



COUNTY ENGINEERS ASSOCIATION OF OHIO

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Testimony – Sub. House Bill 26
Ohio Senate Finance Transportation, Commerce and Workforce Committee
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Chairman LaRose, Ranking Member Tavares, Vice Chairwoman Kunze and members of the Senate Transportation, Commerce and Workforce Committee, thank you for the opportunity to speak to you today about the benefits and importance of Sub. House Bill 26, the 2018-2019 State Transportation budget.

The County Engineers Association of Ohio (CEAO), where I am pleased to serve as the current President, is the association for all County Engineers of Ohio. Since 1940, CEAO has worked to unify its members in providing the highest quality transportation, drainage, surveying and land record keeping services. From the safe and efficient movement of people, goods and services to continuing land development needs, CEAO strives to construct solutions for many challenges to Ohio's local infrastructure.

I have served as the County Engineer in Delaware County, since February of 1996. Prior to this, I served as Chief Deputy Engineer for 7 years. Previously, I was a project engineer in the construction and private consulting engineering industry.

The County Engineer is an elected official, serving terms of four years. We have ownership and operational responsibility for the local infrastructure, as defined in the Ohio Constitution and Ohio Revised Code. Those responsibilities are preparing construction plans, specifications and estimates for improvements to all county roads. The County Engineer also serves as engineering advisor to all townships in the county, assisting them with township road improvements and maintenance. The office inspects and maintains all bridges on township and county roads and maintains traffic signals on county roads that intersect other county or township roads.

The Engineer's Office oversees new commercial and residential construction projects in unincorporated areas for conformance to public street construction standards as well as grading and erosion control requirements. The office also inspects work done by utilities in the public road right-of-way to ensure the safety of the residents and motorists of Ohio's County.

Ohio law requires the County Engineer to be both a registered professional engineer and professional surveyor. In addition to the engineering responsibilities of the office, the County Engineer oversees the county Map Department which maintains the county tax maps, reviews surveys for property transfers and creates subdivision lot numbers and street addresses.

It is critical to the citizens of Ohio that the County Engineer holds both a professional engineering and surveying license due to the magnitude of the duties mandated to the office. Additional benefits of having County Engineer dually registered:

- Helps ensure that engineers elected as county engineers have the appropriate professional education and experience.
- Ohio Revised Code contains no less than *17 separate sections* relating to surveying, all duties for which a county agency must ultimately be responsible.
- Is a cost-saving measure for Ohio local governments by streamlining cost because of all the duties they are able to do.
- FHWA requires ***documented*** evaluation of scour conditions on all bridges in the nation. FHWA has granted Ohio county Engineers the ability to use a "Global Statement" in lieu of taking cross sections. This Global statement basically says that the Engineer can use their Professional Judgment to determine the channel scour risk based on the fact that they live in the county (required because of election), thus knowing the behavior of the streams in their county. Ohio is the only state to be granted this exception. It was granted specifically because of the unique requirements of the County Engineer. (PE, PS, and must reside in county).

We are responsible for 26,859 bridges and 29,088 miles of urban and rural roadways that are vital to the continued growth and prosperity of state. Although Ohio is ranked 35th in the nation by geographic size, it has the fourth largest interstate network that carries the fourth largest amount of truck traffic. The state is within a 600-mile drive of half of the nation's population and is considered a crossroad for America's manufacturing and agricultural industries. **Every trip begins and ends on a local road.**

Total Current Revenue: \$450 million
Current need: \$1.12 Billion
Funding Deficiency: 60%

County Engineers, although using revenues efficiently, cannot keep up with the increasing costs for improvements.

Total Number of County Bridges	26,081
Closed	96
Posted with Load Limits	1,553
One Lane	3,092
Bridges 50 years and older	9,595
Eligible for Replacement	2,029
Eligible for Repair	5,848
Total Cost to Replace and Repair all Eligible Bridges	\$1.3 Billion
Cost per Year on a 10-year Schedule	\$127.5 Million

Total Miles of County Highway	28,970
Miles Less than 20 ft Wide (Below Current Standards)	18,879
Between 20 and 24 ft	9,422
Greater than 24 ft	669
Cost per Year to Widen County Highways to Current Standards on a 20-year Schedule	\$226.5 Million
Cost per Year to Pave County Roads on a 10-year Schedule	\$362.1 Million
Cost per Year to Maintain County Highway System (including guardrail, pavement marking, signs, culverts, mowing, and snow plowing)	\$406.5 Million

Permissive License Plate Fees

Proposal

- The proposal contemplates a maximum of \$15 increase if three separate taxes are enacted. Counties, municipalities or townships would have authority to first pass a \$5 increase regardless of whether others do.
- A second new \$5 motor vehicle license tax would be available to the county for a four-year period immediately following enactment of the law, the revenues from which being split either the municipality, township or urban township. Prior to any township or municipal corporation receiving the percentage of revenue identified under the second \$5 license plate proposal, each eligible municipal corporation or township shall first pass a resolution requesting adoption of the motor vehicle license tax and forward a copy of that resolution to the board of commissioners within a specified period of time of being notified by the board of commissioners of their intent to adopt a resolution under the second \$5 motor vehicle license plate authority.
- After the expiration of four years, any county that had not taken action could enact the tax in any jurisdiction that has not taken action.

Reduce the Loan Percent needed for OPWC

Reducing the percent of the Ohio Public Works Commission (OPWC) State Capital Improvement Program (SCIP) that is set aside for loans from 15% to 10%. This would free up an additional \$7.85 million dollars across the state to be used by local governments (counties, townships, villages, cities) for infrastructure projects, without raising the amount of bond money needed for OPWC funding. Therefore, when the state sets aside monies to pay off these bonds, it does not cost the state more money. The amendment would reduce each districts loan requirement, increasing grant funding for needed infrastructure projects.

Getting Taxpayer Dollars to Work

ORC 164.05 G requires 15% of each district allocation to be used in the form of loans. Most of these are 0% for 20 years. Almost all projects in the 19 districts request loans to get points to qualify for grant funding. When these projects come in under budget –and the loans sit unused for years – the funds roll

back to the loan pot. Therefore, the revolving loan program is growing and the 15% “draw out” pot is going from \$150 to \$175 to \$200 as a result of renewal ballot initiative from May 2014. Local governments cannot pay for the debt and the funds go unused.

County Weight Enforcement

Ohio Revised Code 5577 defines load limits on highways, and sets liability for violating those limits. Approximately 25% of Ohio’s counties have a weight enforcement program to help protect the county highway system and implement the enforcement of Ohio Revised Code 5577. Most County Commissioners have set up the operations of this program through the County Engineer, with assistance from the County Sheriff.

Chapter 5577.12 states that all funds collected through civil action under this section are credited directly to funds set up for the repair of roads and bridges within the proper political subdivision.

Chapter 5577.99 (A) defines the penalty for violating the weight provisions for sections 5577.01 to 5577.07, **but does not state that all funds collected through civil action under this section are credited directly to funds set up for the repair of roads and bridges within the county.**

Chapter 5577.99 (B) defines the penalty for violating the weight provisions for sections 5577.071 to 5577.09, and states that all funds collected through civil action under this section are credited directly to funds set up for the repair of roads and bridges within the county.

The purpose of this proposed amendment is to insert wording into Chapter 5577.99 (A) which mirrors the wording in Chapter 5577.99 (B), to have all funds collected through civil action under this section credited directly to funds set up for the repair of roads and bridges within the county.

Currently these funds collected under Chapter 5577.99 (A) include a 50% distribution to the county law library, which is also funded by statutes related to Clerk of Courts, various City fines, and Juvenile and Municipal Court fines. Those seem to fit more in the spirit of revenues for the law library.

Currently the weight enforcement programs operated by Ohio’s County Engineers have expenses that far exceed the revenues to cover the costs associated with operating the program. For each dollar spent to protect the local highways and bridges from overweight vehicles, approximately 50 cents is returned to operate the program.

This proposed amendment is not to increase fees or to make (and will not make) the weight enforcement programs “whole”, but to allow the distribution of the funds collected through civil action be credited back to the programs already created to protect our road and bridge infrastructure.

Thank you for the opportunity to discuss the legislation. I am happy to answer any questions you might have.

CEAO Issues of Interest

Sub. HB 26 as passed by the House of Representatives

CEAO Supports: Bridge Inspections

Generally requires a county engineer to conduct biennial, rather than annual, inspections of each bridge located on the county highway system, on township roads, or for which the county is otherwise responsible.

CEAO Supports: Additional county motor vehicle registration fee of \$5

The bill authorizes counties to levy and retain an additional \$5 motor vehicle registration tax on motor vehicles registered in the county. In order to levy the tax, a board of county commissioners must hold two public hearings, provide public notice of those hearings in a newspaper of general circulation, and adopt a resolution levying the tax. If the board adopts the resolution, the board must provide written notice to the legislative authority of each municipal corporation and to the board of township trustees of each township located within the county. The tax is subject to a referendum.

CEAO Opposes: Exception to the vehicle size, weight, and load limits

Specifies that the vehicle size, weight, and load limits do not apply to a person who is traveling to the site of an emergency on a public highway to tow a vehicle or who is returning from towing a vehicle from the site of such an emergency. CEOA is in opposition to this blanket exemption for the following reasons:

1. Under Ohio law the current weight limit is 34,000 lbs for two-axle vehicles and 48,000 lbs for a three-axle vehicles. A Rotator is a three-axle vehicle that could weighing up to 80,000 lbs. Many roads and bridges cannot handle 80,000lbs.
2. Counties currently have a process to obtain a permit for oversized/overweight vehicles in this category. Additionally, safe hauling routs are given to driver at time of permit issuance.
3. In APTO's testimony, extended their original ask from hauling to and from emergency wreckage to now explaining the blanket exemption would also permit the currently illegal overweight vehicles on public roads to conduct demonstrations and educational purposes --- unknowingly on roads/ brides that may not be able to withstand an 80,000lb three-axle vehicle.

Many low volume roads and bridges are not designed for these loads and can result in significant damage to the pavement and bridges. These overweight vehicles have not been anticipated and the road and bridges are not upgraded for their crossing. The vehicle may not present immediate structural damage to the naked eye, it will be the family crossing the bridge or on the road the next day, week, or month that will be the victims. In our Professional Engineering Judgment we would not recommend a blanket exemption for any illegally overweight vehicle making multiple trips to and from a wreckage.

CEAO has proved an amendment that would grant these vehicles a yearly permit with the safest truck routes for each vehicle that is based on their specific size, weight, axel count. (Amendment Attached).

Thank you for the opportunity to discuss the legislation. I am happy to answer any questions you might have.