

REPORT TO COUNTY COUNCIL

Automated Speed Enforcement Program Update

To: Warden and Members of County Council

From: Acting Director of Public Works

RECOMMENDATION

1. That County Council receive Report PW 2024-36 titled “Automated Speed Enforcement Program Update” as information.

REPORT HIGHLIGHTS

- The purpose of this report is to inform Oxford County Council of preliminary findings for implementing a County-wide Automated Speed Enforcement (ASE) program.
- To develop and operate the proposed ASE program, the County will need to pursue multiple servicing agreements necessary to facilitate the program.
- The ASE program would authorize the County of Oxford to assess and process Administrative Monetary Penalties (AMPs) against drivers who contravene camera-based speed enforcement offences, as permitted under the *Highway Traffic Act (O. Reg. 355/22)*.

IMPLEMENTATION POINTS

Initial development of a proposed County-wide ASE program will proceed in 2025 and will include benchmark traffic data collection, ASE site assessment, execution of agreements with service providers and detailed financial analysis for potential implementation starting in 2026.

Future approval by County Council will be required for related one-time and ongoing operational expenses and entering into agreements with service providers necessary to facilitate the program.

Financial Impact

The annual operating costs of an ASE program are anticipated to include:

- Leasing mobile cameras
- Mobile camera rotation and setup
- Joint Processing Centre (JPC) violation processing fees
- Ministry of Transportation processing and administration fee
- Additional County staff resources
 - Deployment of warning signage
 - Traffic Management Supervisor
 - Vehicle operating and replacement costs, telecommunications, etc.
 - Administrative Penalty (AP) Program Manager
 - AP Screening Officer
 - AP Clerks
 - AP Supervisor (0.5 FTE)
 - Computers, phone, other office administration related expenses
- AP Case Management Software Annual License Fee
- Office space operating costs

In terms of operating revenues, penalty orders for speeding in Ontario are pro-rated for each kilometre over the posted speed limit, as prescribed in section 128(14) of the *Highway Traffic Act*. As such, the total penalty order revenue is subject to the number of infractions, as well as the degree to which speeding infractions are over the legal posted speed limit. Based on experience shared by municipalities that have deployed an AP program, staff anticipate the County could generate approximately 28,000 penalty orders in a year at the start of the program, assuming a 40% conviction pay rate per year – meaning the remaining 60% are screened out as non-defensible or are never paid.

To better estimate the County's potential revenues and contract costs with the JPC and Ministry of Transportation Ontario, staff will have to update traffic counts in each of the community safety zones in the coming year to determine the volume of potential violations that will be processed, issued and collected.

In addition to the annual operating expenses noted above, additional one-time expenses will be incurred with the development of the ASE program which will include:

- Traffic data collection to establish benchmark speed data
- AP Case Management Software implementation
- Computer equipment – 5 laptops
- Telecommunications – 2 mobile phones
- Vehicle: HEV Compact Pick-up - Transportation Technologist (existing position)
- Administration facility with public access

Further review will be required to determine feasibility for modifications to the existing Provincial Offences Office to accommodate the administration of an AP program. Staff estimate that an architectural and engineer review will need to be undertaken to make that determination. This

undertaking could be completed in 2025, subject to Council approving the cost of this assessment in the budget.

As these costs estimates are refined in 2025, staff will bring forward a financial plan for Council’s consideration for implementation in 2026.

Communications

This report is intended to inform Council of staff’s preliminary findings for implementing an AP program for school zone (SZ) and community safety zone (CSZ) automated speed enforcement in Oxford County, including an estimated timeline.

A copy of this report will be forwarded to Area Municipalities, Ontario Provincial Police, and Woodstock Police Service.

2023-2026 STRATEGIC PLAN

Oxford County Council approved the [2023-2026 Strategic Plan](#) on September 13, 2023. The Plan outlines 39 goals across three strategic pillars that advance Council’s vision of “Working together for a healthy, vibrant, and sustainable future.” These pillars are: (1) *Promoting community vitality*, (2) *Enhancing environmental sustainability*, and (3) *Fostering progressive government*.

The recommendation in this report supports the following Strategic Plan pillars and goals:

		
Promoting community vitality	Enhancing environmental sustainability	Fostering progressive government
Goal 1.2 – Sustainable infrastructure and development	Goal 2.1 – Climate change mitigation and adaptation Goal 2.2 – Preserve and enhance our natural environment	Goal 3.1 – Continuous improvement and results-driven solutions Goal 3.2 – Collaborate with our partners and communities Goal 3.4 – Financial sustainability

See: [Oxford County 2023-2026 Strategic Plan](#)

DISCUSSION

Background

The province enacted *Ontario Regulation 398/19 - Automated Speed Enforcement* under the *Highway Traffic Act (HTA)* in 2019. ASE is an automated system that uses a camera and speed management device to enforce speed limits in designated SZs and CSZs. These enforcement devices capture an image of speeding vehicles for review by municipal joint processing centres, where if the violation is confirmed upon review, a violation can be issued to the vehicle owner.

Several uncertainties were evident during the initial municipal launch of the ASE program across Ontario in 2020. Of note, a 180-day provincial review of the program as undertaken by other municipalities (City of Toronto, City of Ottawa) was first expected to occur in 2020 but was not initiated by the MTO until 2022 due to COVID. Oxford County, like many municipalities, has been awaiting the outcome of this review in order to assess overall ASE program viability and inform their planning, violation processes and business case development for potential ASE program implementation. Unfortunately, the Province has not since published any formal review results or findings.

In lieu of this absent review information, staff have subsequently obtained additional clarity about ASE program operation and processes through ongoing liaison with the Ontario Traffic Council (OTC) and other municipalities who have since been operating ASE programs.

Provincial Offences Act Framework

It is recognized that the ASE program was originally envisioned to operate with the municipal application of Provincial Offences Act (POA) processes. Under this POA framework, a ticket is issued, and vehicle owners can then dispute their offences in court if they choose to contest the offense, like any typical traffic ticket. Filing all ASE offences through the POA court system puts a burden on the scarce judicial resources provided by the Province. If there is too high a volume of tickets appealed to the POA court, then they will not be dealt with in a timely way which may result in the need to dismiss the ticket or de-prioritize and dismiss other charges.

It is noted that several municipalities who have proceeded with ASE implementation using the POA approach are experiencing significant backlogs within their Provincial Offences Courts. Further, some other municipalities are not participating at all in ASE initiatives because of their already over-burdened POA court system (shortage of judicial resources and court scheduling time).

Administrative Penalty System Framework

In mid-2022, the Province passed legislation under the *HTA, 2019 (O. Reg. 355/22)* which allowed automated enforcement charges (ASE, red light camera, school bus camera) to be processed as Administrative Monetary Penalties (AMP). This approach allows municipalities to collect fines and manage ticket disputes through municipally administered screenings and hearings (separate from the POA system).

Accordingly, several municipalities are starting to shift towards the application of an Administrative Penalty System (APS) approach for ASE violations, to which their programs can be expanded to other areas, such as red-light camera (RLC) and automated school bus camera (ASBC) offenses. Under the APS, municipal ASE Screening and Hearing Officers can affirm, modify or cancel penalties to drivers who contravene camera-based speed enforcement offences. Further, as municipalities are able to set the fee (not fine) for the AMPs, the amount can be higher than a set fine amount prescribed in the POA model, allowing for greater levels of program cost recovery.

Comments

On the basis of these findings, staff would recommend the County further pursuing an AMPs regulatory framework approach to administer a County-wide ASE program.

Service Agreements

In order to establish and implement supporting architecture to the ASE program, the County will be required to enter into the following service agreements:

- Authorized Requester Agreement: *Ontario Ministry of Transportation (MTO)*
 - authorized access to license plate registry for processing speeding violations
- Violation Processing Services Agreement
 - operation and cost sharing of a municipal JPC for processing speeding violation penalties and issuing penalty orders
- Approved Equipment Vendor Agreement
 - equipment vendor for the supply, installation, operation and maintenance of the ASE cameras
- AP Hearing Officer
 - Third party review (second stage appeal) of appellant administrative penalties which have been confirmed and issued by Oxford's AP Screening Officer

All other operational aspects of the ASE program, including collection and monitoring of safety data at site, complying with advisory signage requirements prior to implementation in each location, managing penalty payments, administering screenings and hearings, determination of camera rotation schedules, communications, site studies etc., are the responsibility of the County.

Proposed ASE Program Operation

Two mobile ASE camera systems are proposed to be initially deployed and rotated every few months throughout various SZs and CSZs across the County (applicable to site locations approved by County Council via Reports [PW 2023-05](#) and [PW 2024-04](#)). It is recognized that these approved sites will need to be further screened and evaluated for ASE suitability based on specific vendor camera installation requirements. Collection of benchmark speed data will be required in 2025 in order to validate charge volume projections to support JPC resource requirements, as well as for future assessment of the effectiveness of the proposed ASE program for submission to the MTO.

In this regard, it is possible that some approved sites may be deemed ineligible for ASE camera installations due to technical constraints (insufficient space for camera base, sightline/visual obstructions, steep road/boulevard slopes, proximity to intersections/stop signs/crosswalks/on street parking areas, etc.), which may interfere or constrain the reliability and consistent operation of the cameras.

The proposed ASE program may be expanded overtime by increasing the number of camera systems, as well as operating the program on behalf of Area Municipalities if there is interest to do so. The County, like other municipalities employing an ASE program, can increase (or decrease) the quantity of cameras at any point in the contract (subject to equipment availability, municipal JPC capacity, etc.). In this way, the County can sustainably modify the ASE program as informed by annual monitoring of the overall effectiveness and financial viability of the program.

Each location would be identified with appropriate warning signage advising motorists they are entering a speed enforced area; however, ASE equipment would only be in operation at any two of the locations at any given time. A 90-day advisory signage period must be implemented prior to activating ASE cameras at any location.

When any cameras are deployed with SZ (only) sites, they will be operated within the prescribed school periods where reduced speed limits are in effect. Time of day/week operation can be further modified to provide focused enforcement during daytime hours, weekends and peak traffic periods as deemed warranted.

Accordingly, approximately 12 weeks are afforded to allow for any down time for camera mobilization/demobilization between sites, extreme weather events, holidays and times when school is not normally held. It is also likely that cameras may experience a significant amount of vandalism (including stolen and damaged cameras) which could further take these devices offline for periods of time until they are repaired, calibrated and re-approved for deployment.

It is anticipated that cameras will be rotated approximately every two months based on the substantive process involved to change signage as well as decommission, relocate and recommission the cameras. Of note, County staff will monitor these locations by completing "before" and "after" speed study to measure the effect that the ASE has had on speed compliance.

ASE Program Staffing Requirements and Resources

The ASE program will require significant work to manage the associated service contracts, site selection/inspection, equipment deployment, data collection/reporting, and performance monitoring. To support and administer this program, additional staff resourcing is required within the County's Transportation Division.

The creation of a Traffic Management group within the Transportation Division is proposed with the addition of a new Supervisor position (1.0 FTE). The role of this position would not only involve administering the ASE program but would also be responsible for overall traffic management and road safety initiatives supported by the Transportation Technologist position that was newly created in 2022.

This will ease the workload of the current Transportation Supervisor position to allow for a greater focus on operation, maintenance and capital planning of transportation assets. Future expansion of the proposed traffic management group is anticipated to meet ongoing traffic demand management needs resulting from economic growth and development.

Establishing an Administrative Penalty System framework to process penalty orders issued under an ASE program will also require additional staff resources consisting of a new AP Program Manager (1.0 FTE), two AP Clerks (2.0 FTE), one Screening Officer (1.0 FTE) and a Supervisor (0.5 FTE). The AP program will be part of the Corporate Services Department and operate along side, but separate from, Provincial Offences Administration (POA).

CONCLUSIONS

In line with the County's 2023-2026 Strategic Plan, the potential implementation of a County-wide ASE program fully supports the County-wide approach for speed management and traffic calming (adopted by County Council through Report [PW 2019-14](#)) and the County's 2024 Transportation Master Plan strategic road network initiative.

SIGNATURES

Departmental approval:

Original signed by

Frank Gross, C. Tech
Manager of Transportation and Waste Management Services

Approved for submission:

Original signed by

Benjamin R. Addley
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