



Committee of the Whole Report

Report Number: ENG2024-022
Meeting Date: October 8, 2024
Title: Automated Speed Enforcement Update
Description: To inform Council of latest legislative and procedural changes to automated speed enforcement in Ontario
Author and Title: Joseph Kelly, Traffic Management Supervisor

Recommendation(s):

That Report ENG2024-022 , **Automated Speed Enforcement Update** , be received;
and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Since the introduction of legislation to allow for automated speed enforcement, staff have been providing Council updates on the legislative requirements. Concurrently, Council had also directed staff to report on various traffic calming initiatives. The following reports are connected and related:

ENG2019-013 Request for City Wide Speed Reduction
ENG2021-027 Automated Speed Enforcement Update
ENG2021-030 Automated Speed Enforcement Implementation
ENG2022-033 Community Area Speed Limit Project Update
ENG2023-021 Request for Speed Reduction Approaching Hamlets
ENG2023-029 Request for Electronic Speed Sign Program

Most of these reports were either received with the expectation that further updates would be provided or were followed by resolutions which have been addressed. This report represents the latest update on these matters.

At the Council meeting of November 21, 2023 Council adopted the following resolutions:

CR2023-577 and 578

That the Report ENG2023-029, **Request for Electronic Speed Sign Program** be received; and

That Staff report back to Council by the end of Q2 of 2024 to provide the cost that would be associated with the establishment of a stand-alone speed board program that would allow the installation of a set number of speed boards per year, in addition to the standard traffic calming warrant process.

This report also addresses those directions.

Rationale:

40 Speed Area Project

Previous reports to Council regarding automated speed enforcement advised Council that the costs and burden to the court system was too great with the legislative requirements at the time. Council had already moved forward with a city wide 40 Km/hr speed area project and an evaluation of the effectiveness of the project would be appropriate before considering implementing other city-wide road safety measures. The project is mostly complete with only some 60 km/hr transitions remaining.

Staff had performed speed counts at various urban locations before and after the implementation of the 40 area speed zones. The average change to 85th percentile speeds at the counted locations was -0.7 km/hr. That is about a 1 km/hr speed reduction after the 40 areas were implemented. With the margin of error in the testing methods, this is an insignificant change.

This confirms the accepted theory that motorists drive by feel based on the road conditions, environment, and perceived driver skill level. Without heavy enforcement, speed reductions do little to reduce overall speeds. Speed reductions are more likely to be obeyed by motorists if they are perceived as necessary.

Still, 40 speed areas may still be appropriate for neighborhoods and small communities. It remains to be seen if a paradigm shift can occur. The 40 areas can be supported by other traffic calming measures to increase their effectiveness (such as electronic speed signs).

Electronic Speed Signs

In response to a staff report regarding traffic calming measures, Council had directed staff to report back with details on a standalone electronic speed sign program with the rationale that electronic speed signs installed at key gateways can increase compliance levels with the 40 areas within. In addition to the deployment of the temporary electronic speed signs and other traffic calming measures, current staffing levels can support the installation of permanent electronic speed boards at four to six locations per year (ie the gateways of two to three communities per year) at a cost of approximately \$25000 per year for six signs with no increase to operating budgets.

Automated Speed Enforcement (ASE)

Nearing the end of the 40 area speed project implementation, new legislative requirements had been introduced for automated speed enforcement. These legislative changes allow municipalities to conduct an ASE program through an administrative monetary penalty (AMP) system. Treating speed infractions similar to a parking ticket greatly reduces the barrier to entry for small and medium sized municipalities.

The general performance of an ASE program can be broken down into the following five steps. Capture speed violations, process violations, process payments, manage hearings and appeals, and manage collection and plate denials. Through fee per violation or revenue sharing agreement, vendors offer various levels of involvement throughout all the stages, however municipal staff are still required for specific legislative tasks.

Table 1: ASE Program Stages

Stage	Details	Resources Needed
Capture Violations	Vetted hardware captures image. Sends to chosen processing centre or to AMPs. Can be permanent or temporary location, solar powered options available.	Vendor for hardware. Staff or vendor for installation.
Process Violations	Validation of violation. Owner info confirmed. Warning/citation sent.	Trained staff required for approve violation. Staff required to manage the program. AMPs software can streamline process.
Process Payments	In person and online payments, financial system interface.	Finance staff, Customer Service staff for in-person payment. AMPs allows for more processing through a web system
Manage Hearings and Appeals	Case management, hearings, appeals, dockets, petitions, orders	Program management staff, trained CKL screening and hearing officers. AMPs software can streamline process.
Manage Collections and Plate Denials	Notices, license plate denial reports, collections	Program management staff, finance staff. AMPs software can streamline process

As mentioned in previous reports, CKL does not have the court resources to deal with the additional work generated by the original requirements for ASE. Although municipalities can choose to use the original requirements, staff recommends that an ASE program should only be considered as part of an AMP system.

Administrative Monetary Penalty (AMP) System

An administrative monetary penalty (AMP) system is a process for payment, appeal and collection of minor by-law infractions. In Ontario, municipal AMPs are legislated under the Municipal Act, 2001. CKL does not currently have an AMP system in place, however the municipality can benefit from an AMP system much more than just easing the burden of an ASE program.

AMPs is used by many municipalities, the province and the federal government and is designed to streamline the enforcement process and reduce dependency of Provincial Offences Court operations, allowing municipalities to handle minor by-law infractions in

house, which lowers costs, generates revenue, and increases compliance with municipal by-laws.

AMP enforcement transfers by-law disputes from the courtroom to the municipality using screening and hearing officers who can modify, cancel, or uphold penalties. This approach helps reduce congestion in the courts and provides a local and accessible dispute resolution system.

Consultations with managers of CKL Prosecutions, CKL Provincial Offences and CKL Municipal Law Enforcement uncovered an opportunity to increase efficiencies and decrease burdens with use of an AMP system that would be required for ASE anyway.

Efficiencies introduced by a complete AMP system include:

- Opportunity to utilize AMPs for parking matters, by-law charges, ASE (if implemented), red light camera (if implemented), replacing in-court procedures for resolving Provincial Offences Act (POA) charges.
- Simplify the court process, resulting in less formal and demanding evidentiary procedures for the general public and allows for a customer focused adjudication process.
- Take matters out of an already overloaded court system, freeing up valuable court time, allowing the court to deal with more serious issues and the prosecution to focus on those more serious matters as well,
- Reduce the number of appeals in the Ontario Court of Justice, also freeing up valuable court time and allowing them to deal with more serious issues. Reduce the amount of time the CKL Prosecutors spend in criminal court dealing with POA appeals.
- Greatly reduce the amount of time a person waits to have their matter dealt with, thereby reducing the number of Charter Applications that the Prosecution receives, has to respond to and argue in court.
- Provide the public with a simple, accessible, fair and cost-effective system of dealing with certain violations.
- Provide greater flexibility as to where, when and how the general public, counsel and agents can interact with the City in resolving matters, creating a more streamlined, customer-focused service.
- Reduce other key costs associated with POA trials, including the attendance of enforcement officers and witnesses.

Costs and Revenue for ASE

After the initial investment to introduce an AMPs system for processing minor by-law infractions, the cost of an ASE program includes hardware costs, software licensing costs and installation costs including the required signage. Vendors offer camera systems at roughly \$30 000 per location. Charges can be structured into fees per

citation if no upfront costs are desired. Processing violations through an AMP system is through a fee per citation or revenue sharing agreement.

Staffing needs would depend on the number of violations the ASE program would need to process. Ranging from fitting into existing workloads of various staff to requiring dedicated staff for program management, screening and hearing officers, Provincial Offenses Officers, By-law officers, and finance staff.

It is expected that an ASE program would consist of appropriate staffing levels that are in-line with the amount of processing required and therefore funded by the revenue generated by the program itself. By increasing staffing levels as the program expands, municipalities can grow naturally into their desired level of ASE without heavy financial considerations. Other municipalities have created processing centres which CKL can utilize for a cost. This would reduce, but not eliminate the staffing levels required.

Penalties for speeding are based on a dynamic rate per km over the speed limit. The rate per km increases as the speed violation increases. With fees for victim component, plate lookup, and AMPs fees (per citation plus web-pay processing fee), the penalty remaining for the municipality per violation ranges from approximately \$40 for 10 km/hr over the speed limit and increasing from there (more funds are available to the municipality as the amount over the speed limit increases).

It should be emphasised that a well-functioning ASE program will see violation rates decrease with time and should not be considered as an opportunity to generate sustainable and stable revenues.

Recommendation

To support the 40 Area Speed program, and to satisfy Council resolution CR2023-578, staff will be recommending a \$25000 budget within the Engineering – Technical Services division in 2026 for a stand-alone electronic speed sign program with no more than two to three communities per year consisting of one to four gateway locations per community. This can be achieved through current staffing levels and can be monitored for possible future expansion. Through 2025, the existing travelling speed boards can continue to be deployed, and our already established traffic calming procedures will continue to be scheduled (which can include the purchase of additional speed boards).

Proceeding with an automated speed enforcement program in CKL without an accompanying administrative monetary penalty system is not recommended.

Other Alternatives Considered:

To gain more insight into what would be required to establish an AMP system in CKL, the City could issue a callout for an Expression of Interest. The knowledge gained could inform Council of the obstacles, costs, staffing needs, and program management logistics between multiple vendors offering AMPs processing solutions. This would make possible the development of a request for proposal for a complete solution in the 2026 budget, if Council chooses.

Alignment to Strategic Priorities

Providing life safety and protection, is a priority objective of the City under the Council Adopted Strategic Plan Goal of An Exceptional Quality of Life.

Financial/Operation Impacts:

When recommended through a site-specific traffic calming investigation, speed boards cost approximately \$4,000 a unit through Engineering's miscellaneous traffic capital budget with no operating impact. For Council consideration, staff will introduce a \$25,000 budget item to the 2026 capital budget for the purchase and installation of up to six additional electronic speed boards per year.

Consultations:

CKL Manager of Prosecutions
CKL Manager of Provincial Offences
CKL Manager of Municipal Law Enforcement
Darca Tech (Software Vendor) – Chief Business Development Officer
TrafficLogix (Hardware Vendor) – Territory Manager
Global Traffic Group (Hardware/Software Vendor) – Client Engagement and Development Coordinator

Attachments:

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Department Head: Juan Rojas, Director of Engineering & Corporate Assets

Department File: Engineering and Corporate Assets