



Ohio Revised Code

Section 5747.502 Reports on fines resulting from traffic law photo-monitoring devices.

Effective: July 3, 2019

Legislation: House Bill 62 - 133rd General Assembly

(A) As used in this section:

(1) "Local authority" and "traffic law photo-monitoring device" have the same meanings as in section 4511.092 of the Revised Code.

(2) "School zone" has the same meaning as in section 4511.21 of the Revised Code.

(3) "Transportation district" means a territorial district established by the director of transportation under section 5501.14 of the Revised Code.

(4) "District deputy director" means the person appointed and assigned by the director of transportation under section 5501.14 of the Revised Code to administer the activities of a transportation district.

(B) Annually, on or before the thirty-first day of July, any local authority that operated, directly or indirectly, a traffic law photo-monitoring device during the preceding fiscal year shall file a report with the tax commissioner that includes a detailed statement of the civil fines the local authority has collected from drivers for any violation of any local ordinance or resolution during that period that are based upon evidence recorded by a traffic law photo-monitoring device. The report shall enumerate the gross amount of all such fines that have been collected and the gross amount of such fines that have been collected for violations that occurred within a school zone. For the purposes of divisions (B) and (C) of this section, the gross amount of such fines includes the entire amount paid by the driver.

(C) Upon receipt of a report filed pursuant to division (B) of this section, the commissioner shall do the following, as applicable:



(1) If the local authority is a municipal corporation, reduce the amount of each of the next twelve payments to the municipal corporation under division (C) of section 5747.50 of the Revised Code by an amount equal to one-twelfth of the gross amount of all fines indicated on the report. If the fines exceed the amount of money the municipal corporation would otherwise receive under division (C) of section 5747.50 of the Revised Code, the commissioner also shall reduce each of the next twelve payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to one-twelfth of the excess and notify the county auditor and county treasurer of that county that each of the next twelve payments the municipal corporation receives under section 5747.51 or 5747.53 of the Revised Code shall be reduced by one-twelfth of the excess.

(2) If the local authority is not a municipal corporation, reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to one-twelfth of the gross amount of all fines indicated on the report and immediately notify the county auditor and county treasurer of that county that each of the next twelve payments the local authority receives under section 5747.51 or 5747.53 of the Revised Code shall be reduced by one-twelfth of the gross amount of all fines indicated on the report;

(3) If one or more payments to the local authority has been withheld under division (D) of this section because of failure to timely file the report, notify the county auditor and county treasurer of the appropriate county that the report has been received and that, subject to divisions (C)(1) and (2) of this section, payments to the local authority from the undivided local government fund are to resume. Subject to divisions (C)(1) and (2) of this section, a county treasurer receiving notice under this section shall provide for payments to the local authority from the county undivided local government fund beginning with the next required payment.

(4) On or before the tenth day of each of the next twelve months, make a payment to the local authority in an amount equal to one-twelfth of the gross amount of civil fines collected from drivers for violations of local ordinances or resolutions that occurred within a school zone and are based upon evidence recorded by a traffic law photo-monitoring device, as indicated on the report. Payments received by a local authority under this division shall be used by the local authority for school safety purposes.



(D) Upon discovery, based on information in the commissioner's possession, that a local authority required to file a report under division (B) of this section has failed to do so, the commissioner shall do the following, as applicable:

(1) If the local authority is a municipal corporation, cease providing for payments to the municipal corporation under section 5747.50 of the Revised Code beginning with the next required payment and until such time as the report is received by the commissioner;

(2) For any local authority, reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the amount of such payments the local authority would otherwise receive under section 5747.51 or 5747.53 of the Revised Code, beginning with the next required payment and until such time as the report is received by the commissioner;

(3) For any local authority, notify the county auditor and county treasurer that such payments are to cease until the commissioner notifies the auditor and treasurer under division (C)(3) of this section that the payments are to resume.

(E) A county treasurer that receives a notice from the commissioner under division (C)(1), (2), (3), or (D)(3) of this section shall reduce, cease, or resume payments from the undivided local government fund to the local authority that is the subject of the notice as specified by the commissioner in the notice. Unless otherwise specified in the notice, the payments shall be reduced, ceased, or resumed beginning with the next required payment.

(F) There is hereby created in the state treasury the Ohio highway and transportation safety fund. On or before the tenth day of each month, the commissioner shall deposit in the fund an amount equal to the total amount by which payments to local authorities were reduced or ceased under division (C) or (D) of this section minus the total amount of payments made under division (C)(4) of this section. The amount deposited with respect to a local authority shall be credited to an account to be created in the fund for the transportation district in which that local authority is located. If the local authority is located within more than one transportation district, the amount credited to the account of each such transportation district shall be prorated on the basis of the number of centerline miles of public roads and highways in both the local authority and the respective districts. Amounts credited to a



transportation district's account shall be used by the department of transportation and the district deputy director exclusively to enhance public safety on public roads and highways within that transportation district.