



STAFF REPORT ACTION REQUIRED

Amendments to various by-laws to enable the option of Paying for Parking by Cell Phone or other Device

Date:	March 26, 2014
To:	Public Works and Infrastructure Committee
From:	President, The Toronto Parking Authority
Wards:	All
Reference Number:	

SUMMARY

The Toronto Parking Authority (TPA), in consultation with Transportation Services, the Toronto Police Service, Parking Tag Operations - Revenue Services, and Legal Services, is currently implementing a system for operation in the near future that will enable patrons to purchase their parking time by cell phone or other device, at both on-street parking machine locations and off-street parking lots.

In order to duly enact and authorize this capability of paying for parking by a cell phone or other device, amendments to City of Toronto Municipal Code Chapter 910, Parking Machines (pertaining to the on-street parking machine locations) and City of Toronto Municipal Code Chapter 950, Traffic and Parking (pertaining to the TPA's off-street parking lots) are required, as described in this report. These amendments are technical in nature and will facilitate the alternative payment method, providing users with considerable choice and flexibility to augment the traditional payments at on-street parking machine locations and off-street parking lots. The General Manager of Transportation Services has reviewed this report and concurs with the recommendations.

RECOMMENDATIONS

The President, Toronto Parking Authority, recommends that:

1. City Council amend the City of Toronto Municipal Code Chapter 910, Parking Machines, and City of Toronto Municipal Code Chapter 950, Traffic and Parking, to enable implementation of payments by cell phone or other devices at on-street parking machine locations and off-street parking lots, respectively, generally in accordance with the report dated March 26, 2014 from the President, The Toronto Parking Authority, subject to any necessary clarifications, refinements, minor modifications, or technical amendments as may be identified by the President, Toronto Parking Authority, in consultation with the City Solicitor.
2. City Council authorize the City Solicitor, in consultation with the President, The Toronto Parking Authority, to amend Schedule I and Schedule II to City of Toronto Municipal Code Chapter 910, Parking Machines, to reflect any necessary changes to incorporate location identification numbers.
3. City Council authorize the City Solicitor, in consultation with the President, The Toronto Parking Authority, to make any necessary application to the Senior Regional Justice of the Ontario Court of Justice for new set fine orders, if required.
4. City Council authorize the City Solicitor to amend City of Toronto Municipal Code Chapter 910, Parking Machines, and City of Toronto Municipal Code Chapter 950, Traffic and Parking, including Schedules thereto, to reflect any changes to the text and/or Schedules between the date that the report dated March 26, 2014 from the President, The Toronto Parking Authority, is adopted by City Council and the date(s) the proposed by-law amendments come into effect.
5. City Council authorize the City Solicitor to amend City of Toronto Municipal Code Chapter 910, Parking Machines, as may be necessary, to incorporate into and extend to the regime implemented by Recommendation 1 of the report dated March 26, 2014 from the President, The Toronto Parking Authority, any grace period/exemptions that may arise out of Item GM28.6 as adopted by City Council; and
6. City Council authorize and direct the appropriate City officials to submit to Council directly, without the need for a further report, bills required to give effect to Recommendations Nos. 1, 2, 3, 4 and 5 above.

Financial Impact

Funds are allocated in the Toronto Parking Authority's 2014 Operating Budget for development and implementation of the system to enable paying for parking by cell phone or other device. In the Toronto Parking Authority's 2014 Capital Budget, funds are allocated for the required signage.

Staff Report for Action- Paying for Parking by Cell Phone

ISSUE BACKGROUND

In the Fall of 2011, the Board of Directors of the Toronto Parking Authority directed TPA staff to pursue the implementation of a system of paying for parking by way of a cell phone or other device. Staff of the TPA have subsequently been working with the Toronto Police Service, Parking Tag Operations - Revenue Services, Transportation Services, Court Services and Legal Services on obtaining and operating a system where payment for parking may be made by use of a cell phone or other device for a licence plate registered in the system, as an alternative to purchasing a ticket from the pay-and-display machines.

The TPA has completed a comprehensive Request for Proposals (RFP) process and a selected vendor has been approved by the Board of Directors of the TPA. Currently, the TPA is engaging with the selected vendor, and is in the contract negotiation and systems development phase. TPA Staff anticipates operation of the cell phone payment option for parking by mid-2014 in its off-street parking lots, with implementation at on-street parking machine locations to follow as soon thereafter as possible.

On a related matter, City Council, at its meeting of September 21 and 22, 2011, in considering recommendations of the Government Management Committee concerning implementation of a fixed fine system for parking tickets, requested the appropriate staff to report on the feasibility of paying for parking by cell phone (Item GM 7.9- <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.GM7.9>). This report describes the development and implementation of the paying for parking by cell phone system and recommends the legislative changes that will authorize this functionality.

COMMENTS

Current Pay-and-Display Payment Method

The Toronto Parking Authority operates approximately 10,000 parking spaces in 130 City-owned parking lots and 18,000 on-street spaces by way of pay-and-display machines. Currently, a customer parks their vehicle in a parking space in the lot or on-street and is required to physically proceed to the parking machine to make a payment.

The pay-and-display machines accept payment for parking by coins or credit cards and, upon the parking machine recognizing a valid fee, prints a paper receipt which indicates the expiry time of the parking. The customer is then required to place this paper receipt on the dashboard of their vehicle in a manner such that the necessary writings and markings on the receipt can be easily seen from outside the vehicle. The receipt forms the proof of payment (POP) which can be verified by enforcement personnel. If the receipt is not displayed or indicates the parking session is expired, the vehicle is subject to enforcement actions, including the issuance of a Courtesy Charge at lots and/or a Parking Infraction Notice (PIN).

Payment by cell phone or other device is an additional channel which will provide customers with considerable flexibility and convenience. These payments are processed,
Staff Report for Action- Paying for Parking by Cell Phone

verified and stored in a location remote to the location in which the parking is occurring. This option will be available to customers at TPA off-street parking lots and on-street parking machine locations currently operated by pay-and-display machines.

Additional Payment Method by Cell Phone or other Device

The Customer

In order to use their cell phone or other device to pay for parking, customers will create an account with the TPA and register their licence plate(s) to their account prior to initiating their first parking session. Once an account has been created and the terms and conditions have been accepted, the registered user will then be able to initiate a parking session by communicating their parking location and the amount of time they wish to purchase. The location will be identified by the Car-park Number at TPA lots or a Location ID number sign at on-street parking machine locations, indicated on prominent authorized signage.

When paying by a cell phone or other device, the customer will receive a parking notification including a transaction number confirming their parking session to the cell phone or other device which initiated the transaction, instead of the current paper receipt issued by the pay-and-display machine. In the absence of a paper receipt when choosing this option, the proof of payment cannot be displayed on the dashboard of the vehicle. Accordingly, enforcement personnel will verify the proof of payment utilizing their already existing handheld electronic device, and identifying the vehicle by its licence plate information in order to connect the payment to a specific vehicle. This is different from the present practice where licence plate information is not required. At pay-and-display machines, the presence of the receipt placed in the vehicle, by definition, currently connects the vehicle to the payment.

If the parking request is valid, the transaction information will be registered and confirmed with the customer, along with the location and the licence plate specified.

Enforcement

The proposed system will augment the existing pay-and-display system so both payment options will be available to the customer. Therefore the enforcement process will consist of two steps. The officer will first examine the dashboard of the vehicle for a valid receipt. If a valid receipt is not displayed, the enforcement officer will query the licence plate number in the central transaction server, with their handheld mobile enforcement device. Similar to the pay-and-display payment option, if parking time for the period of enforcement has not been purchased the vehicle will be subject to enforcement action.

The records for parking pertaining to individual parking transactions will be available to the Parking Tag Operations staff and to staff in the Prosecutions section within Legal Services. This will allow customer disputes to be reviewed at any stage in the prosecutorial process including by counter staff at the first appearance facilities.

By-Law Amendments

The City of Toronto Municipal Code currently facilitates payment only by in-place parking machines. In order to authorize the mobile payment capability in addition to the current pay and display method, amendments to Municipal Code Chapter 910, Parking Machines, and Municipal Code Chapter 950, Traffic and Parking, are required.

Amendments will include by amending the definition of PARKING MACHINE to add the provision to the existing wording, generally along the lines as follows:

An application accessible by way of a cell phone or other device, for the purpose of controlling and regulating the parking of any vehicle in a parking space and which, when the required fee has been paid and the machine activated, issues a parking notification to the activating device indicating the date, time, location, and licence plate for the activating and the permitted period for parking.

A similar legislative framework using the dual definition of the parking machine (“pay-and-display machine”) has been in use successfully in the City of Ottawa since 2011.

In addition to amending the definition of PARKING MACHINE, ancillary amendments to certain existing definitions, as well as new definitions will be required to designate the appropriate location identification signage and recognize the parking notification as valid confirmation of the parking transaction. The amendments will also specify that parkers who choose the mobile payment option are exempt from the provisions of the by-law requiring display of a receipt in a clearly visible position on the vehicle’s dashboard.

These collective changes in effect will now encompass either a paper receipt under the current pay-and-display method, or a parking notification under the mobile payment system as confirmation of a valid parking payment, depending on the method the customer chooses to use.

Other Considerations

Any changes to City of Toronto Municipal Code Chapter 910, Parking Machines, and the City of Toronto Municipal Code Chapter 950, Traffic and Parking, arising from matters currently before City Council that may affect the technical amendments noted herein, including but not limited to Council’s decision with respect to parking grace periods/exemptions that may arise out of Item GM28.6, or during the period prior to the introduction of the bills authorized by the recommendations of this report, will be reflected in the bills when introduced.

CONTACT

Ian Maher
Vice-President, Strategic Planning & I.T
Tel No. (416)-393-7291
Email: imaher@toronto.ca

Lorne Persiko
President, TPA
Tel No. (416)-393-7294
Email: lpersiko@toronto.ca

SIGNATURE

Lorne Persiko,
President, Toronto Parking Authority