Council Direction:

At the City Council Meeting on April 25, 2007, Council added the following direction to a report respecting the extension of the Red Light Camera Program:

“That staff be directed to investigate and report back to the Public Works Committee on available Provincial equipment for use on Hamilton streets.”

The intention of this direction was to look into the availability of equipment for implementing photo radar in Hamilton.

Information:

In February of 2005, the Ontario Traffic Conference wrote to the then Minister of Transportation, the Honorable Harinder Takhar, offering to lead a process of introducing photo radar to municipalities in a manner similar to that of the Red Light Camera Project. The Minister’s response was that automated speed enforcement falls under Provincial jurisdiction and that the Minister of Transportation was waiting for comments from many municipalities as to their final positions regarding photo radar. In the meantime, the Minister indicated that he was in favour of roadway safety overall and was continuing to work with municipal partners. No further action from the province resulted from the Ontario Traffic Conference initiative.

Staff recently contacted the Ministry of Transportation for a formal position. Following is the position as stated:

“MTO is not considering the introduction of photo radar at this time. It has been the Ministry’s experience that the problem of inappropriate driver behaviour requires a broader approach that includes legislation, driver education and supporting the enforcement efforts of Ontario’s Police Services”.

The enabling legislation for photo radar continues to be in place in the Highway Traffic Act. However, the key element, that of the specific locations for which photo radar is
permitted, has been removed and with that municipal authority to conduct photo radar enforcement.

Even if the City were to acquire photo radar equipment for the purpose of simply providing warnings to motorists, the Ministry of Transportation is required, as part of the process, to identify the registered owners of vehicles which are captured by automated enforcement. It is clear that they would not be supportive of such an initiative.

As such, staff have not further investigated the availability of equipment since there is no possibility to implementing photo radar on either a formal or informal basis in Hamilton, at this time.

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Jim Harnum
Acting General Manager
Public Works