

Our File/N/Réf.           **50 20-98-0001 / 02-98-0026**  
Your File/V/Réf.

<p><u>Information Previously Distributed</u> To be Listed on the Transportation Committee Agenda           18 Mar 98</p>
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DATE                           12 February 1998

TO/DEST.                    The Chair and Members of Council

FROM/EXP.                 Environment and Transportation Commissioner

SUBJECT/OBJET           **RED LIGHT CAMERAS**

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As notified previously, the RMOC is part of a sub-group of the Regional Engineers Association working on red light camera installation in Ontario.

As part of this effort, the Region of Peel will be installing a red light camera (non-enforceable) to obtain information on violations.

The cost is \$80,000 for a camera which needs a \$20,000 housing. To avoid motorists "spotting" the installation additional housings are installed and the camera is moved to the various locations.

The Region of Peel will provide the results on this pilot study to all Regional Engineers Association members.

Attached is an information sheet used by Metro Toronto (now Toronto) Transportation on monitoring of red-light violations at traffic control signals.

*Approved by*  
*M. J. E. Sheflin, P. Eng.*

MJES/clc

Attach. ( 1 )

cc:    M.J. Woollam, Regional Clerk  
      J. Yelle-Weatherall, Director Finance and Operations Support Division  
      L. Lavoie, Acting Director Information and Public Affairs



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# METRO MEMO

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December 18, 1997

**To: Members of Planning and Transportation Committee**

**From: Douglas P. Floyd**

**Re: Monitoring of Red-Light Violations at Traffic Control Signals**

There have been a number of reports and discussions about red-light cameras by your Committee and Council over the past year.

A number of similar questions and concerns have arisen and therefore we have compiled the following list of frequently asked questions to facilitate and clarify further consideration of this matter.

1. Why use photo technology for intersection traffic enforcement?

Enforcement of traffic regulations leads to greater compliance and hence safety. The use of photo technology will allow Police resources to be utilized elsewhere without reducing the level of intersection enforcement.

2. Why is photo enforcement of intersections different from photo radar?

There is a direct relationship between traffic signal violations and accidents which is readily recognized by the public. On the other hand, photo radar was used primarily on rural expressways where the public had difficulty drawing a relationship between speed and safety.

3. What is photo enforcement of traffic signal violations?

A red-light camera is a traffic enforcement device that automatically photographs licence plates of vehicles that proceed through intersections against a red light. The enforcement system is installed on poles at problem intersections to help increase signal compliance, thereby reducing the number of collisions, injuries and fatalities. Red-light cameras were first introduced in the 1960's and today there are over 2,500 units in

operation around the world.

A red-light camera system is comprised of a camera/computer unit, protective housing, and subsurface detection loops installed near the stop bar at a signalized intersection. The system is also connected to the traffic signal controller. When the light is red, the detection loops are "live" and any vehicle passing over them triggers the camera, which photographs the rear of the offending vehicle. The film is then processed and tickets are issued.

4. Why photograph the licence plate and not the driver of the vehicle?

Photographing vehicle drivers raises significant privacy issues and is a more intrusive process than photographing a licence plate. An individual's photograph discloses approximate age, race and gender and is considered personal information under the Municipal Freedom of Information and Protection of Privacy Act (the Act). There is a statutory requirement under the Act to take reasonable steps to ensure the personal information on which we rely is both accurate and up to date. For this reason, reliance on photographs would require accurate identification processes to ensure the vehicle driver and the photograph of the driver were one and the same.

Driver's licence photographs are taken every five years and comparison of a current photograph, taken in less than ideal circumstances, to the licence photograph may be a very unreliable means of establishing identity. Identification requires collection, retention, use and disclosure of this personal information to the vehicle owner, and a subjective judgement as to the identity of the driver. Collection and disclosure of personal information to establish identity in this manner is a privacy intrusive process, the accuracy of which is open to question.

There are statutory requirements and additional costs associated with utilization of a photograph in the process and management of the personal information. In addition, any individual who believes his/her privacy has been invaded has a right to make a formal complaint to the Information and Privacy Commission (the Commission) and the complaint will be investigated. The Commission has the authority to order an institution to cease a collection practice found not to be in compliance with privacy legislation. Considering the intrusiveness of the process, the sensitivity of the personal information and the issue of accuracy, collection of drivers' photographs may be determined an unjustified invasion of privacy.

In addition to the "Protection of Privacy" issues, there are some practical issues to be considered. Any system which necessitates a manual comparison of photographs for the

purposes of identification will give rise to evidentiary issues such as the need to qualify the person doing the identification as an expert recognized by the court. As well, in those cases where the driver's licence photograph is insufficient or unavailable, methods of proof which currently are only employed in the most serious of criminal trials would have to be undertaken.

The installation of a second set of cameras will almost double the cost of the introduction of a red-light camera system. This additional cost will significantly reduce the economic viability of any "red light monitoring/enforcement" pilot project if the intent is that the revenue realized from payment for violations is to cover all costs associated with installing, operating and maintaining the red-light monitoring/enforcement system.

5. Where is the photo enforcement of traffic signal violations used at present?

The red-light camera system is used in:

- Germany
- Netherlands
- Norway
- Sweden
- Switzerland
- Singapore
- Australia
- United Kingdom
- New York City.

The following municipalities have shown a keen interest in the application of red-light cameras:

- Regional Municipality of Ottawa-Carleton
- City of Mississauga
- Regional Municipality of Peel
- City of London
- City of Sudbury
- Burnaby, B.C.

6. Why is new legislation required?

Without legislation, the collection of personal information obtained through the taking of photographs of licence plates would be a violation of the Municipal Freedom of Information and Protection of Privacy Act. Similar to the photo-radar legislation, the

legislation would provide for the serving and filing of notices and evidence, so that administrative burdens such as proving each photograph in court would not have to be incurred. The legislation would provide that the owner of the offending vehicle would be responsible for the payment of the fine, similar to parking violations.

7. How will the equipment be paid for?

Our proposal is for a competitive tendering process involving manufacturers and suppliers of red-light camera systems. There would be no direct investment by the municipality. The system installation, maintenance and operating costs would be recovered from the revenues generated by the ticket process. Metro and the Province are negotiating (pursuant to Bill 108) the administration of provincial offences prosecutions which would allow funds to flow to the municipality, a portion of which could be used for this purpose.

8. Isn't it inappropriate to charge the owner, not the driver?

The default provision in the Highway Traffic Act is that owners are charged for offences. The exceptions are for offences such as seatbelt violations, and most rule of the road infractions. A non-driving owner who is convicted of a red light violation through the use of a camera enforcement system would be in much the same position as if the conviction were for a parking violation. The fine may be higher but it is proposed that there will not be an assessment of demerit points. On balance, the benefit to public safety should outweigh what some might perceive as unfair. The owner of a vehicle can always seek compensation from the actual driver, as would be the case under car rental agreements.

DCK/wlo  
Direct Line: D. P. Floyd  
392-8300

