

VBMP Products Use and Restrictions – June 2010

Licensing

The licensing of current VBMP orthophotography and its ancillary products was established by the 2003 license agreements for Governmental Users, Higher Education, Non-Profit and the General Public. VGIN continues to apply the components of these License Agreements for current VBMP Orthophotography and Digital Terrain Model (DTM) products, with practical clarifications issued in September 2007 and this document dated June 2010. The following items reflect key components of the license agreement and their current application.

- VBMP data are exempt from the Freedom of Information Act
- Copyright notice is recommended by not required
- Degrading of the imagery for internet display is not required
- The signing of the Contractor Agreement is voluntary
- Any distribution of the imagery must include the acceptable use disclaimer as stated in the metadata
- The most recent VBMP Orthos and DTM are licensed and copyrighted products

Licensed users of VBMP data may allow the temporary use of VBMP data by contractors performing services for the licensee. A contractor agreement is available specifying the rights and limitations of contractor use.

Fees

The Fee Structure for VBMP orthophotography and DTM products is established by VGIN, according to Code of Virginia. Localities must follow the VGIN Fee Structure for current VBMP products. Only VGIN and localities can sell VBMP products. Localities may sell their jurisdiction's VBMP products (not data from another locality). VGIN may sell local, regional and statewide VBMP products. Any fees collected by Localities for their jurisdiction's VBMP products are retained by the Locality for their use. Any fees collected by VGIN go into the VGIN GIS Fund.

Public Domain Data

VGIN has a practice of placing older orthoimagery and DTM data in the public domain, but only for those areas which have been updated with more current imagery. Currently the 2002 statewide imagery set, and the 2006/2007 imagery in the Eastern portion of the state are now available without payment of the established license fees. Virginia Code allows for reasonable fees to be assessed covering the cost of distribution for data products.