



REPORT

TO: Mayor Bonnette and Members of Council

FROM: Matt Roj, Traffic Coordinator

DATE: January 26, 2022

REPORT NO.: TPW-2022-0001

SUBJECT: Automated Speed Enforcement

RECOMMENDATION:

THAT Report No. TPW-2022-0001, dated January 26, 2022, regarding the Automated Speed Enforcement, be received;

AND FURTHER THAT staff be authorized to review the implementation of new Community Safety Zones and report back to Council;

AND FURTHER THAT staff be authorized to initiate discussions to enter into agreements with Redflex Traffic Systems (Canada) Limited, City of Toronto (Joint Processing Centre) and the Ministry of Transportation;

AND FURTHER THAT staff to include the Automated Speed Enforcement program as part of the proposed 2023 Budget for Budget Committee consideration.

KEY POINTS:

The following are key points for consideration with respect to this report:

- Bill 65 is legislation that amended the Highway Traffic Act to permit municipalities to use the Automated Speed Enforcement (ASE) in the Community Safety Zones and School Zones.
- To implement the ASE program, the Town will be required to enter into three (3) separate agreements with Redflex Traffic Systems (Canada) Limited equipment supplier and operator, Ministry of Transportation (License information) and the City of Toronto (Joint Processing Centre).

- Implementation of additional Community Safety Zones for the ASE program.
- The Joint Processing Centre (JPC) capacity limited to 5,000 charges per year/per municipality.
- Halton Court Services (HCS) has insufficient capacity to process ASE offences.
- Province to approve the AMPS for the ASE program in late 2022 or early 2023
- Advance warning signs to be installed 90 days before ASE enforcement commences.
- The initial estimated cost of the ASE program consisting of one (1) mobile camera including onetime starting cost, is approximately \$268,000.

BACKGROUND AND DISCUSSION:

On May 30, 2017, Bill 65, Safer School Zones Act received royal assent in the Province of Ontario. Bill 65 is legislation that amended the Highway Traffic Act to permit municipalities to use the Automated Speed Enforcement (ASE) in Community Safety Zones and School Zones. The Ontario Regulation 398/19, Automated Speed Enforcement was filed on November 29, 2019.

ASE is an automated system that uses a camera and a speed enforcement device to detect and capture images of speeding vehicles. The purpose of the ASE is to improve road safety by reducing speeding and aggressive driving in the community. Lower operating speeds reduce the number of severe collisions and improve the safety of vulnerable road users.

The images captured by the ASE system are reviewed at the City of Toronto's Joint Processing Centre (JPC). JPC issues tickets and prepares evidence to be used by the Regional courts, in our case Halton Court Services.

ASE tickets are issued to the registered owner of the vehicle. The fines do not include demerit points or impact the registered owner's driving record, which is the same process as the Red Light Camera Program.

In June 2017, Ontario Traffic Council (OTC) established a working group including 21 municipalities to set up a consistent program for the implementation and operation of the ASE program across the Province.

In April 2019, the City of Toronto released the co-operative Request for Proposal on behalf of the participating municipalities.

In July 2019, a selection committee approved Redflex Traffic Systems (Canada) Limited as the vendor supplying and maintaining the ASE equipment for a term of 5 years. If the Town proceeds with the implementation of the ASE program in 2023, it will enter the program in the final year of the contract with Redflex Traffic Systems (Canada) Limited.

Municipalities using ASE include Toronto, Brampton, Mississauga, Ottawa, Durham Region and Niagara Region. In 2022, additional ten (10) municipalities are expected to join the ASE program.

Location Criteria

The legal framework allows municipalities to implement the ASE program in Community Safety Zones and School Zones.

The Town does not utilize School Zones to establish posted speed limits on roads under its jurisdiction. Instead, the Town follows its speed limit policy to amend Schedule No. 23, “Rates of Speed” of the Uniform Traffic Control By-law 84-1.

Community Safety Zone, Bill 26, an Act to Promote Public Safety, received a Royal Assent in June 1998. The Highway Traffic Act (HTA) allows municipalities to designate road segments as Community Safety Zones (CSZs) where “public safety is of special concern”. The section of the road designated as a Community Safety Zone is subject to double the fines, under the Highway Traffic Act (HTA).

“A Community Safety Zone (CSZ) is a section of a roadway designated through a by-law passed by Council to identify it as a road segment where public safety is of paramount concern. Community Safety Zones may include roadways near schools, daycare centres, active parks, hospitals, senior citizen residences, and may also be used for collision prone areas within a community.”

The Town has four (4) existing Community Safety Zones at the following locations:

- 1) Mill Street West between Victoria Avenue and DUBY Road (Acton)
- 2) Delrex Boulevard from a point 45 m west of Mountainview Road South to a point 65 m east of Sargent Road (Georgetown)
- 3) Mountainview Road South from a point 85 south of Summit Lane to Campbell Gate (Georgetown)
- 4) Maple Avenue from Guelph Street (Highway 7) to a point 75 m west of Charles Street (Georgetown)

The ASE program will require the implementation of additional Community Safety Zones on roads under the jurisdiction of the Town. The new Community Safety Zones will increase the potential number of the ASE camera deployment sites, where speeding and other traffic safety concerns were documented affecting vulnerable road users.

As defined in the regulation, an ASE program can only deploy a speed enforcement camera on roads which have been designated School Zones or Community Safety Zones. Also, the roads must have a posted speed limit less than 80 km/h.

The review of new Community Safety Zones will be included in the 2022 Traffic Engineering Work Plan.

It is anticipated that the review process will be undertaken during spring and summer of this year. Staff will prepare an update ASE report in early fall, which will include the recommendations for the proposed Community Safety Zones and the ASE implementation plan.

The selection process of ASE sites will be based on the provincial guidelines and best practices, which include the following data-driven reviews:

- Collisions
- Vehicle speed data
- Traffic volume
- Hospital, schools, parks, arenas, daycare, and senior centres,
- Requests from Police and the public

Once the sites are selected and prioritized, an on-site review of the location with the vendor (Redflex Traffic Systems (Canada) Limited) and the JPS will be undertaken, which includes the following considerations:

- Necessary regulatory and advisory signage (Community Safety Zone, Speed Limit, and ASE);
- No obstructions or impediments to the equipment;
- Adequate boulevard space to accommodate the equipment;
- No planned road work;
- No sharp curves or extreme grading changes;
- No speed limit reductions planned;
- Adequate distance from speed limit transitions; and
- It cannot have the presence of a flashing 40km/h speed limit reduction sign.

The ASE legislation does not allow School Area Flashers to be active at the same location where the ASE system is operational. Therefore, if the existing CSZ on Maple Avenue between Main Street South and Guelph Street (Highway 7) was to be used for the ASE, the School Area Flashers must be removed.

Redflex Traffic Systems (Canada) Limited offers the option of either a mobile or fixed camera installation set up. The mobile unit is positioned curbside and can be easily relocated to different School Zone or CSZ locations on a rotational basis. It is the preferred option used by municipalities.

The fixed camera installation requires additional civil works, which includes a hardwired power source and installation of a metal post and camera cabinet. The fixed camera set up should be used where there are ongoing speeding concerns.

Prior to installing of an ASE system, the “Municipal Speed Camera Coming Soon” warning signs will be posted 90 days before ticketing begins at any new ASE location.

Once the system is operational, the signs will be changed to the “Municipal Speed Camera in Use” regulatory signs. The signs must be removed at the same time the camera is removed.

Required Agreements

To implement the ASE program, the Town will have to enter into three (3) separate agreements:

- Reflex Traffic Systems (Canada) Limited (Current vendor for camera equipment and operations)
- Ministry of Transportation (License plate information)
- City of Toronto (Joint Processing Centre)

Key Challenges of ASE Implementation

There are four (4) key challenges with the ASE implementation, which include the following:

- No capacity to prosecute ASE tickets by the Provincial Offences Act (POA) court
- Limited capacity to process ASE charges by the Joint Processing Centre (JPC)
- Vandalism occurring during the ASE system deployment
- Cut-through traffic on adjacent roads due to the ASE system deployment

Under the current legislation, the ASE offences are to be prosecuted by municipalities in the Provincial Offences Act (POA) courts. In Halton Region, Halton Court Services (HCS) is a provincial offences court providing court administration and prosecution of provincial offences to the Region and area municipalities within the region.

In 2021, the Town engaged HCS staff to discuss the court's capacity to prosecute future ASE offences. HCS has advised that it does not have a sufficient capacity to process ASE offences due to the backlog caused by the COVID pandemic. Also, the court's time is devoted to the prosecution of matters typically involving municipal by-laws, Ontario Building Code, Ontario Fire Code, and Dog Owner's Liability Act proceedings. The processing of ASE disputes by HCS is likely to result in compromising more serious offences that are before the Court by significantly increasing time to trial, and thus increasing the probability that those charges are dismissed for delay.

The Joint Processing Centre (JPC) informed Halton Area municipalities that it could only process 5,000 charges per year/per municipality. This is a very low number, which restricts the effectiveness of the ASE program. If the JPC expands its capacity or another municipality opens a new Processing Centre, the ASE program could be used to its full capacity. Expansion of the ASE program will increase the program's operating cost. Although this cost could be partially offset by the revenue generated by the ASE offences.

The municipalities that have deployed the ASE system reported ongoing issues with vandalism, such as spray painting of the enclosures or camera damage. The ASE system deployment and/or operation may be affected due to the delays caused by the vandalism. Over time, it was reported that the vandalism was tapering off, as the ASE program became more prevalent in the communities.

It is anticipated that some cut-through traffic may occur on local roads located in the vicinity of the ASE deployment sites due to motorists avoiding the ASE cameras.

Administrative Monetary Penalty System

On January 17, 2022, Municipal Enforcement Services staff presented the Report No. ADMIN-2022-0001 concerning the Administrative Monetary Penalty System for parking enforcement.

As indicated in the report “an Administrative Monetary Penalty System is an alternative parking enforcement structure that includes an efficient dispute process and replaces the traditional Provincial Offences System. Bill 130, the Municipal Statute Law Amendment Act, 2006, came into effect on January 1, 2007, which permitted municipalities to establish a system of Administrative Penalties for parking offences”.

The Provincial Offences Act (POA) is currently used in Halton Hills to prosecute parking violations. Council approved the use of the Administrative Monetary Penalty System (AMPS) implementation for parking violations. It is anticipated that the AMPS program could be available for parking violations in Q3 of this year.

The AMPS provides an efficient process where the penalty notices are issued, managed and reviewed by the municipal staff. The process will no longer be hindered by the backlogged provincial system and it will allow for additional capacity to process other violations, such as ASE program offences.

In 2020, Ontario Traffic Council (OTC) formed a steering committee with municipalities to work with the Ministry of Transportation of Ontario (MTO) to implement the Administrative Monetary Penalty System for ASE. The current legislation does not permit AMPS to be used for processing of the ASE offences. Staff is participating in the steering committee.

It is anticipated that the Province will allow AMPS to be used for ASE in late 2022 or early 2023. Due to the capacity issues of HCS to process ASE offences, staff recommend that the Town wait until the AMPS is approved by the Province before implementing ASE.

It is staff expectation that following the anticipated Province’s approval of AMPS for the ASE program, the AMPS will be used to process ASE charges in the Town of Halton Hills. The addition of the ASE offences to the Town’s AMPS will require collaboration between staff in both Transportation and Municipal Enforcement Services for implementation.

Financial Implications

Staff anticipates the following initial financial implications for the ASE program based on one (1) camera (mobile installation):

- Provision of equipment and services:
 - \$100,254 annually per camera from Redflex Traffic Systems (Canada) Limited. This cost includes initial camera set up (\$254), daily rates (\$260.00 per day x 365 days), rotations (\$75 per rotation x 12 rotations) and signage/other (\$4,000). This daily rate is payable even if the camera is no longer operational due to the maximum 5,000 charges being laid.
- Agreement with MTO (for ASE program and vehicle owner information, etc.):
 - \$30,000 plus \$5,300 per year for the 5,000 license plate searches
- Joint Processing Centre (where ASE images will be processed):
 - \$90,000 initial cost plus a charge of between \$5.00 - \$12.00 per charge with a maximum of 5,000 charges laid per year.

ASE - Implementation		
	One-Time Costs	Annual Operating Costs ⁽¹⁾
Redflex Traffic Systems (Canada) Limited (Equipment Installation & Operation)	\$0	\$96,054
MTO (Vehicle Information)	\$30,000	\$5,300
Join Processing Centre (Image Processing, 5,000/yr)	\$90,000	\$42,500
ASE Signage	\$1,000	\$3,000
Legal Agreement Review	TBD	N/A
AMPS	TBD	TBD
Communication Program	N/A	TBD
Ticket Revenue through AMPS ⁽²⁾	N/A	(TBD)
Sub-Totals	\$121,000	\$146,854
Total for 2023 Budget		\$267,854 (~\$268,000)

Notes:

- (1) Annual operating costs based on existing Reflex Traffic Systems (Canada) contract for ASE in 2023. Operating costs beyond 2023 will be subject to the terms of a future ASE contract.
- (2) Revenue generated from ASE tickets can be highly variable and cannot be reasonably estimated at this time.

Staff will be including a request to fund the ASE program as part of the 2023 Budget Forecast for the Budget Committee consideration.

Next Steps

Following the Council approval of this report, staff will undertake the following actions:

- Review of potential sites for the new Community Safety Zones as part of the 2022 Traffic Engineering Work Plan
- Report back to Council with recommended Community Safety Zones and update on ASE progress
- Include the new Community Safety Zones in the Uniform Traffic Control By-law 84-1
- Initiate discussions with Redflex Traffic Systems (Canada) Limited (ASE Vendor), JPC and MTO concerning the required agreements
- Assist Municipal Enforcement Services staff to prepare for the ASE program deployment as part of the Town's AMPS
- Include the ASE in the 2023 Traffic Engineering Work Plan for implementation

The ASE program will increase driver awareness of posted speed limits and can significantly decrease injuries due to motor vehicle collisions in our community.

STRATEGIC PLAN ALIGNMENT:

This report aligns to the Town's Strategic plan recognizing the value to foster a healthy community that provides a clean environment and range of economic and social opportunities to ensure a superior quality of life in our community.

This report also identifies transportation as one of the Town's Strategic priorities.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement was not needed as this report is administrative in nature.

Staff will coordinate with Communication staff to develop a Public Engagement Strategy to notify the public with regard to the ASE program at an appropriate time, which will include all media and communication channels. Also, staff recommends the use of the Municipal Boundary signs to advertise the ASE program to the public entering Halton Hills.

The motorists will be notified about the upcoming ASE system 90 days prior to the deployment using the "Municipal Camera Coming Soon" warning signs.

Once the ASE system is operational, the signs will be changed to the “Municipal Camera in Use” regulatory signs.

INTERNAL CONSULTATION:

Internal discussion included Finance staff from Corporate Services.

FINANCIAL IMPLICATIONS:

The cost to review and implement the new Community Safety Zones will be funded through an existing budget source this year.

This report has the potential to require funding in a future budget year and therefore needs to be referred to budget committee for tracking purposes.

The estimated cost to implement the ASE program with one (1) mobile camera in 2023 is approximately \$268,000 (including one-time start-up and annual operating costs), based on a maximum 5,000 charges per year.

The estimated annual operating impact (excluding legal costs for agreements, communications and AMPS labour costs, and potential revenue from fines) is approximately \$146,854 based on a maximum 5,000 charges per year and one (1) mobile camera.

The ASE program will be included in the proposed 2023 Budget for the Budget Committee consideration.

Reviewed and approved by,

Maureen Van Ravens, Director of Transportation

Bill Andrews, Commissioner of Transportation and Public Works

Chris Mills, Chief Administrative Officer