

From: Richard Holborn
Director, Engineering Services

Subject: Automated Speed Enforcement Implementation
- File: A-1440

Recommendation:

1. That the automated speed enforcement program as outlined in Report ENG 05-21 be endorsed by Council for implementation in 2021 subject to budget approval;
 2. That the Mayor and Clerk be authorized to execute the required agreements for operation of the program in a form satisfactory to the Director, Corporate Services & City Solicitor, the Director, Finance & Treasurer, and the parties, namely:
 - a) Reflex Traffic Systems (Canada) Limited;
 - b) The Ministry of Transportation, Ontario;
 - c) The City of Toronto;
 3. That one automated speed enforcement mobile camera be installed in the Community Safety Zone on Liverpool Road between Bayly Street and Wharf Street, consistent with Resolution #364/20, as part of the initial rollout of the program and that additional mobile cameras be added as approved funds permit;
 4. That Council request the Province of Ontario to permit the use of an Administrative Monetary Penalty System for offenses issued by Automated Speed Enforcement; and,
 5. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.
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Executive Summary: Excessive speed continues to be a concern raised by residents and Members of Council and negatively impacts our community and its safety. While Durham Regional Police Services (DRPS) has been able to provide traditional speed enforcement both proactively and reactively, resources are limited. DRPS presence will result in an increase in speed compliance, but this compliance is only temporary. Automated Speed Enforcement (ASE) is a relatively new technology, and is rapidly becoming a proven and effective way to enforce speed limits and provide safer roads for our pedestrians, other motorists and cyclists.

On May 30, 2017, the Legislative Assembly of Ontario passed Bill 65, *Safer School Zones Act* which amended the *Ontario Highway Traffic Act* to authorize the use of ASE technology in School Zones and Community Safety Zones (CSZ) on roadways with posted speed limits less than 80 kilometres per hour.

As defined in the regulation, an ASE program can only deploy a speed enforcement camera on roads which have been designated a School Zone or CSZ. The road must also have a posted speed less than 80km/h. There are total of 13 Community Safety Zones on roads under the jurisdiction of the City of Pickering throughout the City. Staff recommend that the ASE program operate in all 13 City of Pickering CSZs on a rotational basis.

Costs associated with the ASE program includes cost to Redflex Traffic Systems Canada (supply, installation, operation, and maintenance of camera equipment); the City of Toronto (joint processing centre), the Ministry of Transportation of Ontario (licence plate information), as well as court costs and municipal costs.

Upon receiving Council and budget approval to proceed, staff will undertake the following steps to implement ASE in the City of Pickering:

- Enter into three legal agreements:
 - Redflex Traffic Systems (Canada) Limited (camera equipment);
 - Ministry of Transportation (licence plate information);
 - City of Toronto (Joint Processing Centre).
- Provide Redflex with information regarding the 13 locations, including:
 - a detailed map of all 13 CSZ locations including approximate location of where the camera should be located within each zone;
 - information on how long a camera stays at each location and the hours the camera will operate at each location.
- Review and consultation with stakeholders – Durham Region Courts, and DRPS; and
- Communications and public awareness campaign through our Corporate Communications team, including the installation of regulatory signs within each CSZ.

Financial Implications: The cost to operate an ASE program in the City of Pickering is being recommended in the 2021 Current Budget and includes the following:

1. Cost to supply, install, operate and maintain the camera payable to Redflex Traffic Systems (Canada) Limited (the vendor of choice for speed enforcement cameras)

Item	Rate/Day	Quantity	Annual Cost
Redflex (Camera)	\$97.43	1	\$36,000

Redflex Traffic Systems (Canada) will supply, install, operate and maintain the speed enforcement camera for the ASE program. The cost includes one camera, set up and site rotation fees. The City would be joining an existing City of Toronto contract, with fixed unit rates from the vendor.

2. Cost to access MTO vehicle ownership database, payable to MTO

Item	Rate	Estimated Quantity	Annual Cost
MTO (Licence Plate Database)	\$1.06	5,000	\$5,300

MTO charges a per transaction fee every time that their vehicle ownership database is accessed by the Joint Processing Centre. These fees are invoiced directly to the municipality on a quarterly basis. The current MTO fee is \$1.06 per transaction and the total cost will vary depending on the number of tickets that are issued.

3. Cost to manage the Joint Processing Centre, payable to the City of Toronto

Item	Rate	Quantity	Annual Cost
Joint Processing Centre Fee	\$20	5,000	\$100,000
One time JPC Startup Cost	100,000	once	100,000

The City of Toronto operates the Automated Speed Enforcement – Joint Processing Centre on behalf of all participating municipalities. There is a one-time joint processing centre startup cost (to join the program). The City of Pickering will receive a rebate on this cost as more municipalities join the ASE program. The City of Toronto Joint Processing Centre staff will review the images from each site and determine whether or not a charge can be laid. The City of Toronto charges back each municipality a fee of \$20 per ticket issued, on a cost recovery basis. The charge back includes both a portion of fixed costs (for the facility, equipment etc.) and per transaction costs.

4. Municipal costs associated with program

Municipal costs will include costs for administration responsibilities such as implementation, planning, and communications of the ASE program.

Item	Rate	Quantity	Annual Cost
Ticket Brochures	\$0.25 (per ticket)	5,000	\$1,250
Signage	\$200	6	\$1,200

5. Court costs associated with program

Item	Rate	Quantity	Annual Cost
Court Processing Fee	\$5 (80% Uncontested)	4,000	\$20,000
Court Processing Fee	\$65 (20% Contested)	1,000	\$65,000

Court costs are one of the biggest unknowns in the program – the others being total violations (tickets issued) and actual fine amounts (revenue). Court costs include costs to manage offences and associated disputes. If the registered owner of the vehicle pays the fine with no contest, there will be no court cost anticipated. In other cases, the registered owner can choose to proceed through an 'early resolution' dispute process or can also request a trial. Court costs are estimated in the range of \$5 to \$65 per transaction.

The initial estimated cost of the ASE program consisting of one mobile camera, including the onetime startup cost, is approximately \$320,000 - \$350,000 based on the above. Therefore, it is recommended that \$350,000 be allocated for the program for the deployment of an ASE camera for first year (2021) of the program. Based on the same estimates used above, each additional mobile camera would cost approximately \$220,000 - \$250,000.

Revenue generated by tickets issued falls under a revenue sharing agreement with the Region of Durham. After all net costs incurred are paid, Pickering receives 60 per cent and the Region receives 40 per cent. Revenue will partially offset expenses but will not be estimated and included in the budget for the program in 2021.

Discussion: On May 30, 2017, the Legislative Assembly of Ontario passed Bill 65, *Safer School Zones Act* which amended the *Highway Traffic Act* to authorize the use of Automated Speed Enforcement (ASE) technology in School Zones and Community Safety Zones (CSZ) on roadways with posted speed limits less than 80 kilometres per hour.

An ASE Program includes the deployment of a roadside speed measurement device and camera in the road boulevard that can automatically detect the speed of a vehicle and take a photograph of the rear license plate of speeding vehicles. The camera will be installed, operated and maintained by Redflex Traffic Systems Limited who is a sole provider of these cameras in Ontario. A detailed timeline of the implementation of the ASE program in Ontario is presented below.

Timelines of the Automated Speed Enforcement Program in Ontario

- November 2016 *Safer School Act* Tabled
- May 2017 *Safer Schools Act* receives Royal Assent
- June 2017 Ontario Traffic Council establishes an ASE Steering Committee
- April 2019 Ontario municipalities issue cooperative Request for Proposal
- June 2019 Redflex is selected as the successful ASE vendor
- October 2019 Redflex and Toronto begin set-up of the Joint Processing Centre
- November 2019 Ontario regulation 389/19 filed, prescribing requirements for ASE
- February 2020 Toronto ASE program begins (warning letters only)
- July 2020 Toronto ASE program begins issuing tickets

School Zones and Community Safety Zones

According to the *Highway Traffic Act*, a municipality can designate, by by-law, any road or section of road within 150 metres of a school, in either direction, as a school zone. The City of Pickering currently does not by-law roads fronting schools as school zones, however, the City designates roads where public safety is of special concern as a CSZ, many of which are on roads fronting schools. In a CSZ, fines for speeding can be increased (doubled) through a special designation under the *Highway Traffic Act*. Parking fines cannot be increased within a CSZ.

The *Highway Traffic Act* delegates authority to municipalities to designate a part of a highway under its jurisdiction as a CSZ recognizing a special situation that warrants an increased awareness of community activity adjacent to the road right-of-way. The *Highway Traffic Act* requires the CSZ to be recognizable to the driver through the installation of regulatory signs.

A list of CSZs on roads that are under the jurisdiction of the City of Pickering are listed in Table 1.

Table 1: Existing Community Safety Zones on City of Pickering Roads

	Street	Limits	Ward
1	Bushmill Street	Liverpool Road to Maple Ridge Drive	2
2	Dixie Road	Glenanna Road to Kitley Avenue	2
3	Glenanna Road	Heathside Crescent to Huntsmill Drive	2
4	Glenanna Road	Dixie Road to Listowell Crescent	2
5	Liverpool Road	Bayly Street to Wharf Street	2
6	Major Oaks Road	Middleton Street to Hollyhedge Drive	3
7	Oklahoma Drive	30 metres west of Eyer Drive to Leaside Street	1
8	Rosebank Road	Strouds Lane to Charnwood Court	1,3
9	Rosebank Road	Toynevale Road to Dahlia Crescent/Cowan Circle	1
10	Sheppard Avenue	135 metres east of Edmund Street to Whites Road	1
11	Strouds Lane	Autumn Crescent to Alder Court	1,3
12	Toynevale Road	Rougemount Drive to Rosebank Road	1
13	Twyn Rivers Drive	Altona Road to 360 metres west of Ashwood Gate	1

Mobile Camera versus Fixed Camera Operations

Redflex offers the option of either a mobile or semi-fixed camera installation set up. The following are pictures of the mobile and semi-fixed units.



Mobile Unit (Source: Redflex)

The mobile unit, which is the preferred option by the majority of municipalities, and is recommended by staff, sits curbside and can easily be relocated to different locations on a rotational basis.



Semi-Fixed Unit (Source: Redflex)

The semi-fixed unit is an option to be deployed where ongoing safety concerns have been received. Installation requires additional civil works, which includes a hard wired power source, and installation of a post which includes the camera housing.

Regardless of the installation method employed, images taken are stored in the camera in an internal hard drive until they are downloaded by Redflex staff and are sent to Toronto's Joint Processing Centre for processing. At the joint processing centre, the images are reviewed and it is determined if a ticket is to be issued. For each ticket to be issued, access to the MTO vehicle ownership database is requested, the necessary documentation is prepared, and a summons is mailed to the registered owner of the vehicle as well as the court.

Anticipated number of charges

An extensive review was completed to estimate the potential number of charges using existing traffic counts within the 13 CSZs. Based on the review, it is expected that approximately 5,000 tickets will be issued annually based on having one ASE camera. According to Redflex, and based on experience in other municipalities, an immediate 30 per cent reduction in speed may occur with just the placement of 'municipal speed camera coming soon' signs. Other municipalities have reported higher than 30 per cent reductions in the operating speed.

Although the cameras can operate 7 days a week, 24 hours a day, municipalities in the program, including the Region of Durham, are operating the cameras only during certain hours of the day, mainly peak hours in order to keep the program cost effective, and to manage the burden on the court system. It is recommended that the City of Pickering follow this example. The time of day and number of hours that the camera operates will be specific to each location and will be determined by City staff and will not be made available to the general public. The intent is to leverage the presence of the camera (whether it is operating or not) in an effort to keep motorists in compliance with the posted speed limit.

Proposed Change to Ticket Process in Ontario

Currently, all ASE tickets in Ontario are processed through the courts as notices under the *Provincial Offence Act* (POA), which require significant staff resources. In the City of Pickering, we rely on the Durham Region courts to process the charges. As mentioned, this program will increase the burden on the existing court system. City staff will contact Durham Region courts and discuss Pickering's ASE proposal and their processing capacity. In support of Durham Regional Council and the Ontario Traffic Council (OTC), it is recommended that Pickering Council request that the Province permit the use of Administrative Monetary Penalty System (AMPS) for automated enforcement offences. This process will allow municipalities to handle the ticket process, and greatly reduce the encumbrance on the court system.

A Communications and Public Awareness Plan will be Required

Once Council approval to proceed is received, Engineering Services staff will work with the Corporate Communications team to develop a public awareness plan, which could include the following:

- Safety benefits of the program
- How the program works & the merits of utilizing the technology
- Support and commitment from community leaders
- Communications program
 - Program branding
 - Social media
 - Printed material
 - Web content

Implementation of the ASE Program in Pickering

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 - Review and consultation with stakeholders – Durham Region Courts, and DRPS
 - Communications and public awareness campaign through our Corporate Communications team, including the installation of regulatory signs within each CSZ
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Attachments: None

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