A BILL

To amend sections 163.03, 163.31, 4301.62, 4506.17, 4511.21, 5501.21, 5501.41, 5516.05, 5735.05, 5735.053, and 5735.142 and to enact section 4765.302 of the Revised Code and to amend Section 213.20 of H.B. 529 of the 132nd General Assembly, as subsequently amended, to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of those programs.

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

Section 101.01. That sections 163.03, 163.31, 4301.62, 4506.17, 4511.21, 5501.21, 5501.41, 5516.05, 5735.05, 5735.053, and 5735.142 be amended and section 4765.302 of the Revised Code be enacted to read as follows:

Sec. 163.03. (A) Any agency may, upon the notice prescribed in this section, prior to or subsequent to the filing of a petition pursuant to section 163.05 of the Revised Code, enter upon any lands, waters, and premises for the purpose of making such surveys, soundings, drillings, appraisals, and examinations as are necessary or proper for the purpose of the agency under
sections 163.01 to 163.22, inclusive, of the Revised Code, and
such entry shall not constitute a trespass. Notice of such
proposed entry shall be given to the owner or the person in
possession by such means as are reasonably available not less than
forty-eight hours nor more than thirty days prior to the date of
such entry.

(B) An agency may enter upon any lands, waters, and premises
for the purpose of accessing and performing maintenance on
transportation facilities. Such an entry does not constitute a
trespass. The agency shall give notice of the proposed entry to
the owner or the person in possession by such means as are
reasonably available not less than forty-eight hours nor more than
thirty days prior to the date of the entry.

(C) The agency shall make restitution or reimbursement for
any actual damage resulting to such lands, waters, and premises
and to improvements or personal property located in, on, along,
over, or under such lands, waters, and premises, as a result of
such activities an entry made by an agency under division (A) or
(B) of this section. If the parties are unable to agree upon
restitution or other settlement, damages are recoverable by civil
action to which the state or agency hereby consents.

Sec. 163.31. As used in sections 163.31 to 163.33 of the
Revised Code:

(A) "Advertising device" includes any legally erected and
maintained outdoor sign, display, device, figure, painting,
drawing, message, placard, poster, billboard, or other contrivance
designed, intended, or used to advertise or to give information in
the nature of advertising, or any part of any such contrivance,
the advertisement on which is visible from the traveled way of any
street, road, or highway in this state.

(B) "Erect" means to construct or allow to be constructed,
but does not include any activity performed incident to a change of an advertisement or normal maintenance of an advertising device.

(C) "Just compensation" means the payment of compensation by a public agency that orders the removal of an advertising device, in the same manner as it would for other property acquired pursuant to this chapter.

(D) "Maintain" means to preserve, keep in repair, continue, allow to exist, or restore if destroyed by an act of God or vandalism and other criminal or tortious acts.

(E) "Public agency" has the same meaning as in section 163.01 of the Revised Code.

(F) "Visible" means capable of being seen, whether or not legible, without visual aid by a person of normal acuity.

Sec. 4301.62. (A) As used in this section:

(1) "Chauffeured limousine" means a vehicle registered under section 4503.24 of the Revised Code.

(2) "Street," "highway," and "motor vehicle" have the same meanings as in section 4511.01 of the Revised Code.

(B) No person shall have in the person's possession an opened container of beer or intoxicating liquor in any of the following circumstances:

(1) Except as provided in division (C)(1)(e) of this section, in an agency store;

(2) Except as provided in division (C) of this section, on the premises of the holder of any permit issued by the division of liquor control;

(3) In any other public place;

(4) Except as provided in division (D) or (E) of this
section, while operating or being a passenger in or on a motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking;

(5) Except as provided in division (D) or (E) of this section, while being in or on a stationary motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.

(C)(1) A person may have in the person's possession an opened container of any of the following:

(a) Beer or intoxicating liquor that has been lawfully purchased for consumption on the premises where bought from the holder of an A-1-A, A-2, A-2f, A-3a, D-1, D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o, D-7, D-8, E, F, F-2, F-5, F-7, or F-8 permit;

(b) Beer, wine, or mixed beverages served for consumption on the premises by the holder of an F-3 permit, wine served as a tasting sample by an A-2 permit holder or S permit holder for consumption on the premises of a farmers market for which an F-10 permit has been issued, or wine served for consumption on the premises by the holder of an F-4 or F-6 permit;

(c) Beer or intoxicating liquor consumed on the premises of a convention facility as provided in section 4303.201 of the Revised Code;

(d) Beer or intoxicating liquor to be consumed during tastings and samplings approved by rule of the liquor control commission;

(e) Spirituous liquor to be consumed for purposes of a tasting sample, as defined in section 4301.171 of the Revised Code.
(2) A person may have in the person's possession on an F liquor permit premises an opened container of beer or intoxicating liquor that was not purchased from the holder of the F permit if the premises for which the F permit is issued is a music festival and the holder of the F permit grants permission for that possession on the premises during the period for which the F permit is issued. As used in this division, "music festival" means a series of outdoor live musical performances, extending for a period of at least three consecutive days and located on an area of land of at least forty acres.

(3)(a) A person may have in the person's possession on a D-2 liquor permit premises an opened or unopened container of wine that was not purchased from the holder of the D-2 permit if the premises for which the D-2 permit is issued is an outdoor performing arts center, the person is attending an orchestral performance, and the holder of the D-2 permit grants permission for the possession and consumption of wine in certain predesignated areas of the premises during the period for which the D-2 permit is issued.

(b) As used in division (C)(3)(a) of this section:

(i) "Orchestral performance" means a concert comprised of a group of not fewer than forty musicians playing various musical instruments.

(ii) "Outdoor performing arts center" means an outdoor performing arts center that is located on not less than one hundred fifty acres of land and that is open for performances from the first day of April to the last day of October of each year.

(4) A person may have in the person's possession an opened or unopened container of beer or intoxicating liquor at an outdoor location at which the person is attending an orchestral performance as defined in division (C)(3)(b)(i) of this section if
the person with supervision and control over the performance grants permission for the possession and consumption of beer or intoxicating liquor in certain predesignated areas of that outdoor location.

(5) A person may have in the person's possession on an F-9 liquor permit premises an opened or unopened container of beer or intoxicating liquor that was not purchased from the holder of the F-9 permit if the person is attending either of the following:

(a) An orchestral performance and the F-9 permit holder grants permission for the possession and consumption of beer or intoxicating liquor in certain predesignated areas of the premises during the period for which the F-9 permit is issued;

(b) An outdoor performing arts event or orchestral performance that is free of charge and the F-9 permit holder annually hosts not less than twenty-five other events or performances that are free of charge on the permit premises.

As used in division (C)(5) of this section, "orchestral performance" has the same meaning as in division (C)(3)(b) of this section.

(6)(a) A person may have in the person's possession on the property of an outdoor motorsports facility an opened or unopened container of beer or intoxicating liquor that was not purchased from the owner of the facility if both of the following apply:

(i) The person is attending a racing event at the facility; and

(ii) The owner of the facility grants permission for the possession and consumption of beer or intoxicating liquor on the property of the facility.

(b) As used in division (C)(6)(a) of this section:

(i) "Racing event" means a motor vehicle racing event
sanctioned by one or more motor racing sanctioning organizations.  

(ii) "Outdoor motorsports facility" means an outdoor racetrack to which all of the following apply: 

(I) It is two and four-tenths miles or more in length.  

(II) It is located on two hundred acres or more of land.  

(III) The primary business of the owner of the facility is the hosting and promoting of racing events.  

(IV) The holder of a D-1, D-2, or D-3 permit is located on the property of the facility.  

(7)(a) A person may have in the person's possession an opened container of beer or intoxicating liquor at an outdoor location within an outdoor refreshment area created under section 4301.82 of the Revised Code if the opened container of beer or intoxicating liquor was purchased from a qualified permit holder to which both of the following apply:  

(i) The permit holder's premises is located within the outdoor refreshment area.  

(ii) The permit held by the permit holder has an outdoor refreshment area designation.  

(b) Division (C)(7) of this section does not authorize a person to do either of the following:  

(i) Enter the premises of an establishment within an outdoor refreshment area while possessing an opened container of beer or intoxicating liquor acquired elsewhere;  

(ii) Possess an opened container of beer or intoxicating liquor while being in or on a motor vehicle within an outdoor refreshment area, unless the motor vehicle is stationary and is not being operated in a lane of vehicular travel or unless the possession is otherwise authorized under division (D) or (E) of this section.
(8) (a) A person may have in the person's possession on the property of a market, within a defined F-8 permit premises, an opened container of beer or intoxicating liquor that was purchased from a D permit premises that is located immediately adjacent to the market if both of the following apply:

(i) The market grants permission for the possession and consumption of beer and intoxicating liquor within the defined F-8 permit premises;

(ii) The market is hosting an event pursuant to an F-8 permit and the market has notified the division of liquor control about the event in accordance with division (A)(3) of section 4303.208 of the Revised Code.

(b) As used in division (C)(8) of this section, "market" means a market, for which an F-8 permit is held, that has been in operation since 1860.

(D) This section does not apply to a person who pays all or a portion of the fee imposed for the use of a chauffeured limousine pursuant to a prearranged contract, or the guest of the person, when all of the following apply:

(1) The person or guest is a passenger in the limousine.

(2) The person or guest is located in the limousine, but is not occupying a seat in the front compartment of the limousine where the operator of the limousine is located.

(3) The limousine is located on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.

(E) An opened bottle of wine that was purchased from the holder of a permit that authorizes the sale of wine for consumption on the premises where sold is not an opened container for the purposes of this section if both of the following apply:
(1) The opened bottle of wine is securely resealed by the permit holder or an employee of the permit holder before the bottle is removed from the premises. The bottle shall be secured in such a manner that it is visibly apparent if the bottle has been subsequently opened or tampered with.

(2) The opened bottle of wine that is resealed in accordance with division (E)(1) of this section is stored in the trunk of a motor vehicle or, if the motor vehicle does not have a trunk, behind the last upright seat or in an area not normally occupied by the driver or passengers and not easily accessible by the driver.

(F)(1) Except if an ordinance or resolution is enacted or adopted under division (F)(2) of this section, this section does not apply to a person who, pursuant to a prearranged contract, is a passenger riding on a commercial quadricycle when all of the following apply:

(a) The person is not occupying a seat in the front of the commercial quadricycle where the operator is steering or braking.

(b) The commercial quadricycle is being operated on a street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.

(c) The person has in their possession on the commercial quadricycle an opened container of beer or wine.

(d) The person has in their possession on the commercial quadricycle not more than either thirty-six ounces of beer or eighteen ounces of wine.

(2) The legislative authority of a municipal corporation or township may enact an ordinance or adopt a resolution, as applicable, that prohibits a passenger riding on a commercial quadricycle from possessing an opened container of beer or wine.
(3) As used in this section, "commercial quadricycle" means a vehicle that has fully-operative pedals for propulsion entirely by human power and that meets all of the following requirements:

(a) It has four wheels and is operated in a manner similar to a bicycle.

(b) It has at least five seats for passengers.

(c) It is designed to be powered by the pedaling of the operator and the passengers.

(d) It is used for commercial purposes.

(e) It is operated by the vehicle owner or an employee of the owner.

(G) This section does not apply to a person that has in the person's possession an opened container of beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder that is located in the market.

As used in division (G) of this section, "market" means an establishment that:

(1) Leases space in the market to individual vendors, not less than fifty per cent of which are retail food establishments or food service operations licensed under Chapter 3717. of the Revised Code;

(2) Has an indoor sales floor area of not less than twenty-two thousand square feet;

(3) Hosts a farmer's market on each Saturday from April through December.

Sec. 4506.17. (A) Any person who holds a commercial driver's license or commercial driver's license temporary instruction permit, or who operates a commercial motor vehicle requiring a
Both of the following are deemed to have given consent to a test or tests of the person's whole blood, blood serum or plasma, breath, or urine for the purpose of determining the person's alcohol concentration or the presence of any controlled substance or a metabolite of a controlled substance:

(1) A person while operating a commercial motor vehicle that requires a commercial driver's license or commercial driver's license temporary instruction permit;

(2) A person who holds a commercial driver's license or commercial driver's license temporary instruction permit while operating a motor vehicle, including a commercial motor vehicle.

(B) A test or tests as provided in division (A) of this section may be administered at the direction of a peace officer having reasonable ground to stop or detain the person and, after investigating the circumstances surrounding the operation of the commercial motor vehicle, also having reasonable ground to believe the person was driving the commercial motor vehicle while having a measurable or detectable amount of alcohol or of a controlled substance or a metabolite of a controlled substance in the person's whole blood, blood serum or plasma, breath, or urine. Any such test shall be given within two hours of the time of the alleged violation.

(C) A person requested by a peace officer to submit to a test under division (A) of this section shall be advised by the peace officer that a refusal to submit to the test will result in the person immediately being placed out-of-service for a period of twenty-four hours and being disqualified from operating a commercial motor vehicle for a period of not less than one year, and that the person is required to surrender the person's commercial driver's license or permit to the peace officer.
(D) If a person refuses to submit to a test after being warned as provided in division (C) of this section or submits to a test that discloses the presence of an amount of alcohol or a controlled substance prohibited by divisions (A)(1) to (5) of section 4506.15 of the Revised Code or a metabolite of a controlled substance, the person immediately shall surrender the person's commercial driver's license or permit to the peace officer. The peace officer shall forward the license or permit, together with a sworn report, to the registrar of motor vehicles certifying that the test was requested pursuant to division (A) of this section and that the person either refused to submit to testing or submitted to a test that disclosed the presence of one of the prohibited concentrations of a substance listed in divisions (A)(1) to (5) of section 4506.15 of the Revised Code or a metabolite of a controlled substance. The form and contents of the report required by this section shall be established by the registrar by rule, but shall contain the advice to be read to the driver and a statement to be signed by the driver acknowledging that the driver has been read the advice and that the form was shown to the driver.

(E) Upon receipt of a sworn report from a peace officer as provided in division (D) of this section, or upon receipt of notification that a person has been disqualified under a similar law of another state or foreign jurisdiction, the registrar shall disqualify the person named in the report from driving a commercial motor vehicle for the period described below:

(1) Upon a first incident, one year;

(2) Upon an incident of refusal or of a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance after one or more previous incidents of either refusal or of a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance,
the person shall be disqualified for life or such lesser period as
prescribed by rule by the registrar.

(F) A test of a person's whole blood or a person's blood
serum or plasma given under this section shall comply with the
applicable provisions of division (D) of section 4511.19 of the
Revised Code and any physician, registered nurse, emergency
medical technician-intermediate, emergency medical
technician-paramedic, or qualified technician, chemist, or
phlebotomist who withdraws whole blood or blood serum or plasma
from a person under this section, and any hospital, first-aid
station, clinic, or other facility at which whole blood or blood
serum or plasma is withdrawn from a person pursuant to this
section, is immune from criminal liability, and from civil
liability that is based upon a claim of assault and battery or
based upon any other claim of malpractice, for any act performed
in withdrawing whole blood or blood serum or plasma from the
person. The immunity provided in this division also extends to an
emergency medical service organization that employs an emergency
medical technician-intermediate or emergency medical
technician-paramedic who withdraws blood under this section.

(G) When a person submits to a test under this section, the
results of the test, at the person's request, shall be made
available to the person, the person's attorney, or the person's
agent, immediately upon completion of the chemical test analysis.
The person also may have an additional test administered by a
physician, a registered nurse, or a qualified technician, chemist,
or phlebotomist of the person's own choosing as provided in
division (D) of section 4511.19 of the Revised Code for tests
administered under that section, and the failure to obtain such a
test has the same effect as in that division.

(H) No person shall refuse to immediately surrender the
person's commercial driver's license or permit to a peace officer
when required to do so by this section.

(I) A peace officer issuing an out-of-service order or receiving a commercial driver's license or permit surrendered under this section may remove or arrange for the removal of any commercial motor vehicle affected by the issuance of that order or the surrender of that license.

(J)(1) Except for civil actions arising out of the operation of a motor vehicle and civil actions in which the state is a plaintiff, no peace officer of any law enforcement agency within this state is liable in compensatory damages in any civil action that arises under the Revised Code or common law of this state for an injury, death, or loss to person or property caused in the performance of official duties under this section and rules adopted under this section, unless the officer's actions were manifestly outside the scope of the officer's employment or official responsibilities, or unless the officer acted with malicious purpose, in bad faith, or in a wanton or reckless manner.

(2) Except for civil actions that arise out of the operation of a motor vehicle and civil actions in which the state is a plaintiff, no peace officer of any law enforcement agency within this state is liable in punitive or exemplary damages in any civil action that arises under the Revised Code or common law of this state for any injury, death, or loss to person or property caused in the performance of official duties under this section of the Revised Code and rules adopted under this section, unless the officer's actions were manifestly outside the scope of the officer's employment or official responsibilities, or unless the officer acted with malicious purpose, in bad faith, or in a wanton or reckless manner.

(K) When disqualifying a driver, the registrar shall cause the records of the bureau of motor vehicles to be updated to
reflect the disqualification within ten days after it occurs.

(L) The registrar immediately shall notify a driver who is subject to disqualification of the disqualification, of the length of the disqualification, and that the driver may request a hearing within thirty days of the mailing of the notice to show cause why the driver should not be disqualified from operating a commercial motor vehicle. If a request for such a hearing is not made within thirty days of the mailing of the notice, the order of disqualification is final. The registrar may designate hearing examiners who, after affording all parties reasonable notice, shall conduct a hearing to determine whether the disqualification order is supported by reliable evidence. The registrar shall adopt rules to implement this division.

(M) Any person who is disqualified from operating a commercial motor vehicle under this section may apply to the registrar for a driver's license to operate a motor vehicle other than a commercial motor vehicle, provided the person's commercial driver's license or permit is not otherwise suspended. A person whose commercial driver's license or permit is suspended shall not apply to the registrar for or receive a driver's license under Chapter 4507. of the Revised Code during the period of suspension.

(N) Whoever violates division (H) of this section is guilty of a misdemeanor of the first degree.

(O) As used in this section, "emergency medical technician-intermediate" and "emergency medical technician-paramedic" have the same meanings as in section 4765.01 of the Revised Code.

Sec. 4511.21. (A) No person shall operate a motor vehicle, trackless trolley, or streetcar at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions, and
no person shall drive any motor vehicle, trackless trolley, or streetcar in and upon any street or highway at a greater speed than will permit the person to bring it to a stop within the assured clear distance ahead.

(B) It is prima-facie lawful, in the absence of a lower limit declared or established pursuant to this section by the director of transportation or local authorities, for the operator of a motor vehicle, trackless trolley, or streetcar to operate the same at a speed not exceeding the following:

(1)(a) Twenty miles per hour in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when twenty miles per hour school speed limit signs are erected; except that, on controlled-access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by division (B)(4) of this section and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by divisions (B)(10) and (11) of this section. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone speed limit is in effect.

(b) As used in this section and in section 4511.212 of the Revised Code, "school" means any school chartered under section 3301.16 of the Revised Code and any nonchartered school that during the preceding year filed with the department of education in compliance with rule 3301-35-08 of the Ohio Administrative Code, a copy of the school's report for the parents of the
school's pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone. "School" also includes a special elementary school that in writing requests the county engineer of the county in which the special elementary school is located to create a school zone at the location of that school. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs.

(c) As used in this section, "school zone" means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway, and also includes that portion of a state highway. Upon request from local authorities for streets and highways under their jurisdiction and that portion of a state highway under the jurisdiction of the director of transportation or a request from a county engineer in the case of a school zone for a special elementary school, the director may extend the traditional school zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not exceed three hundred feet per approach per direction and are bounded by whichever of the following distances or combinations thereof the director approves as most appropriate:

(i) The distance encompassed by projecting the school building lines normal to the fronting highway and extending a distance of three hundred feet on each approach direction;

(ii) The distance encompassed by projecting the school property lines intersecting the fronting highway and extending a distance of three hundred feet on each approach direction;

(iii) The distance encompassed by the special marking of the pavement for a principal school pupil crosswalk plus a distance of
three hundred feet on each approach direction of the highway.

Nothing in this section shall be construed to invalidate the director's initial action on August 9, 1976, establishing all school zones at the traditional school zone boundaries defined by projecting school property lines, except when those boundaries are extended as provided in divisions (B)(1)(a) and (c) of this section.

(d) As used in this division, "crosswalk" has the meaning given that term in division (LL)(2) of section 4511.01 of the Revised Code.

The director may, upon request by resolution of the legislative authority of a municipal corporation, the board of trustees of a township, or a county board of developmental disabilities created pursuant to Chapter 5126. of the Revised Code, and upon submission by the municipal corporation, township, or county board of such engineering, traffic, and other information as the director considers necessary, designate a school zone on any portion of a state route lying within the municipal corporation, lying within the unincorporated territory of the township, or lying adjacent to the property of a school that is operated by such county board, that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours, whenever the distance, as measured in a straight line, from the school property line nearest the crosswalk to the nearest point of the crosswalk is no more than one thousand three hundred twenty feet. Such a school zone shall include the distance encompassed by the crosswalk and extending three hundred feet on each approach direction of the state route.

(e) As used in this section, "special elementary school" means a school that meets all of the following criteria:
(i) It is not chartered and does not receive tax revenue from any source.

(ii) It does not educate children beyond the eighth grade.

(iii) It is located outside the limits of a municipal corporation.

(iv) A majority of the total number of students enrolled at the school are not related by blood.

(v) The principal or other person in charge of the special elementary school annually sends a report to the superintendent of the school district in which the special elementary school is located indicating the total number of students enrolled at the school, but otherwise the principal or other person in charge does not report any other information or data to the superintendent.

(2) Twenty-five miles per hour in all other portions of a municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;

(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B)(4) and (6) of this section;

(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations, except as provided in divisions (B)(12), (13), (14), (15), and (16) of this section;

(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section, highways as provided in divisions (B)(9) and (10) of this section, and highways, expressways, and freeways as provided in divisions (B)(12), (13), (14), (15), and (16) of this section;

(6) Fifty miles per hour on state routes within municipal
corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;

(7) Fifteen miles per hour on all alleys within the municipal corporation;

(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;

(9) Thirty-five miles per hour on through highways, except state routes, that are outside municipal corporations and that are within a national park with boundaries extending through two or more counties;

(10) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H)(2) of this section;

(11) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B)(15) and (17) of this section;

(12) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in divisions (B)(15) and (17) of this section;

(13) Sixty miles per hour for operators of any motor vehicle at all times on rural expressways with traffic control signals and on all portions of rural divided highways, except as provided in divisions (B)(13) and (14) of this section;

(14)(13) Sixty-five miles per hour for operators of any motor vehicle at all times on all rural expressways without traffic control signals;

(15)(14) Seventy miles per hour for operators of any motor vehicle at all times on all rural freeways;

(16)(15) Fifty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways or expressways in
congested areas as determined by the director and that are part of the Interstate System and that are located within a municipal corporation or within an interstate freeway outerbelt, except as provided in division (B)(16) of this section;

(17) (16) Sixty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways or expressways without traffic control signals in urbanized areas as determined by the director and that are part of the Interstate system and are part of an interstate freeway outerbelt.

(C) It is prima-facie unlawful for any person to exceed any of the speed limitations in divisions (B)(1)(a), (2), (3), (4), (6), (7), (8), and (9) of this section, or any declared or established pursuant to this section by the director or local authorities and it is unlawful for any person to exceed any of the speed limitations in division (D) of this section. No person shall be convicted of more than one violation of this section for the same conduct, although violations of more than one provision of this section may be charged in the alternative in a single affidavit.

(D) No person shall operate a motor vehicle, trackless trolley, or streetcar upon a street or highway as follows:

(1) At a speed exceeding fifty-five miles per hour, except upon a two-lane state route as provided in division (B)(10) of this section and upon a highway, expressway, or freeway as provided in divisions (B)(12), (13), (14), (15), and (17)(16) of this section;

(2) At a speed exceeding sixty miles per hour upon a two-lane state route as provided in division (B)(10) of this section and upon a highway as provided in division (B)(12) of this section;

(3) At a speed exceeding sixty-five miles per hour upon an
expressway as provided in division (B)\((14)\) (13) or upon a freeway as provided in division (B)\((17)\) (16) of this section, except upon a freeway as provided in division (B)\((15)\) (14) of this section;

(4) At a speed exceeding seventy miles per hour upon a freeway as provided in division (B)\((15)\) (14) of this section;

(5) At a speed exceeding the posted speed limit upon a highway, expressway, or freeway for which the director has determined and declared a speed limit pursuant to division (I)(2) or (L)(2) of this section.

(E) In every charge of violation of this section the affidavit and warrant shall specify the time, place, and speed at which the defendant is alleged to have driven, and in charges made in reliance upon division (C) of this section also the speed which division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section declares is prima-facie lawful at the time and place of such alleged violation, except that in affidavits where a person is alleged to have driven at a greater speed than will permit the person to bring the vehicle to a stop within the assured clear distance ahead the affidavit and warrant need not specify the speed at which the defendant is alleged to have driven.

(F) When a speed in excess of both a prima-facie limitation and a limitation in division (D) of this section is alleged, the defendant shall be charged in a single affidavit, alleging a single act, with a violation indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of this section, or of a limit declared or established pursuant to this section by the director or local authorities, and of the limitation in division (D) of this section. If the court finds a violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section has occurred, it shall enter a judgment of conviction under such division and
dismiss the charge under division (D) of this section. If it finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section, it shall then consider whether the evidence supports a conviction under division (D) of this section.

(G) Points shall be assessed for violation of a limitation under division (D) of this section in accordance with section 4510.036 of the Revised Code.

(H)(1) Whenever the director determines upon the basis of geometric and traffic characteristic criteria established by an engineering study, as defined by the director, that any speed limit set forth in divisions (B)(1)(a) to (D) of this section is greater or less than is reasonable or safe under the conditions found to exist at any portion of a street or highway under the jurisdiction of the director, the director shall determine and declare a reasonable and safe prima-facie speed limit or variable speed limit for the location, which shall be effective when appropriate signs giving notice of it are erected at the location.

(2) Whenever the director determines upon the basis of geometric and traffic characteristic criteria established by an engineering study, as defined by the director, that the speed limit of fifty-five miles per hour on a two-lane state route outside a municipal corporation is less than is reasonable or safe under the conditions found to exist at that portion of the state route, the director may determine and declare a speed limit of sixty miles per hour for that portion of the state route, which shall be effective when appropriate signs giving notice of it are erected at the location.

(3) For purposes of the safe and orderly movement of traffic upon any portion of a street or highway under the jurisdiction of the director, the director may establish a variable speed limit that is different than the speed limit established by or under
this section on all or portions of interstate six hundred seventy, 700
interstate two hundred seventy-five, and interstate ninety 701
commencing at the intersection of that interstate with interstate 702
seventy-one and continuing to the border of the state of Ohio with 703
the state of Pennsylvania. The director shall establish criteria 704
for determining the appropriate use of variable speed limits and 705
shall establish variable speed limits in accordance with the 706
criteria. The director may establish variable speed limits based 707
upon the time of day, weather conditions, traffic incidents, or 708
other factors that affect the safe speed on a street or highway. 709
The director shall not establish a variable speed limit that is 710
based on a particular type or class of vehicle. A variable speed 711
limit established by the director under this section is effective 712
when appropriate signs giving notice of the speed limit are 713
displayed at the location.

(4) Nothing in this section shall be construed to limit the 715
authority of the director to establish speed limits within a 716
construction zone as authorized under section 4511.98 of the 717
Revised Code.

(I)(1) Except as provided in divisions (I)(2) and (J), (K), 719
and (N) of this section, whenever local authorities determine upon 720
the basis of criteria established by an engineering and traffic 721
investigation study, as defined by the director, that the speed 722
permitted by divisions (B)(1)(a) to (D) of this section, on any 723
part of a highway under their jurisdiction, is greater than is 724
reasonable and safe under the conditions found to exist at such 725
location, the local authorities may by resolution request the 726
director to determine and declare a reasonable and safe 727
prima-facie speed limit or variable speed limit for the location. 728
Upon receipt of such request the director may determine and 729
declare a reasonable and safe prima-facie speed limit or variable 730
speed limit at such location, and if the director does so, then 731
such declared speed limit shall become effective only when appropriate signs giving notice thereof are erected at such location by the local authorities. The director may withdraw the declaration of a prima-facie speed limit or variable speed limit whenever in the director's opinion the altered prima-facie speed limit or variable speed limit becomes unreasonable. Upon such withdrawal, the declared prima-facie speed limit or variable speed limit shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.

(2) A local authority may determine on the basis of geometric and traffic characteristic criteria established by an engineering study, as defined by the director, that the speed limit of sixty-five or seventy miles per hour on a portion of a freeway under its jurisdiction that was established through the operation of division (L)(3) of this section is greater than is reasonable or safe under the conditions found to exist at that portion of the freeway. If the local authority makes such a determination, the local authority by resolution may request the director to determine and declare a reasonable and safe speed limit of not less than fifty-five miles per hour for that portion of the freeway. If the director takes such action, the declared speed limit becomes effective only when appropriate signs giving notice of it are erected at such location by the local authority.

(J) Local authorities in their respective jurisdictions may authorize by ordinance higher prima-facie speeds than those stated in this section upon through highways, or upon highways or portions thereof where there are no intersections, or between widely spaced intersections, provided signs are erected giving notice of the authorized speed, but local authorities shall not modify or alter the basic rule set forth in division (A) of this section or in any event authorize by ordinance a speed in excess of fifty miles per hour the maximum speed permitted by division
(D) of this section for the specified type of highway.

Alteration of prima-facie limits on state routes by local authorities shall not be effective until the alteration has been approved by the director. The director may withdraw approval of any altered prima-facie speed limits whenever in the director's opinion any altered prima-facie speed becomes unreasonable, and upon such withdrawal, the altered prima-facie speed shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this section, "unimproved highway" means a highway consisting of any of the following:

(a) Unimproved earth;
(b) Unimproved graded and drained earth;
(c) Gravel.

(2) Except as otherwise provided in divisions (K)(4) and (5) of this section, whenever a board of township trustees determines upon the basis of criteria established by an engineering and traffic investigation study, as defined by the director, that the speed permitted by division (B)(5) of this section on any part of an unimproved highway under its jurisdiction and in the unincorporated territory of the township is greater than is reasonable or safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie speed limit of fifty-five but not less than twenty-five miles per hour. An altered speed limit adopted by a board of township trustees under this division becomes effective when appropriate traffic control devices, as prescribed in section 4511.11 of the Revised Code, giving notice thereof are erected at the location, which shall be no sooner than sixty days after adoption of the resolution.
(3)(a) Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by the board under this division becomes unreasonable, the board may adopt a resolution withdrawing the altered prima-facie speed limit. Upon the adoption of such a resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.

(b) Whenever a highway ceases to be an unimproved highway and the board has adopted an altered prima-facie speed limit pursuant to division (K)(2) of this section, the board shall, by resolution, withdraw the altered prima-facie speed limit as soon as the highway ceases to be unimproved. Upon the adoption of such a resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.

(4)(a) If the boundary of two townships rests on the centerline of an unimproved highway in unincorporated territory and both townships have jurisdiction over the highway, neither of the boards of township trustees of such townships may declare an altered prima-facie speed limit pursuant to division (K)(2) of this section on the part of the highway under their joint jurisdiction unless the boards of township trustees of both of the townships determine, upon the basis of criteria established by an engineering and traffic investigation study, as defined by the director, that the speed permitted by division (B)(5) of this section is greater than is reasonable or safe under the conditions found to exist at the location and both boards agree upon a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both boards so agree, each shall follow the procedure specified in division (K)(2) of this section for altering the prima-facie speed limit on the highway. Except as otherwise
provided in division (K)(4)(b) of this section, no speed limit
altered pursuant to division (K)(4)(a) of this section may be
withdrawn unless the boards of township trustees of both townships
determine that the altered prima-facie speed limit previously
adopted becomes unreasonable and each board adopts a resolution
withdrawing the altered prima-facie speed limit pursuant to the
procedure specified in division (K)(3)(a) of this section.

(b) Whenever a highway described in division (K)(4)(a) of
this section ceases to be an unimproved highway and two boards of
township trustees have adopted an altered prima-facie speed limit
pursuant to division (K)(4)(a) of this section, both boards shall,
by resolution, withdraw the altered prima-facie speed limit as
soon as the highway ceases to be unimproved. Upon the adoption of
the resolution, the altered prima-facie speed limit becomes
ineffective and the traffic control devices relating thereto shall
be immediately removed.

(5) As used in division (K)(5) of this section:

(a) "Commercial subdivision" means any platted territory
outside the limits of a municipal corporation and fronting a
highway where, for a distance of three hundred feet or more, the
frontage is improved with buildings in use for commercial
purposes, or where the entire length of the highway is less than
three hundred feet long and the frontage is improved with
buildings in use for commercial purposes.

(b) "Residential subdivision" means any platted territory
outside the limits of a municipal corporation and fronting a
highway, where, for a distance of three hundred feet or more, the
frontage is improved with residences or residences and buildings
in use for business, or where the entire length of the highway is
less than three hundred feet long and the frontage is improved
with residences or residences and buildings in use for business.
Whenever a board of township trustees finds upon the basis of criteria established by an engineering and traffic investigation study, as defined by the director, that the prima-facie speed permitted by division (B)(5) of this section on any part of a highway under its jurisdiction that is located in a commercial or residential subdivision, except on highways or portions thereof at the entrances to which vehicular traffic from the majority of intersecting highways is required to yield the right-of-way to vehicles on such highways in obedience to stop or yield signs or traffic control signals, is greater than is reasonable and safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour at the location. An altered speed limit adopted by a board of township trustees under this division shall become effective when appropriate signs giving notice thereof are erected at the location by the township. Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by it under this division becomes unreasonable, it may adopt a resolution withdrawing the altered prima-facie speed, and upon such withdrawal, the altered prima-facie speed shall become ineffective, and the signs relating thereto shall be immediately removed by the township.

(L)(1) On September 29, 2013, the director of transportation, based upon an engineering study, as defined by the director, of a highway, expressway, or freeway described in division (B)(12), (13), (14), (15), or (16), or (17) of this section, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, may determine and declare that the speed limit established on such highway, expressway, or freeway under division (B)(12), (13), (14), (15), or (16), or (17) of this section either is reasonable and safe or is more or less
than that which is reasonable and safe.

(2) If the established speed limit for a highway, expressway, or freeway studied pursuant to division (L)(1) of this section is determined to be more or less than that which is reasonable and safe, the director of transportation, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, shall determine and declare a reasonable and safe speed limit for that highway, expressway, or freeway.

(M)(1)(a) If the boundary of two local authorities rests on the centerline of a highway and both authorities have jurisdiction over the highway, the speed limit for the part of the highway within their joint jurisdiction shall be either one of the following as agreed to by both authorities:

(i) Either prima-facie speed limit permitted by division (B) of this section;

(ii) An altered speed limit determined and posted in accordance with this section.

(b) If the local authorities are unable to reach an agreement, the speed limit shall remain as established and posted under this section.

(2) Neither local authority may declare an altered prima-facie speed limit pursuant to this section on the part of the highway under their joint jurisdiction unless both of the local authorities determine, upon the basis of criteria established by an engineering and traffic investigation study, as defined by the director, that the speed permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that
location. If both authorities so agree, each shall follow the
procedure specified in this section for altering the prima-facie
speed limit on the highway, and the speed limit for the part of
the highway within their joint jurisdiction shall be uniformly
altered. No altered speed limit may be withdrawn unless both local
authorities determine that the altered prima-facie speed limit
previously adopted becomes unreasonable and each adopts a
resolution withdrawing the altered prima-facie speed limit
pursuant to the procedure specified in this section.

(N) The legislative authority of a municipal corporation or
township in which a boarding school is located, by resolution or
ordinance, may establish a boarding school zone. The legislative
authority may alter the speed limit on any street or highway
within the boarding school zone and shall specify the hours during
which the altered speed limit is in effect. For purposes of
determining the boundaries of the boarding school zone, the
altered speed limit within the boarding school zone, and the hours
the altered speed limit is in effect, the legislative authority
shall consult with the administration of the boarding school and
with the county engineer or other appropriate engineer, as
applicable. A boarding school zone speed limit becomes effective
only when appropriate signs giving notice thereof are erected at
the appropriate locations.

(O) As used in this section:

(1) "Interstate system" has the same meaning as in 23

(2) "Commercial bus" means a motor vehicle designed for
carrying more than nine passengers and used for the transportation
of persons for compensation.

(3) "Noncommercial bus" includes but is not limited to a
school bus or a motor vehicle operated solely for the
transportation of persons associated with a charitable or nonprofit organization.

(4) "Outerbelt" means a portion of a freeway that is part of the interstate system and is located in the outer vicinity of a major municipal corporation or group of municipal corporations, as designated by the director.

(5) "Rural" means an area outside urbanized areas, as designated in accordance with 23 U.S.C. 101, and outside of a business or urban district, and areas that extend within urbanized areas where the roadway characteristics remain mostly unchanged from those outside the urbanized areas.

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 101.

(7) "Divided" means a roadway having two or more travel lanes for vehicles moving in opposite directions and that is separated by a median of more than four feet, excluding turn lanes.

(P)(1) A violation of any provision of this section is one of the following:

(a) Except as otherwise provided in divisions (P)(1)(b), (1)(c), (2), and (3) of this section, a minor misdemeanor;

(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the fourth degree;

(c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the third degree.
(2) If the offender has not previously been convicted of or pleaded guilty to a violation of any provision of this section or of any provision of a municipal ordinance that is substantially similar to this section and operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal corporation, faster than fifty miles an hour in other portions of a municipal corporation, or faster than thirty-five miles an hour in a school zone during recess or while children are going to or leaving school during the school's opening or closing hours, a misdemeanor of the fourth degree.

(3) Notwithstanding division (P)(1) of this section, if the offender operated a motor vehicle in a construction zone where a sign was then posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the usual amount imposed for the violation. No court shall impose a fine of two times the usual amount imposed for the violation upon an offender if the offender alleges, in an affidavit filed with the court prior to the offender's sentencing, that the offender is indigent and is unable to pay the fine imposed pursuant to this division and if the court determines that the offender is an indigent person and unable to pay the fine.

(4) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4765.302. (A) The state board of emergency medical, fire, and transportation services within the division of emergency medical services of the department of public safety shall be a
participating public office for purposes of the retained applicant fingerprint database established under section 109.5721 of the Revised Code. The board shall elect to participate in the continuous record monitoring service for all persons certified or applying for certification as an EMR, EMT, AEMT, or paramedic. When the superintendent of the bureau of criminal identification and investigation, under section 109.57 of the Revised Code, indicates that an individual in the retained applicant fingerprint database has been arrested for, convicted of, or pleaded guilty to any offense, the superintendent promptly shall notify the board either electronically or by mail that additional arrest or conviction information is available.

(B) Except in instances when an individual is already enrolled in the continuous record monitoring service, each individual seeking certification, including renewal, as an EMR, EMT, AEMT, or paramedic shall submit one complete set of fingerprints directly to the superintendent for the purpose of conducting a criminal records check. The individual shall provide the fingerprints using a method the superintendent prescribes pursuant to division (C)(2) of section 109.572 of the Revised Code and fill out the form the superintendent prescribes pursuant to division (C)(1) of that section. The superintendent shall conduct the criminal records check as set forth in division (B) of that section.

(C) Except as provided in division (D) of this section, the department of public safety shall pay any initial or annual fee charged by the superintendent pursuant to rules adopted under division (H) of section 109.5721 of the Revised Code. An individual submitting to a criminal records check pursuant to this section shall be fingerprinted at locations approved in advance by the state board of emergency medical, fire, and transportation services.
(D)(1) In addition to the requirements set forth in this section, an applicant for certification by reciprocity shall ask the superintendent to request that the federal bureau of investigation send the superintendent any information it has pertaining to the individual.

(2) Notwithstanding division (C) of this section, an applicant for certification by reciprocity shall pay the initial fee associated with the background check, including the fee for enrollment in the retained applicant fingerprint database established under section 109.5721 of the Revised Code.

(E) The results of a criminal records check conducted pursuant to a request made under this section, and any report containing those results, are not public records for purposes of section 149.43 of the Revised Code.

(F) The board, in accordance with Chapter 119. of the Revised Code, may adopt rules establishing standards and procedures for the provision of criminal background checks for individuals seeking or renewing a certification as an EMR, EMT, AEMT, or paramedic.

Sec. 5501.21. The director of transportation shall provide a seal of the department of transportation, which shall be inscribed: "State of Ohio, Department of Transportation."

Copies of records or parts thereof, and copies of any plan, drawing, document, or paper writing in the department when certified by the director to be true and correct copies of the record, plan, drawing, document, or paper writing and attested by the seal of the department shall be received in evidence in the courts of the state in the same manner and with the same effect as though the record, plan, drawing, document, or paper writing were offered. Any such copy as may be required by any party to any suit, upon request of such party, shall be furnished by the

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The director need not produce in any court an original paper or electronic record, plan, drawing, or other document, or paper writing.

Any party to any suit pending in any court may take the deposition of the director, provided it is taken at the office of the director. All records, plans, and other documents and drawings of the department shall be open to the inspection of any interested person, subject to such reasonable rules as to the time of inspection and as to supervision, as the director prescribes.

Sec. 5501.41. (A) The director of transportation may remove snow and ice from state highways, purchase the necessary equipment including snow fences, employ the necessary labor, and make all contracts necessary to enable such removal. The director may remove snow and ice from the state highways within municipal corporations, but before doing so he the director must obtain the consent of the legislative authority of such municipal corporation. The board of county commissioners on county highways, and the board of township trustees on township roads, shall have the same authority to purchase equipment for the removal of and to remove snow and ice as the director has on the state highway system.

(B)(1) The director may provide road salt to a political subdivision if all of the following apply:

(a) The director has excess road salt.

(b) The political subdivision is otherwise unable to acquire road salt.

(c) The political subdivision is in an emergency situation.

(2) The director shall seek reimbursement from a political subdivision for road salt provided under this division. The
reimbursement amount shall equal the price at which the director purchased the road salt.

**Sec. 5516.05.** The director of transportation may designate any portion of the state highway system referenced under section 5511.01 of the Revised Code, interstate system, national highway system, or primary system as a scenic byway. The director shall exclude from designation as a scenic byway any segment of a highway in a zoned or unzoned commercial or industrial area that is determined by the director to be inconsistent with the designation of a scenic byway.

No advertising device may be erected upon a designated scenic byway, except in accordance with division (A), (B), or (C) of section 5516.02 of the Revised Code, division (A), (B), (C), (D), (E), or (G) of section 5516.06 of the Revised Code, or division (A), (B), (C), or (D) of section 5516.061 of the Revised Code. Any advertising device lawfully in existence prior to the designation of a scenic byway, upon such designation, is a nonconforming advertising device under section 5516.07 of the Revised Code.

**Sec. 5735.05.** (A) There is hereby levied a motor fuel excise tax on each motor fuel dealer, measured by gross gallons, upon the receipt of motor fuel within this state.

The tax is levied at the total rate of twenty-eight cents per gallon to before July 1, 2019; forty-six cents per gallon from July 1, 2019, through June 30, 2020; and forty-six cents per gallon, plus the tax adjustment factor computed under division (C) of this section on July 1, 2020, and thereafter. The tax shall provide revenue for the following purposes and in the following amounts:

(1) Seventeen twenty-eighths of the revenue from the tax shall be used solely to provide revenue for maintaining the state
highway system; to widen existing surfaces on such highways; to resurface such highways; to pay that portion of the construction cost of a highway project which a county, township, or municipal corporation normally would be required to pay, but which the director of transportation, pursuant to division (B) of section 5531.08 of the Revised Code, determines instead will be paid from moneys in the highway operating fund; to enable the counties of the state properly to plan, maintain, and repair their roads and to pay principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable the municipal corporations to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets, and to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable the Ohio turnpike and infrastructure commission to construct, reconstruct, maintain, and repair turnpike projects; to maintain and repair bridges and viaducts; to purchase, erect, and maintain street and traffic signs and markers; to purchase, erect, and maintain traffic lights and signals; to pay the costs apportioned to the public under sections 4907.47 and 4907.471 of the Revised Code and to supplement revenue already available for such purposes; to pay the costs incurred by the public utilities commission in administering sections 4907.47 to 4907.476 of the Revised Code; to distribute equitably among those persons using the privilege of driving motor vehicles upon such highways and streets the cost of maintaining and repairing them; to pay the interest, principal, and charges on highway capital improvements bonds and other obligations issued pursuant to Section 2m of Article VIII, Ohio Constitution, and section 151.06 of the Revised Code; to pay the interest,
principal, and charges on highway obligations issued pursuant to Section 2i of Article VIII, Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised Code; to pay the interest, principal, and charges on major new state infrastructure bonds and other obligations of the state issued pursuant to Section 13 of Article VIII, Ohio Constitution, and section 5531.10 of the Revised Code; to provide revenue for the purposes of sections 1547.71 to 1547.77 of the Revised Code; and to pay the expenses of the department of taxation incident to the administration of the motor fuel laws.

(2) Two twenty-eighths of the revenue from the tax shall be used solely to pay the expenses of administering and enforcing the state law relating to the registration and operation of motor vehicles; to supply the state's share of the cost of planning, constructing, widening, and reconstructing the state highways; to supply the state's share of the cost of eliminating railway grade crossings upon such highways; to pay that portion of the construction cost of a highway project that a county, township, or municipal corporation normally would be required to pay, but that the director of transportation, pursuant to division (B) of section 5531.08 of the Revised Code, determines instead will be paid from moneys in the highway operating fund; to enable counties and townships to properly plan, construct, widen, reconstruct, and maintain their public highways, roads, and streets; to enable counties to pay principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable municipal corporations to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets; to enable municipal corporations to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable municipal corporations to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets; to enable municipal corporations to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable municipal corporations to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets; to enable municipal corporations to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable municipal corporations to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets; to enable municipal corporations to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable municipal corporations to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets; to enable
Revised Code for highway improvements; to maintain and repair bridges and viaducts; to purchase, erect, and maintain street and traffic signs and markers; to purchase, erect, and maintain traffic lights and signals; to pay the costs apportioned to the public under section 4907.47 of the Revised Code; to provide revenue for the purposes of sections 1547.71 to 1547.77 of the Revised Code and to supplement revenue already available for such purposes; to pay the expenses of the department of taxation incident to the administration of the motor fuel laws and to supplement revenue already available for such purposes; to pay the interest, principal, and charges on bonds and other obligations issued pursuant to Section 2g of Article VIII, Ohio Constitution, and sections 5528.10 and 5528.11 of the Revised Code; and to pay the interest, principal, and charges on highway obligations issued pursuant to Section 2i of Article VIII, Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised Code.

(3) Eight twenty-eighths of the revenue from the tax shall be used solely to supply the state's share of the cost of constructing, widening, maintaining, and reconstructing the state highways; to maintain and repair bridges and viaducts; to purchase, erect, and maintain street and traffic signs and markers; to purchase, erect, and maintain traffic lights and signals; to pay the expense of administering and enforcing the state law relative to the registration and operation of motor vehicles; to make road improvements associated with retaining or attracting business for this state; to pay that portion of the construction cost of a highway project that a county, township, or municipal corporation normally would be required to pay, but that the director of transportation, pursuant to division (B) of section 5531.08 of the Revised Code, determines instead will be paid from moneys in the highway operating fund; to provide revenue for the purposes of sections 1547.71 to 1547.77 of the Revised Code and to supplement revenue already available for such
purposes; to pay the expenses of the department of taxation incident to the administration of the motor fuel laws and to supplement revenue already available for such purposes; to pay the interest, principal, and charges on highway obligations issued pursuant to Section 2i of Article VIII, Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised Code; to enable counties and townships to properly plan, construct, widen, reconstruct, and maintain their public highways, roads, and streets; to enable counties to pay principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable municipal corporations to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets; to enable municipal corporations to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; and to pay the costs apportioned to the public under section 4907.47 of the Revised Code.

(4) One twenty-eighth of the revenue from the tax shall be used solely to pay the state's share of the cost of constructing and reconstructing highways and eliminating railway grade crossings on the major thoroughfares of the state highway system and urban extensions thereof; to pay that portion of the construction cost of a highway project that a county, township, or municipal corporation normally would be required to pay, but that the director of transportation, pursuant to division (B) of section 5531.08 of the Revised Code, determines instead will be paid from moneys in the highway operating fund; to pay the interest, principal, and charges on bonds and other obligations issued pursuant to Section 2g of Article VIII, Ohio Constitution, and sections 5528.10 and 5528.11 of the Revised Code; to pay the
interest, principal, and charges on highway obligations issued pursuant to Section 2i of Article VIII, Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised Code; to provide revenues for the purposes of sections 1547.71 to 1547.77 of the Revised Code; and to pay the expenses of the department of taxation incident to the administration of the motor fuel laws.

(B) The tax imposed by this section does not apply to the following transactions:

(1) The sale of dyed diesel fuel by a licensed motor fuel dealer from a location other than a retail service station provided the licensed motor fuel dealer places on the face of the delivery document or invoice, or both if both are used, a conspicuous notice stating that the fuel is dyed and is not for taxable use, and that taxable use of that fuel is subject to a penalty. The tax commissioner, by rule, may provide that any notice conforming to rules or regulations issued by the United States department of the treasury or the Internal Revenue Service is sufficient notice for the purposes of division (B)(1) of this section.

(2) The sale of K-1 kerosene to a retail service station, except when placed directly in the fuel supply tank of a motor vehicle. Such sale shall be rebuttably presumed to not be distributed or sold for use or used to generate power for the operation of motor vehicles upon the public highways or upon the waters within the boundaries of this state.

(3) The sale of motor fuel by a licensed motor fuel dealer to another licensed motor fuel dealer;

(4) The exportation of motor fuel by a licensed motor fuel dealer from this state to any other state or foreign country;

(5) The sale of motor fuel to the United States government or any of its agencies, except such tax as is permitted by it, where
such sale is evidenced by an exemption certificate, in a form
approved by the tax commissioner, executed by the United States
government or an agency thereof certifying that the motor fuel
therein identified has been purchased for the exclusive use of the
United States government or its agency;

(6) The sale of motor fuel that is in the process of
transportation in foreign or interstate commerce, except insofar
as it may be taxable under the Constitution and statutes of the
United States, and except as may be agreed upon in writing by the
dealer and the commissioner;

(7) The sale of motor fuel when sold exclusively for use in
the operation of aircraft, where such sale is evidenced by an
exemption certificate prescribed by the commissioner and executed
by the purchaser certifying that the motor fuel purchased has been
purchased for exclusive use in the operation of aircraft;

(8) The sale for exportation of motor fuel by a licensed
motor fuel dealer to a licensed exporter described in division
(DD)(1) of section 5735.01 of the Revised Code;

(9) The sale for exportation of motor fuel by a licensed
motor fuel dealer to a licensed exporter described in division
(DD)(2) of section 5735.01 of the Revised Code, provided that the
destination state motor fuel tax has been paid or will be accrued
and paid by the licensed motor fuel dealer.

(10) The sale to a consumer of diesel fuel, by a motor fuel
dealer for delivery from a bulk lot vehicle, for consumption in
operating a vessel when the use of such fuel in a vessel would
otherwise qualify for a refund under section 5735.14 of the
Revised Code.

Division (B)(1) of this section does not apply to the sale or
distribution of dyed diesel fuel used to operate a motor vehicle
on the public highways or upon water within the boundaries of this
state by persons permitted under regulations of the United States department of the treasury or of the Internal Revenue Service to so use dyed diesel fuel.

(C) On or before the thirtieth day of April of each year beginning in 2020, the tax commissioner shall compute a tax adjustment factor by multiplying forty-six cents by the cumulative percentage increase in the consumer price index (all items, all urban consumers) prepared by the bureau of labor statistics of the United States department of labor from January 1, 2019, to the last day of December of the preceding year and rounding the resulting product to the nearest one cent; provided, that the tax adjustment factor for any year shall not be less than that for the immediately preceding year. The tax rate resulting from the computation of the tax adjustment factor applies on and after the ensuing first day of July through the thirtieth day of June thereafter.

(D) The tax commissioner may adopt rules as necessary to administer this section.

Sec. 5735.053. There is hereby created in the state treasury the motor fuel tax administration fund for the purpose of paying the expenses of the department of taxation incident to the administration of the motor fuel laws. After the treasurer of state credits the tax refund fund out of tax receipts as required by section 5735.051 of the Revised Code, the treasurer of state shall transfer to the motor fuel tax administration fund two hundred seventy-five one thousandths per cent of the receipts from the taxes levied by section 5735.05 of the Revised Code an amount not to exceed the approved appropriation assigned to the fund for the biennium.

Sec. 5735.142. (A)(1) Any person who uses any motor fuel, on
which the tax imposed by section 5735.05 of the Revised Code has 
been paid, for the purpose of operating a transit bus shall be 
reimbursed in the amount of twenty-seven cents per gallon of the 
total tax paid on motor fuel used by public transportation systems 
providing transit or paratransit service on a regular and 
continuing basis within the state;

(2) A city, exempted village, joint vocational, or local 
school district or educational service center that purchases any 
motor fuel for school district or service center operations, on 
which any tax imposed by section 5735.05 of the Revised Code has 
been paid, may, if an application is filed under this section, be 
reimbursed in the amount of six twenty-four cents per gallon of 
the total tax imposed by that section and paid on motor fuel.

(3) A county board of developmental disabilities that, on or 
after July 1, 2005, purchases any motor fuel for county board 
operations, on which any tax imposed by section 5735.05 of the 
Revised Code has been paid may, if an application is filed under 
this section, be reimbursed in the amount of six cents per gallon 
of the total tax imposed by that section and paid on motor fuel.

(B) Such person, school district, educational service center, 
or county board shall file with the tax commissioner an 
application for refund within one year from the date of purchase, 
stating the quantity of fuel used for operating transit buses used 
by local transit systems in furnishing scheduled common carrier, 
public passenger land transportation service along regular routes 
primarily in one or more municipal corporations or for operating 
vehicles used for school district, service center, or county board 
operations. However, no claim shall be made for the tax on fewer 
than one hundred gallons of motor fuel. A school district, 
educational service center, or county board shall not apply for a 
refund for any tax paid on motor fuel that is sold by the 
district, service center, or county board. The application shall
be accompanied by the statement described in section 5735.15 of
the Revised Code showing the purchase, together with evidence of
payment thereof.

(C) After consideration of the application and statement, the
commissioner shall determine the amount of refund to which the
applicant is entitled. If the amount is not less than that
claimed, the commissioner shall certify the amount to the director
of budget and management and treasurer of state for payment from
the tax refund fund created by section 5703.052 of the Revised
Code. If the amount is less than that claimed, the commissioner
shall proceed in accordance with section 5703.70 of the Revised
Code.

The commissioner may require that the application be
supported by the affidavit of the claimant. No refund shall be
authorized or ordered for any single claim for the tax on fewer
than one hundred gallons of motor fuel. No refund shall be
authorized or ordered on motor fuel that is sold by a school
district, educational service center, or county board.

(D) The right to receive any refund under this section or
section 5703.70 of the Revised Code is not assignable. The payment
of this refund shall not be made to any person or entity other
than the person or entity originally entitled thereto who used the
motor fuel upon which the claim for refund is based, except that
the refund when allowed and certified, as provided in this
section, may be paid to the executor, the administrator, the
receiver, the trustee in bankruptcy, or the assignee in insolvency
proceedings of the person.

Section 101.02. That existing sections 163.03, 163.31,
4301.62, 4506.17, 4511.21, 5501.21, 5501.41, 5516.05, 5735.05,
5735.053, and 5735.142 of the Revised Code are hereby repealed.
Section 201.10. Except as otherwise provided in this act, all appropriation items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are not otherwise appropriated. For all appropriations made in this act, the amounts in the first column are for fiscal year 2020 and the amounts in the second column are for fiscal year 2021.

Section 203.10. DOT DEPARTMENT OF TRANSPORTATION

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Maintenance

TOTAL DPF Dedicated Purpose
Fund Group $ 3,495,800 $ 3,495,800

Capital Projects Fund Group
7042 772723 Highway Construction $ 65,000,000 $ 65,000,000
- Bonds
7045 772428 Highway $ 40,652,556 $ 56,101,265
  Infrastructure Bank -
  Bonds

TOTAL CPF Capital Projects
Fund Group $ 105,652,556 $ 121,101,265

TOTAL ALL BUDGET FUND GROUPS $ 3,676,136,054 $ 3,735,549,456

Section 203.20. TRANSPORTATION FACILITIES LEASE RENTAL BOND PAYMENTS

The foregoing appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, shall be used to meet all payments during the period from July 1, 2019, through June 30, 2021, by the Department of Transportation pursuant to the leases and agreements for facilities made under Chapter 154. of the Revised Code. These appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapter 154. of the Revised Code.

Should the appropriation in appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, exceed the associated debt service payments in either fiscal year of the biennium ending June 30, 2021, then the balance may be transferred to appropriation item 772421, Highway Construction - State, 773431, Highway Maintenance - State, or 779491, Administration - State, upon the written request of the Director of Transportation and with the approval of the Director of Budget and Management. The transfers are hereby appropriated and shall be reported to the
Section 203.30. PUBLIC ACCESS ROADS FOR PARKS, EXPOSITIONS COMMISSION, OHIO HISTORY CONNECTION, AND DNR FACILITIES

(A) Notwithstanding section 5511.06 of the Revised Code, the Director of Transportation shall, in each fiscal year of the biennium ending June 30, 2021, determine portions of the foregoing appropriation item 772421, Highway Construction – State, which shall be used for the construction, reconstruction, or maintenance of public access roads, including support features, to and within state facilities owned or operated by the Department of Natural Resources.

(B) Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation item 772421, Highway Construction – State, $2,562,000 in each fiscal year shall be used for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

(C) The Department of Transportation may use the foregoing appropriation item 772421, Highway Construction – State, to perform:

(1) Related road work on behalf of the Ohio Expositions Commission at the state fairgrounds, including reconstruction or maintenance of public access roads and support features to and within fairgrounds facilities, as requested by the Commission and approved by the Director of Transportation; and

(2) Related road work on behalf of the Ohio History Connection, including reconstruction or maintenance of public access roads and support features to and within Ohio History Connection facilities, as requested by the Ohio History Connection and approved by the Director of Transportation.
(A) Of the foregoing appropriation item 772421, Highway Construction - State, $4,500,000 in each fiscal year shall be made available for distribution by the Director of Transportation to Transportation Improvement Districts that have facilitated funding for the cost of a project or projects in conjunction with and through other governmental agencies.

(B) A Transportation Improvement District shall submit requests for project funding to the Ohio Department of Transportation not later than the first day of September in each fiscal year. The Ohio Department of Transportation shall notify the Transportation Improvement District whether the Department has approved or disapproved the project funding request within 90 days after the day the request was submitted by the Transportation Improvement District.

(C) Any funding provided to a Transportation Improvement District specified in this section shall not be used for the purposes of administrative costs or administrative staffing and must be used to fund a specific project or projects within that District's area. The total amount of a specific project's cost shall not be fully funded by the amount of funds provided under this section. The total amount of funding provided for each project is limited to 25% of total project costs not to exceed $250,000 per fiscal year. Transportation Improvement Districts that are co-sponsoring a specific project may individually apply for up to $250,000 for that project. However, not more than 25% of a project's total costs per biennium shall be funded through moneys provided under this section.

(D) Funding provided under this section may be used for preliminary engineering, detailed design, right-of-way acquisition, and construction of the specific project and such other project costs that are defined in section 5540.01 of the Revised Code and approved by the Director of Transportation. Upon
receipt of a copy of an invoice for work performed on the specific project, the Director of Transportation shall reimburse a Transportation Improvement District for the expenditures described above, subject to the requirements of this section.

(E) Any Transportation Improvement District that is requesting funds under this section shall register with the Director of Transportation. The Director of Transportation shall register a Transportation Improvement District only if the district has a specific, eligible project and may cancel the registration of a Transportation Improvement District that is not eligible to receive funds under this section. The Director shall not provide funds to any Transportation Improvement District under this section if the district is not registered. The Director of Transportation shall not register a Transportation Improvement District and shall cancel the registration of a currently registered Transportation Improvement District unless at least one of the following applies:

(1) The Transportation Improvement District, by a resolution or resolutions, designated a project or program of projects and facilitated, including in conjunction with and through other governmental agencies, funding for costs of a project or program of projects in an aggregate amount of not less than $10,000,000 within the eight-year period commencing January 1, 2005.

(2) The Transportation Improvement District, by a resolution or resolutions, designated a project or program of projects and facilitated, including in conjunction with and through other governmental agencies, funding for costs of a project or program of projects in an aggregate amount of not less than $15,000,000 from the commencement date of the project or program of projects.

(3) The Transportation Improvement District has designated, by a resolution or resolutions, a project or program of projects that has estimated aggregate costs in excess of $10,000,000 and
the County Engineer of the county in which the Transportation Improvement District is located has attested by a sworn affidavit that the costs of the project or program of projects exceeds $10,000,000 and that the Transportation Improvement District is facilitating a portion of funding for that project or program of projects.

(F) For purposes of this section:

(1) "Project" shall have the same meaning as in division (D) of section 5540.01 of the Revised Code.

(2) "Governmental agency" shall have the same meaning as in division (B) of section 5540.01 of the Revised Code.

(3) "Cost" shall have the same meaning as in division (C) of section 5540.01 of the Revised Code.

Section 203.50. BOND ISSUANCE AUTHORIZATION

The Treasurer of State, upon the request of the Director of Transportation, is authorized to issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.06 of the Revised Code, obligations, including bonds and notes, in the aggregate amount of $57,000,000 in addition to the original issuance of obligations authorized by prior acts of the General Assembly.

The obligations shall be issued and sold from time to time in amounts necessary to provide sufficient moneys to the credit of the Highway Capital Improvement Fund (Fund 7042) created by section 5528.53 of the Revised Code to pay costs charged to the fund when due as estimated by the Director of Transportation, provided, however, that not more than $220,000,000 original principal amount of obligations, plus the principal amount of obligations that in prior fiscal years could have been, but were not, issued within the $220,000,000 limit, may be issued in any
fiscal year, and not more than $1,200,000,000 original principal amount of such obligations are outstanding at any one time.

Section 203.60. AUTHORIZATION FOR APPROPRIATION TRANSFERS, APPROPRIATION INCREASES, REAPPROPRIATIONS, AND CASH TRANSFERS

TRANSFER OF HIGHWAY OPERATING FUND (FUND 7002)

APPROPRIATIONS: PLANNING AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, PUBLIC TRANSPORTATION, RAIL, AVIATION, AND ADMINISTRATION

The Director of Budget and Management may approve requests from the Director of Transportation for transfer of Highway Operating Fund (Fund 7002) appropriations for planning and research (appropriation items 771411 and 771412), highway construction and debt service (appropriation items 772421, 772422, 772424, 772425, 772437, 772438, and 770003), highway maintenance (appropriation item 773431), public transportation - federal (appropriation item 775452), elderly and disabled special equipment (appropriation item 775459), rail grade crossings (appropriation item 776462), aviation (appropriation item 777475), and administration (appropriation item 779491). The Director of Budget and Management may not make transfers out of debt service appropriation items unless the Director determines that the appropriated amounts exceed the actual and projected debt service requirements. Transfers of appropriations may be made upon the written request of the Director of Transportation and with the approval of the Director of Budget and Management. The transfers are hereby appropriated and shall be reported to the Controlling Board at the next regularly scheduled meeting of the board.

This transfer authority is intended to provide for emergency situations and flexibility to meet unforeseen conditions that could arise during the biennium ending June 30, 2021. It also is intended to allow the department to optimize the use of available...
resources and adjust to circumstances affecting the obligation and expenditure of federal funds.

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY, TRANSIT, AVIATION, AND RAIL AND LOCAL TRANSIT

The Director of Budget and Management may approve written requests from the Director of Transportation for the transfer of appropriations between appropriation items 772422, Highway Construction - Federal, 775452, Public Transportation - Federal, 775454, Public Transportation - Other, 775459, Elderly and Disabled Special Equipment, 776475, Federal Rail Administration, and 777472, Airport Improvements - Federal. The transfers are hereby appropriated and shall be reported to the Controlling Board at its next regularly scheduled meeting.

TRANSFER OF APPROPRIATIONS AND CASH: STATE INFRASTRUCTURE BANK

The Director of Budget and Management may approve requests from the Director of Transportation for transfer of appropriations and cash of the Infrastructure Bank funds created in section 5531.09 of the Revised Code, including transfers between fiscal years 2020 and 2021. The transfers are hereby appropriated and shall be reported to the Controlling Board at its next regularly scheduled meeting.

The Director of Budget and Management may approve requests from the Director of Transportation for transfer of appropriations and cash from the Highway Operating Fund (Fund 7002) to the Infrastructure Bank funds created in section 5531.09 of the Revised Code. The Director of Budget and Management may transfer from the Infrastructure Bank funds to the Highway Operating Fund up to the amounts originally transferred to the Infrastructure Bank funds under this section. However, the Director may not make transfers between modes or transfers between different funding
southern. The transfers are hereby appropriated and shall be reported to the Controlling Board at its next regularly scheduled meeting.

TRANSFER OF APPROPRIATIONS AND CASH: TOLLING FUNDS

The Director of Budget and Management may approve requests from the Director of Transportation for transfer of appropriations and cash of the Ohio Toll Fund and any subaccounts created in section 5531.14 of the Revised Code, including transfers between fiscal years 2020 and 2021. The transfers are hereby appropriated and shall be reported to the Controlling Board at its next regularly scheduled meeting.

INCREASING APPROPRIATIONS: STATE FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may increase those appropriations in the manner prescribed in section 131.35 of the Revised Code.

INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) or apportionments or allocations made available from the federal and local government exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may increase those appropriations in the manner prescribed in section 131.35 of the Revised Code.

TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND AND THE HIGHWAY CAPITAL IMPROVEMENT FUND

Upon the request of the Director of Transportation, the Director of Budget and Management may transfer cash from the
Highway Operating Fund (Fund 7002) to the Highway Capital Improvement Fund (Fund 7042) created in section 5528.53 of the Revised Code. The Director of Budget and Management may transfer cash from Fund 7042 to Fund 7002 up to the amount of cash previously transferred to Fund 7042 under this section.

DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING

On July 1, 2019, and on January 1, 2020, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer $200,000 in cash, for each period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

On July 1, 2020, and on January 1, 2021, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer $200,000 in cash, for each period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0). Should additional amounts be necessary, the Inspector General, with the consent of the Director of Budget and Management, may seek Controlling Board approval for additional transfers of cash and to increase the amount appropriated from appropriation item 965603, Deputy Inspector General for ODOT, in the amount of the additional cash transfers.

REAPPROPRIATIONS

In each fiscal year of the biennium ending June 30, 2021, the Director of Transportation may request that the Director of Budget and Management transfer any remaining unencumbered balances of prior years' appropriations to the Highway Operating Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 7042), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code for the same purpose in the following fiscal year. In the request, the Director of Transportation shall identify the appropriate fund and appropriation item of the transfer, and the

...
requested transfer amount. The Director of Budget and Management may request additional information necessary for evaluating the transfer request, and the Director of Transportation shall provide the requested information to the Director of Budget and Management. Based on the information provided by the Director of Transportation, the Director of Budget and Management shall determine the amount to be transferred by fund and appropriation item, and those amounts are hereby reappropriated. The Director of Transportation shall report the reappropriations to the Controlling Board.

Any balances of prior years' unencumbered appropriations to the Highway Operating Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 7042), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code for which the Director of Transportation requests reappropriations, and for which reappropriations are approved by the Director of Budget and Management, are subject to the availability of revenue as determined by the Director of Transportation.

LIQUIDATION OF UNFORESEEN LIABILITIES

Any appropriation made from the Highway Operating Fund (Fund 7002) not otherwise restricted by law is available to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS

The Director of Transportation may remove snow and ice and maintain, repair, improve, or provide lighting upon interstate highways that are located within the boundaries of municipal corporations, in a manner adequate to meet the requirements of federal law. When agreed in writing by the Director of Transportation and the legislative authority of a municipal corporation and notwithstanding sections 125.01 and 125.11 of the
Revised Code, the Department of Transportation may reimburse a municipal corporation for all or any part of the costs, as provided by such agreement, incurred by the municipal corporation in maintaining, repairing, lighting, and removing snow and ice from the interstate system.

Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS

The Director of Transportation may use revenues from the state motor vehicle fuel tax to match approved federal grants awarded to the Department of Transportation, regional transit authorities, or eligible public transportation systems, for public transportation highway purposes, or to support local or state funded projects for public transportation highway purposes. Public transportation highway purposes include: the construction or repair of high-occupancy vehicle traffic lanes, the acquisition or construction of park-and-ride facilities, the acquisition or construction of public transportation vehicle loops, the construction or repair of bridges used by public transportation vehicles or that are the responsibility of a regional transit authority or other public transportation system, or other similar construction that is designated as an eligible public transportation highway purpose. Motor vehicle fuel tax revenues may not be used for operating assistance or for the purchase of vehicles, equipment, or maintenance facilities.

Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR ENVIRONMENTAL REVIEW PURPOSES

The Director of Transportation may enter into agreements as provided in this section with the United States or any department or agency of the United States, including, but not limited to, the United States Army Corps of Engineers, the United States Forest Service, the United States Environmental Protection Agency, and
the United States Fish and Wildlife Service. An agreement entered into pursuant to this section shall be solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents submitted by the Director of Transportation, as necessary for the approval of federal permits. The agreements may include provisions for advance payment by the Director of Transportation for labor and all other identifiable costs of the United States or any department or agency of the United States providing the services, as may be estimated by the United States, or the department or agency of the United States. The Director shall submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the United States or the department or agency of the United States, and the circumstances giving rise to the agreement.

Section 203.100. INDEFINITE DELIVERY INDEFINITE QUANTITY CONTRACTS

(A) As used in this section, "indefinite delivery indefinite quantity contract" means 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.

(B) The Director of Transportation shall advertise and seek bids for, and shall award, indefinite delivery indefinite quantity contracts for not more than two projects in fiscal year 2020 and for not more than two projects in fiscal year 2021. For purposes of entering into indefinite delivery indefinite quantity contracts, the Director shall do all of the following:

(1) Prepare bidding documents;

(2) Establish contract forms;

(3) Determine contract terms and conditions, including the following:
(a) The maximum overall value of the contract, which may include an allowable increase of one hundred thousand dollars or five per cent of the advertised contract value, whichever is less;

(b) The duration of the contract, including a time extension of up to one year if determined appropriate by the Director;

(c) The defined geographical area to which the contract applies, which shall be not greater than the size of one district of the Department of Transportation.

(4) Develop and implement a work order process in order to provide the awarded bidder adequate notice of requested supplies or services, the anticipated quantities of supplies, and work location information for each work order.

(5) Take any other action necessary to fulfill the duties and obligations of the Director under this section.

(C) Section 5525.01 of the Revised Code applies to indefinite delivery indefinite quantity contracts.

Section 205.10. DPS DEPARTMENT OF PUBLIC SAFETY

Highway Safety Fund Group

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>FY01</th>
<th>FY02</th>
<th>FY03</th>
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<tr>
<td>5TM0</td>
<td>Public Safety Facilities Lease Rental Bond Payments</td>
<td>$1,595,800</td>
<td>$1,598,300</td>
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<td>5TM0</td>
<td>Operating Expense - BMV</td>
<td>$108,178,738</td>
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<tr>
<td>5TM0</td>
<td>Financial Responsibility Compliance</td>
<td>$5,463,977</td>
<td>$5,540,059</td>
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<td>5TM0</td>
<td>Local Immobilization Reimbursement</td>
<td>$200,000</td>
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<tr>
<td>5TM0</td>
<td>Operating Expense - Highway Patrol</td>
<td>$345,534,531</td>
<td>$349,339,662</td>
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<tr>
<td>Code</td>
<td>Account</td>
<td>Description</td>
<td>FY 23</td>
<td>FY 24</td>
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<td>5TM0</td>
<td>764605</td>
<td>Motor Carrier Enforcement Expenses</td>
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<td>5TM0</td>
<td>769636</td>
<td>Administrative Expenses – Highway Purposes</td>
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<td>8370</td>
<td>764602</td>
<td>Turnpike Policing</td>
<td>$12,720,330</td>
<td>$12,840,263</td>
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<td>83C0</td>
<td>764630</td>
<td>Contraband, Forfeiture, and Other</td>
<td>$1,210,917</td>
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<td>83F0</td>
<td>764657</td>
<td>Law Enforcement Automated Data System</td>
<td>$6,903,824</td>
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<td>83G0</td>
<td>764633</td>
<td>OMVI Enforcement/Education</td>
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<td>83M0</td>
<td>765624</td>
<td>Operating - EMS</td>
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<td>83M0</td>
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<td>EMS - Grants</td>
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<td>8400</td>
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<td>State Fair Security</td>
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<td>8400</td>
<td>764617</td>
<td>Security and Investigations</td>
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<td>8400</td>
<td>764626</td>
<td>State Fairgrounds Police Force</td>
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<td>8460</td>
<td>761625</td>
<td>Motorcycle Safety Education</td>
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<td>762627</td>
<td>Automated Title Processing Board</td>
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<td>Electronic Liens and Titles</td>
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<td>TOTAL HSF Highway Safety Fund Group</td>
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<td>5390</td>
<td>762614</td>
<td>Motor Vehicle Dealers Board</td>
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<td>5FF0</td>
<td>762621</td>
<td>Indigent Interlock and Alcohol Monitoring</td>
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<td>5Y10</td>
<td>764695</td>
<td>State Highway Patrol</td>
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Continuing Professional Training

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<tr>
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<th>Amount 2</th>
<th>Year</th>
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<tr>
<td>TOTAL DPF Dedicated Purpose Fund</td>
<td>$2,274,000</td>
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<td>Fiduciary Fund Group</td>
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<td>5J90 761678 Federal Salvage/GSA</td>
<td>$750,000</td>
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<td>5V10 762682 License Plate</td>
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<td>Contributions</td>
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<td>TOTAL FID Fiduciary Fund Group</td>
<td>$3,450,000</td>
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<td>Holding Account Fund Group</td>
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<td>R024 762619 Unidentified Motor Vehicle Receipts</td>
<td>$1,885,000</td>
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<td>R052 762623 Security Deposits</td>
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<td>TOTAL HLD Holding Account Fund Group</td>
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<td>Federal Fund Group</td>
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<tr>
<td>3DU0 762628 BMV Grants</td>
<td>$1,150,000</td>
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<td>3GR0 764693 Highway Patrol</td>
<td>$1,230,549</td>
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<td>Justice Contraband</td>
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<td>3GS0 764694 Highway Patrol</td>
<td>$21,000</td>
<td>$21,000</td>
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<td>Treasury Contraband</td>
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<td>3GU0 761610 Information and Education Grant</td>
<td>$300,000</td>
<td>$300,000</td>
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<td>3GU0 764608 Fatality Analysis Report System Grant</td>
<td>$175,000</td>
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<td>3GU0 764610 Highway Safety Programs Grant</td>
<td>$4,036,721</td>
<td>$4,071,387</td>
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<td>3GU0 764659 Motor Carrier Safety Assistance Program</td>
<td>$5,755,900</td>
<td>$5,816,116</td>
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<td>3GU0 765610 EMS Grants</td>
<td>$225,000</td>
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<td>3GV0 761612 Traffic Safety Action</td>
<td>$30,200,000</td>
<td>$30,200,000</td>
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Plan Grants
TOTAL FED Federal Fund Group $ 43,094,170 $ 43,192,761
TOTAL ALL BUDGET FUND GROUPS $ 635,247,038 $ 643,658,897

Section 205.20. MOTOR VEHICLE REGISTRATION

The Director of Public Safety may deposit revenues to meet the cash needs of the Public Safety - Highway Purposes Fund (Fund 5TM0) established in section 4501.06 of the Revised Code, obtained under section 4503.02 of the Revised Code, less all other available cash. Revenue deposited pursuant to this paragraph shall support in part appropriations for the administration and enforcement of laws relative to the operation and registration of motor vehicles, for payment of highway obligations and other statutory highway purposes. Notwithstanding section 4501.03 of the Revised Code, the revenues shall be paid into Fund 5TM0 before any revenues obtained pursuant to section 4503.02 of the Revised Code are paid into any other fund. The deposit of revenues to meet the aforementioned cash needs shall be in approximately equal amounts on a monthly basis or as otherwise approved by the Director of Budget and Management. Prior to July 1 of each fiscal year, the Director of Public Safety shall submit a plan to the Director of Budget and Management requesting approval of the anticipated revenue amounts to be deposited into Fund 5TM0 pursuant to this paragraph. If during the fiscal year changes to the plan as approved by the Director of Budget and Management are necessary, the Director of Public Safety shall submit a revised plan to the Director of Budget and Management for approval prior to any change in the deposit of revenues.

PUBLIC SAFETY FACILITIES LEASE RENTAL BOND PAYMENTS

The foregoing appropriation item 761401, Public Safety Facilities Lease Rental Bond Payments, shall be used to meet all payments during the period July 1, 2019, through June 30, 2021, by
the Department of Public Safety under the leases and agreements for facilities under Chapters 152. and 154. of the Revised Code. The appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapters 152. and 154. of the Revised Code.

CASH TRANSFERS FROM THE STATE FIRE MARSHAL FUND TO THE EMERGENCY MEDICAL SERVICES FUND

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer $500,000 cash 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. The transferred cash shall be used by the Department of Public Safety to pay the costs of performing background checks and administering a continuous record monitoring service pursuant to section 4765.302 of the Revised Code.

CASH TRANSFERS – HIGHWAY PATROL

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

CASH TRANSFERS TO THE PUBLIC SAFETY - HIGHWAY PURPOSES FUND – SHIPLEY UPGRADES

Pursuant to a plan submitted by the Director of Public Safety, or as otherwise determined by the Director of Budget and Management, the Director of Budget and Management may make appropriate cash transfers on a pro-rata basis as approved by the Director of Budget and Management 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 5TM0) in order to reimburse expenditures for capital improvement.
upgrades to the Shipley Building.

COLLECTIVE BARGAINING INCREASES

Notwithstanding division (D) of section 127.14 and division (B) of section 131.35 of the Revised Code, except for the General Revenue Fund, the Controlling Board may, upon the request of either the Director of Budget and Management, or the Department of Public Safety with the approval of the Director of Budget and Management, authorize expenditures in excess of appropriations and transfer appropriations, as necessary, for any fund used by the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under Chapter 4117. of the Revised Code and, for exempt employees, under section 124.152 of the Revised Code. Any money approved for expenditure under this paragraph is hereby appropriated.

CASH BALANCE FUND REVIEW

The Director of Public Safety shall review the cash balances for each fund in the State Highway Safety Fund Group, and may submit a request in writing to the Director of Budget and Management to transfer amounts from any fund in the State Highway Safety Fund Group to the credit of the Public Safety – Highway Purposes Fund (Fund 5TM0), as appropriate. Upon receipt of such a request, the Director of Budget and Management may make appropriate transfers as requested by the Director of Public Safety or as otherwise determined by the Director of Budget and Management.

CASH TRANSFER FROM THE GENERAL REVENUE FUND TO THE PUBLIC SAFETY – HIGHWAY PURPOSES FUND

During the biennium ending June 30, 2021, the Director of Budget and Management may transfer up to $35,000,000 cash from the General Revenue Fund to the Public Safety – Highway Purposes Fund.
Section 207.10. DEV DEVELOPMENT SERVICES AGENCY

Dedicated Purpose Fund Group

Dedicated Purpose Fund Group

4W00 195629 Roadwork Development $ 15,200,000 $ 15,200,000

TOTAL DPF Dedicated Purpose

Fund Group $ 15,200,000 $ 15,200,000

TOTAL ALL BUDGET FUND GROUPS $ 15,200,000 $ 15,200,000

Section 207.20. ROADWORK DEVELOPMENT FUND

The Roadwork Development Fund shall be used for road improvements associated with economic development opportunities that will retain or attract businesses for Ohio, including the construction, reconstruction, maintenance, or repair of public roads that provide access to a public airport or are located within a public airport. "Road improvements" are improvements to public roadway facilities located on, or serving or capable of serving, a project site.

The Department of Transportation, under the direction of the Development Services Agency, shall provide these funds in accordance with all guidelines and requirements established for other Development Services Agency programs, including Controlling Board review and approval as well as the requirements for usage of motor vehicle fuel tax revenue prescribed in Section 5a of Article XII, Ohio Constitution. Should the Development Services Agency require the assistance of the Department of Transportation to bring a project to completion, the Department of Transportation shall use its authority under Title 55 of the Revised Code to provide such assistance and may enter into contracts on behalf of the Development Services Agency. These funds may be used in conjunction with any other state funds appropriated for infrastructure improvements.
The Director of Budget and Management, pursuant to a plan submitted by the Director of Development Services or as otherwise determined by the Director of Budget and Management, shall set a cash transfer schedule to meet the cash needs of the Roadwork Development Fund (Fund 4W00) used by the Development Services Agency, less any other available cash. The Director of Budget and Management shall transfer such cash amounts from the Highway Operating Fund (Fund 7002) established in section 5735.051 of the Revised Code to Fund 4W00 at such times as determined by the transfer schedule.

Section 209.10. PWC PUBLIC WORKS COMMISSION

Dedicated Purpose Fund Group

<table>
<thead>
<tr>
<th>Fund Group</th>
<th>Start Year</th>
<th>End Year</th>
<th>Budget</th>
<th>Reappropriated</th>
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<tbody>
<tr>
<td>7052 150402 Local Transportation Improvement Program - Operating</td>
<td>$374,938</td>
<td>$303,311</td>
<td>2019</td>
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<tr>
<td>7052 150701 Local Transportation Improvement Program</td>
<td>$63,000,000</td>
<td>$63,000,000</td>
<td>2020</td>
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TOTAL DPF Dedicated Purpose Fund Group | $63,374,938 | $63,303,311 | 2021 |

TOTAL ALL BUDGET FUND GROUPS | $63,374,938 | $63,303,311 | 2022 |

Section 209.20. REAPPROPRIATIONS

All capital appropriations from the Local Transportation Improvement Program Fund (Fund 7052) in Sub. H.B. 26 of the 132nd General Assembly remaining unencumbered as of June 30, 2019, are reappropriated for use during the period July 1, 2019, through June 30, 2020, for the same purpose.

Notwithstanding division (B) of section 127.14 of the Revised Code, all capital appropriations and reappropriations from the Local Transportation Improvement Program Fund (Fund 7052) in this act remaining unencumbered as of June 30, 2020, are reappropriated.
for use during the period July 1, 2020, through June 30, 2021, for
the same purposes, subject to the availability of revenue as
determined by the Director of the Public Works Commission.

TEMPORARY TRANSFERS

Notwithstanding section 127.14 of the Revised Code, the
Director of the Public Works Commission may request that the
Director of Budget and Management 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). The Director of Budget and Management may approve
temporary cash transfers if such transfers are needed for capital
outlays for which notes or bonds will be issued. When there is a
sufficient cash balance in the fund that receives a cash transfer
under this section, the Director of Budget and Management shall
transfer cash from the fund to Fund 7052 in order to repay Fund
7052 for the amount of the temporary cash transfers made under
this section. Any transfers executed under this section shall be
reported to the Controlling Board by June 30 of the fiscal year in
which the transfer occurred.

Section 501.10. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The capital appropriations made in this act for buildings or
structures, including remodeling and renovations, are limited to:

(A) Acquisition of real property or interests in real
property;

(B) Buildings and structures, which includes construction,
remodeling, heating and cooling, lighting and lighting
fixtures, and all necessary utilities, ventilating, plumbing,
sprinkling, water, and sewer systems, when such systems are
authorized or necessary;

(C) Architectural, engineering, and professional services
expenses directly related to the projects;

(D) Machinery that is a part of structures at the time of initial acquisition or construction;

(E) Acquisition, development, and deployment of new computer systems, including the redevelopment or integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;

(F) Furniture, fixtures, or equipment that meets all the following criteria:

(1) Is essential in bringing the facility up to its intended use or is necessary for the functioning of the particular facility or project;

(2) Has a unit cost, and not the individual parts of a unit, of about $100 or more; and

(3) Has a useful life of five years or more.

Furniture, fixtures, or equipment that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated shall not be paid from these appropriations.

Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION

If it is determined that a payment is necessary in the amount computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code, such amount is hereby appropriated from those funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations.
Payments for this purpose shall be approved and vouchered by
the Office of Budget and Management.

Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND OBM
TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS

The Office of Budget and Management shall process payments
from lease rental payment appropriation items during the period
from July 1, 2019, to June 30, 2021, pursuant to the lease and
other agreements relating to bonds or notes issued under Section
2i of Article VIII of the Ohio Constitution and Chapters 152. and
154. of the Revised Code, and acts of the General Assembly.
Payments shall be made upon certification by the Treasurer of
State of the dates and amounts due on those dates.

Section 509.20. LEASE AND DEBT SERVICE PAYMENTS

Certain appropriations are in this act for the purpose of
paying debt service and financing costs on general obligation
bonds or notes of the state and for the purpose of making lease
rental and other payments under leases and agreements relating to
bonds or notes issued under the Ohio Constitution, Revised Code,
and acts of the General Assembly. If it is determined that
additional appropriations are necessary for this purpose, such
amounts are hereby appropriated.

Section 509.30. FLEXIBILITY TO PROCESS TWENTY-SEVENTH
PAYCHECK IN FISCAL YEAR 2019

Notwithstanding any provision of law to the contrary, if the
Director of Budget and Management determines that cash is
available, the Director may authorize additional expenditures as
necessary in fiscal year 2019 from various General Revenue Fund
and non-General Revenue Fund appropriation items in order to pay
agency payroll costs for employees who are paid on a biweekly
current or biweekly delayed pay cycle for the pay period ending June 22, 2019, which was not included in appropriations to agencies for fiscal year 2019. The Director of Budget and Management also may authorize additional expenditures as necessary in fiscal year 2019 from various General Revenue Fund and non-General Revenue Fund appropriation items in order to pay agency payroll costs for employees who are not paid on a biweekly current or biweekly delayed pay cycle for similar pay periods that were not included in appropriations to agencies for fiscal year 2019. Any expenditures authorized by the Director of Budget and Management under this section are hereby appropriated. The Director of Budget and Management may transfer cash between funds if necessary to make these expenditures and to reimburse funds from which cash was transferred for this purpose.

Section 512.10. TRANSFER OF CAPITAL APPROPRIATION ITEMS FROM THE PUBLIC SAFETY - HIGHWAY PURPOSES FUND TO THE ADMINISTRATIVE BUILDING FUND

On July 1, 2019, or as soon as possible thereafter, the Director of Budget and Management shall transfer the unencumbered and unallotted balance, as of June 30, 2019, of all capital appropriation items from the Public Safety - Highway Purposes Fund (Fund 5TM0) to the Administrative Building Fund (Fund 7026). On July 1, 2019, or as soon as possible thereafter, the Director of Budget and Management shall cancel any existing encumbrances against capital appropriation items in Fund 5TM0 and reestablish them in Fund 7026. The reestablished encumbrance amounts are hereby appropriated.

The Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this section, and shall determine the form and manner in which appropriation accounts shall be maintained.
Expenditures from appropriations contained in this section shall be accounted for as though made in H.B. 529 of the 132nd General Assembly.

The appropriations made in this section are subject to all provisions of H.B. 529 of the 132nd General Assembly that are generally applicable to such appropriations.

Section 610.03. That Section 213.20 of H.B. 529 of the 132nd General Assembly, as amended by Am. Sub. S.B. 51 of the 132nd General Assembly, be amended to read as follows:

Sec. 213.20. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, Chapter 154. of the Revised Code, and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed $122,800,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Administrative Building Fund (Fund 7026) to pay costs associated with previously authorized capital facilities for the housing of branches and agencies of state government or their functions.

Section 610.04. That existing Section 213.20 of H.B. 529 of the 132nd General Assembly, as amended by Am. Sub. S.B. 51 of the 132nd General Assembly, is hereby repealed.

Section 755.10. VEHICLE SIZE AND WEIGHT LIMIT EXEMPTIONS FOR TOWING VEHICLES IN CERTAIN CIRCUMSTANCES

(A) Beginning on the effective date of this section until two years after that date, in addition to the size and weight
exemption established under section 5577.15 of the Revised Code, the size and weight provisions of Chapter 5577. of the Revised Code do not apply to any of the following:

(1) A person who is engaged in the initial towing or removal of a wrecked or disabled motor vehicle from the site of an emergency on a public highway to the nearest storage facility;

(2) A person who is en route to the site of an emergency on a public highway to tow or remove a wrecked or disabled motor vehicle;

(3) A person who is returning from delivering a wrecked or disabled motor vehicle to the nearest site where the vehicle can be brought into conformance with the requirements of Chapter 5577. of the Revised Code, to the nearest qualified repair facility, or to the nearest storage facility after removing the motor vehicle from the site of an emergency on a public highway.

(B) Any subsequent towing of a wrecked or disabled vehicle shall comply with the size and weight provisions of Chapter 5577. of the Revised Code.

(C) No court shall impose any penalty prescribed in section 5577.99 of the Revised Code or the civil liability established in section 5577.12 of the Revised Code upon a person who is operating a vehicle in the manner described in division (A) of this section.

Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO THE HIGHWAY OPERATING FUND

On the last day of each month in the biennium ending June 30, 2021, before making any of the distributions specified in section 5735.051 of the Revised Code but after any transfers to the tax refund fund as required by that section and section 5703.052 of the Revised Code, the Treasurer of State shall deposit the first two per cent of the amount of motor fuel tax received for the
preceding calendar month to the credit of the Highway Operating Fund (Fund 7002).

Section 757.20. MOTOR FUEL DEALER REFUNDS

Notwithstanding Chapter 5735. of the Revised Code, the following apply for the period of July 1, 2019, through June 30, 2021:

(A) For the discount under section 5735.06 of the Revised Code, if the monthly report is timely filed and the tax is timely paid, one per cent of the total number of gallons of motor fuel received by the motor fuel dealer within the state during the preceding calendar month, less the total number of gallons deducted under divisions (B)(1)(a) and (b) of section 5735.06 of the Revised Code, less one-half of one per cent of the total number of gallons of motor fuel that were sold to a retail dealer during the preceding calendar month.

(B) For the semiannual periods ending December 31, 2019, June 30, 2020, December 31, 2020, and June 30, 2021, the refund provided to retail dealers under section 5735.141 of the Revised Code shall be one-half of one per cent of the Ohio motor fuel taxes paid on fuel purchased during those semiannual periods.

Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND

The Director of Budget and Management shall transfer cash in equal monthly increments totaling $302,624,042 in fiscal year 2020 and in equal monthly increments totaling $311,209,209 in fiscal year 2021 from the Highway Operating Fund (Fund 7002) to the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts transferred under this section shall be distributed as follows:

(A) 42.86 per cent shall be distributed among the municipal corporations within the state under division (A)(2)(b)(i) of section 5735.051 of the Revised Code;
(B) 37.14 per cent shall be distributed among the counties within the state under division (A)(2)(b)(ii) of section 5735.051 of the Revised Code; and

(C) 20 per cent shall be distributed among the townships within the state under division (A)(2)(b)(iii) of section 5735.051 of the Revised Code.

Section 757.40. The amendment by this act of section 5735.053 of the Revised Code applies on and after July 1, 2019.

Section 757.50. The amendment by this act of section 5735.142 of the Revised Code applies to motor fuel purchased on and after July 1, 2019.

Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO APPROPRIATIONS

Law contained in the main operating appropriations act of the 133rd General Assembly that is generally applicable to the appropriations made in the main operating appropriations act also is generally applicable to the appropriations made in this act.

Section 806.10. SEVERABILITY

The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application.

Section 812.10. LAWS AND REFERENDUM

Except as otherwise provided in this act, the amendment, enactment, or repeal by this act of a section of law is subject to
the referendum under Ohio Constitution, Article II, Section 1c and therefore takes effect on the ninety-first day after this act is filed with the Secretary of State or, if a later effective date is specified below, on that date.

Section 812.20. Appropriations and Referendum

In this section, an "appropriation" includes another provision of law in this act that relates to the subject of the appropriation.

An appropriation of money made in this act is not subject to the referendum insofar as a contemplated expenditure authorized thereby is wholly to meet a current expense within the meaning of Ohio Constitution, Article II, Section 1d. To that extent, the appropriation takes effect immediately when this act becomes law. Conversely, the appropriation is subject to the referendum insofar as a contemplated expenditure authorized thereby is wholly or partly not to meet a current expense within the meaning of Ohio Constitution, Article II, Section 1d. To that extent, the appropriation takes effect on the ninety-first day after this act is filed with the Secretary of State.

Section 812.30. Section 5735.05 of the Revised Code is exempt from the referendum under Ohio Constitution, Article II, Section 1d and therefore takes effect immediately when this act becomes law.

Section 815.10. Section 4511.21 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 26 and Sub. H.B. 95 of the 132nd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in
effect prior to the effective date of the section as presented in this act.