

VSC

**MEMORANDUM OF AGREEMENT BETWEEN
THE FIFTH DISTRICT, SOUTHERN REGION, UNITED STATES COAST GUARD
AUXILIARY AND THE STATE OF MARYLAND REGARDING PARTICIPATION IN THE
COAST GUARD
VESSEL SAFETY CHECK PROGRAM**

PARTIES. The Parties to this Agreement are the United States Coast Guard Auxiliary (CGAUX) and the State of Maryland.

AUTHORITY. This Agreement is authorized under the following provisions of law and policy:

46 U.S.C. § 822(c)
46 U.S.C. § 13106
46 U.S.C. § 13109
Vessel Safety Check Program Instruction, COMDTINST 16796.7
Vessel Safety Check Manual, COMDTINST M16796.8

PURPOSE. The purpose of this Agreement is to set forth the terms by which the Fifth District, Southern Region, United States Coast Guard Auxiliary (CGAUX) and the Maryland Natural Resources Police, as the State of Maryland's designated representative agency, will work together as partners to provide Vessel Safety Checks (VSC's) in an effort to improve boating safety within the State of Maryland.

RESPONSIBILITIES:

Fifth District, Southern Region, United States Coast Guard Auxiliary.

As the United States Coast Guard's National Director and Executive Agent for the Vessel Safety Check Program (VSCP), the CGAUX will perform the following:

The CGAUX will establish and may revise when necessary, the requirements for VSC's, determine which types of watercraft are eligible for the program and establish specific criteria to be met for award of a VSC decal.

Pursuant to reference (d), the CGAUX will ensure the VSCP is implemented in a manner that will benefit the boating public and is consistent with its stated purposes and goals by establishing and maintaining oversight over authorized VSC providers. In the event any deficiencies are identified within the VSCP or its implementation, the CGAUX, where authorized, will develop appropriate measures to correct them.

The CGAUX will provide the initial VSCP examiner training and any required recurrent training to *qualified personnel* employed by, or volunteering their time for representatives designated by the State of Maryland. *Qualified personnel* are those persons that have satisfactorily completed a safe boating program of instruction that was approved by the National Association of State Boating Law Administrators (NASBLA). Completion of the VSCP examiner training will qualify individuals as authorized VSC examiners. Training provided by the CGAUX will include "Train the trainer" sessions to enable State personnel to become qualified to train and qualify other State personnel for participation in the VSCP. The CGAUX may assess the cost

of course texts and materials for this training to the State of Maryland.

The CGAUX will work cooperatively with representatives designated by the State of Maryland to develop a computer database system to be maintained by the State of Maryland for the collection, maintenance and storage of data associated with all of the VSC's conducted by its designated representatives. It is the intent of all parties that the data collected be similar in content to that which is recorded within CGAUX Form 204 (see Appendix A) for the Auxiliary Information System (AUXMIS).

The CGAUX will coordinate with the State of Maryland's designated representative to develop a VSC decal design that will satisfy the State of Maryland's requirements while remaining in conformance to the current approved "national" design. The CGAUX will advise the State of Maryland's designated representative of qualified sources for the production of its VSC decals. The cost of the decals and supporting materials may be paid for by the USCG where authorized by law and when resources permit such expenditures.

State of Maryland.

The State of Maryland's designated representative for the VSCP will be the Superintendent of the Maryland Natural Resources Police (MNRP) or any other responsible party designated by the MNRP.

The MNRP will provide *qualified personnel* that have successfully completed a NASBLA approved boating safety course for VSCP examiner training provided by the CGAUX. The MNRP agrees to reimburse the CGAUX for the cost of course texts and materials.

Although nothing within this agreement will prevent a duly-sworn law enforcement officer from performing a duty imposed by law, pursuant to reference (e), law enforcement personnel may conduct VSC's only under such circumstances where there would not be an obligation to take enforcement action as a result of discrepancies noted during the VSC. As such, the MNRP agrees, as a matter of policy, that no law enforcement action will be taken if violations of boating safety laws are discovered while a VSC is being conducted; nor will any report of any such violations be made to any law enforcement official.

The MNRP may designate representatives to serve on a District/Regional/State level VSCP Steering Committee consisting of representatives from the CGAUX, USCG, United States Power Squadrons[®], and any other representatives that may be appointed to the committee by the USCG.

The MNRP will assist the USCG, CGAUX and USPS in the development and improvement of measures of effectiveness (MOE's) for the VSCP.

The MNRP will work cooperatively with the CGAUX to develop a computer database system to be maintained by the State of Maryland for the collection, maintenance and storage of data associated with all of the VSC's conducted by its designated representatives. It is the intent of all parties that the data collected be similar in content to that which is recorded within CGAUX Form 204 (see Appendix A) for the Auxiliary Information System (AUXMIS). At a minimum, the State of Maryland's designated representative will provide monthly reports to the CGAUX on the data it has collected.

The MNRP will utilize its internal sources and cooperate with all VSCP partners to actively market and promote boater awareness of the VSCP and stress the importance of having VSC's

performed on vessels annually.

POINTS OF CONTACT. The following persons, by virtue of their appointed positions, are designated as points of contact for purposes of this agreement:

U.S. Coast Guard

**CDR Dennis M. Sens, USCG
Chief, Atlantic Area/D5 Coast Guard Auxiliary and Boating Safety Section**

**Commander (Aoax)
USCG Atlantic Area
431 Crawford St
Portsmouth, VA 23704-5004
(757) 398-6688
dsens@lantd5.uscg.mil**

U. S. Coast Guard Auxiliary

**Donniel B. Karpman
Vice Commodore
Fifth District, Southern Region
(301) 725-0798
karpman@erols.com**

State of Maryland

**SGT. Wayne Jones, MNRP
580 Taylor Ave
Annapolis, MD 21401
(410) 260-8891
wsjones@dnr.state.md.us**

MODIFICATION. Modifications to this Agreement may be made with the consent of all the parties to this Agreement. All modifications to this Agreement shall be made in writing.

OTHER PROVISIONS. Nothing within this Agreement is intended to conflict with current law or regulation or the directives of the United States Coast Guard, the Department of Transportation, the State of Maryland, or the Maryland Natural Resources Police. If a term of this Agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

EFFECTIVE DATE. The terms of this Agreement will become effective upon the date which this Agreement is signed by the designated representatives of all the parties herein, or in the event this Agreement is signed by the representatives of the parties herein at different times, this Agreement will become effective upon the date on which the signature of the representative of last remaining party is made.

REVIEW AND MODIFICATION. This agreement will be reviewed biennially by all parties and may be modified upon the mutual written consent of all parties.

TERMINATION. The terms of this Agreement, and any terms as modified with the consent of all parties, will remain in effect until terminated upon agreement of the parties. This Agreement may be terminated by any party upon written notification to the other parties hereto.

APPROVED THIS _____ DAY OF _____, 2000 BY:

APPROVED

Kathleen Kennedy Townsend
Lieutenant Governor
State of Maryland

APPROVED

F. L. Wallace
District Commodore
Fifth District, Southern Region
United States Coast Guard Auxiliary

NOTED ON BEHALF OF THE UNITED STATES COAST GUARD BY:

APPROVED

J. E. Shkor
Vice Admiral, United States Coast Guard
Commander, Fifth Coast Guard District

Appendix A



VESSEL SAFETY CHECK (VSC)
Is to be completed by a U.S. Coast Guard approved Examining Officer for each of the items for a final inspection of required items. A Federal Registration number is also available.



Owner/Operator has attended a CGA/CDC USCGE Safety Course <input type="checkbox"/> (Not required) <input type="checkbox"/>			
Vessel Safety Check No. <input type="checkbox"/> [No] <input type="checkbox"/> [Yes]	Vessel Number: _____		
Replaced dead weight: Last Year <input type="checkbox"/> Outboard <input type="checkbox"/>	First use <input type="checkbox"/> Date of VSC: _____		
Owner/Operator Name: _____			
VESSEL INFORMATION			
Location of VSC: County _____ State _____	HIN: _____		
Length: <input type="checkbox"/> 12' <input type="checkbox"/> 10-11' <input type="checkbox"/> 8-9' <input type="checkbox"/> 6-7' <input type="checkbox"/> 5'	Area of Operation: Inland <input type="checkbox"/> Coastal <input type="checkbox"/>		
Powered by: Gas <input type="checkbox"/> Diesel <input type="checkbox"/> Sail <input type="checkbox"/> Other <input type="checkbox"/>	Type: PWC <input type="checkbox"/> Open <input type="checkbox"/> Cabin <input type="checkbox"/> Other <input type="checkbox"/>		
VESSEL SAFETY CHECK CRITICAL REQUIREMENTS			
Item	Yes	No	NA
1. Number of Passengers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Registration Documentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Personal Flotation Device (PFD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Visual Distress Signals (VDS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Fire Extinguishers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Ventilation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Buoyline Power Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Sound Producing Device (Bell)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Navigation Lights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Pollution Placard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. MANUAL Trough Placard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Exhaust Extension Device	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Handgrip Ropes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. State and/or Local Registration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Personal Vessel Certificate, or copies of: <ul style="list-style-type: none"> a. Deck Log of Hours / Chain Log b. Electrical - Fuel Systems c. Galley - Electric Systems 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Item	Yes	No	NA
1. Inboard Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Disconnect Device & Backup	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Algae and Fuel Extinguishers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Anchor & Line for Aft	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Fire Aid and PFD Etc. (Power)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Inboard Visual Distress Signals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Capacity/Certificate of Compliance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. VSC Discretion Issues or Appeals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Accident Reporting - Owner Responsibility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Vessel Operation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Personal Chain / Handgrip Aids	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Survival Time / First Aid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Fueling / Fuel Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Fuel Flow / Weather & Sea Conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Operator Classification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Boatlog Check List	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Self-Inspection Checks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**TRANSPORTATION
U. S. COAST GUARD
CG-3883 (Rev. 4-83)**

FROM: Aoax 13 February 2001

TO: A

VIA: AI _____, Aod _____, Ao _____, Acs _____

SUBJ: VESSEL SAFETY CHECK MOA WITH STATE OF MARYLAND

Enclosed for your conceptual approval is a Memorandum of Agreement with the State of Maryland Southern Region Auxiliary to participate in the Coast Guard Vessel Safety Check (VSC) with the states is an Auxiliary National initiative developed under the direction of the Chief of the Auxiliary. The state of Maryland will be the first state to enter into the VSC partnership. The Auxiliary project officer has received informal concurrence from Maryland Natural Resources and the MOA. Once the document review is completed by the state an appropriate signatory will be identified. The Maryland Official listed in the MOA, the Lt. Governor, may change his/her desires.

V/Resp,

D. M. SENS

APPROVAL:

SIGNATURE:

INFORMATION:

SIGNER'S COMMENTS