

1. Staff Direction SD-17-19 (March 25, 2019):

Direct the Director of Transportation Services to complete a detailed assessment of intersections and report back with a business case for the implementation of Red Light Cameras including recommended intersections, program costs and an implementation plan by Q2 of 2020; and Direct the Director of Transportation Services to continue to participate in the Ontario Traffic Council Automated Speed Enforcement (ASE) working group and report back as program details are available.

2. Provincial Regulation Background information

In December 2019, the provisions of Bill 65, the Safer School Zones Act, were proclaimed and the Highway Traffic Act was amended to allow municipalities to use ASE in designated school zones and community safety zones in accordance with O.Reg. 398/19.

In April 2022, the Province filed Ontario Regulation 355/22 “Administrative Penalties for Vehicle Owner Contraventions Detected Using Camera Systems”. This regulation establishes an APS regulatory framework for camera based automated enforcement programs. Prior to this regulation change, the administration components of automated enforcement were required to be handled through the Provincial Court System, which was identified to not be feasible within Halton Region due to resource pressures on Halton Court Services.

As there are significant resource related challenges related to the capability for the courts to handle the amount of ASE offenses anticipated, the APS change provides for an opportunity to implement an ASE program with no anticipated impact to the court system.

3. ASE Site Selection

Under the Highway Traffic Act municipalities have the authority to implement ASE within “School Zones” or “Community Safety Zones” that have been designated by bylaw.

School Zones - Under the Highway Traffic Act, Council may, by by-law, designate a portion of a road under its jurisdiction that adjoins the entrance to or exit from a school and that is within 150 metres along the road in either direction beyond the limits of the land used for the purposes of the school.

Community Safety Zones- Under the Highway Traffic Act, Council may, by by-law, designate a part of a highway under its jurisdiction as a Community Safety Zone. In addition to allowing for ASE, fines are increased or doubled for many Highway Traffic Act violations within Community Safety Zones, as currently enforced by the police.

There are currently 8 designated community safety zones in Burlington:

- Britannia Road between Walkers Line and Milborough Line (Ward 3)
- Maple Avenue between Hammond Street and Lakeshore Road (Ward 2)
- New Street between Wedgewood Drive and Rossmore Boulevard (Ward 4/5)
- No. 1 Side Road between Walkers Line and Milborough Line (Ward 3)

- Plains Road East between Joan Drive and Waterdown Road (Ward 1)
- Walker's Line between Ketelbey Court and Dundas Street (Ward 4/6)
- Walker's Line between New Street and Fairview Street (Ward 4)
- Kilbride Street between McNiven Road and Twiss Road (Ward 3)

The above locations were introduced at various points in time with the intent of improving safety. At this point, there are no plans to remove the community safety zones from these roads; however, it is recognized that additional community safety zones will be required for the implementation of ASE using the new guidelines.

The following are prescribed and physical limitations to where ASE can be deployed:

- ASE cannot be utilized in areas containing flashing school zone speed limits. The ASE camera and flashing school zone speed limit devices do not coordinate times and it is problematic to prove that the flashing lights were functioning during the prescribed times. It should be noted that six of the above-mentioned schools have flashing school zone speed limits. Staff are evaluating whether to convert the zones to a static (24 hour) speed limit, or whether to install time of day speed limit signage at these locations.
- By regulation, ASE is not permitted on roads where the posted speed is 80 km/h or higher.
- Space and visibility requirements must be met to ensure the camera and signage can be installed, and visibility to the road is adequate for the measurement of speeds and capture of photographs.

4. Program requirements

ASE APS penalties are required to be processed/validated by Provincial Offence Officers employed by a municipality (City recommends utilizing the Toronto Joint Processing Centre - JPC). Otherwise, ASE penalties are administered similar to parking infractions, with case management software managing ASE penalties and with screening and hearing officers adjudicating penalties.

The Toronto JPC is staffed by Provincial Offences Officers (as per ASE regulations Provincial Offence Officers must be employed by a municipality) who review the data and information collected by the ASE camera and use that information to generate speeding offences.

The associated Toronto JPC administration costs incurred are a proportional amount relative to the number of charges from each participating municipality.

The following agreements, assessments and by-laws are required:

- Ministry of Transportation (MTO) agreement - Governs access to license plate information, outlines record management procedures, and mandates reporting requirements for municipalities.

- Ministry of Attorney General (MAG) agreement - Incorporates crucial components such as the formula for calculating the victim's justice fund component of the ASE tickets and the guidelines for completing plate denial procedures.
- Toronto JPC agreement– Required to partner with Toronto for infraction issuance by a provincial offence officer.
- ASE Camera Vendor agreement- Lease of the camera systems and associated services (maintenance, relocation etc.)
- ASE By-Law - An ASE by-law outlining APS contraventions is required before starting the ASE program.
- Amendments to the Traffic By-law to reflect/update community safety zones – A by-law outlining the limits and locations of community safety zones via amendments to Traffic Bylaw 086-2007.
- Establishment of a Road Safety Reserve Fund Bylaw
- Privacy Impact Assessment – Required by the MTO prior to launching an ASE program, based on recommendations from the Information and Privacy Commissioner of Ontario.
- Various policies for administration of APS for ASE are needed.

5. ASE Equipment

In April 2019, the City of Toronto issued a joint Request for Proposal (RFP) on behalf of several participating municipalities for the supply and operation of ASE cameras (A fairness monitor was retained to oversee the process). Proposals were evaluated based on a technical proposal evaluation, proof of performance evaluation and the cost of services.

Verra Mobility (previously Redflex Traffic Systems (Canada) Limited) was selected as the successful vendor for a five-year period ending in 2024, with the provisions for an optional five-year extension. This agreement was subsequently extended for an additional five years (ending in 2029).

Two types of ASE cameras are available: mobile and semi-fixed/fixed. The mobile units are self-contained devices and do not require any infrastructure to operate and can be moved between locations. A semi-fixed location contains all required utilities, civil infrastructure, and housing necessary for operation with just the camera unit either permanently placed or rotated between semi-fixed locations.

Mobile units have been the favoured unit chosen by many municipalities as they can be easily relocated to various locations which allows for greater exposure and benefit across numerous locations citywide, with the maintenance requirements (including vandalism) being the responsibility of the camera vendor.

The contract with the camera vendor includes provisions for the lease, placement, operation, and maintenance of the camera.