

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 548

Representative Patton

A BILL

To amend section 4511.093 of the Revised Code to 1
prohibit a local authority with a population of 2
200 or fewer from utilizing traffic law photo- 3
monitoring devices. 4

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

Section 1. That section 4511.093 of the Revised Code be 5
amended to read as follows: 6

Sec. 4511.093. (A) ~~A-Except as otherwise prohibited by~~ 7
this section, a local authority may utilize a traffic law photo- 8
monitoring device for the purpose of detecting traffic law 9
violations. If the local authority is a county or township, the 10
board of county commissioners or the board of township trustees 11
may adopt such resolutions as may be necessary to enable the 12
county or township to utilize traffic law photo-monitoring 13
devices. 14

(B) The use of a traffic law photo-monitoring device is 15
subject to the following conditions: 16

(1) A local authority shall use a traffic law photo- 17
monitoring device to detect and enforce traffic law violations 18
only if a law enforcement officer is present at the location of 19

the device at all times during the operation of the device and 20
if the local authority complies with sections 4511.094 and 21
4511.095 of the Revised Code. 22

(2) A law enforcement officer who is present at the 23
location of any traffic law photo-monitoring device and who 24
personally witnesses a traffic law violation may issue a ticket 25
for the violation. Such a ticket shall be issued in accordance 26
with section 2935.26 of the Revised Code and is not subject to 27
sections 4511.096 to 4511.0910 and section 4511.912 of the 28
Revised Code. 29

(3) If a traffic law photo-monitoring device records a 30
traffic law violation and the law enforcement officer who was 31
present at the location of the traffic law photo-monitoring 32
device does not issue a ticket as provided under division (B) (2) 33
of this section, the local authority may only issue a ticket in 34
accordance with sections 4511.096 to 4511.0912 of the Revised 35
Code. 36

(4) No local authority with a population of two hundred or 37
fewer shall use a traffic law photo-monitoring device to detect 38
and enforce traffic law violations. 39

(C) No township constable appointed under section 509.01 40
of the Revised Code, member of a police force of a township or 41
joint police district created under section 505.48 or 505.482 of 42
the Revised Code, or other representative of a township shall 43
utilize a traffic law photo-monitoring device to detect and 44
enforce traffic law violations on an interstate highway. 45

Section 2. That existing section 4511.093 of the Revised 46
Code is hereby repealed. 47