



STAFF REPORT ACTION REQUIRED

Toronto Police Service – Increasing Parking Enforcement on Arterial Roads During the Rush Hours and On All Bike Lanes

Date:	October 21, 2014
To:	Government Management Committee, City of Toronto
From:	Alok Mukherjee, Chair, Toronto Police Services Board

SUMMARY

The purpose of this report is to respond to a City Council request for information on how the Toronto Police Service - Parking Enforcement Unit will increase the enforcement of regulations on arterial roads during the rush hours and on all roads with bike lanes.

RECOMMENDATION

It is recommended that the Government Management Committee receive this report for information.

FINANCIAL IMPACT

There are no financial implications relating to the recommendations contained within this report.

ISSUE BACKGROUND

At its meeting on September 11, 2014, the Toronto Police Service Board ('the Board') was in receipt of a report dated August 07, 2014 from Chief of Police William Blair on how the Toronto Police Service – Parking Enforcement Unit will increase parking enforcement on arterial roads during the rush hours and on all bike lanes.

COMMENTS

The Board received the foregoing report and agreed to forward a copy to the Government Management Committee for information.

The Board also agreed to send a recommendation to the Ministry of the Attorney General that it amend the *Provincial Offences Act* to provide for an additional form of service, preferably by first class mail, of Parking Infraction Notices under Part II of the *Act*.

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CONCLUSION

A copy of the Chief's report dated August 07, 2014 is contained in Board Minute No. P204/14. A copy of Board Minute No. P204/14, in the form attached as Appendix "A" to this report, is provided for information.

CONTACT

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Toronto Police Service
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SIGNATURE

Alok Mukherjee
Chair

ATTACHMENT

Appendix A – Board Minute No. P204/14

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APPENDIX "A"

THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 11, 2014

#P204. INCREASING PARKING ENFORCEMENT ON ARTERIAL ROADS DURING RUSH HOUR AND ON ALL BIKE LANES

The Board was in receipt of the following report August 07, 2014 from William Blair, Chief of Police:

Subject: INCREASING PARKING ENFORCEMENT ON ARTERIAL ROADS DURING RUSH HOUR AND ON ALL BIKE LANES

Recommendations:

It is recommended that:

- (1) The Board receive this report;
- (2) The Board forward a copy of this report to City of Toronto Government Management Committee for information; and
- (3) The Board restate its request to the Ministry of the Attorney General to amend the *Provincial Offences Act* to provide for an additional form of service, preferably by first class mail, of Parking Infraction Notices under Part II of the Act.

Financial Implications:

There are no financial implications relating to the recommendations contained within this report.

Background/Purpose:

At its meeting of June 10, 11, 12 and 13, 2014, City Council adopted item GM30.3 "Toronto Police Service Annual Report: Parking Enforcement Unit – 2013 Parking Tag Issuance" as follows:

1. *City Council request the Toronto Police Services Board to report to the Government Management Committee on August 11, 2014, on increasing enforcement by the Parking Enforcement Unit of regulations on arterial roads during the rush hours and on all roads with bike lanes; and to also include this information in its Annual Report on the Parking Enforcement Unit.*

City Council forwarded the request to the Toronto Police Services Board and the Board requested that a report be submitted for the September meeting.

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The origin of this request was receipt of the Parking Enforcement Unit (PEU) 2013 Annual Report on Parking Tag Issuance by the City Government Management Committee. This requested additional information on increasing rush hour and bike lane enforcement and including these statistics in future Annual Reports.

Discussion:

The Toronto Police Service is conscious of the challenges of gridlock and is committed to maintaining the safe and orderly traffic flow at peak periods on major arterial routes through ensuring compliance to parking bylaws. The impact of rush hour parking violations, even when motorists momentarily obstruct “no stopping” zones, (which are typically rush hour and bike lane locations) is approached with zero tolerance in the interests of traffic safety and managing congestion.

Bike lane enforcement, similarly, is a high priority within the PEU’s operational practices. The high visibility of officers is a deployment strategy utilized to promote compliance through visible patrol and zero tolerance of motorists obstructing bike lanes and cycle tracks. This is in keeping with the Toronto Police Service 2014-2016 Business Plan priority to promote safe communities and neighbourhoods.

New Offences For Rush Hour Periods and Bike Lanes

Enforcement during rush hour periods and in all dedicated bike lanes has been a matter of great discussion over the past several years. Prior to 2014, rush hour period and dedicated bike lane enforcement was regulated under the umbrella of the general “no stopping,” “no standing” and “no parking” bylaws. As such, statistics specifically related to tickets issued during rush hour periods and in bike lanes could not be extracted for inclusion in reports. This was identified in a previous Board report (Minute No. P134/10 refers) and subsequently Council amended the parking bylaws. The resolution came into effect on January 23, 2014, when new specific parking offences related to rush hour periods and bike lanes received Set Fine approval from the Ontario Senior Regional Justice. With these new stopping and standing parking offences, Set Fine amounts increased to \$150 from the \$60 fine that previously applied to most locations.

A public advisory campaign was launched by the City in collaboration with the PEU to introduce the new offences, the increased fines and to raise public awareness of the impact of obstructing rush hours and bike lanes. A high degree of media attention assisted and provided education to the public on the purpose and importance of the regulations.

It has been noted by PEU members that the increased rush hour fines and specific bike lane/cycle track offences have resulted in a better educational tool, hence raising awareness of the need to keep these lanes clear.

The PEU regularly engages with City Transportation, the City cycling infrastructure group and cycling advocacy groups, and respond to the parking concerns of the community by providing directed enforcement to focus on these important initiatives.

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New Offences Enable Ticket Issuance Reporting

Since inception of the bylaw amendments, the PEU has been compiling the related data for internal monthly tracking. Currently, five months of rush hour period and bike lane ticket issuance data is available. As requested in the Government Management item, enforcement data for these offences will be included in future Annual Parking Ticket Activity Reports. Ticket issuance statistics for the rush hour enforcement offences are attached for the period January 23 to June 30, 2014 inclusive. The data demonstrates that at the onset of the new bylaw, enforcement levels were high. The rush hour enforcement strategy, which includes high visibility patrol by Parking Enforcement Officers (PEOs), has had a positive effect on traffic flow and the numbers have levelled off to a fairly consistent pattern on a daily basis due to the priority attention that is in place.

Reporting on these specific offences has only been possible since the new unique offences came into effect on January 23, 2014. It is not possible to statistically report the effect of the fine increases, as there is no unique data available prior to the fine increases. Staff observations indicate that higher fines, coupled with the high visibility of PEOs in the field, are communicating a strong message and providing a deterrent effect. In order to gain 100% compliance to these offences a PEO would be required to be posted on every block of the city, and this is not feasible. PEOs patrolling their assigned portion of a rush hour route, is a feasible option and is part of the current deployment strategy. However, momentary obstructions at some point in the route may occur and can still impact the flow of traffic.

There has been somewhat less time to observe the effect of the bylaw enhancements on bike lanes, since cycling significantly increases with the spring weather. Additionally, during the winter season, there were instances of bike lanes obstructed by snow and ice and situations where newly opened bike lanes experience ongoing construction and adjustments to the infrastructure rendering portions of them to be unenforceable. The Richmond Street cycle track currently under construction and the recently opened Adelaide Street cycle track are significant east/west arterial roads. As portions of these cycle tracks are completed, high visibility patrol and zero-tolerance enforcement is occurring or is planned to be implemented upon completion as part of the collaborative efforts of the City and the TPS PEU.

Bike lane/cycle track enforcement data is not included in this report as enforcement has been affected by the above noted factors including the addition of new bike lanes. With significant change over a short timeframe, more data is required to provide appropriate analysis.

Not reflected in ticket issuance statistics, are the numbers of instances where a PEO directs motorists to move along or in cases where the PEO uniform presence causes the motorist to move along. Observation and experience suggests that there may be approximately three “move-alongs” for every ticket issued. In some cases, motorists park with the intent to drive away upon the presence of a PEO. This creates a safety issue for motorists, pedestrians and the officer, and additionally, it is not possible to issue a parking ticket if the motorist “drives away” before the ticket is served. This subject is explored further in the latter part of this report.

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Rush Hour Period Enforcement Priority

A highly visible presence of PEOs appears to be maintaining compliance, as enforcement statistics show a marked decline in offences in the days after the rush hour offences and increased fines took effect. Directed enforcement focuses on clearing rush hour routes, safety-related and obstructive parking offences during times of peak traffic volumes. This supports the Service's safe communities and neighbourhoods priority in the form of road, pedestrian, motorist and cyclist safety, and the congestion management objectives of the City. The PEU has been actively monitoring the data associated with the new offences to ensure appropriate deployment of its resources, in prioritizing efforts for enforcement and the response to calls for service.

In addition, the PEU continues to be an active, collaborative partner engaged with City Transportation staff to support and represent the enforcement perspective regarding City initiatives such as the Downtown Transportation Operations Study (DTOS) and the Congestion Management Plan 2014-2018.

Towing

Courier and delivery vehicles tend to present an enforcement problem, as heavy towing equipment is required and takes time to arrive on scene. In general, towing is encumbered by a long distance and return time from the impound yard since the closure of 10 York St. PEOs issue tickets and make their best effort to tow. As the TPS works closely with City staff, options to address this problem have been considered, but to date there is no impound lot located in the downtown area to provide time effective service. Resolution of this challenge will be a positive step in managing vehicles stopping in bike lanes and rush hour routes and is expected to be considered in the upcoming towing contracts.

Service of "Drove-Away" Parking Tickets Recommended

Both rush hour congestion and bike lane obstructions are affected by an enforcement problem involving motorists impeding traffic, by stopping briefly, in the hope that they will be able to drive away before an officer arrives to complete and serve the ticket. These short duration obstructions are numerous enough to negatively impact traffic flow. From an enforcement perspective, this matter is an officer safety issue as PEOs are being struck and injured by drivers attempting to leave before the officer is able to place the ticket on the windscreen. The following chart indicates by year the number of PEOs that sustained injuries as a result of offenders driving away.

Year	2014	2013	2012
No. of PEOs injured	4	2	3

From a traffic flow perspective, motorists tend to return to re-offend in hope that the officer has moved along. This frustrates other users of the road and may lead to a perception that enforcement is inadequate. To address this problem, it is recommended that the Board make a request to the Ministry of the Attorney General to amend Part II of the *Provincial Offences Act* to

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provide for an additional form of service of Parking Infraction Notices, preferably by first class mail.

This would be a reiteration of requests previously made by the Board during the period of 2002 to 2006 (Minute No's. P330/02, P258/03, P286/04, P22/05, P382/05 and P270/06 refer). This request had the support of the Toronto Transit Commission (TTC) and the Ontario Traffic Council (OTC). Service of the ticket would preferably be by first class mail, as this would be the most viable and cost effective manner of enforcing "Drove Away" parking tickets as a congestion management strategy and officer safety improvement.

It should be noted that the two previous Board requests did not result in any action or amendments from the Province related to this issue. Responses from the office of the Attorney General indicated that the issue could be considered in an anticipated review of the *Provincial Offences Act* in a planned stakeholder process and a subsequent letter indicated the matter would be considered with a "streamlining review" of the *Provincial Offences Act*, however, no action has been taken.

Given that the enforcement and safety issues continue to persist and traffic flow issues continue to impact the City, it is recommended that the Board restate their request with the Attorney General for an amendment of Part II of the *Provincial Offences Act*, to allow for service of Parking Infraction Notices by first class mail, in cases where vehicles drive away.

Conclusion:

Compliance in rush hour periods and in dedicated bike lanes have been matters of great discussion over past years. The PEU is committed to traffic and pedestrian safety initiatives, managing congestion at times and locations of peak traffic volume, and rendering support to keeping the cycling infrastructure clear from obstructions. High visibility PEO uniform presence in these areas is considered vital to maintaining or increasing compliance and alleviating congestion. The enforcement tools that have been established through the bylaw amendments have closed the gap that previously existed in the Toronto Municipal Code. The new unique offences for both rush hour and bike lane offences have allowed for equitable enforcement with a strong zero tolerance message for deterrence. Moreover, these bylaw enhancements will allow the PEU to track and report ticket issuance for rush hour period and bike lane/cycle track enforcement.

Should future tools become available to assist with time effective towing and the service of drove-away parking tickets, these enhancements would represent further improvements in the management of traffic flow and congestion and the provision of operational traffic safety.

The Toronto Police Service is conscious of the challenges brought forth by gridlock and is committed to maintaining the safe and orderly traffic flow during peak periods in order to gain compliance to parking bylaws.

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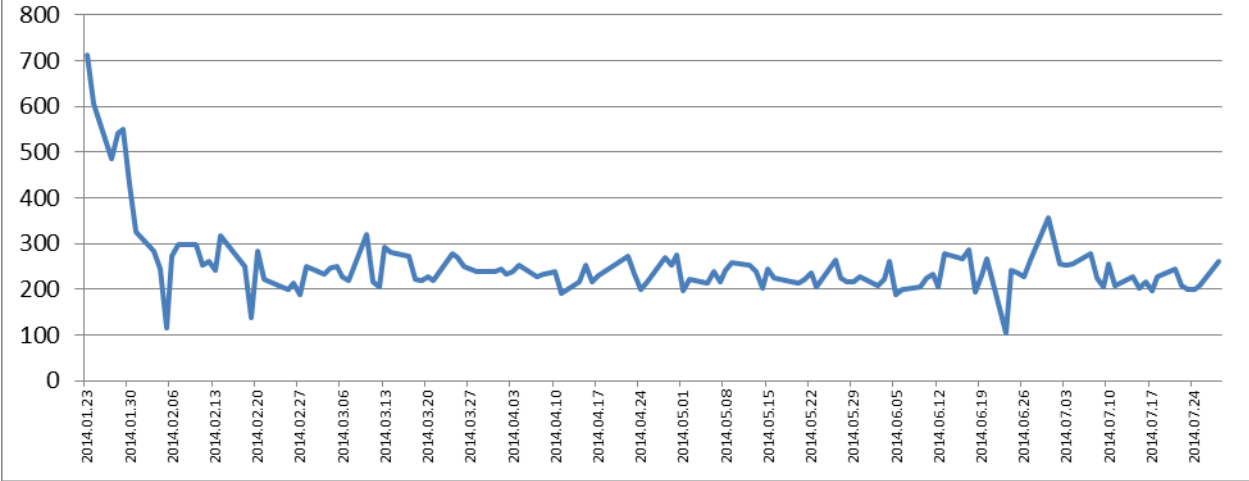
Deputy Chief Mike Federico, Operational Support Command, will be in attendance to answer any questions from the Board.

The Board approved the foregoing report.

Moved by: M. Thompson

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RHR Tags 2014.01.23 - 2014.07.28



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