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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

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Office

**S.B. 340**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

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**Version:** As Introduced

**Primary Sponsor:** Sen. Patton

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### SUMMARY

- Requires a municipal corporation to obtain the approval of its voters prior to utilizing a traffic law photo-monitoring device (“traffic cameras”) program to enforce red light and speeding violations.
- Establishes the procedures and ballot language for submitting the traffic camera program to voters.
- Streamlines and clarifies Ohio’s Traffic Camera Law by removing provisions that have been ruled unconstitutional as applied to municipal corporations.

### DETAILED ANALYSIS

#### Traffic cameras on the ballot

The bill requires a municipal corporation (i.e., a city or a village) to obtain the approval of its voters prior to utilizing traffic law photo-monitoring devices (“traffic cameras”) in the municipal corporation.<sup>1</sup> Under current law, a municipal corporation may use traffic cameras to detect red light and speeding violations and issue civil tickets for the violations that are captured on images generated by the traffic cameras. The Ohio Supreme Court has repeatedly ruled that a municipal corporation is allowed to have, and to regulate, traffic cameras under its constitutional “home rule” authority.<sup>2</sup>

<sup>1</sup> R.C. 4511.092 and 4511.093.

<sup>2</sup> Ohio Constitution, Article XVIII, Section 3. *Mendenhall v. Akron*, 117 Ohio St.3d 33, 2008-Ohio-270, 881 N.E. 255; *Walker v. City of Toledo*, 143 Ohio St.3d 420, 2014-Ohio-5461, 39 N.E.3d 474; *City of Dayton v. State*, 151 Ohio St.3d 168, 2017-Ohio-6909, 87 N.E.3d 176.

The bill requires the legislative authority of a municipal corporation that wishes to utilize traffic cameras to adopt a resolution by a majority vote to submit the proposal to the voters in that municipal corporation. The legislative authority must then certify the resolution to the county board of elections in which the most populous portion of the municipal corporation is located. The certification must occur 90 days before the day of the general or special election on which the proposal will appear on the ballot.<sup>3</sup>

The form of the ballot must appear as follows:

"Shall the use of automated traffic cameras be allowed in [municipal corporation] to detect traffic law violations?"

Yes	For the use of automated traffic cameras
No	Against the use of automated traffic cameras

If the proposal is approved by the majority of voters, the municipal corporation may use traffic cameras in its jurisdiction. The bill does not place a time limit on the voters' approval of a traffic camera program or include an explicit mechanism to petition to revoke the approval of either a current or future traffic camera program.<sup>4</sup> Additionally, if challenged, a court may find that the bill's requirement to place traffic cameras on the ballot is a limitation on the legislative authority of a municipal corporation, rather than a prescription of a rule of conduct upon citizens generally, and thus, an unconstitutional limitation on a municipal corporation's home rule authority.<sup>5</sup>

## Traffic Camera Law clarifications

The bill streamlines and clarifies Ohio's Traffic Camera Law by removing provisions that the Ohio Supreme Court previously ruled are unconstitutional as applied to municipal corporations. Prior to the enactment of H.B. 54 of the 136<sup>th</sup> General Assembly (effective June 30, 2025), townships and counties were allowed to have traffic camera programs, provided those programs operated in accordance with state requirements and regulations. H.B. 54 eliminated that authority.<sup>6</sup> Thus, references to "local authority" that once included townships and counties became obsolete and confusing when the related requirements also do not apply to municipal corporations.

The bill removes these references and repeals the provisions previously ruled unconstitutional (e.g., the officer presence requirement, the prerequisite traffic study, and the

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<sup>3</sup> R.C. 4511.094(A).

<sup>4</sup> R.C. 4511.094(B) and (C).

<sup>5</sup> *Canton v. State*, 95 Ohio St.3d 149, 153 (2002).

<sup>6</sup> See also page 35 of the LSC [Final Analysis for H.B. 54 \(PDF\)](#), which is available on the General Assembly's website: [legislature.ohio.gov](http://legislature.ohio.gov).

minimum excessive speed limit thresholds).<sup>7</sup> It retains, however, the portions of the Traffic Camera Law that relate to the adjudication of the appeals at the local municipal court or county court with jurisdiction and the withholding of Local Government Funds from jurisdictions with traffic camera programs, which have been determined to be constitutional limitations on those programs.<sup>8</sup>

## HISTORY

Action	Date
Introduced	01-14-26

ANSB0340IN-136/ts

<sup>7</sup> R.C. 4511.092, 4511.093, and 4511.0911. Repeals: R.C. 4511.094, 4511.095, 4511.0912, 4511.0913, and 4511.0914.

<sup>8</sup> R.C. 45011.096, 4511.097, 4511.098, and 4511.099. *State ex rel. Magsig v. City of Toledo*, 160 Ohio St.3d 342, 2020-Ohio-3416, 156 N.E.3d 899; *Newburgh Hts. v. State*, 2022-Ohio-1642.