MEMORANDUM OF AGREEMENT BETWEEN
UNITED STATES COAST GUARD AND STATE OF __________
REGARDING EXCHANGE OF VESSEL DATA

1. **PARTIES.** The parties to this Agreement are the United States Coast Guard from herein referred to as “USCG”, and the State of __________________________, from herein referred to as “State Agency.”

2. **AUTHORITY.** This agreement between the USCG and State Agency is entered into under the authority of 14 U.S.C. § 141. Signature of State Agency will satisfy the requirement for a request for participation under 33CFR Subpart A—General § 187.11. The data to be exchanged under this agreement is collected under the authority of 46 U.S.C. § 12103 and 46 U.S.C. § 12301. The Vessel Identification System (VIS) in which the data will be maintained was established under the authority of 46 U.S.C. § 12501. USCG is authorized to share the data with authorized VIS users under 46 U.S.C. § 12504.

3. **PURPOSE.**
   
   A. The USCG and the State Agency have a mutual interest in establishing a Vessel Identification System (VIS). VIS will provide a single database of information for USCG-documented and State-numbered and titled vessels that will facilitate data sharing to assist in state numbering & titling, law enforcement, search and rescue, marine safety and homeland security actions. This information will be used by State, local and Federal agencies for the purposes of numbering & titling, law enforcement, search and rescue, marine safety and homeland security.

   B. The State Agency recognizes that the USCG is responsible for the documentation of U.S. vessels. The USCG recognizes that the State Agency is responsible for the registration of undocumented vessels principally operated in that state. Information tracked by one party is often required by the other to perform its duties.

   C. This MOA establishes an agreement between State Agency and the USCG about how we will share data for our common good.

4. **RESPONSIBILITIES:**

   A. **Coast Guard**
      
      1. The USCG will own and maintain the VIS database at no cost to participating State Agencies. The USCG will make all VIS data available to participating State Agencies.

      2. The USCG or its designee will ensure that information provided by the State Agency will be used in strict accordance with state and Federal laws. The USCG or its designee will ensure that data elements not covered under an agreement with the State Agency and designated by State Agency as “restricted to VIS use only” will not be used for any purpose other than to establish and maintain VIS data.

      3. The USCG or its designee will not release information provided by the State Agency to the public and will not share such information with any other Federal, state or local agency without prior approval of the State Agency, except in accordance with Federal law.
B. State Agency

1. At least once a month, State Agency, or its designee, will provide the USCG or its designee an electronic file, in a format agreed upon by both parties, containing all VIS data elements for vessels registered with the State Agency, to the extent those data elements exist in State Agency’s database.

2. State Agency will not release information provided by the USCG to the public and will not share such information with any other Federal, state or local agency without prior approval of the USCG, with the exception of the State Agency Department of Titling & Registration, State Agency law enforcement agencies, or in accordance with Federal and state law.

3. State Agency will identify its personnel allowed access to VIS by providing a signed user account form to the USCG. State Agency will notify the USCG within twenty-four hours when access to VIS by a State Agency employee is no longer authorized.

4. This MOA will not replace or modify existing contracts States have with vendors for the sale of State boat registration data. State Agencies participating in VIS, who currently do not provide the USCG or its designee with data elements required by VIS may designate those data elements as FOR VIS USE ONLY when providing them to the USCG or its designee.

5. OTHER PROVISIONS. No transfer of funds will be involved in this exchange of information. Each party to this agreement will bear any cost involved in extracting and providing information to the other party. However, State Agency may charge third parties collecting data on behalf of the USCG fees related to other use agreements with that third party.

6. POINTS OF CONTACT. The USCG point of contact for matters related to this MOA is Gary Chappell, Commandant (CG-633), 2703 Martin Luther King Jr Ave, S, Washington, DC 20593, and phone: (202) 372-1280. State Agency point of contact for matters related to this MOA is________________, address ____________________________, and phone: (___) _____-______.

7. EFFECTIVE DATE. This agreement will become effective on the date of signature by both parties.

8. MODIFICATION. This agreement may be modified at any time by mutual written consent of both parties.

9. TERMINATION. The terms of this agreement, as modified with the consent of both parties, will remain in effect until terminated. Either party, upon 30 days advance written notice to the other party, may terminate this agreement.

APPROVED BY:

PAUL F. THOMAS, RDML, USCG
Assistant Commandant for Prevention Policy

State Agency Rep________________________
State Agency Title________________________
State Agency Office________________________

Signature ______________________________
Date ________________________________
ATTACHMENT 1

VIS DATA ELEMENTS

All requested elements should be provided to the extent they exist in your database systems.

As of August 2007, the following list contains the data elements as listed in 33 CFR Part 187. This regulation may be updated periodically and you should reference the current version of the CFR for a current list of VIS data elements.

Subpart B—Information to be Collected by Participating States

§ 187.101 What information must be collected to identify a vessel owner?

(a) A participating State must collect the following information for a vessel it has numbered or titled when an individual owns the vessel and make it available to VIS:

(1) Names of all owners.

(2) Principal residence of one owner.

(3) Mailing Address, if different from the address in paragraph (a)(2) of this section.

(4) One of the following unique identifiers for each owner:

(i) Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN).

(ii) If the SSN or ITIN is not available, birth date and driver's license number.

(iii) If the SSN, ITIN, and driver's license number are not available, birth date and other unique identifier prescribed by the State.

(b) A participating State must collect the following information for a vessel that it has numbered or titled when the vessel's owner is not an individual, but a business or other type of organization:

(1) Names of all businesses or organizations that own the vessel.

(2) Principal address of one business or organization.

(3) Mailing address, if different from the address in paragraph (b)(2) of this section.

(4) Taxpayer Identification Number (TIN) for the principal business or organization.

(5) If the TIN for the principal business or organization is not available, one of the following unique identifiers for a corporate officer, a partner, or the individual who signed the application for numbering:

(i) Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN).

(ii) If the SSN or ITIN is not available, birth date and driver's license number.

(iii) If the SSN, ITIN, and driver's license number are not available, birth date and other unique identifier prescribed by the State.
§ 187.103 What information must be collected to identify a vessel?

A participating State must collect the following information on a vessel it has numbered or titled and make it available to VIS:

(a) Manufacturer's hull identification number (HIN), if any.
(b) Official number, if any, assigned by the Coast Guard or its predecessor.
(c) Number on certificate number assigned by the issuing authority of the State.
(d) Expiration date of certificate number.
(e) Number previously issued by an issuing authority.
(f) Name of manufacturer, builder, or make.
(g) Model year, manufacture year, or year built.
(h) Overall length.
(i) Vessel type. Authorized terms are “open motorboat”, “cabin motorboat”, “auxiliary sail”, “sail only”, “personal watercraft”, “pontoon”, “houseboat”, “rowboat”, “canoe/kayak”, or “other”.
(j) Hull material. Authorized terms are “wood”, “aluminum”, “steel”, “fiberglass”, “rigid hull inflatable”, “rubber/vinyl/canvas”, or “other”.
(k) Propulsion type. Authorized terms are “propeller”, “sail”, “water jet”, “air thrust”, or “manual”.
(l) Engine drive type. Authorized terms are “outboard”, “inboard”, or “inboard/ stern drive”.
(m) Fuel. Authorized terms are “gasoline”, “diesel”, or “electric”.
(n) Primary use. Authorized terms are “pleasure”, “rent or lease”, “dealer or manufacturer demonstration”, “charter fishing”, “commercial fishing”, “commercial passenger carrying”, or “other commercial operation”.

§ 187.105 What information on titled vessels must be collected and what may be collected?

(a) A participating State must collect the following information on a vessel it has titled and make it available to VIS:

(1) Information required under §187.103.
(2) Title number.
(3) Issuance date of the most recently issued title or redundant.
(4) Where evidence may be found on the security interest or lien against the vessel.
(5) Name of each secured party.
(6) Address (city and State) of each secured party.

(b) A participating State may collect the following information on a vessel it has titled and make it available to VIS:
Information concerning the discharge of the security interest.

Information concerning the surrender of the certificate of title.

§ 187.107 What information must be made available to assist law enforcement officials and what information may be made available?

(a) A participating State must make the following information available to VIS for use by law enforcement officials:

(1) Vessel identifier(s), as required by §187.9.

(2) Notice of law enforcement status. Authorized terms are “lost”, “stolen”, “destroyed”, “abandoned”, or “recovered”.

(3) Date of notice of law enforcement status.

(4) Point of contact for the agency or official reporting the status.

(5) National Crime Information Center code for the reporting agency or official.

(b) A participating State may make the following information available to law enforcement officials:

(1) Notice that the vessel is being sought for a law enforcement purpose other than a purpose listed in paragraph (a)(2) of this section.

(2) Location of vessel when reported lost, stolen, destroyed, abandoned, or recovered.

(3) Vessel insurance policy number.

(4) Name of insurance company.

(5) Address of insurance company.

(6) Mailing address of insurance company, if different from the address in paragraph (b)(5) of this section.

(7) Telephone number of insurance company.

(8) Date the vessel was recovered.

(9) Location of the vessel when recovered.

(10) Names and telephone numbers of contacts not listed under paragraph (a)(4) of this section.

(11) Request to be notified if vessel is sighted.

(12) Purpose of sighting notification request.

(13) Date and time vessel last sighted.

(14) Location of vessel when last sighted.
ATTACHMENT 2

a. List the data elements you cannot provide (if any).

b. List the data elements restricted to VIS use only (if any).