



# OHIO LEGISLATIVE SERVICE COMMISSION

---

## Bill Analysis

Helena Volzer

### H.B. 207

132nd General Assembly  
(As Introduced)

Rep. Patton

---

### BILL SUMMARY

- Prohibits a municipal corporation or township that does not operate either a fire department or an emergency medical service organization from using traffic cameras.
- 

### CONTENT AND OPERATION

#### Limitations on the use of traffic cameras by certain local authorities

The bill prohibits a municipal corporation or township from operating a traffic law photo-monitoring device ("traffic camera") to detect traffic violations if the municipal corporation or township does not operate either a fire department or an emergency medical service organization. The bill limits the authority of the above referenced municipal corporations and townships by amending the current definition of "local authority" under the Traffic Camera Law and specifying that a municipal corporation or township that is not a "local authority" may not operate traffic cameras (see **COMMENT**). Under current law, a local authority may operate traffic cameras subject to certain limitations. "Local authority" is defined to mean a municipal corporation, county, or township. The bill modifies this definition to exclude both of the following:

(1) Any municipal corporation that does not operate either a municipal fire department or municipal medical service organization; or

(2) Any township that does not operate either a township fire department or a township emergency medical service organization.<sup>1</sup>

## **Background**

Existing law establishes limitations on the use of traffic cameras by a local authority as follows:

(1) A law enforcement officer must be present at the location of each camera at all times during the operation of the camera and the local authority must comply with signage, safety study, and public notice requirements;

(2) A law enforcement officer who is present at the location of the camera and who personally witnesses a traffic law violation may issue a standard criminal citation for the violation and is not required to comply with traffic camera-related procedural requirements or the limitations on the issuance of a ticket at specified speeds; and

(3) If a law enforcement officer does not issue a citation as provided above but a traffic law violation is recorded by a traffic camera, the local authority may only issue a civil citation for the violation and must comply with specified procedural requirements, including requirements related to the examination of evidence and hearing procedures.<sup>2</sup>

## **Definitions**

As used in the bill:

"Emergency medical service organization" means an organization operated by the municipal corporation or township that uses first responders, EMTs-basic, EMTs-I, or paramedics, or a combination of first responders, EMTs-basic, EMTs-I, and paramedics to provide emergency medical services.

"Fire department" means a fire department of a municipal corporation or township, as applicable, but does not include a volunteer fire department.

"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; and

---

<sup>1</sup> R.C. 4511.092(D) and 4511.093(C).

<sup>2</sup> R.C. 4511.093.



"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>3</sup>

---

## COMMENT

It is unclear if the provisions of the bill infringe upon 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).

---

## HISTORY

ACTION	DATE
Introduced	05-09-17

H0207-I-132.docx/emr

---

<sup>3</sup> R.C. 4511.092.

