Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Am. Sub. S.B. 342 of the 130th G.A. **Date**: December 11, 2014

Status: As Enacted **Sponsor**: Sen. Seitz

Local Impact Statement Procedure Required: Yes

Contents: Traffic law photo-monitoring devices

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- If new officers are hired and posted at each of the approximately 250 traffic law photo-monitoring devices currently in use, then staffing these devices 24/7 will cost about $73.0 million statewide per year. Given this cost, municipalities may decrease their use of the devices to a level supported by existing resources.
- If municipalities choose to decrease or eliminate their use of the devices, they will see a reduction in fine revenue generated. Approximately $12.0 million to $15.0 million per year in fine revenue is currently being generated statewide.

Detailed Fiscal Analysis

Stationing an officer at each device

The bill establishes several conditions for the use of traffic law photo-monitoring devices by local authorities to detect certain traffic law violations.[1] Most significantly, the bill requires a law enforcement officer to be present at the site of the device at all times during its operation.

According to the Insurance Institute for Highway Safety and various media reports, as of December 2014 there are approximately 250 traffic law photo-monitoring devices being used by 15 Ohio municipalities. The table below summarizes the municipalities using photo-monitoring devices and whether their purpose is to enforce red light and/or speed violations.

Ohio Municipalities Using Red Light and/or Speed Cameras		
Municipality	**County**	**Type of Enforcement**
Akron	Summit	Speed
Ashtabula	Ashtabula	Red Light, Speed
Columbus	Franklin	Red Light, Speed
Dayton	Montgomery	Red Light, Speed
East Cleveland	Cuyahoga	Red Light, Speed
Hamilton	Butler	Speed
Middletown	Butler/Warren	Red Light
Newburgh Heights	Cuyahoga	Speed
Northwood	Wood	Red Light, Speed
Parma	Cuyahoga	Speed
Springfield	Clark	Red Light
Toledo	Lucas	Red Light, Speed
Trotwood	Montgomery	Red Light, Speed
Village of Lucas	Richland	Speed
West Carrollton	Montgomery	Red Light, Speed

The bill's requirement that a law enforcement officer be present at the site of a device may have a significant fiscal impact on these municipalities. Operating the devices for 24 hours per day and seven days per week will require at least four officers for each device – a total of approximately 1,000 officers for all 250 devices statewide. If these jurisdictions hire 1,000 new officers to be posted at each device location, and the average annual salary and benefits of a police patrol officer in Ohio is about $73,000,

[1] Currently, the devices are used to detect instances of running a red light or violating the speed limit.

then the maximum annual cost of stationing an officer at each device is approximately $73.0 million (1,000 officers x $73,000 per officer) statewide.

In Ohio, red-light violations range in fines from roughly $100 to $200 per offense. Since municipalities tend to utilize private vendors to provide the equipment used to enforce the violations, the vendors receive a percentage of the fine revenue, ranging from 30% to 60% of the ticket value. Factoring in the $73,000 per year an officer receives, between one and four citations will need to be issued per camera location in order to off-set the cost of stationing an officer at a given traffic camera location per shift. If a camera location is to be staffed for a 24-hour period, between four and 16 citations will need to be issued to completely off-set the cost of stationing an officer at any given location.[2]

It is also possible that municipalities will find that hiring the number of new officers necessary to continuously operate the current number of devices is cost prohibitive, and, instead, will decrease the use of the devices to a level at which they can utilize existing resources. For example, a municipality may operate fewer devices or only operate them at peak traffic times at locations yielding the greatest revenue.

Alternatively, municipalities may completely eliminate the use of the devices. A reduction in the use of the devices will result in a reduction in fine revenue. In the last few years, annual fine revenue has ranged from tens of thousands of dollars to more than $5.0 million per municipality, depending on the number of devices in that municipality. Statewide, annual fine revenue may be from $12.0 million to $15.0 million.[3]

Other conditions for use of devices

The other conditions for use of the devices that are imposed by the bill include requiring local authorities to: (1) conduct a safety study of each location that is being considered for a device, (2) conduct a public information campaign, (3) publish notice of the intent to use the devices (including where the devices will be used and the date on which the devices will become operational), (4) refrain from imposing fines for violations detected by a device for at least 30 days after deployment of the device, and (5) erect signs leading up to each intersection where a device is located. These requirements may also increase costs for municipalities choosing to use the devices. It is probable, however, that many of the municipalities currently using the devices already meet many of these requirements.

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[2] These figures were calculated by dividing $73,000 by the amount of a ticket fine, then accounting for the cost of a vendor's percentage. Actual figures ranged between 1.3 tickets and 3.2 tickets per shift.

[3] There is no official record of fine revenues statewide. This estimate is based on media reports and contacts with municipalities currently using the devices.

Department of Public Safety annual report

The bill requires the Department of Public Safety to issue a report to the General Assembly that specifies the number of citations issued for texting while driving violations during the previous calendar year. The Department will incur no discernible cost to produce the required report each year as the Bureau of Motor Vehicles (BMV) already collects the necessary citation data.

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