

Ministry of
Transportation

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transportation

Ministère des
Transports

Bureau de la ministre

777, rue Bay, 5^e étage
Toronto ON M7A 1Z8
416 327-9200
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His Worship Fred Eisenberger
Mayor
City of Hamilton
71 Main Street West, Second Floor
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger:

Thank you for your letter forwarded by the Honourable Doug Ford, Premier of Ontario, informing us of the City of Hamilton's endorsement of school bus cameras. I appreciate the opportunity to respond.

The safety of all road users is a priority for my ministry—especially the safety of our children travelling on school buses. I want to assure you that school buses are among the safest ways for children to travel. Research shows that riding on a school bus is 16 times safer than travelling in the family car. That being said, my ministry is constantly looking for new ways to make Ontario's roads safer.

With respect to school bus stop-arm cameras, I would like to thank the City of Hamilton for supporting the implementation of this technology to better hold drivers accountable for breaking the school bus stopping law—Section 175 of the *Highway Traffic Act* (HTA).

As you may be aware, on December 12, 2017, the government passed the *Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act*, which:

- Allows the province to create specialized evidentiary rules that would clarify what evidence could be used to prove a driver improperly passed a stopped school bus without the need to have a witness present in court.
- Will expand the current school bus passing offence to include when the stop arm is actuated (in addition to the existing overhead red lights flashing requirement).

These changes will come into effect once a regulatory framework for school bus stop-arm camera offences not requiring a witness is created by the province. I will make sure the City of Hamilton is invited to any future consultations undertaken for the development of this regulation.

It is also important to know that the program will be voluntary and administered solely by municipalities in cooperation with school boards. The province feels municipalities and school boards are in the best position to determine what tools they need to develop and administer the program.

Specifically, the province would be looking for municipalities and/or school boards to:

- Identify the preferred technology they would like to use
- Procure the needed equipment
- Enter into agreements with the province and school bus technology vendor
- Set up a framework for the processing of offence notices.

The province will be responsible for:

- Developing regulations to govern the rules of evidence for school bus stop-arm cameras to be admitted in court without a witness.
- Entering into agreements with participating municipalities and/or school boards to provide plate registrant information.

Once regulatory amendments are in place, it will be up to municipalities and/or school boards to decide whether or not they will pursue the implementation of a school bus camera framework within their own jurisdictions. To ensure consistency across the province with respect to technology and processing of offences, we would strongly encourage all interested municipalities and school boards to work together to identify preferred camera systems and a common approach to offence processing.

In addition, the *Getting Ontario Moving Act* was passed on June 4, 2019, which provides the authority for municipalities to participate in administrative monetary penalty programs for vehicle based offences under the *Highway Traffic Act* such as improper school bus passing. An AMP framework would allow municipalities to establish an administrative process where school bus passing offences captured by a camera system could be appealed to a municipal clerk or tribunal instead of through the court system. If approved, my ministry will develop the supporting regulations to enable this AMP system. Again, adoption will be voluntary.

Thank you again for informing us of the City of Hamilton's endorsement of school bus cameras. I look forward to working with the City of Hamilton on this important issue. Ontario's Government for the People is committed to giving Ontarians a direct say in how we can improve the effectiveness and efficiency of provincial programs and services.

Sincerely,



Caroline Mulroney
Minister of Transportation

c. The Honourable Doug Ford, Premier of Ontario