



## Resolution 2015-02

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### Licence Plate Covers and Frames

Approved at the 64<sup>th</sup> Annual General Meeting, June 17<sup>th</sup>, 2015

**Preamble:** License plate frames and covers, particularly those that include advertisements, often obstruct the licence plate alpha-numeric number and or licence plate jurisdiction thereby impacting law enforcement activities.

**WHEREAS** the Government of Ontario created legislation and amended the Ontario Highway Traffic Act (HTA) to permit the use of red light camera systems to assist in the enforcement of section 144.18.1 (red light). Red light camera systems have proven to be effective at reducing red light running and collisions attributed to red light running, which result in injury. For example, collision data analyzed by City of Toronto staff indicates that collisions attributed to red light running have decreased by approximately 60 percent following the operation of red light camera systems, and

**WHEREAS** red light camera systems have been in operation since the pilot project began on November 20, 2000. As of January 1, 2015, 194 red light camera systems are operated in seven municipalities in the province of Ontario. The Regional Municipality of York implemented 18 red light camera systems in 2013 and another 2 in 2014. The Cities of London and Kingston are looking at starting red light camera programs in 2017, and

**WHEREAS** the governing legislation requires designated Provincial Offences Officers to identify the owner of the vehicle, which violates the provisions of HTA 144.18.1 through matching the photographic evidence, in particular the licence plate attached to the offending vehicle with the Ontario Ministry of Transportation motor vehicle registration database. In order for the Provincial Offences Officers to complete a Certificate of Offence, the photographic evidence generated by red light camera systems must capture the licence plate in sufficient clarity that the identification of the vehicle owner leads to a successful prosecution should the charge be challenged at trial. Since the photographic evidence is supported by certified statements only, the licence plate portion of the photographic evidence must clearly include each alpha-numeric character of the licence plate number and the jurisdiction of the licence plate, and

**WHEREAS** licence plate frames and covers can obstruct the licence plate jurisdiction and on occasion, obstruct the alpha-numeric character of the licence plate number in the photographic evidence produced by red light camera systems. Between 2011 and 2014, Provincial Offences Officers identified over 92,000 events captured by red light camera systems where the clear identification of the licence plate jurisdiction and or

alpha-numeric characters was obstructed by licence plate frames and covers. (2011-25,188, 2012- 26,149, 2013- 19,795, 2014-21,379), and

**WHEREAS** motor vehicle dealers and repair establishments commonly use licence plate covers and frames to advertise their products and services. Both police officers and red light camera enforcement officers have noted that licence plate frames and covers appear to be increasing in popularity as does the amount of advertising text on the licence plate frames and covers, and

**WHEREAS** the construction and the effects of licence plate frames and licence plate covers differ. Some licence plate frames cover only the perimeter of the licence plate and are attached by the hardware, which attaches the licence plate to the vehicle. The width of the licence plate frame varies, as does the amount of advertising text. These licence plate frames commonly obstruct the licence plate jurisdiction but not the alpha-numeric licence plate number. Other licence plate covers are transparent or coloured material, which fully covers the licence plate.

The advertising text, which is quite popular on this type, is not restricted to the perimeter area of the licence plate. This type of licence plate cover can create a glare situation when photographed and the licence plate cover often traps dirt between the licence plate and the cover, which significantly impacts the visibility of the licence plate jurisdiction and or licence plate number. Automated enforcement cameras are designed and configured to photograph vehicles in motion. Consequently, the camera shutter speed is set high (1/1000 of a second) to produce a photographic image is clear.

To overcome the glare and trapped dirt, resulting from licence plate covers, the shutter speed of the enforcement camera would need to be reduced. Such camera setting alterations would result in blurred images, unsuitable for enforcement purposes.

**THEREFORE BE IT RESOLVED** that the Ontario Association of Chiefs of Police calls on the Government of Ontario to amend Section 13 of the Ontario Highway Traffic Act, R.S.O. 1990, Chapter H.S. as follows:

**13. (2)** Every number plate shall be kept free from dirt, and obstruction and shall be affixed so that the entire number plate, including the numbers and jurisdiction, are plainly visible at all times, and the view of the number plate shall not be obscured or obstructed by attachments, spare tires, bumper bars, any part of the vehicle, any attachments to the vehicle or the load carried.

**(3)** The number plates shall not be obstructed by any device attached to the licence plate that prevents the entire number plates including the numbers and jurisdiction from being photographed using a photo-radar system.

**(3.0.1)** The number plates shall not be obstructed by any device attached to the licence plate that prevents the entire number plates including the numbers and jurisdiction from being photographed using a red light camera system.

**(3.1)** The number plates shall not be obstructed by any device attached to the licence plate that prevents the entire number plates numbers and jurisdiction from being completely photographed by an electronic toll system.

**(4)** Every vehicle owner who contravenes subsection (2), (3), (3.0.1) or (3.1) is guilty of an offence, and

**BE IT FURTHER RESOLVED** that the Ontario Association of Chiefs of Police calls on the Government of Ontario to amend Section 13 of the Ontario Highway Traffic Act, R.S.O. 1990, Chapter H.S. to prohibit any attachments to the licence plate and establish the vehicle owner, who contravenes this section of the Highway Traffic Act as being guilty of an offence, and

**BE IT FURTHER RESOLVED** that the Ontario Association of Chiefs of Police recognizes that implementation of the amendment could result in the potential following impacts: increased enforcement of the provisions of section 144 (18.1) of the Ontario Highway Traffic Act, R.S.O. 1990, Chapter 8, increased traffic safety resulting from further reductions in red light running, and that motor vehicle dealers, repair establishments, and other advertisers will be required to develop alternative means of advertising their products and services.

Submitted April 23rd, 2015 by Superintendent Gord Jones and Chief Superintendent Chuck Cox, Co-Chairs, OACP Traffic Committee