

**As Reported by the Senate Local Government, Public Safety and
Veterans Affairs Committee**

132nd General Assembly

**Regular Session
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Sub. H. B. No. 125

Representatives Craig, Seitz

**Cosponsors: Representatives West, Leland, Young, Retherford, Sheehy,
Patterson, Smith, K., Antonio, Celebrezze, Bocchieri, Cera, O'Brien, Howse, Boggs,
Ashford, Sykes, Rogers, Boyd, Manning, Rezabek, Arndt, Barnes, Blessing,
Brenner, Dever, Gavarone, Ginter, Goodman, Green, Hambley, Holmes,
Householder, Ingram, Johnson, Kick, McColley, Patton, Ramos, Reineke, Roegner,
Schaffer, Slaby, Smith, R., Sprague, Stein, Sweeney, Thompson, Wiggam**

Senator Uecker

A BILL

To amend sections 1901.20, 1907.02, and 4511.093 1
and to enact section 4511.072 of the Revised 2
Code to specify the jurisdiction of municipal 3
and county courts over civil violations of 4
municipal traffic ordinances, to prohibit 5
townships from using traffic law photo- 6
monitoring devices on interstate highways, and 7
to establish requirements governing fines, fees, 8
or other charges for traffic violations and 9
infractions imposed by a municipal corporation 10
that does not have the authority to establish a 11
mayor's court. 12

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

Section 1. That sections 1901.20, 1907.02, and 4511.093 be 13

amended and section 4511.072 of the Revised Code be enacted to 14
read as follows: 15

Sec. 1901.20. (A) (1) The municipal court has jurisdiction 16
to hear misdemeanor cases committed within its territory and has 17
jurisdiction over the violation of any ordinance of any 18
municipal corporation within its territory. 19

(2) The municipal court has exclusive jurisdiction over 20
all civil violations of every state traffic law or municipal 21
traffic ordinance of each municipal corporation within the 22
territory of the court unless: 23

(a) The mayor of the municipal corporation has 24
jurisdiction over the violation pursuant to section 1905.01 of 25
the Revised Code~~7~~, unless 26

~~the~~ (b) The violation is a civil violation based upon 27
evidence recorded by a traffic law photo-monitoring device and a 28
ticket is issued pursuant to division (B) (3) of section 4511.093 29
of the Revised Code ~~or the~~. 30

~~violation is required to be handled by a parking~~ 31
~~violations bureau or joint parking violations bureau pursuant to~~ 32
~~Chapter 4521. of the Revised Code. However, the~~ (3) The 33
municipal court has jurisdiction over the violation of a vehicle 34
parking or standing resolution or regulation if a local 35
authority, as defined in division (D) of section 4521.01 of the 36
Revised Code, has specified that it is not to be considered a 37
criminal offense, if the violation is committed within the 38
limits of the court's territory, and if the violation is not 39
required to be handled by a parking violations bureau or joint 40
parking violations bureau pursuant to Chapter 4521. of the 41
Revised Code. However, a municipal court does not have 42

jurisdiction over a violation required to be handled by a 43
parking violations bureau or joint parking violations bureau 44
pursuant to Chapter 4521. of the Revised Code. 45

(4) The municipal court, if it has a housing or 46
environmental division, has jurisdiction over any criminal 47
action over which the housing or environmental division is given 48
jurisdiction by section 1901.181 of the Revised Code, provided 49
that, except as specified in division (B) of that section, no 50
judge of the court other than the judge of the division shall 51
hear or determine any action over which the division has 52
jurisdiction. In all such prosecutions and cases, the court 53
shall proceed to a final determination of the prosecution or 54
case. 55

~~(2)~~ (B) A judge of a municipal court does not have the 56
authority to dismiss a criminal complaint, charge, information, 57
or indictment solely at the request of the complaining witness 58
and over the objection of the prosecuting attorney, village 59
solicitor, city director of law, or other chief legal officer 60
who is responsible for the prosecution of the case. 61

~~(B)~~ (C) The municipal court has jurisdiction to hear 62
felony cases committed within its territory. In all felony 63
cases, the court may conduct preliminary hearings and other 64
necessary hearings prior to the indictment of the defendant or 65
prior to the court's finding that there is probable and 66
reasonable cause to hold or recognize the defendant to appear 67
before a court of common pleas and may discharge, recognize, or 68
commit the defendant. 69

~~(C)~~ (D) (1) A municipal court has jurisdiction over an 70
appeal from a judgment or default judgment entered pursuant to 71
Chapter 4521. of the Revised Code, as authorized by division (D) 72

of section 4521.08 of the Revised Code. The appeal shall be 73
placed on the regular docket of the court and shall be 74
determined by a judge of the court. 75

(2) A municipal court has jurisdiction over an appeal of a 76
written decision rendered by a hearing officer under section 77
4511.099 of the Revised Code if the hearing officer that 78
rendered the decision was appointed by a local authority within 79
the jurisdiction of the court. 80

Sec. 1907.02. (A) (1) In addition to other jurisdiction 81
granted a county court in the Revised Code, a county court has 82
jurisdiction of all misdemeanor cases. A county court has 83
jurisdiction to conduct preliminary hearings in felony cases, to 84
bind over alleged felons to the court of common pleas, and to 85
take other action in felony cases as authorized by Criminal Rule 86
5. 87

(2) A judge of a county court does not have the authority 88
to dismiss a criminal complaint, charge, information, or 89
indictment solely at the request of the complaining witness and 90
over the objection of the prosecuting attorney, village 91
solicitor, city director of law, or other chief legal officer 92
who is responsible for the prosecution of the case. 93

(B) A county court has jurisdiction of the violation of a 94
vehicle parking or standing ordinance, resolution, or regulation 95
if a local authority, as defined in division (D) of section 96
4521.01 of the Revised Code, has specified that it is not to be 97
considered a criminal offense, if the violation is committed 98
within the limits of the court's territory, and if the violation 99
is not required to be handled by a parking violations bureau or 100
joint parking violations bureau pursuant to Chapter 4521. of the 101
Revised Code. A county court does not have jurisdiction over 102

violations of ordinances, resolutions, or regulations that are 103
required to be handled by a parking violations bureau or joint 104
parking violations bureau pursuant to that chapter. 105

A county court also has jurisdiction of an appeal from a 106
judgment or default judgment entered pursuant to Chapter 4521. 107
of the Revised Code, as authorized by division (D) of section 108
4521.08 of the Revised Code. Any such appeal shall be placed on 109
the regular docket of the court and shall be determined by a 110
judge of the court. 111

(C) A county court has jurisdiction over an appeal of a 112
written decision rendered by a hearing officer under section 113
4511.099 of the Revised Code if the hearing officer that 114
rendered the decision was appointed by a local authority within 115
the jurisdiction of the court. 116

(D) Except as provided in division (B) of this section, a 117
county court has exclusive jurisdiction over all civil 118
violations of every state traffic law or municipal traffic 119
ordinance within the territory of the court, unless the 120
violation is a civil violation based upon evidence recorded by a 121
traffic law photo-monitoring device and a ticket is issued 122
pursuant to division (B) (3) of section 4511.093 of the Revised 123
Code or the mayor of a municipal corporation has jurisdiction 124
over the violation pursuant to section 1905.01 of the Revised 125
Code. 126

Sec. 4511.072. (A) A municipal corporation that does not 127
have the authority to establish a mayor's court under section 128
1905.01 of the Revised Code shall not impose a fine, fee, or 129
other charge for a traffic violation that exceeds the applicable 130
fine, fee, or other charge for the substantially equivalent 131
state violation established pursuant to Traffic Rule 13(C) by 132

the municipal or county court having territorial jurisdiction 133
over the location of the violation. 134

(B) A municipal corporation that does not have the 135
authority to establish a mayor's court under section 1905.01 of 136
the Revised Code shall not charge a fine, fee, or other charge 137
for a traffic violation that is not included in the schedule of 138
finest for state violations established pursuant to Traffic Rule 139
13(C) by the municipal or county court having territorial 140
jurisdiction over the location of the violation. 141

Sec. 4511.093. (A) A local authority may utilize a traffic 142
law photo-monitoring device for the purpose of detecting traffic 143
law violations. If the local authority is a county or township, 144
the board of county commissioners or the board of township 145
trustees may adopt such resolutions as may be necessary to 146
enable the county or township to utilize traffic law photo- 147
monitoring devices. 148

(B) The use of a traffic law photo-monitoring device is 149
subject to the following conditions: 150

(1) A local authority shall use a traffic law photo- 151
monitoring device to detect and enforce traffic law violations 152
only if a law enforcement officer is present at the location of 153
the device at all times during the operation of the device and 154
if the local authority complies with sections 4511.094 and 155
4511.095 of the Revised Code. 156

(2) A law enforcement officer who is present at the 157
location of any traffic law photo-monitoring device and who 158
personally witnesses a traffic law violation may issue a ticket 159
for the violation. Such a ticket shall be issued in accordance 160
with section 2935.25 of the Revised Code and is not subject to 161

sections 4511.096 to 4511.0910 and section 4511.912 of the Revised Code. 162
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(3) If a traffic law photo-monitoring device records a traffic law violation and the law enforcement officer who was present at the location of the traffic law photo-monitoring device does not issue a ticket as provided under division (B) (2) of this section, the local authority may only issue a ticket in accordance with sections 4511.096 to 4511.0912 of the Revised Code. 164
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(C) No township constable appointed under section 509.01 of the Revised Code, member of a police force of a township or joint police district created under section 505.48 or 505.482 of the Revised Code, or other representative of a township shall utilize a traffic law photo-monitoring device to detect and enforce traffic law violations on an interstate highway. 171
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Section 2. That existing sections 1901.20, 1907.02, and 4511.093 of the Revised Code are hereby repealed. 177
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