decided to have the RFU answer that no, autopilot systems cannot be used as an emergency arrangement for steering.
- ICOMIA suggested a system to add new CINs from PCA to better track product in the EU. It was suggested that all NBs participate.

RSG Design and Construction Subgroup meeting

PFEs

- PFE 220/RFU 88r1 Stability, Inflatables – We discussed if we should leave this RFU untouched now that ISO 6185 part 4 is published. Once the standard is harmonized, this RFU would be removed from the Guidelines.
- PFE 237 Bio Fuel Compatibility of Fuel Hoses – the DRFU is on hold and the Information Note on this topic will remain unchanged until we review the DIS version of the standards 7840 and 8469.
- PFE 246 PCA, Used Engines – This IDG should become an DRFU and brought to the RSG horizontal committee for further discussion.

Issues of the DCN Subgroup

- The cancellation of ISO 9094 was discussed within the group. ICOMIA stated that there would be no new updates to the status until next year's plenary. Given that, the group pondered whether or not there should be further clarification regarding the lack of direction about escape routes in boats in part 1 of the standard (under 15m) which was one of the main reasons why the standard was considered for merging in the first place. IDG 197 and IDG 183 will be changed to PFEs for further discussion.
- A discussion ensued over the owner's manual translation requests. It was determined that ADCO is against the Ken Cook version but there is no legal standing on their point. Individual member states may create laws that require information above and beyond the RCD. In those cases, the person who places the product on the market in that member state would be responsible for complying to the law.

RSG Exhaust Subgroup meeting

PFEs

- N/A

Issues of the Exhaust Subgroup

- The Commission discussed the issues associated with the more stringent NOx limits for CI engines above 130Kw set in Marpol Annex VI. Since the RCD applies to diesel marine engines, the Commission was asked to determine which rule should be applied to recreational craft equipped with CI engines. It was decided by the Commission that Member States cannot set rules imposing the MARPOL convention NOx emission limits as long as such limits dictate the technical modification of those recreational craft whose NOx emissions comply with the emission limits set in the Directive.
- NB Quality Security reinforced that they will have for distribution, a new operative procedure for the survey of exhaust gas for marine engines. This will be provided prior to the next meeting in time for everyone to review.

The next meeting of the RSG is tentatively scheduled for April 2012 in Brussels, Belgium. The next meeting of the subgroups was tentatively scheduled for February 2012 in Salerno, Italy.

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