

# **Museum of the American Railroad**

## **Frisco, Texas**

### **Commercial Photography and Motion Picture Location Services**

The Museum of the American Railroad houses one of the finest collections of 20th Century railroad rolling stock and artifacts in the nation. We are pleased to make our collection available for photography and motion picture production services. Please bear in mind that the Museum is first and foremost a repository for cultural artifacts, with standards for their care and presentation. While we will make every effort to accommodate your needs, our collection represents a considerable investment on our part and consists of many items that are irreplaceable.

Preapproval requirements and location fees apply only to commercial photography, videography, or motion picture production. Fees are used by the Museum to defray the costs of acquisition, conservation and exhibition of its collection.

Photography, videography, and motion picture production are considered commercial when any image or images are captured by film, video tape, or electronic means for the eventual reproduction, public exhibition, publication or other distribution (including the internet) that results in financial gain to the photographer (whether amateur or professional) or the image holder. Examples of commercial photography, videography, and motion picture production include, but are not limited to:

- Portfolios and speculative images
- Individual and group/family portraits
- Wedding/engagement photography or videography
- Photography intended to be used in advertising or to otherwise promote a business or other entity (including a non-profit organization or governmental entity)
- Documentary production
- Photography that requires the assistance of a Museum staff person

Certain exceptions may be granted where activities also benefit the Museum or educational endeavors. Exceptions must be agreed upon prior to the shoot. Photography clubs have the option to pay individual general admission for each member if images are not for commercial use, or may pay a commercial fee for the admission of up to 10 members if images are or may be for commercial use. Students enrolled in for-credit photography courses at accredited educational institutions are not subject to commercial fees, unless financial gain is anticipated at a later date.

## **ADVANCE ARRANGEMENTS REQUIRED**

- All activities subject to this policy must be arranged with and approved by a Museum staff person prior to entry to the Museum's facilities.
- The Museum may require review of any applicable script or storyboards prior to authorizing use of the Museum's facilities. Substantive script changes after approval could be grounds for the Museum to withdraw its permission to use its facilities.
- Productions requiring children on or around the set may require special considerations; i.e. parental consent/release, adult supervision, and health/safety provisions.
- Access to parking and the placement of equipment outside the Museum should be prearranged with the City of Frisco.
- The location service, producer, or other responsible party is responsible for obtaining any required permits or licenses from the City of Frisco or other applicable authority.

## **SAFETY AND RESPONSIBILITY**

The Museum of the American Railroad nurtures a culture of safety throughout its operations. In line with current rules and practices in the railroad industry, the Museum promotes safety and responsibility in the operation, presentation, and interpretation of its collection. The Museum reserves the right to review intended use, scripts, story boards, etc. prior to providing motion picture and photography location services. Further, the use of its collection and the heritage it represents should be in accordance with community and industry values. The Museum reserves the right to refuse the use of any images for private or commercial productions that are deemed unsafe or offensive.

## **FEES**

The Museum of the American Railroad is available for use as a location for the following fees:

- Still Photography—\$150 per hour, 1 hour minimum, or a daily rate of \$1,000 for 8 hours
- Motion Picture and Video Productions requiring a cast and crew of 10 or less—\$225 per hour, 3 hour minimum, or a daily rate of \$1,500 for 8 hours
- Fees for large-scale productions are negotiated on an individual basis depending on the scope of services required
- Daily rates must be agreed upon prior to the shoot and require full payment even if production is completed in less time
- Special multiple-day rates and weekly rates are available depending on length of time and needs
- Overtime is charged at the hourly rate. Overtime is any length of time beyond 8 hours or a previously agreed upon multi-day or weekly rate
- Payment of location fees is required upon completion on the day of the shoot by cash, credit, or company check. Multi-day and weekly shoots may require a deposit and/or 50% prepayment
- A security deposit may be required prior to use of the Museum

## **ADDITIONAL FEES**

Additional fees will be required and must be agreed upon in advance if:

- During interior shoots any additional equipment other than one camera, two lights and remote microphone are used inside passenger cars (i.e. camera dollies, sound mixing equipment, large lights and any other large and/or heavy equipment).
- If the Museum is required to close for a shoot during normal operating hours.
- The shoot takes place before or after regular hours of operation.
- Any modifications are made to the interior or exterior of passenger cars or locomotives (i.e. removal or installation of furniture, fixtures, windows or trim; any attachments or alterations to exterior paint and windows). All modifications must be arranged prior to the shoot. No modifications will be allowed without the consent and oversight of Museum staff.
- Operation of certain locomotives and cars for runbys or repositioning, available by special arrangement only.

## **LOCATION TIME SCHEDULE**

- During normal Museum operating hours, location times start when the photographer, client, or first member of the cast or crew begins setup or requires assistance by Museum staff.
- During shoots that take place when the Museum is closed, location times begin at the prearranged time regardless of actual arrival time. If anyone requires access to the Museum prior to the agreed upon time, the location time will begin at the time of entry, i.e. early makeup calls or set dressing.
- Location time includes pre-production set-up and tear-down.

## **SECURITY/SAFETY CONCERNS**

- Any security is to be provided by the production company. The Museum assumes no responsibility for the loss or theft of equipment.
- All electrical appliances must comply with local codes.
- Fire protection equipment may be required under certain conditions.

## **LIABILITY/DAMAGES**

- Proof of liability insurance is required for all film and video production and may be required for still photography. The Museum may require that it be named as an additional insured on applicable policies.
- Any damage, whether by negligence or normal wear and tear during the shoot, including setup and tear-down, must be repaired at the expense of the photographer, location service, production company, or other responsible party.
- Any damage will be determined by the Museum in its sole discretion and must be repaired according to Museum specifications within 30 days.

## PHOTO CREDIT/TRADEMARKS

- All photographs and motion pictures should credit: “*Museum of the American Railroad—Frisco, Texas*”.
- The appearance or use of any railroad logos, trademarks, etc., past or present, must be with the consent of the respective railroad company. Consent by the Museum to film such images does not imply approval by any railroad. *The Museum of the American Railroad does not own nor does it have the rights to the reproduction or authorization of reproduction of any logos, trademarks, names or copyrighted material of railroad companies and their predecessors. It is the responsibility of the photographer and/or image holder to obtain permission for the reproduction and distribution of any copyrighted or trademarked material captured in images at the Museum.*

The Museum of the American Railroad is a 501(c)(3) not-for-profit corporation formed in 1961. We are pleased to make our collection of historic equipment and structures available to photographers, videographers, and motion picture producers. Our volunteers are available to assist during the shoot, including technical advice and historical background on equipment and railroads in general.

If you are considering the use of our Museum as a location, we will be happy to show you around and discuss your needs during normal operating hours. If you choose to use us as a location, we ask you to keep in mind that our trains are irreplaceable artifacts with an average age of 80 years. We want to accommodate your needs, but may place certain limitations on the use of our equipment to protect it from any wear or damage. Our staff is trained to take protective measures to prevent harm to our collection and visitors to the Museum.

If you have any additional questions or would like to reserve the Museum for location work, please phone us at 214-428-0101.

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The undersigned indemnifies and holds harmless the Museum of the American Railroad, its staff, board of trustees, agents, attorneys, volunteers, affiliates and the City of Frisco from and against loss, damages, costs, liability, and claims arising from or concerning the use of Museum property, equipment, or any associated items or settings on or off Museum property.

In acknowledgement of and consent to all the terms and conditions stated in the above policy:

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

Representing: \_\_\_\_\_