

Comments of the Independent Regulatory Review Commission



Philadelphia Parking Authority Regulation #126-10 (IRRC #3081)

Image Retention and Use

January 14, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the November 15, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Philadelphia Parking Authority (PPA) to respond to all comments received from us or any other source.

Section 1017.78. Use of captured images. – Clarity; Reasonableness.

Paragraphs (e)(1) and (2) state that dispatchers and the Enforcement Department must delete safety camera images “on the 31st day after receipt, unless one or more of the following applies:” One condition for both a dispatcher and the Enforcement Department is that a law enforcement agency submits a written request for the images to be retained.

We agree that images should be retained at the direction of a law enforcement agency. However, the regulation does not address when the images may ultimately be deleted by the dispatcher or Enforcement Department, and the result could be that the directive would be effective indefinitely. If a copy of the images is provided to the law enforcement agency, could the dispatcher or Enforcement Department then delete them? We ask PPA to review the regulation and address when images that are retained at the direction of a law enforcement agency can ultimately be deleted.