

# Ohio Legislative Service Commission

Legislative Budget Office    Office of Research and Drafting

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## Comparison Document

House Bill 62—133rd General Assembly

Transportation Budget

(FY 2020-FY 2021)

As Introduced (LSC 133 0002-2)

In House Finance (LSC 133 0002-5)

March 5, 2019

Executive

In House Finance

**OBMCD1            Limitations on use of capital appropriations**

**Section:    501.10**

Requires that the use of the capital appropriations in the bill be limited to: real property; buildings and structures; architectural, engineering, and professional services directly related to the projects; machinery; new computer systems; and furniture, fixtures, or equipment meeting certain criteria.

**Section:    501.10**

Same as the Executive.

**OBMCD2            State Arbitrage Rebate Authorization**

**Section:    503.10**

Appropriates any amount necessary to make payments to the federal government of investment income rebates to maintain the federal income tax exemption of interest on bonds issued by the State of Ohio.

Requires OBM to approve and voucher payments for this purpose.

**Fiscal effect: Federal law prohibits tax-exempt bond issuers, such as the state of Ohio, from earning a higher rate of interest from investment of bond proceeds than the interest paid on the bonds. Any payments that might be required under this section will be paid out of the bond fund in which excess earnings were realized.**

**Section:    503.10**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## Executive

## In House Finance

**OBMCD3 Authorization for Treasurer of State and OBM to effectuate lease rental payments****Section: 509.10**

Requires OBM to initiate and process payments from lease rental payment appropriation items during the FY 2020-FY 2021 biennium pursuant to lease agreements for bonds or notes issued under Section 2i of Article VIII, Ohio Constitution, Chapters 152. and 154. of the Revised Code, and acts of the General Assembly. Requires payments to be made upon certification by the Treasurer of State of the dates and amounts due on those dates.

**Section: 509.10**

Same as the Executive.

**OBMCD4 Lease and debt service payments****Section: 509.20**

Provides for additional appropriations to cover debt service and bond financing costs if additional appropriations to cover those payments are necessary.

**Section: 509.20**

Same as the Executive.

**OBMCD5 Flexibility to process 27th paycheck in FY 2019****Section: 509.30**

Allows OBM to authorize additional expenditures in FY 2019 to pay agency payroll costs for the pay period ending June 22, 2019, which were not included in appropriations to agencies in FY 2019.

Establishes appropriations for any expenditures authorized by OBM for this purpose, and allows OBM to transfer cash between funds if necessary to make these expenditures and to reimburse funds from which cash was so transferred.

**Section: 509.30**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

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Fiscal effect: Typically there are 26 pay periods per fiscal year for the vast majority of state employees (those receiving bi-weekly paychecks). In FY 2020, there will be 27 pay periods. The authority granted in this section allows OBM to pay for the extra pay period at the end of FY 2019, if cash is available, instead of, under the normal payment schedule, agencies paying for the 27th paycheck for state employees in FY 2020.

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Fiscal effect: Same as the Executive.

Executive

In House Finance

DEVCD2 Roadwork Development Fund uses

No provision.

R.C. 122.14

Authorizes the use of money in the Roadwork Development Fund (Fund 4W00) specifically for the construction and maintenance of public roads that provide or improve access to tourism attractions.

Fiscal effect: Potential increase in roadwork projects eligible for grants under the program.

DEVCD1 Roadwork Development Grant Program

Section: 207.20

(1) Requires the Roadwork Development Fund (Fund 4W00) to be used for road improvements associated with economic development projects to retain or attract businesses in Ohio. Includes among eligible projects airport access roads or roads within public airport property. Defines "road improvements" as improvements to public roadway facilities located on, serving, or that are capable of serving a project site.

(2) Requires ODOT to provide funds in accordance with the guidelines and requirements of other Development Services Agency (DSA) programs, including Controlling Board review and approval, as well as constitutional requirements for the use of motor fuel tax revenues. Permits ODOT to assist DSA with project completion and to enter into contracts on behalf of DSA. Permits Fund 4W00 money to be used in conjunction with any other state funding for infrastructure improvements.

Section: 207.20

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

(3) Requires OBM, pursuant to a plan submitted by DSA or as otherwise determined, to set a cash transfer schedule to meet the needs of Fund 4W00, and requires such transfers to be made from the Highway Operating Fund (Fund 7002) according to the schedule.

**Fiscal effect: The executive budget appropriates \$15.2 million in each of FY 2020 and FY 2021 for the Roadwork Development Program under Fund 4W00 line item 195629, Roadwork Development. These amounts are identical to the sums appropriated under the current biennium's transportation budget.**

Same as the Executive.

**Fiscal effect: The House budget increases appropriations to line item 195629 by \$2.1 million per year to \$17.3 million in each fiscal year.**

Executive

In House Finance

**DNRCD2**

**Oil and Gas Infrastructure Fund**

**R.C. 1509.02, 321.50, 1509.11, and 5749.02**

No provision.

Requires that \$5 million cash in each fiscal year be transferred from the existing Oil and Gas Well Fund (5180) to the Oil and Gas Infrastructure Fund created by the bill.

No provision.

Specifies that cash transfers from Fund 5180 to the Oil and Gas Infrastructure Fund may occur only if Fund 5180 maintains a minimum balance of \$50 million on the final day of each fiscal year.

No provision.

Requires that the Director of Budget and Management distribute \$5 million to counties each fiscal year from the Oil and Gas Infrastructure Fund proportionally, based on the number of producing shale oil and gas wells in each county compared to the number of such producing wells statewide as of June 15 each year, as certified by the Chief of the Division of Oil and Gas Resources Management. Requires the county treasurer to establish a county oil and gas infrastructure fund to receive the proceeds from the state distributions.

No provision.

Requires county treasurers to distribute the money in the county oil and gas infrastructure fund to each political subdivision that receives Local Government Fund distributions in proportion to the amount the subdivision receives from the county's undivided local government fund.

No provision.

Requires political subdivisions that receive distributions under this provision to use the money for capital improvements, such as the cost of acquiring, improving, or planning roads and bridges, sewer and water systems, and solid waste disposal facilities.

Executive

In House Finance

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Fiscal effect: As of September 30, 2018, the most recent date for which well production information is available, a total of 17 counties in the Utica and Marcellus shale region would receive funds for capital improvements.

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Executive

In House Finance

DPSCD12

Private motor vehicle rentals

R.C. 3944.01, 3944.02, 3944.03, 3944.04, 3944.05, 3944.06, 3944.07, 3944.08, 3944.09, 3944.10, 4516.01, 4516.02, 4516.03, 4516.04, 4516.05, 4516.06, 4516.07, Section 757.60

(1) No provision.

(1) Defines "peer-to-peer car sharing" as the authorized use of a private motor vehicle by an individual other than the motor vehicle's owner through a peer-to-peer car sharing program.

(2) No provision.

(2) Defines "peer-to-peer car sharing program" as a person who operates a business platform that connects a shared vehicle owner to a shared vehicle driver to enable the sharing of vehicles for financial consideration.

(3) No provision.

(3) Defines "peer-to-peer car sharing program agreement" as an agreement established through the peer-to-peer car sharing program that serves as a contract between the peer-to-peer car sharing program, the shared vehicle owner, and the shared vehicle driver and describes the specific terms and conditions of the agreement, including the car sharing period and location or locations for transfer of possession.

(4) No provision.

(4) Authorizes private motor vehicle rentals between vehicle owners and other licensed drivers through a peer-to-peer car sharing program and peer-to-peer car sharing agreements.

(5) No provision.

(5) Establishes the requirements and responsibilities of the peer-to-peer car sharing program pertaining to information that must be gathered from participants in the program, the disclosures that must be made to participants, and procedures when a safety recall is issued on a participating motor vehicle.

Executive

In House Finance

(6) No provision.

(6) Prohibits a peer-to-peer car sharing program from entering into a peer-to-peer car sharing agreement with an unlicensed driver, a person whose license has been suspended, or an owner who does not have a participating vehicle properly registered and insured.

(7) No provision.

(7) Declares that peer-to-peer car sharing programs are vendors for purposes of collecting and remitting sales taxes.

(8) No provision.

(8) Requires the Registrar of Motor Vehicles, in consultation with the Department of Insurance, to adopt rules establishing administrative penalties for violations of the requirements related to peer-to-peer car sharing and establishing requirements related to concession agreements with an airport if participants in the program participate in car sharing within three miles of the airport.

(9) No provision.

(9) Establishes specific automobile insurance and liability requirements for both the peer-to-peer car sharing program and participants in the program as follows:

(a) No provision.

(a) Makes a peer-to-peer car sharing program generally liable for harm proximately caused by the operation of a car being shared on its platform;

(b) No provision.

(b) Exempts a peer-to-peer car sharing program and a shared vehicle owner from vicarious liability for harm arising from the use, operation, or possession of the vehicle during the car sharing period;

(c) No provision.

(c) Requires a peer-to-peer car sharing program to ensure that a shared vehicle is covered by at least state minimum levels of insurance while engaged in car sharing, which may be provided by the program, the shared vehicle owner, or the shared vehicle driver;

Executive

In House Finance

(d) No provision.

(d) Specifies that a peer-to-peer car sharing program has an insurable interest in a shared vehicle, but need not insure the vehicle itself;

(e) No provision.

(e) Allows an insurer to exclude coverage of a claim arising from car sharing activities and to limit the number of cars it will insure on a single policy, but prohibits an insurer from canceling a policy just because the car was shared;

(f) No provision.

(f) Allows an insurer to seek contribution from the insurer of a peer-to-peer car sharing program for a claim that it defends but that was excluded from coverage; and

(g) No provision.

(g) Requires a peer-to-peer car sharing program to keep certain records to facilitate the investigation of a claim for coverage.

**Fiscal effect: The annual costs for the Bureau of Motor Vehicles to perform its administrative duties are uncertain, with its costs primarily covered by money appropriated from the Public Safety - Highway Purposes Fund (Fund 5TM0). Automobile insurance regulations for this program may increase the Department of Insurance's annual administrative costs, which are paid from the Department's Operating Fund (Fund 5540). The sales tax clarification might increase annual GRF revenue by a minimal amount.**

DPSCD15

Low-speed electric scooters

(1) No provision.

**R.C. 4501.01, 4509.01, 4511.01, 4511.514, 4511.68**

(1) Defines "low-speed electric scooter" as a device weighing less than 100 lbs. that has handlebars, is propelled by an electric motor or human power, and has an attainable speed on a paved level surface of not more than 20 mph when propelled by the electric motor.

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In House Finance

(2) No provision.

(2) Permits the operation of low-speed electric scooters on public streets, highways, sidewalks, paths, and portions of roadways set aside for the exclusive use of bicycles.

(3) No provision.

(3) States that low-speed electric scooters are not vehicles, and as such exempts them from state registration, title, insurance, and certain traffic and equipment law requirements.

(4) No provision.

(4) Specifies that a low-speed electric scooter and its operator are subject to traffic law requirements that by their nature are applicable to them whenever the scooter is operated on public streets, highways, sidewalks, paths, and portions of roadways set aside for the exclusive use of bicycles.

(5) No provision.

(5) Requires a low-speed electric scooter operator to yield to pedestrians at all times, to give an audible signal when overtaking and passing a pedestrian, and to have specified lighting when using the scooter at night.

(6) No provision.

(6) Prohibits any person under 16 from using a low-speed electric scooter and any person from operating a scooter at more than 15 mph.

(7) No provision.

(7) Makes failure to comply with the low-speed electric scooter laws a minor misdemeanor generally and a predicate motor vehicle offense.

(8) No provision.

(8) Permits a low-speed electric scooter to be parked on a sidewalk, without charge or restriction, provided it does not impede the normal flow of pedestrian traffic.

**Fiscal effect: Potential, likely minimal at most, (1) annual cost increase for municipalities and counties to process low-speed electric scooter violations, and (2) annual revenue gain from court costs and fees, and fines distributed as applicable between local authorities and the state.**

Executive

In House Finance

**DPSCD21      Electric and hybrid motor vehicle registration fees**

**R.C.      4501.01, 4503.10, 4503.103**

(1) No provision.

(1) Defines "plug-in electric motor vehicle" as a passenger car powered wholly by a battery cell energy system that can be recharged by plugging the vehicle into any external source of electricity.

(2) No provision.

(2) Defines "hybrid motor vehicle" as a passenger car powered by an internal propulsion system consisting of both of the following: (a) a combustion engine, and (b) a battery cell energy system that cannot be recharged by plugging into an external source of electricity but can be recharged by other vehicle mechanisms that capture and store electric energy.

(3) No provision.

(3) Requires the Registrar of Motor Vehicles and each deputy registrar to collect: (a) an additional fee of \$200 for each application for registration or registration renewal received for any plug-in electric motor vehicle, and (b) an additional fee of \$100 for each application for registration or registration renewal received for any hybrid motor vehicle.

(4) No provision.

(4) Requires the Registrar to transmit all money arising from the additional fee on electric and hybrid motor vehicles to the Treasurer of State for distribution as follows: (a) 50% to the Highway Operating Fund (Fund 7002), and (b) 50% divided amongst municipal corporations, counties, and townships statewide.

**Fiscal effect: Increases state vehicle registration revenue by approximately \$12.8 million in FY 2020 and \$13.8 million in FY 2021, to be distributed as follows: 50% to the Highway Operating Fund (Fund 7002), which is used by the Department of Transportation, and 50% amongst municipal corporations, counties, and townships.**

Executive

In House Finance

**DPSCD16 Deputy registrar service fees**

No provision.

**R.C. 4503.038**

Requires the Registrar of Motor Vehicles to establish a \$5 deputy registrar service fee. (The current service fee is \$3.50, as established by rule.)

**Fiscal effect: The amount collected by deputy registrars will increase by \$1.50 per transaction. There are approximately 200 deputy registrar locations statewide, most of which are operated by independent private contractors. This provision will result in increased revenue for the thirteen deputy registrar locations that are served by either the clerk of the court of common pleas or county auditor.**

**DPSCD13 Single license plate requirement**

(1) No provision.

**R.C. 4503.19, 4503.193, 4503.21, 4503.23, 4549.10**

(1) Replaces the current requirement that most motor vehicles, including passenger vehicles, display two license plates with a requirement that a single license plate be displayed.

(2) No provision.

(2) Requires the Registrar of Motor Vehicles to continue to issue a validation sticker, as required by current law, to be displayed on the single license plate.

(3) No provision.

(3) Provides that the display of a single current license plate and validation sticker on the rear of a motor vehicle sufficiently indicates that a vehicle is registered within Ohio.

(4) No provision.

(4) Deems any reference in Ohio law to license plates, a set of license plates, registration plates, or validation stickers to be a reference to the single license plate and validation sticker.

Executive

In House Finance

**Fiscal effect: Bureau of Motor Vehicle license plate production and distribution costs will decrease by up to \$1.4 million or more annually. As citations will no longer be issued for failure to display two plates, (1) the state will lose minimal annual fine and court cost revenue, and (2) counties, municipalities, and townships statewide will lose up to between \$120,000 and \$240,000 or more annually.**

DPSCD19

Municipal license tax

**R.C. 4504.173, 4501.042, 4504.10, 4504.201**

(1) No provision.

(1) Permits a municipal corporation to levy an additional \$5 annual license tax per motor vehicle that is registered within the municipal corporation for the following purposes:

(a) No provision.

(a) Paying the costs and expenses of enforcing and administering the tax;

(b) No provision.

(b) Planning, constructing, improving, maintaining, and repairing public roads, highways, and streets;

(c) No provision.

(c) Maintaining and repairing bridges and viaducts;

(d) No provision.

(d) Paying the municipal corporation's portion of the costs and expenses of cooperating with the Department of Transportation in the planning, improvement, and construction of state highways;

(e) No provision.

(e) Paying the municipal corporation's portion of the compensation, damages, costs, and expenses of planning, constructing, reconstructing, improving, maintaining, and repairing roads and streets;

(f) No provision.

(f) Paying any costs apportioned to the municipal corporation for railroad crossings;

Executive

In House Finance

(g) No provision.

(g) Paying debt service charges on notes or bonds of the municipal corporation issued for such purposes;

(h) No provision.

(h) Purchasing, erecting, and maintaining street and traffic signs and markers;

(i) No provision.

(i) Purchasing, erecting, and maintaining traffic lights and signals; and

(j) No provision.

(j) Supplementing revenue already available for the aforementioned purposes.

(2) No provision.

(2) Prohibits an ordinance, resolution, or other measure levying a municipal motor vehicle license tax from being enacted as an emergency measure.

(3) No provision.

(3) Specifies that an ordinance, resolution, or other measure levying a municipal motor vehicle license tax is subject to a referendum.

(4) No provision.

(4) Specifies that any municipal license tax levied under this provision continues in effect until repealed.

**Fiscal effect: Potentially significant annual revenue gain for municipal corporations, as the bill increases the maximum amount of local permissive taxes that may be levied per taxing district from \$25 to \$30, or by \$5 per vehicle.**

DPSCD20

Township license tax

(1) No provision.

**R.C. 4504.181, 4501.031, 4501.043, 4504.10, 4504.201**

(1) Permits a township board of trustees, by resolution, to levy an additional \$5 annual license tax per motor vehicle that is registered within the unincorporated territory of the township for the following purposes:

Executive

In House Finance

(a) No provision.

(a) Paying the costs and expenses of enforcing and administering the tax;

(b) No provision.

(b) Paying for construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts;

(c) No provision.

(c) Purchasing, erecting, and maintaining traffic signs, markers, lights, and signals;

(d) No provision.

(d) Purchasing road machinery and equipment, and planning, constructing, and maintaining suitable buildings to house equipment;

(e) No provision.

(e) Paying any costs apportioned to the township for railroad crossings; and

(f) No provision.

(f) Supplementing revenue already available for the aforementioned purposes.

(2) No provision.

(2) Requires a board of township trustees, prior to the adoption of any such resolution, to:

(a) No provision.

(a) Conduct two public hearings, with the second hearing being no less than three days, but no more than 10 days, after the first; and

(b) No provision.

(b) Provide notice of the date, time, and place of both hearings by publication in a newspaper of general circulation in the township, or as otherwise permitted, once a week, on the same day for two consecutive weeks, with the second publication being not less than 10 days, but not more than 30 days, prior to the first hearing.

(3) No provision.

(3) Specifies that such a resolution, if adopted, is to become effective no sooner than 30 days following its adoption, is

Executive

In House Finance

(4) No provision.

subject to a referendum, and cannot go into effect if a referendum vote has been requested unless it has been approved by a majority of those voting on it.

(4) Specifies that any township license tax levied under this provision continues in effect until repealed.

**Fiscal effect: Potentially significant annual revenue gain for townships, as the bill increases the maximum amount of local permissive taxes that may be levied per taxing district from \$25 to \$30, or by \$5 per vehicle.**

DPSCD17

Notice for towed vehicle

No provision.

**R.C. 4505.101, 4513.601, 4513.611**

Reduces the number of required notices, from three to one, that an owner of a towing service or storage facility that tows a vehicle (from a private tow-away zone) must send to the vehicle owner before proceeding with the process to obtain title to that vehicle.

**Fiscal effect: None.**

DPSCD8

Implied consent for CDL holders

**R.C. 4506.17**

Clarifies that refusal to submit to a test when arrested for operating a vehicle while impaired (OVI) leads to disqualification when a commercial driver's license (CDL) holder is driving any type of motor vehicle, not just a commercial motor vehicle.

**Fiscal effect: None.**

**R.C. 4506.17**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance

**DPSCD22**      **Skateboards attached to vehicles**

No provision.

**R.C.      4511.54**

Prohibits a person who is riding a skateboard from attaching the skateboard or the rider to a motor vehicle and prohibits a vehicle operator from allowing a skateboard or rider to be so attached.

**Fiscal effect: Potential negligible annual fiscal effect on the state and local governments.**

**DPSCD18**      **Motorcycle hearing protection**

(1) No provision.

**R.C.      4511.84**

(1) Permits a person to wear earphones or earplugs for hearing protection while operating a motorcycle.

(2) No provision.

(2) Clarifies that "earphones" and "earplugs" both include devices that provide either entertainment or hearing protection and updates their meaning to reflect new advances in technology, for purposes of the existing prohibition against wearing earphones or earplugs over or in both ears while operating a motor vehicle.

**Fiscal effect: Likely means some reduction in the number of motorcyclists cited for and convicted of violating current law's earphone/earplug prohibition. This may result in a no more than minimal annual loss in fine, fee, and court cost revenue that otherwise might have been collected and distributed pursuant to state law between the state, counties, municipalities, and townships. There is unlikely to be any discernible effect on traffic law enforcement and adjudication costs.**

Executive

In House Finance

**DPSCD9                      Emergency medical personnel background checks**

**R.C.                      4765.302**

(1) Requires the State Board of Emergency Medical, Fire, and Transportation Services to participate in the Retained Applicant Fingerprint Database and Continuous Record Monitoring Service for any emergency medical responder (EMR), emergency medical technician (EMT), advanced emergency medical technician (AEMT), or paramedic certified by the Board.

(2) Requires the Superintendent of the Bureau of Criminal Identification to promptly notify the Board, either electronically or by mail, when an individual in the database has been arrested for, convicted of, or pleaded guilty to any offense.

(3) Requires an individual certified or applying for certification as an EMR, EMT, AEMT, or paramedic to submit one complete set of fingerprints for background check purposes to the Superintendent, unless the individual is already enrolled in the Continuous Record Monitoring Service.

(4) Requires an individual to be fingerprinted at a location approved by the Board.

(5) Requires the Department of Public Safety pay the initial or annual fee charged for background checks, except for an individual seeking certification by reciprocity who must pay the initial background check fee and fee for enrollment in the database.

(6) Requires an individual seeking certification by reciprocity ask the Superintendent to request the individual's records from the Federal Bureau of Investigation.

**R.C.                      4765.302**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

Executive

In House Finance

(7) Permits the Board to adopt rules establishing the standards and procedures for the provision of the background criminal records checks.

(7) Same as the Executive.

(8) States that the results from the background criminal records checks and the reports containing those results are not considered public records.

(8) Same as the Executive.

**Fiscal effect: Estimated annual expenditure increase of \$500,000, to be paid for with money appropriated from the Emergency Medical Services Fund (Fund 83M0) used by the Department of Public Safety (see DPSCD7).**

**Fiscal effect: Same as the Executive.**

DPSCD14 Countywide emergency management program

R.C. 5502.26, 5502.261

(1) No provision.

(1) Authorizes a board of county commissioners, by resolution, to enter into a contract with the county sheriff or a chief of a fire department with countywide authority to implement a countywide program for emergency management in lieu of implementing such a program under a countywide emergency management agency's authority.

(2) No provision.

(2) Requires the county commissioners to financially support the sheriff or fire department chief.

(3) No provision.

(3) Requires the sheriff or fire department chief to appoint a director/coordinator of emergency management for the countywide emergency management program. Requires the director/coordinator to pursue and complete a professional development training program in accordance with rules. Makes the director/coordinator responsible for coordinating, organizing, administering, and operating emergency management, subject to the direction of the sheriff or chief of

Executive

In House Finance

(4) No provision.

the fire department.

(4) Requires all agencies, boards, and divisions having emergency management functions within each political subdivision in the county to cooperate in the development of the all-hazards emergency operations plan and cooperate in the preparation and conduct of the annual exercise.

(5) No provision.

(5) Permits a board of county commissioners that has entered into a contract to establish a countywide emergency management program to appropriate money from its general fund to meet its obligations under the contract, including the development, acquisition, operation, and maintenance of a countywide public safety communication system and any communication devices, radios, and other equipment necessary for the system's operation and use.

**Fiscal effect: Uncertain.**

DPSCD1

Motor vehicle registration

**Section: 205.20**

(1) Permits the Director of Public Safety to deposit certain motor vehicle registration fee revenues to meet the cash needs of the Public Safety – Highway Purposes Fund (Fund 5TM0).

(2) Requires the revenues that are deposited to be used to support appropriations for the administration and enforcement of laws relative to the operation and registration of motor vehicles, and for the payment of highway obligations and other statutory highway purposes.

(3) Requires these revenues be paid into Fund 5TM0 before being paid into any other fund.

**Section: 205.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Executive**

**In House Finance**

(4) Requires that the deposit of these revenues be in approximately equal amounts on a monthly basis or as otherwise approved by the Director of Budget and Management.

(4) Same as the Executive.

(5) Requires the Director of Public Safety, prior to the beginning of each fiscal year (July 1), to submit a plan to the Director of Budget and Management requesting approval of the anticipated revenue amounts to be deposited into Fund 5TM0.

(5) Same as the Executive.

(6) Requires the Director of Public Safety, if during the fiscal year changes to the plan as approved by the Director of Budget and Management are necessary, to submit a revised plan to the Director of Budget and Management for approval prior to any change in the deposit of revenues.

(6) Same as the Executive.

**DPSCD2**

**Public Safety Facilities Lease Rental Bond Payments**

**Section: 205.20**

Requires that HSF Fund 5TM0 appropriation item 761401, Public Safety Facilities Lease Rental Bond Payments, be used to make certain debt service payments.

**Section: 205.20**

Same as the Executive.

**DPSCD3**

**Cash transfers – Highway Patrol**

**Section: 205.20**

Permits the Director of Budget and Management, upon written request of the Director of Public Safety, to transfer cash from the State Highway Patrol Contraband, Forfeiture, and Other Fund (Fund 83C0) to the Security, Investigations and Policing Fund (Fund 8400).

**Section: 205.20**

Same as the Executive.

Executive

In House Finance

**DPSCD4                      Cash transfers to the Public Safety - Highway Purposes Fund – Shipley upgrades**

**Section:    205.20**

Permits the Director of Budget and Management, pursuant to a plan submitted by the Director of Public Safety or as otherwise determined by the Director of Budget and Management, to make appropriate cash transfers on a pro-rata basis from other funds used by the Department of Public Safety, excluding the Public Safety Building Fund (Fund 7025), to the Public Safety – Highway Purposes Fund (Fund 5TMO) in order to reimburse expenditures for capital upgrades to the Shipley Building.

**Section:    205.20**

Same as the Executive.

**DPSCD5                      Collective bargaining increases**

**Section:    205.20**

(1) Permits the Controlling Board, notwithstanding certain provisions of the Revised Code and upon the request of either the Director of Budget and Management or the Director of Public Safety with the approval of the Director of Budget and Management, to authorize expenditures in excess of appropriations and transfer appropriations, as necessary, for any fund used by the Department of Public Safety, except for the GRF, to assist in paying the employee compensation cost increases that have occurred pursuant to collective bargaining agreements under R.C. Chapter 4117. and, for exempt employees, under R.C. 124.152.

**Section:    205.20**

(1) Same as the Executive.

(2) Appropriates any money approved for expenditure under provision (1) above.

(2) Same as the Executive.

Executive

In House Finance

**DPSCD6 Cash balance fund review**

**Section: 205.20**

(1) Requires the Director of Public Safety to review the cash balances for each fund in the State Highway Safety Fund Group and permits the Director to submit a written request to the Director of Budget and Management to transfer amounts from any of those funds to the credit of the Public Safety – Highway Purposes Fund (Fund 5TMO), as appropriate.

(2) Permits the Director of Budget and Management, upon receipt of such a request, to make appropriate transfers as requested by the Director of Public Safety or as otherwise determined by the Director of Budget and Management.

**Section: 205.20**

(1) Same as the Executive.

(2) Same as the Executive.

**DPSCD7 Cash transfers from the State Fire Marshal Fund to the Emergency Medical Services Fund**

**Section: 205.20**

(1) Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$500,000 from the State Fire Marshal Fund (Fund 5460) used by the Department of Commerce to the Emergency Medical Services Fund (Fund 83M0) used by the Department of Public Safety.

(2) Requires the transferred cash amounts to be used by the Department of Public Safety to pay the State Board of Emergency Medical, Fire, and Transportation Services' costs to participate in the Retained Applicant Fingerprint Database and Continuous Record Monitoring Service as required in section 4765.302 of the Revised Code (see DPSCD9).

**Section: 205.20**

(1) Same as the Executive.

(2) Same as the Executive.

Executive

In House Finance

**DPSCD11                      Cash transfer from the General Revenue Fund to the Public Safety - Highway Purposes Fund**

**Section:    205.20**

Permits the Director of Budget and Management, during the biennium ending June 30, 2021, to transfer up to \$35,000,000 cash from the General Revenue Fund to the Public Safety - Highway Purposes Fund (Fund 5TMO).

**Section:    205.20**

Same as the Executive.

**DPSCD10                      Transfer of capital appropriation items from the Public Safety - Highway Purposes Fund to the Administrative Building Fund**

**Sections:    512.10, 610.03, and 610.04**

(1) Requires the Director of Budget and Management, on July 1, 2019, or as soon as possible thereafter, to transfer the unencumbered and unallotted balance, as of June 30, 2019, of all capital appropriation items from the Public Safety – Highway Purposes Fund (Fund 5TMO) to the Administrative Building Fund (Fund 7026).

(2) Requires the Director of Budget and Management, on July 1, 2019, or as soon as possible thereafter, to cancel any existing encumbrances against capital appropriation items in Fund 5TMO and reestablish them in Fund 7026 and appropriates the reestablished amounts.

(3) Amends Section 213.20 of H.B. 529 of the 132nd General Assembly to increase by \$10,000,000, from \$112,800,000 to \$122,800,000, the amount of original obligations in an aggregate principal amount that the Treasurer of State is authorized to issue and sell to provide sufficient moneys to the credit of Fund 7026, in addition to the original issuance of obligations authorized by prior acts of the General Assembly.

**Sections:    512.10, 610.03, 610.04**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

In House Finance

**PWCCD3 Allocation of State Capital Improvement Program funding for emergency purposes**

No provision.

**R.C. 164.08**

Increases the authorization of the annual allocation of State Capital Improvement Program (SCIP) funding for emergency purposes, from 2% under current law to 6%.

**Fiscal effect: H.B. 529 of the 132nd GA includes capital appropriations of \$350 million over the FY 2019-FY 2020 capital biennium for SCIP awards. PWC will use those appropriations to award \$175 million per fiscal year. This provision would increase the amount PWC sets aside for emergency purposes from \$3.5 million per fiscal year to \$10.5 million per fiscal year.**

**PWCCD1 Reappropriations**

**Section: 209.20**

Reappropriates unencumbered capital appropriations at the end of FY 2019 from the Local Transportation Improvement Program Fund (Fund 7052) made in H.B. 26 of the 132nd GA for the same purposes in FY 2020.

Reappropriates unencumbered capital appropriations and reappropriations at the end of FY 2020 from the Local Transportation Improvement Program Fund (Fund 7052) made in H.B. 62 of the 133rd GA for the same purposes in FY 2021.

**Section: 209.20**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

PWCCD2

Temporary cash transfers

Section: 209.20

Allows the Director of PWC to request that the Director of OBM transfer cash from the Local Transportation Improvement Fund (Fund 7052) to the State Capital Improvement Fund (Fund 7038) and the Clean Ohio Conservation Fund (Fund 7056). Permits OBM to approve temporary cash transfers if they are needed for capital outlays for which notes or bonds will be issued.

Requires the Director of OBM, when there is a sufficient cash balance in the fund that received such a temporary cash transfer, to repay Fund 7052 for the amount originally transferred.

Requires all such cash transfers to be reported to the Controlling Board by June 30 of the fiscal year in which the transfer occurred.

**Fiscal effect: Provides PWC with the flexibility to make temporary cash transfers to Fund 7038 and Fund 7056 in order to ensure timely payments to contractors and local governments when the funds' cash flows are insufficient due to the timing of bond issuances.**

Section: 209.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance

**TAXCD10                      Compressed natural gas (CNG) made taxable under the motor fuel tax**

No provision.

**R.C.                      5735.01, 5735.011, 5736.01**

Adds compressed natural gas (CNG) to the list of fuels taxable under Ohio's motor fuel tax and sets the gallon equivalent of CNG at 126.67 cubic feet or 5.66 pounds. (Currently, liquid natural gas and liquid petroleum gas are taxable. CNG would not become part of the petroleum activity tax base.)

**Fiscal effect: The tax will generate just over \$1.0 million in additional motor fuel tax revenue. After refunds to transit authorities, this provision will increase motor fuel tax revenue by approximately \$30,000.**

**TAXCD5                      Increase in the motor fuel tax**

**R.C.                      5735.05**

Increases the per gallon rate of the motor fuel tax from \$0.28 to \$0.46 in FY 2020.

Adjusts the motor fuel tax rate for inflation starting in FY 2021, by adding a tax adjustment factor calculated by the Tax Commissioner. Requires the Commissioner to determine the factor by April 30 each year starting in 2020, and provides that the factor should equal \$0.46 multiplied by the cumulative percent change in the consumer price index (CPI, all items, all

**R.C.                      5735.05, 5735.051**

Replaces the Executive provision with a provision that modifies per gallon tax rates for gasoline and for other motor fuels (primarily diesel fuel). Increases the motor fuel tax rate for gasoline from \$0.28 to \$0.33 starting October 1, 2019, \$0.36 starting October 1, 2020, and \$0.387 starting October 1, 2021. Increases the tax rate for all other types of fuel from \$0.28 to \$0.38 starting October 1, 2019, \$0.44 starting October 1, 2020, and \$0.48 starting October 1, 2021.

No provision.

## Executive

## In House Finance

urban consumers) from January 1, 2019 to December 31 of the calendar year preceding the determination.

No provision.

**Fiscal effect:** Increases motor fuel tax revenue by approximately \$1.21 billion in FY 2020 and \$1.28 billion in FY 2021. The increase in allocation for FY 2020, based on codified law, is approximately the following: \$873 million for the Highway Operating Fund (Fund 7002, used by ODOT), \$121 million for municipal governments, \$105 million for county governments, \$57 million for townships, \$42 million for the Local Transportation Improvement Program Fund (Fund 7052, used by PWC), and \$12 million for other state agencies. These estimated shares do not reflect the temporary law MFT provisions (see TAXCD1 and TAXCD3). In FY 2021 and beyond, total motor fuel tax revenue is projected to grow by approximately 2.2% per year.

Changes the disposition of revenue gained through increase of the motor fuel tax. Maintains current law distribution formulas for motor fuel tax revenue derived from the first \$0.28 per gallon of the tax rate. Allocates 60% of the revenue derived from the amendment's rate increases to the Highway Operating Fund and 40% to the Gasoline Excise Tax Fund to be distributed to local governments. Establishes that the 2% transfer of total revenue to the Highway Operating Fund applies only to the \$0.28 portion of revenues.

**Fiscal effect:** Increases motor fuel tax revenue by approximately \$320 million in FY 2020 and by \$610 million in FY 2021, as compared to maintaining the current \$0.28 tax rate. The increase in allocation for FY 2020 is approximately the following: \$192 million to Fund 7002 and \$128 million to political subdivisions. Of the \$128 million for political subdivisions, 42.86% is to be distributed to municipalities, 37.14% is to be distributed to counties, and 20% is to be distributed to townships.

Executive

In House Finance

**TAXCD12 Township distribution of new motor fuel tax revenue**

No provision.

**R.C. 5735.051, 5735.27**

Modifies how new revenue arising from the motor fuel tax rate increase (see TAXCD5) is to be distributed to townships. Specifies that each township receive the greater of (1) what it would receive of the additional township share if it were distributed equally among all 1,308 townships, or (2) 70% of what the township would receive if one-half of the additional township share were allocated in proportion to township road mileage and one-half in proportion to township vehicle registrations. Specifies that the increase in total amounts paid to townships under the provision is paid for by equal shares contributed from funds otherwise allocated to 1) Fund 7002, 2) municipalities, and 3) counties.

**Fiscal effect: Increases revenue to townships, paid out of the \$320 million FY 2020 and \$610 million FY 2021 increases in MFT revenue (see TAXCD5) by an uncertain amount in the millions. Currently, about 48% of the total township share of MFT revenue is allocated under this "greater of" method, the remainder being allocated equally among townships.**

**TAXCD7 Motor Fuel Tax Administration Fund transfer**

**R.C. 5735.053, Section 757.40**

Modifies the amount of MFT revenue that the Treasurer of State must credit to the Motor Fuel Tax Administration Fund (Fund 5V70), from 0.275% of that revenue to the amount of appropriation assigned to Fund 5V70 beginning in FY 2020.

**R.C. 5735.053, Section 757.40**

Same as the Executive.

Executive

In House Finance

**Fiscal effect:** The appropriation item associated with Fund 5V70 is 110622, Motor Fuel Tax Administration, in the Department of Taxation budget. The amount of that appropriation is determined in the main operating budget, so is not yet known. Actual spending from that line item was about \$4.5 million in FY 2018. This provision will effectively decouple the amount of the transfer from the increase in the MFT rate (see TAXCD5).

**Fiscal effect:** Same as the Executive.

**TAXCD8 Motor fuel tax reimbursement rate for school districts, certain others**

**R.C. 5735.142, Section 757.50**

Increases the motor fuel tax reimbursement rate for school districts from six cents per gallon to 24 cents per gallon beginning in FY 2020.

**Fiscal effect:** Based on FY 2018 fuel usage by school districts, the increased reimbursement rate will decrease net motor fuel tax revenue by approximately \$4 million per year, and increase the MFT reimbursement to school districts by an equivalent amount. Increases the amount of the reimbursement to school districts by the increase in MFT they would otherwise pay due to the increase in the tax rate to 46 cents per gallon (see TAXCD5).

**R.C. 5735.142, Section 757.50**

Replaces the Executive provision with a provision that increases the motor fuel tax reimbursement rate for school districts, for transit authorities, and for county developmental disabilities boards by amounts that will offset the increased tax rates on motor fuel (see TAXCD5; under current law the per gallon refunds equal 27 cents for transit authorities and six cents for school districts and for county developmental disabilities boards).

**Fiscal effect:** The fiscal effect depends on the motor fuel tax rate. Based on the increased tax rates described in TAXCD5, and assuming that nearly all of the fuel involved is diesel fuel, this provision would increase reimbursements to school districts and county developmental disabilities boards by a total of approximately \$1.2 million in FY 2020, and increase reimbursements to transit authorities by approximately \$1.4 million in FY 2020. MFT revenue would decrease by equivalent amounts.

Executive

In House Finance

**TAXCD9                      Sales tax for motor fuels used for nonroad purposes**

No provision.

**R.C.                      5739.02, 757.80**

Exempts from the sales tax any motor fuel purchased for use by a heavy truck for a purpose other than propelling the truck on public roads. (Under current law, if the motor fuel tax has been paid on the fuel and the taxpayer is eligible for a motor fuel tax refund, that refund would be reduced by the sales tax due on that fuel unless a sales tax exemption applied already, e.g., for railroads).

**Fiscal effect: Reduces sales tax revenue to the GRF by an undetermined amount. The Local Government Fund and the Public Library Fund receive 1.66% of GRF tax revenue under codified law. Thus, the decrease in GRF tax revenue would also reduce allocations to the two local government funds. In FY 2018, sales tax due on MFT refunds amounted to \$2.5 million. Some fuel purchased by trucking companies to be exempted might not have been taxed under the MFT, however, so the proposed sales tax exemption may apply to more fuel than is covered by MFT refunds. Thus the annual reduction in GRF revenue is likely to be more than \$2.5 million.**

**TAXCD1                      Motor fuel tax distributions to Highway Operating Fund**

**Section:                757.10**

Requires the Treasurer of State, beginning on July 31, 2019 and on the last day of each month through the end of the FY 2020-FY 2021 biennium, to deposit the first 2% of the amount of motor fuel tax received for the preceding calendar month to the credit of the Highway Operating Fund (Fund 7002) before making any other distributions required by law.

**Section:                757.10**

Same as the Executive, but limits the transfer amount to 2% of the revenue from the first \$0.28 of the per gallon motor fuel tax (thereby exempting the tax increases in TAXCD5 from the determination of amounts to be transferred).

Executive

In House Finance

**Fiscal effect:** This is an ongoing temporary law provision that results in a gain in revenue to Fund 7002 and an offsetting decline in revenue to state and local government funds that also receive state MFT distributions according to statutory formulas set in ORC 5735.051. In FY 2018, this resulted in about \$38 million in funding to Fund 7002 before the distributions required by permanent law. Overall, since Fund 7002 retains about 60% of all MFT revenue under the distribution method, this provision netted about \$15 million in additional revenue to Fund 7002 (\$38 million x 40%) based on FY 2018 results. Factoring in the MFT increase (see TAXCD5) and the cash transfer out of Fund 7002 to local governments (see TAXCD3), this provision would net around \$25 million more to Fund 7002 in FY 2020.

**Fiscal effect:** The limitation of this provision to the first \$0.28 of the per gallon motor fuel tax limits the net gain to Fund 7002 to approximately \$11.1 million.

**TAXCD2 Motor fuel evaporation tax credit**

**Section: 757.20**

Continues a temporary reduction in MFT credits, in which a temporary motor fuel tax evaporation allowance is set for motor fuel distributors at 1% (less 0.5% of the gallonage sold to retail dealers) and at 0.5% for retail dealers.

**Fiscal effect:** Increases the amount the state retains in MFT revenue over what would be collected under codified law that provides for higher allowances for distributors and retailers. The amount of the increase depends on the tax rate applied to the motor fuel exempted by the credits. Based on FY 2018 MFT data and a 28-cents per gallon tax rate, the state would retain approximately \$38.6 million in additional MFT revenue each year. Under the proposed \$0.46 tax rate the amount retained by the state from this provision would be about \$63 million.

**Section: 757.20**

Same as the Executive.

**Fiscal effect:** The fiscal effect changes due to the changes to the proposed MFT rate outlined in TAXCD5. The state will retain approximately \$44.8 million in additional revenue in FY 2020. (The 1%/0.5% shrinkage allowance will reduce MFT revenue by around \$22.4 million, as compared to if there were no shrinkage allowance at all.)

Executive

In House Finance

**TAXCD3 Monthly transfers to the Gasoline Excise Tax Fund**

**Section: 757.30**

Requires OBM to transfer cash in equal monthly increments totaling \$302,624,042 in FY 2020 and \$311,209,209 in FY 2021 from Fund 7002 to the Gasoline Excise Tax Fund (Fund 7060) and requires the transferred amounts be distributed to municipal corporations, counties, and townships.

Requires that the transfers follow the formula set under Division (A)(2)(b) of section 5735.051 of the Revised Code: 42.86% to municipalities, 37.14% to counties, and 20.0% to townships.

**Fiscal effect: After taking into account this temporary law provision, the evaporation credit temporary law provision (TAXCD2), and the permanent law MFT changes in TAXCD5, TAXCD7, and TAXCD8, the total estimated MFT revenue distributed to entities in FY 2020 is projected to be approximately \$1.95 billion to ODOT (62%), \$1.04 billion to local governments (33%), \$109 million to the Public Works Commission (3.5%), and around \$50 million to other state agencies (1.5%). Distributions to local governments are funded under the main operating budget through Revenue Distribution Fund Group Fund 7060 line item 110960.**

**Section: 757.30**

Same as the Executive, but adjusts the amounts transferred from Fund 7002 to Fund 7060 for distribution to local governments from \$302,624,042 in FY 2020 and \$311,209,209 in FY 2021 to \$170,437,584 in FY 2020 and \$172,360,236 in FY 2021.

Same as the Executive.

**Fiscal effect: Taking into account the same TAXCD entries, this provision implies the total estimated MFT revenue distributed to entities in FY 2020 is projected to be approximately \$1.41 billion to ODOT (62.6%), \$749 million to local governments (33.2%), \$67 million to the Public Works Commission (3.0%), and around \$26 million to other state agencies (1.2%).**

**TAXCD11 Use of motor fuel tax revenue**

No provision.

**Section: 757.70**

Specifies that all motor fuel tax revenue must be used in accordance with Section 5a of Article XII of the Ohio Constitution.

Executive

In House Finance

**DOTCD25            Entry on private property for maintenance of transportation facilities**

**R.C.            163.03**

Authorizes any agency (meaning any governmental or business entity that is authorized to appropriate property by eminent domain) to enter upon lands, waters, and premises as necessary to access and perform maintenance on transportation facilities. Declares that such an entry does not constitute a trespass.

No provision.

Requires the agency to give reasonable notice to the owner or possessor of the property to be entered between 48 hours and 30 days before the entry.

No provision.

Applies existing law to such entries specifying that: (1) the agency must make restitution or reimbursement for damages caused on the property as a result of the entry, and (2) damages may be recoverable by civil action, in the event that the parties are unable to reach a settlement.

No provision.

**Fiscal effect: Uncertain, but may resolve disputes about lawful access to transportation facilities. These can include garages, district offices, highways, bridges, rights-of-way, parking facilities, as well as rail, port, and aviation operations, for example.**

**DOTCD21            Outdoor advertising device control**

**R.C.            163.31**

Clarifies that a nonconforming outdoor advertising device cannot be restored if it is destroyed by an "act of God," thereby aligning Ohio law with federal requirements.

No provision.

**Fiscal effect: None.**

Executive

In House Finance

**DOTCD19 Variable speed limit authority and other speed limit changes**

**R.C. 4511.21**

(1) Expands ODOT's authority to establish variable speed limits to all highways by removing prior restrictions that only portions of three specific highways could have variable speed limits: Interstate Route 670; Interstate Route 275; and Interstate Route 90 between the intersections with Interstate Route 71 and the border of Pennsylvania.

(2) Specifies that any changes to speed limits established in statute (because the speed limit is too high or low for a particular location) must occur based on criteria established by an engineering study, as defined by ODOT, rather than based on either (1) a "geometric and traffic characteristic study" or (2) "an engineering and traffic investigation," as is specified in current law.

(3) Allows local governments to request that ODOT declare variable speed limits at certain locations on highways within their jurisdictions, if the fixed speed limit set by statute is greater than is reasonable and safe for a location. (Current law only allows local governments to request that ODOT declare a reasonable and safe prima-facie speed limit at such locations.)

**Fiscal effect: For ODOT, a potential increase in expenditures from Fund 7002 to pay for analysis, planning, and installation of signs that display variable speed limits. This also results in permissive costs to local governments that request that ODOT review and approve variable speed limits on highways in their jurisdictions, primarily for traffic enforcement and sign installation. Potential for decreases in maintenance and public safety expenses if variable speed limits reduce the number and severity of crashes.**

**R.C. 4511.21**

Same as the Executive, but requires ODOT to adopt rules specifying the criteria and the parameters of the engineering study that will be used to establish variable speed limits before establishing them on additional highways. Exempts the variable speed limits on the three specific highways allowed under current law from this rule-making requirement.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance

**DOTCD28            Special regional heavy hauling permit**

No provision.

**R.C.            4513.34**

Removes the 150-mile restriction on the special regional heavy hauling permit, and retains current law that makes it mandatory for ODOT and local authorities to issue the permit, provided the applicant pays the fee for the permit and provided that the permit cannot be used for roads in a condition insufficient to bear the weight of the vehicle.

**Fiscal effect: Potential reduction in fee revenue to local governments and ODOT since the provision would reduce the number of permits that entities would need to apply for.**

**DOTCD22            Deposition of the Director of Transportation**

**R.C.            5501.21**

Specifies that the Director of Transportation need not produce, for evidence in a court, original electronic records or documents. (Current law also specifies that the Director need not produce nonelectronic plans and drawings.)

Eliminates the presumed authorization to depose the Director in all pending lawsuits. (Current law allows the Director to be deposed in all such suits as long as the deposition takes place at the Director's office.)

**Fiscal effect: Some potential reduction in administrative costs in locating electronic records or documents for evidence and preparing for fewer likely depositions. The bill does not prohibit the Director from being deposed - it merely removes the presumption that the Director can be deposed in every lawsuit.**

**R.C.            5501.21**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance

**DOTCD23            Excess road salt**

**R.C.            5501.41**

Permits ODOT to provide road salt to a political subdivision if ODOT has excess road salt, the political subdivision is otherwise unable to acquire road salt, and the political subdivision is in an emergency situation.

Requires ODOT to seek reimbursement for road salt provided to political subdivisions and specifies that the reimbursement shall be equal to the prices at which ODOT purchased the road salt.

**Fiscal effect: None. According to ODOT, this codifies the Department's current policy regarding excess road salt.**

**R.C.            5501.41**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DOTCD20            Scenic byway designation**

**R.C.            5516.05**

Authorizes ODOT to designate any portion of the state highway system as a scenic byway, rather than only portions of the interstate system, the national highway system, or the primary system as under current law.

**Fiscal effect: Potential increase in costs for ODOT to designate additional scenic byways and install signage. Additionally, ODOT's regulations of outdoor advertising devices, such as billboards, are typically more stringent on scenic byways, but vary on each byway. There are currently 27 scenic byways designated across the state.**

No provision.

Executive

In House Finance

**DOTCD26                    Installation of signs and traffic control devices in construction and similar work zones**

No provision.

**R.C.                    5517.07**

Requires ODOT to install signs and other traffic control devices that intentionally slow down traffic in construction and similar work zones, such as arrow boards, channelizing devices, rumble strips, and other devices that are appropriate for the highway and local conditions. Requires that such signs and devices conform to ODOT's Manual of Uniform Traffic Control Devices.

**Fiscal effect: Uncertain, but would appear to codify current ODOT practices for traffic control in construction and work zones.**

**DOTCD27                    CNG and LNG vehicle weight and load limits**

No provision.

**R.C.                    5577.044**

Adds interstate highways to the types of roads on which a vehicle fueled solely by compressed natural gas (CNG) or liquid natural gas (LNG) may exceed the gross vehicle weight and axle load limits by up to 2,000 pounds.

**Fiscal effect: Uncertain. This change makes Ohio consistent with federal law, and it is not clear whether these fines have been applied to such CNG- or LNG-powered vehicles on interstates in Ohio.**

Executive

In House Finance

**DOTCD24                    Vehicle size and weight limit exemptions for towing vehicles**

**Section:    755.10**

Extends, for two years, a temporary exemption for towing vehicles from size and weight limitations when the vehicle is: (1) engaged in the initial towing of a wrecked or disabled motor vehicle from the site of an emergency on a public highway to the nearest storage facility; (2) en route to the site of an emergency on a public highway to tow a wrecked or disabled motor vehicle; or (3) returning from delivering a wrecked or disabled motor vehicle to the nearest site where the vehicle can be brought into conformance with the statutory size and weight requirements, the nearest qualified repair facility, or the nearest storage facility.

Specifies that penalties for size or weight limit violations or civil penalties cannot be imposed on a person operating a towing vehicle under the conditions noted above.

**Fiscal effect: Continues temporary law in place in the current FY 2018-FY 2019 biennium, resulting in a potential ongoing but minimal loss in fine revenue for government entities that would have issued size and weight fines for towing vehicles within their jurisdictions.**

**R.C.            5577.15**

Same as the Executive, but makes the exemption from size and weight limitations permanent.

Same as the Executive, but makes the bar on penalties permanent.

**Fiscal effect: Makes the loss in fines collected from operators of overweight and oversize tow trucks permanent, not just for two years as in the As Introduced version.**

**DOTCD1                    Transportation facilities lease rental bond payments**

**Section:    203.20**

Requires Highway Operating Fund (Fund 7002) appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, to be used to meet all payments under leases and agreements for facilities made under Chapter 154. of the Revised Code during the FY 2020-FY 2021 biennium.

**Section:    203.20**

Same as the Executive.

Executive

In House Finance

Authorizes an amount equal to the balance of the appropriation remaining after the debt service has been paid in either fiscal year to be transferred to line items 772421, 773431, or 779491 upon the written request of ODOT with the approval of OBM. Requires the transfer to be reported to the Controlling Board.

Same as the Executive.

**Fiscal effect: Provides ODOT with cash management flexibility to transfer appropriations after debt service payments have been made where needed among these other line items that are used for highway construction, maintenance, and administration, respectively.**

**Fiscal effect: Same as the Executive.**

DOTCD2

Public access roads for DNR facilities, parks, Exposition Commission, Ohio History Connection, and DNR Facilities

**Section: 203.30**

**Section: 203.30**

(1) Requires portions of funding in each of FY 2020 and FY 2021 to be used from Fund 7002 appropriation item 772421, Highway Construction - State, for the construction, reconstruction, or maintenance of public access roads and support features to and within facilities owned or operated by the Department of Natural Resources.

Same as the Executive.

(2) Earmarks \$2,562,000 in each of FY 2020 and FY 2021 from line item 772421 for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

Same as the Executive.

(3) Allows the line item to be used for road work on behalf of the Ohio Expositions Commission at the state fairgrounds, and road work on behalf of the Ohio History Connection, at the request of each entity and approval by ODOT.

Same as the Executive.

**Fiscal effect: The amount earmarked for metropolitan parks is the same amount earmarked in each year of the current FY 2018-FY 2019 biennium.**

**Fiscal effect: Same as the Executive.**

Executive

In House Finance

**DOTCD3                      Transportation Improvement Districts**

**Section:    203.40**

(1) Earmarks \$4.5 million in each fiscal year from Fund 7002 appropriation item 772421, Highway Construction - State, for transportation improvement districts (TIDs) that have facilitated funding for the cost of a project or projects in conjunction with other governmental agencies.

(2) Requires a TID to submit requests for project funding to ODOT no later than September 1 of each fiscal year and requires ODOT to notify the TID regarding whether it has approved or disapproved the project funding request within 90 days after the day the request was submitted by the TID.

(3) Prohibits any ODOT funding provided to a TID from being used for administrative costs. Requires the funding to be used for a specific project or projects within the TID's area. Prohibits the total amount of a project's cost from being fully funded by the ODOT funds, and limits the total amount of ODOT funding for each project to 25% of total project costs not to exceed \$250,000 per fiscal year. Specifies that TIDs co-sponsoring a specific project may individually apply for up to \$250,000 for that project, but prohibits more than 25% of a project's total costs coming from funding provided by ODOT.

(4) Permits ODOT funds for TIDs to be used for preliminary engineering, detailed design, right-of-way acquisition, and construction of a specific project and other project costs under certain circumstances.

(5) Requires that TIDs be registered with ODOT in order to receive funding from ODOT under this provision. Authorizes ODOT to register a TID only if the TID has a specific eligible

**Section:    203.40**

Same as the Executive.

Executive

In House Finance

project.

(6) Prohibits ODOT from registering a TID, or requires ODOT to cancel the registration of any TID, unless the TID has: (A) designated a project or program of projects and facilitated funding of at least \$10 million during the eight-year period beginning January 1, 2005; (B) designated a project or program and facilitated funding of at least \$15 million since the project or program commenced; or (C) designated a project or program that has estimated aggregate costs in excess of \$10 million and the County Engineer of the county in which the TID is located has attested by a sworn affidavit that the costs exceed \$10 million and that the TID is facilitating funding for the project or program.

**Fiscal effect: This is the same amount earmarked in each year of the current FY 2018-FY 2019 biennium. Currently, there are 40 TIDs across the state registered by ODOT.**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DOTCD29 FHWA flexible funding for public transportation**

No provision.

No provision.

**Section: 203.43**

Requires that \$70 million of the amount appropriated in each fiscal year to Highway Operating Fund (Fund 7002) appropriation item 772422, Highway Construction - Federal, be used to support public transportation through the Federal Highway Administration (FHWA) flexible funding program.

Specifies that \$18.5 million of the \$70.0 million earmark in each fiscal year be distributed to the five transit systems with the highest level of elderly and disabled ridership, provided that the amount allocated to each transit system is proportional to elderly and disabled ridership in those five transit systems.

Executive

In House Finance

Fiscal effect: This would be an annual increase of \$37 million compared to the \$33 million earmarked annually for FHWA flexible funding during the current FY 2018-FY 2019 biennium.

**DOTCD4 Issuance authority for state highway bonds**

**Section: 203.50**

Authorizes the issuance of \$57 million in bonds for highway purposes, in addition to original issuance of obligations authorized by prior acts of the General Assembly. Specifies that proceeds from these bonds shall be credited to the Highway Capital Improvement Fund (Fund 7042).

Requires that obligations must not total more than \$220 million in principal, plus the principal amount of obligations that in prior fiscal years could have been, but were not, issued within the \$220 million limit, provided that not more than \$1.2 billion in original principal amount of obligations may be outstanding at any one time.

**Section: 203.50**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

DOTCDS

Transfers of appropriations within the Highway Operating Fund

**Section: 203.60**

Allows OBM to approve ODOT requests to transfer Highway Operating Fund (Fund 7002) appropriations for highway planning and research, highway construction, debt service, highway maintenance, federal public transit programs, rail grade crossings, aviation, and administration, so that transfers could occur between appropriation items 770003, 771411, 771412, 772421, 772422, 772424, 772425, 772437, 772438, 773431, 775452, 775459, 776462, 777475, and 779491. Appropriates the amounts transferred under this provision and requires such transfers to be reported to the Controlling Board. Specifies that this transfer authority is intended to provide for emergency situations and flexibility to meet unforeseen conditions that could arise in the FY 2020-FY 2021 biennium. Specifies, also, that the provision is intended to permit ODOT to optimize the use of available resources and adjust to circumstances affecting the obligation and expenditure of federal funds.

**Fiscal effect: Provides ODOT with cash management flexibility to transfer these appropriations when needed.**

**Section: 203.60**

Replaces the Executive provision with one that authorizes ODOT to seek Controlling Board approval of the transfers.

Same as the Executive, but specifies that this is a transfer request authorization.

**Fiscal effect: Same as the Executive, but requires Controlling Board approval.**

Executive

In House Finance

**DOTCD6                      Transfers of appropriations: federal highway, transit, aviation, rail, and local transit**

**Section:    203.60**

Allows OBM to approve requests from ODOT to transfer appropriations between several federally funded Fund 7002 appropriation items, including line items 772422, 775452, 775454, 775459, 776475, and 777472. Appropriates these transfers. Requires that the transfers be reported to the Controlling Board.

**Fiscal effect: Provides ODOT with cash management flexibility to transfer these appropriations when needed.**

**Section:    203.60**

Replaces the Executive provision with one that authorizes ODOT to seek Controlling Board approval of the transfers.

**Fiscal effect: Same as the Executive, but requires Controlling Board approval.**

**DOTCD7                      Transfers of appropriations: State Infrastructure Bank**

**Section:    203.60**

Allows OBM to approve requests from ODOT to transfer appropriations and cash in the State Infrastructure Bank (SIB) funds created in R.C. 5531.09, including transfers between FY 2020 and FY 2021.

Allows OBM to transfer appropriations and cash between Fund 7002 and SIB funds. Specifies that transfers from the SIB funds to Fund 7002 can only be up to the amounts originally transferred to the SIB funds. Prohibits transfers between modes and different funding sources. Appropriates these transfers and requires that they be reported to the Controlling Board.

**Fiscal effect: Provides ODOT with cash management flexibility to transfer these appropriations when needed.**

**Section:    203.60**

Replaces the Executive provision with one that authorizes ODOT to seek Controlling Board approval of the transfers.

Replaces the Executive provision with one that authorizes ODOT to seek Controlling Board approval of the transfers.

**Fiscal effect: Same as the Executive, but requires Controlling Board approval.**

Executive

In House Finance

**DOTCD8                      Transfers of appropriations: tolling funds**

**Section:    203.60**

Allows OBM to approve requests from ODOT to transfer appropriations and cash of the Ohio Toll Fund, including transfers between FY 2020 and FY 2021. Appropriates the amounts transferred. Requires that the transfers be reported to the Controlling Board.

**Fiscal effect: Provides ODOT with cash management flexibility to transfer these appropriations when needed.**

**Section:    203.60**

Replaces the Executive provision with one that authorizes ODOT to seek Controlling Board approval of the transfers.

**Fiscal effect: Same as the Executive, but requires Controlling Board approval.**

**DOTCD9                      Increasing appropriations: state funds**

**Section:    203.60**

Allows the Controlling Board, upon the request of ODOT, to increase appropriations from Fund 7002 in the event that receipts or unexpended balances credited to Fund 7002 exceed the estimates upon which the appropriations have been made.

**Fiscal effect: Allows ODOT to use additional state moneys that are credited to Fund 7002 over the biennium, such as additional motor fuel tax revenues.**

**Section:    203.60**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DOTCD10                    Increasing appropriations: federal and local funds**

**Section:    203.60**

Allows the Controlling Board, upon the request of ODOT, to increase appropriations of federal or local moneys credited to Fund 7002 in the event that receipts or unexpected balances credited to Fund 7002 exceed the estimates upon which the appropriations for FY 2020-FY 2021 have been made.

**Section:    203.60**

Same as the Executive.

Executive

In House Finance

**Fiscal effect: Provides ODOT the ability to use revenues available from the federal government and local governments that exceed appropriations.**

**Fiscal effect: Same as the Executive.**

**DOTCD11 Transfers of cash between Highway Operating Fund and Highway Capital Improvement Fund**

**Section: 203.60**

Allows OBM to transfer cash, upon the request of ODOT, from Fund 7002 to the Highway Capital Improvement Fund (Fund 7042). Allows OBM to transfer cash from Fund 7042 to Fund 7002 in an amount equal to the amount of cash previously transferred to Fund 7042.

**Section: 203.60**

Same as the Executive.

**Fiscal effect: Provides ODOT with cash management flexibility to transfer these appropriations when needed.**

**Fiscal effect: Same as the Executive.**

**DOTCD12 Deputy Inspector General for ODOT funding**

**Section: 203.60**

Requires OBM to make semiannual cash transfers of \$200,000, occurring on July 1 and January 1 or as soon as possible thereafter in each fiscal year, from Fund 7002 to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

**Section: 203.60**

Same as the Executive.

Permits the Inspector General, with the consent of OBM, to seek Controlling Board approval for additional transfers of cash and increase the appropriation in Fund 5FA0 line item 965603, Deputy Inspector General for ODOT, in the amounts needed.

Same as the Executive.

Executive

In House Finance

**DOTCD13            Reappropriations**

**Section:    203.60**

Allows ODOT, in each of FY 2020 and FY 2021, to request that OBM transfer any remaining unencumbered appropriations to Fund 7002, Fund 7042, and the State Infrastructure Bank funds for the same purpose in the following fiscal year.

Requires ODOT to identify the appropriate funds and line items and the amount of the transfer, allows OBM to request additional information, and requires ODOT to provide any information requested. Requires OBM to determine the amounts to be transferred by fund and line item based on the information provided by ODOT. Reappropriates the amounts as determined by OBM and requires the reappropriations to be reported to the Controlling Board.

Specifies that any unencumbered balances for which reappropriations are requested and approved are subject to the availability of revenue as determined by the ODOT director.

**Fiscal effect: Allows ODOT to continue to use unencumbered funds from prior fiscal years, subject to OBM authorization.**

**Section:    203.60**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DOTCD14            Liquidation of unforeseen liabilities**

**Section:    203.60**

Allows for any Fund 7002 appropriation, unless restricted by law, to be used to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

**Section:    203.60**

Same as the Executive.

Executive

In House Finance

**DOTCD15            Maintenance of interstate highways**

**Section:    203.70**

Authorizes ODOT to provide services, such as snow and ice removal, maintenance, repair, or lighting, on interstate highways located within the boundaries of municipal corporations and to reimburse municipalities for their costs in providing such maintenance if there are agreements between ODOT and the municipalities to do so.

**Section:    203.70**

Same as the Executive.

**DOTCD16            Public transportation highway purpose grants**

**Section:    203.80**

Allows ODOT to use state motor fuel tax revenues to match federal grants awarded to ODOT, regional transit authorities, or eligible public transportation systems for public transportation highway purposes, or to support local or state funded public transportation highway projects. Specifies that public transportation highway purposes include: (1) the construction or repair of high occupancy vehicle lanes; (2) the acquisition or construction of park-and-ride facilities or transit loops; (3) the construction or repair of bridges used by public transportation vehicles; and (4) other such eligible public transportation highway purposes.

Prohibits motor fuel tax revenues from being used for operating assistance or for the purchase of vehicles, equipment, or maintenance of facilities.

**Section:    203.80**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

**DOTCD17                      Agreements related to federal environmental permits**

**Section:    203.90**

Authorizes ODOT to enter into agreements with certain federal agencies to review federal environmental permit documents. Requires that the agreements be solely for the purpose of dedicating ODOT staff to the expeditious and timely review of environmentally related documents submitted by ODOT as necessary for federal permits. Requires ODOT to receive Controlling Board approval of any agreement between ODOT and a federal agency for services performed relating to environmental permit reviews.

**Fiscal effect: No net increase in administrative costs to ODOT. The cost that ODOT incurs is offset by federal reimbursements under the agreements.**

**Section:    203.90**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DOTCD18                      Authorization to use indefinite delivery indefinite quantity (IDIQ) contracts**

**Section:    203.100**

- (1) Requires ODOT to enter into indefinite delivery indefinite quantity (IDIQ) contracts for not more than two projects in each year of the FY 2020-FY 2021 biennium.
- (2) Defines an IDIQ contract as a contract for an indefinite quantity, within stated limits, of supplies or services that will be delivered by the awarded bidder over a defined contract period.
- (3) Requires ODOT to prepare bidding documents, establish contract forms, determine contract terms and conditions, develop and implement a work order process, and take any other action necessary to fulfill ODOT's duties and obligations related to IDIQ contracts.

**Section:    203.100**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance

(4) Specifies that current law requirements ODOT must follow for the advertising bids and awarding contracts also apply to IDIQ contracts.

Same as the Executive.

**Fiscal effect: Potential savings on the selected projects where the IDIQ contract type is used, depending on the supplies or services to be provided, and the circumstances involved with the projects; however, there is a possibility of additional costs as a result of these contracts as well.**

**Fiscal effect: Same as the Executive.**

DOTCD30

Ohio's Road to Our Future Joint Legislative Study Committee

**Section: 755.20**

No provision.

(1) Creates the Ohio's Road to Our Future Joint Legislative Study Committee, to consist of five members of the Senate and five members of the House of Representatives.

No provision.

(2) Requires the Study Committee to review six subjects relating to ODOT: (A) alternative sources of revenue, (B) expense mitigation, (C) evolving technology, (D) innovative finance techniques, (E) asset leverage and conditions, and (F) employee demographics.

No provision.

(3) Requires the Study Committee to conduct reviews and analyses of various specific issues relating to the subjects listed in (2) above.

No provision.

(4) Requires ODOT to provide administrative assistance as requested by the Study Committee.

No provision.

(5) Requires the Study Committee to complete a report of its findings by October 1, 2019, and to present the report to the Speaker of the House and the Senate President at the call of the Speaker and President. Abolishes the Study Committee upon presentation of the report.

Executive

In House Finance

**Fiscal effect:** Some potential additional administrative costs for ODOT, the House of Representatives, and the Senate that would likely be absorbed within ongoing operating costs.

DOTCD31

Moratorium on closing rest stops

No provision.

**Section: 755.30**

Prohibits ODOT from closing any highway rest areas under its jurisdiction from July 1, 2019, through June 30, 2021.

**Fiscal effect:** If any rest stops were planned for closure, this would result in some additional expenses from the Highway Operating Fund (Fund 7002) to maintain the facilities and continue operations at those rest stops. There are approximately 85 rest stops in ODOT's network.

Executive

In House Finance

**BWCCD12 Motor carrier independent contractor agreements**

**R.C. 4123.01, 119.14, 1449.61, 4111.03, 4111.14, 4121.01, 4141.01 and Section 741.10**

(1) No provision.

(1) Exempts an individual operator of a vehicle or vessel performing services for a motor carrier that transports property from coverage under the state Minimum Wage and Overtime Laws, the Workers' Compensation Law, and the Unemployment Compensation Law if all of the following apply:

No provision.

The individual owns or leases the equipment that is used in performing the services for the carrier.

No provision.

The individual is responsible for supplying the necessary personal services to operate the equipment used to provide the service.

No provision.

The individual is compensated based on factors related to work performed and not based on the hours or time expended.

No provision.

The individual substantially controls the means and manner of performing the services.

No provision.

The individual enters into a written contract with the carrier that describes the relationship between the individual and the carrier as that of an independent contractor and not an employee.

No provision.

The individual is responsible for substantially all of the principal operating costs of the vehicle or vessel and equipment used to provide the service, with specified exceptions.

No provision.

The individual is responsible for any economic loss or economic gain from the arrangement with the carrier.

Executive

In House Finance

(2) No provision.

(2) Allows a motor carrier to elect coverage under the Minimum Wage Law, Overtime Law, Workers' Compensation Law, or Unemployment Compensation Law for an individual who is exempt from coverage under the bill because the individual satisfies the conditions listed.

(3) No provision.

(3) Specifies that the proposed changes do not apply to cases pending on the effective date of the changes.

**Fiscal effect: Uncertain.**

Executive

In House Finance

**LOCCD2 Simultaneous office-holding of local government and Transportation Improvement District positions**

No provision.	<b>R.C. 3.112</b>	Allows for any elected officer or employee of a county, township, or municipal corporation to simultaneously serve as a member or officer of the board of trustees of a transportation improvement district (TID) without constituting the holding of incompatible offices.
No provision.	<b>R.C. 3.112</b>	Provides that such simultaneous office-holding is permissible, notwithstanding Ohio common law or any contrary statute and does not involve having an unlawful interest in a public contract under O.R.C. 2921.42. <b>Fiscal effect: Presumably none. The provision statutorily establishes that there is no conflict of interest or other ambiguity between local government positions and TID positions.</b>

**LOCCD6 County transit system funding**

No provision.	<b>R.C. 306.051</b>	Specifies that funds expended for social services in a county may be used as the local match needed to obtain state or federal funds for the county transit system.
No provision.	<b>R.C. 306.051</b>	Defines "social services" as services for (1) senior citizens, (2) persons with developmental disabilities, (3) programs funded in whole or in part by federal funds provided under the Community Development Block Grant (CDBG) program, and (4) individuals, families, and communities that assist the overall social well being.

Executive

In House Finance

No provision.

Specifies that funds raised by a county tax levy may be used as local transit matching money only to the extent that such use (1) is consistent with the purpose of the tax levy, and (2) does not jeopardize the state's or county's eligibility for federal funding for one or more purposes.

**Fiscal effect: Potentially more state or federal funding for county transit systems if local matching funds are more easily obtainable as a result of this provision.**

LOCCD7

Authority for transit authorities to levy local taxes for infrastructure projects

R.C. 306.35, 164.04, 306.70, 5739.023, and Section 703.10

No provision.

(1) Authorizes a transit authority to levy a tax specifically for infrastructure projects involving building and maintaining county, municipal, or township roads related to the provision of service by the authority, provided that funding such projects is not the sole purpose of the tax.

No provision.

(2) In the ballot language proposing a transit authority tax, (A) requires that, when a tax is levied for such infrastructure projects, the ballot must state that fact, and (B) allows a transit authority to specify the percentage of the proposed tax's revenue that will be allocated to such infrastructure projects or to specific activities funded by a tax for general revenue.

No provision.

(3) Authorizes a regional transit authority to enter into agreements with counties, municipal corporations, or townships to fund the general construction and maintenance of roads and bridges related to the provision of service by the authority.

No provision.

(4) Regarding the agreement described in (3) above, requires the regional transit authority to submit the agreement to the appropriate district public works integrating committee for

Executive

In House Finance

No provision.

approval.

(5) Specifies that the district public works integrating committee must approve or deny the agreement with at least seven affirmative votes, except for District 2, which needs at least 6 affirmative votes

No provision.

(6) In temporary law, states that these permanent law provisions do not retroactively apply to regional transit authorities that have levied a tax and are using a portion of the proceeds for construction and maintenance of roads and bridges over which buses travel.

**Fiscal effect: Expressly permits portions of revenue from local tax levies (such as sales tax levies) to be used for road and bridge maintenance and construction. The specific fiscal effect will depend on the amounts allocated and the terms of the agreements between transit authorities and other political subdivisions.**

LOCCD4

Authority for joint ambulance districts to enter into lease-purchase agreements

No provision.

**R.C. 505.267, 505.71**

Authorizes a joint ambulance district to use its tax levy revenue to construct, or enter into a lease-purchase agreement to acquire, buildings or equipment necessary for the district.

**Fiscal effect: The provision mirrors permissive authority under current law granted to joint police districts, joint fire districts, and township fire districts for the same purposes.**

Executive

In House Finance

LOCCD3 Traffic cameras, court jurisdiction, and LGF funds

R.C. 1901.18, 1901.20, 1907.02, 1907.031, 4511.092, 4511.093, 4511.096, 4511.097, 4511.098, 4511.099, 4511.0910, 4511.204, 4511.205, 4511.991, 5547.502, 5747.51, 5747.53, 4511.0915 (repealed)

(1) No provision.

(1) Grants expressly both a municipal court and a county court original and exclusive jurisdiction over every civil action concerning a violation of a state traffic law or a municipal traffic ordinance within the court's jurisdictional territory (violation includes, but is not limited to, a traffic law violation recorded by a traffic camera).

(2) No provision.

(2) Eliminates the process in current law that requires a hearing officer to conduct an administrative hearing when a person contests a ticket for a civil traffic law violation that is based on a recording by a traffic camera.

(3) No provision.

(3) Requires the court with jurisdiction to handle the filings, affidavits, and forms associated with such civil actions.

(4) No provision.

(4) Specifies that a local authority must file a certified copy of the ticket with the municipal or county court that has jurisdiction and that the court must require the local authority to make an advance deposit of all applicable court costs and fees.

(5) No provision.

(5) Provides that the court retains the advance deposit, regardless of which party prevails in the civil action. Prohibits the court in all of those civil actions from charging a registered owner or the driver who committed the violation any court costs or fees.

## Executive

## In House Finance

(6) No provision.

(6) Provides that, if a registered owner or driver contests the ticket and does not prevail in the civil action heard by the court, that owner or driver is only responsible for paying the amount of the required civil penalty.

(7) No provision.

(7) States that above provisions (4), (5), and (6) do not apply to any civil action related to a ticket issued by a local authority based on evidence recorded by a traffic camera when the camera was located in a school zone. Requires in such a circumstance located in a school zone the court charge the applicable court costs and fees for such a civil action to the party that does not prevail in the action.

(8) No provision.

(8) Repeals provisions in current law that establish reporting requirements for local authorities operating traffic cameras and that penalize them for not complying with the law governing their use of traffic cameras by offsetting their Local Government Fund (LGF) distributions and replaces with provisions 9-12 described below.

(9) No provision.

(9) Requires every local authority that operates a traffic camera during a fiscal year to file a report with the Tax Commissioner by the following July 31 showing civil fines collected for traffic violations recorded by a traffic camera and the gross amount of traffic camera fines collected, regardless of whether the local authority complied with the state traffic camera laws.

(10) No provision.

(10) Requires the Tax Commissioner to monthly reduce LGF funding to the local authority by an amount equal to one-twelfth of the gross amount of all such fines. If the violation was in a school zone, the LGF funding is not reduced to the extent of that fine, but the local authority must use the amount of the fine for school safety purposes.

## Executive

## In House Finance

(11) No provision.

(11) Requires the Tax Commissioner to withhold all LGF payments to any local authority that fails to file reports, if it is required to do so.

(12) No provision.

(12) Creates in the state treasury the Ohio Highway and Transportation Safety Fund to which would be credited an amount equal to the LGF payments which were reduced or ceased. Requires the amount credited with respect to a local authority to be allocated for the transportation district in which that local authority is located and used exclusively to enhance public safety on public roads and highways within that transportation district.

(13) No provision.

(13) Prohibits any township constable, member of a police force of a township or joint township police district, or other township representative from using a traffic camera to detect and enforce traffic violations on an interstate highway.

(14) No provision.

(14) Makes corrective changes to the Texting While Driving and the Distracted Driving laws.

**Fiscal effect: LGF distributions to certain political subdivisions would be reduced based on their reported fine collections from using traffic cameras, with any revenue loss dependent upon the amount of fine collections from using traffic cameras of each noncomplying political subdivision. The amount of revenue credited to the Ohio Highway and Transportation Safety Fund would depend on the amount of LGF payments withheld from noncomplying subdivisions. The number of traffic-related civil violations processed each year by certain municipal and county courts will increase, the cost of which is uncertain, but may be offset to some degree by the collection of local court costs and fees. Both court revenues and local authority expenditures will increase by requiring filing fees and court costs to be paid as an advance deposit by the local authority to the relevant municipal or county court**

Executive

In House Finance

**LOCCD5 Transit system contracts for school transportation**

No provision.

**R.C. 3327.012**

Authorizes the Superintendent of Public Instruction to contract with any county transit system or regional transit authority to provide pupil transportation services (under current law unchanged by the bill, the Superintendent may contract with any firm, person, or board of education for this purpose).

**Fiscal effect: None apparent. The provision appears to clarify the Superintendent's existing authority. Pupil transportation, if required to be offered based on the student's grade, distance from school, or disability, generally is the responsibility of a student's resident school district.**

**LOCCD1 Open Container Law exemption**

**R.C. 4301.62**

Eliminates the exemption to the Opened Container Law that allows a person to possess an opened container of beer or intoxicating liquor while in or on a stationary motor vehicle within a Designated Outdoor Refreshment Area (DORA) if the motor vehicle is not being operated in a lane of vehicular travel.

**Fiscal effect: Local law enforcement monitors activity within DORAs, of which there are 15 statewide as of February 2019. Eliminating this exemption puts Ohio in compliance with federal law. Otherwise, Ohio is subject to limitations on the use of some federal transportation funds.**

**R.C. 4301.62**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance

LOCCD8

Port authority towing motor vehicles

No provision.

R.C. 4505.101, 4513.60, 4513.601, 4513.61, 4513.62,  
4513.63, 4513.64, 4513.65, 4513.66, 4513.69

Authorizes a port authority's law enforcement agency to take certain actions regarding the towing of motor vehicles, such as ordering an abandoned junk motor vehicle in the port authority's jurisdiction into storage and ordering a vehicle into storage that has been left on public or private property within the port authority's jurisdiction (under current law, port authority law enforcement agencies do not have this authority).

**Fiscal effect: Uncertain fiscal effect on the approximately 50 Ohio port authorities.**

LOCCD11

Port authority contracts

No provision.

R.C. 4582.12, 4582.31

Eliminates the requirement that contracts between a port authority and a contractor be executed in triplicate, thus eliminating the need for the contract to be carbon copied.

**Fiscal effect: Negligible savings in administrative costs.**

LOCCD10

Catastrophic Snowfall Fund

No provision.

Sections: 755.40, 203.110

Creates the Catastrophic Snowfall Fund to provide funding assistance for street maintenance to municipal corporations that receive 18 or more inches of snow in one event; and requires ODOT to establish procedures to administer the Fund.

Executive

In House Finance

No provision.

Requires ODOT to certify to OBM \$250,000 in available cash in the Highway Operating Fund (Fund 7002) to be transferred to the Catastrophic Snowfall Fund in each of FY 2020 and FY 2021. Appropriates the \$250,000 from the Catastrophic Snowfall Fund upon the completion of each transfer.