

TOLEDO — A lawsuit challenging how Ohio's fourth-largest city hands out citations and fines to drivers caught speeding and running red lights on camera could impact other cities around the state with traffic cameras.

The Ohio Supreme Court has agreed to review a state appeals decision that said the city of Toledo had wrongly taken away jurisdiction from its municipal court with its administrative review process for drivers caught on camera.

The ruling stems from a class-action suit filed in 2011 against the city and a company that makes the traffic cameras.

"They've denied the cited people their statutorily and constitutionally protected day in court," said Andrew Mayle, a Fremont attorney.

Drivers who have been fined after being caught on traffic cameras in Toledo should get their money back, he told The Blade newspaper in Toledo.

Toledo City Law Director Adam Loukx said in a filing with the state Supreme Court that appeals court decision had taken away cities' rights spelled out in the Ohio Constitution that allow them to create review processes for noncriminal issues.

"If not reversed, the 6th District ruling will adversely affect similar municipal ordinances throughout the state and will undermine the well-established principles of home-rule established in the Ohio Constitution," he wrote.

Mayle, however, argues that the Ohio Constitution gives the state Legislature the authority to create a court and determine its jurisdiction. An ordinance passed by a home-rule city does not override state law, he said.

The Ohio Municipal League along with the cities of Columbus and Dayton are backing Toledo's position.

"Considering the impact of this issue just on photo-enforcement programs, almost two dozen Ohio cities will be affected, including six of Ohio's seven largest cities, and potentially every Ohioan who drives or owns a vehicle," attorneys for the Ohio Municipal League wrote in a court document.

State lawmakers have been debating proposals to ban the use of cameras to enforce red lights and prohibit their use for speed enforcement in most cases.

Some cities have argued for statewide standards for the cameras instead of banning them altogether.

Supporters of a ban contend the cameras are more about generating revenue than safety. Others argue that the cameras cut down on crashes and makes roads safer.