



Massachusetts Bay Transportation Authority

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Governor

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Lt. Governor

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Secretary and MBTA Chairman

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General Manager



<p>Subject: Photography Policy & Procedure</p>	<p>Original Issue Date July 9, 2007</p>	<p>SECURITY POLICY/PROCEDURE # 2007-1</p>
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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, intelligence indicates that persons who wish to target particular locations for terrorist purposes are likely to use photography as part of their pre-attack surveillance and planning. As such, the MBTA has not only an obligation to protect its customers and employees and deter and prevent terrorism, but also an inherent responsibility to regulate photography on, in, or of MBTA property, vehicles, or employees.

II. POLICY

In order to provide the highest level of security to its customers and employees, the MBTA requires that any person on or in MBTA property or vehicles taking non-commercial/personal use photographic or video images, including, but not limited to film, digital, or video recording (hereinafter referred to as “pictures”) of MBTA property, vehicles, or employees, must provide proper identification (see Part IV, Procedure) upon request of an MBTA Transit Police Officer or other MBTA Official.

Any person observed taking pictures on, in, or of MBTA property, vehicles, or employees who refuses to provide proper identification to an MBTA Transit Police Officer or other MBTA Official upon request; or any person observed taking pictures on, in, or of a restricted area (*i.e.* an area not open to the public) will be directed to stop taking pictures and will be subject to additional law enforcement action as appropriate.

Any person wishing to take pictures 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.

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IV. PROCEDURE

Non-Commercial/Personal Use Photography

No permit is required for non-commercial/personal use pictures taken in public areas. However, any person taking pictures on, in, or of MBTA property, vehicles, or employees must provide proper identification* upon request of an MBTA Transit Police Officer or other MBTA Official. The MBTA Transit Police Officer or other MBTA Official may allow the person to take pictures at the specific location under the following conditions:

- the person provides proper identification;
- the circumstances indicate that the subject(s) of the picture(s) does/do not pose a security or safety threat or in any way cause disruption of service or operations of the MBTA; and
- the picture(s) is/are for personal or educational use only (e.g., tourist, railroad buff, student, artist, etc.).

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 or disrupting service in any manner.

**Photo identification that includes, at a minimum, name, address, and date of birth.*

Commercial Photography

Any person wishing to take pictures for any type of commercial purpose or use must first obtain a permit by filling out an application 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 will be stated on the permit.

News Media Photographers

News media photographers who prominently display their Commonwealth of Massachusetts News Media Photographer identification card or News Photographer tri-card will be allowed to take pictures in the public areas on, in, or 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 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 pictures 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.

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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: Officials who observe a person taking pictures shall immediately notify the appropriate Line Dispatcher and inform the person of this policy. The Line Dispatcher will notify the MBTA Transit Police Dispatcher. If possible, the Official should obtain the identification information (name, address, date of birth, and any other appropriate information) while awaiting the police response. If the person refuses, the Official should ask the person to stop taking pictures and the Official should update the MBTA Transit Police Dispatcher.

If no MBTA Transit Police Officer is available to respond in a timely manner, the Official shall record the information on a report (standard statement) and forward the report before the end of the Official's shift to his or her area Superintendent's office. The Superintendent or Supervisor shall fax the report to the MBTA Transit Police Department Intelligence Unit. The fax number for the Intelligence Unit is 617-222-1036.

MBTA Marketing Department: The Marketing Department will forward all permit applications to the MBTA Transit Police Department Intelligence Unit. The Intelligence Unit will conduct a background and record check 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. Once completed, the Marketing Department will issue the permit.

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