

Feasibility of Limiting the Number of Automated Speed Enforcement Infractions an Individual Vehicle Owner can Receive from a Single Camera Location Prior to Receiving Their First Infraction in the Mail

Date: July 18, 2025

To: City Council

From: City Solicitor, General Manager, Transportation Services

Wards: All

SUMMARY

The purpose of this report is to assess the feasibility of limiting the number of Automated Speed Enforcement (ASE) infractions an individual vehicle owner can receive from a single camera location prior to receiving their first ASE infraction in the mail.

RECOMMENDATIONS

The City Solicitor and the General Manager, Transportation Services recommends that:

1. City Council receive this report for information.

FINANCIAL IMPACT

Implementing a limit on the number of Automated Speed Enforcement (ASE) infractions an individual vehicle owner could receive from a single camera location prior to receiving their first infraction notice by mail would require a system update estimated at approximately \$30,000 in cost.

The enforcement of regulatory offences, including those for Red Light Cameras and Automated Speed Enforcement, are not designed to be revenue generation tools for municipalities. The fines and penalties associated with these offences are for the purpose of deterring behaviour which has been determined to be a risk to public safety.

Based on current data, this change may also result in a potential reduction in the number of ASE penalties issued, estimated at 5,800 infractions each time mobile

cameras are relocated, corresponding to an estimated \$520,000 in foregone revenue, including the victim fine surcharge.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information as presented in the Financial Impact section.

DECISION HISTORY

At its meeting on June 26, 2025, City Council requested the General Manager, Transportation Services, in consultation with the City Solicitor, to report to the July 23, 24 and 25, 2025 meeting of City Council on the feasibility of limiting the number of Automated Speed Enforcement infractions an individual vehicle owner can receive from a single camera location prior to receiving their first infraction notice in the mail. The Council decision can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2025.IE22.4>

COMMENTS

Automated Speed Enforcement Background

Automated Speed Enforcement (ASE) is an important safety measure in the City's Vision Zero Road Safety Plan focused on improving aggressive driving behaviours to decrease speeding and increase safety. ASE is designed to work in tandem with other methods and strategies including engineering measures and education initiatives. ASE is a proven speed management strategy used in many jurisdictions around the world, including Toronto, where a recent evaluation conducted by the Hospital for Sick Children concluded that ASE resulted in a substantial 45% reduction in the proportion of vehicles speeding.

Toronto's ASE program launched in January 2020 with the deployment of 50 mobile ASE cameras to enforce posted speed limits in Community Safety Zones across the City. On February 3rd, 2023, as directed by City Council, 25 new ASE cameras were implemented to the program for a total of 75 cameras in the City of Toronto. On January 20, 2025, as directed by City Council, an additional 75 Automated Speed Enforcement Cameras were implemented throughout the first quarter of 2025 for a total of 150 cameras. To this date, the City of Toronto operates a total of 150 ASE cameras (126 mobile and 24 permanent).

Automated Speed Enforcement Repeat Offenders

Vehicle owners who accumulate more than one Automated Speed Enforcement infraction are considered to be "repeat offenders". An individual may receive one or more ASE infractions in the mail if they have exceeded the posted speed limit while travelling through a Community Safety Zone where ASE is operational.

Transportation Staff can confirm that, during the first month of enforcement at all 150 current ASE locations, there were a total of 94,243 infractions issued. Approximately 5,800 of those infractions were issued to repeat offenders which is approximately 6% of the total infractions issued. This represents a very low proportion of infractions issued.

Feasibility of Processing System Changes

The system used to review incidents captured by the ASE cameras and issue violation notices is owned and maintained by the ASE vendor. Changes to the processing system will be required to accommodate a solution that would limit the number of ASE infractions a vehicle owner can receive at a given location prior to receiving a second ASE infraction. The proposed solution would still require a Provincial Offences Officer to request the licence plate ownership information from MTO at a cost of \$8.25 per request. **This cost would be incurred whether or not an ASE infraction is issued.** Transportation Staff can confirm that the proposed solution will take 6-8 weeks to develop, test and release into the live environment at Toronto's Joint Processing Centre (JPC) and the cost to develop and implement the proposed changes will be approximately \$36,018.30 (including HST).

Risks Associated with the Requested Changes

Transportation Staff have identified that limiting the number of ASE infractions an individual can receive will introduce the following risks:

Negative Impact on Road Safety

- **Increased Risk to Public Safety in School Zones/Community Safety Zones:** Higher speeds contribute to a higher risk of serious injuries and fatalities in compounding ways; they reduce reaction time for people driving and increase vehicle stopping distance, making it less likely to be able to avoid a collision. Furthermore, when collisions occur at higher speeds, the impact force has a high likelihood of causing a serious injury and fatality. Figure 1 illustrates the relationship between speed, the ability to avoid a collision and the likelihood of a fatality in the event of a collision.

Figure 1: Impact of Speed on Collision Outcome



As per provincial regulations, ASE cameras are only permitted in School Zones and Community Safety Zones. These areas typically have a high volume of pedestrian activity, particularly, children and older adults, who are our most vulnerable road users. Limiting the number of infractions allows dangerous speeding to continue which could lead to a higher number of collisions in these sensitive areas.

- Delayed Correction to Driver Behaviour:** Limiting infractions after the first notice will delay the feedback loop that informs drivers of their dangerous behaviour. This delay can allow habitual speeding in Community Safety Zones & School Zones to continue without consequence, while increasing potential safety risks to the City's most vulnerable road users. Adapting this approach will also undermine the deterrent effect of ASE, which relies on timely consequence to influence and alter driver behaviour. Limiting the number of infractions can potentially create a sense of impunity, leading to more reckless driving behaviour in the future.
- Diminished Effectiveness of ASE:** Researchers from the Hospital for Sick Children, in collaboration with Toronto Metropolitan University, conducted an evaluation of Toronto's ASE program. The comprehensive analysis concluded that the ASE program resulted in a substantial 45% reduction in the proportion of vehicles speeding. The effect was more pronounced for higher degrees of speeding. Additionally, the 85th percentile speed was also significantly reduced by 10.68 km/hr where ASE cameras were deployed. Limiting the number of ASE infractions an individual vehicle owner can receive will potentially allow dangerous driving behaviour to continue without consequence and undermine the success achieved by the ASE program to date.

Inconsistency Among Other Ontario Municipalities Operating an ASE program

- The City of Toronto's Joint Processing Centre (JPC) currently processes ASE infractions on behalf of 18 partnering Ontario municipalities. There are also a number of municipalities in Ontario operating an ASE program independent from

Toronto. With that being said, the Province has made it very clear that ASE programs should be operated consistently across the province for the purpose of promoting road safety while ensuring transparency and maintaining public trust.

If Toronto introduces limits to the number of infractions a vehicle owner can receive prior to receiving their first infraction, it will create inconsistencies among the various municipalities that operate an ASE program. Inconsistencies in the operation of ASE programs across Ontario may create confusion for the driving public, as well as, undermine perceptions of the fairness of the program. Introducing limits to tickets a vehicle owner can receive prior to receiving a subsequent infraction undermines efforts to establish a consistent provincial road safety framework.

New Provincial Legislation - Bill 24: Plan to Protect Ontario Act

- The Province is currently reviewing the ASE initiative in Ontario in order to support Bill 24, which was introduced on May 15, 2025. The review is aimed toward further improving transparency and making the public more aware of ASE systems. It is anticipated that Bill 24 will result in the enactment and amendment of various statutes. Once recommendations have been finalized, municipalities will be given the opportunity to review the proposed changes and provide comments for consideration. Making changes to Toronto's ASE program ahead of new or amended provincial regulations could lead to further changes and additional costs to the City.

Program Integrity and Public Trust:

- **Perception of Leniency for Repeat Offenders:** Adopting an approach to speed enforcement practices which limit the infractions an individual receives prior to receiving their first notice may be perceived as a loophole that permits repeat offenders to escape consequences of breaking the law.
- **Administrative Challenges:** Implementing and managing an infraction limiting system introduces additional layers of complexity to infraction processing. It increases the potential for errors or disputes over which infractions 'count' toward the limit. Adapting this approach will also result in increased costs without clear benefits to Vision Zero's road safety initiative.

Legal Considerations

Transportation Services consulted with the City Solicitor in the preparation of this report and the City Solicitor has advised that:

- In Ontario, speeding offences are regulated by the province of Ontario, by virtue of section 128 of the Highway Traffic Act. A Council-adopted policy imposing a cap on the number of penalty notices issued to individuals at any given location may effectively create a de facto exemption from compliance with the Highway Traffic Act for that individual, in that location, for that period, which would be ultra vires of the municipality's jurisdiction.

- Additionally, it is important to note that when an offence has been committed under the administrative penalty system, a legal process has been engaged which includes the enforcement officer, screening officer, and hearing officer. Each of these actors have discretion and are required to independently exercise judgment in the performance of their required duties. City policies, provincial regulations and court decisions support the independent exercise of judgment and neutrality of these officials, including the City's Prevention of Political Interference Policy introduced under the Administrative Penalty System.

Conclusion

Limiting the number of ASE infractions an individual vehicle owner can receive prior to receiving their first notice presents considerable risks to the safety of Torontonians, particularly the most vulnerable road users such as children and older adults who are often present in Community Safety Zones. It also compromises the integrity of the ASE program, which has been proven to be successful at reducing occurrences of speeding in areas where the cameras are used.

CONTACT

Antonia Markos, Director, Permits and Enforcement, Transportation Services,
Telephone: 416-392-5209, E-mail: Antonia.Markos@toronto.ca

Kalli Y. Chapman, Deputy City Solicitor, Legal Services, E-mail:
Kalli.Chapman@toronto.ca

Cory Lynch, Director, Legal Services, E-mail: Cory.Lynch@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

Barbara Gray
General Manager, Transportation Services