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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 552
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Patton

Margaret E. Marcy, Attorney

SUMMARY

- Prohibits a local authority from placing or using a traffic camera on a street or highway within a ½-mile radius of the entrance to or exit from an interstate highway.

DETAILED ANALYSIS

Use of traffic cameras near an interstate highway

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 may not place or use a traffic camera on a street or a highway within a ½-mile radius of the entrance to or exit from an interstate highway (see **COMMENT**).¹

COMMENT

The provisions of the bill may not conform with 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 any 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
