

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 340

Senator Patton

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

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

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

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

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

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(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
<u>municipal corporation.</u>	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.	48 49
(I) "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.	50 51 52 53
(J) "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.	54 55 56 57
(K) "Traffic law violation" means either of the following:	58 59
(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;	60 61 62 63 64
(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.	65 66 67
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 <u>only after obtaining the approval of the electors of the municipal corporation under section 4511.094 of the Revised Code.</u> 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.	68 69 70 71 72 73 74 75
(B) The use of a traffic law photo-monitoring device is	76

subject to the following conditions:

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

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

(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.

Sec. 4511.094. (A) The legislative authority of a
municipal corporation that wishes to utilize a traffic law
photo-monitoring device for the purpose of detecting traffic law
violations shall adopt a resolution by a majority vote to submit
the proposal to the electors of the municipal corporation. The
legislative authority shall certify the resolution to the board
of elections of the county in which the most populous portion of
the municipal corporation is located not later than ninety days
before the day of the general or special election at which the

proposal is to appear on the ballot.

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

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

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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>

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

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Sec. 4511.096. (A) A law enforcement officer employed by a ~~local authority~~ municipal corporation utilizing a traffic law photo-monitoring device shall examine evidence of alleged traffic law violations recorded by the device to determine whether such a violation has occurred. If the image recorded by the traffic law photo-monitoring device shows such a violation, contains the date and time of the violation, and shows the letter and numerals on the license plate of the vehicle involved as well as the state that issued the license plate, the officer may use any lawful means to identify the registered owner.

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(B) The fact that a person or entity is the registered owner of a motor vehicle is *prima facie* evidence that that person or entity is the person who was operating the vehicle at

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the time of the traffic law violation.

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

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

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

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(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

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violation. The local authority <u>municipal corporation</u> or designee	159
shall ensure that the ticket contains all of the following:	160
(1) The name and address of the registered owner;	161
(2) The letters and numerals appearing on the license	162
plate issued to the motor vehicle;	163
(3) The traffic law violation charged;	164
(4) The system location;	165
(5) The date and time of the violation;	166
(6) A copy of the recorded images;	167
(7) The name and badge number of the law enforcement	168
officer who was present at the system location at the time of	169
the violation, if applicable;	170
(8) The amount of the civil penalty imposed, the date by	171
which the civil penalty is required to be paid, and the address	172
of the municipal court or county court with jurisdiction over	173
the civil action to which the payment is to be sent;	174
(9) A statement signed by a law enforcement officer	175
employed by the local authority <u>municipal corporation</u> indicating	176
that, based on an inspection of recorded images, the motor	177
vehicle was involved in a traffic law violation, and a statement	178
indicating that the recorded images are <i>prima facie</i> evidence of	179
that traffic law violation both of which may be signed	180
electronically;	181
(10) Information advising the person or entity alleged to	182
be liable of the options prescribed in section 4511.098 of the	183
Revised Code, specifically to include the time, place, and	184
manner in which the person or entity may appear in court to	185

contest the violation and ticket and the procedure for	186
disclaiming liability by submitting an affidavit to the	187
municipal court or county court as prescribed in that section;	188
(11) A warning that failure to exercise one of the options	189
prescribed in section 4511.098 of the Revised Code is deemed to	190
be an admission of liability and waiver of the opportunity to	191
contest the violation.	192
(C) A local authority <u>municipal corporation</u> or its	193
designee shall send a ticket not later than thirty days after	194
the date of the alleged traffic law violation.	195
(D) The local authority <u>municipal corporation</u> or its	196
designee may elect to send by ordinary mail a warning notice in	197
lieu of a ticket under this section.	198
Sec. 4511.098. (A) A person or entity who receives a	199
ticket for a civil violation sent in compliance with section	200
4511.097 of the Revised Code shall elect to do one of the	201
following:	202
(1) In accordance with instructions on the ticket, pay the	203
civil penalty, thereby admitting liability and waiving the	204
opportunity to contest the violation;	205
(2) (a) Within thirty days after receipt of the ticket,	206
provide the municipal court or county court with jurisdiction	207
over the civil action with either of the following affidavits:	208
(i) An affidavit executed by the registered owner stating	209
that another person was operating the vehicle of the registered	210
owner at the time of the violation, identifying that person as a	211
designated party who may be held liable for the violation, and	212
containing at a minimum the name and address of the designated	213
party;	214

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

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

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

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

(3) If the registered owner is a motor vehicle leasing

dealer or a motor vehicle renting dealer, notify the court with
jurisdiction of the name and address of the lessee or renter of
the motor vehicle at the time of the traffic law violation. The
court shall establish the form of the notice. A motor vehicle
leasing dealer or motor vehicle renting dealer who receives a
ticket for an alleged traffic law violation detected by a
traffic law photo-monitoring device is not liable for a ticket
issued for a motor vehicle that was in the care, custody, or
control of a lessee or renter at the time of the alleged
violation. The dealer shall not pay such a ticket and
subsequently attempt to collect a fee or assess the lessee or
renter a charge for any payment of such a ticket made on behalf
of the lessee or renter.

(4) If the vehicle involved in the traffic law violation
is a commercial motor vehicle and the ticket is issued to a
corporate entity, provide to the court with jurisdiction an
affidavit in a form established by the court, sworn to or
affirmed by an agent of the corporate entity, that provides the
name and address of the employee who was operating the motor
vehicle at the time of the alleged violation and who is the
designated party.

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

(B) A court with jurisdiction that receives an affidavit 274

described in division (A) (2) (a) (i) or (A) (4) of this section or 275
a notification under division (A) (3) of this section from a 276
registered owner may proceed to notify the ~~local authority~~ 277
municipal corporation to send a ticket that conforms with 278
division (B) of section 4511.097 of the Revised Code to the 279
designated party. The ~~local authority~~ municipal corporation 280
shall send the ticket to the designated party by ordinary mail 281
not later than twenty-one days after receipt of the 282
notification. 283

Sec. 4511.099. (A) Subject to division (B) of this section 284
and notwithstanding any other provision in the Revised Code to 285
the contrary, when a certified copy of a ticket issued by a 286
~~local authority~~ municipal corporation based on evidence recorded 287
by a traffic law photo-monitoring device is filed with the 288
municipal court or county court with jurisdiction over the civil 289
action, the court shall require the ~~local authority~~ municipal 290
corporation to provide an advance deposit for the filing of the 291
civil action. The advance deposit shall consist of all 292
applicable court costs and fees for the civil action. The court 293
shall retain the advance deposit regardless of which party 294
prevails in the civil action and shall not charge to the 295
registered owner or designated party any court costs and fees 296
for the civil action. 297

(B) Division (A) of this section does not apply to any 298
civil action related to a ticket issued by a ~~local authority~~ 299
municipal corporation based on evidence recorded by a traffic 300
law photo-monitoring device when the traffic law photo- 301
monitoring device was located in a school zone. The court shall 302
charge the applicable court costs and fees for such a civil 303
action to the party that does not prevail in the action. 304

As used in this division, "school zone" has the same 305
meaning as in section 4511.21 of the Revised Code. 306

Sec. 4511.0911. (A) Upon request, each manufacturer of a 307
traffic law photo-monitoring device shall provide to a ~~local~~ 308
~~authority~~municipal corporation utilizing its devices the 309
maintenance record of any such device used in that ~~local~~ 310
~~authority~~municipal corporation. 311

~~(B) (1) (B)~~ Commencing January 2015, not later than the last 312
day of January of each year, the manufacturer of a traffic law 313
photo-monitoring device shall provide to the applicable ~~local~~ 314
~~authority~~municipal corporation a certificate of proper 315
operation that attests to the accuracy of the device in 316
recording a traffic law violation. 317

~~(2) In addition to the requirement prescribed in division~~ 318
~~(B) (1) of this section, for every such device that is considered~~ 319
~~mobile, meaning it is attached to a trailer, vehicle, or other~~ 320
~~wheeled apparatus so that it is easily moved to different system~~ 321
~~locations, both of the following apply:~~ 322

~~(a) Each local authority shall test the accuracy of each~~ 323
~~such device with an independent, certified speed measuring~~ 324
~~device or some other commonly accepted method prior to its use~~ 325
~~at each system location.~~ 326

~~(b) Each local authority shall clearly and conspicuously~~ 327
~~mark on the outside of the trailer, vehicle, or wheeled~~ 328
~~apparatus that contains the traffic law photo-monitoring device~~ 329
~~that the device is contained therein and that the trailer,~~ 330
~~vehicle, or wheeled apparatus is the property of the local~~ 331
~~authority.~~ 332

~~(C) In the case of a traffic law photo-monitoring device~~ 333

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:	334
(1) The vehicle can make the turn safely.	341
(2) The vehicle comes to a complete stop at any point prior to completing the turn.	342
(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.	344
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.	347
Section 3. That sections 4511.094, 4511.095, 4511.0912, 4511.0913, and 4511.0914 of the Revised Code are hereby repealed.	350