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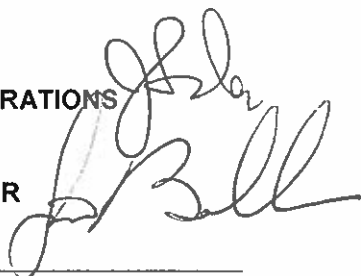
**TO:** GENERAL COMMITTEE

**SUBJECT:** Ministry of Transportation Agreement – Electronic Data Access

**PREPARED BY AND KEY CONTACT:** R. MONKMAN, DEPUTY FIRE CHIEF, EXT 3264

**SUBMITTED BY:** J. LYNN, FIRE CHIEF 

**GENERAL MANAGER APPROVAL:** J. SALES, GENERAL MANAGER, COMMUNITY OPERATIONS 

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** JON M. BABULIC, CHIEF ADMINISTRATIVE OFFICER 

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**RECOMMENDED MOTION**

1. That the Mayor and City Clerk be authorized to execute the Authorized Register Agreement (ARIS) with the Ministry of Transportation for Electronic Data Transfer Migration to the Internet, for the purpose of invoicing associated with motor vehicle accident response, at a onetime set up fee of \$250 and \$12.50 per transaction.
2. That the Deputy Fire Chief, Manager of Operations, be authorized to renew the ARIS agreement on an annual basis.
3. That when passed, the 2011 Fees By-law be amended to include an administrative charge of \$17.20 to any invoice issued under Schedule "G".

**PURPOSE & BACKGROUND**

4. The Ministry of Transportation maintains computer databases containing information pertaining to vehicle registration including the address of the vehicle owner.
5. The City has historically received information regarding employee driver abstracts through ARIS, for a number of years. ARIS is an electronic system used by the Ministry of Transportation to receive licensed information requests and send responses to authorized requesters and maintain client profiles.
6. In 2009 Barrie Fire & Emergency Service (BFES) recommended to Council that beginning in 2010, they begin invoicing for services provided at motor vehicle collisions in the City, within the Fees Schedule "G" such as presently done for incidents on Highway 400.
7. The driver of the vehicle responsible for causing the accident was subsequently invoiced based on the information provided by Barrie City Police. The Ontario Provincial Police provide the vehicle information for incidents on Hwy 400.
8. Barrie Fire and Emergency Service is initiating a full cost recovery for all eligible fees under the Fees By-law including staff time to prepare invoices.

**ANALYSIS**

9. As a provision of the Ontario Government, fire services in the Province have been permitted to invoice for services provided on any of the Queens Highway's, with an estimated revenue

generation for BFES of \$75,000 per year. The services provided by the fire department include and are not limited to, patient extrication and treatment, spill control, vehicle stabilization and making the scene safe.

10. Within the 2010 Business Plan, and the revised Fee Schedule of 2010, BFES recommended the invoicing for services provided while attending motor vehicle accidents within the City of Barrie.
11. Prior to the 2010 revision to the Fees By-Law, BFES was invoicing for only motor vehicle accidents that required extrication of an injured person from a vehicle within the City's boundaries. This new addition to the Fees Schedule would permit the invoicing for all MVCs within the City.
12. Early in 2010 Barrie City Police advised BFES that they were no longer providing such information under the Freedom of Information Act. The Ontario Provincial Police continues to provide the required information in cooperation with the Ministry of Transportation through an Act, passed by the Province of Ontario Legislation.
13. Due to this change in policy by the Barrie City Police, BFES was unable to continue invoicing due to the lack of driver information being available. This meant a loss of approximately \$150,000 in cost recovery.
14. In discussions with the City's Records & Information Branch, it was found that BFES was not in the position to ask the drivers of the vehicles involved for information without first divulging the purpose, which was for invoicing purposes. The individual may choose not to provide the information requested.
15. In discussion with the Ministry of Transportation regarding the availability of the vehicle registration through the ARIS network, BFES was advised that they may enter into a contract with Ministry of Transportation. This would permit the access of vehicle ownership information, for the purpose of invoicing, using ARIS via the internet.
16. Discussions were held with both the City's Clerk's Office and Legal, regarding the entry into such a contract with M.T.O.
17. It is estimated that the cost recovery from the invoicing of services provided, would be approximately \$200,000 annually, which would be used to offset the operational costs of BFES in the yearly Business Plan.
18. The current rate for services at motor vehicle accidents within the City is the same as the Ministry of Transportation rate which is \$410 per truck, per hour.
19. The \$12.50 transaction fee would be recovered within the invoicing as an administration fee which is permitted under the current Fees By-Law 2010-020, under sentence # 6.
20. The proposed term of the agreement would be for a term of twelve months from the date of signature by both parties, with a provision for automatic renewal for subsequent terms of twelve months each, provided that:
  - a) Neither party provides to the other, at least Thirty (30) days before the expiry of the then current term, written notice of that party's intention not to renew;
  - b) If requested by the M.T.O., prior to such renewal the Requester signs the form of authorized requester agreement that M.T.O. then requires to be signed by Authorized requesters;

- c) The Requester has updated the list of Authorized Staff as submitted and affirms it to be accurate and in accordance with the Contract;
  - d) The Requester has updated the information contained in the Application and has reviewed and affirmed such information is correct;
  - e) Prior to such renewal the Requester has satisfied and other conditions that may be stipulated by M.T.O. for the renewal of the Contract.
21. City staff currently access ARIS to obtain driver abstract information, solely for the purpose of verifying employee driving records and maintaining driver safety programs, and have for a number of years.
22. Since the access to vehicle ownership information is the second means of using the ARIS network, there is the requirement to pay the \$250 onetime set up fee, as was done for obtaining driver's abstracts.

#### **ENVIRONMENTAL MATTERS**

23. There are no environmental matters related to the recommendation.

#### **ALTERNATIVES**

24. There are two (2) alternatives available for consideration by General Committee:

##### **Alternative #1**

General Committee could alter the proposed recommendation by revising the current Fees By-law, to no longer invoice for services provided by BFES at motor vehicle accidents, within the City.

This alternative is not recommended as it would mean the loss of approximately \$200,000 in cost recovery.

##### **Alternative #2**

General Committee could alter the proposed recommendation by directing BFES to gather the required information from the parties involved when at the incident.

This alternative is not recommended as BFES personnel, must identify the purpose of requesting the information, at which time the parties may refuse to do, without recourse.

#### **FINANCIAL**

25. There is a onetime set up fee of \$250 for access to ARIS along with a \$12.50 administration fee per transaction. The one time set up fee can be accommodated within the proposed 2011 Business Plan and the \$12.50 administration will be recovered as part of the fee charged to individuals.

**LINKAGE TO COUNCIL STRATEGIC PRIORITIES**

26. The 2010-2014 Council's Strategic Priorities have not been established as of the time of writing of this report.