

## 9. Photographic Detection Devices

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## 9.1 Introduction

This chapter deals with the requirements for the operation of photographic detection devices used in the Camera Detected Offence Program. The program is a partnership between the Service and the DTMR.

## 9.2 Photographic detection devices

Photographic detection devices (see s. 113A: 'Photographic detection device defined' of the TO(RUM)A) are approved as a camera system under Schedule 10: 'Approved photographic detection devices' of the Traffic Regulation.

Photographic detection devices are approved to capture images of the following prescribed offences (see s. 353: 'Prescribed offences for ch 5, pt 7 of the Act' of the TO(RUM-RR)R):

- (i) s. 20: 'Obeying the speed limit' of the TO(RUM-RR)R;
- (ii) s. 56(1) and (2): 'Stopping on a red light or arrow' of the TO(RUM-RR)R;
- (iii) s. 104(1), (2) and (3): 'No trucks signs' of the TO(RUM-RR)R;
- (iv) s. 10: 'Vehicles used on roads must be registered except in particular circumstances' of the TO(RUM-VR)R;
- (v) s. 211(f): 'Using, or permitting use of, vehicle for which registration certificate, number plate or permit altered etc.' of the TO(RUM-VR)R;
- (vi) s. 84A: 'Driving of motor vehicles carrying placard loads in tunnels' of the TO(RUM)A; and
- (vii) s. 20(1) and (2): 'Offence of driving uninsured vehicle' of the MAIA.

The service operates photographic detection devices which are:

- (i) fixed at a location for:
  - (a) speed detection;
  - (b) red light detection;
  - (c) combination speed and red light detection; and
  - (d) point-to-point speed detection;
- (ii) mobile at an approved location identified in the Traffic Camera Coding Manual for speed camera system detection; and
- (iii) mobile for detecting unregistered and uninsured vehicle offences (see s. 9.5: 'Automatic number plate recognition system' of this chapter).

ORDER

Photographic detection devices are to be operated and tested in accordance with Part 22: 'Camera detected offences' of the Traffic Regulation.

### Damage to fixed photographic detection devices

If an officer becomes aware of any damage to a fixed photographic detection device, other than graffiti to the housing, the on-call officer from the Road Safety Camera Office (RSCO), RP&RSC is to be advised.

In the case of graffiti damage to a fixed camera housing, the reporting officer should forward a task to the RSCO [ORG Unit 1245] for a repair quote to be obtained and attached to the QPRIME occurrence.

## 9.3 Photographic detection device sites

The Traffic Camera Coding Manual is maintained by the Road Safety Camera Office (RSCO), RP&RSC on behalf of the Commissioner (see s. 4: 'Definitions' of the Traffic Regulation).

Automatic number plate recognition devices (see s. 9.5: 'Automatic number plate recognition system' of this chapter) are not required to operate from a fixed or otherwise approved location and are exempt from this section of the Manual.

ORDER

Photographic detection devices, excluding automatic number plate recognition devices, are only to be operated at an approved location identified in the Traffic Camera Coding Manual.

### 9.3.1 Mobile speed camera site selection

The members of the Speed Management Advisory Committee (see SMD) are the primary road safety stakeholders.

### Primary site nomination

Photographic detection device sites are selected on identified criteria, with crash history being the primary criterion used to identify possible sites.

The site selection process is commenced when the Road Safety Camera Office (RSCO), RP&RSC receives a crash zone map from the DTMR.

The RSCO will create a Camera Scheduling and Reporting System zone record for each zone map issued by the DTMR.

The site proposal is forwarded to the OIC of the district Highway Patrol responsible for the relevant area for site selection, assessment and recommendation for approval.

### Secondary site nomination resulting from public complaints and stakeholder concern

Members advised of possible speeding problems by road safety stakeholders are to refer the matter to the OIC of the relevant district Highway Patrol.

Potential photographic detection device sites brought to the attention of the OIC of the relevant district Highway Patrol by public complaints of allegedly speeding vehicles should be considered in accordance with s. 9.3.2: 'Site selection process' of this chapter.

Validation of all public complaints and the application of site selection criteria will determine whether:

- (i) the site will be appropriate for photographic detection device operations;
- (ii) whether alternate methods of enforcement should be used; or
- (iii) whether the problem requires an engineering solution.

Where road design is believed to contribute to the problem, the DTMR or the relevant local government engineering personnel should be consulted by the OIC of the relevant district Highway Patrol with a view to eliminating the problem through redesign.

Application of the site selection criteria will finally determine the suitability of the proposed site for photographic detection device operations.

### 9.3.2 Site selection process

The process for assessing, validating and approving proposed photographic detection device sites is to be completed in compliance with the Camera Scheduling and Reporting System User Manual.

### 9.3.3 Deleted

### 9.3.4 Modification of descriptors for approved photographic detection device sites

Following the approval and activation of photographic detection device sites, it may be necessary to modify or adjust a site's secondary descriptor or other details on the Camera Scheduling and Reporting System, for the purposes of clarity or for other operational reasons.

Officers who identify a site which requires modification in its description for the operational requirements of a photographic detection device should provide written advice to the OIC of the relevant district Highway Patrol who can commence a work flow on the Camera Scheduling and Reporting System for the appropriate action to be finalised.

### 9.3.5 Deactivation of photographic detection device sites

Changes may occur at approved photographic detection device sites which may affect the site's suitability for operations (e.g. road works). Unsuitable sites may be deactivated from the Camera Scheduling and Reporting System either permanently or temporarily, depending on the nature of the change at the site.

Officers identifying active photographic detection device sites which may no longer be suitable for operations should advise the OIC of the relevant district Highway Patrol, who is responsible for:

- (i) ensuring that the continued suitability of such sites is assessed; and
- (ii) notifying the OIC, Road Safety Camera Office (RSCO), RP&RSC where active sites are no longer suitable for operations.

Site administrators at the RSCO should deactivate sites in response to written requests from the OIC of the relevant district Highway Patrol for sites to be deactivated for valid reasons.

## 9.4 Mobile speed camera system operation

This section outlines the policy for the operation of mobile speed camera systems. The operation of automatic number plate recognition systems is covered in s. 9.5.1: 'Use of automatic number plate recognition system' of this chapter.

### 9.4.1 Officer authorisation to operate a mobile speed camera system

A mobile speed camera system is not to be operated unless the officer operating the device has an operator's code issued by the Road Safety Camera Office (RSCO), RP&RSC.

Authorised officers who have successfully completed training in the operation of a mobile speed camera system will be issued with a unique operator's code to access the Camera Scheduling and Reporting System and to operate the camera system.

#### Mobile speed camera system operator's courses

ORDER

Officers are eligible to attend an operator's course if they have completed all pre-requisites in Ignite for the relevant course.

RSCO is responsible for training and authorising of officers and instructors in the use of mobile speed camera systems.

#### Authorisation, re-authorisation and competency reassessment of mobile speed camera system operators

Mobile speed camera system operators will not be able to generate a schedule in the Camera Scheduling and Reporting System if they have not operated a mobile speed camera system in the preceding 12 months. All operators are to complete a reassessment every 36 months.

#### Revocation of authorisation to operate mobile speed camera systems

Authorised instructors and operators are to carry out their responsibilities in a professional manner in accordance with Service policy.

If it becomes evident that an officer who is either a mobile speed camera system instructor or an operator should not continue to be authorised, the authorisation held by that officer may be revoked. A revocation notice may be issued by the Assistant Commissioner RP&RSC or the OIC, RSCO.

### 9.4.2 Amount of tolerance allowed in speed detection by photographic detection device

The Commissioner is responsible for determining the amount of tolerance (see SMD) to be allowed in speed detections by photographic detection devices. The amount of tolerance should be uniform throughout the State at any particular time.

### 9.4.3 Operation of mobile speed camera systems

ORDER

Officers deploying mobile speed camera systems are to ensure the camera component of the system capturing the image is located within the parameters of the site location listed in the Traffic Camera Coding Manual.

The mobile speed camera systems must be tested and operated in accordance with the requirements outlined in:

- (i) s. 210: 'Operating and testing analogue speed camera systems'; or
- (ii) s. 210C: 'Operating and testing digital speed camera systems',

of the Traffic Regulation, as appropriate for the type of device used.

### 9.4.4 Management of speed camera systems and vehicles

The OIC, Road Safety Camera Office (RSCO) is responsible for the allocation of speed camera systems.

OICs of stations and establishments which use mobile speed camera systems are to ensure any associated vehicles and equipment allocated to their work unit are maintained in a clean and operational condition.

In the case of the loss, damage or defect to a mobile speed camera system, officers are to comply with s. 14.22.4: 'Reporting loss or damage or defect' of the OPM.

Officers are to:

- (i) ensure mobile speed camera systems are transported and stored securely when not in use;
- (ii) ensure the camera systems are kept in a clean and operational condition; and
- (iii) advise the on-call officer at the RSCO of any issues relating to the functioning of the camera system.

ORDER

Other than setting up and dismantling the relevant mobile speed camera systems at the beginning and end of a deployment, no person is to adjust, disconnect, or remove any part of the system without prior approval of the on-call officer at the RSCO.

In the event of physical damage to the portable mobile speed camera system, the on-call officer at the RSCO is to be advised as soon as practicable.

## Use of speed camera vehicles

Officers are to:

- (i) ensure the vehicle is left secured when it is not in use or is unattended;
- (ii) ensure the vehicle and system is kept in a clean and operational condition; and
- (iii) advise the on-call officer at the RSCO as soon as practicable of any damage or issues affecting the speed camera system or the vehicle.

OICs of Highway Patrols where a speed camera vehicle is attached are to ensure the vehicle:

- (i) is serviced on a monthly basis;
- (ii) receives scheduled log book services; and
- (ii) is kept in a clean and operational state.

Officers are to be aware that the speed camera vehicle is not an operational police vehicle and as such, the vehicle is not fitted with operational equipment.

ORDER

Speed camera vehicles are not to be used for policing activities other than speed camera deployments.

### Vehicle deployment

The OIC, RSCO is responsible for the allocation of speed camera vehicles.

### Damage and faults with the speed camera vehicle

Officers are to comply with this section with respect to the speed camera system fitted to the speed camera vehicle.

Where a speed camera vehicle is involved in a traffic crash, the officer operating the vehicle at the time of the incident is to comply with s. 5.13: 'Investigation of traffic crashes involving Service vehicles' of this Manual.

ORDER

In the event of physical damage to the speed camera components, or the vehicle where the damage affects the vehicle's deployment, the on-call officer at the RSCO is to be advised as soon as practicable.

## 9.4.5 Computerised scheduling of camera operations

ORDER

Officers are to generate a deployment schedule from the Camera Scheduling and Reporting System (CSRS) prior to commencing a mobile speed camera system deployment.

Officers deploying a mobile speed camera system are to obtain from CSRS a selection of approved sites.

Operators may add an approved site to those selected by CSRS to respond to a special event (e.g. shows, rodeos, functions etc.) which may require a mobile speed camera system response.

### Inability to generate a schedule

Officers who are unable to generate a deployment schedule for technical reasons (e.g. CSRS being inoperable) may use their discretion and deploy a mobile speed camera system at an active, approved speed camera site.

Officers who are unable to generate or finalise a camera schedule as a result of technical reasons are to note their deployment log as such and advise the on-call officer at the Road Safety Camera Office (RSCO), RP&RSC.

### Inability to deploy a mobile speed camera system

Where a mobile speed camera system cannot be deployed (e.g. equipment failure or any other extraordinary reason), the OIC of the station or establishment where the mobile speed camera system is assigned at the relevant time is to ensure that a camera schedule is generated and immediately finalised outlining the reasons why the mobile speed camera system could not be deployed on that day.

## 9.4.6 Record of mobile speed camera system operation

Where an officer operates a mobile speed camera system, the officer is to:

- (i) complete a 'Speed Camera Record of Operation' form (available from the Camera Scheduling and Reporting System (CSRS)); and
- (ii) scan the completed 'Speed Camera Record of Operation' form into the relevant deployment record on the CSRS.

## 9.4.7 Deleted

#### 9.4.8 Briefs of evidence for photographic detection device offences

The Road Safety Camera Office (RSCO), RP&RSC, is responsible for compiling briefs of evidence for photographic detection device offences. In some cases, the camera operator may be required to prepare a witness statement. Where a statement is required, the operator will be sent a QPRIME task by the RSCO Prosecutions Unit.

### 9.5 Automatic Number Plate Recognition system

Automatic number plate recognition (ANPR) (see SMD) is a screening tool which compares the number plates of vehicles passing an ANPR device to identify a match between a number plate against a defined hotlist record held on the device. The operator then decides if any action is to be taken such as intercepting the vehicle or making further inquiries.

The RP&RSC manages the Service's ANPR Program. Access to the ANPR system is at the discretion of the Superintendent, Road Policing Group, RP&RSC.

The ANPR system is used for:

- (i) road safety functions (see SMD); and
- (ii) the investigation of criminal offences.

Officers using an ANPR system are to conduct an investigation, in accordance with s. 3.4: 'General prosecution policy' of the OPM, prior to commencing enforcement action, irrespective of any potential offence indicated by the system.

#### Hotlists

Five primary Queensland motor vehicle number plate 'hotlists' are searched by the ANPR device, namely:

- (i) stolen motor vehicles;
- (ii) unregistered motor vehicles;
- (iii) cancelled motor vehicle registrations;
- (iv) unlicensed and disqualified drivers, based on DTMR registration records; and
- (v) other vehicles of interest including:
  - (a) vehicles bearing number plates recorded in QPRIME as lost or stolen; or
  - (b) vehicles flagged within QPRIME or included in a QPRIME BOLO broadcast.

#### 9.5.1 Use of automatic number plate recognition system

Each police establishment allocated an automatic number plate recognition enabled vehicle has access to facilities to synchronise data between the vehicle's system and the Automatic Number Plate Recognition (ANPR) database.

The Service's ANPR system requires individual user log-in. Officer's access to the ANPR system will depend on their approved role and function. Upon successful completion of role specific ANPR training, officers will be allocated an individual userid and password, enabling relevant access to the ANPR system. Each authorised ANPR operator is accountable for all ANPR related activities.

Operators are to comply with the relevant policy, procedures and orders relating to interception by motorised offenders (see s. 3.2: 'Static interception' of this Manual and s. 15.4: 'Vehicle interceptions' of the OPM).

Operators are to:

- (i) ensure the vehicle is left secured when it is not in use or is unattended;
- (ii) ensure the vehicle and system is kept in a clean and operational condition;
- (iii) check the currency of the hotlist databases prior to commencing a deployment;
- (iv) confirm any hotlist alert through existing procedures (e.g. radio inquiry, driver questioning etc.) before commencing any enforcement action;
- (v) when conducting a static deployment and interception site, the operator is to:
  - (a) select an appropriate site consistent with the provisions of s. 3.2 of this Manual; and
  - (b) ensure that a clear and uninterrupted view exists between the point where the ANPR system is located and the point where the vehicle is to be intercepted, so that the intercepting officer and the authorised operator can visually monitor the vehicle until the point of interception;
- (vi) ensure the databases are synchronised after completing a deployment. Where this cannot occur, such as due to a deployment involving travel, operators are to synchronise the databases at the earliest opportunity and should be mindful of issues of ageing hotlist data; and

(vii) advise the Superintendent, Road Policing Group, RP&RSC as soon as practicable of any damage or issues affecting the ANPR system or the vehicle.

### Vehicle deployment

The Superintendent, Road Policing Group, RP&RSC is responsible for:

- (i) the equipment installation and technical support of all Service ANPR enabled vehicles; and
- (ii) coordinating the deployment of RP&RSC ANPR enabled vehicles.

OICs of districts or commands allocated ANPR enabled vehicles, which are not operated by RP&RSC, are responsible for the coordination, management and operation of those vehicles.

### Damage and faults with the ANPR system

Other than the mechanism to adjust the screen display unit, no person is to adjust, disconnect, or remove any part of the system without prior approval of the Superintendent, Road Policing Group, RP&RSC.

Issues relating to the functioning of the ANPR system should be reported to the equipment vendor's service assistance system. Where the matter requires urgent attention, the ANPR Unit, RP&RSC should be contacted.

When an ANPR enabled vehicle is required to undergo maintenance or repairs, the system is to be shut down in the normal manner.

If the vehicle is undriveable and where practicable, the vehicle should first be towed to an establishment with an ANPR wireless access point, to allow the system to be downloaded.

ORDER

In the event of physical damage to the ANPR system, or the vehicle where the damage affects the vehicle's deployment, the Superintendent, Road Policing Group, RP&RSC is to be advised as soon as practicable.

### 9.5.2 Automatic number plate recognition records

The automatic number plate recognition (ANPR) system (see SMD) database retains a record of all vehicles detected by the system, whether or not a possible offence is identified.

Encrypted ANPR records are uploaded from the vehicle's system to the ANPR database. A record consists of the date, time and GPS coordinates of the detection, a low-resolution colour image of the vehicle and a photograph of the vehicle's number plate.

ORDER

Access to the ANPR database and associated management software is restricted to persons authorised or delegated by the Superintendent, Road Policing Group, RP&RSC.

ANPR records are to be used only for law enforcement purposes.

ANPR records bear an unclassified information security classification (see s. 4.4: 'Information security classification system' of the Information Management Manual), however they are considered to be personal information under s. 12: 'Meaning of personal information' of the *Information Privacy Act* (see s. 5.9: 'Information privacy principles' of the MSM).

The Superintendent, Road Policing Group, RP&RSC is to periodically review its standing orders regarding physical and electronic security of the file server and records, including the conducting of security audits.

### Records retention

ANPR records can be:

- (i) deleted once the record is no longer required, as determined by the Superintendent, Road Policing Group, RP&RSC; or
- (ii) retained within a QPRIME occurrence (at the request of a member of the Service (see subsection 'Requests for records' of this section)).

ANPR records are to be maintained in accordance with the Queensland Whole of Government Information Standards 31: 'Retention and Disposal of Public Records' and 40: 'Recordkeeping'.

### Requests for records

ANPR records may be produced as secondary evidence in court or to assist in the investigation of criminal offences.

ORDER

ANPR records required for production in court, or used in the investigation of criminal offences are to be imported into the relevant QPRIME occurrence and retained in accordance with the QPS Records Retention and Disposal Schedule (see s. 5.5: 'Records retention and disposal' of the MSM).

A member requesting an ANPR record is to complete a QP 0910: 'Request to search ANPR database' and submit it to an officer of the rank of sergeant or above for authorisation.

The authorising officer is to determine if the request relates to a law enforcement purpose. If the request is authorised, the authorised QP 0910 is to be forwarded to an officer authorised to interrogate the ANPR database.

After reviewing the request, the authorised officer will provide details of the record to the requesting officer. All requests for records, access to the ANPR database and related activity are captured for auditing purposes.

On receipt of the relevant records, the investigating officer is to check the record for the clarity of the image and that the record supports the commission of an offence. All record/s should be retained within the relevant QPRIME occurrence.

### Statistics

Any official request for ANPR statistics is to be directed through the Superintendent, Road Policing Group, RP&RSC.

### 9.5.3 Automatic number plate recognition system training

The Automatic Number Plate Recognition (ANPR) Unit, RP&RSC is responsible for developing the training materials and courses in the operation of the ANPR system.

The following types of training courses are conducted by the Service in relation to the operation of the ANPR system:

- (i) authorised instructor course;
- (ii) authorised operator course; and
- (iii) authorised intelligence officer course.

The Superintendent, Road Policing Group, RP&RSC will arrange for the delivery of courses to qualify officers in the use of the system.

Records of authorised ANPR instructors and operators in each region/command are to be maintained within the Ignite learning and performance management system by the training provider in accordance with the Education and Training Command Information Management Policy.

Officers identified as failing to access or operate the ANPR system in accordance with this policy may have their authorisation withdrawn.

## 9.6 Complaints regarding offences recorded by photographic detection devices

### 9.6.1 Complaints regarding infringement notices for photographic detected offences

#### Complaints regarding offences identified by automatic number plate recognition system devices

Members who receive complaints regarding the issue of infringement notices for offences identified by an automatic number plate recognition system (see SMD) should manage the offence in accordance with s. 8.10: 'Complaints concerning the issue of infringement notices' of this Manual.

#### Complaints regarding offences identified by other photographic detection devices

Members who receive complaints relating to the issue of infringement notices for photographic detected offences should:

- (i) forward the complaint to the Director, Road Safety Camera Office, RP&RSC; and
- (ii) send a letter to the alleged offender advising that their complaint has been forwarded to the Director, Road Safety Camera Office, RP&RSC.

### 9.6.2 Request to view photographic detected device image

Members receiving requests from an alleged offender to view the photographic image should forward a request to the Director, Road Safety Camera Office, RP&RSC by email to 'TCO Operations'. An electronic copy of the photographic image will be emailed to the nominated police station for viewing by the alleged offender.

### 9.6.3 Request to purchase photographic detected device image

Members who receive requests by the alleged offender to purchase a copy of a photographic detected device image should refer the request to the Director, Road Safety Camera Office, RP&RSC. Upon payment of the prescribed fee (see Schedule 4: 'Fees' of the Traffic Regulation) the photographic image will be printed and forwarded directly to the alleged offender.

### 9.6.4 Service requests for photographic detection device image or deployment data

A member of the Service who requires information relating to a photographic detection device offence (e.g. a stolen car detected exceeding the speed limit) or the extraction of deployment data can make a request to the Road Safety Camera Office, RP&RSC. The request is to be made using the 'Request for camera detected photograph/deployment data extract' form, available from the Road Safety Camera Office webpage on the Service Intranet.

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