



Maryland Port Administration
Office of Security

Date: October 19, 2006

TITLE: Photography Policy

I. References:

COMAR 11.05.07
COMAR 11.05.03.02B(6)
COMAR 11.05.03.02(B)(8)
Code of Federal Regulations, Title 33, Section 105.260

II. Purpose and Applicability:

Maryland Port Administration's (MPA) regulated marine terminals are restricted areas. Photography and filming on MPA regulated terminals, without MPA approval, is prohibited. Persons not authorized to take photographs or to film on regulated MPA terminals must first seek authorization prior to taking of any photographs or filming.

II. Policy Statement:

Persons authorized to take photographs or to film on MPA regulated terminals, in the performance of official MPA duties, are to notify the Office of Security of the intention to photograph or film on MPA regulated terminals by telephoning the MPA Security Duty Officer at (410) 633-1150 or the Maryland Transportation Authority (MdTA) Police at (410) 633-1119. This notification is in order for these offices to be aware of the intended authorized photography or filming on MPA terminals in the event of suspicious filming reports from concerned citizens of the MPA marine terminal community.

IV. Procedures:

A. Photography means the use of any image retention device including but not limited to photographing, videotaping or filming.

B. Except as provided in paragraph B(1) below, photography on MPA Restricted Terminals¹ is prohibited without the express written permission of the MPA Office of Security. Unauthorized photography on or of MPA Restricted Terminals, or on or of MPA Property² and **suspicious in nature** will immediately be reported to the National Response Center: 800-424-8802 or 877-24WATCH.

(1) Photography is permitted on or of MPA Restricted Terminals and MPA Property, only after advance notification to the MPA Office of Security, by:

(a) Law enforcement officers or employees of other government agencies including but not limited to the United States Coast Guard, United States Department of Homeland Security, MdTA Police and the Baltimore City Police Department for law enforcement or homeland security purposes;

(b) MPA employees within the scope of their official duties and employment;

(c) Exclusive representative of employees under State Personnel and Pensions Title 3 to protect health and safety of employees, and;

(d) Ocean carriers, rail carriers, lighter operators, motor carriers, custom house brokers, independent contractors, stevedores, freight forwarders, shippers, consignees, or other users of Port facilities, including but not limited to agents, servants, employees, tenants, subtenants, customers, and any commercial or social invitees of any of the aforesaid parties or entities as part of their legitimate business activities on MPA property.

(2) Film, videotape, or other image-retention media used on a Restricted Terminal to capture images of security sensitive sites, restricted areas or other critical infrastructure regulated by 33 Code of Federal Regulations § 105.260 and which the MPA Office of Security or the MdTA Police, in its sole discretion, determines to constitute a breach of security shall be subject to confiscation. Confiscation and retention of property under this regulation shall be performed in accordance with MdTA Police directives or Order of the Captain of the Port, United States Coast Guard, Baltimore Sector.

(3) Members of the news media or other persons wishing to photograph the exterior of, or on, Restricted Terminals or MPA Property must request permission from the MPA Office of Communications. The MPA Office of Communications and Office of

¹ “Restricted Terminals” mean those portions of “MPA facilities” including but not limited to the piers, wharves, bulkheads, docks, banks, and other facilities, under the control of the MPA including but not limited to: Cox Creek; Dundalk Marine Terminal; Fairfield Automobile Terminal; Hawkins Point Marine Terminal; Locust Point Marine Terminal – North; Locust Point Marine Terminal – South; Masonville Marine Terminal; Seagirt Marine Terminal. “Port facilities” and “Port facility” have the meaning provided in COMAR 11.05.03.02(B)(8).

² “MPA Property” has the meaning provided in COMAR 11.05.03.02B(6).

Security will review and respond to requests for access to, and to photograph, Restricted Terminals or MPA Property. Persons granted permission to photograph on MPA Property must at all times be escorted by a MPA representative. Individuals refusing to comply with this procedure may be barred from MPA Property.

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APPROVED: SIGNED COPY ON FILE

Homer Williams
Director of Security
Maryland Port Administration

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