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Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Rogers, Jr. and Lorenz

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SUMMARY

- Requires a parking violations bureau to rescind a parking ticket if both of the following apply:
 - The parking ticket is issued to a person within a three-minute period beginning at the time the person parked in a parking zone; and
 - The person pays for parking within that parking zone within that three-minute period.
- Defines a parking zone as a defined area in a municipal corporation or township in which multiple vehicles may park for a definite period of time upon payment of a fee at a centralized kiosk or other type of device that accepts payment for parking within the defined area.
- Specifies that it is prima facie evidence that the person did not commit the parking infraction if a parking violations bureau fails to rescind the parking ticket.
- Requires the Director of the Department of Public Safety to adopt standards authorizing persons to pay for parking meters via multiple payment methods.
- Authorizes a person to pay parking fees at parking meters via cash, coin, or credit card in addition to any other payment method.
- Extends the time period by which a person may appeal a judgement or default judgement for failure to pay a parking ticket from within 15 days after the entry of judgment to within three years after the entry of judgment.
- Extends the period by which a judgment or default judgement may be issued with respect to a parking ticket from within three years of ticket issuance as in current law to within four years of ticket issuance.
- Specifies that the extension of the time to appeal a judgement or default judgement apply only to tickets issued after the bill's effective date.

DETAILED ANALYSIS

Parking violations

Background

Under current law, parking violations may be enforced either through a parking violations bureau, joint parking violations bureau, or traffic violations bureau (hereinafter, parking violations bureau).¹ A parking violations bureau processes noncriminal parking violations and collects fines resulting from those violations. Additionally, a parking violations bureau may notify a municipal or county court so that the court may take measures to collect unpaid judgments or default judgments resulting from parking tickets. A default judgment is issued when a person fails to appear with respect to a parking violation or fails to timely answer a parking violation.

The bill creates new rules governing how parking violations are enforced and administered. Specifically, it addresses the timing of ticket issuance, how parking meters may be paid, and the timing of making an appeal concerning a judgement or default judgement that relates to a parking ticket. It is unclear if the bill's provisions that govern how parking fines are paid or enforced interfere with a municipal corporation's home rule authority under Article VIII, Section 3, of the Ohio Constitution. That section of the Constitution grants each municipal corporation powers of local self-government and the power to enforce police regulations not in conflict with a general state law.²

Three-minute rule

The bill requires a parking violations bureau to rescind a parking ticket if both of the following apply:

- The parking ticket is issued to a person within a three-minute period beginning at the time the person parked in a parking zone; and
- The person pays for parking within that parking zone within that three-minute period.

A parking zone is a defined area in a municipal corporation or township in which multiple vehicles may park for a definite period of time upon payment of a fee at a centralized kiosk or other type of device that accepts payment for parking within the defined area. If a parking

¹ A juvenile court also may enforce parking violations when the offender is a juvenile. R.C. 4521.05(B), not in the bill. A parking violations bureau is formed by a municipal corporation or township, a joint parking violations bureau is formed by two or more municipal corporations or townships, and a traffic violations bureau is established by a municipal or county court. See R.C. 4521.04, not in the bill, and Ohio Traffic Rule 13.

² A state law constitutes a general law if it is part of a statewide and comprehensive legislative enactment; applies to all parts of the state alike and operates uniformly throughout the state; sets forth police, sanitary, or similar regulations, rather than purports only to grant or limit the legislative power of a municipal corporation to set forth police, sanitary, or similar regulations; and prescribes a rule of conduct upon citizens generally. *Canton v. State*, 95 Ohio St.3d 149, 153 (2002).

violations bureau fails to comply with the bill's requirement, it is prima facie evidence that the person did not commit the parking infraction.³

Parking meter payment methods

The bill requires the Director of Public Safety to adopt standards that authorize a person to pay parking fees at a parking meter via multiple payment methods. Such methods must include cash, coin, credit card, quick response code, or any other method authorized by the Director. However, in all circumstances, the bill authorizes a person to pay fees at a parking meter via cash, coin, or credit card in addition to any other specified payment method.

Further, the bill specifies that when parking in a parking zone, a person is not required to identify or provide information about the parking space in which the person's vehicle is parked. For example, if a person parks in "Zone 18" and in parking space "A10," that person would only need to identify "Zone 18" when paying at a parking kiosk.⁴

Parking ticket appeals and judgments

The bill extends the time period by which a person may appeal a judgement or default judgement for failure to pay a parking ticket from within 15 days after the entry of judgment to within three years after the entry of judgment. The appeal may be made to the municipal, county, or juvenile court that has jurisdiction over the parking ticket. As a corollary to the extension of time for making the appeal, the bill also extends the period of time by which a judgment or default judgement may be issued. Specifically, the bill extends that time to within four years after issuance of a parking ticket rather than within three years as in current law. Finally, the bill makes clear that these time extensions apply only to parking tickets issued after the bill's effective date.⁵

HISTORY

Action	Date
Introduced	04-17-25

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³ R.C. 4521.01(G) and 4521.20(C).

⁴ R.C. 4521.20(A) and (B).

⁵ R.C. 4521.08.