



State Senator Hearcel F. Craig
Ohio's 15th Senate District

Senate Local Government, Public Safety and Veterans Affairs Committee
Senate Bill 12 Sponsor Testimony
Senator Hearcel F. Craig
March 19, 2019

Chairman Uecker, Vice Chairman Brenner, Ranking Member Maharath and members of the Senate Local Government, Public Safety and Veterans Affairs Committee, thank you for providing us the opportunity to offer sponsor testimony on Senate Bill 12.

Senate Bill 12 asserts the authority of municipal and county courts over municipal traffic ordinances and establishes requirements for ruling fines, fees or other charges for traffic violations and infractions imposed by the municipalities that do not have the authority to establish a mayor's court.

During the 129th General Assembly, legislation was enacted that abolished mayor's courts for villages with a population under 200 residents. This new law took effect in March 2013 and was intended to quell speed traps in villages that were almost solely supported by traffic tickets. In response, a central Ohio village has established a "civil-violations system," in which fines are paid directly to the village.

Under this new system, village law enforcement has written more than 1,000 traffic citations, some for as much as \$1,500. Under the "civil-violation system" tickets not paid within a certain time frame are charged an additional \$500 penalty. Citations have been written for speeding, suspended license and illegal window tints.

Citations are *not* reported to the state BMV, nor are they reported to the county court. Administrative hearings are held once a month by the village prosecutor, for

those who wish to contest their citation. The village prosecutor has the discretion to uphold the citation, dismiss it or reduce it.

This legislation would cap fines, fees and other charges that are in excess of, or not included in, the local municipal or county court's schedule of fines and costs. It would also specify the jurisdiction of municipal and county courts over municipal traffic ordinances.

An additional part of this legislation would require home rule communities to adhere to the obligations from Senate Bill 342 of the 130th General Assembly. Villages will still be allowed to administer photo enforcement devices if a police office is present but, would prevent excessive fines that are scheduled for identical offenses.

I believe this bill addresses what is a fundamental issue of fairness. This legislation will ensure our citizens are not falling victim to speed traps and excessive fees governed by a different set of rules beyond what state law prescribes.

I worked on this legislation with the help of the Ohio Judicial Conference, the Ohio Attorney General's office, Franklin County Sheriff's office and the Franklin County Municipal Clerk of Courts.

I wanted to take a moment to thank Senator Uecker and the members of the committee for the opportunity to consider this legislation. I am happy to answer any questions at this time.