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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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Office

H.B. 550  
134<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Patton

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### SUMMARY

- Prohibits a local authority from deriving more than 30% of its total annual revenue from the issuance of tickets for traffic law violations based on evidence recorded by traffic cameras.

### 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.<sup>1</sup> The bill adds, as an additional condition, that no local authority may derive more than 30% of its total annual revenue from the issuance of tickets for traffic law violations based on evidence recorded by traffic cameras.

#### Definitions

As used in the bill:

“Local authority” means a municipal corporation, county, or township;<sup>2</sup>

“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;<sup>3</sup> and

<sup>1</sup> R.C. 4511.092 - 4511.099

<sup>2</sup> R.C. 4511.01(AA)

<sup>3</sup> R.C. 4511.092(J)

“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.<sup>4</sup>

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## 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). *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.

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## HISTORY

Action	Date
Introduced	01-26-22

H0550-I-134/ar

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<sup>4</sup> R.C. 4511.092(K)