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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 551
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Patton

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SUMMARY

- Requires a local authority to use 80% of all revenue from a traffic camera ticket for law enforcement expenses.

DETAILED ANALYSIS

Requirements for traffic camera revenue

Current law authorizes a local authority (a municipal corporation, county, or township) to utilize a traffic law photo-monitoring device (“traffic camera”) for the purpose of detecting traffic law violations, subject to statutory conditions. A traffic law violation is a failure to comply with either a traffic signal indication (i.e., a traffic light requirement) or the failure to observe the applicable speed limit. The bills adds, as an additional statutory condition, that a local authority must use at least 80% of all revenue collected from a traffic camera ticket for law enforcement equipment, vehicles, and similar expenses (see **COMMENT**).¹

COMMENT

The provisions of the bill regarding how a municipal corporation may use its revenue may not conform with a municipal corporation’s authority to exercise its powers of local self-government under Article XVIII, Section 3 of the Ohio Constitution. See *Northern Ohio Patrolmen’s Benevolent Association v. Parma*, 61 Ohio St.2d 375 (1980). Further, 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) with its own conditions for the program. *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.

¹ R.C. 4511.093; R.C. 4511.092(I), (J), and (K), not in the bill.

HISTORY

Action	Date
Introduced	01-26-22
