



The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Legal Services and Regional Solicitor
Report: #2025-A-5
Date: June 10, 2025

Subject:

Administrative Penalty System for Contraventions Detected Using Camera Systems.

Recommendation:

That the Finance and Administration Committee recommends to Regional Council:

- A) That Council authorize the Commissioner of Legal Services and Regional Solicitor to take all necessary steps to establish a Regional Administrative Penalty System (APS) for automated speed enforcement offences and red-light camera offences laid under the *Highway Traffic Act*;
 - B) That the Commissioner of Legal Services and Regional Solicitor be authorized to execute any agreements as required to implement the APS with the Province and other entities;
 - C) That approval be granted for unbudgeted capital work in the amount not to exceed \$400,000 for the development of a case management system for the implementation of the APS to be funded at the discretion of the Commissioner of Finance;
 - D) That the Commissioner of Legal Services and Regional Solicitor reports back to Council when the system is ready for implementation; and
 - E) That all necessary bylaws be enacted to give effect to Council's direction.
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Report:

1. Purpose

- 1.1 This report seeks Regional Council approval to establish a new administrative penalty system for specific Highway Traffic Act violations to expedite dispute resolution, thereby supporting Vision Zero and enabling the expansion of the uses of cameras to address public safety, as well as alleviating pressure on judicial

resources in provincial offences courts. In addition, this report seek approval for unbudgeted capital work and related financing to develop a case management system for APS.

1.2 Report Highlights:

- In 2022, legislation was passed enabling the use of an Administrative Penalty system (APS) for vehicle-based contraventions captured by automated enforcement systems such as red-light cameras (RLC) and automated speed enforcement (ASE).
- The APS significantly reduces the time and resources required to process ASE and RLC enforcement contraventions, relieves court resources for these types of offences, saving POA court time for more serious cases.
- The APS program operates on a self-sustaining model, with funds collected covering operating and capital costs and the projected deficit created in the POA courts system resulting in the transfer of the Region's RLC and ASE revenues being redirected to the APS.
- It is anticipated that with a swifter and expanded dispute resolution process, there is a potential for incremental net funding that could be allocated to support Durham Vision Zero initiatives including the projected expansion of the camera-based program, promoting safer roadways and reducing traffic violations through efficient enforcement.

2. Background

- 2.1 The Region is responsible for POA Court Services and POA Prosecution Services for provincial offences. This means that the Region is responsible for administering and prosecuting all RLC and ASE charges as part of the Region's Vision Zero program.
- 2.2 In 2024, a total of 62,610 RLC and ASE violations were processed using the POA regime. This was based on the following operational cameras: twelve red light cameras operated by the Region, and twenty automated speed enforcement cameras operated by the Region, Ajax, and Pickering.
- 2.3 These measures have significantly enhanced public safety and deterred traffic violations. With an average resolution rate of 93%, the remaining disputed charges must be adjudicated in the POA Courts or diverted to APS. The funds generated, totaling \$5,123,999 for 2024, demonstrate the system's capability to sustain its operations and continue promoting public safety.
- 2.4 In 2022, the Province passed legislation that enables the use of administrative penalties for vehicle-based contraventions captured by automated enforcement systems (i.e., automated speed enforcement, red-light camera). Several other municipalities in Ontario, including Toronto, York, Vaughan, Newmarket, and

Waterloo, have already successfully launched their APS systems for camera-based offences. Additionally, several other municipalities are in the stages leading up to implementation, demonstrating the effectiveness and viability of this approach.

3. Previous Reports and Decisions

- 3.1 Confidential Report # 2024-A-15 Update on the Provincial Offences in the Office of the Chief Administrative Office-Legal Services.

4. Analysis

- 4.1 Staff recommends the establishment of a new APS to address Regional ASE and RLC offences. This system will alleviate the burden on judicial resources, allowing POA courts to focus on other serious POA and bylaw offences. With APS, the Region will have full control over the adjudication process of the penalty notices, including the number of screening and hearing officers appointed, in contrast to the reliance of provincial appointed judiciary to hear matters in the courts.
- 4.2 It will support the projected expansion of cameras by the Works Department to achieve the Durham Vision Zero program initiative in enhancing public safety, ensuring that there are sufficient resources to manage and adjudicate the offences. As detailed in the Financial Implications section, it is projected that the revenue generated from the fine payments will cover the system's capital and operating costs, projected net deficit in the POA courts system resulting from the reallocation of the Region's ASE and RLC fines and potentially provide additional funding for Durham Vision Zero program initiatives.
- 4.3 Alleviation of the POA Court System and Quicker Dispute Resolution Process
 - a. APS will divert thousands of charges away from the judicial system thereby averting a crisis within the POA Courts. There are three factors that have pushed POA Court in Durham Region to the edge of a precipice: 1) unprecedented strains caused by the COVID-19 backlog; 2) lack of judicial resources resulting in more than 50% of our courtrooms being closed; and 3) despite a steady reduction in site-specific charges related to ASE and RLC, the introduction of new cameras and a significant increase in police-issued charges have led to record-high charge volumes.
 - b. In addition, APS will significantly reduce the time and resources required to process ASE and RLC enforcement contraventions. It is an administrative process with set workflows, and the Region will have the flexibility to scale the program to meet its required needs by appointing more screening and hearing officers as needed. This will lead to quicker resolutions for contraveners and alleviates court resources for more serious cases creating greater efficiency and capacity in courts.

4.4 Support for Vision Zero and its Continual Growth

Currently, the Region's camera-based program is constrained by insufficient POA court resources to manage the adjudication process associated with the tickets. Although the Works Department has plans to expand the program, it is limited in its ability to do so. It is therefore paramount for the Region to look at alternative means to alleviate our court resource constraints.

4.5 Features of the proposed APS

- a. There are key similarities between the proposed APS and POA systems. Both apply the principle of owner liability, whereby the penalty order is issued to the registered owner of the licence plate. Additionally, in both frameworks, these contraventions do not result in demerit points and are not recorded on a driving record.
- b. The adjudication process is different between APS and POA courts system, such that APS is managed through a fully Region controlled process rather than the court process where the justices of the peace are appointed by the Province. If a contravener wishes to dispute an administrative penalty order, they can appeal to a screening officer employed by the Region, who has the authority to confirm, vary, or set aside (cancel) the penalty order. If the contravener is not satisfied with the screening officer's decision, they can further appeal to a hearing officer appointed by the Region, who also has the authority to confirm, vary, or set aside the penalty order. The hearing officer's decision is final.
- c. The amounts of the penalty notices are prescribed by the legislation and are comparable to the POA fines. There are prescribed payment periods, and the Region would be positioned to facilitate a swift and concise hearing process with screening officers and hearing officers. This approach ensures rapid payment collection.
- d. Final enforcement of penalty orders will mirror current plate denial practice. This means that if the contravener fails to pay their penalty order, the Region will notify the Ministry of Transportation, and the contraveners licence plate will go into plate denial. Their licence plate will not be automatically renewed without paying the amount owed (while the licence plate renewal fee was recently waived, licence plate renewals are still required).

4.6 Agreements with other Government Entities

- a. The Region has an established contract with the City of Toronto Joint Processing Centre, which employs provincial offences officers to review images and issue charges for our camera-based offences. This process will continue. Once we are ready, Toronto can transition to penalty orders from POA certificates of offence.

- b. To implement APS, the Region must also enter into agreements with the Ministry of the Attorney General and the Ministry of Transportation to access licence plate registration information for administrative penalty proceedings. These agreements also allow the Region to use the Defaulted Fines Control Centre (DFCC) to request the Registrar of Motor Vehicles to refuse vehicle plate renewals for unpaid penalties.

4.7 System Implementation

- a. The successful implementation of APS is contingent upon the development of a robust and scalable case management solution. This solution will enable seamless integration with existing systems and stakeholders, and include functionalities for screening or hearing scheduling, payment processing, ticket tracking, and remittance of the Victim Component in addition to other reporting requirements.
- b. Given the Region's extensive experience in managing POA courts, the Region is positioned to transition to this new platform. Approval of unbudgeted capital totaling \$400,000 is required to advance the development of the case management system. Led by a cross-departmental working group of Legal, Information Technology and Finance staff, it is anticipated that the system can be operational in 12 months.
- c. Additional details on the costs of an APS are detailed in the Financial Implications section of this report and approval for these costs will be sought through the Region's 2026 Business Planning and Budget Process.

4.8 Future Growth of the Program

- a. With Council's endorsement, it is anticipated that the Region will be positioned to launch the program in the third quarter of 2026. Following the initial implementation, we will explore subsequent phases of the project to identify opportunities for further collaboration and synergies with other departments, such as the 311 service. This approach will ensure a comprehensive and integrated system that maximizes efficiency and enhances service delivery.
- b. In addition to camera-related offences, the *Municipal Act* authorizes municipalities to use APS for various other bylaw offences. Once the APS system is fully operational, the Region can consider expanding the program to alleviate constraints on judicial resources within the POA court system for other offences. This expansion could include opportunities for local municipalities to adopt the Region's APS for local enforcement.

5. Financial Implications

- 5.1 Table One provides a preliminary estimate of the financial impacts to the Region of transitioning the adjudication of RLC and ASE offences from the current POA court system to an APS system. The table is comprehensive and includes all

costs of the ASE and RLC program including the Works Department costs for installing and managing the ASE, RLC devices, camera operating and maintenance costs as well as the costs for adjudicating the offences.

- 5.2 As illustrated in the table it is projected that the APS program will be self-sustaining, with funds collected covering operating and capital costs and the projected deficit created in the POA courts system resulting from the transfer of the Region's RLC and ASE revenues to the APS.

Table One

	2026	Forecast		
		2027	2028	2029
Ticket Revenue	(6,172,300)	(6,790,500)	(7,791,700)	(8,325,000)
Personnel Costs	952,400	1,726,200	1,783,000	1,838,500
Camera Operations	1,108,800	1,302,500	1,562,100	1,856,300
Joint Processing Centre	621,100	714,200	821,400	944,600
MTO and Banking Fees	553,100	925,100	1,046,900	1,056,200
One-time Cameras Set-Up Costs	100,000	-	200,000	200,000
Net Budget Impact of Reallocating Fine Revenue from POA	4,154,900	4,154,900	4,154,900	4,154,900
Reduction for Net Costs Included in Existing Works Budget	(2,111,000)	(2,111,000)	(2,111,000)	(2,111,000)
Investment in Vision Zero Initiatives	793,000	78,600	334,400	385,500
Net Projected Regional Budgetary Impact	-	-	-	-

- 5.3 The above preliminary forecast of the financial impacts to the Region of transitioning the adjudication of RLC and ASE offences from the current POA court system to an APS system incorporates the following key assumptions:

- a. A transition date of July 1, 2026, where camera related offences received after this date will be processed through the APS system. Offences received before July 1, 2026, will continue to be adjudicated through POA system after the July 1, 2026 transition.
- b. The staffing estimate includes the current Works staff complement that supports the existing ASE and RLC programs as well as the following additional staffing projected to support the APS system and the growth of the Region's camera program:
 - Manager APS (total 1 FTE)
 1. 1 FTE effective April 1, 2026
 - APS Screening Officers (total 3 FTEs)
 1. 2 FTEs effective April 1, 2026
 2. 1 FTE effective January 1, 2027
 - APS Clerks (total 4 FTEs)
 1. 2 FTEs effective April 1, 2026

2. 2 FTEs effective January 1, 2027

- Part-time Hearings Officer

1. 3 days per week – effective July 1, 2026

- Tech 2 (total 1 FTE)

1. 1 FTE effective July 1, 2026

- Project Manager (total 1 FTE)

1. 1 FTE effective January 1, 2027

Given current POA court volumes and workload there are not anticipated to be any Regional POA budgeted staffing adjustments resulting from this transition.

- c. The revenue and cost assumptions provide for the following projected growth in the number of Regional ASE and RLCs to support the Region's Vision Zero program:
- 2026 – 2 new ASE cameras with a July 1st activation
 - 2027 – 12 new RLC cameras with a July 1st activation
 - 2028 – 4 new ASE cameras with a July 1st activation
 - 2029 – 4 new ASE cameras with a July 1st activation
- d. The revenue estimates assumes that the Region's current processing caps of 75,000 ASE and 5,000 RLC charges remain over the forecast period. With other municipalities establishing their own Joint Processing Centre's these caps as well as the costs to the Region for their use of the Joint Processing Centre may change.
- e. With the transition of the adjudication of the ASE and RLC offences from the POA court system to an APS system, the associated revenues will be reallocated from the POA courts to the new APS program. With the removal of the revenue from the ASE and RLC offences from the Region's POA court system, the Region's POA budget will be in a deficit position. The current POA budget projects a minor net surplus. Any actual year end net surplus in the POA courts is allocated across all Durham local municipalities and the Region. This surplus has been inconsistent and minimal if at all since the start of the pandemic. With the recommended transition to an APS system, it is estimated that there will be no net surplus in the POA courts to share with the local municipalities. The above estimates reflected the net impact to the Region's portion of the POA budget and assumes that the Region will fund any deficit in the POA courts.

- f. Any net incremental funding from the transition of the adjudication of the Region's ASE and RLC offences from the POA court system to an APS system is projected to be reinvested in the Region's Vision Zero program to fund improvements in the Region's transportation infrastructure to create safer roads for drivers, pedestrians and cyclists.
- 5.4 The above estimates have been informed by current and projected ASE and RLC volumes, current operating and capital costs for the existing ASE and RLC program and the estimated costs of other municipalities implementing similar systems. These costs will continue to be refined through the development of the detailed implementation plan and will be included in the Region's 2026 Business Planning and Budget for Council's consideration.
- 5.5 To be in a position to successfully launch the APS program by July 2026, staff need to advance the development of a robust and scalable case management system. This system will need to integrate with existing systems and processes and include functionality for scheduling screenings and hearings, payment processing, ticket tracking, remittance of the Victim component of the penalty orders and other reporting requirements. Informed through the results of a recent Request for Information (RFI) and discussions with Information Technology, the estimated cost of developing and implementing this case management system is \$400,000 and is proposed to be funded at the discretion of the Commissioner of Finance. The initial development and implementation will not require additional IT staffing resources. Long-term requirements will be evaluated in alignment with broader enterprise system planning and any staffing requests will be considered as part of future planning and budget processes.

6. Relationship to Strategic Plan

- 6.1 This report aligns with/addresses the following Strategic Direction(s) and Pathway(s) in Durham Region's 2025-2035 Strategic Plan:
 - a. Connected and Vibrant Communities
 - C1. Align Regional infrastructure and asset management with projected growth, climate impacts, and community needs.
 - C4. Improve road safety, including the expansion and connection of active transportation networks to enhance the range of safe mobility options.
 - C5. Improve digital connectivity and multi-channel access to information, resources, and service navigation.
 - b. Strong Relationships
 - S5. Ensure accountable and transparent decision-making to serve community needs, while responsibly managing available resources.

6.2 This report aligns with/addresses the following Foundation(s) in Durham Region's 2025-2035 Strategic Plan:

- a. Processes: Continuously improving processes to ensure we are responsive to community needs.
- b. Technology: Keeping pace with technological change to ensure efficient and effective service delivery.

6.3 Durham Vision Zero – Strategic Road Safety Action Plan

- a. The automated speed enforcement and red-light camera initiative, introduced in 2020, supports Durham Vision Zero, aiming for no lives lost or serious injuries on Durham roadways. The APS, fully within the Region's control, will manage disputes more efficiently and effectively, promoting the success of Durham Vision Zero and alleviating constraints on provincial courts to better balance limited court space for other offences, including those laid by DRPS.

6.4 Service Excellence

- a. The administrative penalty system processes disputes faster than the provincial offences court, offering more online services to enhance customer experience, flexibility, and service hours. It ensures timely and fair dispute resolution, optimizes resources, supports efficient resolution and expedited payments, and demonstrates commitment to continuous quality improvement and transparent communication.

7. Conclusion

- 7.1 Staff recommend the establishment of a new APS to address camera-based infractions such as ASE and RLC, which will help support Durham Vision Zero, provide efficiencies and modernization of the customer experience and help alleviate the demands of the POA courts. It is projected that the incremental funding generated from this program will pay for the program expenditures, resulting shortfalls in the POA court system with any and additional funds being invested in the Region's Vision Zero program to fund improvements in the Region's transportation infrastructure to create safer roads for drivers, pedestrians and cyclists.
- 7.2 This report has been reviewed by the Works Department and the Finance Department, and the Commissioner of Finance concurs with the financial recommendations.

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Respectfully submitted,

Original signed by _____

Jason Hunt
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Recommended for Presentation to Committee

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