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**A B I L L**

To enact sections 4511.092 and 4511.093 of the 1  
Revised Code to establish conditions for the use 2  
of a traffic law photo-monitoring device to detect 3  
certain traffic law violations. 4

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

**Section 1.** That sections 4511.092 and 4511.093 of the Revised 5  
Code be enacted to read as follows: 6

**Sec. 4511.092.** (A) As used in this section and section 7  
4511.093 of the Revised Code: 8

(1) "Law enforcement agency" means any law enforcement agency 9  
of a local authority. 10

(2) "Law enforcement officer" means any law enforcement 11  
officer employed by a law enforcement agency of a local authority. 12

(3) "Local authority" means a municipal corporation, county, 13  
or township. 14

(4) "Motor vehicle leasing dealer" has the same meaning as in 15  
section 4517.01 of the Revised Code. 16

(5) "Motor vehicle renting dealer" has the same meaning as in 17  
section 4549.65 of the Revised Code. 18

(6) "Ticket" means any traffic ticket, citation, summons, or 19  
other notice of liability issued in response to an alleged traffic 20

law violation detected by a traffic law photo-monitoring device. 21

(7) "Traffic law photo-monitoring device" means an electronic 22  
system consisting of a photographic, video, or electronic camera 23  
and a means of sensing the presence of a motor vehicle that 24  
automatically produces photographs, videotape, or digital images 25  
of the vehicle, its operator, or its license plate. 26

(B) A local authority that authorizes the enforcement of 27  
traffic laws by means of traffic law photo-monitoring devices 28  
shall do all of the following: 29

(1) Enter into a contract with a vendor for the installation 30  
or maintenance of the devices or the provision of any other 31  
services related to the devices only if the contract involves 32  
payment to the vendor on a fee basis that is not contingent upon 33  
the number of tickets issued or the amount of fines levied or 34  
collected by the local authority due to traffic law violations 35  
detected by the devices; 36

(2) Use the devices only for the enforcement of a traffic 37  
control signal violation or railroad crossing sign or signal 38  
violation, unless a law enforcement officer is present at the 39  
location of the device and issues the ticket at the time and 40  
location of the violation; 41

(3) Conform the use of the devices to all standards developed 42  
by the department of transportation under section 4511.093 of the 43  
Revised Code, including the timing of yellow lights and yellow 44  
arrows on traffic control signals; 45

(4) At least thirty days before a traffic law 46  
photo-monitoring device becomes operational, erect a warning sign 47  
that conforms in size, location, and content with standards 48  
established by the department of transportation under section 49  
4511.093 of the Revised Code and provide appropriate notice to 50  
local print and electronic media of the location of the device and 51

the date the device will be operational; 52

(5) Prescribe a penalty in an amount not exceeding the fine 53  
established by the municipal or county court having territorial 54  
jurisdiction over the entire or most of the political subdivision 55  
of the local authority, in its schedule of fines established 56  
pursuant to Traffic Rule 13(C), for a substantively comparable 57  
traffic law violation; 58

(6) Prior to requiring payment of any fine, provide any 59  
person who receives a ticket for an alleged violation of a traffic 60  
offense detected by a traffic law photo-monitoring device with the 61  
opportunity for a hearing before a hearing examiner or referee of 62  
a traffic violations bureau to answer the allegation by an 63  
admission, an admission with a mitigating explanation, or a 64  
denial; 65

(7) Process all fines and costs from a traffic offense 66  
detected by a traffic law photo-monitoring device by a violations 67  
clerk of a traffic violations bureau established in accordance 68  
with Traffic Rule 13. 69

(C)(1) During the first thirty days a device is monitoring an 70  
intersection or railroad crossing, the local authority shall issue 71  
only warning notices and shall not issue any ticket for any 72  
traffic law violation detected by the device. 73

(2) The local authority shall compile accident statistics for 74  
each location of a traffic law photo-monitoring device and shall 75  
update the statistics for each location periodically. For every 76  
twenty-four-month period after the device is installed, the local 77  
authority shall determine the change in the number of accidents at 78  
the location. If any twenty-four-month period does not show a net 79  
reduction in the number of accidents at the location, the local 80  
authority shall either remove the device or shall allow the use of 81  
the device to continue only if a law enforcement officer is 82

present at the location of the device and issues the ticket at the  
time and location of the violation.

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(D)(1) Only a law enforcement officer may examine the image  
recorded by a traffic law photo-monitoring device to determine  
whether a motor vehicle operator has violated a traffic control  
signal or a railroad sign or signal. Upon receipt of an image from  
a traffic law photo-monitoring device showing an alleged  
violation, the law enforcement agency shall conduct an  
investigation to attempt to determine or confirm the identity of  
the operator of the vehicle at the time of the alleged violation.  
If the identity of the operator at the time of the alleged  
violation is established, the law enforcement agency may issue a  
ticket for the violation. If the identity of the operator of the  
vehicle at the time of the alleged violation cannot be  
established, the law enforcement agency shall issue a warning to  
the owner of the vehicle at the time of the alleged violation,  
except in the case of a leased or rented vehicle when the warning  
may be issued to the lessee or renter at the time of the alleged  
violation.

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(2) No ticket or warning issued by mail for an alleged  
violation detected by a traffic law photo-monitoring device shall  
contain the vehicle owner or operator's social security number,  
and no request for information from the owner of a motor vehicle  
shall request the owner to provide another person's social  
security number or driver's license number.

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(3) A motor vehicle leasing dealer or motor vehicle renting  
dealer who receives a ticket for an alleged violation detected by  
a traffic law photo-monitoring device is not liable for a ticket  
issued for a vehicle that was in the care, custody, or control of  
a lessee or renter. A dealer who receives a ticket or warning for  
such a violation may notify the law enforcement agency that issued  
the ticket or warning of the vehicle lessee or renter's identity,

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but in no case shall the dealer pay a ticket and then attempt to 115  
collect a fee or assess the lessee or renter a charge for any 116  
payment of such a ticket made on behalf of the lessee or renter. 117

Sec. 4511.093. (A) The department of transportation shall 118  
develop standards governing the use of traffic law 119  
photo-monitoring devices and shall include the standards in the 120  
appropriate departmental standards and policy documents, including 121  
the Ohio manual of uniform traffic control devices. The standards 122  
shall include criteria for selecting locations at which the 123  
devices may be installed, size, location, and content standards 124  
for warning signs indicating the existence of a traffic law 125  
photo-monitoring device, and technical specifications that the 126  
devices and associated traffic signals must meet in order to be 127  
utilized by local authorities. 128

(B) At any intersection where a traffic law photo-monitoring 129  
device is installed, the time period during which the traffic 130  
control signal displays a yellow light or yellow arrow shall 131  
conform with the provisions contained in the manual adopted by the 132  
department pursuant to section 4511.09 of the Revised Code 133  
governing the time of display of yellow lights and yellow arrows 134  
by traffic control signals, and that time period shall not be 135  
shorter than the time period prescribed by that manual for 136  
intersections that are of the same type or have the same 137  
characteristics as the intersection at which the traffic control 138  
signal is located. 139

**Section 2.** Not later than sixty days after the effective date 140  
of this act, any local authority using a traffic law 141  
photo-monitoring device to enforce traffic laws shall conform each 142  
existing device and the use of the device to the provisions of 143  
section 4511.092 of the Revised Code, including any standards 144  
established by the Department of Transportation pursuant to 145

section 4511.093 of the Revised Code. Any ticket issued by a local	146
authority for a traffic law violation detected more than sixty	147
days after the effective date of this act by a device that does	148
not conform to the provisions of this act is invalid.	149