

MEMORANDUM OF UNDERSTANDING

BETWEEN

NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION  
AND

UNITED STATES POWER SQUADRONS

STATEMENT OF POLICY ON TEACHING BOATING SAFETY COURSES

This Memorandum of Understanding (MOU) is between the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) and United States Power Squadrons (USPS).

Whereas, the Commissioner of OPRHP is charged with implementation and enforcement of the New York State Navigation Law, including the development and distribution of boating safety information and courses; and,

Whereas, USPS is a nationally recognized, not-for-profit organization which shares our mutual goal of advancing boater safety and boater education; and,

Whereas, the New York State Navigation Law Section 49 recognizes USPS boating safety certificates as meeting the requirements for mandatory boating safety instruction; and,

Whereas, it is within both parties interest to have a cooperative partnership to advance boating safety in the State of New York; and,

Whereas, such a cooperative partnership will result in a safer operating experience for New York boaters.

Now, therefore, the OPRHP and USPS agree to work together according to the guidelines for activities set forth below and to work in mutual cooperation in teaching boating safety courses;

The parties hereby agree as follows:

I. United States Power Squadrons shall:

A. Schedule and administer boating safety courses in the State through USPS administrative structure.

B. Continue to conduct and administer boating safety courses in accordance with the National Association of State Boating Law Administrators (NASBLA) guidelines and course requirements.

C. Utilize State pamphlets covering New York boating laws in the conduct of USPS NASBLA-approved courses.

D. Provide the public information on the date, time, and location of public boating safety courses. Provide the name and telephone number of a contact person.

E. Provide each student successfully completing USPS NASBLA-approved courses with a USPS Certificate of Completion. Approved courses shall include "America's Boating Course" requiring 8 hours of classroom instruction and a proctored exam and such other USPS NASBLA-approved courses as the parties hereto may subsequently adopt.

F. Whenever possible, USPS shall be encouraged to teach the New York State Boating Safety Course to persons under 18 years of age. USPS Instructors and members are encouraged to apply for certification as New York State Boating Safety Instructors.

G. USPS course completion certificate shall state the course was NASBLA approved and that a proctored exam was administered.

H. Provide a principal USPS point of contact to work directly with the State Boating Law Administrator, or designated representative, in the execution of this program.

II. The New York State Office of Parks, Recreation and Historic Preservation shall:

A. Recognize successful completion of USPS NASBLA-approved courses, as set forth in "E" above, as meeting state boating education requirements as provided for in section 49 of the New York State Navigation Law.

B. Provide to USPS for inclusion in its proctored exam up to 10 examination questions on State specific laws and regulations in order to show a specific knowledge of New York State Law.

C. Provide, free of charge, New York State specific informational brochures for each student attending the NASBLA-approved USPS courses as requested by the USPS District Educational Officer.

D. Provide guidance in the form of State developed lesson Plans to the District Educational Officer covering the State of New York water craft laws and regulations.

E. When appropriate, provide the USPS District Education Officer periodic updates concerning changes in state boating laws and regulations.

F. Invite USPS participation in State boating safety discussions through participation in the State Boating Advisory Council.

III. Mutual responsibilities:

Any amendments to this MOU must be with the written consent of both parties.

B. The effective date of this MOU is January 1, 2010 and may be terminated by either party upon a 30-day written notice. It is agreed between the parties that this MOU and its attachments represent the complete agreement between the parties.


IN WITNESS THEREOF, The said parties have here with set their hands and seals as of the day and year first above written.

For United States Power Squadrons:

  
\_\_\_\_\_  
Chief Commander

9 October 2009  
Date

For The State of New York:

  
\_\_\_\_\_  
Carol Ash, Commissioner  
NYS Office of Parks, Recreation  
And Historic Preservation

11/3/2009  
Date