



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 69 of the 130th G.A.

Date: April 15, 2013

Status: As Introduced

Sponsor: Reps. Maag and Mallory

Local Impact Statement Procedure Required: Yes

Contents: Prohibits the use of photo-monitoring devices by municipal corporations, counties, townships, and the State Highway Patrol to detect traffic signal light and speed limit violations

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

LOCAL GOVERNMENT

FY 2013 – FUTURE YEARS

Certain Municipalities (those using photo-enforcement devices)

Revenues	Loss of civil fines ranging from tens of thousands to a few million dollars annually
Expenditures	Potential personnel savings effect, as need for evidence review and appeals eliminated

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- Approximately, 16 Ohio municipalities will lose their ability to collect a percentage of civil fine revenue associated with a traffic law violation detected by a photo-monitoring device. The amount of revenue that will be lost annually ranges from tens of thousands to a few million dollars. An expenditure savings effect may also be produced by eliminating the need for local law enforcement to review images and the handling of appeals by a hearing officer.

Detailed Fiscal Analysis

The bill prohibits municipal corporations, counties, townships, and the State Highway Patrol from using traffic law photo-monitoring devices to detect traffic signal light and speed limit violations. The prohibition will have no impact on the expenditures or revenues of the state of Ohio, but will reduce the civil fine revenue generated for local governments using such devices.

Generally, a local government using photo-monitoring devices will enter into a contract with a private company to provide the equipment and monitoring necessary to operate the devices. A law enforcement officer of the local government typically examines the image recorded by the device to determine whether a violation has occurred. If the officer determines that a violation has occurred, a notice is sent to the owner of the vehicle. The owner is required to respond by one of the following methods: (1) paying the fine, (2) submitting evidence of an exception to liability, or (3) requesting a hearing. The fine amount is split between the local government and the private company. The percentage split varies from place to place due to a number of factors, for example, the contract practices of the private company, the type of system, and the number of devices.

Local fiscal effects

Local revenue

According to the Insurance Institute for Highway Safety, 16 Ohio municipalities utilize photo-monitoring devices to enforce traffic signal light and/or speed limit violations. As a result of the bill, these municipalities will lose the ability to collect a percentage of civil fine revenue. The amount of revenue that will be lost annually ranges from tens of thousands to a few million dollars. The table below provides details on these municipalities, including the type of photo-enforcement devices used, and the estimated annual revenue these devices earn for the local government.

Local expenditures

As noted, before a notice of violation is mailed to the owner, the image is reviewed by a law enforcement officer. Additionally, if an owner wants to appeal the violation, a hearing is scheduled with a hearing officer typically appointed by the jurisdiction's public safety director. If the photo-enforcement program is eliminated the jurisdiction may realize some savings by eliminating the need for this review and appeals process. The local governments utilizing these devices may face some costs associated with the termination of their service agreement with the private company that installed and maintains the photo-enforcement system.

Table 1. Municipalities in Ohio Using Photo-Enforcement Devices		
Municipality	Type of Cameras Used*	Estimated Revenue**
Akron	S	\$520,000 (school year 2011-2012)
Ashtabula	R/S	Discontinued in 2011
Cleveland	R/S	\$5.1 million
Columbus	R/S	\$5.1 million
Dayton	R/S	\$2.4 million
East Cleveland	R/S	Not available
Elmwood Place	S	\$900,000 (since 9/2012)
Hamilton	S	\$338,342
Middletown	R	\$186,580
New Miami	S	\$210,000 (since 10/2012)
Northwood	R/S	\$36,506 (2009)
Parma	S	\$571,762 (school year 2009-2010)
Springfield	R	\$287,784
Toledo	R/S	\$3 million
Trotwood	R/S	\$294,000 (2011)
West Carrollton	R/S	\$112,876

*R=red light camera; S=speed camera

**Unless indicated otherwise, the revenue amount is for FY 2012.

State fiscal effects

As violations detected by photo-monitoring devices are not criminal convictions, do not go on the owner's driving record, and points are not added to their driving record, the bill will have no direct fiscal effect on the state.