

Committee of the Whole (Working Session) Report

DATE: Wednesday, November 29, 2023

WARD(S): ALL

TITLE: AUTOMATED SPEED ENFORCEMENT (ASE) IMPLEMENTATION PLAN

FROM:

Zoran Postic, Deputy City Manager, Public Works

ACTION: DECISION

Purpose

To seek approval to implement the Automated Speed Enforcement Program in the City of Vaughan under the Administrative Monetary Penalty System, to provide delegated authority to the Deputy City Manager of Public Works to execute the required agreements to launch Automated Speed Enforcement and to provide authority to amend an existing Single Source Award contract with one of the required suppliers, GTechna. The report also seeks approval of the proposed 2023 Community Safety Zone Policy and selection criteria process.

Report Highlights

- In July 2022, the Province of Ontario (the Province) amended the *Highway Traffic Act* to allow Automated Speed Enforcement to become enforceable under Administrative Penalties.
- The City of Vaughan's Automated Speed Enforcement program is anticipated to commence by Q4 2024, subject to the execution of the required agreements for ticket processing and with both the Ministry of the Attorney General and Ministry of Transportation finalizing the required agreements.
- Delegated Authority is required to allow the Deputy City Manager of Public Works to execute agreements with various parties that are critical to a successful Automated Speed Enforcement implementation that fall outside the scope of the Corporate Procurement Policy 15.C.03.

Report Highlights Continued

- The Province only allows Automated Speed Enforcement to be implemented within community safety zones and school zones. The City of Vaughan (the City) has established a proposed Community Safety Zone Policy and warrant process to establish new community safety zones which are supported by data and evidence based.
- Community safety zones will be identified and implemented through the proposed Community Safety Zone Policy, obligatory traffic bylaw amendments, and regulatory signage.
- Staff will identify Automated Speed Enforcement locations based on a priority ranking system driven by the data set out in the proposed Community Safety Zone Policy.
- It is anticipated that the Automated Speed Enforcement program will launch with ten (10) mobile cameras, two (2) per ward, and cameras will remain in a given location for approximately three (3) months.
- The Corporate and Strategic Communications department will leverage numerous channels to educate the public on Automated Speed Enforcement.

Recommendations

1. That use of Automated Speed Enforcement in the City of Vaughan be adopted through an Administrative Monetary Penalty System, and that all necessary By-laws be brought forward to give effect to this recommendation;
2. That the Deputy City Manager of Public Works be authorized to execute any agreement or document, in a form satisfactory to Legal Services, required to implement or administer the Automated Speed Enforcement program within the City of Vaughan that falls outside of the scope of the Corporate Procurement Policy 15.C.03;
3. That the proposed Community Safety Zone Policy be approved as outlined in Attachment 1;
4. That the By-laws be enacted to amend Traffic Bylaw 284-94, as amended, authorizing one hundred and four (104) Community Safety Zones under the proposed Community Safety Zone Policy as outlined in Attachment 2;
5. That staff be authorized to administer the proposed Community Safety Zone Policy, and to establish Automated Speed Enforcement locations;
6. That staff be authorized to proceed with a Single Source Procurement with the identified Supplier, GTechna, for the works required to integrate Automated Speed Enforcement with the By-law & Compliance, Licensing & Permit Services existing case management system as required;
7. That approval be delegated to the Deputy City Manager, Community Services to further increase the single source contract value for #SSA22-040 *Online Permit*

System to Allow Issuance of Visitor, Construction, and Resident Parking Permits (supplier - GTechna) if required, subject to approved funding being available;

8. That a robust communication plan be developed regarding the use of Automated Speed Enforcement within the City of Vaughan; and
9. That the City Clerk forward a copy of this report to the Regional Municipality of York (York Region), York Region's local municipalities, York Regional Police, York Region District School Board, York Region Catholic School Board, Metrolinx, the Ministry of Transportation Ontario, and the Ministry of the Attorney General.

Background

The legislative authority for Automated Speed Enforcement became effective on December 1, 2019.

Automated Speed Enforcement (ASE) is a system that consists of a hardware device including a camera and a speed measurement tool which operate together to take an image of a vehicle traveling past the device at a rate of speed greater than the posted speed limit. This data is then recorded and a penalty notice with a designated fine is sent to the vehicle's registered owner for payment, regardless of the driver. The total payable amount includes a set fine, a victim fine surcharge, and applicable administrative costs. The Ministry of Transportation does not issue demerit points toward a driver's license and therefore a passenger vehicle owner's driving record or insurance rating is not impacted.

Automated Speed Enforcement is identified as one of the most critical road safety initiatives under the MoveSmart Mobility Management Strategy (MoveSmart).

The ASE program's target is to reduce speed, increase road safety, and raise public awareness to drive within the posted speed limits. It is a highly effective road safety tool and is designed to work in parallel with other MoveSmart initiatives, including engineering traffic calming measures, enforcement, and education. ASE is used to promote compliance with posted speed limits and reduce speeds and collisions in school and community safety zones.

A Members Resolution in favour of the implementation of ASE was unanimously supported by City Council on September 28, 2022. Several other authorities across North America and the world have relied on ASE as a speed enforcement and speed reduction tool and have reported significant success. York Region provided an update to Regional Council's Committee of the Whole on June 16, 2022, summarizing the achievements of the Region's ASE pilot program and the benefits of the continued use and expansion of the program.

The Province of Ontario has enacted a regulation to allow the operation of Automated Speed Enforcement under an Administrative Monetary Penalty System to reduce demands on the Provincial Court System.

The Province amended the *Highway Traffic Act* to allow ASE to become enforceable under Administrative Penalties rather than the *Provincial Offences Act* (POA). This change allows municipalities to develop an in-house ticket adjudication and processing program. The Administrative Monetary Penalty System Program (AMPS) allows for greater flexibility as municipalities can operate an ASE program through their processing centre or via a Joint Processing Centre (JPC) in partnership with another municipality. A processing centre refers to a municipal facility overseeing ticket issuance, processing, and dispute resolution processes through staff resources employed by that municipality.

The *Highway Traffic Act* authorizes the use of Automated Speed Enforcement in school zones and community safety zones.

The *Safer School Zones Act* authorizes ASE in schools and community safety zones. A school zone is an area of the road close to a school or within one hundred and fifty (150) metres of a school front. *The Highway Traffic Act* delegates authority to municipalities to designate part of a roadway under its jurisdiction as a community safety zone. School zones usually have reduced speed limits and must be designated with by-laws per the *Highway Traffic Act*. A community safety zone is an area that is deemed a higher risk or area of concern and is also designated through a by-law amendment. Fines are doubled within these designated areas and are directed to the vehicle's registered owner; therefore no demerit points are issued.

The Province has stipulated that ASE warning signs be implemented ninety (90) days in advance of a camera's activation and later replaced with regulatory camera-in-use signs when activated at any given location.

The City of Vaughan has developed the proposed Community Safety Zone Policy with a two-stage selection criteria which has resulted in a recommendation of one hundred and four (104) Community Safety Zones.

The proposed Community Safety Zone Policy identifies a warrant process for community safety zone designation including school zones. Identifying potential community safety zone sites follows a two-staged process which is based on best practices and Provincial guidelines.

The first step involves identifying areas with land uses that have the potential to benefit from community safety zone designations because of their tendency for the presence of vulnerable road users. These areas include:

- School Zones
- Trail Access Points
- Retirement Housing

- Community Centers
- Parks
- Places of Worship

All school zones are recommended to be designated as community safety zones and do not require a second stage warrant approval.

The second stage of the proposed Community Safety Zone Policy assesses the safety concerns of the identified locations other than schools by considering the presence of risk factors. The process includes a risk-scoring matrix to assess each location based on the following factors:

- Vehicular volumes
- Number of lanes
- Length of sidewalk
- Truck volume
- Bus stops
- Intersections and entrances
- Operating speeds
- Collision history

Applying the proposed warrant to the City's entire road network resulted in the identification of one hundred and four (104) warranted community safety zone locations. Ninety-seven (97) of these locations are at or near school zones, and seven (7) are at other land uses.

ASE site selection will include school zones and parks, with a selection of locations that may consist of other land uses such as retirement housing, community centres, and places of worship.

Staff will be responsible for prioritizing and selecting ASE locations and rotation schedules. A regulatory signage plan for community safety zones and ASE identified locations will be developed to satisfy Provincial legislation. Subsequent traffic by-law amendments will be forthcoming that identify individual locations that fulfill the proposed Community Safety Zone Policy warrant process within the City.

The City of Toronto has twelve (12) municipalities utilizing their Joint Processing Centre, including York Region. Participating municipalities rely on Toronto's Joint Processing Centre to process Automated Speed Enforcement tickets.

The City of Toronto, (Toronto) was the first municipality within Ontario to establish ASE as a safety tool. It operates its ASE program under the POA, which requires disputed tickets to be adjudicated through the Provincial Court System. Toronto currently is the

only municipality to operate a JPC and is issuing tickets on behalf of other municipalities.

Due to high volumes, Toronto is currently placing limits on the number of tickets it can process on behalf of other municipalities. As such, some municipalities are looking into the feasibility of implementing their own JPC or partnering with municipalities that have a JPC currently under development. For example, York Region, the Town of Newmarket, the City of Barrie, the City of Waterloo, and the City of Brampton are assessing the feasibility of implementing their own JPC in the future.

There are procurement considerations that are required to be met to implement Automated Speed Enforcement by the anticipated launch date of Q4 2024.

Staff have identified three (3) procurements to implement ASE:

1. Camera Vendor: The contract for supply, installation, operation, maintenance, and decommissioning of ASE cameras and supporting infrastructure.
2. GTechna: The software used for case management.
3. Regulatory Signage: The contract to develop a signage plan for the installation of signs for Community Safety Zones and Automated Speed Enforcement.

The City of Vaughan will leverage the opportunity to participate in the collaborative procurement of a camera vendor and assess all options for ticket processing centres.

The City's Corporate Procurement Policy 15.C.03 encourages the use of collaborative procurements in which combining the volume of Goods and/or Services to be purchased results in the best value for Vaughan. Toronto awarded the services of Redflex Traffic Systems to provide ASE hardware and services on behalf of all participating municipalities.

In May 2019, Toronto issued a Request for Proposal #9148-19-0048 for the Provision of Automated Speed Enforcement Services for five (5) years and five (5) one (1) year extension options. Toronto awarded the contract to Redflex Traffic Systems (Canada) Limited, (Redflex). Through the contract, Redflex is responsible for supplying, installing, operating, maintaining, and decommissioning an ASE system/infrastructure and maintaining ASE image processing services.

To utilize Toronto as a JPC, the City would be required to work with Redflex as its camera vendor. Toronto's RFP#9148-19-0048 permits other municipalities to utilize its contract with Redflex. In accordance with the City's Corporate Procurement Policy 15.C.03, Section 24 – Collaborative Procurement, the City would be required to execute a contract with Redflex upon successful negotiations with the supplier in a form satisfactory to Legal Services.

Should the opportunity to execute an agreement for ticket processing with another municipality, such as York Region, materialize, the City will consider engaging that municipality for ticket processing. Staff will continue to monitor and assess all options available for processing centres. A final decision will be made by staff based on timing, service costs, and ticket capacity allocation.

Council approval is required to amend the existing single source contract with GTechna to permit the integration of Automated Speed Enforcement into the City of Vaughan's existing case management system.

The City is working to administer the ASE program through AMPS, a system already in use by By-law and Compliance, Licensing, and Permit Services that currently administers the parking ticket program. GTechna is the current vendor that will facilitate the software system integration with the Toronto JPC.

To meet the Q4 2024 ASE launch, the City requires an AMPS program and software solution to be able to facilitate the transfer of information and tickets with the JPC. Not utilizing the current vendor GTechna would require an open procurement which would result in additional delays. By-law and Compliance, Licensing, and Permit Services has confirmed that a systems integration with Toronto and the current vendor GTechna is possible and testing has already occurred.

By-law and Compliance, Licensing, and Permit Services are in contract with GTechna via a Single Source Award (SSA22-040). Staff anticipates that the integration of ASE by GTechna will result in a change order to the existing single source contract of approximately fifteen thousand dollars (\$15,000), thus bringing the cumulative value of the GTechna contract over the \$100,000 threshold established by the City's Corporate Procurement Policy.

The City's Procurement Policy provides criteria that must be met to procure via single-source procurement. Given the need for standardization and compatibility with previously acquired services and the special knowledge, skills, and expertise required, it is the Director of Procurement Services' determination that this justifies the use of single source procurement in this case.

Given the anticipated amount of the contract, Council approval is required to proceed with any necessary amendment to the existing GTechna Single Source Award.

Further, staff are asking that the Deputy City Manager of Community Services be authorized to further increase the single source contract value for #SSA22-040 *Online Permit System to Allow Issuance of Visitor, Construction, and Resident Parking Permits (supplier - GTechna)* if required, subject to approved funding being available.

Previous Reports/Authority

MoveSmart Mobility Management Strategy Annual Progress Report, Extract from Council Meeting Minutes of March 22, 2022 (Report No. 11, Item 1 of the Committee of the Whole (Working Session)):

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=101578>

MoveSmart Mobility Management Strategy, Extract from Council Meeting Minutes of March 10, 2021 (Report No. 10, Item 1 of the Committee of the Whole (Working Session)): [filestream.ashx](https://pub-vaughan.escribemeetings.com/filestream.ashx) ([escribemeetings.com](https://pub-vaughan.escribemeetings.com))

Support for a Piloted Automated Speed Enforcement Program in the City of Vaughan, Members Resolution Racco, Extract from the Council Meeting Minutes of September 28, 2022 (Report No. 32, Item 19 of the Committee of the Whole (1)):

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=120316>

Automated Speed Enforcement and Administrative Penalty System, Extract from York Region Council Meeting Minutes of June 16, 2022; Committee of the Whole Report of May 27, 2022, Transportation Services, Joint Report of the Commissioner of Public Works and the Regional Solicitor and General Counsel.

<https://yorkpublishing.escribemeetings.com/filestream.ashx?DocumentId=35845>

Processing Centre for Automated Enforcement Infractions, Extract from York Region Council Meeting Minutes of September 14, 2023: Committee of the Whole Report September 6, 2023, Transportation Services, Report of the Commissioner of Public Works:

<https://yorkpublishing.escribemeetings.com/FileStream.ashx?DocumentId=40993>

Analysis and Options

The Administrative Monetary Penalty System shifts the processing of Automated Speed Enforcement tickets to a municipality and away from the Provincial Court System.

The City currently has a parking ticket enforcement program under AMPS. As such, procedures and technical software are already in place to issue, settle, and collect tickets that are in default. The City's ASE program will work off the same processes and procedures. Some of the realized advantages of the AMPS program include:

- Replaces the court-based trial system governed by the POA.
- Provides a fair and equitable dispute resolution process.
- Provides greater access to dispute resolution services.
- Screening reviews are conducted at an in-person meeting, or disputes can be submitted via an online form.

- The system is flexible, customer-focused, and convenient.
- Allows the Provincial Courts greater opportunity to address more severe types of offenses.
- Empowers the local municipality to operate its penalty system.

As an operator of an ASE program under AMPS, the City will be mandated to provide annual reports back to the Province, highlighting important key performance indicators such as ticket issuance, program success, and other technical data.

Implementation of Automated Speed Enforcement requires the City of Vaughan to enter into various agreements.

Delegated Authority is required to allow the Deputy City Manager of Public Works to execute the necessary agreements that are critical to ASE implementation and include agreements with the following:

1. The Ministry of Transportation (MTO): This agreement provides that MTO will provide vehicle owner information to the JPC on behalf of the City.
2. Ministry of the Attorney General (MAG): This agreement sets out: (1) The City's responsibility to remit money to the Victims' Justice Fund, and (2) the City's access to the Defaulted Fines Control Centre, which is used for license plate denials.
3. A Joint Processing Centre: This agreement allows the JPC to receive photos, issue penalty notices, and share costs related to the processing centre.

The Privacy Impact Assessment is a requirement that forms part of the MTO Agreement. The Information and Privacy Commissioner will be consulting with each municipality that is interested in implementing an ASE program under AMPS.

Financial Impact

Financial estimates to administer the Automated Speed Enforcement program are based on Toronto's Joint Processing Centre processing capacity restraints.

Financial estimates for the implementation of the City's ASE program are currently based on Toronto's JPC processing capacities. Several municipalities are considering opening their own processing centers and the City continues to explore other potential partnerships, including York Region that would modify the financial estimates associated with administering the ASE program.

The ASE program is anticipated to launch by Q4 2024. Various City departments are assessing resource requirements to support the ASE program beyond 2024, and any additional operating funds or additional resources required to administer the program will be requested in the future through the City's annual budget process.

One-time startup operating costs of approximately one hundred thousand dollars (\$100,000) have been identified to launch the ASE program and will be enabled through previously approved funding. The By-law & Compliance, Licensing & Permit Services capital project *BY-9538-16 By-law & Compliance Group GTechna System Upgrade* will facilitate the necessary upgrades to import ticket data, and an initial partnership fee is required should the City execute an agreement with the Toronto JPC.

Approved funding for the implementation of regulatory traffic signage for both ASE and community safety zones has been identified through capital projects *FL-9579-21 Traffic Signs Speed Limit Policy* and *RP-6767-18 Road Safety Program Automated Speed Enforcement*.

ASE is intended to be a financially cost-neutral program. It is anticipated that as the program matures all operational costs will be recovered through the collection of penalties imposed. The Province has suggested that any monetary gains be reinvested into future road safety programs and communications with a focus on pedestrian and cycling facilities. It is anticipated that as speed compliance improves, recoveries generated through ASE will decrease as road safety across the City improves.

Operational Impact

The implementation of Automated Speed Enforcement is a comprehensive initiative requiring collaboration and expertise across the organization.

A working group consisting of nine (9) departments was created to facilitate the process of launching the ASE program. The working group includes the following departments:

- By-law & Compliance, Licensing & Permit Services
- Legal Services
- Procurement Services
- Financial Services
- Financial Planning & Development Finance
- Office of the City Clerk
- Office of the Chief Information Officer
- Transportation & Fleet Management Services
- Corporate and Strategic Communications

Staff propose to operate ten (10) mobile Automated Speed Enforcement cameras, allocating two (2) cameras per ward within community safety zones.

It is anticipated that the ASE program will commence with each ward receiving two (2) mobile cameras. The ASE mobile cameras will rotate approximately every three (3) months.

A comprehensive communication plan will be created to raise driver awareness regarding Automated Speed Enforcement implementation throughout the City of Vaughan.

A robust communication plan will advise residents and drivers about the new ASE program before commencement right through to implementation. Residents will be educated on the value that ASE provides in keeping communities safe and motorists will be informed about the warning and camera activation periods on the City's local road network.

Automated Speed Enforcement is an effective tool to improve road safety.

The use of ASE has proven to be a worthwhile and effective countermeasure in numerous municipalities to improve road safety by reducing vehicle speeds and collisions in targeted areas such as school zones and community safety zones.

A study based on Toronto's ASE data conducted by researchers from The Hospital for Sick Children (SickKids) in collaboration with the Toronto Metropolitan University (TMU) showed that drivers exceeding the speed limit decreased at eighty percent (80%) of the locations with an ASE device. The proportion of drivers speeding at thirty (30), forty (40), and fifty (50) kilometres per hour speed limit zones dropped by an average of seven kilometres per hour (7 km/h) during ASE deployment. There was also an eighty-seven percent (87%) drop observed among drivers exceeding the speed limit by twenty kilometres per hour (20 km/h) or more at ASE locations. The City of Mississauga has also noted an average decrease in vehicle speeds by eight kilometres an hour (8 km/h) where cameras were deployed and an average increase of twenty-six percent (26%) in speed limit compliance.

Broader Regional Impacts/Considerations

York Region has already adopted the ASE program. Discussions with York Region exploring opportunities for ticket processing at a joint facility remain ongoing. Road safety and speed compliance is a region-wide safety priority. Therefore, the establishment of an ASE program within the City will complement York Region's efforts to ensure overall improved road safety across the network. An aligned speed enforcement strategy will work to improve driver behavior and support York Regional Police's efforts to improve traffic safety, reduce speeding, and help protect vulnerable road users.

Conclusion

The implementation of ASE is a key program within MoveSmart. ASE will support many key initiatives including the joint Traveler Safety Plan with local municipal partners, the Speed Compliance Plan, the Safer School Zone Plan, and the Neighbourhood Traffic

Calming Plan, thereby ensuring a comprehensive and multifaceted approach to improving road safety across both the local and regional road networks.

The City anticipates launching the ASE program under AMPS by Q4 2024 provided the necessary agreements for ticket processing and with the Ministry of the Attorney General and the Ministry of Transportation can be executed.

For more information, please contact Peter Pilateris, Director Transportation and Fleet Management Services ext. 6141, and Susan Kelly, Director of By-Law & Compliance, Licensing & Permit Services, ext. 8952.

Attachments

1. Proposed Community Safety Zone Policy #19.C.07.
2. List of one hundred and four (104) locations to be designated as Community Safety Zones.

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