

**LETTER OF UNDERSTANDING
BETWEEN THE UNITED STATES COAST GUARD AUXILIARY
AND THE
STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATERCRAFT**

**PARTICIPATION IN THE COAST GUARD AUXILIARY
VESSEL SAFETY CHECK PROGRAM**

1. BACKGROUND:

The United States Coast Guard Auxiliary (USCGAUX) is the United States Coast Guard's (USCG) National Director and Executive Agent for the Vessel Safety Check Program (VSCP). In this capacity, USCGAUX has the responsibility of identifying and (with USCG Concurrence) empowering additional organizations to participate as Vessel Examiners in the VSCP.

The United States Power Squadron (USPS) has joined USCGAUX as a provider of vessel safety checks (VSC) nationally.

The state of Ohio has a real commitment to boating safety along the same lines as the USCGAUX and the USPS. The state of Ohio has a commitment to boating safety as reflected in their outreach efforts, emphasis on education, and law enforcement activities. Empowering the state of Ohio personnel to conduct VSC's is fully consistent with the USCG's responsibilities, offers the opportunity to expand the number of designated examiners substantially, and provides an additional mechanism for the state of Ohio personnel to interact positively with the boating public.

The following terms of reference as outlined in this letter of understanding is between the United States Coast Guard Auxiliary and the Ohio Department of Natural Resources, Division of Watercraft's (ODNR Watercraft) participation in the Vessel Safety Check Program.

2. USCGAUX RESPONSIBILITIES:

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

USCGAUX has the responsibility to establish and maintain oversight over authorized providers (ODNR Watercraft) to ensure the integrity of the program meets the needs of the boating public, USCG, and the State of Ohio. USCGAUX has the responsibility to develop adequate safeguards and to implement remedial measures necessary to correct identified program deficiencies.

USCGAUX personnel will provide initial and recurrent training, as needed, to ODNR Watercraft personnel and to state funded marine patrols as needed to qualify them to participate in the VSC program. This training will be developed as a Train the Trainer program. All ODNR Watercraft personnel and state funded marine patrols personnel trained to teach the VSC programs to their own personnel may have assistance from the USCGAUX if requested. A prerequisite for this training is that all ODNR Watercraft employees have completed a NASBLA approved safe boating course (or equivalent).

USCGAUX personnel are volunteers and do not receive compensation for this service. However, a nominal sum (sufficient to cover the cost of course texts, materials, supplies, and travel reimbursement) may be assessed to the ODNR Watercraft for each student that the ODNR Watercraft authorizes for training. State of Ohio travel reimbursement shall be in compliance with OBM Travel Rule 126-1-02. Obligations of the state of Ohio are subject to Revised Code section 126.07. The same guideline outlined above for the ODNR Watercraft as pertaining to compensation to USCGAUX personnel for training shall apply to all other Ohio public safety agencies participating in the VSC program.

USCGAUX personnel will work with the ODNR Watercraft to develop a method of data reporting (Passes and Failures), so that all VSCs can be entered into a common data bank. The Eighth Eastern Region will appoint a state Assistant District Staff Officer for the VSCP (ADSO-VE) to coordinate all VSCP activities with the state of Ohio. This appointment will become effective upon the signing of this MOU. ODNR Watercraft personnel agrees to provide records for USCGAUX personnel (ADSO-VE) for review on a quarterly basis from all nine Watercraft Field Offices for USCGAUX tabulation and data entry as necessary. The ODNR Watercraft shall have access to all USCGAUX data collected through the ADSO-VE.

3. ODNR WATERCRAFT'S RESPONSIBILITIES:

The State of Ohio Law Administrator (BLA) may designate one or more ODNR Watercraft personnel to participate in a District/Regional/ODNR Watercraft VSC Steering Committee, consisting of members of the USCGAUX, (State Liaison Officer SLO and ADSO-VE), USPS, and such other authorized providers as may be appointed. The purpose of this committee is to ensure maximum uniformity/consistency of all VSCs, coordinate and increase the efficiency of the VSCO activities, and facilitate the expeditious resolution of any issues.

ODNR Watercraft personnel will assist the USCGAUX and USCG personnel in developing and improving measures of effectiveness of the VSC program.

The State of Ohio recreational boating program will 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.

4. GENERAL RESPONSIBILITIES:

Vessels that satisfy the Federal and State of Ohio requirements 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 ODNR Watercraft-specific decal. USCGAUX personnel (SLO and ADSO-VE) shall coordinate with the ODNR Watercraft to ensure that the decal satisfactorily meets the specific needs of the ODNR Watercraft, however, the decal must adhere to the basic "national design." USCGAUX will inform ODNR Watercraft personnel of qualified sources to produce these decals. The ODNR Watercraft may have the decal produced elsewhere using the artwork and material provided by the USCGAUX. ODNR Watercraft shall pay the cost of decals and supporting materials.

The VSC is voluntary, not a mandatory, or compliance program. This provision is not intended to limit the authority of any ODNR Watercraft law enforcement personnel or activities. As such, it is understood that the standard VSC form (Form 204) shall be modified by the state of Ohio to address additional state priorities while incorporating the VSCP decal requirements. Approval of this Letter of Understanding signifies USCGAUX approval of the modified VSC inspection form (DNR form 8254, Rev 02/01) as an acceptable state of Ohio substitute for the USCGAUX form 204. DNR form 8254 will be accompanied a copy of "Ohio Boat Operator's Guide: A Summary of Laws and Rules" when presented to the boater.

Any VSC performed by ODNR Watercraft law enforcement officers or other state funded marine patrols on land or dockside as a courtesy examination shall not result in a law enforcement citation for elements of the VSC which are found not to be in compliance. In addition, if ODNR Watercraft personnel or other state funded marine patrol boards a vessel underway and find, upon completion of the boarding, that the vessel meets the requirements for award of the VSC decal, ODNR Watercraft is authorized to provide a decal to the boater. If the boarding results in a citation, the boater would be advised to get a VSC to enhance compliance.

5. EFFECTIVE DATE:

This MOU becomes effective on the date signature by all signatories and shall continue indefinitely. It shall be reviewed annually and may be modified at any time upon mutual consent of the signatories. It may be terminated by any signatory giving a 30 day advance written notice to other signatories.

FOR THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES:

APPROVED

Samuel Speck, Director:

Date:

FOR THE ODNR DIVISION OF WATERCRAFT:

APPROVED

Jeffrey N. Hoedt, Chief (Boating Law Administrator)

Date:

FOR THE UNITED STATES COAST GUARD AUXILIARY:

APPROVED

William H. Clarke, District Commodore, 8ER

Date:

FOR THE UNITED STATES COAST GUARD, EIGHTH COAST GUARD DISTRICT:

APPROVED

Phillip Stephenson, Commander, U.S.C.G., DIRAUX

Date: