MEMORANDUM OF UNDERSTANDING
BETWEEN
THE UNITED STATES COAST GUARD AUXILIARY
AND THE
STATE OF TENNESSEE,
TENNESSEE WILDLIFE RESOURCES AGENCY
FOR
PARTICIPATION IN THE COAST GUARD AUXILIARY
VESSEL SAFETY CHECK PROGRAM

SECTION I
PARTIES

The Parties to this Memorandum are Eighth Eastern Region of The United States Coast Guard Auxiliary (USCGAUX), represented by its District Commodore and the State of Tennessee, Tennessee Wildlife Resources Agency (TWRA).

SECTION II
PURPOSE

The purpose of this Memorandum is to memorialize cooperation between the USCGAUX and TWRA in the Vessel Safety Check Program conducted by the USCGAUX under the authority of the United States Coast Guard. Further, this memorandum of understanding (MOU) shall establish the guidelines for cooperation between the Tennessee Wildlife Resources Agency and the USCGAUX in furthering the Vessel Safety Check Program of the United States Coast Guard Auxiliary in the State of Tennessee.

SECTION III
BACKGROUND

The United States Coast Guard Auxiliary (USCGAUX) is the National Director and Executive Agent of the Vessel Safety Check Program (VSCP) for the United States Coast Guard (USCG). In this capacity, the USCGAUX has the responsibility of identifying and empowering additional organizations to participate in an associate capacity in the VSCP, with final approval by the USCG of each additional organization. The United States Power Squadrons® (USPS) is a current participating associate in the VSCP and is a provider of vessel safety checks nation-wide.

The Tennessee Wildlife Resources Agency, having a strong commitment to boating safety within the state of Tennessee, as does the USCGAUX, is committed to promoting boating safety as reflected in their outreach efforts, emphasis on education,

and law enforcement activities. TWRA inclusion in the VSCP will increase the number of designated examiners substantially.

Upon completion of a Vessel Safety Check (VSC), which requires examination of required items as listed on the USCGAUX Vessel Safety Check form 7012 and showing that all items meet the stated standards of the VSCP, a Tennessee boater can receive a VSC decal. By participating in the USCGAUX Vessel Safety Check Program the Tennessee Wildlife Resources Agency (TWRA) will accomplish this.

SECTION IV
UNDERSTANDINGS OF THE PARTIES

A. USCGAUX:

1. USCGAUX has the responsibility to establish and periodically revise the requirements for VSCs, the eligibility of various types of watercraft for these VSCs, and criteria for awarding the VSC decal.

2. USCGAUX has the responsibility to establish and maintain oversight over authorized providers to ensure that the integrity of the program meets the needs of the boating public, USCG, and the Tennessee Wildlife Resources Agency recreational boating program. USCGAUX has the responsibility to develop adequate safeguards and to implement remedial measures necessary to correct identified program deficiencies. The first step in correcting any program deficiencies would be to notify the State Boating Law Administrator (BLA) or designee.

3. USCGAUX qualified vessel examiners may provide initial and recurrent training, as needed and USSCGAUX resources permit, to TWRA personnel as needed to qualify them to participate in the VSC program. This training will be developed as a "Train the Trainer" program. Any TWRA personnel trained to teach the VSC program to their own personnel may request assistance from the USCGAUX if needed. A prerequisite for this training is that all participating TWRA employees must have completed a NASBLA-approved safe boating course (or equivalent).

4. USCGAUX personnel may assist the TWRA to develop a method of reporting VSCs with regards to the total number of TWRA vessel examiners, the number of Vessel Safety Checks given and the total number Vessel Safety Checks that passed, so that data can be entered into a common data bank. The Eighth District Eastern Region will coordinate through an appointed Assistant District Staff Officer, Vessel Examination (ADSO-VE) for the VSCP whose area of oversight includes the State of Tennessee. All VSCP matters concerning this MOU and VSC activities connected with it between the Tennessee Wildlife Resources Agency and the USCGAUX shall flow through the Eighth District Eastern Region assigned ADSO-VE.

B. TWRA'S:

1. The Tennessee Boating Law Administrator (BLA) may designate one or more TWRA personnel to participate in a VSC Steering Committee, consisting of members of the USCGAUX (State Liaison Officer SLO and ADSO-VE). USPS, and such other authorized participating associates, may also be included. The purpose of this committee is to ensure uniformity and consistency of VSCs, coordinate and increase the efficiency of the VSCP activities, and facilitate the expeditious resolution of any issues. TWRA personnel will assist the USCGAUX and USCG personnel in developing and improving measures of effectiveness of the VSC program.

2. The Tennessee Wildlife Resources Agency's recreational boating program may utilize its internal sources and cooperate with all providers in maximizing the marketing and promotion of the boating awareness of the VSC program and the importance of all boaters annually receiving a VSC on their vessels.

3. The TWRA agrees to provide records for USCGAUX personnel for quarterly review from all personnel involved in the VSC program. The TWRA shall have access to all USCGAUX data collected through the ADSO-VE.

C. GENERAL:

1. This MOU shall not limit the authority of TWRA law enforcement personnel or their activities. As such, it is understood that the standard VSC Form 7012 (f/n/a Form 204) may be modified by TWRA to address additional state priorities while incorporating the VSCP requirements. Approval of a modified VSC examination form for the Tennessee Wildlife Resources Agency, based on the USCGAUX 7012 form shall be approved and attached to this MOU as addendum "A" with signatures of acceptance from the Tennessee Wildlife Resources Agency and the USCGAUX. This addendum may be attached subsequent to the signing of this MOU but prior to the use of the form.

2. Vessels that satisfy the boating safety requirements set forth in the modified 7012 forms are entitled to receive a distinctive decal attesting to that fact. USCGAUX and USCG have designed a "generic" decal to be used as a model for the TWRA specific decal. The USCGAUX ADSO-VE shall coordinate with the TWRA to ensure that the decal satisfactorily meets the specific needs of the Agency, however, the decal must adhere to the basic "national design" with respect to size, color and design. USCGAUX may assist TWRA personnel in identifying qualified sources to produce these decals. The TWRA may have the decal produced elsewhere using the artwork and material provided by the USCGAUX. The TWRA shall pay the cost of decals and any supporting materials.

3. Any VSC performed by TWRA law enforcement officers or other commissioned patrol on land or dockside as a Vessel Safety Check as defined in the VSCP, shall not result in a law enforcement citation for listed items of the VSC that are found not to be in

compliance. Upon completion of a Vessel Safety Check of a recreati
found that the vessel meets the requirements for award of the VSC d
officer is authorized to provide a decal to the boater.

SECTION V
EFFECTIVE DATE

This MOU becomes effective on the date signed by all sign
continue indefinitely until such time that either party terminates
Tennessee Wildlife Resources Agency or the United States Coast Guar
giving a 30-day written notice to other, may terminate this MOU. Ter
TWRA shall be given to the current presiding District Commodore for
Eastern Region. It shall be reviewed annually and may be modified
mutual consent of the Tennessee Wildlife Resources Agency and the U
Guard Auxiliary.

FOR THE STATE OF TENNESSEE, TENNESSEE WILDLIFE R
AGENCY:

APPROVED

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Ed Carter, Chief of Boating
Boating Law Administrator

FOR THE UNITED STATES COAST GUARD AUXILIARY:

APPROVED APPROVED

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Clemmet J. Paddack, District Commodore
Eighth District Eastern Region