



## Policy Development Committee Report

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**To:** The Chair and Members of the Policy Development Committee  
**From:** Adam Crozier, Director of Corporate Strategy  
**Date:** September 3, 2024  
**Report #:** RPT-403-24  
**Subject:** Update on Implementation of Automated Speed Enforcement  
**Purpose:** For Information and Direction

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### Recommendation

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That report RPT-403-24 – Update on Implementation of Automated Speed Enforcement be received as information;

And that staff be directed to prepare policies to ensure the responsible and sustainable management of potential revenues generated by the ASE Program to fund program expansion, reserve funds to cover potential revenue shortfalls, and support future road safety initiatives.

### Executive Summary

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This report outlines the background of Automated Speed Enforcement (ASE) in Ontario along with staff's efforts to develop the best solution for County operations: an independent ASE Program operated by County staff. This independent Program will allow the County to provide the needed resources to operate ASE as desired by the County at a lower cost than a program provided by an outside municipality.

The Business Case prepared shows that the Program should operate at a revenue positive level overall which will allow for the program to be self-supported outside of the tax levy, with expansion of new ASE deployments funded from program revenue. Staff recommend that policies be prepared to use potential revenues to fund expansion, create an operating reserve to cover any potential future revenue deficits based on increased compliance, and to fund further road safety initiatives.

The proposed deployment plan will see a camera installed in front of North Ward School in September 2024 for testing and training purposes, there will be a trial period with no tickets issued during this time. The first tickets are expected to be issued in Q1 2025 at this location, with 1-2 additional cameras added in priority locations during 2025 as staff evaluate the human and physical resources required to operate the program. The deployments are to be permanent to provide consistent road safety measures in the areas where they have been deployed. This approach is in contrast to the rotation system used by most municipalities, which generates revenue but only results in temporary safety improvements and compliance with posted speed limits.

## **Strategic Plan Priority**

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Strategic Priority 5 - Healthy, Safe, and Engaged Citizens

### **Impacts and Mitigation**

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#### Social Impacts

Automated Speed Enforcement programs have been proven to reduce vehicle speeds when they are deployed and are intended to buttress and support current enforcement efforts. Reducing vehicle speeds enhances traffic safety by increasing driver reaction time to avoid incidents with other vehicles, and more importantly, pedestrians.

#### Environmental Impacts

There are no environmental impacts associated with this report.

#### Economic Impacts

As previously articulated to Council, the Program is designed to operate at a cost neutral or revenue positive basis. Based on the business case prepared in support of the County operated ASE Program, sufficient revenue is anticipated to be available to support the expansion of the Program, cover future revenue shortfalls that may occur based on enhanced speed limit compliance, and fund other road safety initiatives in line with the Brant Safe Streets Strategy. All funding to operate the Program is expected to be raised from tickets generated through enforcement.

## **Report**

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### Background

In November 2019 the Province of Ontario (the Province) formally published a Regulation (398/19) which provided municipalities the ability to deploy Automated Speed Enforcement (ASE) cameras to engage additional measures of speed enforcement in addition to traditional police enforcement.

As a strategy evolving from the Brant Safe Streets Strategy, Council directed staff in December 2019 to review the newly enacted Regulations for a photo radar program in the County of Brant, and a further report in July 2020 (RPT-20-80) approved a business case for the ASE program and referred the matter to 2021 budget deliberations. In January 2021 Council approved inclusion of an ASE program in the 2021 budget with a net neutral revenue/expense line based on the assumption the program would operate revenue neutral. Finally, in April 2021 (RPT-21-110) Council authorized the executive of several agreements that would permit the County to enter the Toronto Joint Processing Centre (JPC) which has operated automated enforcement for well over 20 years, beginning with Red Light Cameras for multiple larger municipalities across the province. In 2019, the City of Toronto led a procurement on behalf of over 10 of the largest municipalities and regional municipalities in Ontario, which led to the selection of a vendor that provides leased cameras and associated hardware and software to capture and process the images captured to issue provincial offence notices through the Provincial Offences Act (POA) Court system, similar to a speeding ticket issued by a police officer.

Following this Council resolution staff were informed in July 2021 (RPT-21-190) that due to physical distancing requirements at the Toronto JPC, a prohibition on new entrants would be enacted to retain capacity for the existing members of the JPC, and this prohibition persisted

until February 2022. At that time, staff were directed to investigate options to develop an ASE program including the County developing its own Processing Centre (PC) to manage County issued ASE tickets. From this investigation a significant cost was associated with the program based solely on a quote received from the vendor supplying equipment for the Toronto JPC, (who at the time had a monopoly on ASE programs in Ontario) and further investigation was halted as a result.

In early 2022 staff became aware of an alternative arrangement being developed by a municipal sector not-for-profit corporation and staff were directed to further investigate the viability of this new opportunity and negotiate the County's participation, which was originally scoped to employing Provincial Offence Officers, as required by Provincial Regulations, for a period of time as the program developed. Discussions surrounding the County's involvement in this program halted in mid-2022, as the costing figures for participation in this newly established program being operated by the City of Barrie exceeded the costs associated with the County's PC. As such, staff began re-evaluating the viability of a County operated PC. The complexities with establishing a County operated PC are not insignificant as the Province requires strict privacy control measures, but as outlined below, a County PC holds several advantages.

Throughout this period staff have remained engaged in the advocacy groups that have led discussions with the Ministry of Transportation (MTO) to ensure that ASE could be managed by municipalities outside of the Toronto JPC. As late as the spring of 2023, the MTO did not have a legal framework for a municipality to operate its own PC outside of the Toronto JPC, but the interest by larger municipalities such as Ottawa, Waterloo Region, and Brampton, along with smaller municipalities to develop their own PCs has created a situation where the County can now proceed to develop its own independent PC.

As the evolution of ASE in Ontario continued, staff focused on gradually undertaking the various measures required to develop a County-run ASE program. Since 2023, the following measures were completed:

- The legal framework for the Administrative Penalties System (APS) was developed and approved by Council along with the appointment of a Hearing Officer to provide the final step in the adjudication process.
- Two Municipal Law Enforcement Officers employed by the County completed the training course required to be designated by the MTO to issue ASE penalty orders, with the County now in a position to request those designations in advance of the Program launching.
- Staff have evaluated hardware and software solutions, with a vendor selected and working on implementation in anticipation of roll out.
- Staff have engaged the Ministry of the Attorney-General, and the MTO, and now have executed agreements that permit the County to operate an ASE program using Administrative Penalties.

## Analysis

### Operating Philosophy

As staff have continued research and outreach efforts regarding ASE, it has been determined that there are 2 distinct philosophies surrounding the deployment of ASE camera systems: temporary/rotating cameras and fixed camera placement. The first and most prevalent is the rotation of cameras throughout a municipality and its Community Safety Zones (CSZ). This approach has several benefits including maximizing the number of locations that are served

by ASE equipment in a shorter amount of time, and the revenue generated by an individual camera is maximized as compliance with the speed limit increases the longer a camera is deployed. Most camera systems in a rotation are deployed for approximately 3 months, around the point where compliance with the speed limit increases. This approach, however, leads to the most common complaint with ASE in that it is perceived to be a “cash grab” that does nothing to improve traffic safety. In many cases the average speed returns to pre-enforcement levels following the removal of the camera from the location. Further to this point, County staff and the Brant County OPP undertook a case study in 2022 where a speed spy was deployed for a 3-week period along Oakland Road to determine baseline speeds the week before a targeted enforcement campaign by the OPP, the week during the campaign, and the week following. The conclusions of this case study showed that average speeds decreased during the week of active enforcement, and by the end of the following week following the end of enforcement, speeds returned to pre-enforcement levels, showing a natural baseline for speed based on road conditions and perceptions of safety.

The second approach, which is the operating philosophy of the County’s ASE Program, is to permanently install ASE camera systems in a CSZ and gradually expand the Program throughout each identified CSZ in the coming years. As identified above, the longer an ASE system is in place, the greater compliance with the speed limit is achieved, which generally occurs within a few months. This compliance with the speed limit in turn reduces the number of violations that occur, which creates capacity for both ASE Officers, and Officers in the APS to manage the volume of tickets that will occur when a new ASE System is brought online. This allows for a consistent and manageable number of resources required to develop the overall Program, while maintaining consistent automated enforcement in areas already served by it.

Staff have prepared a Business Case to outline the implementation and continued operations of the County ASE Processing Centre, which is attached to this report. The first camera is expected to begin issuing tickets in early 2025, with an additional 1-2 cameras expected in 2025 based on the volume generated by the initial camera system. Roads staff have begun the work to prioritize deployments and will be charged with the deployment of additional camera systems. Following a full year of operations, staff can plan for future year deployments based on the conclusions derived from operating the Program in 2025 and project appropriate levels of resources required to support the continued roll out of additional camera systems.

### Business Case

Below is an overview of the relevant sections of the Business Case:

#### *Section 4: Benefits*

Research and experiences from other municipalities highlight the many benefits associated with ASE programs. This method of enforcement is cost effective, complements traditional enforcement efforts, and greatly reduces speeding when deployed.

#### *Section 5: Implementation Timeline*

To support an effective roll-out of the program, staff are recommending a gradual implementation process for adding the locations beginning in early 2025:

- Prepare the first location in September 2024 (starting with Silver Street in front of North Ward Elementary School in Paris). From September 2024-December 2024, the

camera will be capturing violations for implementation and officer training purposes, but no tickets will be issued.

- October 2024-December 2024 - Invest in a community education campaign related to ASE. Notify the community of the new program through various means which could include the County website, social media, signage in the deployment area, and mail-outs to nearby residents. The focus of the community education campaign is to broadly publicize to residents travelling on roads where ASE is deployed to make sure they are aware to slow down and avoid receiving a ticket.
- Q1 2025 – Add signage to notify drivers that the ASE device is in operation and begin issuing tickets for speed violations.

When prioritizing future locations to add ASE devices, staff will consider available speeding and collision data, pedestrian frequency and safety, nearby industry, vehicle volume, community feedback on speeding concerns, and insights from staff on traffic management.

### *Section 6: Financial Analysis*

To understand the financial implications of this program, County staff assessed the revenue, costs, and overall program deficit/surplus for the first year of implementation. The analysis looks at two different scenarios: high compliance, where monthly violations drop by 80% throughout the first year of implementation; and low compliance, where monthly violations decrease by 50% over the first year.

As shown in the table below, in both low and high compliance scenarios, the annual revenue generated for one location (Silver Street) covers all operating expenses.

	<b>Low Compliance (-50%)</b>	<b>High Compliance (-80%)</b>
<b>Revenue<sup>1</sup></b>	\$1,082,653	\$476,405
<b>Operating Expense</b>	\$740,052	\$366,933
<b>Operating Surplus (Deficit)</b>	<b>\$342,601</b>	<b>\$109,472</b>

The capital costs of adding the first location are anticipated to be approximately \$92,400. This cost is made up of the camera and speed measurement device, installation, office equipment, signage, and the community education campaign.

To further analyze the value of pursuing an ASE program, the payback period and return on investment (ROI) were calculated. Based on the capital costs of installing one camera, in the low and high scenarios, these metrics are positive and highlight the financial viability of this proposed program.

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<sup>1</sup> Assumption that 70% of issued fines will be collected.

<b>Payback Low Compliance</b>	0.27 years
<b>Payback High Compliance</b>	0.85 years
<b>ROI Low Compliance</b>	371%
<b>ROI High Compliance</b>	118%

By the end of 2025, the County plans to install two additional ASE locations. Gradually adding new locations allows more time to educate the community and enables the County to assess speeding data and ensure that necessary resources (staff, equipment, etc.) are in place to handle the increased volume of penalty orders. Financially, this approach also allows operating surpluses to offset the capital costs of expansion.

	<b>Low Compliance</b>	<b>High Compliance</b>
<b>Program Revenue</b>	\$6,327,130	\$2,969,930
<b>Program Operating Costs</b>	\$4,053,704	\$1,930,773
<b>Capital Costs Year One</b>	\$114,400	\$114,400
<b>Program Surplus (Deficit) Year One</b>	<b>\$2,159,026</b>	<b>\$924,757</b>

Beyond supporting program expansion, Staff are recommending the establishment of a discretionary reserve fund to hold excess operating surpluses generated from the program. This reserve would support the ongoing financial stability of the program and ensure there are funds accumulated to manage unforeseen impacts to program revenue and cope with potential operating deficits. A reserve fund could also be used to enhance community safety by providing a designated funding source for traffic safety initiatives.

### *Section 7: Risk Analysis*

The business case outlines operational, financial, and reputational risks associated with an ASE program such as technical issues with cameras, processing limits, and negative public perception of the program. Staff have developed mitigation strategies to help reduce the impact and likelihood of these risks and will work diligently to support the delivery of a successful program.

### Summary and Recommendations

As outlined above, County staff are now in a position to implement an Automated Speed Enforcement (ASE) Program wholly operated by the County of Brant. This proposed deployment will include the installation of a test camera system in the immediate future to collect data and to train staff to issue penalty orders in line with the ASE regulations. During this period no tickets will be issued.

Beginning in early 2025, the Program will begin to issue tickets and go live. It is anticipated that an additional 1-2 camera systems will be installed in 2025 (for a total of 2-3) to balance a desire to expand the program to as many areas as possible while maintaining appropriate levels of staffing and other resources, along with the philosophy of maintaining a financially

sustainable program. Further, it is planned to have the camera systems permanently installed to create enhanced and persistent road safety in CSZs, rather than rotating them to only create temporary reductions in vehicle speeds and road safety improvements.

A public education campaign will be launched throughout the remainder of 2024 along with campaigns targeted to areas surrounding new deployments that will help residents become aware of the Program and encourage compliance with the posted speed limit. The overall intent of this Program is to reduce vehicle speeds through automated enforcement, and not to generate revenue.

Finally, staff recommend that policies to guide the use of revenue be prepared for Council's consideration focused on using revenue to expand the Program and to create a reserve amount to fund operations, with the remainder to be used on traffic safety initiatives currently funded through the tax levy.

## **Attachments**

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1. Business Case for Automated Speed Enforcement in the County of Brant

## **Reviewed By**

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Alison Newton, Chief Administrative Officer  
Greg Bergeron, Director of Enforcement and Regulatory Services  
Greg Demers, Director of Roads

## **Copied To**

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Senior Management Team  
Jeff MacDonald, Manager of Business Solutions  
Jason DeMunck, Road Operations Manager  
Halie Gilmore, Project Manager, Corporate Strategy  
Ian Clark, Technical Project Manager

## **By-law and/or Agreement**

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By-law Required	No
Agreement(s) or other documents to be signed by Mayor and /or Clerk	No