May 2025

Future revision of the EU Recreational Craft Directive

EBI position paper

1. Introduction

European Boating Industry (EBI) represents the recreational boating industry, made up of European manufacturers of boats, engines, components, dealers, and importers. It also represents the entire value chain and ecosystem that includes charter, rental, marinas, notified bodies, and all related services. EBI's membership includes all stakeholders affected by the Recreational Craft Directive (RCD). EBI's mission is to **advance and represent a sustainable boating and nautical tourism industry #MadeInEurope.**

The boating industry in Europe is a **dynamic and globally competitive sector**, as well as a **significant contributor** to the European economy. This is especially felt in peripheral regions, coastal regions and inland waterways. The industry is mainly made up of **small and medium-sized enterprises** (more than 95% of businesses are SMEs and over 50% are micro-SMEs). On its own, the boatbuilding sector consists of 3,600 companies and over 82,000 employees with 280,000 jobs in the wider sector. Within the maritime industry, boat-building is unique in having maintained and increased production in Europe in the past years, building global competitiveness.

This position paper lays out the views of the European boating sector with regards to a review and future revision of the RCD. Besides this paper, EBI is also preparing a list of technical issues identified by experts. This will tackle issues around simplification, clarity, digitalisation and ensuring openness for innovation.

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Square de Meeûs 35 | B-1000 Brussels
www.europeanboatingindustry.eu | office@europeanboatingindustry.eu
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2. Overall position

EBI considers the current RCD **overall fit for purpose** and supports a revision to **adapt to technological developments, always based on technological neutrality, and market innovation**. This should ensure that the RCD remains relevant and world-leading this decade and beyond. Among the key aims should therefore be adaptation to the environmental transition, changing consumer and industry trends, as well as digitalisation to ensure the continued strength and positive impact of the European recreational boating industry.

A key consideration should be the competitiveness of the industry, including with a focus on SMEs in manufacturing and along the supply chain. To support them, simplification of the regulatory requirements in relation to current or new objectives should be the focus. This should follow the approach of the EU Clean Industrial Deal.

3. Horizontal issues

One of the concerns of the sector is that the RCD is transposed into national legislation in different ways, which leads to different interpretations and ambiguities that can harm the EU internal market and lead to administrative burdens and costs for manufactures. We therefore support the RCD to **be moved from a Directive to a Regulation**. This can also solve some of the issues, and differences across Member States.

One of the key achievements from the 2013 revision was the alignment of exhaust emission standards with the US, which should be kept and extended as the guiding line. Given the relatively small size of the global market of which the EU and US together make up around 85%, **EU-US harmonisation**[1] with regards to exhaust emission limits – where in the best interest of the European industry and environmental impact – should be continued.

It should be considered that the EU has a trade surplus as of 2023 of 9:1 for exports of recreational craft with the US (1.8$ bn). In a similar vein, the perspective of the UK as an export market should be considered. (EU exports of 733$ million in 2023) The two legal frameworks are currently aligned with no substantive changes made by the UK Government to the Recreational Craft Regulations after leaving the EU and the UK Government took the decision in 2024 to continue recognition of EU requirements and CE marking indefinitely[2]. A **close regulatory dialogue with key third-country markets, such as the UK and US**, including stakeholders, is highly necessary to avoid regulatory divergence. This would otherwise create administrative burden, costs, potential loss of export markets for the European industry and has the potential for consumer confusion.

Initial EBI recommendations to build on:

- Change of the Recreational Craft Directive to a Regulation (keeping two years for application transition)
- Continued harmonisation of exhaust emission requirements between the EU and US and

[1] For awareness, CARB is considering an updated emission regulation for gasoline outboard engines and PWC. Planned CARB adoption of updated regulation is 2029 with phase-in for 2031-2033.
[2] https://www.gov.uk/guidance/ce-marking

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regulatory dialogue

- Close regulatory dialogue with the UK and the US to avoid regulatory divergence

4. Comprehensively decarbonising & improving environmental performance across lifecycle

4.1. Greenhouse Gas Emissions

EBI calls for an innovative approach to reducing Greenhouse Gas (GHG) emissions and improving environmental performance through the RCD. A **comprehensive approach** to reducing environmental impact and reducing GHG emissions impact can be found through a **Life Cycle Assessment (LCA) approach** that goes beyond tailpipe emissions and covers boat design, material use and end-of-life treatment, as well as other factors.

LCA gives manufacturers the opportunity to follow a **comprehensive approach to evaluating the environmental impact** of their products **at design phase** and improving them over time (e.g. from one model year to the next). The assessment offers a multi-criteria analysis going beyond GHG emissions and including impacts such as energy use, waste, material resources, land uses and water pollution. This is also in line with other key EU legislation and frameworks, such as the Green Claims Directive and PEFCR[3].

Enabling this is the aim of the ground-breaking Blue Boat Horizon project started in 2024 and led by EBI together with 17+ leading European boat manufacturers, 9+ industry associations and all relevant stakeholders[4]. It will create the first-ever standardised methodology for LCA for recreational craft under 24m. The project unfolds in two phases, First, laying the foundation through a science-based, industry-specific LCA methodology that meets the strict EU requirements and rigorous review by an independent board of experts. The next steps will be implementation with a database and calculation tool for widespread industry adoption. The next steps will be embarked on together with the International Council of Marine Industry Associations (ICOMIA) and the North-American National Marine Manufacturers Association (NMMA) with the aim of global harmonisation.

The RCD should include consideration of the **product's full life cycle** through the use of a tool such as LCA. This will help drive design changes and information, including for consumers, around cost-efficient reduction of environmental impacts and GHG emissions. The potential implications and burden for SMEs should be considered and support provided.

The inclusion of GHG emissions should therefore **not be based on tailpipe emissions**, which only makes up a small part of the overall impact, but on lifecycle GHG impact. This was also one of the key conclusions of the ICOMIA report on "Pathways to Carbon Emissions Reductions in Recreational Boating"[5]. Encouraging the use of LCA will ensure the most efficient, pragmatic and ambitious pathway to reducing GHG emissions.

[3] https://green-business.ec.europa.eu/environmental-footprint-methods_en
[4] https://europeanboatingindustry.eu/eu-affairs/lca-blue-boat-horizon

[5] https://propellingourfuture.com/infographic/

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4.2. Circularity of materials

Circularity of materials, encouraging the supply chain to provide such materials and considering end-of-life dismantling and recycling is a key priority for the industry with a lot of innovation underway. A number of materials used in boat building are already suited for circularity, such as wood, steel and aluminium among other products. The key issues are related to composites. In a comprehensive process, stakeholders, industry, national authorities and the European Commission (DG MARE), developed a roadmap to tackle these issues with recommendations for all parties. The "**European Roadmap on the implementation of the circular economy for end-of-life recreational boats"**[6] should therefore be considered in the RCD review process as should the work done across the composite sector[7]. A key element is the development of de-centralised collection systems to ensure that a supply chain is established (e.g. in marinas, boat yards).

The solution to unlock further circularity of materials should likewise rely on Life Cycle Assessment to ensure sustainability considerations are fully taken into account. This will allow designers, manufacturers and the supply chain to focus on all areas of innovation such as use of recyclable, sustainable or recycled materials. In addition, it is crucial to pay attention to new materials. Their properties should be introduced into the respective ISO standards and added to the existing material lists. Another key tool for the industry is to support the highest levels of the EU waste hierarchy by promoting prevention of waste, which is a strength of the industry. Recreational boats have a long lifetime of 40 or 50 years and more with the support of refit and maintenance, sectors in which the EU is strong.

4.3. Opening up for innovation in propulsion and fuels

It is necessary to include **all types of propulsion systems and sustainable fuels** in the scope of the RCD (electric, hybrid, hydrogen, etc.) based on a technology-neutral approach. Increasingly there are sustainable propulsion systems on the market alongside modern and fuel-efficient combustion engines that can use alternative fuels. These technologies are only partially covered by the current RCD, leaving manufacturers, consumers and notified bodies in an uncertain legal space. Such propulsion systems should be included within the scope of the RCD and future legislation should be **open for further innovation** and technological developments. This would very much support the environmental transition of the recreational boating industry where there is no "one-size, fits-all" zero-emission solution given the different boat types, their uses, and requirements. In addition, the RCD should encourage the use of advanced biofuels (e.g. HVO) and synthetic e-fuels that can make a huge impact on emissions from new boats placed on the market.

In order to further reduce fuel consumption, a **fuel efficient design approach** should also be encouraged through the RCD as well as energy consumption standards under development by ISO considered.

In addition, it is crucial to harmonise the technical requirements for shore power charging infrastructure for electric and hybrid engines where focus should be on those elements that can be regulated through

[6] https://europeanboatingindustry.eu/images/Reports/EBI%20roadmap_03_24.pdf?_t=1711641194
[7] https://europeanboatingindustry.eu/eu-affairs/ebi-s-positions

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the RCD. This should focus on the vessel-side elements, for which an ISO standard is under development (ISO/AWI TS 13297).d

4.4. Engaging users in reducing fuel consumption

An additional approach that the RCD can encourage is **building awareness and skills of consumers** in the fuel-efficient operation of engines and environmentally-aware boating through addition of relevant information to the **owners' manual**. This can very practically and substantially reduce fuel consumption and emissions. Digital solutions and apps can also be used to advise the user on the most fuel-efficient approach.

4.5. Flanking measures to support the RCD

Other **measures outside the RCD** need to be encouraged together with Member States and stakeholders, such as roll-out of alternative fuel and infrastructure in marinas (eFuels, biofuels, hydrogen, and electric charging), engines replacement schemes, tax, and VAT incentives. This must target the existing boat fleet consisting of over 6 million boats. These are the source of the majority of the emissions from the sector. As highlighted in the 2022 report for the European Commission, more than 80% of engines currently in European waters were placed on the market before the current exhaust emission in the latest RCD.

Initial EBI recommendations to build on:

- Extension of essential requirements for boat builders to consider life cycle approach in boat design and construction (following ongoing industry efforts towards harmonisation and enabling LCA)

- Change of Article 3 "Definitions" through change of Point (5) "'*propulsion engine' means any ~~spark or compression ignition, internal combustion~~ engine used directly or indirectly for propulsion purposes*;"

- Changes to Annex I, point C: noise emissions to be applicable also for electrical propulsion and/or hybrid propulsion systems.

- Changes to Annex I "Essential Requirements in points B "Essential requirements for exhaust emissions from propulsion engines" and C "Essential requirements for noise emissions" to include the specificities of low-, and zero-emission propulsion technologies (hydrogen, electrical, hybrid)

- Changes to Annex I "Essential Requirements" in points B, 2.5 "Test fuels" to include openness for biofuels or synthetic fuels (based on common standards at ISO level of future Delegated Acts)

- Change of Annex I, Point 2.5 "Owner's Manual": *Each product shall be provided with an owner's manual in accordance with Article 7(7) and Article 9(4). That manual shall provide all the information necessary for safe use of the product drawing particular attention to set up,*

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maintenance, environmentally friendly boating and low-emission operation*, regular operation, prevention of risks and risk management.*

- Recital: Call to Member States to promote and put in place alternative fuel and relevant infrastructure for recreational boating at national level

- Mandatory application of ISO 8665 for determination of rated power of electric engines to provide clear information to consumers

- Development of essential requirements for vessel side elements of charging technology for electric engines (consider ISO/AWI TS 13297 in development)

- Hull design: identify elements in the current RCD that involve hull shape and resistance to ensure they do not counteract hull efficiency and align with ISO standards for main propulsion system energy consumption assessments.

4.6. Reducing exhaust emissions

EBI calls on reducing emission limits for air pollutants where technically feasible and implementable for the entire sector, as well as **further harmonising EU-US limits with regards to exhaust emission limits**. It should be ensured that these can be implemented by all engine manufacturers and close consultation with these.

The use of **SCR and ECR technology is not possible** for craft below 24m due to substantial space and weight constraints for boats that have very low space availability and limited yearly use (35- 50 hours/per year on average). In the case of SCR, the storage of the reagent fluid (urea-water mixture) on-board will also be highly challenging. The space for the engine in recreational boats is usually very small (compared to larger commercial boats). Engines with after-treatment technology usually work with higher temperatures due to the filtration of gasses before the cooling. In a smaller "engine room" there is a higher risk of overheating the engine, leading to higher space needs.

In general, SCR technology is appropriate for continuous use and therefore not a relevant solution for recreational craft that are used intermittently and largely seasonally. One month without use may require total clean-up of SCR system before running the engine, meaning that all craft should be prepared with an SCR system clean-up for summer season in a very short time.

Another concern is the need to switch to low sulphur (EGR) or ultra-low sulphur fuel (SCR), which is not necessarily guaranteed to be available from the side of fuel suppliers and may lead to lack of **fuel availability**. This will also further reduce the relatively **limited market attractiveness** for fuel suppliers and negatively impact European manufacturing by making **export of second-hand boats not possible** due to lack of these fuels in regions outside of Europe, thereby also negatively impacting the new boat market. It should also be considered that second-hand boats are often exported outside the EU or move there as part of normal operation, including regions where such fuel will not be available.

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Besides significant costs for the boating industry and consumers, it also ties up resources by fuel suppliers that should invest in new fuels (bio-based, synthetic) to comprehensively decarbonise the full fleet.

The **supply of the urea-water mixture** would also have to be ensured across Europe, as well as outside Europe ensuring second-hand boats can be exported and boats moved freely across borders. It is unlikely that this would be possible even for the main boating regions outside the EU, such as UK and North America. This would also have a negative impact on charter activities where same boats are operated in multiple areas of the world in one year.

From a comprehensive decarbonisation perspective, applying SCR technology would make **retrofitting with more efficient engines almost impossible** as the space of the current boats in the market is small and would not suit the space needs for SCR technology. Engine manufacturers would not be able to supply engines that suit "old-type" boats and thereby risk making refitting of old boats with more fuel-efficient engines impossible. An engine replacement would also lead to a Post-Construction Assessment, thereby making stricter emission limits applicable that cannot be implemented in old craft due to the above-described space issues.

For smaller companies, the development of an SCR system for the entire range is too big of an investment and may mean that these, mainly EU-based manufacturers, go out of business thereby damaging manufacturing in a strategic and economically important sector. A specific consideration should be made for **SMEs**, given the **limited investment** on production technology and research possibilities due to low volume and difficulty to get specifically developed components due to low volume. The previous third-party study assumes the payback period to apply catalyst technologies is 16-20 years, assuming a volume of 25.000 units/year per a family of 11 kW OB. For SMEs this number will not be reached and therefore result in a longer payback period given an average production of 1000 units/year x family for SME engine manufacturers.

Fundamentally, Life Cycle Assessment can provide the answers on whether certain technologies are suitable from a sustainability perspective taking the full lifecycle perspective.

Initial EBI recommendations to build on:

- Discussion of exhaust emissions limits with engine manufacturers to identify solutions that comply with technology-neutral approach and emissions reduction

- Extended transition periods for SME producers of engines in order to allow them time to adapt to potential new emission limits as implemented in the last RCD (Article 55, Point 2)

4.7. Reducing evaporative emissions

Based on the evidence of the 2022 study for the European Commission and the European perspective of the industry and environmental impact, **evaporative emission limits for fuel hoses/lines** should be included in the RCD based on US standards. As the Commission report recognises, evaporative emissions will naturally decrease with the ongoing roll-out of low and zero emission technologies. To increase the

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speed of emission reduction, it is suggested to introduce evaporative emission limits for fuel hoses in the RCD. This offers the **most cost-beneficial option** for reducing evaporative emissions from the recreational craft sector according to the third-party study, reducing HC emissions by 11%. As recognised in the 2022 third-party study, "*controlling permeation emissions from fuel hoses and lines will deliver the highest benefits within the shortest amount of time*".

Further restrictions, meaning full introduction of US evaporative emission standards, are costly with a payback time of 22 years and total costs of at least €47 million, which would tie up investment better put to use for low and zero-emission technology that truly reduce evaporative emissions. This would come at a time period where the roll-out of low and zero emission engines will pick up pace and naturally reduce evaporative emissions. In addition, evaporative emissions methodology could also be implemented through the comprehensive perspective of Life Cycle Assessment.

Initial EBI recommendations to build on:

- Introduction of evaporative emission limits for fuel hoses and lines of 15 g/m²/day (US EPA standard)

5. Improving design categories

EBI supports **keeping the overall structure of design categories in place**, with introduction of clarified definitions and an upper limit for Category A. The current design categories have proven themselves as relevant, safe, and informative. Some clarifications (wind force, significant wave height) and addition of an upper limit to category A can be made to ensure better consumer understanding. This scenario also came out as the most beneficial scenario in the third-party study offering no costs but positive benefits.

Initial EBI recommendations to build on:

- Amendment to the Annex I Table

Design category	Wind force (Beaufort scale)	Significant wave height (H ⅓, metres)
A	up to, and including, 9 ~~exceeding 8~~	up to, and including, 7 ~~exceeding 4~~

- Changes to explanatory notes

A. A recreational craft given design category A is considered to be designed for a wind force up to, and including, 9 and significant wave height up to, and including, 7 m. ~~winds that may exceed wind force 8 (Beaufort scale) and significant wave height of 4 m and above but excluding abnormal conditions, such as storm, violent storm, hurricane, tornado and extreme sea conditions or rogue waves.~~

E. Maximum average wind speeds for categories A, B, C and D are 24,4 m/s, 20,7 m/s, 13,8 m/s and 7,9 m/s respectively. These values are taken from WMO No 306 Vol I.1 Part A 2019 edition.

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They depict the wind speed averaged over a period of 10 minutes at 10 meters above sea level. Depending on atmospheric conditions, gusts may temporarily increase the wind speed by about 30% to 50%.

F. The significant wave height is the mean height of the highest one-third of the waves, which approximately corresponds to the wave height estimated by an experienced observer. Maximum wave height may be double the significant wave height.

6. Extension of the scope to innovation supporting sustainability goals and watercraft

The aim of the RCD should be to maintain and build a **single legal framework for the recreational boating industry** that incorporates new trends and technologies. These should address both environmental challenges as laid out above and the constant, and ever-increasing, evolution of innovation, consumer and industry trends.

EBI supports an extension of the scope to **new types of craft** such as hydrofoils and other types of craft that were not widely on the market during the last revision of the RCD. For instance, there are more crafts equipped with hydrofoils, both sailing and power, appearing on the market. These are handled differently in EU member states and are sometimes approved or not under the RCD. Manufacturers operate within an uncertain legal framework and are vulnerable from a liability perspective. However, it is crucial **not to add new essential requirement** as the scope of products is dedicated to the same consumers. This ensures consistency and avoid consumer misunderstanding.

It should also be considered that foiling technology significantly reduces hydrodynamic drag by lifting the hull above the water, leading to lower energy consumption and enabling smaller, more efficient propulsion systems. This efficiency translates into reduced fuel use or longer ranges for electric-powered recreational boats, supporting decarbonisation efforts.

Initial EBI recommendations to build on:

- Change of Article 2 “Scope” through removal of Point (xi) “Hydrofoils”
- Change of Article 2 “Scope” to include new watercraft “self-propelled surfboards” “boats pushed by jet skis” “houseboats (if self-propelled and self-manoeuvrable)”, “semi-submersible units”, “jet skis equipped with outboard motors less than 2.5 m in length”
- Mechanism to change the scope of products included in a future RCD through Delegated Acts based on criteria set in a revised RCD

7. Better addressing the issue of second-hand watercraft & Post-Construction Assessment

EBI supports improvements to the issue of **second-hand boats**, which should be facilitated through Post-Construction Assessment (PCA). This issue will likely grow in importance. In addition, the requirement to conduct PCA in case of major engine modification and major craft conversion, needs to also take into

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account the increased retrofitting of new engines, either with RCD-compliant engines that are less polluting or are based on low-, or zero-emission propulsion technology. Given the potential of retrofitting to reduce emissions, this needs to be encouraged with a simple and cost-efficient approach in PCA.

The **concept of major craft conversion (MCC) has also led to many misunderstandings**, high potential costs and barriers to innovation that need to be resolved. It requires the addition of a clearer definition to only capture changes to the craft that are truly substantial (i.e. creating a new product). The limited cases where this applies are major changes to, such as changing the type of propulsion or converting a motor craft to a sail craft. For all other changes to the craft, a PCA should not be required and this should be clarified in the RCD.

It is crucial to analyse other EU product legislation to **understand best practices**. In particular, the terminology of conversion is no longer fitting. An easier-to-understand wording would be modification as used in the General Product Safety Regulation 2023/988 and Machinery Regulation 2023/1230. The terms of 'minor' and 'substantial modification' with clear definitions and actions for all stakeholders should be introduced in the RCD revision.

Initial EBI recommendations to build on:

- Consideration of simplified approach to PCA in retrofitting of low-, and zero-emission propulsion engines based on minor modification

- Clarification of definitions by sharpening their scope and alignment with GPSR for "major craft conversion" that require PCA versus "non-substantial craft modification" that do not require PCA

8. Declaration of Conformity

Member States handle the Declaration of Conformity (DOC) in different ways. Some consider the DOC only necessary at the moment when placing on the market while others consider it as a document that should stay with the craft forever, i.e. for registration purpose. This should be clarified in a revision of next RCD, but also consider that the DOC is sometimes used for other administrative purposes (VAT, customs procedures). Boats are, for instance, currently often stopped at customs because there is no DOC when the DOC was provided with the sales paperwork.

In addition, the RCD currently requires all product information, such as the owner's manual, to be provided in printed form and economic operators must indicate their name, registered trade, name or registered trademark and the address at which they can be contacted on the craft itself. This process, while previously suitable, should be supplemented with **digital means** and take advantage of the **benefits of modern technology**. This is already being discussed for other EU Directives and is being considered as part of the evaluation of the New Legislative Framework.

EBI recommendations

- Change to Article 15 "EU declaration of conformity" to clarify whether the DOC should be kept available throughout the lifetime of the craft or only when placing on the market

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- Change of the RCD to allow the provision of all product information, as well as contact information, both in print form and through digital means (email address, QR code, etc.)

9. Assigning the Manufacturer Identification Code (MIC)

The current practical implementation of the MIC code system can and has led to **duplication of MICs** for third country manufacturers. This leads to confusion for customers and manufacturers. EBI therefore proposes adapting the procedure and coordinating with the US, UK, and other key markets.

It should also be evaluated whether it would be valuable to add simple requirements to the process of assigning the MIC, such as providing information of the skills and suitability of the applicant company. This step might however not be needed in case of more effective market surveillance uniformly is applied across all countries. A strategic decision would therefore have to be taken on which measure is more valuable for consumer safety.

EBI recommendations

- Amendment of the RCD (rather than Regulation 2017/1) with a provision to ensure a unique MIC (country code of the Member State where the request was made + manufacturer-specific MIC) and a provision to ensure that the third-country register kept by the European Commission is updated live/daily

- Coordination of the MIC database with the US database maintained by the US Coast Guard to facilitate international coordination and avoid duplication that should then be extended to other jurisdictions that have adopted the ISO process (such as UK, Canada, Australia)

- Evaluation of changes to the process for assigning of the MIC requiring the submission of relevant documentation proving the suitability of the company in question of building crafts under the RCD (availability of standards, experience, etc.) in contrast to more effective market surveillance

10. Harmonised rules for registering craft across the EU and EEA

EBI supports the **harmonisation of rules for registering craft** across the EU and EEA to support implementation of the RCD. As has become clear from the 2022 RCD review study, the registration rules are substantially different between countries. This includes, for instance, different definitions for craft type and length. This leads to lack of consistent data, including on environmental impact and fleet size, that are crucial for effective policy-making. Harmonised rules would also support a better understanding of the current fleet of boats, its development and importantly ownership. A harmonisation of registration rules seems to also be supported by a large majority of Member States as indicted in the Commission's report on application of the RCD. Common rules for registration would also ensure that all boats are known to the relevant authorities, including second-hand boats and private imports, and therefore support effective market surveillance. It also benefits discussions around end-of-life craft.

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Initial EBI recommendations to build on:

- Development of harmonised registration rules at EU level based on a Commission Recommendation considering also digital means (initial framework could be built on the RCD Declaration of Conformity)

- Introduction of registration requirements in all EU and EEA countries based on harmonised rules at EU level

11. Strengthen and harmonise market surveillance and accident tracking

A crucial element for successful application of the RCD and the principle of consumer protection is **effective market surveillance and ongoing risk assessment and standard development**. Different degrees of market surveillance between Member States have become apparent, which can lead to a distortion of the Single Market. Sufficient resources for market surveillance authorities and implementation of best-practices specific for the recreational boating sector should be put in place and monitored by the European Commission.

A further issue is that there is no uniform tracking of accidents and potential consequences to be taken for ISO standards or even the RCD. This should be improved and a **central EU-level accident database** created following the example of the maritime sector.

Initial EBI recommendations to build on:

- Monitoring of market surveillance activities and resources at national level by the European Commission through the RCD ADCO Group

- Implementation of best-practices in market surveillance and allocation of sufficient resources by Member States

- Creation of a central database on accidents and risks on boats so that future regulatory approaches can be based on statistics.

Contact:
For more information, data, or other questions, please contact EBI: pe@europeanboatingindustry.eu.

Square de Meeûs 35 | B-1000 Brussels
www.europeanboatingindustry.eu | office@europeanboatingindustry.eu
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