

Registrar's Decision Notification 01/2008: Release of Information for Photo Enforcement Programs

To comply with the requirements of the Access to Motor Vehicle Information Regulation (AMVIR) and to further clarify and manage the disclosure of personal information from Alberta's Motor Vehicle Information System (MOVES), the Registrar of Motor Vehicle Services ("Registrar") decides:

1. Photo Enforcement Program

"Photo Enforcement Program" (PEP) means a program, established in compliance with the relevant Alberta legislation, policies, and guidelines by a law enforcement agency, Alberta municipality, or public body, that uses photographic equipment to record data related to a vehicle for the purposes of traffic related law enforcement. The photographic equipment may include but it is not limited to speed enforcement devices, red light traffic enforcement devices or intersection safety devices.

2. Information Content

"Photo Enforcement Information" (PEI) means Type I information released by the Registrar for PEP management that may include:

- the name of the registered owner of a valid Alberta plate number at the date of the event captured through photo enforcement means; and
- the last known mailing and/or physical address of the registered owner of the plate.

3. Release Channel

PEI is to be requested from, produced by, and released by Alberta Registries through electronic means using equipment and systems as agreed by the Registrar. Batch access to PEI is provided when a pre-approved Recipient, having a valid AMVIR Agreement with the Registrar, makes a Request to the Registrar via the Common Web Interface (CWI) by providing the AMVIR Personal Unique Access Number (PUAN) and in each line of the Batch Request File an event reference code, event date, and an Alberta plate number captured in the course of a Photo Enforcement Program. The Registrar may release to the Recipient, through the CWI, a Batch Release File that contains the PEI associated with a valid Alberta plate.

4. Purposes

The Registrar's decision is to **release** PEI, on an ongoing basis, for PEP management under the following purpose listed under section 2 of AMVIR:

2(1)(a) The Registrar **may, on request**, release information on the Registrar's motor vehicle information system, collected and compiled for the purpose of identifying licensed operators and registered owners of motor vehicles to ensure

responsibility and accountability for their actions with respect to motor vehicles, only for that purpose or for a use consistent with that purpose.

5. Person or Category of Persons

The Registrar's decision is to **release** PEI under s. 2(1)(a) of AMVIR, for the purpose of PEP management only, to the persons or categories of persons (Recipients) identified below.

As a result, the following are added, to the list of persons and/or organizations to whom the Registrar has decided to release Information under s. 2(1)(a) of AMVIR, as detailed on page 8 of Registrar's Decision Notification 01/2004 under point "A":

- VIII) Law Enforcement Agencies for PEP management relating to offences under the Alberta *Traffic Safety Act* (TSA);
- IX) Alberta Municipalities and Alberta Public Bodies for PEP management relating to offences under the TSA if
 - a. the Recipient is designated as an authorized employer of peace officers under the *Peace Officer Act*, S.A. 2006, c. P-3.5 (POA),
 - b. at least one employee of the Recipient has a Peace Officer appointment to enforce the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34 (POPA) and the authority to operate automated traffic enforcement technology relating to enforcement of the TSA,
 - c. the Recipient provides to the Registrar a statutory declaration confirming that the PEP complies with the relevant Alberta legislation, policies, and guidelines.
- X) City of Lloydminster for PEP management within the "City" as defined by s. 1(d) of the *City of Lloydminster Act*, S.A. 2005, c. C-13.5 and as described in s. 2(2) of the *City of Lloydminster Act*, if
 - a. the Recipient is designated as an authorized employer of peace officers under the POA,
 - b. at least one employee of the Recipient has a Peace Officer appointment to enforce POPA and the authority to operate automated traffic enforcement technology relating to enforcement of the TSA, and
 - c. the Recipient provides to the Registrar a statutory declaration confirming that the PEP complies with the relevant Alberta and Saskatchewan legislation, policies, and guidelines.

6. Notification and Review Process

In accordance with section 4 of AMVIR, on request by a person the Registrar's decision is to **release**, on an ongoing basis, the information specified in this notification.

This notification was released on October 23, 2008. Any person may, within sixty days after the date of this publication, ask the Information and Privacy Commissioner (IPC) to review the decision of the Registrar in accordance with Part 5, Division 1.1 of the *Freedom of Information and the Protection of Privacy Act*.

The Registrar agrees to **release** information to a person who requested the information before the expiry of the 60-day period referred to in subsection 4(1)(d) of AMVIR only if that person can prove in a way acceptable to the Registrar that the Registrar was providing information to that person prior to May 1, 2004.

On the issuance of the notification in accordance with subsection 4(1) of AMVIR, notice is deemed to have been given for the current and any future releases of the category of information and of the person or category of persons to whom the information is released or not released, as described in the notification, for the purposes of notice under Part 5, Division 1.1 of the *Freedom of Information and Protection of Privacy Act*.