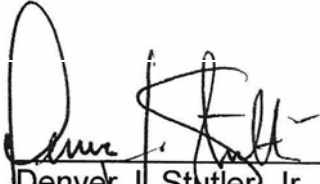


Approved:

Effective: August 26, 2005

Office: Traffic Engineering & Operations

Topic No.: 750-040-005-b



Denver J. Stutler, Jr., P.E.
Secretary

CLOSED CIRCUIT TELEVISION (CCTV) AGREEMENT

PURPOSE:

To ensure the proper use of the closed circuit television images on the State Highway System.

To establish the format and requirements for execution of a Closed Circuit Television Agreement with a public or private entity, herein referred to as the Licensee.

AUTHORITY:

Section 334.044(7), Florida Statutes (F.S.)

SCOPE:

The offices affected by this procedure are the State Traffic Engineering and Operations Office and the District Traffic Operations offices.

DEFINITIONS:

CCTV: Closed circuit television system installed and operated by the Department to monitor traffic conditions on certain portions of the State Transportation System.

Closed Circuit Television Agreement (Agreement): A legally binding instrument setting forth specific terms and conditions under which the Department will allow a Licensee access to the usage of the video images generated by the Department's closed circuit television cameras.

Indemnification Clause: A legal clause in the Closed Circuit Television Agreement which secures or protects each party to the Agreement from liability which may result if any action or neglect by the other party causes damage or loss.

Licensee: A public or private entity who enters into a Closed Circuit Television Agreement with the Department.

State Transportation System: State owned or regulated transportation facilities that provide a means for the transportation of people and property from place to place that are constructed in whole or part from public funds. The term includes property or property rights, both real and personal, which have been or may be established by public bodies for the transportation of people and property from place to place.

BACKGROUND:

The Department currently operates motorist information systems which monitor traffic conditions on certain portions of the State Transportation System in the interest of public safety and convenience and for operational efficiency.

Certain media networks provide traffic reports and other useful and beneficial information to the general public. Access to the motorist information system would assist the media in providing information to the public regarding traffic flow in certain areas.

1. CLOSED CIRCUIT TELEVISION (CCTV) AGREEMENT

- 1.1** *Closed Circuit Television (CCTV) Agreement, Form No. 750-040-02, (Attachment 1)* shall be the only form used to grant CCTV access to a Licensee to execute the Closed Circuit Television Agreement.
- 1.2** The language contained in *Form No. 750-040-02* should be considered nonnegotiable. This form has been developed and has been reviewed and revised as the result of many comments and suggestions including the Department's central and district offices. Should a company insist on alternative language, the proposed change must be submitted by the District Traffic Operations Engineer prior to execution by anyone to the District Secretary and District General Counsel for review and approval or disapproval. Any change in the Indemnification Clause must be authorized by the Deputy General Counsel.

2. EXECUTION OF AGREEMENT

- 2.1** *Form No. 750-040-02* shall be executed with each public or private entity that enters into this nonexclusive revocable license agreement with the Department.
- 2.2** The form shall be executed in duplicate, first by the Licensee. The individual signing for the Licensee must be duly authorized to sign the agreement and the signature attested to by a witness.

- 2.3** The date of the agreement, appearing at the top of page one (1), shall not be entered until the agreement is completely executed by the Department.
- 2.4** Signature authority for the Department shall be the District Secretary or authorized designee with the appropriate title typed under the signature.
- 2.5** The District Traffic Operations Engineer shall be responsible for:
- (1) coordinating execution of the Agreement;
 - (2) obtaining review and approval by the District General Counsel or authorized designee;
 - (3) obtaining signature by the District Secretary or authorized designee; and
 - (4) distribution of the executed Agreement to all parties.
- 2.6** Upon final execution, the District Traffic Operations Engineer shall:
- (1) retain one signed and sealed Agreement for district files; and
 - (2) forward one signed and sealed Agreement to the Licensee.

3. TRAINING

There is no training involved with this procedure.

4. FORMS

Form No. 750-040-02, Closed Circuit Television (CCTV) Agreement (Attachment 1) is available in the Department's Forms Library. Any alternative language must be approved by the District Secretary and District General Counsel.