
AUTOMATED SCHOOL BUS CAMERA

TO: REGIONAL COUNCIL
FROM: WORKING GROUP FOR AUTOMATED SCHOOL BUS CAMERA
DATE: TUESDAY JUNE 2, 2020

The attached memo summarizes the discussion and recommendations from the Working Group developed as part of Resolution 2019-1134. The Working Group were charged with providing recommendations on how best to implement a Peel Region School Bus Stop Arm Camera Program.

The memo considers:

- The current state of legislation, policy, research and COVID-19
- Alternative approaches to the implementation of a program
- How additional information is needed as it relates to technology, agreements, processing, privacy and costs etc.

In summary, the recommended next steps are:

Whereas the Region of Peel recognizes the need to work collaboratively with stakeholders to support an increase in safety for children travelling to and from school, the Working Group recommends the following next steps:

- That Council support STOPR’s procurement process for the suite of modern school bus technologies with the option to leverage acquisition of hardware and software to provide for stop arm cameras that are compatible with STOPR’s selected technology.
- And further that council support the recommendations contained in the Working Group’s memo and that staff be directed to gather the additional information and report back to Council with options, scope and costs for a stop arm camera program.

These actions will support Regional Council in taking definitive steps towards implementation of a school bus stop arm camera program.

REFERRAL TO PUBLIC WORKS
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED _____

Peel Region School Bus Stop Arm Camera Update

Memo Highlights

The Working Group through its stakeholders (Regional Councillors, staff from Caledon, Brampton and Mississauga, Student Transportation Of Peel Region (STOPR), Peel Region Police, the Ontario Provincial Police and Region of Peel staff) were tasked under Resolution 2019-1134 to provide recommendations on how best to proceed with the implementation of a stop-arm camera program for Peel Region.

The Working Group has been committed to listening and gathering feedback from stakeholders in order to assess the needs of the community. The Working Group believes that the best way forward is to establish a “Made in Peel, No Child Left Behind” program using a qualified vendor that can assist in implementing a School Bus Stop Arm Camera technology program, and who supports the following broad criteria:

1. That will be a good corporate partner and participate in cost sharing where suitable, supporting the principle of a Municipal cost neutral position.
2. That has expertise in Stop Arm Camera/School Bus safety technology with a proven track record.
3. That can provide value-add services beyond the scope of hardware and software installation/support in both a pre-Administrative Monetary Penalty System (“AMPS”) and post AMPS program scenario.
4. That can provide a suite of technology capable of addressing the broader needs of community partners (STOPR, Law Enforcement, School Board) today and in future.

The recommended next steps are listed at the end of the document. To summarize, the Working Group supports STOPR proceeding with their procurement process for a suite of modern school bus technologies, allowing them to meet their commitment to the school community while Regional

staff build on the information and insights gathered through the Working Group in order to report back to Council with scope, costs and a timeline for program delivery.

These actions will support Regional Council in taking definitive steps towards implementation of a school bus stop arm camera program.

Background

School bus safety requires ongoing assessment and improvement which is currently a growing issue across Ontario. A school bus stop arm camera program would complement traditional Police enforcement to help make the roads safer for students. While School Bus travel still represents one of the safest transportation methods, more than 68,000 students travel across the Region of Peel every day.

On December 11, 2019, Regional Council adopted Resolution 2019-1134.
Which reads in part as follows;

Therefore be it resolved, that the Region of Peel supports the implementation of cameras on school buses to promote the safety of our students and their families.

And further, that Peel Region staff oversee the formation of a working group comprising the following membership:

- *one staff representative each of the City of Brampton, the Town of Caledon, the City of Mississauga, and the Region of Peel (4);*
- *one Regional Council representative each of the City of Brampton, the Town of Caledon and the City of Mississauga (3);*
- *one representative from Peel Regional Police and one representative from Ontario Provincial Police (OPP) (2);*
- *Representative(s) from STOPR (maximum of 3);*

And further, that through Region of Peel staff, this working group provide options and recommendations to the April 9, 2020 Peel Regional Council meeting, on how best to proceed with the implementation of a stop-arm camera program for Peel Region;

And further, that a copy of this resolution be sent to all Ontario upper-tier municipalities, the Premier of Ontario and the Minister of Transportation.

Supporting the Motion

The Working Group, working collaboratively, were charged with the task of providing recommendations on how best to implement a Peel Region School Bus Stop Arm Camera Program. Over the course of 4 meetings - January 13, February 10, March 9 and April 27 - listening to the concerns of our Municipal, Law Enforcement and STOPR partners, the Working Group sees an opportunity for the Region of Peel to be Provincial leaders in innovation in school bus safety.

Current State

Stop Arm Camera Pilot Projects

In 2016, six municipalities launched pilot programs utilizing Automated School Bus Cameras across the province. These pilot programs have provided data recorded in Total Per Bus Per Day (TPBPD) incidents. Using the pilot data, the Region of Peel estimates between 150,000 to 500,000 School Bus Stop Arm offences per year.

The Cannabis Road Safety Amendment Act

On December 12, 2017, the Province passed Bill 174 – “Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017” which amends the Highway Traffic Act to include new sections requiring drivers to stop when a school bus has its overhead red signal-lights flashing or its stop arm actuated. The amendment also provides for the use of automated school bus camera systems and evidence obtained from such systems.

The Getting Ontario Moving Act

In June 2019, as part of the *Getting Ontario Moving Act, Bill 107*, received royal assent but is awaiting proclamation. This bill would allow for a future

Administrative Monetary Penalties System (AMPS) to be developed. The AMPS program would reduce the burden on the court system, allow expedited processing and potentially move much of the administrative control to Municipalities. AMPS is scheduled to be implemented between 2021 to 2023, although advocacy on the part of Council and stakeholders is required to make this a priority and potentially expedite timelines.

Under the current Court regime, a person receives a *Provincial Offences Act* (POA) ticket for failing to comply with a municipal by-law. A person wishing to dispute the ticket, does so via a Justice of the Peace in Court. Under an AMPS program, a person receives a penalty notice rather than a POA ticket, and a person who wishes to dispute a penalty notice can request a review by a Screening Officer. The Court's adjudication role is no longer required when an AMPS program is implemented which offloads the requirements of Courts and Justice of the Peace in the Court system. However, there may still be a burden placed upon Courts administration depending on the regulations.

Efficiencies gained using expedited processing through an AMPS (rather than the Provincial Offences Act) could allow Peel to implement a school bus stop arm camera program on a broader scale, with reduced reliance on the court system.

Current Provincial Policy

Legislation pertaining to the use of stop arm cameras and enforcement of infractions is quickly evolving in Ontario. Changes to the *Highway Traffic Act* (proposal 20-MTO028) are currently under review. The outcome of these decisions will affect how stop arm camera programs can be enforced in Ontario.

Response to COVID-19

COVID-19 has changed the way all sectors operate in effort to prevent the spread of the virus.

Provincial safety guidance for reopening schools and resuming student transportation are pending. Safety guidance may include infection prevention and control recommendations related to physical distancing, passive and/or active screening, staggered arrival and departure times, personal protection measures such as hand washing, face covering/masking,

and cleaning and disinfection protocols. It important to note that 70% of school bus operators in the Province are over the age of 60, and the risk of COVID-19 complications increases with age. Health and safety guidance would be applicable to students and school operators, as well as bus operations, transit worker.

There are budget considerations of implementing additional health and safety measures on student transportation. As a cost-saving alternative to adding more buses to the fleet, more routes at staggered departure and arrival times could be an option, however, this may require onboard transportation technology to run a coordinated and seamless operation.

Approach

Phased Approach vs Full-Deployment

The Working Group explored limited deployment program options and investigated other jurisdictions to review what technology and processing was utilized. As an example, a six-bus program is currently running in Ottawa. This approach involves rotating buses on routes, based on identified high occurrence areas. STOPR supports a full fleet deployment in order to maximize safety impacts.

Recommendation: That a report be directed to Council on the scope and costs associated with phased and/or full deployment of the program, considering evolving AMPS legislation and related enforcement efficiencies.

Technology that grows with Peel/Technical Scope

STOPR has indicated they intend to procure enhanced technology in buses that can drive efficiency and safety for students and operators alike. Internal cameras, a parent app and driver substitution tablets are all part of a suite of technology that would modernize student transportation.

Recommendation: That the Region of Peel seek opportunities for partnership with STOPR and support their procurement process, with the goal of providing options for the future implementation of stop arm cameras compatible with STOPR's procured technology suite. This approach allows STOPR to procure a suite of school bus technology in time for the 2020 school year, addressing potential COVID-19 concerns, and at the same time

ensures the Region of Peel can pursue options for a stop arm camera program that provides best results for students and families in Peel.

Agreements

The Working Group have identified a number of agreements that will need to be developed and approved to successfully implement this program. At minimum, agreements would need to be in place between the Region of Peel and the following:

- Technology vendor
- Ministry of Transportation of Ontario
- City of Mississauga
- City of Brampton
- Town of Caledon
- Peel District School Board
- Dufferin-Peel Catholic School Board
- School Bus Consortium (Student Transportation of Peel Region)

In some cases, secondary agreements (STOPR and school bus operators) and/or amendments to current contracts may be required in order to put new agreements in place.

Should Council choose to proceed with a school bus stop arm camera program, the Region of Peel would play a role in facilitating agreements and would require support from legal representatives from all parties. Development of agreements is a necessary, albeit time consuming part of any implementation process.

Court Capacity/Managing Inflow

Currently under the Provincial Offences Act (POA), there is a heavy administrative burden on Municipalities with respect to courtroom capacity, judicial resources and the associated costs. The Working Group acknowledges that the capacity of the courts is one of the largest constraints of the Automated School Bus Camera program. The City of Mississauga and City of Brampton suggests current staffing requirements for court services require 1 Full Time Employee per 5000 charges; however, this will vary by municipality. The Police are supportive of the program but have indicated they do not have resources to assist with the processing.

With fully automated processes, there is still a need for court staff to process payments and collections. Based on the projected volume of infractions, charges will quickly exceed court capacity.

Processing violations under AMPS may reduce the processing burden within the court system. However, current legislation does not permit the use of AMPS for stop arm camera programs, and further, more information is needed to verify the applicability of AMPS for this program.

Revenue and Cost Assumption

As school boards and municipalities strive to be fiscally accountable, the Working Group prefers a program that balances cost with outcomes and explores ways to limit financial risk and capital expenditures. Currently the Ontario Court of Justice, is charging \$490 for a Stop Arm Offence fine.

The Region of Peel does not recover any monetary funds from tickets generated from the Red Light Cameras or the upcoming Automated Speed Enforcement program. Currently both of these programs are processed under POA and all monies collected are allocated to the local municipalities and their respective courts.

For a stop arm camera program using the POA, monies collected would also be allocated to the local municipalities. However, under current legislation, any monies collected through an AMPS program would be allocated to the province.

Ontario Traffic Council has submitted comments on behalf of all Municipalities in Ontario in support of moving towards AMPS from the current POA system for school bus stop arm offences.

Depending on the operating model selected, revenue generated may partially offset any operating costs. Staff will review costs and funding requirements to support the Region, Municipalities and School Boards (STOPR).

Recommendation: That Councillors and staff be directed to write to the Ministry of Transportation to request legislative amendments for the use of

an Administrative Monetary Penalty System for Automated School Bus Cameras, and that revenue from Automated School Bus Cameras penalties be directed to municipalities.

Processing Centre/Cost Sharing

In order to process the School Bus Arm offences, the Region of Peel will review the requirements of a Joint Processing Centre with its local partners.

Staff will explore other efficiencies and options for processing, including Regional ownership of a Processing Centre, should other Municipalities adopt similar programs and want to share in processing costs. This could potentially include processing of Red Light Camera and Automated Speed Enforcement offences once the methodology for charge documents (POA vs AMPS) has been determined.

Recommendation: Explore the feasibility and cost of developing a joint processing centre.

Privacy and Compliance

Privacy concerns must be respected and a full privacy analysis, to ensure compliance with relevant privacy legislation, is a priority with this program. Confidential information (recordings of individuals) will need to be stored and safeguarded under strict guidelines.

Recommendation: All stakeholders must assess and address potential confidentiality and privacy concerns prior to finalizing agreements.

Education

Part of any successful Program is community buy-in that starts with a robust and comprehensive public education campaign. The Peel Region school bus stop arm camera program would be no different. The Region of Peel has historically conducted road safety engagement and education. In order to maintain consistency, the Region of Peel should continue its education campaign oversight in a school bus stop arm program. It would require education about what stop arm cameras mean to the general public, parents, students and school boards.

Recommendation: As part of implementation, explore timelines and cost-effective, collaborative methods for delivery of ongoing education.

Legal

Camera technology will need to meet regulation requirements and court evidentiary rules. The Working Group has heard concerns regarding continuity of evidence and ensuring the technology is working properly. There is proposed legislation that will allow for standalone evidence without a witness. Presently there would be a requirement for testimony of various parties including provincial offences officers while the Province finalizes regulations that permit certificate to be entered into evidence without the requirement of testimony.

Recommendation: Continue to monitor and provide comment, where possible on developing legislation related to automated stop arm cameras.

Recommended Next Steps

Whereas the Region of Peel recognizes the need to work collaboratively with stakeholders to support an increase in safety for children travelling to and from school, the Working Group recommends the following next steps:

- That Council support STOPR's procurement process for the suite of modern school bus technologies with the option to leverage acquisition of hardware and software to provide for stop arm cameras that are compatible with STOPR's selected technology.
- And further that council support the recommendations contained in the Working Group's memo and that staff be directed to gather the additional information and report back to Council with options, scope and costs for a stop arm camera program.