

As Introduced

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

S. B. No. 340

Senator Patton

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 48
photo-monitoring device is directed and is in operation. 49

~~(I)~~ (H) "Ticket" means any traffic ticket, citation, 50
summons, or other ticket issued in response to an alleged 51
traffic law violation detected by a traffic law photo-monitoring 52
device, that represents a civil violation. 53

~~(J)~~ (I) "Traffic law photo-monitoring device" means an 54
electronic system consisting of a photographic, video, or 55
electronic camera and a means of sensing the presence of a motor 56
vehicle that automatically produces recorded images. 57

~~(K)~~ (J) "Traffic law violation" means either of the 58
following: 59

(1) A violation of section 4511.12 of the Revised Code 60
based on the failure to comply with section 4511.13 of the 61
Revised Code or a substantially equivalent municipal ordinance 62
that occurs at an intersection due to failure to obey a highway 63
traffic signal; 64

(2) A violation of section 4511.21 or 4511.211 of the 65
Revised Code or a substantially equivalent municipal ordinance 66
due to failure to observe the applicable speed limit. 67

Sec. 4511.093. ~~(A)~~ A local authority municipal corporation 68
may utilize a traffic law photo-monitoring device for the 69
purpose of detecting traffic law violations only after obtaining 70
the approval of the electors of the municipal corporation under 71
section 4511.094 of the Revised Code. No county, township, or 72
representative of a county or township shall utilize a traffic 73
law photo-monitoring device to detect and enforce traffic law 74
violations. 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. 107

(B) The form of the ballot shall be as follows: 108

"Shall the use of automated traffic cameras be allowed in 109
(municipal corporation) to detect traffic law violations? 110

111

<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 112
electors voting on it, the municipal corporation may utilize a 113
traffic law photo-monitoring device for the purpose of detecting 114
traffic law violations. 115

Sec. 4511.096. (A) A law enforcement officer employed by a 116
~~local authority~~ municipal corporation utilizing a traffic law 117
photo-monitoring device shall examine evidence of alleged 118
traffic law violations recorded by the device to determine 119
whether such a violation has occurred. If the image recorded by 120
the traffic law photo-monitoring device shows such a violation, 121
contains the date and time of the violation, and shows the 122
letter and numerals on the license plate of the vehicle involved 123
as well as the state that issued the license plate, the officer 124
may use any lawful means to identify the registered owner. 125

(B) The fact that a person or entity is the registered 126
owner of a motor vehicle is prima facie evidence that that 127
person or entity is the person who was operating the vehicle at 128

the time of the traffic law violation. 129

(C) Within thirty days of the traffic law violation, the 130
~~local authority municipal corporation~~ or its designee may issue 131
and send by regular mail a ticket charging the registered owner 132
with the violation. The ticket shall comply with section 133
4511.097 of the Revised Code. If the ~~local authority municipal~~ 134
~~corporation~~ mails a ticket charging the registered owner with 135
the violation, the ~~local authority municipal corporation~~ shall 136
file a certified copy of the ticket with the municipal court or 137
county court with jurisdiction over the civil action. 138

(D) A certified copy of the ticket alleging a traffic law 139
violation, sworn to or affirmed by a law enforcement officer 140
employed by the ~~local authority municipal corporation~~, including 141
by electronic means, and the recorded images produced by the 142
traffic law photo-monitoring device, is prima facie evidence of 143
the facts contained therein and is admissible in a civil action 144
or proceeding concerning the ticket issued under this section. 145

Sec. 4511.097. (A) A traffic law violation for which a 146
ticket is issued by a ~~local authority municipal corporation~~ 147
based on evidence recorded by a traffic law photo-monitoring 148
device is a civil violation. If a ~~local authority municipal~~ 149
~~corporation~~ issues a ticket for such a violation, the ticket 150
shall comply with the requirements of this section and the fine 151
for such a ticket shall not exceed the amount of the fine that 152
may be imposed for a substantially equivalent criminal traffic 153
law violation. 154

(B) A ~~local authority municipal corporation~~ or its 155
designee shall process such a ticket for a civil violation and 156
shall send the ticket by ordinary mail to any registered owner 157
of the motor vehicle that is the subject of the traffic law 158

violation. The ~~local authority~~ municipal corporation 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~~ municipal corporation 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 prima facie 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~~ municipal corporation 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~~ municipal corporation 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 215
that at the time of the violation, the motor vehicle or the 216
license plates issued to the motor vehicle were stolen and 217
therefore were in the care, custody, or control of some person 218
or entity to whom the registered owner did not grant permission 219
to use the motor vehicle. In order to demonstrate that the motor 220
vehicle or the license plates were stolen prior to the traffic 221
law violation and therefore were not under the control or 222
possession of the registered owner at the time of the violation, 223
the registered owner shall submit proof that a report about the 224
stolen motor vehicle or license plates was filed with the 225
appropriate law enforcement agency prior to the violation or 226
within forty-eight hours after the violation occurred. 227

(b) A registered owner is not responsible for a traffic 228
law violation if, within thirty days after the date of mailing 229
of the ticket, the registered owner furnishes an affidavit 230
specified in division (A) (2) (a) (i) or (ii) of this section to 231
the court with jurisdiction in a form established by the court 232
and the following conditions are met: 233

(i) If the registered owner submits an affidavit as 234
specified in division (A) (2) (a) (i) of this section, the 235
designated party either accepts liability for the violation by 236
paying the civil penalty or by failing to request a court 237
hearing within thirty days or is determined liable in a court 238
hearing; 239

(ii) If the registered owner submits an affidavit as 240
specified in division (A) (2) (a) (ii) of this section, the 241
affidavit is supported by a stolen vehicle or stolen license 242
plate report as required in that division. 243

(3) If the registered owner is a motor vehicle leasing 244

dealer or a motor vehicle renting dealer, notify the court with 245
jurisdiction of the name and address of the lessee or renter of 246
the motor vehicle at the time of the traffic law violation. The 247
court shall establish the form of the notice. A motor vehicle 248
leasing dealer or motor vehicle renting dealer who receives a 249
ticket for an alleged traffic law violation detected by a 250
traffic law photo-monitoring device is not liable for a ticket 251
issued for a motor vehicle that was in the care, custody, or 252
control of a lessee or renter at the time of the alleged 253
violation. The dealer shall not pay such a ticket and 254
subsequently attempt to collect a fee or assess the lessee or 255
renter a charge for any payment of such a ticket made on behalf 256
of the lessee or renter. 257

(4) If the vehicle involved in the traffic law violation 258
is a commercial motor vehicle and the ticket is issued to a 259
corporate entity, provide to the court with jurisdiction an 260
affidavit in a form established by the court, sworn to or 261
affirmed by an agent of the corporate entity, that provides the 262
name and address of the employee who was operating the motor 263
vehicle at the time of the alleged violation and who is the 264
designated party. 265

(5) Contest the ticket by filing a written request for a 266
court hearing to review the ticket in a form established by the 267
court. The person or entity shall file the written request not 268
later than thirty days after receipt of the ticket. The failure 269
to request a hearing within this time period constitutes a 270
waiver of the right to contest the violation and ticket, and is 271
deemed to constitute an admission of liability and waiver of the 272
opportunity to contest the violation. 273

(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 334~~
~~4511.12 of the Revised Code based on the failure to comply with 335~~
~~section 4511.13 of the Revised Code or a substantially 336~~
~~equivalent municipal ordinance, the local authority shall not 337~~
~~issue a ticket for a violation based upon evidence recorded by a 338~~
~~traffic law photo-monitoring device when a vehicle makes a legal 339~~
~~right or left turn on red signal if all of the following apply: 340~~

~~(1) The vehicle can make the turn safely. 341~~

~~(2) The vehicle comes to a complete stop at any point 342~~
~~prior to completing the turn. 343~~

~~(3) No pedestrians are in the crosswalk, or are about to 344~~
~~enter the crosswalk, of any approach to the intersection the 345~~
~~vehicle occupies while commencing or making the turn. 346~~

Section 2. That existing sections 4511.092, 4511.093, 347
4511.096, 4511.097, 4511.098, 4511.099, and 4511.0911 of the 348
Revised Code are hereby repealed. 349

Section 3. That sections 4511.094, 4511.095, 4511.0912, 350
4511.0913, and 4511.0914 of the Revised Code are hereby 351
repealed. 352