

Date: June 3, 2022	Originator's files:
To: Chair and Members of General Committee	
From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works	Meeting date: June 29, 2022

## Subject

**Automated Speed Enforcement Spring 2022 Update**

## Recommendation

1. That the report from the Commissioner of Transportation and Works, dated June 3, 2022, entitled, "Automated Speed Enforcement Spring 2022 Update", be approved.
2. That capital project PN# 19091 be amended to a gross budget of \$1,604,325, to be funded from 33121 Capital Reserve Fund.
3. That funding of \$358,000 be transferred from 33121 Capital Reserve Fund to PN# 19091 Parking Enforcement Systems.
4. That all necessary by-laws be enacted.

## Executive Summary

- On July 5, 2021 the Automated Speed Enforcement (ASE) program began enforcing posted speed limits utilizing 2 cameras rotating on a monthly basis within neighbourhood school area community safety zones.
- On April 9, 2022 all 22 Council approved cameras were operational and enforcing posted speed limits within neighbourhood school area community safety zones throughout the City of Mississauga.
- Data collected before and during enforcement periods shows an average decrease in vehicle operating speeds of 8 km/h and average increase of 26% in motorists compliance with the speed limit.
- The Province filed Ontario Regulation 355/22 titled "Administrative Penalties for Vehicle Owner Contraventions Detected Using Camera Systems" which will establish an Administrative Penalty regulatory framework for camera based automated enforcement programs which will take effect on July 1, 2022.

- The establishment of a new Administrative Penalty By-Law for camera based automated enforcement is required.
- The expansion of the Administrative Penalty System to support offences related to camera based automated enforcement programs is required.

## Background

The City's Automated Speed Enforcement (ASE) Program began enforcing 30km/h posted speed limits in neighbourhood school area community safety zones on July 5, 2021 utilizing two cameras on a rotating schedule. Throughout the remainder of 2021 additional cameras were added until a full complement of 22 Council approved cameras were installed on roadways throughout the City. On April 9, 2022, the final camera began enforcement operations.

In most municipalities, the potential for ASE to overwhelm the court system exists which has led to many municipalities formally requesting the Province to allow the use of an Administrative Penalty System (APS) for ASE. An APS is the City's preferred method for dealing with ASE charges.

Currently, all offences issued through the ASE program are filed through the Provincial Court system. Due to the pandemic, the Chief Justice of Ontario and the Province of Ontario issued orders adjourning all court matters, suspending all Provincial Offences Act (POA) timelines and later extending these timelines into 2022. These orders affected court service operations throughout the pandemic resulting in significantly reduced revenues from POA and increased backlogs.

APS provides an alternative solution for adjudication, which the City successfully implemented in 2014 for parking, animal, business and mobile licensing by-laws. Under APS, designated municipal employees review and make decisions regarding contraventions of City by-laws.

## Comments

### Automated Speed Enforcement Program Results

ASE cameras have been used to enforce the speed limit at 35 locations since the beginning of the program on July 5th, 2021. Staff are continuously collecting data before, during and after ASE operations to determine the effectiveness of the program. Data shows that ASE has proven to be an effective tool at reducing motor vehicle speeds and increasing speed limit compliance. The average decrease in operating speeds throughout the 35 locations was 8 km/h and the average speed limit compliance increased by 26%.

A total of 8,258 tickets have been issued since July 5, 2021. The highest number of tickets were issued on Colonial Drive south of McMaster Road. The highest ticketed speed was 77 km/h, nearly 50 km/h over the posted speed limit, on Darcel Avenue north of Wrenwood Crescent.

Detailed statistics for all 35 locations is attached as Appendix "A" for reference.

As of May 26, 2022, ASE has been deployed at 35 locations, with 38 additional locations throughout the City signed as “coming soon” for future deployment.

### Administrative Penalty System

A shift from the existing POA framework to APS for camera-based offences is required to relieve pressures on the POA system, and better administer automated enforcement programs.

As of April 19, 2022, the Province filed Ontario Regulation 355/22 titled “Administrative Penalties for Vehicle Owner Contraventions Detected Using Camera Systems” which will establish an Administrative Penalty regulatory framework for camera based automated enforcement programs. The framework will take effect on July 1, 2022 and will provide an opportunity for municipalities to reduce the burden associated with administering automated camera enforcement programs, while ensuring road safety objectives continue to be met.

Staff are planning to draft a new Administrative Penalty By-Law to allow for ASE to operate under APS. The draft By-Law is planned to be presented to General Committee early in the next term of Council.

The Gtechna solution is currently being deployed (July 2022) for APS parking enforcement licence plate based tickets. In order to advance the Road Safety program with a timely transition to APS for camera tickets, expansion of the Gtechna solution is required for the management of camera (license plate based) ticket types.

In order to expand the City’s ability to administer the APS program, additional staff resources are required in 2023 to support the transition of camera tickets from POA to APS. All associated operating costs will be identified through the 2023 budget planning process, and scheduled to be in place following the creation of the new APS by-law and Gtechna solution. It is expected that any future operational cost increases will be offset by ASE revenue, with any excess revenue to be allocated to the Automated Speed Enforcement Reserve Fund.

### Expanded ASE Program

Following the expansion to the City’s APS program, additional processing capacity must be realized to expand the ASE program further. Staff are currently investigating potential solutions to expand processing capacity, as well as identifying any operational impacts. Planning for future expansion also includes the potential for additional ASE cameras, and the identification of additional ASE sites beyond the existing 30 km/h school area community safety zones.

An internal committee comprised of staff is required to determine the resources required in order to expand ASE. It is essential to identify and plan for the deployment of a robust ASE Program, including the determination of all necessary budgets, staffing requirements, and facilities to coincide with the regulatory changes brought forward by the Province in 2022.

### Procurement Authorization

Staff will request that Procurement Services execute the necessary amendments and related ancillary documents to increase the value of the contract by \$600,000.00 excluding taxes, for a total contract authority of \$1,450,000 with the Acceo Solutions Inc. doing business as "Gtechna". This increase will accommodate the purchase of licenses and professional services for the implementation of the camera based tickets software management module and annual maintenance and support. This change is in accordance with the new Procurement By-law 0013-2022: Section 20 (1) and Contract Amendments and Termination policy# 03-06-12: Section B 1 (a) and (i), (ii) and (iv) where, Council authority is not required, regardless of dollar or percentage increase, when a Contract Amendment is:

1. Required to increase the value and/or renew the term of a Contract for which the procurement was intended to create a relationship with a Supplier to provide Goods and/or Services over multiple years, only if:
  - a) the Contract is for Goods and/or Services for a technology software, system or solution;

And:

- i. the Bid Request and Contract provide for renewing the term and/or increasing the value; and
- ii. funding for the increase has been approved in annual capital budgets by Council; and
- iii. the basis for determining price was established in the Contract or continues to represent Best Value.

## **Financial Impact**

To advance the Road Safety program with a timely transition to APS for camera tickets the following funding is being requested in 2022 with this report:

1. \$358,000 from the Capital Reserve Fund (#33121) to be transferred to PN #19091 Parking Enforcement systems, for contracting with Gtechna for the purchase of licenses and professional services to implementation the camera based tickets software management module.

It is expected that the following funding will be requested through the 2023 Business Planning Budget process and will be funded from the ASE revenue. Any excess revenue will be transferred to the Automated Speed Enforcement Reserve Fund #35580 to help fund future capital and operating requirements:

1. \$373,000 in total over 4 years (2023-2026) for operating costs related to support and management of camera (license plate based) ticket types.
2. Additional staffing and facilities requirements that will be needed for the deployment of the APS Program.

The ASE Program was proposed as part of the 2020 Business Planning Budget process and subsequently approved as part of the 2020 Budget. The implementation of ASE Program began in July 2021 and the operating costs to date are as follows:

Item	2021 Actual	2022
Fines Issued	\$725,708	\$320,874
ASE Operation Costs	\$618,698	\$234,912
<b>Fines Collected</b>	<b>\$151,698</b>	<b>\$135,573</b>

## Conclusion

The ASE program is achieving positive results with respect to reducing vehicle operating speeds and increasing motorists compliance with the speed limit throughout the City.

Investment in the development of the Gtechna solution is recommended to allow the City's APS program to expand to include camera based automated enforcement offences. Capital funding of \$358,000 in 2022 is required, with additional operating costs to be identified and requested through 2023 Business Planning Budget process.

## Attachments

Appendix 1: Automated Speed Enforcement Statistics



Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works

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