

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 547

Representative Patton

A BILL

To amend sections 4511.092 and 4511.093 of the
Revised Code to prohibit a municipal corporation
or township that does not operate either a fire
department or an emergency medical services
organization from utilizing traffic law photo-
monitoring devices.

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

Section 1. That sections 4511.092 and 4511.093 of the
Revised Code be amended to read as follows:

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

(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.

(B) "Law enforcement officer" means a sheriff, deputy
sheriff, marshal, deputy marshal, police officer of a police
department of any municipal corporation, police constable of any

township, or police officer of a township or joint police 20
district, who is employed on a permanent, full-time basis by the 21
law enforcement agency of a local authority that assigns such 22
person to the location of a traffic law photo-monitoring device. 23

(C) (1) "Local authority" means a municipal corporation, 24
county, or township, except that "local authority" does not 25
include any municipal corporation that does not operate either a 26
municipal fire department or a municipal emergency medical 27
service organization or any township that does not operate 28
either a township fire department or a township emergency 29
medical service organization. 30

(2) As used in division (C) (1) of this section, "emergency 31
medical service organization" means an organization operated by 32
the municipal corporation or township that uses first 33
responders, EMTs-basic, EMTs-I, or paramedics, or a combination 34
of first responders, EMTs-basic, EMTs-I, and paramedics to 35
provide emergency medical services. 36

(3) As used in division (C) (1) of this section, "fire 37
department" means a fire department of a municipal corporation 38
or township, as applicable, but does not include a volunteer 39
fire department. 40

(D) "Motor vehicle leasing dealer" has the same meaning as 41
in section 4517.01 of the Revised Code. 42

(E) "Motor vehicle renting dealer" has the same meaning as 43
in section 4549.65 of the Revised Code. 44

(F) "Recorded images" means any of the following images 45
recorded by a traffic law photo-monitoring device that show, on 46
at least one image or on a portion of the videotape, the rear of 47
a motor vehicle and the letters and numerals on the rear license 48

plate of the vehicle:	49
(1) Two or more photographs, microphotographs, electronic images, or digital images;	50 51
(2) Videotape.	52
(G) "Registered owner" means all of the following:	53
(1) Any person or entity identified by the bureau of motor vehicles or any other state motor vehicle registration bureau, department, or office as the owner of a motor vehicle;	54 55 56
(2) The lessee of a motor vehicle under a lease of six months or longer;	57 58
(3) The renter of a motor vehicle pursuant to a written rental agreement with a motor vehicle renting dealer.	59 60
(H) "System location" means the approach to an intersection or area of roadway toward which a traffic law photo-monitoring device is directed and is in operation.	61 62 63
(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.	64 65 66 67
(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.	68 69 70 71
(K) "Traffic law violation" means either of the following:	72
(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	73 74 75

that occurs at an intersection due to failure to obey a traffic control signal; 76
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(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. 78
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Sec. 4511.093. (A) A local authority may utilize a traffic law photo-monitoring device for the purpose of detecting traffic law violations. If the local authority is a county or township, the board of county commissioners or the board of township trustees may adopt such resolutions as may be necessary to enable the county or township to utilize traffic law photo-monitoring devices. 81
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(B) The use of a traffic law photo-monitoring device is subject to the following conditions: 88
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(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. 90
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(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. 96
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(3) If a traffic law photo-monitoring device records a traffic law violation and the law enforcement officer who was 103
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present at the location of the traffic law photo-monitoring 105
device does not issue a ticket as provided under division (B) (2) 106
of this section, the local authority may only issue a ticket in 107
accordance with sections 4511.096 to 4511.0912 of the Revised 108
Code. 109

(C) No township constable appointed under section 509.01 110
of the Revised Code, member of a police force of a township or 111
joint police district created under section 505.48 or 505.482 of 112
the Revised Code, or other representative of a township shall 113
utilize a traffic law photo-monitoring device to detect and 114
enforce traffic law violations on an interstate highway. 115

(D) No municipal corporation or township that is not a 116
local authority as defined in section 4511.092 of the Revised 117
Code shall utilize any traffic law photo-monitoring device. 118

Section 2. That existing sections 4511.092 and 4511.093 of 119
the Revised Code are hereby repealed. 120