

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON MARCH 10, 2020
FROM:	KELLY SCHERR, P. ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER AND BARRY R. CARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY SOLICITOR
SUBJECT:	AUTOMATED SPEED ENFORCEMENT UPDATE

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Managing Director, Corporate Services and City Solicitor, the implementation of the Automated Speed Enforcement (ASE) program in London **BE DEFERRED** one year to fully understand the effectiveness and viability of the ASE program as amended by the Ministry of Transportation, Ontario on November 28, 2019 and to update the Civic Works Committee.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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For additional information, please refer to the following committee reports:

- Civic Works Committee – April 25, 2016, [II, 2. School Zone Speed Limit Policy](#);
- Civic Works Committee – May 9, 2017, [II, 11. Vision Zero – London Road Safety Strategy](#);
- Civic Works Committee – November 21, 2017, [III 15. Safer School Zones Act](#);
- Civic Works Committee – May 15, 2018, [4.1 Automated Speed Enforcement](#);
- Civic Works Committee – February 20, 2019, [2.12 Red Light Camera Program, 2018 Annual Report](#);
- Civic Works Committee – May 14, 2019, [2.6 Area Speed Limit](#);
- Civic Works Committee – September 24, 2019, [2.6 Automated Speed Enforcement Contract Award](#), and
- Civic Works Committee – September 24, 2019, [3.2 Area Speed Limit Update](#).

COUNCIL'S 2019-2023 STRATEGIC PLAN

The following report supports the Strategic Plan through the strategic focus areas of **Strengthening Our Community** and **Building a Sustainable City**. Automated Speed Enforcement could enable Londoners to move around the city safely and easily in a manner that meets their needs by improving safety for all modes of transportation in accordance with Vision Zero principles.

BACKGROUND

On October 1, 2019, Municipal Council approved the contract award for services to implement the automated speed enforcement (ASE) program. On November 28, 2019 Ontario Regulation 398/19 was passed by the Province of Ontario to permit the implementation of ASE. The new regulation is considerably different than the ASE Working Group and the Ministry of Transportation, Ontario (MTO) discussed as the ASE program was developed. The following report highlights the changes and estimates the impact that the new regulation will have on the delivery of ASE.

DISCUSSION

In addition to changes to the ASE regulations, the legal agreement with MTO and MTO's ASE Guidelines were also revised. The following are the major changes along with potential impacts:

1. The signage at the ASE site was revised with "municipal" and "in use" added. The regulation requires that the sign be removed when the ASE system is not functioning. This is a departure from the Red Light Camera signage which is allowed to be in place if a camera is rotated from site to site.

London's ASE program utilizes mobile ASE equipment which would be used to target enforcement at data driven sites with an ASE unit servicing many sites. ASE signage is used to educate drivers and to modify their behaviour. Removing the signs when the ASE system is not operating will lessen the impact on lowering the speed of traffic.

2. "Coming soon" signs must be erected at ASE sites for 90 days prior to the issuance of ASE infractions. These signs were not discussed or contemplated during the development of the ASE program.

The "coming soon" sign combined with the removal of the "in use" signs when infractions are not being issued may limit the safety effectiveness of ASE in the long term reduction of speeding.

3. "Informational notices" (warning notices) must be issued during the first 90 days of the ASE program and they are recommended whenever an ASE unit is deployed.



The initial 90-day warning period is longer than the Council's approved 30 day warning period but consistent with how some municipalities were proceeding. Even though the issuance of warning notices for 90 days each time a mobile or semi-fixed ASE unit is relocated is not mandatory, it is a recommended practice by MTO. The issuance of warning notices at the beginning of the ASE program is beneficial as part of the education program; however, continuing this practice could further erode the safety benefits of the program.

4. A review of the ASE program is to be conducted by the Parliamentary Assistant to the Minister of Transportation after 180 days. The purpose of the review is to determine if the program is operating as intended or if further legislative, regulatory or policy changes are needed.

The contract with Redflex Traffic Systems (Canada) Limited is for 5 years with an optional 5-year extension. Changes to the ASE program following the 180-day review may negatively impact the viability of the program.

The MTO stated that the above changes are to ensure transparency; however, as noted, the changes can reduce the safety effectiveness of the ASE program.

CONCLUSION

The MTO were part of the ASE Working Group and provided input in the development of Ontario's ASE program. The recent changes to the requirements of the ASE program vary significantly from when the ASE request for proposals was issued and when Council approved the 5-year contract with Redflex. These changes may reduce or eliminate the safety benefits of ASE and increase the cost of the program. Furthermore, the 180-day review of the ASE program creates uncertainty with respect to the viability of the ASE program as it moves forward. In light of these factors, it is recommended that London's ASE program be deferred one year so that staff can understand the full impact of these changes and potential future changes as a result of the provincial 180-day review. The City of Toronto and the City of Ottawa are proceeding with their ASE programs. The one year deferral will allow staff to monitor ASE in these cities and to determine the effectiveness of the revised ASE program.

PREPARED BY:	REVIEWED & CONCURRED BY:
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RECOMMENDED BY:	RECOMMENDED BY:
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<https://cityhub/services/ees/roads/trans-op/CR/2020-03-10/2020-03-10-CWC-RPT-ASE Update v1.docx>

February 25, 2020/sm

cc: Legal
Provincial Court Administration Office
London Police Service
Transportation Advisory Committee
Community Safety and Crime Prevention Advisory Committee