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RED LIGHT CAMERA PROGRAM

The Transportation and Works Committee recommends:

- 1. The presentation by Brian Harrison, Director, Roads Transportation be received;**
- 2. The recommendations contained in the following report, September 22, 2004, from the Commissioner of Transportation and Works be adopted, subject to adding Recommendations 5 and 6 as follows:**
 - “5. Staff be requested to develop a cost revenue arrangement with the participating local municipalities based on the relative number of Regional and local Municipal camera and intersection locations;***
 - 6. The Region of York ask the Province of Ontario to move forward with Photo Radar legislation.”***

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council support the use of red light cameras as a tool to improve the safety of Regional Road intersections.
2. The Red Light Camera Program outlined in this report be referred to the 2005 Business Plan and Budget process for review.
3. Any net revenue generated from the Red Light Camera Program not be considered part of the existing local Inter-municipal Agreement.
4. Staff report back to the Transportation and Works Committee on the implementation of the Red Light Camera Program following further discussions with staff from the local municipalities, City of Toronto, York Regional Police and Court Services.

2. PURPOSE

The purpose of this report is to provide information on the safety benefits of red light cameras. It is proposed that the details of a Red Light Camera Program to be referred to the 2005 Budget and Business Plan process.

3. BACKGROUND

On December 18, 1998, the *Red Light Cameras Pilot Projects Act, 1998, Bill 102* received Royal Assent. The Act amended the *Highway Traffic Act* to enable municipalities, for a period of two years, to use evidence obtained from red light cameras to issue violation notices. On November 20, 2000, Bill 102 was proclaimed by the Lieutenant Governor starting the two-year operational period for the use of red light cameras.

Six municipalities in Ontario were designated by the Ministry of Transportation, Ontario as red light camera pilot areas namely City of Toronto, City of Hamilton, City of Ottawa, Regional Municipality of Halton, Regional Municipality of Peel, and the Regional Municipality of Waterloo. The Regional Municipality of York made a decision to wait until the Province made a final decision as to the use of red light camera technology.

The purpose of the pilot project was to conduct a comprehensive statistical evaluation study to assess the combined benefits of stepped-up police enforcement and red light cameras have on the frequency of red light running. The Ministry of Transportation retained a consultant to conduct the “before and after” evaluation study.

The evaluation study included 58 sites in total throughout Ontario, with approximately equal numbers of red light camera sites, stepped-up police enforcement sites and control sites. “Before and after” data was collected and analyzed for the evaluation included collision frequencies, traffic volumes and red light violations. Data relevant to other violations was collected at the stepped-up police enforcement sites. Annual totals of red light running convictions within the court districts of participating municipalities were also obtained.

In the early part of 2002, Councils of five of the six participating municipalities passed resolutions petitioning the Province to extend the Red Light Camera Pilot Project for an additional two years.

There were three reasons for recommending the project extension, namely:

- Initial results from the first year of operating the red light camera pilot program showed a reduction in the frequency of red light running.
- There was strong public support for camera enforcement of red light running.
- It permitted municipalities to continue operating red light cameras beyond November 20, 2002, while waiting for the Government of Ontario’s decision, expected in the fall of 2003, regarding the continuation of the project.

The Region of Halton excluded themselves from being involved in the project extension for the following reasons:

- The low number of violations occurring in the Region did not contribute significantly to the overall database of the pilot project.
- Safety was not an issue at the locations where the cameras were in place.
- The additional \$125,000 to \$150,000 in additional funding for each year the pilot program was felt extended is better utilized towards other safety initiatives.

On November 19, 2002, Bill 149 received Royal Assent extending the Red Light Camera Pilot Project to November 2004. Bill 149 provides the Lieutenant Governor the authority to extend the Red Light Camera Pilot Project legislation indefinitely, by proclamation, before November 20, 2004.

On August 1, 2004, Bill 149 was amended to allow permanent use of red light cameras by designated municipalities.

3.1 Red Light Running

Red light running has been identified as a major contributing factor to serious and fatal crashes. In York Region, there is a database of all reported collisions which identifies the type of collision, ie: rear end, right angle and head on; and the severity of the collision, ie: property damage only (PDO), personal injury (PI), and fatalities (F). It can be determined from this database that a large number of fatal and injury collisions could have been prevented if traffic obeyed the red light.

4. ANALYSIS AND OPTIONS

Red light cameras have been proven successful in reducing collisions at signalized intersections, particularly those collisions resulting in personal injury and fatalities, thus making intersections safer. Authority is being requested to implement a Red Light Camera Program in York Region. The following sections outline the details of the Red Light Camera Program that is recommended to be referred to the 2005 Budget and Business Plan discussions.

4.1 Resources

The implementation of red light cameras is new to the Region and will require additional resources to implement and manage the program. It is proposed to engage the services of a consultant for this purpose. A request for proposals will be issued to obtain this service.

4.2 Intersection Selection

When considering red light camera usage, it is advantageous to contact municipalities currently using them to benefit from their experience especially for the selection of the intersection, which type work or where not to use red light cameras. It is important to develop proper site selection criteria and apply these criteria to a long list of identified candidate intersections. It is important to work closely with York Regional Police when

selecting locations to use red light cameras. Typically, one camera is rotated through four intersections once a month.

In addition, to be consistent within York Region, it is proposed to work with the local municipalities considering using red light cameras at their own intersections; to coordinate the locations within their jurisdiction.

Site selection should consider at least the following criteria:

- Potential for collision reduction.
- Geographic distribution.
- Consideration of alternative engineering countermeasures.
- Potential to reduce fatal and personal injury collisions.

4.3 Joint Processing Centre

The film recording the infraction must be processed and authorized by a police officer or a Provincial Offences Officer. The vehicle owner needs to be identified through a licence plate trace and a ticket issued to the owner. All this takes place at a Processing Centre. When the pilot project was established, the Attorney General's Office indicated the municipalities should all act together and harmonize resources through a Joint Processing Centre. In this way, all infractions would receive consistent review by a Provincial Offences Officer.

The City of Toronto established the Joint Processing Centre for all the participating municipalities. The City has entered into an agreement with the Ministry of Transportation to obtain licence plate information through their records office for the Processing Centre. The City has indicated they would welcome the Region and other municipalities to use the City of Toronto's processing centre on a cost-shared basis.

At this time staff prefer this option and will continue to discuss the details of the offer from the City of Toronto to use the City's Processing Centre. The cost of this will be a percentage of the City's cost to operate the centre based on the number of cameras in each municipality.

4.4 Equipment, Operation and Maintenance

The cameras approved for red light camera installations are very specialized cameras along with the housing and connections to pavement detectors and the traffic signal control box. The operation and maintenance of the red light cameras, including the collection of the film, rotation of the cameras and delivery of the film to the processing centre is proposed to be contracted out. Companies are available to carry out these functions for a monthly fee per camera.

4.5 Local Municipalities

Since there has been some indication from staff at the local municipalities they are considering using red light cameras at some of their intersections, it would be advantageous to work with these municipalities to ensure we have a coordinated red light camera program in York Region. Local municipalities would be part of the working group managed by a consultant, consisting of Regional staff, York Regional Police, Court Services staff and staff from the local municipalities. This working group will develop the criteria for locating red light cameras and assess the performance of the red light camera in reducing fatal and injury collisions at intersections.

By joining forces on this initiative we can achieve economies of scale by joint procurement of equipment and have a harmonized program through the same consultant and working group.

5. FINANCIAL IMPLICATIONS

Red light cameras are used to improve safety of signalized intersections by reducing the number of red light runners. They are not a source of revenue and in fact do not pay for themselves. For each camera rotated through four intersections the capital cost is estimated to be \$250,000. It is proposed that, initially, the Region start with four cameras rotated through 12 intersections for a total cost of \$1.0 million.

The operating and maintenance cost of these cameras consists of two parts. The first is the maintenance of the cameras, the rotation of the cameras, film pick up and delivery to the processing centre, estimated at \$5,000 per camera per month, for a total of \$240,000 per year. The second cost is for the film processing, identification and issuance of the ticket, which is estimated at \$35,000 per camera for a total of \$140,000. The total estimated operating cost of \$380,000 per year.

In addition, there is a requirement to engage consulting services for the start up of this project and the initial evaluation which is estimated at \$86,000.

The total capital cost, \$1.0 million, and operating cost, \$466,000, has been included in the proposed 2005 Transportation budget and business plan.

5.1 Court Services

Staff of the Transportation and Works Department met with Court Services staff regarding the implications on the courts. The following information has been provided by Court Services.

The Region manages the Provincial Offences courts in Newmarket and Richmond Hill. Through the six available courtrooms (four trial courtrooms and two intake courtrooms), approximately 130,000 charges per year are now being processed, of which approximately 93% (or 120,900 charges) are traffic matters.

5.1.1 Activity Projections

At this time, Court Services has not been given any projections on the number of charges likely to be laid through a red light camera initiative in York Region. However, from data collected by those municipalities that were involved in the GTA pilot program, it would appear that many thousands of charges may possibly be laid in York Region, placing a significant burden on court resources. Given that the existing caseload in York Region was already projected to require additional courtrooms and additional Justices of the Peace by 2006, it is likely that if the Red Light Camera Program was to be commenced in 2005, an immediate resource crisis would arise.

5.1.2 Average Cost Per Charge

The cost of processing a charge through court is highly variable depending upon whether the defendant disputes the charge or not, whether there are witnesses to be called, whether interpreters are needed, etc. Due to this wide variability in cost, Court Services always uses the key performance indicator of “average cost per charge” for budgetary and financial planning purposes. The average cost per charge in 2003 was \$45.45 (projected at \$47.35 for 2004 and \$52.13 for 2005). When estimates on red light camera enforcement activity become available, we will be able to multiply the number of charges by the average cost per charge and arrive at a budget impact estimate. To project the incremental increases in cost per charge, the following information on staffing will need to be factored in.

5.1.3 Court Administration Clerks

According to the standard workload ratio which is used by the Ministry of the Attorney General and the Municipal Court Managers Association, each Court Administration Clerk should be able to process between 5,000 and 7,000 charges per year. The annual salary for these positions is currently \$38,147 to \$41,477 per year.

5.1.4 Court Room Staff

If the activity estimates for York Region (when available) indicate that the existing number of courtrooms will not be sufficient to handle the extra charges, it will be necessary to factor in the cost of an additional Prosecutor and an additional Courtroom Clerk/Reporter for each of the additional courtrooms proposed. The annual salaries for these positions are currently \$63,463 to \$68,978 for Prosecutors and \$38,147 to \$41,477 for Courtroom Clerk/Reporters.

5.1.5 Judicial Resources

It should be noted that the Region does not control the appointment process for members of the judiciary. Requests for additional appointments are normally sent by municipalities to the Attorney General for consideration. If approved, any new appointees require a period of training and mentoring before they can be assigned to trial work in the Provincial Offences Courts. The Ministry of the Attorney General currently bills the Region for judicial services at the rate of \$200 per hour of courtroom time.

5.1.6 Fine Revenue

The Court Services program in York Region is subject to a unique revenue sharing arrangement created by the local Inter-municipal Agreement in 1999. This agreement is under review at Council's direction, but currently does not allow for the direct deduction of court expenses from fines collected. Instead, the Region is allowed to retain only those fines collected from Highway Traffic Charges laid by York Regional Police. Other traffic fines (including those laid by Ontario Provincial Police, CN Rail Police and other enforcement agencies) are shared between the local municipalities on a gross basis, without making deduction for the normal running costs of the courts.

Given that the existing revenue sharing agreement did not anticipate the implementation of high volume technology-based traffic enforcement initiatives such as red light cameras, the potential workload crisis for the courts system was not spoken to in the agreement and the arrangements for costs and revenues are not addressed. It is essential that the ongoing review of the agreement addresses these concerns in order to avoid the potential for any red light camera initiative to create a significant additional tax burden on residents.

Until the current agreement is reviewed and revised, it is proposed that any revenue from the Red Light Camera Program be exempt from this current revenue sharing agreement. The revenue shall be used to offset the costs of the Red Light Camera Program including the capital and operating costs and the court services costs.

6. LOCAL MUNICIPAL IMPACT

The local municipalities are permitted under the legislation to apply to the Province to use red light cameras on local road intersections. In order to provide a coordinated approach to using red light cameras in the Region, local staff will be requested to participate on a York Region Red Light Camera Steering Committee. By joining forces in this way, it is hoped that a harmonized program can be achieved.

7. CONCLUSION

Current legislation is in place to allow the permanent use of red light cameras to assist in reducing injury and fatal collisions at signalized intersections. This report provides information on the details of the program and associated costs. The Red Light Camera Program as outlined in this report should be referred to the 2005 Business Plan and Budget process for review.

The Senior Management Group has reviewed this report.