



OHIO LEGISLATIVE SERVICE COMMISSION

Maggie Wolniewicz

Fiscal Note & Local Impact Statement

Bill: H.B. 378 of the 131st G.A.

Date: December 8, 2016

Status: As Passed by the Senate

Sponsor: Reps. Hambley and Rezabek

Local Impact Statement Procedure Required: No

Contents: Township officer arrest authority on National Highway System roadways

State Fiscal Highlights

- Potential gain in state court cost revenue from traffic law violators and apportioned between certain state funds.¹

Local Fiscal Highlights

- Potential revenue gain in the form of fines, court costs, and fees generated from traffic law violations and distributed between counties, municipalities, and townships. Any associated costs for township law enforcement and county and municipal traffic violations bureaus that process violations will be minimal.

Detailed Fiscal Analysis

Current law prohibits a township with a population of 50,000 or less from enforcing traffic laws on portions of roadways designated as part of the National Highway System that are not interstate highways. The bill eliminates this population-based restriction, effectively granting a township officer arrest authority on a National Highway System roadway that is not an interstate and that is located within the territory of the officer.

Based on conversations with township law enforcement officials, the bill's changes are not expected to have a discernible impact on any given township's law enforcement costs. Current practice indicates that law enforcement officers of at least some, if not many, townships are already out patrolling National Highway System roadways as part of an agreement with the Ohio State Highway Patrol or the county

¹ State court costs collected from moving violations generally are apportioned between the Victims of Crime/Reparations Fund (Fund 4020), the Indigent Defense Support Fund (Fund 5DY0), the Drug Law Enforcement Fund (Fund 5ET0), and the Justice Program Services Fund (Fund 4P60).

sheriff, which generally have exclusive jurisdiction over specified vehicle-related offenses. As such, those townships will not incur any additional costs to exercise the bill's enforcement and arrest authority over the portions of the National Highway System that are in the township.

For those townships that are not out currently patrolling these areas, additional costs, likely minimal at most, may be incurred if violations are contested, thereby requiring the township officer to appear in court. Any costs incurred by a county or municipality, including case processing by the traffic violations bureau, will be more or less offset by the collection of court costs and fees. A fine for a violation of state traffic law or specified vehicle-related local ordinances will be credited to the treasury of the county in which the violation occurred, while a violation of specified vehicle-related township ordinances will be credited to the treasury of the township in which the violation occurred. A violator will also be required to pay state court costs, which for a moving violation total \$37.50, and are apportioned between four state funds: the Victims of Crime/Reparations Fund (Fund 4020), the Indigent Defense Support Fund (Fund 5DY0), the Drug Law Enforcement Fund (Fund 5ET0), and the Justice Program Services Fund (Fund 4P60).

According to the 2010 census, of Ohio's 1,308 townships, seven have a population of more than 50,000. There are currently 93 township police districts and no joint police districts. Under the bill, all township officers with territory within a National Highway System roadway that is not an interstate highway will have specified vehicle-related offense enforcement authority. The number and location of townships containing National Highway System roadways is uncertain.