



Video Surveillance/ Camera Maintenance Policy

Policy Statement:

The Madison County Transportation Authority places the highest priority on passenger and public safety. Placing video cameras on MCTA vehicles is one way to ensure passenger safety, proper driver management and general security for MCTA and the public as to its vehicles and operation of the same.

Purpose:

The need to ensure security and safety balanced with an individual's right to privacy. The purpose of this policy is to establish procedures which are intended to achieve this balance. Specifically, this policy addresses requirements and responsibilities with respect to:

- The operation of Video/Audio Surveillance Systems on MCTA vehicles and on the MCTA property.
- The use of the information obtained through Video/Audio surveillance Systems on MCTA vehicles/property; and
- Custody, control, access to and retention of records created through Video/Audio Surveillance Systems on MCTA vehicles/property.

I. Posting Guidelines:

MCTA shall post notices on each vehicle and on its property where cameras are located. The notice shall be in substantially the following form:

THIS VEHICLE IS MONITORED BY AUDIO AND VIDEO RECORDING DEVICES. BY ENTERING THE VEHICLE AND RIDING WITH MCTA, YOU ACKNOWLEDGE THAT YOUR IMAGE AND/OR VOICE MAY BE RECORDED BY THE ON-BOARD CAMERAS. MCTA'S VIDEO/AUDIO MAINTENANCE POLICY IS ON FILE AT MCTA'S ADMINISTRATIVE OFFICE: 387 LONG BRANCH ROAD, MARSHALL, NC.

- II. **Definitions:** this policy applies to all Video/Audio Surveillance Systems installed on MCTA vehicles and at the MCTA property (386 Long Branch Road, Marshall, NC 28753).
- MCTA: Madison County Transportation Authority
 - NCDOT: North Carolina Department of Transportation
 - Vehicle- refers to any vehicle that is either owned or operated by MCTA for the defined purpose of providing public transportation services by MCTA.
 - MCTA Coordinator- the primary official with over all responsibilities for the management and operations of the transit program or their designee.
 - Video/Audio Surveillance System or System: refers to any system or device that enables continuous or periodic video/audio recordings, observing or monitoring the interior and immediate exterior of MCTA vehicles and MCTA property. This may include individuals boarding, travelling on or alighting system vehicles and included the storage devices used to store the recorded video/audio data.

- III. **Camera Placement:**
MCTA will take all reasonable steps to mitigate any adverse effects on personal privacy. Camera placement has been assessed with the NCDOT requirements. MCTA will honor these assigned camera placements, and will not deviate from this approved plan without written permission from the NCDOT.

- IV. **Ownership of Audio/Videos:**
- A. The ownership of the video tapes from MCTA vehicles or property rests exclusively with MCTA/Madison County Government.
- B. Information on the existence, operation and use of Video/Audio Surveillance Systems on MCTA vehicles WILL NOT be considered public records as the information recorded will be used for the following:
- To perform performance evaluations and suspension, disciplinary actions and terminations, which is protected as confidential information under Article 7, G.S.126;
 - To assist public law enforcement agencies in criminal investigations; intelligence records, Innocence Inquiry Commission record, G.S. 132-1.4;
 - As required by North Carolina Federal Law.

V. **Accountability:**

A. The MCTA Coordinator or MCCS Director shall be responsible for the following:

1. Maintaining an annually reviewing the protocols for the installation, operations, and use of the Video/Audio Surveillance System used by MCTA, and for the custody, control, access to and retention of records created.
2. Ensuring that all proposed changes to the existing system or any newly proposed systems meet the requirements of this policy prior to implementation.
3. Maintaining the custody of all system records created.
4. Ensuring the security of any records, from creation through final disposal.
5. Ensuring compliance with this policy.

B. Operators are responsible for the following:

1. Ensuring, at the time of their daily vehicle inspection, that the camera button is operating.
2. Refraining from loud playing of radios, or other devices that would interfere with the recording of audio data.
3. Receiving training on the use of the camera button so that significant events transpiring onboard vehicles will be tagged.
4. Taking no action or allowing others to take actions that would interfere with the proper functions of the system.
5. Noting specifically the time and location of the occurrence, if incidents do occur during the normal course of providing service.

VI. **Access to System Records:**

A. Restrictions: In accordance with Article 7, G.S. 126, access to records created by the system is restricted by law. Access is limited to the following:

- Individuals responsible for the operations or administration for the system. (MCTA Coordinator, MCCS Director or County Manager)
- Individuals who have a legitimate need to access the information for one of the purposes listed in the below “viewing policy” section of this policy.

B. Access means MCTA staff may provide a summary of the information collected. If required by North Carolina or Federal law, a copy of the record may be provided.

VII. Viewing Policy:

- A.** MCTA may view cameras for any reason, including performance reviews of drivers, accident investigations, and investigation of passenger and/or driver complaints, camera maintenance and/or test, criminal investigation purposes or other reasons determined by MCTA as to the necessity to review videos.
- B.** MCTA shall designate the MCTA Coordinator, MCCS Director and Madison County Manager as the individual privy to the review of videos.
- C.** MCTA may use vehicle and/or property cameras as a method of cooperating with law enforcement personnel to investigate accidents, crimes or other activities upon request of such a law enforcement officer. The decision to allow law enforcement officer to review videos shall rest with the MCCS Director and County Manager.

VIII. Video Retention:

- A.** In the event of accident investigation retention, such videos shall be retained for a period of 3 years after the event, or until such time as litigation has come to final resolution.
- B.** In the event the video is retained for any other purpose, MCTA shall refer to its record retention policy.
- C.** Videos shall be retained in a manner that protects any digital and/or taped video format, based upon available technology at MCTA.

IX. Maintenance:

- A.** MCTA shall check the operation of its video cameras as needed or at least once a month.
- B.** Operators or maintenance personnel shall report malfunctioning cameras to the Operations Manager immediately upon discovery of such malfunction.
- C.** MCTA shall use its best efforts to ensure that its cameras are operational on a daily basis. However, due to the mechanical nature of cameras MCTA cannot guarantee the operation of one or more vehicle cameras at any given time.

X. Records Management:

- A.** Recorded Video/Audio data is stored in the MCTA Coordinator's office with back up maintained with the Madison County IT department.
- B.** Recorded Video/Audio data is kept for 5 years for those incidents that will be needed for insurance or other purposes.

XI. Unauthorized Disclosure:

- A.** Any employee of MCTA having knowledge of unauthorized access to our disclosure of a record must immediately inform the MCTA Coordinator or MCCS Director.
- B.** Failure to comply with this policy including any unauthorized access to our disclosure of information is cause for disciplinary action, up to and including terminations of employment.

XII. Contact:

MCTA Coordinator
Madison County Transportation Authority
386 Long Branch Road
Marshall, NC 28753
828 649 2219

MCCS Director
Madison County Community Services
462 Long Branch Road
Marshall, NC 28753
828 649 2272