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**Subject:** Implementation of Automated Speed Enforcement (ASE) Across Niagara Region

**Report to:** Public Works Committee

**Report date:** Tuesday, September 13, 2022

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## **Recommendations**

1. That Regional Council **AUTHORIZE** the use of four (4) automated speed enforcement (ASE) technology units on Regional roads as described in Report PW 34-2022 for a twenty-two (22) month contract term, subject to confirmation from the Vendor that installations are technically feasible;
2. That automated speed enforcement **BE INSTALLED AND OPERATED** in Council-approved Community Safety Zones (CSZ) in Niagara Region where technically feasible on a rotational basis;
3. That staff **BE DIRECTED** to create a report to review the implementation strategy, including technology assessment, safety and educational evaluation, countermeasures, impacts on the Region's Provincial Offences Courts, expenses and revenue in advance of the 2024 budget approval process; and
4. That this Report **BE CIRCULATED** to the Ministry of Transportation (MTO) – Ontario, the City of Toronto and Local Area Municipalities.

## **Key Facts**

- The purpose of this report is to seek Council authority to proceed with automated speed enforcement technology in Community Safety Zones to reduce speeding, collisions and ultimately protect vulnerable road users in alignment with Regional Council's Strategic Plan and priority of supporting community health, safety and holistic well-being.
- The 12 LAMs and NRPS support the proposed implementation of ASE throughout the Niagara region as part of the Vision Zero road safety strategy. The Councils of all LAMs have agreed to amendments to the court services Intermunicipal Agreement to allow the program to operate financially through the courts system.
- Excessive vehicle speed negatively affects our community and its safety. This continues to be a concern raised by residents and members of Council. While Niagara Regional Police Services (NRPS) has been able to provide traditional speed

enforcement both proactively and reactively, ASE technology is a proven and effective additional tool to enforce speed limits and provide safer roads for pedestrians, cyclists and motorists.

- The Chief Administrative Officer (CAO) and the Commissioner of Public Works will execute an operating agreement for a twenty-two month (22) contract term with Redflex Traffic Systems (Canada) Limited for the supply, installation and operation of ASE technology pursuant to delegated authority in a form acceptable to the Director, Legal and Court Services.
- The Commissioner of Public Works will execute an operating agreement with Her Majesty the Queen in Right of Ontario, as represented by the MTO, for the use of ASE technology by Niagara Region including the access and use of license plate registration pursuant to delegated authority in a form acceptable to the Director, Legal and Court Services.

## **Financial Considerations**

Cost to install and operate the ASE program was part of the original business case approved by Regional Council in the 2020 Budget process and has been included in the 2022 approved budget. Given the initial ticket volumes outlined in the business case, the program is expected to break even (i.e. revenue will cover expenditures) in a full year of operations.

Staff are working to have the program operational as soon as possible. Staff will update all assumptions and continue to include the program in the 2023 budget to be presented to Council in early 2023. Staff will be budgeting for a full year of operations in 2023.

As the aggregate value of this contract over the 22 months will be less than one million dollars, Staff have the delegated authority to execute single source contracts in accordance with Procurement By-law 02-2016 as amended on February 28, 2019. The specific By-law references for this single source contract are *section 18 (a) items (i): “compatibility of a Purchase with existing equipment, product standards, facilities or service is paramount consideration”, and (iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular supplier a sole source is being recommended.*

## **Analysis**

### **Procurement Process – Award of Redflex Traffic Systems (Canada) Limited**

Niagara Region has been an active member of the provincial ASE Steering Committee. The City of Toronto took the lead in issuing a Request for Proposals (RFP) for the Provision of Automated Speed Enforcement Services which all participating municipalities could use in Ontario.

A sole vendor was selected through City of Toronto RFP 9148-0048: Redflex Traffic Systems (Canada) Limited to provide a turn-key service from design, supply, install, operate and maintain the ASE equipment to Ontario's participating municipalities for a five-year term from July 2020 to July 2024. The City of Toronto, with the participating Municipalities, will evaluate the current contract and determine whether to renew for a second five-year term or issue a new RFP.

Niagara Region is leveraging the City of Toronto agreement and entering into the final 22 months of the contract with proposed daily rate of \$134 per camera. The total estimated vendor cost for the 22 months is \$560,000 excluding HST, including installation and preparation costs.

### **Site Selection Process**

The Region analyzed all schools with entrances on regional roads as part of the Community Safety Zone evaluation. This was a comprehensive review in consultation with SickKids being the consultant hired for site selection by the Steering Committee. The evaluation takes into consideration factors such as operating speeds, number of collisions, number of pedestrians, engineering characteristics of the roadways, and total vehicular volume. One key metric that was observed in this evaluation was the operating speed differential from the posted speed. On average, the operational speeds of vehicles were approximately 14 km/h over the posted speed limit within the school zones.

From the collision analysis within all school zones within Niagara Region, there were an average of 5.6 collisions per location per year. Collisions were among the highest in the areas where there were over 10,000 vehicles per day travelling through the school zones.

The 2019 study and the SickKids evaluation identified the following 13 locations for CSZ implementation which were approved by Regional Council. The strategy is to implement the ASE at the following locations and evaluate in order to expand the program to future CSZs along the Regional road network:

1. Alexander Kuska KSG Catholic Elementary School, Rice Road (Regional Road 54) between Quaker Road and Woodlawn Road in Welland
2. Blessed Trinity Catholic Secondary School, Livingston Avenue (Regional Road 514) between Roberts Road and Patton Street in Grimsby
3. Crossroads Public Elementary School, Niagara Stone Road (Regional Road 55) between Concession 6 Road (roundabout) and Four Mile Creek Road in Niagara-on-the-Lake
4. DSBN Academy, Louth Street (Regional Road 72) between Rykert Street and Pelham Road in St. Catharines
5. Greendale Elementary School, Montrose Road (Regional Road 98) between Watson Street and Lundy's Lane in Niagara Falls
6. John Calvin Public School, Station Street (Regional Road 14) between Spring Creek Road and West Street in West Lincoln
7. Our Lady of Victory Catholic Elementary School, Central Avenue (Regional Road 124) between Gilmore Road and Bertie Street in Fort Erie
8. Park Elementary School, Main Street E (Regional Road 81) between Nelles Road N / Nelles Road S and Bartlett Avenue in Grimsby
9. Smithville District Christian High School, Townline Road (Regional Road 14) between Harvest Gate and Canborough Street in West Lincoln
10. St. Ann Catholic Elementary School, Main Street (Regional Road 87) between Martindale Road and Johnson Street in St. Catharines
11. St. David's Public School, York Road (Regional Road 81) from Queenston Road to Concession 3 Road in Niagara-on-the-Lake
12. Twenty Valley Public School, Victoria Avenue (Regional Road 24) from Fredrick Avenue to King Street (Regional Road 81) in Lincoln
13. West Lane Secondary School, Lundy's Lane (Regional Road 20) between Kalar Road and Montrose Road (Regional Road 81) in Niagara Falls

A map showing the 13 locations is included in Appendix 1 to this report. A detailed assessment of each site will be undertaken by the approved vendor to confirm that installing a camera at each location is physically possible. As the Region gains more

experience participating in the program, additional sites can be added as part of the upcoming Budget cycles. The most opportune time to add additional sites would be to coincide with the start of processing using the Administrative Monetary Penalty System (AMPS) regime.

### **Mobile Camera versus Fixed Camera Operations**

Redflex offers the option of either a mobile or semi-fixed camera installation setup. The following are pictures of the mobile and semi-fixed units.



Mobile Unit (Source: Redflex)

The mobile unit, which is the preferred option by the majority of municipalities, and is recommended by staff, sits curbside and can easily be relocated to different locations on a rotational basis.



Semi-Fixed Unit (Source: Redflex)

The semi-fixed unit is an option to be deployed where ongoing safety concerns have been received. Installation requires additional civil works, which include a hard-wired power source and installation of a post which consists of the camera housing.

Regardless of the installation method employed, images taken are downloaded by Redflex staff and sent to the City of Toronto's Joint Processing Centre for processing. At

the joint processing centre, the images are reviewed, and it is determined if a ticket is to be issued. For each ticket to be issued, access to the MTO vehicle ownership database is requested, the necessary documentation is prepared, and a summons is mailed to the registered owner of the vehicle as well as the court. The MTO contract calls for \$1.06 per ticket, with a projected volume of 60,000 vehicle ownership database searches from the date of signing until end of 2023.

### **Impact to Court Operations**

Court Services staff have been working in partnership with Transportation staff on this important safety initiative and are very supportive of the proposed program.

Currently, all automated enforcement offences in Ontario are processed through the Provincial Offences Courts in accordance with the Provincial Offences Act (POA). Transportation Services will rely on the Niagara Region Courts to process these charges accordingly. Depending on the number of tickets issued and those challenged, this program could increase the burden on existing court system resources.

Transportation staff will work closely with Court Services staff to monitor the program and any resulting resource impacts beyond those contemplated as part of the approved business case.

### **Proposed Change to Ticket Process in Ontario**

The Province has recently introduced legislative changes that make it possible for enforcement of these offences to be undertaken through the adoption of an Administrative Monetary Penalty System (AMPS). This process will allow municipalities to handle the ticket process outside of the Provincial Offences Court system, similar to how parking offences are managed, which will reduce the impact on the court system.

Staff are exploring hiring a consultant, subject to necessary budget approval, to conduct a feasibility study regarding the adoption of an AMPS regime by the Region as permitted by the legislative changes made by the Province of Ontario; in order to process automated enforcement charges along with other offences, such as parking, in the future. Timing and resources needed to support an AMPS regime are still being determined but any requests would come forward through our normal budget process for Council approval.

## **A Communications and Public Awareness Plan**

As part of the Vision Zero Road Safety Program, Transportation Services staff will work with the Corporate Communications team to develop a public awareness plan for the launch of ASE, which may include the following:

- Safety benefits of the program
- How the program works & the merits of utilizing the technology
- Support and commitment from community leaders
- Communications program
  - Program branding
  - Social media
  - Printed material
  - Web content

The installation of regulatory signs advising motorists of the presence of ASE within each CSZ will be implemented. In addition, 60 day advance notice prior to cameras' operation in each CSZ will be provided, coupled with a communications and public awareness campaign.

A detailed map of all CSZ locations, including the approximate location of where the camera will be located within each zone, will be publicly available.

## **Local Impact**

Report PW 46-2019 authorized staff to initiate discussions with the LAMs to pursue an amendment to the Intermunicipal Agreement to ensure financial sustainability for the successful operation of the overall Vision Zero Road Safety Program. This operational model will benefit Niagara Region and Local Area Municipalities by ensuring a holistic operational approach; while minimizing costs and allowing for the collection of revenue to offset operating costs. Throughout 2021 and 2022, Niagara Region received unanimous support from the Councils of all 12 local municipalities to amend the Intermunicipal Agreement; in support of the Vision Zero Road Safety Program.

From the engagement with the LAMs, Regional staff understood from the LAMs that they wanted to participate in the road safety initiatives, including ASE in their jurisdictions. Niagara Region will launch and lead different road safety regimes as part

of Vision Zero Road Safety initiatives and consult with the LAMs on possible future implementation of automated enforcement equipment once the program has been operational and evaluated for performance.

## **Alternatives Reviewed**

The alternatives to approval of the recommendation in this report follow:

1. Do not authorize the implementation of Automated Speed Enforcement. This would be inconsistent with the previous decisions of Council.
2. Council could approve a reduced or expanded site selection criteria within the provisions of the Highway Traffic Act and Regulations. This is not recommended by staff as significant analysis in consultation with SickKids was conducted to choose the locations where ASE could be of the greatest benefit.

## **Relationship to Council Strategic Priorities**

### **Implementing ASE supports Council's 2019 to 2022 Strategic Plan and aligns with Transportation's TMP (Transportation Master Plan) Vision to 2041**

Regional Council adopted Niagara Region Strategic Plan 2019-2022 with the vision statement of striving to achieve a prosperous, safe and inclusive community that embraces our natural spaces and promotes holistic well-being and quality of life. This project will address Niagara Region's commitment to the safe system approach by recommending extensive, proactive and targeted initiatives informed by data and aimed at eliminating serious injury and fatalities on Niagara Regional roads.

### **Alignment to Niagara Region Transportation Master Plan**

Automated enforcement is a modern system designed to work in tandem with other road safety measures, like engineering and education initiatives, to help improve safety for people of all ages and abilities by increasing speed compliance, altering driver behaviour and increasing public awareness about the critical need to slow down. The system is applied evenly and consistently to all motorists and is not biased towards or against any sector of the population to ensure equity and prioritize vulnerable road users.



## **Other Pertinent Reports**

- PW 64-2019, Vision Zero Road Safety Program, November 5, 2019
- PW 38-2019, Community Safety Zones, July 9, 2019
- PW 2-2020, Implementation of Automated Speed Enforcement March 10, 2020
- PW 4-2020, Vision Zero Road Safety Program: Designation of Community Safety Zones around Schools March 10, 2020

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## **Appendices**

Appendix 1                      Niagara Region map with Community Safety Zone locations





August 2022

# Community Safety Zone Locations

