As Passed by the House

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Am. H. B. No. 69

Representatives Maag, Mallory

Cosponsors: Representatives Adams, J., Becker, Blessing, Buchy, Dovilla, Hood, Huffman, Milkovich, Ramos, Burkley, Conditt, Johnson, Lynch, Reece, Retherford, Roegner, Terhar, Thompson, Young Speaker Batchelder

A B I L L

To enact section 4511.095 and to repeal sections 4511.092 and 4511.094 of the Revised Code to prohibit the use of traffic law photo-monitoring devices by municipal corporations, counties, townships, and the State Highway Patrol to detect traffic signal light and speed limit violations, except in certain circumstances.

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

Section 1. That section 4511.095 of the Revised Code be enacted to read as follows:

Sec. 4511.095. (A) Section 34 of Article II, Ohio Constitution, provides that laws may be passed providing for the comfort, health, safety and general welfare of all employees. The general assembly finds these ends will be served by enacting legislation that prohibits the use of traffic law photo-monitoring devices. Therefore, in furtherance of the ends provided in Section 34 of Article II, Ohio Constitution, the general assembly hereby enacts this section of the Revised Code.
(B) As used in this section:

(1) "Local authority" means a municipal corporation, county, or township.

(2) "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 photographs, videotape, or digital images of the vehicle or its license plate.

(C) (1) Except as provided in division (C)(2) of this section, no local authority or the state highway patrol, utilizing either its own employees, those of another public entity, or those of a private entity, shall use a traffic law photo-monitoring device to determine compliance with, or to detect a violation of, section 4511.13 or 4511.21 of the Revised Code or a substantially equivalent municipal ordinance or county or township resolution.

(2) A local authority may use a traffic law photo-monitoring device to determine compliance with, or to detect a violation of, section 4511.21 of the Revised Code or a substantially equivalent municipal ordinance or county or township resolution within a school zone during school recess and while children are going to or leaving school during opening or closing hours only if a law enforcement officer employed by the local authority is present at the location of the traffic law photo-monitoring device.

Section 2. That sections 4511.092 and 4511.094 of the Revised Code are hereby repealed.