

Public Works MEMORANDUM

TO: Oxford County Area Municipal Councils

FROM: David Simpson, Director of Public Works

DATE: November 11, 2022

RE: **Automated Speed Enforcement (ASE) Update**

In May 2017, the Legislative Assembly of Ontario passed Bill 65, the Safer School Zones Act. This bill included provisions such as authorizing municipal use of the automated speed enforcement (photo radar) in school zones and community safety zones.

While the province enacted Ontario Regulation 398/19 - Automated Speed Enforcement under the Highway Traffic Act (HTA) in 2019, a 180 Day Parliamentary review of ASE implementation by other municipalities (i.e. City of Toronto, City of Ottawa) was subsequently planned to be undertaken by the Ministry of Transportation in 2020, but was then postponed 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.

Our ongoing liaison has recently confirmed that the province is no longer planning to undertake the noted Parliamentary review, rather they have started to carry out preliminary analysis of ASE program implementation by a number of municipalities to date. However, given the recency of implementation of the provincial ASE program, the province has confirmed that they still have relatively little data from many of the participating municipalities who have chosen to implement and/or pilot ASE to date. They have indicated that further work is required to ensure the preliminary results are robust enough to share with stakeholders and have not committed to a specific timeframe for release at this time.

It is also recognized that the ASE program was originally envisioned to operate with the municipal application of Provincial Offences Act (POA) processes; however, several municipalities who have proceeded with ASE implementation are experiencing significant backlogs within their Provincial Offences Courts. Currently, the province is now shifting towards the application of an administrative monetary penalty system (AMPS) for ASE violations, which once fully developed, will ultimately facilitate the administration process and enable municipalities to expand the program to other areas, such as red-light camera (RLC) and automated school bus camera offenses (ASBC).

The ASE evaluation results, alongside municipal feedback, will help inform recommendations towards the future of Ontario's automated speed enforcement framework and associated speed violation processing. Once there is sufficient certainty around ASE legislation and overall program viability, responsible detailed financial implications, violation processes (AMPS) and proposed funding sources required for potential ASE implementation may be included in future County Business Plan and Budgets as a new initiative for Council's review and consideration.

In the interim, County staff are currently working on County-wide Community Safety Zone (CSZ) assessment based on the CSZ criteria and warrant process that was adopted by County Council in September, 2021. Following County-wide application of the CSZ criteria, the eligible areas for CSZ will be identified and presented to County Council in Q1, 2023. This information will subsequently be shared with Oxford County's Area Municipalities.

Oxford County staff participated on Ontario Traffic Council (OTC) ASE Municipal Working Group and have helped to inform OTC's development of Guidelines for municipal ASE (<https://www.aseontario.com/about-ase>), and continue to participate on the OTC AMPS Municipal Working Group. Like the Township of South-West Oxford, the County has been active in advocacy and building municipal support for the potential ASE program implementation.



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