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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 141
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Patton

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SUMMARY

- Prohibits a local authority from issuing, in any year, a number of tickets for traffic law violations based on the use of traffic cameras that exceeds two times the population of the local authority.

DETAILED ANALYSIS

Limitations on the use of traffic cameras by local authorities

Current law authorizes a local authority to utilize a traffic law photo-monitoring device ("traffic camera") for the purpose of detecting traffic law violations, subject to statutory conditions. The bill adds, as an additional condition, that no local authority may issue, in any year, a number of tickets for traffic law violations based on the use of traffic cameras that exceeds two times the population of the local authority (see **Comment**).¹

Definitions

As used in the bill:

"Local authority" means a municipal corporation, county, or township (see **Comment**);

"Traffic law photo-monitoring device" means an electronic system consisting of a photographic, video, or electronic camera and a means of sensing the presence of a motor vehicle that automatically produces recorded images; and

"Traffic law violation" means the failure to comply with either a traffic signal indication (i.e. a traffic light requirement) or the failure to observe the applicable speed limit.²

¹ R.C. 4511.093(B)(4).

² R.C. 4511.092(D), (K), and (L), not in the bill.

COMMENT

The provisions of the bill may infringe upon a municipal corporation's home rule authority under Article XVIII, Section 3 of the Ohio Constitution. See *Canton v. State*, 95 Ohio St.3d 149 (2002). The Ohio Supreme Court has routinely held that a municipal corporation may maintain a traffic camera program under its home rule authority (granted through Article XVIII of the Ohio Constitution). *Dayton v. State*, 151 Ohio St.3d 168, 2017-Ohio-6909, ¶ 1; *Mendenhall v. Akron*, 117 Ohio St.3d 33, 2008-Ohio-270, 881 N.E.2d 255.

HISTORY

Action	Date
As Introduced	03-19-19
