



Sub. H.B. 70

125th General Assembly
(As Passed by the General Assembly)

Reps. Willamowski, Hughes, Seitz, Distel, Jolivette, Young, Faber, Carano, Fessler, Seaver, Hollister, McGregor, Strahorn, Oلمان, Grendell, Boccieri, Latta, Harwood, Ujvagi, Webster, Reinhard, Schlichter, Perry, Sferra, Aslanides, Daniels, Key, Hagan, Clancy, Schneider, Raussen, Core, Calvert, J. Stewart, Walcher, Buehrer, Niehaus, D. Evans, Setzer, Trakas, T. Patton, Gibbs, Carmichael, Gilb, Flowers, Reidelbach, G. Smith, Cates, C. Evans, Skindell, DePiero, Hoops, Allen, DeBose, Jerse, Schmidt, Koziura, S. Patton, Widener, Miller, D. Stewart, Taylor, S. Smith, Kilbane, Brown, Widowfield, Book, Cirelli, Chandler, Otterman, Woodard, DrieHaus, Redfern

Sens. Jordan, Armbruster, Austria, Brady, Carnes, Coughlin, Robert Gardner, Hottinger, Mumper, Roberts, Spada, Stivers, Zurz, Dann, Schuler, Blessing, Randy Gardner, Goodman, Schuring, White, Wachtmann, Harris, Fingerhut, Jacobson

Effective date: *

ACT SUMMARY

- Designates Interstate Route 75 from Toledo to Cincinnati the "Pearl Harbor Memorial Highway" and authorizes the Director of Transportation, to the extent possible, to erect suitable markers on the highway indicating its name at specified locations.
- Within Butler County, designates names for portions of four roads and a bridge and authorizes the Director of Transportation to erect suitable markers indicating the names, as follows: (1) State Route 126 is named the "Governor William Bebb Bicentennial Roadway," (2) State Route 744 is named the "Governor James M. Cox Bicentennial Roadway," (3) State Route 4 is named the "Governor James E. Campbell Bicentennial

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

Roadway," (4) United States Route 127 is named the "Governor Andrew L. Harris Bicentennial Roadway," and (5) the Maud-Hughes Road bridge spanning Gregory Creek is named the "William R. Foster Bridge."

- Eliminates the requirement for the Department of Transportation to complete a force account project assessment form before undertaking maintenance or repair of a state highway, or a bridge or culvert on a state highway, or the maintenance or repair of a traffic control signal on a state highway.

CONTENT AND OPERATION

Pearl Harbor Memorial Highway

Continuing law designates Interstate Route 75, running from Toledo in Lucas County through Wood, Hancock, Allen, Auglaize, Shelby, Miami, Montgomery, and Warren counties to Cincinnati in Hamilton County, the "American Legion Memorial Highway." (Sec. 5533.24, not in the act.)

The act provides that in addition to this prior designation, I-75 also will be known as the "Pearl Harbor Memorial Highway." (Sec. 5533.241(A).) The Director of Transportation is authorized to erect suitable markers along the highway indicating its name. If the Director erects markers, the markers, to the greatest extent possible, must be located near Toledo, Lima, Dayton, and Cincinnati. (Sec. 5533.241(B).)

The act permits ODOT to accept private contributions to pay all or part of the costs of manufacturing, erecting, and maintaining the markers. Any private money so received must be deposited in the state treasury to the credit of the State Highway Operating Fund or any other ODOT fund as the Director determines. (Sec. 5533.241(C).) The act also adds Butler County to the list of counties through which I-75 passes, which was omitted in the prior designation of I-75.

Governor William Bebb Bicentennial Roadway

The act designates State Route 126 from the community of Venice in Butler County to the Indiana border the "Governor William Bebb Bicentennial Roadway" and authorizes the Director of Transportation to erect suitable markers along the highway indicating its name (sec. 5533.69).

Governor James M. Cox Bicentennial Roadway

The act designates State Route 744 from Somerville in Butler County and extending eastward to its intersection with State Route 122 the "Governor James

M. Cox Bicentennial Roadway" and authorizes the Director of Transportation to erect suitable markers along the highway indicating its name (sec. 5533.70).

Governor James E. Campbell Bicentennial Roadway

The act designates State Route 4 from its intersection with High Street in the municipal corporation of Hamilton in Butler County to its intersection with Central Avenue in the municipal corporation of Middletown in that county the "Governor James E. Campbell Bicentennial Roadway" and authorizes the Director of Transportation to erect suitable markers along the highway indicating its name (sec. 5533.71). This designation is in addition to the continuing law designation of State Route 4 as the "Wright Brothers Memorial Highway" (sec. 5533.14, not in the act).

Governor Andrew L. Harris Bicentennial Roadway

The act designates United States Route 127 from the municipal corporation of Seven Mile in Butler County northward to its intersection with United States Route 35 in the municipal corporation of Eaton in Preble County the "Governor Andrew L. Harris Bicentennial Roadway" and authorizes the Director of Transportation to erect suitable markers along the highway indicating its name (sec. 5533.72).

William R. Foster Bridge

The act designates the Maud-Hughes road bridge spanning Gregory Creek in Butler County, located at mile 23.18 of State Route 129, the "William R. Foster Bridge" and authorizes the Director of Transportation to erect suitable markers upon the bridge or its approaches indicating its name (sec. 5533.73).

Department of Transportation's use of force account project assessment forms

Am. Sub. H.B. 87 of the 125th General Assembly (effective March 31, 2003, certain provisions effective June 30, 2003 and January 1, 2004) generally revised the law governing force account projects.¹ In addition to increasing various force account levels, Am. Sub. H.B. 87 required the Auditor of State to develop forms that the state and local government entities must use to estimate the costs of force account projects. Specifically, Am. Sub. H.B. 87 required the Director of Transportation to make an estimate of the cost of the work, using the

¹ In general, "force account" is a term used in regard to the cost of highway projects that require competitive bidding; below the amount established for a force account project, a governmental agency may use its own labor force and equipment; above the amount established by law, the governmental agency must competitively bid a project.

force account project assessment form developed by the Auditor of State, before undertaking the construction, improvement, maintenance, or repair of a state highway, or a bridge or culvert on a state highway, or the installation, maintenance, or repair of a traffic control signal on a state highway.

The act modifies the types of projects for which the Department of Transportation (ODOT) must complete the force account project assessment form, but does not amend the force account limits or the requirement to competitively bid ODOT projects above those force account limits. (See **COMMENT**.) Under the act, ODOT must complete the force account project assessment form only before undertaking the *construction, reconstruction* by widening or resurfacing, or *improvement* of a state highway, or a bridge or culvert on a state highway, or the *installation* of a traffic control signal on a state highway. The act eliminates the requirement to complete the forms before undertaking *maintenance* or *repair* of a state highway, or a bridge or culvert on a state highway, or the *maintenance* or *repair* of a traffic control signal on a state highway.

COMMENT

Under Am. Sub. H.B. 87, the force account levels for the Department of Transportation (ODOT) are \$50,000 for construction of a bridge or culvert, or the installation of a traffic control signal, or for any single structure and \$25,000 per mile for road maintenance or repair work. The Director of Transportation must let the contract for this work to the lowest competent and responsible bidder unless the costs are lower than the established force account limits and he is able to use ODOT employees to perform the work.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-18-03	p. 161
Reported, H. Transportation & Public Safety	06-25-03	p. 960
Passed House (99-0)	06-25-03	pp. 976-977
Reported, S. Highways & Transportation	10-23-03	pp. 1137-1138
Passed Senate (33-0)	11-13-03	pp. 1175-1176
House concurred in Senate amendments (92-0)	11-13-03	pp. 1094-1095

03-hb70-125.doc/jc

