

Automated Speed Enforcement Program

Presented To:	Operations Committee
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Type:	Managers' Reports
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Recommended by:	General Manager of Growth and Infrastructure

Report Summary

This report provides recommendations regarding the Automated Speed Enforcement provincial legislative framework and provides information on next steps for implementing an Automated Speed Enforcement Program in Greater Sudbury.

Resolutions

Resolution 1:

THAT the City of Greater Sudbury directs staff to prepare a report for the Operations Committee in the second quarter of 2022 which provides a detailed site selection criteria, a list of recommended sites and a recommendation on the number of automated speed enforcement units that should be initially deployed based on the available resources in the Provincial Offences Act court system in Greater Sudbury and City of Toronto joint processing center as outlined in the report entitled “Automated Speed Enforcement Program Update”, from the General Manager of Growth and Infrastructure at the Operations Committee Meeting of December 6, 2021.

Resolution 2:

THAT the City of Greater Sudbury directs staff to prepare a business case for consideration during the 2023 Budget process to implement an Automated Speed Enforcement program, as outlined in the report entitled “Automated Speed Enforcement Program Update”, from the General Manager of Growth and Infrastructure at the Operations Committee Meeting of December 6, 2021.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The implementation of the Automated Speed Enforcement program supports the achievement of strategic objectives under the Create a Healthier Community strategic initiative.

The implementation of the Automated Speed Enforcement program has no direct connection to the Community Energy and Emissions Plan.

Financial Implications

There are no financial implications with this report.

If the City were to implement 12 automated speed enforcement units in Greater Sudbury the cost would be approximately \$190,000 in one-time costs and \$1,705,000 per year in operating costs. These costs include leasing the automated speed enforcement units and processing of offences. These costs could be incurred starting in 2023, subject to the approval of a business case being prepared for the 2023 Budget.

It is anticipated that a significant percentage of this total cost would be offset through fines administered for speeding through this program.

Overview / Executive Summary

Automated Speed Enforcement (ASE) is a potentially powerful tool to help change aggressive driving behaviour in the Greater Sudbury community in a way that will have a meaningful impact on road safety. The introduction of ASE in Greater Sudbury is taking place in direct response to ongoing concerns raised by residents to both staff and members of City Council with respect to speeding and its impact on community safety.

In 2009, City Council adopted the [Traffic Calming Policy](#) as a means to systematically introduce enhanced road safety measures where high rates of speed or aggressive driving were observed in residential neighbourhoods. Since that time, the City continues to receive a significant number of requests to implement additional traffic calming measures on roads all throughout the municipality. Staff continue to explore opportunities to implement new solutions to improve overall road safety and the use of ASE in community safety zones presents an additional tool that can be used to change behaviour locally.

Background

Previous Committee Reports

At the January 15th, 2018 Operations Committee meeting, a report presenting an overview of Bill 65, the Safer School Zones Act was discussed. This bill included a provision to allow the use of Automated Speed Enforcement (ASE) equipment in community safety zones.

This report may be read at: <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=82BF342A-B8D7-4361-B7D4-7873F4B3FCC9&Agenda=Agenda&lang=English>

An update on the Automated Speed Enforcement Program was subsequently presented to the Finance and Administration Committee on February 19, 2019. This report introduced the work of the Ontario Traffic Council (OTC) Automated Speed Enforcement Working Group, with representatives from government agencies across Ontario. This group worked with the Ontario Government to develop the regulations under which the ASE program now operates.

The 2019 report further presented information about a feasibility study undertaken by the City of Toronto to manage and operate a Joint Processing Centre for the ASE system on behalf of collaborating municipalities.

This report may be read at:

<https://pub-greatersudbury.escribemeetings.com/filestream.ashx?documentid=3919>

Provincial Regulatory Framework

The Ministry of Transportation released a proposal for an Automated Speed Enforcement regulation on September 3, 2019. The proposed regulation outlined the operation, procedural and evidentiary requirements for the use of ASE by municipalities in Ontario. These requirements included a description of how photographs would be used as evidence, the types of ASE technology that may be used, and a description of

the enforcement procedures for *Provincial Offences Act* (POA) charges.

In May 2019, following the completion of the JPC feasibility study, the City of Toronto issued a Request for Proposal on behalf of all municipalities in Ontario for the provision of ASE services for a period of five years. The City of Toronto awarded the contract to Redflex Traffic Systems (Canada) Limited, and this vendor is responsible for the supply installation, operation, maintenance and decommissioning of technology associated with ASE and image processing services across Ontario. This process ensures that the same equipment is used throughout the Province and provides cost savings associated with group purchasing.

On December 1, 2019, Bill 65, *Safer School Zones Act, 2017*, was proclaimed by the Province and came into effect. At that time, Ontario Regulation 398/19 was enacted under the *Highway Traffic Act (HTA)*, allowing municipalities to operate ASE specifically in areas designated as Community Safety Zones (CSZ) or school zones as defined in the HTA.

In addition to Ontario Regulation 398/19, the Province published guidelines (see Attachment 1) to assist municipalities in the development of their ASE programs. Additional guidance relates to general operating requirements, site selection and signage. The guidelines also suggest warning letters be issued instead of tickets for the initial 90-days at each site, though this suggestion is not a requirement in Ontario Regulation 398/19.

Analysis

ASE programs have been implemented in 11 municipalities and regions across the province. These 11 jurisdictions include the City of Toronto, City of Ottawa, Durham Region, City of Brampton, York Region, Peel Region, City of Hamilton, Region of Waterloo, City of Mississauga, City of Pickering and the City of London.

The City of Ottawa recently concluded [a year long pilot project](#) which measured the impact eight ASE units had in eight priority school zone locations. From July 2020 to July 2021, data collected in these eight locations showed on average the following positive impacts of the ASE program:

- 200 percent increase in compliance with the speed limit
- 11 percent decrease in 85th percentile speeds
- 72 percent decrease in drivers traveling at or more than 15 km/h over the speed limit

The City of Toronto also [released information](#) on the first year of the ASE program and the impact the 50 ASE units that were deployed had. The City of Toronto redeploys all 50 of the ASE units every four to five months. The data collected during the July 2020 to November 2020 phase of the City of Toronto ASE program showed the following positive impacts:

- In 40 km/h speed limit zones, a 41% increase in compliance with the speed limit and a reduction in average excess speed from 18 km/h to 6 km/h
- In 30 km/h speed limit zones, a 24% increase in compliance with the speed limit and a reduction in average excess speed from 12 km/h to 9 km/h

The data released from the City of Ottawa and City of Toronto strongly indicates the ASE program is effective at reducing the operating speeds of vehicles where ASE units are deployed.

Estimated Cost of an ASE Program

Similar to the Red Light Camera program, ASE equipment is leased and municipalities may opt to have offences processed at the City of Toronto ASE JPC. In addition, municipalities must pay the Ministry of Transportation of Ontario (MTO) for access to license plate information for offending vehicles.

The City of Toronto operates the ASE JPC on a cost recovery model which includes both the ongoing operational costs as well as the initial startup cost of establishing the JPC. The City of Toronto has indicated the ongoing operational costs of the JPC are approximately between \$20 to \$25 per offence. These costs will vary depending on the number of municipalities participating and the number of offences being processed. In addition, when a municipality initially begins using the JPC, they must contribute to the initial startup cost of establishing the JPC which is currently estimated at \$60,500. As new municipalities join the JPC, the existing municipalities are refunded a portion of this initial investment.

Many of the operating costs for the ASE program will vary based on the number of ASE units deployed and the number of tickets issued. To estimate the annual operating cost of an ASE program, staff have assumed 12 mobile ASE units will be leased and redeployed to a new location every 4 months and each ASE unit will issue 10 offences per day. A summary of estimated annual costs are presented in Table 1 below.

Table 1: Annual Operating Costs

Item	Estimated Annual Costs
ASE Units & Redeployment Costs	\$465,000
ASE Offence Processing	\$965,000
Provincial Court Administration	\$210,000
License Plate Information Request	\$45,000
Education Campaign	\$20,000
Estimated Total Annual Operating Costs	\$1,705,000

As mentioned above, the City of Toronto collects a one-time fee to offset the initial startup cost of the JPC. In addition to the JPC costs, there are one-time costs associated with the initializing of the ASE units as well as the installation of required signs (ex. Speed limit, Community Safety Zone Begins/Ends, Automated Speed Enforcement) at each ASE location.

Table 2: One-Time Costs

Item	Estimated One-Time Costs
ASE Unit Initial Setup	\$3,500
JPC Initial Fee	\$60,500
Sign Installations	\$126,000
Estimated Total One Time Costs	\$190,000

The revenue generated by an ASE program is dependent on the number of offences and the rate of speed of the vehicles being charge. The total payable amount of each offence includes a Set Fine under [Schedule D of the Provincial Offences Act](#) and a victim surcharge. The victim surcharge is provided to the Province, while the Set Fine amount is provided to the City.

In order for the ASE program to be a revenue neutral program, on average each offence would need a Set Fine of approximately \$40 which equates to a vehicle being 8 km/h over the posted speed limit. This is shown in Table 3 below.

Table 3: Revenue Required to Offset Costs Operating of ASE Program

	Set Fine	Number of Offences	Estimated Annual Revenue
Set Fine Amount per Offence	\$40 (8 km/h over speed limit)	3,560 offences x 12 ASE units = 42,720	\$1,708,800

Next Steps

Speeding on roads continues to be the most frequent concern residents express to Transportation and Innovation Support staff and the greatest contributing factor to the most serious collisions on our roads. Over the last number of years, the City of Greater Sudbury has implemented a variety of engineering and education programs to help reduce operating speeds on our roads. The ASE program provides municipalities an opportunity to implement an additional enforcement program while enabling police officers to focus on other critical and time-sensitive tasks. The ASE program has been shown to be effective at reducing the operating speeds of vehicles in other jurisdictions. It is recommended by staff that an ASE program be implemented in the City of Greater Sudbury.

Implementation of ASE

To be able to move forward with implementing ASE in Greater Sudbury, the City is required to enter into non-competitive sole source purchase agreements with the Ministry of Transportation, Redflex Traffic Systems and the City of Toronto for the following purposes:

- Ministry of Transportation – for the use of ASE on municipal roads and access to the license plate registry.
- Redflex Traffic Systems (Canada) Limited – for the supply, installation, operation and maintenance of the ASE technology within Greater Sudbury. The resulting sole source agreement with Redflex Traffic Systems (Canada) Limited will have an initial term expiring in July 2024 and will contain an option to extend for 5 additional years.
- City of Toronto – for the operation and cost-sharing of the JPC, which issues the Certificate of Offence. Operating costs for the ASE JPC will be cost-shared by partnering municipalities.

These three non-competitive purchase agreements will all exceed five years and will all have a total acquisition cost of more than \$100,000. As per the City's Purchasing By-Law, approval is required from City Council to enter into these agreements.

ASE Site Selection

As presented in the ASE Guidelines published by the Province, appropriate site selection is essential to achieving the highest level of safety benefit from an ASE program. All municipalities are encouraged to prioritize locations where the risk of speeding-related crashes, injuries, and fatalities is greatest. To support this objective, the Province encourages municipalities to consider the following factors when selecting school zones and community safety zones for ASE system deployment:

- Speed related collisions, fatalities and injuries;
- Population density;
- Concentration of vulnerable road users, especially pedestrians and cyclists;
- Proximity to sensitive community areas, such as schools, senior residences, hospitals, libraries, community centres, etc.;
- Existing roadway design features and infrastructure (e.g. lack of sidewalks or crosswalks);
- Adequate signage locations to inform drivers that they are approaching a municipal speed camera.

Many of these factors are incorporated into the City's approved Traffic Calming Policy. Staff recommend the basis for prioritizing sites for the ASE program be the scoring criteria that is in the Traffic Calming Policy. It is important to note that the Traffic Calming Policy excludes arterial roads from having traffic calming features installed on it. Staff does feel it would be appropriate for ASE to be used on arterial roads and will include these classification of roads in the scoring criteria. Staff recommend that a report be presented to the Operations Committee in the second quarter of 2022 which provides a detailed site selection criteria and list of recommended sites.

Quantity and Type of ASE Units

Redflex Traffic Systems (Canada) Limited offers two types of ASE units; semi-fixed or mobile units. At this time, staff are recommending the use of mobile units to allow them to be redeployed throughout the community. Over time, sites may be identified that would benefit from having a more permanently installed ASE unit or there may be sites that do not have the physical space available for a mobile unit to be installed. These locations will be catalogued and considered as part of any potential expansion of the program.

As part of the site selection process, it will also be important to estimate the potential number of offences that would be expected at selected sites. The municipalities that are currently participating or have considered participating have cited court capacity as a limiting factor to number of ASE units deployed. In addition, the City of Toronto has advised municipalities that due to Covid-19 restrictions, the capacity of the JPC is also currently limited. As part of the report to be presented to the Operations Committee in the second quarter of 2022, staff will include a recommendation on the number of ASE units that should be initially deployed based on the available resources in the POA court system in Sudbury and City of Toronto JPC.

Timing of an ASE Program and Business Case Submittal

Based on the experiences of other municipalities, the process of entering into the required agreements and site selection has generally taken municipalities 12 to 18 months to complete. With this timing in mind, staff recommend a business case for funding the ASE program be submitted as part of the 2023 Budget. This will provide staff sufficient time to refine the program costs based on the potential sites for ASE units and number of recommended ASE units.