

As Passed by the House

130th General Assembly

**Regular Session
2013-2014**

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,
Rutherford, Roegner, Terhar, Thompson, Young Speaker Batchelder**

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A B I L L

To enact section 4511.095 and to repeal sections	1
4511.092 and 4511.094 of the Revised Code to	2
prohibit the use of traffic law photo-monitoring	3
devices by municipal corporations, counties,	4
townships, and the State Highway Patrol to detect	5
traffic signal light and speed limit violations,	6
except in certain circumstances.	7

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

Section 1. That section 4511.095 of the Revised Code be	8
enacted to read as follows:	9

<u>Sec. 4511.095. (A) Section 34 of Article II, Ohio</u>	10
<u>Constitution, provides that laws may be passed providing for the</u>	11
<u>comfort, health, safety and general welfare of all employees. The</u>	12
<u>general assembly finds these ends will be served by enacting</u>	13
<u>legislation that prohibits the use of traffic law photo-monitoring</u>	14
<u>devices. Therefore, in furtherance of the ends provided in Section</u>	15
<u>34 of Article II, Ohio Constitution, the general assembly hereby</u>	16
<u>enacts this section of the Revised Code.</u>	17

<u>(B) As used in this section:</u>	18
<u>(1) "Local authority" means a municipal corporation, county, or township.</u>	19
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<u>(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.</u>	21
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<u>(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.</u>	26
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<u>(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.</u>	33
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Section 2. That sections 4511.092 and 4511.094 of the Revised Code are hereby repealed.	41
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