



## **Staff Report**

**Meeting Date:** October 20, 2021  
**To:** County Council  
**Report Number:** CAO 2021-030  
**Title:** Photo Radar–Automated Speed Enforcement Program (ASE)  
**Author:** Sheridan Graham, CAO  
**Recommendation:** That report CAO 2021-30 regarding automated speed enforcement (ASE) be received; and

That, as an addition to the Transportation Master Plan (TMP) Update, Paradigm Transportation Systems Limited be requested to complete an ASE (School Zones and Community Safety Zones) implementation considerations report; and

That a letter be sent to the Province requesting an amendment to the ASE program to allow for the processing of ASE violations under the Administrative Monetary Penalty System (AMPS); and

That staff be directed to report back to Council once the Provincial review has been completed with further information on the details of the program, resourcing, and cost impacts; and further

That this report be forwarded to the amalgamated Peterborough County Police Services Board once established for their review and recommendations.

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### **Overview**

This report is to provide Council with information and feasibility options of implementing photo radar (also referred to as automated speed enforcement (ASE)) on County roads.

### **Background**

On September 8, Council passed the following resolution (Resolution No. 370-2021):

Moved by Councillor Taylor

Seconded by Councillor Graham

## Staff Report

That staff be directed to bring a report back to Council regarding photo radar from 2021-038 Correspondence Report item 7.

### What is Automated Speed Enforcement (ASE) – Photo Radar

ASE uses cameras triggered by speed sensors that take photographs of the license plates of vehicles that are travelling in excess of the posted speed limit. In Ontario, the ASE program was introduced into the Highway Traffic Act through the Safer Schools Act and can be implemented specifically in municipally designated School Zones and Community Safety Zones. It is intended to be used in conjunction with other road safety strategies such as police enforcement, road calming measures and public education campaigns.

In accordance with the Safer School Zones Act, 2017, Section 205.1:

Use of automated speed enforcement system authorized

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 kilometers per hour; or (b) in a school zone designated by by-law passed under clause 128 (5) (a).



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### What are the benefits of ASE units installed on our roadways?

- With speed a factor in approximately one third of fatal collisions in Canada, ASE helps to enforce speed limits.
- ASE units are an important reminder to drivers to slow down in areas where children and other vulnerable road users are.
- Drivers travelling at the posted limit are more likely able to stop in the case of a spontaneous event and a lower speed can also mean a less severe outcome.
- If you drive the speed limit through school zones, ASE will not affect you at all.
- Evidence shows that driver behaviour begins to change over time with a “halo” effect created. This means that drivers may begin to adhere to the speed limit in areas even where ASE is not present, resulting in safer and more peaceful communities for everyone.

### Key Points:

- 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, allowing municipalities to operate automated speed enforcement in community safety zones.
- In addition to Ontario Regulation 398/19 (Regulation), the Province published guidelines to assist municipalities in the development of their ASE program.
- Municipalities are responsible for all aspects of their ASE program, subject to the Highway Traffic Act and its regulations
- Additional suggestions relate 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, this suggestion is not a requirement in the Regulation.
- Through their operating agreement, MTO mandates an advance notification period whereby automated speed enforcement warning signs (as below) must be installed 90-days in advance of issuing tickets. Once the camera is in use, the warning sign will be replaced with the ASE regulatory sign. An ASE regulatory sign can only be posted if an ASE camera is in the area.

### Analysis

Municipalities are responsible for all aspects of their ASE program, subject to Ontario Regulation 398/19 including program administration, site selection, installation of camera and signage, infraction processing and communications.



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As part of the County's Transportation Master Plan, criteria and policy for identifying School Zones and Community Safety Zones are already being reviewed. Any recommendations with regards to specific locations of such zones will be addressed and recommended to Council following the Transportation Master Plan process. However, the scope of the work does not include the review of ASE.

It should be noted that an administrative monetary penalty (AMP) system is not currently included in the ASE regulation. The County is currently not legally able to issue tickets under the Provincial Offences Act (POA). There would be a requirement for the County to enter into an agreement with the Ministry of Transportation (MTO) to access their Authorized Requester Information System (ARIS) to obtain the mailing address assigned to the licence plate of the vehicle. The County is presently waiting for the City's established Administrative Monetary Penalties program for the administration of fines resultant from County municipal by-laws. It is understood that the local Townships have the necessary agreements in place with MTO to consider moving such an initiative forward, however capacity on all fronts must be considered.

Many municipalities and organizations, including the Ontario Traffic Council (OTC), have been in contact with the Ministry of Transportation, requesting the use of the Administrative Monetary Penalty System (AMPS) to process ASE violations. The request includes legislative amendments that would direct the revenue from ASE penalties to municipalities. For the County to consider leading the ASE initiative ourselves, it would be best to consider waiting until amendments are made to allow for ASE violations to be processed under the AMPS program, as the process and costs for the County to establish MTO agreements and administer tickets is too high.

Additionally, in discussions with other municipalities, it is our understanding that the Municipal Joint Processing Centre (JPC) where tickets are processed and issued is operating at reduced capacity due to COVID and other factors so new municipalities that join would have to limit the number of charges that they could process annually. There are also some potential changes coming forward to the Moving Ontarians More Safely Act that may change the operating parameters and costs of the program. Considering this information and the timelines to also enter into agreements with MTO, the JPC, the vendor, etc., we would anticipate that implementation would not be likely until late 2022 or 2023 at the earliest.



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A Provincial review of the ASE program was planned after the first 180 days of operation in 2020 to assess whether the program is operating as intended, and to determine if further regulatory and/or policy changes are required. This review was postponed by the Province due to COVID-19, and the timing for this review is not currently known. Operating and financial impacts may arise following the Provincial review of the program and potential changes to the program could follow. Accordingly, staff are recommending a report back to Council once this Provincial review has been completed with further information on the details of the program, resourcing, and cost impacts.

### **Financial Impact**

As the County is presenting undergoing a Transportation Master Plan Update, the addition of an ASE (School Zones and Community Safety Zones) implementation considerations report by Paradigm Transportation Solutions Limited can be added to the scope of work at a cost of \$7,500.00.

### **Anticipated Impacts on Local and/or First Nations Communities**

Engagement and discussions will be required to determine feasibility and next steps.

### **Alignment to County of Peterborough Strategic Plan Priorities**

#### **To provide high quality services to residents, businesses and Townships:**

**Communications** – To elevate the County of Peterborough’s profile, enhance community engagement, and communicate proactively.

**Financial Responsibility** – To ensure evidence-informed planning and approaches to achieve financial sustainability and accountability, while keeping ratepayers top of mind.

**Infrastructure** – To efficiently address current infrastructure demands, while maintaining the vision and planning necessary to meet future needs.

**Housing** – To engage in partnership and planning in support of meeting the housing needs of our community.

**Industry & Business** – To support the attraction, retention and growth of local business and industry.

#### **In consultation with:**

Dave Smith, MPP

Bryan Weir, Director of Planning and Public Works



## Staff Report

Peter Nielsen, Manager of Capital Projects

Kari Stevenson, Manager of Legislative Services/Clerk

### **Communication Completed/required:**

None at this time, however, a full communications strategy would be required should this initiative move forward.

### **Attachments**

None

Respectfully Submitted,

Sheridan Graham, CAO

For more information, please contact:

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