

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 209

Representative Patton

A BILL

To amend section 4511.093 of the Revised Code to 1
prohibit a local authority, in any year, from 2
issuing a total number of traffic tickets based 3
on the use of traffic law photo-monitoring 4
devices that exceeds two times the population of 5
the local authority. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4511.093 of the Revised Code be 7
amended to read as follows: 8

Sec. 4511.093. (A) A local authority may utilize a traffic 9
law photo-monitoring device for the purpose of detecting traffic 10
law violations. If the local authority is a county or township, 11
the board of county commissioners or the board of township 12
trustees may adopt such resolutions as may be necessary to 13
enable the county or township to utilize traffic law photo- 14
monitoring devices. 15

(B) The use of a traffic law photo-monitoring device is 16
subject to the following conditions: 17

(1) A local authority shall use a traffic law photo- 18
monitoring device to detect and enforce traffic law violations 19

only if a law enforcement officer is present at the location of 20
the device at all times during the operation of the device and 21
if the local authority complies with sections 4511.094 and 22
4511.095 of the Revised Code. 23

(2) A law enforcement officer who is present at the 24
location of any traffic law photo-monitoring device and who 25
personally witnesses a traffic law violation may issue a ticket 26
for the violation. Such a ticket shall be issued in accordance 27
with section 2935.25 of the Revised Code and is not subject to 28
sections 4511.096 to 4511.0910 and section 4511.912 of the 29
Revised Code. 30

(3) If a traffic law photo-monitoring device records a 31
traffic law violation and the law enforcement officer who was 32
present at the location of the traffic law photo-monitoring 33
device does not issue a ticket as provided under division (B) (2) 34
of this section, the local authority may only issue a ticket in 35
accordance with sections 4511.096 to 4511.0912 of the Revised 36
Code. 37

(4) The number of tickets issued annually by a local 38
authority for traffic law violations that are detected by 39
traffic law photo-monitoring devices shall not exceed two times 40
the population of the local authority as indicated by the most 41
recent federal decennial census. 42

Section 2. That existing section 4511.093 of the Revised 43
Code is hereby repealed. 44