



Subject: Photography Policy & Procedure	Original Issue Date July 9, 2007 Updated July 2, 2012	SECURITY POLICY/PROCEDURE # 2007-1
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I. BACKGROUND

The Massachusetts Bay Transportation Authority (“MBTA”) has security and public relations interests in persons who wish to take photographic or video images on, in, or of MBTA property, vehicles, or employees. Although in most instances there is no particular harm involved in taking photographic or video images on, in, or of MBTA property, vehicles, or employees, the MBTA has an obligation to provide for the safety and security of our employees and customers.

II. POLICY

In order to provide the highest level of safety and security to its customers and employees and to ensure that marketing rights are protected, the MBTA has adopted this Photography Policy.

Persons may take photographic or video images, including but not limited to film, digital or video recordings (Images) of MBTA Property, including but not limited to stations, buses, trains, or other vehicles for their personal use. Persons must not interfere with transportation activity while taking Images.

Images of designated Restricted Areas (e.g. an area not open to the public, an area designated for “MBTA Employees Only”, etc.), are not permitted. Any person observed taking Images on, in, or of a Restricted Area may be subject to law enforcement action as appropriate.

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Except as otherwise permitted by law (e.g. in conjunction with a lawful arrest, etc.), MBTA Transit Police Officers or other MBTA officials shall not demand or take any action to delete, view or confiscate Images taken by any person.

Nothing in this policy shall preclude a police officer from acting within the authority granted under Mass. Gen. Law Chapter 41 Section 98. Any person wishing to take Images for any type of commercial purpose or use, (e.g., movies, commercials, trade publications, etc.) must first obtain a permit from the MBTA Marketing Department.

III. SCOPE

This Policy is being issued by the Chief of Police under the authority granted him by the Board of Directors and the General Manager and applies to all employees, vendors, contractors, and all other persons on MBTA Property or vehicles.

IV. PROCEDURE

Personal Use Photography (Non-Commercial)

No permit is required for personal and/or non-commercial use Images taken in public areas.

Non-commercial photographers are prohibited from using tripods, monopods, wiring or any like equipment that may have an impact on the safety of customers or employees and are prohibited from interfering with the free flow of passengers, disrupting service in any manner or interfering with any transportation activity.

Commercial Photography

Any person wishing to take Images for any type of commercial purpose or use must first obtain a Permit (See sample attached.) A permit may be obtained by completing the Application (See sample attached) and submitting it to the MBTA Marketing Department, 2nd Floor, Room 2310, 10 Park Plaza, Boston, MA 02116 (617-222-5568). Once issued, the Permit will be valid for a specific location, date and time, which is stated on the Permit.

News Media Photographers

News media photographers who prominently display their Commonwealth of Massachusetts News Media Photographer identification card, News Photographer tri-card (See samples attached) or another form of official press/media identification will be allowed to take Images of MBTA Property, vehicles or employees so long as they do not interfere with the free flow of passengers or disrupt service in any manner. News media photographers are subject to the same limitations and restrictions regarding Restricted Areas of the MBTA.

News media photographers are requested to make prior notification to the MBTA Public Affairs Office at 617-222-3302 and the MBTA Transit Police Department at 617-222-1212.

Please note: Officials should advise the appropriate Line Dispatcher when observing a news media photographer taking Images on, in, or of MBTA Property, vehicles, or employees. However, they do not need to request information from the persons(s) so long as the media credentials are prominently displayed.

News media photographers are not allowed inside any crime or incident scene without the permission of, and an escort provided by, the on-scene MBTA Transit Police Incident Commander or his/her designee.

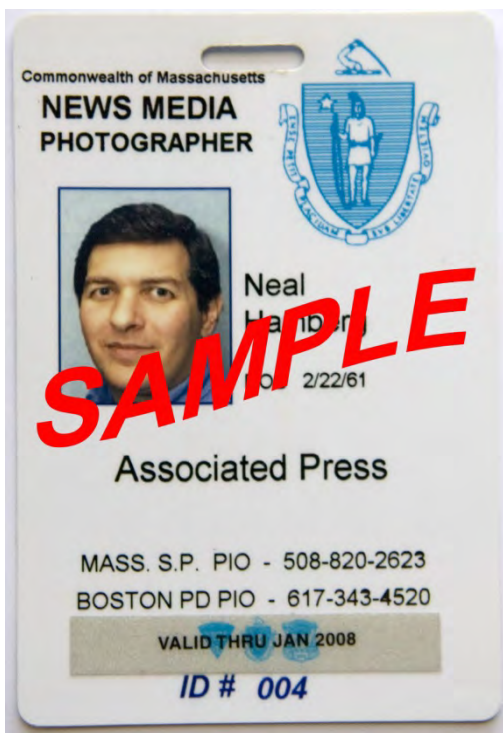
V. EMPLOYEE RESPONSIBILITIES

MBTA Officials: MBTA employees may not prevent or restrict a person from taking Images unless the activity interferes with transportation activity.

MBTA Marketing Department: The Marketing Department will forward all Permit applications to the MBTA Transit Police Department Intelligence Unit. The Intelligence Unit will vet the information furnished to the Marketing Department before authorizing the issuance of a permit. In addition, the Marketing Department will secure approval of the MBTA Operations and Safety Departments prior to the issuance of the Permit.

News Media Identification

Commonwealth of Massachusetts Identification Card



Tri-Card



Commercial Photography/Sampling Application

- Please complete all fields on form. Please allow two weeks for processing.
- Written permission will be provided by the MBTA when approved.
- Permit must be picked up in person at the MBTA Marketing Communications Department, Room 2310, Ten Park Plaza, Boston, MA.

Last Name _____ First Name _____

Date of Birth: Month

_____ Day _____ Year _____

Address

City _____ State _____ Zip Code _____

Phone

(H) _____ (W) _____ (C) _____

Please fax two positive forms of picture identification (one form must be either a driver's license or a passport) to 617-222-3340. Please note that the Intelligence Unit of the MBTA Transit Police Department will query all information submitted.

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Business Name (If applicable)

Business Address (If applicable)

Office/Work phone number

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Description of Project:
Sampling

Photography

Filming

Number of people involved _____ Time _____ Date _____

Location _____ Equipment Involved _____

Description of Project

Commercial Photography/Sampling Permit

The Massachusetts Bay Transportation Authority hereby grants permission to:

to enter or enter upon its right of way, premises or structures at the following MBTA locations on the following dates and times:

1. This permit is not assignable or transferable and can be cancelled at any time at the discretion of the MBTA.
2. Participants must have this permit with them at all times while on MBTA property. Failure to produce this permit for MBTA personnel will subject participants to be ejected summarily from said properties of the Authority without recourse.
3. Permission is granted on the express condition that said above will not interfere with the Authority's operations and shall at all times abide by the rules, regulations, orders or directions of officials of the Authority.
4. Participants are instructed to find a Customer Service Agent or Supervisor for placement regarding commercial activity.
5. All participants will conduct themselves in a friendly, non-aggressive manner so as not to inconvenience or annoy customers, delay trains, or compromise the MBTA's ability to safely perform its duty.
6. The permission is granted on the express condition that said above does not

- conduct any filming (unless specified) or allow any participant on or near the yellow safety line or in the rail pit.
7. Said above will be held solely responsible for the removal of all trash generated from activity on the property. Should expenses be incurred by the MBTA for removal and disposal of any aforementioned debris, expenses will become the responsibility of the permit holder.
 8. For any further questions, please contact Peter Swan, Manager of Special Projects, Marketing Communications MBTA, Ten Park Plaza, Boston, MA 02116, Phone (617) 222-5568, Fax (617) 222-3340.

Approved by:

Issue Date: _____

MBTA Marketing Communications