

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 19, 2018

Item 18, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 19, 2018.

18 UPDATE TO AUTOMATED SPEED ENFORCEMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Public Works, dated June 5, 2018:

Recommendations

1. That City Staff work with the Region, other municipalities and the Ontario Traffic Council (OTC) in the planning and development of the Automated Speed Enforcement Program. This includes the development of a joint request for proposal to establish an Automated Speed Enforcement Program;
2. That the Province be requested to consider adopting an Administrative Monetary Penalties System (AMPS) for the Automated Speed Enforcement program; and
3. That the City Clerk forward a copy of this report to York Region, the Ministry of Transportation and OTC.

Item:



Committee of the Whole Report

DATE: Tuesday, June 05, 2018

WARD(S): ALL

TITLE: UPDATE TO AUTOMATED SPEED ENFORCEMENT

FROM:

Stephen Collins, Deputy City Manager, Public Works

ACTION: DECISION

Purpose

This report provides a status update of the Bill 65 *Safer School Zones Act* (Bill 65) as it relates to the use of Automated Speed Enforcement to enforce speed limits in community safety and school zones.

Recommendations

1. That City Staff work with the Region, other municipalities and the Ontario Traffic Council (OTC) in the planning and development of the Automated Speed Enforcement Program. This includes the development of a joint request for proposal to establish an Automated Speed Enforcement Program;
2. That the Province be requested to consider adopting an Administrative Monetary Penalties System (AMPS) for the Automated Speed Enforcement program; and
3. That the City Clerk forward a copy of this report to York Region, the Ministry of Transportation and OTC.

Report Highlights

- Bill 65 enables municipalities to implement and operate Automated Speed Enforcement (ASE) technology to enforce speed limits in school and community safety zones.
- The City, the Region and other municipalities across the Province are monitoring the development of Bill 65. An ASE municipal working group has been set up by the OTC to look at a consistent province-wide approach to project development.
- The option to use the Administrative Monetary Penalty System (AMPS) for ASE is under investigation.
- The City of Toronto is leading the development of the RFP for ASE operations and the investigation of the feasibility of having the City of Toronto manage the Joint Processing Centre (JPC) for ASE offences.
- The anticipated timeline for ASE implementation is two years.
- Staff continue to participate in the OTC ASE municipal working group to look at a collaborative approach to ASE program development.

Background

In May 2017, the Provincial Legislature enacted Bill 65, the *Safer School Zones Act*. Bill 65 enables municipalities to enact bylaws to implement Automated Speed Enforcement (ASE) in community safety and school zones to increase safety through efficient enforcement of speed limits.

On November 15, 2016, the Minister of Transportation introduced Bill 65, the *Safer School Zones Act*. The Bill proposes amendments to the *Highway Traffic Act* (HTA) that provide the framework for municipalities to implement and operate Automated Speed Enforcement (ASE) technology to enforce speeding offences in school and community safety zones using an opt-in approach.

Municipalities will be responsible for ASE administration including location selection, the installation of cameras and signage, infraction processing and communications.

In May 2017, Bill 65 was passed (at Royal Assent). The Ministry of Transportation (MTO) will be preparing the ASE Regulations for Provincial approval. The MTO is also developing agreements that outline the roles and responsibilities of the government with respect to ASE.

Based on lessons learned from the Red-Light Camera program, the ASE implementation is anticipated to be complete in approximately two years.

Previous Reports/Authority

Provincial legislation Bill 65, *the Safer School Zones Act*:

[Bill 65 – Safer School Zones Act](#)

Council Motion at its May 8, 2018 Committee of the Whole Meeting – Photo Radar Demonstration Project:

https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW_0508_18_29.pdf

Council Motion at its November 3, 2015 Committee of the Whole Meeting – Speed Limit Policy:

https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW1103_15_15.pdf

Analysis and Options

The City, along with the Region and other municipalities across the Province, is monitoring the development of Bill 65 and is participating in an ASE municipal working group.

The City, along with the Region and other municipalities across the Province, is monitoring the development of Bill 65. An ASE municipal working group has been set up by the Ontario Traffic Council (OTC) to look at a consistent province-wide approach to program development. This includes but is not limited to program administration, technology (fixed and mobile ASE systems), operations, budget and technical criteria for site selection and the court system.

The option to use the Administrative Monetary Penalty System (AMPS) program for ASE in York Region is under investigation.

In Ontario, municipal parking, licensing and by-law violations are generally enforced through a system regulated by the *Provincial Offences Act* and are processed through the Ontario Court of Justice (Court). The AMPS is a municipally administered program that replaces the current Court system to provide a more flexible and citizen focused process for dealing with by-law violations. The AMPS is also a means to reduce the current Court backlog.

Most municipalities that have implemented an AMPS program have converted their parking enforcement program to AMPS. The City of Vaughan has enacted AMPS for parking by-law violations and expanded the use of AMPS to licensing offences.

York Region and the local municipalities have formed a working group whose mandate is to review options related to an expanded and collaborative use of AMPS. ASE is being considered as part of the AMPS review.

The Province has indicated that ASE offences to be processed using the *Provincial Offences Act* (POA) system. POA offences can be settled or disputed through the court

system. York Region has raised concerns that the courts do not have the capacity to process ASE charges.

York Region adopted a Court Services' resolution in February 2017 (attachment 1) to advocate for amendments to the *Highway Traffic Act* to allow for technology-based enforcement of offences to be administered using AMPS.

In principal, staff support the investigation of AMPS as a means to process ASE offences. Staff continue discussions with York Region and the Province as part of the ASE municipal working group regarding how best to handle charges from the ASE program.

The Red-light camera program is being used as a model for the ASE program by the ASE working group.

The Province envisions processing ASE offences through a single joint processing centre (JPC) similar to the red-light camera JPC operated by the City of Toronto. A central processing centre ensures uniform treatment of infractions across the province.

The OTC, in collaboration with the Region and other municipalities across the Province, is leading the program development for ASE. It is important for the City to participate in the program plan.

The City of Toronto is actively participating in the OTC ASE municipal working group and is leading the development of the RFP for ASE operations and the investigation of the feasibility of having the City of Toronto manage the Joint Processing Centre on behalf of the partnering municipalities in the ASE program. This includes the investigation and development of the business case and cost-sharing formula among the participating municipalities presuming the City of Toronto will host the JPC for ASE offences.

The City of Toronto is inviting municipalities to confirm interest in participating in the development of a joint request for proposal (RFP) to establish an ASE program and finance sharing. The City of Toronto will be financing the project until a formal project cost distribution scheme is determined with the participating municipalities.

It is recommended that the City continue to participate in the OTC ASE municipal working group with other municipalities in the ASE program development. This includes the development of a joint RFP to establish the ASE program. By actively participating in this process, staff will have the opportunity to ensure that the needs of Vaughan are considered and reflected in the ASE program and to explore how best to apply this new tool.

Kipling Avenue, north of Highway 7, can be evaluated for consideration of a demonstration project for ASE when the necessary technology, agreements, and regulations are in place.

Kipling Avenue, north of Hwy 7, is recommended as the candidate for a demonstration project as set out in the council motion presented at the May 8, 2018 Committee of the Whole meeting.

Kipling Avenue is classified as a collector roadway with right-of-way measuring between 23 and 26 metres. Kipling Avenue, north of Highway 7 to Woodbridge Avenue has a 40 km/h speed limit, with a community safety zone. Woodbridge Public School is located in the area. The most recent speed data showed average speeds from 43 km/h to 51 km/h. The 85th percentile speeds ranged from 53 km/h to 63 km/h. The 85th percentile speed defines the speed that 85 percent of motorists will drive at or below under free-flowing conditions.

Speed radar message boards are scheduled to be deployed on Kipling Avenue, north of Highway 7, as part of the City's 2018 speed compliance program. York Regional Police have been informed of the speed data on Kipling Avenue to provide enforcement, where possible.

ASE is an additional tool to enforce speed limit compliance on Kipling Avenue. Kipling Avenue, north of Highway 7, can be evaluated for consideration of a demonstration project for ASE when the necessary technology, agreements, and regulations are in place.

As per Council direction at the November 3, 2015 Committee of the Whole meeting, Staff have been directed to undertake a comprehensive speed limit policy review. The Speed limit policy review will take into account the impact on the number of pedestrians and cyclists in school zones and community safety zones to align with the ASE program. The speed limit policy review has been identified as one of the key projects in the development of the Traffic Strategy.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

In consideration of the strategic priorities related to the Term of Council Service Excellence Strategy Map (2014 – 2018), this report is consistent with the following Term of Council Priorities:

- Improve municipal network; and
- Continue to ensure the safety and well-being of citizens.

Financial Impact

The City, along with the Region and other municipalities across the Province, is monitoring the development of Bill 65 – *Safer School Zones Act*. An ASE municipal working group has been set up by the Ontario Traffic Council (OTC) to look at a

consistent province-wide approach to program development. This includes but is not limited to program administration, technology, operations, budget and technical criteria and the court system. The Capital Project, RP-6767-18 -Road Safety Program: Automated Speed Enforcement in the amount of \$56,650, was requested in order to carry out the investigation of the initial ASE program development. It was approved as part of the 2018 capital budget. Staff will inform Council of the costs associated with program implementation and operation as more information becomes available.

Broader Regional Impacts/Considerations

York Region is participating in the OTC ASE Municipal Working Group and an AMPS working group has been set up by the Region to look at a collaborative approach to program development.

Conclusion

It is recommended that staff continue to participate in the OTC ASE municipal working group and the York Region AMPS working group to look at a collaborative approach to ASE program development.

For more information, please contact:

Zoran Postic, Director, Transportation Services Parks and Forestry Operations

Gus Michaels, Director, By-law and Compliance Licensing and Permit Services

Attachments

1. York Region Report – Bill 65

Prepared by

Margie Chung, Manager of Traffic Engineering, Ext. 6173

In Consultation with:

Gus Michaels, Director of By-law and Compliance Licensing and Permit Services

Joe Italo Luzi, Manager of Enforcement Services

Rudi Czekalla-Martinez, Manager of Policy & Business Planning

Kay-Ann Brown, Acting Manager of Financial Planning and Analysis

Surangi Parikh, manager of Business Relationship