

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. B. No. 843

Representative Craig

To amend sections 4511.092, 4511.093, 4511.096, 1
4511.097, 4511.098, 4511.099, and 4511.0911; to 2
enact new section 4511.094; and to repeal 3
sections 4511.094, 4511.095, 4511.0912, 4
4511.0913, and 4511.0914 of the Revised Code to 5
require elector approval for a municipal traffic 6
camera program and to streamline the traffic 7
camera laws. 8

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

Section 1. That sections 4511.092, 4511.093, 4511.096, 9
4511.097, 4511.098, 4511.099, and 4511.0911 be amended and new 10
section 4511.094 of the Revised Code be enacted to read as 11
follows: 12

Sec. 4511.092. As used in sections 4511.092 to ~~4511.0914~~ 13
4511.0911 of the Revised Code: 14

(A) "Designated party" means the person whom the 15
registered owner of a motor vehicle, upon receipt of a ticket 16
based upon images recorded by a traffic law photo-monitoring 17
device that indicate a traffic law violation, identifies as the 18
person who was operating the vehicle of the registered owner at 19
the time of the violation. 20

(B) "Law enforcement officer" means a police officer who 21
is employed on a permanent, full-time basis by the law 22
enforcement agency of a ~~local authority that assigns such person~~ 23
~~to the location of a traffic law photo-monitoring device~~ 24
municipal corporation. 25

~~(C) "Local authority" means a municipal corporation.~~ 26

~~(D)~~ "Motor vehicle leasing dealer" has the same meaning as 27
in section 4517.01 of the Revised Code. 28

~~(E)~~ (D) "Motor vehicle renting dealer" has the same 29
meaning as in section 4549.65 of the Revised Code. 30

~~(F)~~ (E) "Recorded images" means any of the following 31
images recorded by a traffic law photo-monitoring device that 32
show, on at least one image or on a portion of the videotape, 33
the rear of a motor vehicle and the letters and numerals on the 34
rear license plate of the vehicle: 35

(1) Two or more photographs, microphotographs, electronic 36
images, or digital images; 37

(2) Videotape. 38

~~(G)~~ (F) "Registered owner" means all of the following: 39

(1) Any person or entity identified by the bureau of motor 40
vehicles or any other state motor vehicle registration bureau, 41
department, or office as the owner of a motor vehicle; 42

(2) The lessee of a motor vehicle under a lease of six 43
months or longer; 44

(3) The renter of a motor vehicle pursuant to a written 45
rental agreement with a motor vehicle renting dealer. 46

~~(H)~~ (G) "System location" means the approach to an 47

intersection or area of roadway toward which a traffic law photo-monitoring device is directed and is in operation.

~~(I)~~ (H) "Ticket" means any traffic ticket, citation, summons, or other ticket issued in response to an alleged traffic law violation detected by a traffic law photo-monitoring device, that represents a civil violation.

~~(J)~~ (I) "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.

~~(K)~~ (J) "Traffic law violation" means either of the following:

(1) A violation of section 4511.12 of the Revised Code based on the failure to comply with section 4511.13 of the Revised Code or a substantially equivalent municipal ordinance that occurs at an intersection due to failure to obey a highway traffic signal;

(2) A violation of section 4511.21 or 4511.211 of the Revised Code or a substantially equivalent municipal ordinance due to failure to observe the applicable speed limit.

Sec. 4511.093. ~~(A)~~ A local authority municipal corporation may utilize a traffic law photo-monitoring device for the purpose of detecting traffic law violations only after obtaining the approval of the electors of the municipal corporation under section 4511.094 of the Revised Code. No county, township, or representative of a county or township shall utilize a traffic law photo-monitoring device to detect and enforce traffic law violations.

~~(B) The use of a traffic law photo-monitoring device is~~

~~subject to the following conditions:~~ 77

~~(1) A local authority shall use a traffic law photo-~~ 78
~~monitoring device to detect and enforce traffic law violations-~~ 79
~~only if a law enforcement officer is present at the location of~~ 80
~~the device at all times during the operation of the device and-~~ 81
~~if the local authority complies with sections 4511.094 and-~~ 82
~~4511.095 of the Revised Code.~~ 83

~~(2) A law enforcement officer who is present at the~~ 84
~~location of any traffic law photo-monitoring device and who~~ 85
~~personally witnesses a traffic law violation may issue a ticket-~~ 86
~~for the violation. Such a ticket shall be issued in accordance-~~ 87
~~with section 2935.26 of the Revised Code and is not subject to-~~ 88
~~sections 4511.096 to 4511.0910 and section 4511.912 of the~~ 89
~~Revised Code.~~ 90

~~(3) If a traffic law photo-monitoring device records a~~ 91
~~traffic law violation and the law enforcement officer who was-~~ 92
~~present at the location of the traffic law photo-monitoring-~~ 93
~~device does not issue a ticket as provided under division (B) (2)~~ 94
~~of this section, the local authority may only issue a ticket in-~~ 95
~~accordance with sections 4511.096 to 4511.0912 of the Revised-~~ 96
~~Code.~~ 97

Sec. 4511.094. (A) (1) The legislative authority of a 98
municipal corporation shall adopt a resolution by a majority 99
vote to submit a proposal to the electors of the municipal 100
corporation if either of the following apply: 101

(a) After the effective date of this section, the 102
municipal corporation wishes to begin utilizing a traffic law 103
photo-monitoring device for the purpose of detecting traffic law 104
violations. 105

(b) On or before the effective date of this section, the 106
municipal corporation utilized a traffic law photo-monitoring 107
device for purposes of detecting traffic law violations and 108
wishes to modify, extend, or renew a contract in order to 109
continue to utilize the device for the purpose of detecting 110
traffic law violations. 111

(2) The legislative authority shall certify the resolution 112
to the board of elections of the county in which the most 113
populous portion of the municipal corporation is located not 114
later than ninety days before the day of the general or special 115
election at which the proposal is to appear on the ballot. 116

(B) The form of the ballot shall be as follows: 117

"Shall the use of automated traffic cameras be allowed in 118
(municipal corporation) to detect traffic law violations? 119
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<u>Yes</u>	<u>For the use of</u> <u>automated traffic</u> <u>cameras</u>
<u>No</u>	<u>Against the use of</u> <u>automated traffic</u> <u>cameras</u>

"
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(C) If the proposal is approved by a majority of the 121
electors voting on it, the municipal corporation may utilize or 122
continue to utilize a traffic law photo-monitoring device for 123
the purpose of detecting traffic law violations. 124

Sec. 4511.096. (A) A law enforcement officer employed by a 125
~~local authority~~ municipal corporation utilizing a traffic law 126
photo-monitoring device shall examine evidence of alleged 127

traffic law violations recorded by the device to determine 128
whether such a violation has occurred. If the image recorded by 129
the traffic law photo-monitoring device shows such a violation, 130
contains the date and time of the violation, and shows the 131
letter and numerals on the license plate of the vehicle involved 132
as well as the state that issued the license plate, the officer 133
may use any lawful means to identify the registered owner. 134

(B) The fact that a person or entity is the registered 135
owner of a motor vehicle is prima facie evidence that that 136
person or entity is the person who was operating the vehicle at 137
the time of the traffic law violation. 138

(C) Within thirty days of the traffic law violation, the 139
~~local authority~~ municipal corporation or its designee may issue 140
and send by regular mail a ticket charging the registered owner 141
with the violation. The ticket shall comply with section 142
4511.097 of the Revised Code. If the ~~local authority~~ municipal 143
corporation mails a ticket charging the registered owner with 144
the violation, the ~~local authority~~ municipal corporation shall 145
file a certified copy of the ticket with the municipal court or 146
county court with jurisdiction over the civil action. 147

(D) A certified copy of the ticket alleging a traffic law 148
violation, sworn to or affirmed by a law enforcement officer 149
employed by the ~~local authority~~ municipal corporation, including 150
by electronic means, and the recorded images produced by the 151
traffic law photo-monitoring device, is prima facie evidence of 152
the facts contained therein and is admissible in a civil action 153
or proceeding concerning the ticket issued under this section. 154

Sec. 4511.097. (A) A traffic law violation for which a 155
ticket is issued by a ~~local authority~~ municipal corporation 156
based on evidence recorded by a traffic law photo-monitoring 157

device is a civil violation. If a ~~local authority~~ municipal corporation issues a ticket for such a violation, the ticket shall comply with the requirements of this section and the fine for such a ticket shall not exceed the amount of the fine that may be imposed for a substantially equivalent criminal traffic law violation.

(B) A ~~local authority~~ municipal corporation or its designee shall process such a ticket for a civil violation and shall send the ticket by ordinary mail to any registered owner of the motor vehicle that is the subject of the traffic law violation. The ~~local authority~~ municipal corporation or designee shall ensure that the ticket contains all of the following:

- (1) The name and address of the registered owner;
- (2) The letters and numerals appearing on the license plate issued to the motor vehicle;
- (3) The traffic law violation charged;
- (4) The system location;
- (5) The date and time of the violation;
- (6) A copy of the recorded images;
- (7) The name and badge number of the law enforcement officer who was present at the system location at the time of the violation, if applicable;
- (8) The amount of the civil penalty imposed, the date by which the civil penalty is required to be paid, and the address of the municipal court or county court with jurisdiction over the civil action to which the payment is to be sent;
- (9) A statement signed by a law enforcement officer

employed by the ~~local authority~~ municipal corporation indicating 185
that, based on an inspection of recorded images, the motor 186
vehicle was involved in a traffic law violation, and a statement 187
indicating that the recorded images are prima facie evidence of 188
that traffic law violation both of which may be signed 189
electronically; 190

(10) Information advising the person or entity alleged to 191
be liable of the options prescribed in section 4511.098 of the 192
Revised Code, specifically to include the time, place, and 193
manner in which the person or entity may appear in court to 194
contest the violation and ticket and the procedure for 195
disclaiming liability by submitting an affidavit to the 196
municipal court or county court as prescribed in that section; 197

(11) A warning that failure to exercise one of the options 198
prescribed in section 4511.098 of the Revised Code is deemed to 199
be an admission of liability and waiver of the opportunity to 200
contest the violation. 201

(C) A ~~local authority~~ municipal corporation or its 202
designee shall send a ticket not later than thirty days after 203
the date of the alleged traffic law violation. 204

(D) The ~~local authority~~ municipal corporation or its 205
designee may elect to send by ordinary mail a warning notice in 206
lieu of a ticket under this section. 207

Sec. 4511.098. (A) A person or entity who receives a 208
ticket for a civil violation sent in compliance with section 209
4511.097 of the Revised Code shall elect to do one of the 210
following: 211

(1) In accordance with instructions on the ticket, pay the 212
civil penalty, thereby admitting liability and waiving the 213

opportunity to contest the violation; 214

(2) (a) Within thirty days after receipt of the ticket, 215
provide the municipal court or county court with jurisdiction 216
over the civil action with either of the following affidavits: 217

(i) An affidavit executed by the registered owner stating 218
that another person was operating the vehicle of the registered 219
owner at the time of the violation, identifying that person as a 220
designated party who may be held liable for the violation, and 221
containing at a minimum the name and address of the designated 222
party; 223

(ii) An affidavit executed by the registered owner stating 224
that at the time of the violation, the motor vehicle or the 225
license plates issued to the motor vehicle were stolen and 226
therefore were in the care, custody, or control of some person 227
or entity to whom the registered owner did not grant permission 228
to use the motor vehicle. In order to demonstrate that the motor 229
vehicle or the license plates were stolen prior to the traffic 230
law violation and therefore were not under the control or 231
possession of the registered owner at the time of the violation, 232
the registered owner shall submit proof that a report about the 233
stolen motor vehicle or license plates was filed with the 234
appropriate law enforcement agency prior to the violation or 235
within forty-eight hours after the violation occurred. 236

(b) A registered owner is not responsible for a traffic 237
law violation if, within thirty days after the date of mailing 238
of the ticket, the registered owner furnishes an affidavit 239
specified in division (A) (2) (a) (i) or (ii) of this section to 240
the court with jurisdiction in a form established by the court 241
and the following conditions are met: 242

(i) If the registered owner submits an affidavit as 243
specified in division (A) (2) (a) (i) of this section, the 244
designated party either accepts liability for the violation by 245
paying the civil penalty or by failing to request a court 246
hearing within thirty days or is determined liable in a court 247
hearing; 248

(ii) If the registered owner submits an affidavit as 249
specified in division (A) (2) (a) (ii) of this section, the 250
affidavit is supported by a stolen vehicle or stolen license 251
plate report as required in that division. 252

(3) If the registered owner is a motor vehicle leasing 253
dealer or a motor vehicle renting dealer, notify the court with 254
jurisdiction of the name and address of the lessee or renter of 255
the motor vehicle at the time of the traffic law violation. The 256
court shall establish the form of the notice. A motor vehicle 257
leasing dealer or motor vehicle renting dealer who receives a 258
ticket for an alleged traffic law violation detected by a 259
traffic law photo-monitoring device is not liable for a ticket 260
issued for a motor vehicle that was in the care, custody, or 261
control of a lessee or renter at the time of the alleged 262
violation. The dealer shall not pay such a ticket and 263
subsequently attempt to collect a fee or assess the lessee or 264
renter a charge for any payment of such a ticket made on behalf 265
of the lessee or renter. 266

(4) If the vehicle involved in the traffic law violation 267
is a commercial motor vehicle and the ticket is issued to a 268
corporate entity, provide to the court with jurisdiction an 269
affidavit in a form established by the court, sworn to or 270
affirmed by an agent of the corporate entity, that provides the 271
name and address of the employee who was operating the motor 272

vehicle at the time of the alleged violation and who is the 273
designated party. 274

(5) Contest the ticket by filing a written request for a 275
court hearing to review the ticket in a form established by the 276
court. The person or entity shall file the written request not 277
later than thirty days after receipt of the ticket. The failure 278
to request a hearing within this time period constitutes a 279
waiver of the right to contest the violation and ticket, and is 280
deemed to constitute an admission of liability and waiver of the 281
opportunity to contest the violation. 282

(B) A court with jurisdiction that receives an affidavit 283
described in division (A) (2) (a) (i) or (A) (4) of this section or 284
a notification under division (A) (3) of this section from a 285
registered owner may proceed to notify the ~~local authority~~ 286
municipal corporation to send a ticket that conforms with 287
division (B) of section 4511.097 of the Revised Code to the 288
designated party. The ~~local authority~~ municipal corporation 289
shall send the ticket to the designated party by ordinary mail 290
not later than twenty-one days after receipt of the 291
notification. 292

Sec. 4511.099. (A) Subject to division (B) of this section 293
and notwithstanding any other provision in the Revised Code to 294
the contrary, when a certified copy of a ticket issued by a 295
~~local authority~~ municipal corporation based on evidence recorded 296
by a traffic law photo-monitoring device is filed with the 297
municipal court or county court with jurisdiction over the civil 298
action, the court shall require the ~~local authority~~ municipal 299
corporation to provide an advance deposit for the filing of the 300
civil action. The advance deposit shall consist of all 301
applicable court costs and fees for the civil action. The court 302

shall retain the advance deposit regardless of which party 303
prevails in the civil action and shall not charge to the 304
registered owner or designated party any court costs and fees 305
for the civil action. 306

(B) Division (A) of this section does not apply to any 307
civil action related to a ticket issued by a ~~local authority~~ 308
municipal corporation based on evidence recorded by a traffic 309
law photo-monitoring device when the traffic law photo- 310
monitoring device was located in a school zone. The court shall 311
charge the applicable court costs and fees for such a civil 312
action to the party that does not prevail in the action. 313

As used in this division, "school zone" has the same 314
meaning as in section 4511.21 of the Revised Code. 315

Sec. 4511.0911. (A) Upon request, each manufacturer of a 316
traffic law photo-monitoring device shall provide to a ~~local~~ 317
authority municipal corporation utilizing its devices the 318
maintenance record of any such device used in that ~~local~~ 319
authority municipal corporation. 320

~~(B) (1)~~ (B) Commencing January 2015, not later than the last 321
day of January of each year, the manufacturer of a traffic law 322
photo-monitoring device shall provide to the applicable ~~local~~ 323
authority municipal corporation a certificate of proper 324
operation that attests to the accuracy of the device in 325
recording a traffic law violation. 326

~~(2) In addition to the requirement prescribed in division~~ 327
~~(B) (1) of this section, for every such device that is considered~~ 328
~~mobile, meaning it is attached to a trailer, vehicle, or other~~ 329
~~wheeled apparatus so that it is easily moved to different system~~ 330
~~locations, both of the following apply:~~ 331

~~(a) Each local authority shall test the accuracy of each such device with an independent, certified speed measuring device or some other commonly accepted method prior to its use at each system location.~~ 332
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~~(b) Each local authority shall clearly and conspicuously mark on the outside of the trailer, vehicle, or wheeled apparatus that contains the traffic law photo-monitoring device that the device is contained therein and that the trailer, vehicle, or wheeled apparatus is the property of the local authority.~~ 336
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~~(c) In the case of a traffic law photo-monitoring device that is used at an intersection to detect violations of section 4511.12 of the Revised Code based on the failure to comply with section 4511.13 of the Revised Code or a substantially equivalent municipal ordinance, the local authority shall not issue a ticket for a violation based upon evidence recorded by a traffic law photo-monitoring device when a vehicle makes a legal right or left turn on red signal if all of the following apply:~~ 342
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~~(1) The vehicle can make the turn safely.~~ 350

~~(2) The vehicle comes to a complete stop at any point prior to completing the turn.~~ 351
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~~(3) No pedestrians are in the crosswalk, or are about to enter the crosswalk, of any approach to the intersection the vehicle occupies while commencing or making the turn.~~ 353
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Section 2. That existing sections 4511.092, 4511.093, 4511.096, 4511.097, 4511.098, 4511.099, and 4511.0911 of the Revised Code are hereby repealed. 356
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Section 3. That sections 4511.094, 4511.095, 4511.0912, 4511.0913, and 4511.0914 of the Revised Code are hereby 359
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repealed.

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