

Guidelines for Installation and Use of Personalised Transport Security Cameras

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1. Introduction

The personalised transport security camera program is administered by the Department of Transport and Main Roads (the Department) and has recently been amended in Stage 2 of the Queensland Government's personalised transport reforms. The changes include amending the application of the security camera program to personalised transport vehicles based on the risk profile of the service.

An approved security camera is mandatory¹ in all personalised transport vehicles (taxi, limousine or ride-booking) in a relevant area² where the service meets one or more of the following criteria:

- Driver and passenger anonymity (risk of assault)
- Cash transactions (risk of theft)
- Point of payment is immediately before, during or after the journey (risk of fare evasion).

Approved security cameras will be required in the limousine and ride-booking vehicles which meet one or more of the above risk criteria from 1 October 2017.

Externally focused forward and rear facing cameras are allowed in personalised transport vehicles, but camera specifications and the download of images will not be regulated by the Department. These cameras must not record images or audio of persons inside the personalised transport vehicle.

The information contained in this document is not intended to be a legal resource for stakeholders. In the case of any discrepancy between the information contained in this document and the legislation, the legislation takes precedence.

It is the responsibility of stakeholders to be aware of their legal responsibilities under the *Transport Operations (Passenger Transport) Act 1994* (the Act), the *Transport Operations (Passenger Transport) Regulation 2018* (the Regulation) and the *Transport Operations (Passenger Transport) Standard 2010*. Reference should be made to the relevant passenger transport legislation for definitions of terms used in this document.

2. Approved Specifications and Camera Systems

Approved security camera systems and specifications are published on the Department's website.

All parties seeking approval for camera systems must provide a completed approval application form (F5114) and relevant supporting material to the Department to have their system considered. Please refer to the Personalised Transport Security Camera Approval Process for more information.

Approved systems will be announced via the Department's website.

3. System Installation and Maintenance

3.1 Installation of Approved Security Camera Systems

For information on the installation of approved security camera systems, refer to the relevant supplier – Lytx Australia (formerly VerifEye Australia Pty Ltd) or Mobile Tracking and Data (MTData).

Suppliers of approved security camera systems will be able to recommend camera technicians in your area for camera system installation or maintenance.

¹ Exemptions relating to regional and remote areas will continue.

² Defined in Schedule 3 of the *Transport Operations (Passenger Transport) Regulation 2018*.

3.2 Approved Security Camera System Repair

Approved security cameras should always be fully operational and properly fitted. Where an approved security camera is not operational and requires maintenance, a Personalised Transport Camera System Fault Notice (F4760) must be completed and kept in the relevant vehicle at all times. A copy must also be provided to the Department. Please note that each notice is only valid for four (4) business days.

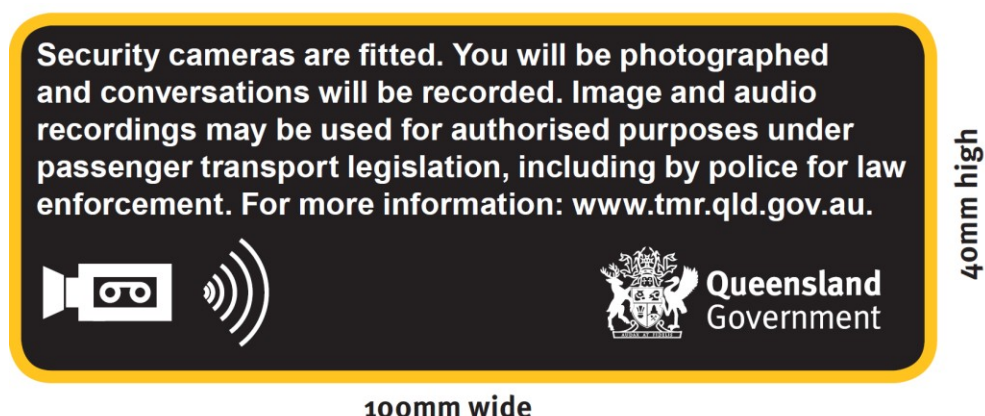
The supplier will be able to provide advice on the appropriate camera technician to repair the camera system. Suppliers are committed to retaining appropriate stock for maintenance and repair of systems in Queensland.³

If located in a relevant area, any faulty camera systems which cannot be repaired will need to be replaced with an approved security camera system to continue to be compliant with passenger transport legislation.

3.3 Display of Approved Signs

Personalised transport vehicles with an approved security camera system installed must have an approved sign displayed at each door of the vehicle and in another place inside the vehicle that allows passengers to readily see the sign.

The current sign to be displayed for an approved security camera system is shown below:



This sign is provided by approved security camera suppliers. For replacement stickers, please contact your relevant security camera supplier.

4. Approved Security Camera Downloads

Images and audio recorded by an approved security camera must only be used for authorised purposes, defined in section 202 of the Regulation.

4.1 Who Performs a Download

The Department approves and authorises Download Stations and Download Officers to perform security camera downloads, and the Queensland Police Service (QPS) to use downloads in accordance with section 80BA of the Act.

4.2 Process to Become an Authorised Download Station

An authorised Download Station is a Department authorised static or mobile facility used by an authorised person for the relevant retrieval of images and audio from a personalised transport security camera system.

³ In late 2016, Lytx Australia (VerifEye) informed the Department that their stock levels for the Mark 5 TaxiCam were depleted and only camera systems covered by warranty obligations would be serviced.

To apply for authorisation, a Download Station Application form (F5077) must be completed and sent to the Department as per the information provided on the form.

The Department will balance privacy considerations with the need for download facilities when assessing Download Station applications.

If approved for authorisation, the Department will provide a Download Station Agreement (F5078) for signature and return. This agreement outlines the responsibilities of a Download Station and its supervisor when providing a download facility.

Once a Download Station Agreement is entered into, the Department will inform the relevant approved security camera supplier(s) that the Download Station facility has been established. The supplier(s) will then provide the necessary software and training to the authorised persons performing the download of images and audio (Download Officers) free of charge.

Please note that as part of the Download Station Agreement, the Download Station must notify the Department of any changes in contact details, general circumstances, Download Station Supervisors or Download Officers.

4.3 Process to Become an Authorised Download Officer

To apply for authorisation, a Download Officer Application form (F5176) must be completed and sent to the Department as per the information provided on the form.

If approved for authorisation, the Department will provide a Download Officer Agreement (F5175) for signature and return. This agreement outlines the responsibility of a Download Officer.

4.4 The Download Process

The process to download security recordings is initiated by a complaint or incident being reported to the QPS or the Download Station Supervisor. If the complaint/incident fits within the definition of an authorised purpose, a request for download is made. Download Officers should only perform a download if the request has come from the QPS or a Download Station Supervisor.

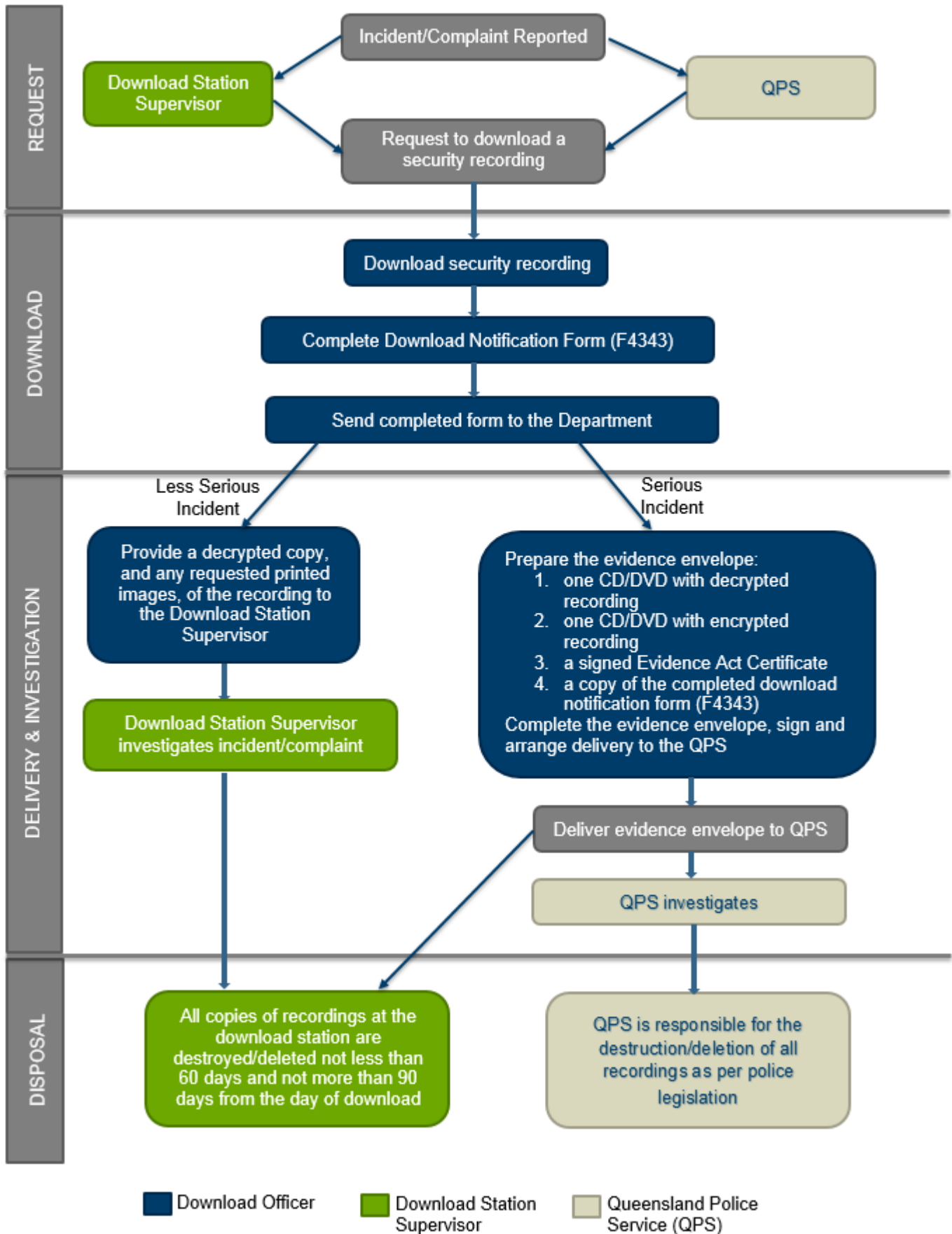
To begin a download, the Download Officer must enter an access code to log in to the relevant camera supplier's download software. This is a unique code issued to all authorised Download Officers. For security reasons, you **must not** give your access code to anyone else, including any other authorised Download Officer.

The download process, after entering an access code, will differ depending on the approved security camera system. Information and training on this process is provided by camera suppliers.

If the Download Officer has any issues with downloading, contact the supplier whose technical support facility will be available during normal business hours, at a minimum.

Refer to the download process diagram on the following page.

Personalised Transport Security Camera Recording Download Process



4.5 Download Notifications

For every download, a record must be kept of:

- a) the vehicle identification number of the vehicle in which the security recording was made;
- b) the date, time and location of the download;
- c) the person's name;
- d) the reason for the download;
- e) the name and contact details of –
 - i. the person asking for the downloaded security recording; and
 - ii. the person (if any) to whom the downloaded security recording is to be given;
- f) the date and time the security recording was made; and
- g) the filename of the security recording.

This record keeping is in accordance with section 216 of the Regulation and is usually conducted by the Download Officer nominated on the Download Station Application form.

A copy of this record must be given to the Department within one (1) working day after the recording is downloaded by completing and lodging the Personalised Transport Security Camera Incident Download Notification (F4343) Form. Because of this timeframe, this fault notification form should be completed immediately after any download. Failure to keep a record, or to provide it to the Department, can incur a maximum penalty of 80 penalty units.

4.6 Managing a Download

The process followed by a Download Officer after downloading a recording will differ depending on whether the request for the download came from the QPS or the Download Station Supervisor. The diagram on page 6 captures the process for both instances.

4.7 Process with QPS

As outlined in the diagram on page 6, recordings need to be provided to the QPS in a particular way. The QPS need to be provided with:

- a) one CD/DVD with encrypted security recording
- b) one CD/DVD with decrypted security recording
- c) a completed and signed Evidence Act Certificate
- d) a copy of the Personalised Transport Security Camera System Download Notification Form.

It is the responsibility of the Download Officer to:

- place all these items in an Evidence Envelope
- seal the envelope
- complete and sign the Download Officer section of the envelope.

The envelope should be promptly and personally delivered to the QPS, by someone from the Download Station. This person needs to sign, time and date the envelope when they pick it up for delivery. The envelope is also signed by the person who receives it at the QPS station.

When providing a recording to the QPS, you will need a Queensland Police Records and Information Management Exchange (QPRIME) number (also known as an 'occurrence' number), which should be entered on the Personalised

Transport Security Camera Download Notification form and on the Evidence Envelope. The QPS usually give this number when they request a download. If you do not have a QPRIME/occurrence number, contact the QPS to obtain it. A QPRIME/occurrence number is only needed for complaints/occurrences being investigated by the QPS.

4.8 Viewing of Download Recordings

Viewing of download recordings should be approached with care. If it is for an internal investigation, the recording should only be viewed by:

- the Download Officer
- the person conducting the investigation (generally the Download Station Supervisor).

If the investigation is due to a complaint made by the driver, there may be circumstances where it is necessary for the driver to view the footage to inform the investigation. The driver must not be allowed to view a recording if they are the subject of the investigation.

4.9 Download Security – Use, Storage and Destruction

A recording must not be sold or otherwise disclosed or used for anything other than an authorised purpose (section 215 of the Regulation). If you have any role in the download process, you must take all reasonable security safeguards of the recording to protect against misplacement, download, disclosure or use other than for an authorised purpose (a maximum penalty of 80 penalty units applies).

Downloaded recordings must be deleted or otherwise destroyed not less than 60 days but not more than 90 days after the recording was downloaded.

4.10 Auditing

The Department conducts audits of all Download Stations. How often these audits are performed depends on a range of factors including a station's download volume, previous audit history and complaints.

As part of the audit, the Department will review a Download Station's security measures, disposal processes for recordings, download records, the download log and the download notifications sent to the Department.

4.11 Additional Information

This document has been developed to provide guidance in relation to the use of approved security camera systems in Queensland personalised transport vehicles. It is an interpretation of the Regulation and should not be used as a reference to a point of law. Copies of the Regulation may be viewed and downloaded from the Office of the Parliamentary Council website at www.legislation.qld.gov.au.

Additional information about personalised transport services is available on the department's website at www.tmr.qld.gov.au.

4.12 Appendix A: Evidence Envelope Sticker (printed in yellow)

Department of Transport and Main Roads

Evidence Envelope

Taxi security camera recording

Attention:

This envelope contains the following:

1. One CD/DVD with encrypted images of the incident
2. One CD/DVD with decrypted images of the incident
3. A copy of the completed Taxi Security Camera System Download Notification form
4. A copy of the Evidence Act Certificate signed by the Download Officer.

Envelope preparation procedure

1. Complete all relevant sections of the envelope in handwriting
2. Place all contents (outlined above) in the envelope
3. Seal the envelope with the security seal
4. Transport the envelope immediately to a Queensland Police Service (QPS) station (or where practicable provide directly to the investigating QPS Officer).

Great state. Great opportunity.



Only to be opened by the investigating Police Officer

1. Download Officer to complete

DTMR incident report number:		QPRIME/occurrence number:	
Download Officer name:			
Telephone number:			
Operating address:			
Taxi registration number:			
Taxi company affiliated with:			
I certify that this evidence envelope was sealed by me and the CDs/DVDs contained inside have not been handled by another person.			
Time and date evidence envelope sealed:	Time:	am/pm	Date: / /
Signature:			

2. Person conveying envelope to complete

Sealed evidence envelope received by:

Name:			
I/D:			
Time:	am/pm	Date: / /	Location:
Signature:			

3. Person receiving envelope at the QPS to complete

Sealed evidence envelope received by:

Name:			
Employee number:			
Time:	am/pm	Date: / /	Location:
Signature:			

4. Investigating Police Officer to complete

Sealed evidence envelope received and opened by:

Name:			
Employee number:			
Time:	am/pm	Date: / /	Location:
Exhibit number:			
File viewed:	Yes / No	Date: / /	
File copied:	Yes / No	Date: / /	
Signature:			