



16713/5/2  
September 14, 2023

Chuck Highers  
290 Dawn Lane  
Mary Esther, FL 32569

Dear Mr. Highers:

I am responding to your August 2, 2023 request for a New Vessel Determination pursuant to 46 C.F.R. § 67.175. At the request of this office you also supplemented that information with additional photographic evidence from the builder, Trident Pontoons, Inc. Your request concerns the 42-foot monohull passenger vessel HAPPY LIFE (CARLISLE WILSON), official number 1121275, which has undergone reconstructive work and you now wish to document anew.

The standard which is applied in determinations as to whether a “new vessel” has been created or, to the contrary, whether an older and existing vessel has simply been rebuilt, is found at 46 C.F.R. § 67.3 which defines “new vessel” as follows:

“New vessel” means a vessel:

- (1) The hull and superstructure of which are constructed entirely of new material; or
- (2) Which is **constructed using structural parts of an existing vessel, which parts have been torn down** so that they are no longer advanced to a degree which would commit them to use in the building of a vessel.” (emphasis added)

It is the second prong of this definition, historically applied very strictly, which would apply in your case. Thus, the focus is on the degree that the hull and superstructure of the old vessel was torn down and the nature and degree of the incorporation of those parts into the “new” vessel.

It is readily apparent from the builder’s statement and photographic evidence that the superstructure is entirely of new construction. However, it is equally apparent that the hull was used intact in the rebuilding of the HAPPY LIFE (CARLISLE WILSON). While the builder did note that small repairs had been done to the hull, it was not torn down to any degree. As the builder stated, “this letter is to certify that our company only used the hull” in the rebuild of the HAPPY LIFE (CARLISLE WILSON).

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Based upon all evidence submitted and evaluated against the regulatory standard, I must deny your application that the HAPPY LIFE (CARLISLE WILSON) be deemed a new vessel.

Sincerely,



Christina Washburn  
Director