

**As Reported by the Senate Local Government, Public Safety and  
Veterans Affairs Committee**

**132nd General Assembly**

**Regular Session  
2017-2018**

**Sub. H. B. No. 125**

**Representatives Craig, Seitz**

**Cosponsors: Representatives West, Leland, Young, Retherford, Sheehy,  
Patterson, Smith, K., Antonio, Celebrezze, Bocchieri, Cera, O'Brien, Howse, Boggs,  
Ashford, Sykes, Rogers, Boyd, Manning, Rezabek, Arndt, Barnes, Blessing,  
Brenner, Dever, Gavarone, Ginter, Goodman, Green, Hambley, Holmes,  
Householder, Ingram, Johnson, Kick, McColley, Patton, Ramos, Reineke, Roegner,  
Schaffer, Slaby, Smith, R., Sprague, Stein, Sweeney, Thompson, Wiggam**

**Senator Uecker**

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**A BILL**

To amend sections 1901.20, 1907.02, and 4511.093 1  
and to enact section 4511.072 of the Revised 2  
Code to specify the jurisdiction of municipal 3  
and county courts over civil violations of 4  
municipal traffic ordinances, to prohibit 5  
townships from using traffic law photo- 6  
monitoring devices on interstate highways, and 7  
to establish requirements governing fines, fees, 8  
or other charges for traffic violations and 9  
infractions imposed by a municipal corporation 10  
that does not have the authority to establish a 11  
mayor's court. 12

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

**Section 1.** That sections 1901.20, 1907.02, and 4511.093 be 13

amended and section 4511.072 of the Revised Code be enacted to 14  
read as follows: 15

**Sec. 1901.20.** (A) (1) The municipal court has jurisdiction 16  
to hear misdemeanor cases committed within its territory and has 17  
jurisdiction over the violation of any ordinance of any 18  
municipal corporation within its territory. 19

(2) The municipal court has exclusive jurisdiction over 20  
all civil violations of every state traffic law or municipal 21  
traffic ordinance of each municipal corporation within the 22  
territory of the court unless: 23

(a) The mayor of the municipal corporation has 24  
jurisdiction over the violation pursuant to section 1905.01 of 25  
the Revised Code~~7. unless~~ 26

~~the~~ (b) The violation is a civil violation based upon 27  
evidence recorded by a traffic law photo-monitoring device and a 28  
ticket is issued pursuant to division (B) (3) of section 4511.093 29  
of the Revised Code ~~or the~~. 30

~~violation is required to be handled by a parking~~ 31  
~~violations bureau or joint parking violations bureau pursuant to~~ 32  
~~Chapter 4521. of the Revised Code. However, the~~ (3) The 33  
municipal court has jurisdiction over the violation of a vehicle 34  
parking or standing resolution or regulation if a local 35  
authority, as defined in division (D) of section 4521.01 of the 36  
Revised Code, has specified that it is not to be considered a 37  
criminal offense, if the violation is committed within the 38  
limits of the court's territory, and if the violation is not 39  
required to be handled by a parking violations bureau or joint 40  
parking violations bureau pursuant to Chapter 4521. of the 41  
Revised Code. However, a municipal court does not have 42

jurisdiction over a violation required to be handled by a 43  
parking violations bureau or joint parking violations bureau 44  
pursuant to Chapter 4521. of the Revised Code. 45

(4) The municipal court, if it has a housing or 46  
environmental division, has jurisdiction over any criminal 47  
action over which the housing or environmental division is given 48  
jurisdiction by section 1901.181 of the Revised Code, provided 49  
that, except as specified in division (B) of that section, no 50  
judge of the court other than the judge of the division shall 51  
hear or determine any action over which the division has 52  
jurisdiction. In all such prosecutions and cases, the court 53  
shall proceed to a final determination of the prosecution or 54  
case. 55

~~(2)~~ (B) A judge of a municipal court does not have the 56  
authority to dismiss a criminal complaint, charge, information, 57  
or indictment solely at the request of the complaining witness 58  
and over the objection of the prosecuting attorney, village 59  
solicitor, city director of law, or other chief legal officer 60  
who is responsible for the prosecution of the case. 61

~~(B)~~ (C) The municipal court has jurisdiction to hear 62  
felony cases committed within its territory. In all felony 63  
cases, the court may conduct preliminary hearings and other 64  
necessary hearings prior to the indictment of the defendant or 65  
prior to the court's finding that there is probable and 66  
reasonable cause to hold or recognize the defendant to appear 67  
before a court of common pleas and may discharge, recognize, or 68  
commit the defendant. 69

~~(C)~~ (D) (1) A municipal court has jurisdiction over an 70  
appeal from a judgment or default judgment entered pursuant to 71  
Chapter 4521. of the Revised Code, as authorized by division (D) 72

of section 4521.08 of the Revised Code. The appeal shall be 73  
placed on the regular docket of the court and shall be 74  
determined by a judge of the court. 75

(2) A municipal court has jurisdiction over an appeal of a 76  
written decision rendered by a hearing officer under section 77  
4511.099 of the Revised Code if the hearing officer that 78  
rendered the decision was appointed by a local authority within 79  
the jurisdiction of the court. 80

**Sec. 1907.02.** (A) (1) In addition to other jurisdiction 81  
granted a county court in the Revised Code, a county court has 82  
jurisdiction of all misdemeanor cases. A county court has 83  
jurisdiction to conduct preliminary hearings in felony cases, to 84  
bind over alleged felons to the court of common pleas, and to 85  
take other action in felony cases as authorized by Criminal Rule 86  
5. 87

(2) A judge of a county court does not have the authority 88  
to dismiss a criminal complaint, charge, information, or 89  
indictment solely at the request of the complaining witness and 90  
over the objection of the prosecuting attorney, village 91  
solicitor, city director of law, or other chief legal officer 92  
who is responsible for the prosecution of the case. 93

(B) A county court has jurisdiction of the violation of a 94  
vehicle parking or standing ordinance, resolution, or regulation 95  
if a local authority, as defined in division (D) of section 96  
4521.01 of the Revised Code, has specified that it is not to be 97  
considered a criminal offense, if the violation is committed 98  
within the limits of the court's territory, and if the violation 99  
is not required to be handled by a parking violations bureau or 100  
joint parking violations bureau pursuant to Chapter 4521. of the 101  
Revised Code. A county court does not have jurisdiction over 102

violations of ordinances, resolutions, or regulations that are 103  
required to be handled by a parking violations bureau or joint 104  
parking violations bureau pursuant to that chapter. 105

A county court also has jurisdiction of an appeal from a 106  
judgment or default judgment entered pursuant to Chapter 4521. 107  
of the Revised Code, as authorized by division (D) of section 108  
4521.08 of the Revised Code. Any such appeal shall be placed on 109  
the regular docket of the court and shall be determined by a 110  
judge of the court. 111

(C) A county court has jurisdiction over an appeal of a 112  
written decision rendered by a hearing officer under section 113  
4511.099 of the Revised Code if the hearing officer that 114  
rendered the decision was appointed by a local authority within 115  
the jurisdiction of the court. 116

(D) Except as provided in division (B) of this section, a 117  
county court has exclusive jurisdiction over all civil 118  
violations of every state traffic law or municipal traffic 119  
ordinance within the territory of the court, unless the 120  
violation is a civil violation based upon evidence recorded by a 121  
traffic law photo-monitoring device and a ticket is issued 122  
pursuant to division (B) (3) of section 4511.093 of the Revised 123  
Code or the mayor of a municipal corporation has jurisdiction 124  
over the violation pursuant to section 1905.01 of the Revised 125  
Code. 126

**Sec. 4511.072.** (A) A municipal corporation that does not 127  
have the authority to establish a mayor's court under section 128  
1905.01 of the Revised Code shall not impose a fine, fee, or 129  
other charge for a traffic violation that exceeds the applicable 130  
fine, fee, or other charge for the substantially equivalent 131  
state violation established pursuant to Traffic Rule 13(C) by 132

the municipal or county court having territorial jurisdiction 133  
over the location of the violation. 134

(B) A municipal corporation that does not have the 135  
authority to establish a mayor's court under section 1905.01 of 136  
the Revised Code shall not charge a fine, fee, or other charge 137  
for a traffic violation that is not included in the schedule of 138  
finest for state violations established pursuant to Traffic Rule 139  
13(C) by the municipal or county court having territorial 140  
jurisdiction over the location of the violation. 141

**Sec. 4511.093.** (A) A local authority may utilize a traffic 142  
law photo-monitoring device for the purpose of detecting traffic 143  
law violations. If the local authority is a county or township, 144  
the board of county commissioners or the board of township 145  
trustees may adopt such resolutions as may be necessary to 146  
enable the county or township to utilize traffic law photo- 147  
monitoring devices. 148

(B) The use of a traffic law photo-monitoring device is 149  
subject to the following conditions: 150

(1) A local authority shall use a traffic law photo- 151  
monitoring device to detect and enforce traffic law violations 152  
only if a law enforcement officer is present at the location of 153  
the device at all times during the operation of the device and 154  
if the local authority complies with sections 4511.094 and 155  
4511.095 of the Revised Code. 156

(2) A law enforcement officer who is present at the 157  
location of any traffic law photo-monitoring device and who 158  
personally witnesses a traffic law violation may issue a ticket 159  
for the violation. Such a ticket shall be issued in accordance 160  
with section 2935.25 of the Revised Code and is not subject to 161

sections 4511.096 to 4511.0910 and section 4511.912 of the Revised Code. 162  
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(3) If a traffic law photo-monitoring device records a traffic law violation and the law enforcement officer who was present at the location of the traffic law photo-monitoring device does not issue a ticket as provided under division (B) (2) of this section, the local authority may only issue a ticket in accordance with sections 4511.096 to 4511.0912 of the Revised Code. 164  
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(C) No township constable appointed under section 509.01 of the Revised Code, member of a police force of a township or joint police district created under section 505.48 or 505.482 of the Revised Code, or other representative of a township shall utilize a traffic law photo-monitoring device to detect and enforce traffic law violations on an interstate highway. 171  
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**Section 2.** That existing sections 1901.20, 1907.02, and 4511.093 of the Revised Code are hereby repealed. 177  
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