

Motorized eFoils/Jet Board Vessel Registration

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Issue Date: December 20, 2023

Policy

The United States Coast Guard (USCG) clarified that motorized **eFoils** (also known as hydrofoils) and motorized **jet boards** (also known as motorized surfboards) are classified as vessels (see attachment).

Motorized eFoils and jet boards are subject to vessel titling and registration requirements in California by the Department of Motor Vehicles (DMV).

Procedures

To be operated on California waterways, DMV **must** register and assign CF numbers to motorized eFoils and jet boards.

Follow existing vessel registration procedures when registering motorized eFoils and jet boards.

Background

Some customers are being turned away when they attempt to register these vessels with DMV, due to unfamiliarity with USCG's decision.

Reference

Memo-16750, Chief, Gifford Verne B. (1009834237), Boating Safety Division
U.S. Coast Guard 092321

Distribution

Notification of this memo (available at **dmv.ca.gov** under Vehicle Industry Services) was made via the California DMV Automated Email Alert System in December 2023 to the following:

- Vessel Agents
- Registration Services

Contact

Call the DMV Customer Care Section at (916) 657-6560 for further clarification of this memo.

Attachment

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

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16750
September 23, 2021

MEMORANDUM

GIFFORD.VERNE.B LAKE.1009834237

Digitally signed by GIFFORD.VERNE.BLAKE.1009834237 Date: 2021.09.23 18:44:23 -0400



From: CHIEF, BOATING SAFETY DIVISION
(CG-BSX-2)

Reply to CG-BSX-21
Attn of: JEFF DECKER
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To: FILE

Subj: FINAL DETERMINATION OF EFOILS (A.K.A. MOTORIZED HYDROFOILS) AND
JET BOARDS (A.K.A. MOTORIZED SURFBOARDS) AS VESSELS

For all vessel determinations the same legal analysis is used. 1 U.S.C. § 3 states that "The word 'vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water." This definition is not clear as to what is or is not a vessel.

Below are the legal criteria adopted by the U.S. Coast Guard, which are paraphrased from case law and other references, to be used to determine if a certain device is to be considered a vessel for issues related to compliance with any applicable laws or regulations.

- (1) Whether the watercraft is "practically capable" of carrying persons or property beyond the narrow limits of a swimming, surfing, or bathing area:**

Jetboards and Efoils are capable of carrying persons or property beyond the narrow limits of a swimming, surfing, or bathing area. These vessels are equipped with electric motors or gasoline-powered motors and are capable of reaching speeds in excess of 35 miles per hour with an operating time of sixty minutes or more, while carrying individuals or bulky items.

- (2) Whether the useful operating range of the device is limited by the physical endurance of its operator:**

The useful operating range of Jetboards and Efoils is only limited by how much fuel they can carry or the capacity of the battery they use to run their propulsion machinery.

- (3) Whether the device presents a substantial hazard to navigation or safety not already present:

Unless classified as a vessel, operators of a Jetboards and/or Efoils would not be required to comply with the Navigation Rules or safety equipment carriage regulations (sound producing

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device, life jackets, fire extinguisher and navigation lights), thereby presenting a substantial hazard to safety and navigation.

- (4) Whether the normal objectives sought to be accomplished by the regulation of a device as a “vessel” are present:

As a potential hazard to navigation and safety, regulation of Jetboards and/or Efoils as vessels would meet the normal objectives sought to be accomplished by the National Recreational Boating Safety Program. These include, but are not limited to, applying minimum construction standards, safety equipment carriage requirements and ensuring boat accident reporting requirements are applicable so that data can be collected on the safety of these novel watercraft.

- (5) Whether the operator and/or cargo would no longer be safe in the water if the device became disabled.

Jetboards and/or Efoils are being operated in navigable waters. They would provide a minimal level of safety to operators if they became disabled. Thus, the operator and any crew/passengers may no longer be safe in the water if the device became disabled.

Conclusion.

Applying the legal standards to Jetboards and Efoils, it appears the definition of the word “vessel” in the US Code does apply. Therefore, Jetboards and Efoils should be treated as vessels and subject to regulations administered by the U.S. Coast Guard.