

# **Administrative Monetary Penalties for Vehicle-Based Infractions Captured by Automated Cameras**

## **Proposed Regulatory Framework**

### **Overview - Administrative Monetary Penalties (AMPs)**

Administrative Monetary Penalties provide an alternative lower cost solution for adjudication that would lower the barrier to entry for camera-based programs. This proposed regulatory framework also provides an alternative adjudication arrangement where a municipally-designated employee can adjudicate the offence rather than a Justice of the Peace (using the court system), with an AMP being issued by the individual municipality, rather than a ticket using the *Provincial Offences Act* (POA) authority. This model has been successful in parking where many municipalities transferred over parking adjudication from Part 2 POA tickets to AMPs.

Some key characteristics of the proposed program may include:

- The AMP framework will be opt-in and municipalities will not be forced to adopt this framework. Its intent is to provide a cost-savings opportunity for municipalities to reduce the burden associated with administering automated camera-based infractions. However, if municipalities wish to continue to rely on their existing courts to process offences, they may do so.
- The amount of the AMP is to be similar to the existing POA fine equivalents to avoid disparity between offenders from different jurisdictions. For existing offences that do not have a set fine equivalent, the Ministry will apply a AMP similar to the existing legislated penalty.
- Individuals wishing to dispute the AMP may do so through a person designated by the municipality, rather than the conventional court process. This may reduce the wait times for the resolution of the matter, saving time for courts to focus on more serious offences.
- Provincial Offences Officers who issue POA tickets for automated programs will also continue to issue AMPs to maintain a level of integrity in the program.
- AMPs will not be applied to any driver record, nor will any demerit points be assigned.
- Municipalities will be able to administer fees for processing appeals.
- Individuals who do not pay their AMP, like any other traffic ticket, will have their plate go into denial and won't be able to renew until payment is received.

- Like ordinary traffic tickets, these AMPs will also have a victim component added proportional to the fine to ensure continued funding of victim programs.
- This program will mirror a lot of elements from the previously successful parking AMP program where interested municipalities could choose to adjudicate parking infractions outside of court and through an AMP framework under the authority of Ontario Regulation 333/07.

## **Regulatory Changes**

The *Getting Ontario Moving Act, 2019*, granted the authority to create a regulatory scheme for AMPs for vehicle-based infractions. This authority can be found in the un-proclaimed s.21.1 of the *Highway Traffic Act*.

To support the implementation of AMPs the ministry is proposing to introduce a new regulatory framework for AMP programs under the authority in Highway Traffic Act section 21.1. The new regulation would create a framework that would allow municipalities to opt-in to an AMP model for vehicle-based infractions captured by automated cameras. Municipalities could continue to utilize the POA framework for all or some of their camera-based offences if they choose to do so.

The overarching goal of the government's regulatory AMPs framework for vehicle-based infractions captured by automated cameras is to enhance road safety in municipalities across the province and reduce court burden.

We look forward to hearing your feedback.