



Member Motion

Section 5.4.4(b) of Procedure By-law

Meeting: Committee of the Whole

Meeting Date: January 23, 2017

Subject/Title: Amendment to Bill 65 and *Highway Traffic Act*

Submitted by: Regional and Local Councillor Spatafora

Whereas the Legislature introduced Bill 65, *Safer School Zones Act, 2016* (Bill 65) on November 15, 2016 to appeal the existing photo radar provisions of the *Highway Traffic Act* (HTA) and replace them with provision for automated speed enforcement;

And Whereas Bill 65 would allow municipalities, by by-law, to implement and operate automated speed enforcement in community safety zones and school zones on roads under their jurisdiction;

And Whereas municipalities would be responsible for the implementation and operational costs of automated speed enforcement on roads under their jurisdiction;

And Whereas the by-laws designating community safety zones and school zones or implementing the automated speed enforcement would be enacted under the HTA and would create HTA offences;

And Whereas HTA offences are administered through the *Provincial Offences Act* courts and any HTA fine revenue collected through the POA courts would be retained by the POA court program not the local municipality;

And Whereas the *Municipal Act, 2001* authorizes municipalities to implement an administrative monetary penalty system for parking and licensing bylaws, and Bill 68 *Modernizing Ontario's Municipal Legislation Act, 2016* proposes to expand authority for administrative monetary penalties to other municipal bylaws;

And Whereas penalties for offences arising out of enforcement through technology such as automated speed enforcement and red light cameras can be administered effectively and efficiently through an administrative monetary penalty system;

And Whereas legislative amendments to the HTA are required to authorize enforcement of automated speed enforcement through administrative monetary penalties rather than POA courts;

Therefore Be It Resolved:

- a) That Council for the Town of Richmond Hill requests the Government of Ontario to amend the *Highway Traffic Act*, and implement any other legislative, regulatory or administrative changes required, to permit municipalities to administer automated speed enforcement and other technology based enforcement of offences through administrative monetary penalties (“AMPs”);
- b) That a copy of this resolution be sent to the Attorney General of Ontario, the Minister of Municipal Affairs and the Minister of Transportation.

Moved by: Regional and Local Councillor Spatafora
