



**WRITTEN TESTIMONY TO THE HOUSE GOVERNMENT ACCOUNTABILITY &  
OVERSIGHT COMMITTEE**

**HB 410**

**Jan. 23, 2018**

Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde and all members of the House Government Accountability and Oversight Committee, thank you for the opportunity to provide written testimony opposing HB 410.

HB 410 would burden Ohio's municipalities with costly and unnecessary requirements for enforcing local safety regulations. The bill strips cities and villages of their right to use administrative hearings for civil citation issuance via traffic camera, which is an effective and financially-responsible means of providing a hearing process – particularly for Ohio's small villages, which are often under-staffed and financially strained. The bill mandates a municipality file a civil action and make an advanced deposit for the court's cost and fees (while the registered owner of the cited vehicle would not be assessed for any cost incurred by the court).

These provisions place an undue burden on municipalities which, per a July ruling by the Ohio Supreme Court Ruling, have the constitutional authority to operate and issue citations from traffic cameras. The ruling, striking down portions of SB 342 from the 130<sup>th</sup> General Assembly, grants municipalities the right to operate red light traffic cameras under their Home Rule authority. This bill unnecessarily relitigates an issue that has already been decided by the highest court in the land.

Perhaps the most damaging provision of the bill mandates municipalities using traffic cameras to file an annual report with the tax commissioner with the total revenues collected from the devices so their Local Government Fund distribution can be reduced accordingly. Despite the Constitutional right municipalities have to operate traffic cameras, this bill seeks to punish those municipalities who use that right by further depleting the revenues they need to ensure safety and provide local services.

HB 410 would unnecessarily burden municipalities for operating within their Home Rule rights as so ruled by the Ohio Supreme Court, and we urge the opposition of this bill. Thank you for your consideration.

Sincerely,

Kent Scarrett  
Executive Director  
Ohio Municipal League