

## Staff Report 2019-0132

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Meeting Date: September 17, 2019

Subject: Automated Speed Enforcement (ASE) - Status Update

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### RECOMMENDATION

That the Province of Ontario/Ministry of Transportation of Ontario be requested to list the Town of Caledon in the Provincial regulation related to Automated Speed Enforcement; and

That Town staff continue to work in collaboration with Peel Region, the Ministry of Transportation of Ontario, the Ministry of the Attorney General, other municipalities in Ontario, and Ontario Traffic Council to further investigate how the Automated Speed Enforcement (ASE) program can be implemented and report back to Council.

### REPORT HIGHLIGHTS

- Automated Speed Enforcement is a new type of technology for traffic enforcement, which requires further investigation/development in a number of areas, including the potential number of infractions, appeal mechanisms, and technology-related issues.
- Automated Speed Enforcement can be only implemented within designated Community Safety Zones where the prescribed rate of speed is less than 80 km/h and School Zones, based on Bill 65.
- All School Zones in Caledon have been designated as a Community Safety Zones which means that fines for traffic-related offences are doubled.
- Staff will continue to participate in the provincial Automated Speed Enforcement working group to explore how the ASE program can be implemented in Caledon.
- Staff will report back to Council with recommendations for Council's consideration regarding ASE deployment once further analysis and research has been undertaken.

### DISCUSSION

On June 18, 2019, Council approved the following notice of motion and provided Transportation division staff the following direction:

Whereas the small villages and hamlets of the Town of Caledon with narrow roads and poor sight lines are just not capable of handling ever increasing volumes and speed of traffic,

Whereas Bill 65; An Act to amend the Highway Traffic Act in respect of speed limits in municipalities and other matters includes the following:

“Section 205.1 (1) An automated speed enforcement system may be used in accordance with this Part and the regulations made under it,

(a) in a community safety zone designated by by-law passed under subsection 214.1 (1) where the prescribed rate of speed is less than 80 kilometres per hour; or

(b) in a school zone designated by by-law passed under clause 128 (5) (a)”

Whereas the Town has established various Community Safety Zones in the Traffic By-law to promote safety,

Now therefore be it resolved that staff investigate the recently permitted use of automated speed enforcement systems in Caledon, both inside and outside of Community Safety Zones.

That staff review the criteria used to identify Community Safety Zones in the Town.

That staff report back in the fall of 2019.

The purpose of this report is to report back on the status of ASE's.

### **Automated Speed Enforcement (ASE) Program**

On May 30, 2017, the Minister of Transportation passed Bill 65, *the Safer School Zone Act*. The intent of Bill 65 is to amend the *Highway Traffic Act* (HTA) by repealing the current photo radar provisions and enact a new Automated Speed Enforcement (ASE) system. Municipalities would be able to enact bylaws to allow the use of the ASE only in Community Safety Zones where the prescribed rate of speed is less than 80 km/h and School Zones. Town staff have been actively participating in the working groups hosted by the Ontario Traffic Council (OTC) which includes stakeholders from the Ministry of Transportation (MTO) and a group of Ontario municipalities to explore how to implement the ASE program. This includes establishing location selection, speeding threshold, type of technology equipment, installation of cameras/signage, judicial process and public communications. This intent of the partnership is to work out implementation issues beforehand and to promote consistency in ASE implementation across Ontario.

As part of the OTC working group work, the City of Toronto has expressed an interest to operate a joint processing centre for the Province related to ASE's. That is, similar to the processing of images and tickets for red light camera's, the City of Toronto wishes to process images and issue tickets for City of Toronto's ASE program and the ASE programs of other municipalities across the province. In April 2019, the City of Toronto

issued a Request for Proposal for the supply, installation, operation and maintenance of ASE equipment. This process also ensures that one standard ASE equipment is used throughout the province. The *Highway Traffic Act* would then be amended to include the specific ASE model that the municipalities can only use.

Phase 1 of the ASE program is expected to be operational in the province by December 2019 with the following municipalities have expressed interest in participating which includes City of Toronto, City of Burlington, City of London, City of Mississauga, City of Brampton, City of Ottawa, Town of Oakville, Region of Peel, Region of Waterloo, Region of Durham, York Region and Oxford County.

In order for the municipalities to be included in the first year of the ASE program, MTO and Ontario Traffic Council recommend that municipal Councils pass resolutions requesting the Province to include their municipality in upcoming Ontario Regulations related to ASE's. Being listed in the Ontario Regulation will allow the Town to implement an ASE program once the Province proclaims that this legislation is in force (scheduled for December, 2019). While there are outstanding ASE issues/standards to be developed, it is uncertain when the Ontario Regulations will be updated next so staff recommend that the Province of Ontario/Ministry of Transportation Ontario be requested to list the Town of Caledon in the Provincial regulation related to ASE's.

The Region of Peel recommends deploying one ASE mobile unit that will be located along Regional Roads in Caledon within Community Safety Zones and School Zones as a pilot. Currently, the Region has 10 Community Safety Zones and the Town has 22 Community Safety Zones in Caledon. All School Zones in Caledon have been designated as a Community Safety Zone.

The Town has been working with the Region to better understand the site selection process, the projected number of infractions and appeals that the Caledon Provincial Offences Court system can handle. This information would help estimate the resources implications, for example, additional staff and additional room space for future budget considerations. Staff recommends continuing participating in the Automated Speed Enforcement discussions with the Province, Region of Peel, and municipalities, via the OTC working groups, to allow for further investigation of the ASE program and ASE implementation in Caledon.

### **Community Safety Zones and School Zones**

The purpose of a Community Safety Zone is to let the motorists know they are within a zone where fines (for offences such as speeding, distracted driving, or traffic signal-related) are doubled through a special designation under the *Highway Traffic Act* (HTA). The signs include the BEGINS and ENDS tabs define the legal limits of the zone. The rules of the road do not change within the zone, only penalties for violations are increased.

Community Safety Zones are sections of roadways where public safety is of special concern. According to Ontario Traffic Manual Book 5, Community Safety Zones may include roadways near schools, daycare centres, playgrounds, parks, hospitals, senior citizen residences and may also be used for collision-prone areas within a Community. This is a standard criteria that municipalities within Ontario use to determine if the Community Safety Zone is required. As recommended by the Ontario Traffic Council, the Town of Caledon has designated all School Zones as Community Safety Zones also. Currently only School Zones have been designated Community Safety Zones by the Town. Town staff will continue to follow best practices and the standards in Ontario Traffic Manual Book 5 when considering future Community Safety Zone designations.

According to the Ontario HTA, a School Zone is a portion of highway within 150 metres along the highway in either direction beyond the limits of the land used for the purposes of the school. A speed limit that is lower than the rate of speed otherwise prescribed for that portion of highway and the time(s) at which the lower speed limit is effective will be prescribed for motorists driving in the School Zone. Fines inside School Zones are the same as outside unless it has been designated as the Community Safety Zone.

In 2018 Council (staff report 2018-79: Proposed Community Safety Zone Designation) approved all schools within Caledon to be designated as a Community Safety Zone along Town Roads.

The benefit of designating Community Safety Zones for all schools in Caledon is to bring a uniform approach for traffic calming within the school zones, which is intended to increase driver compliance to the reduced speed limits within school zones in Caledon. Such a designation will also assist in the implementation of Automated Speed Enforcement – e.g. the doubling of fines will also result in driver compliance and reduced speeds in school zones.

### **Next Steps**

Town staff will continue to work with the Province and other municipalities, via the OTC-hosted working groups, to develop standards/resolve issues related to the implementation of ASE's province-wide. This work will also further inform criteria related to community safety zone designations where it is the intent of Council to also implement ASE's within the community safety zone under consideration.

In the interim, staff will continue to follow the Ontario Traffic Manual Book 5 for consideration of Community Safety Zone designations and the HTA for the consideration of School Zone designations.

The Town has been and will continue working with the Region to identify potential implications and locations of where ASE can be implemented in Caledon as a pilot program. Staff will report back to Council with recommendations for Council's consideration regarding ASE deployment once further analysis and research has been undertaken.

**FINANCIAL IMPLICATIONS**

The Town and Regional staff will continue to participate in the joint ASE Steering Committee and estimate the financial and resource implications as part of the analysis related to ASE deployment.

**COUNCIL WORK PLAN**

This work aligns with Sustainable Growth pillar in the Council Work Plan 2018-2022, to continue implementation of the Transportation Master Plan including transit, infrastructure, cycling, traffic management, traffic calming, liveable and walkable communities.

**ATTACHMENTS**

None.