

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 146

Senator Antani

A BILL

To enact section 5525.26 of the Revised Code to
require the Director of Transportation to adopt
rules that prevent any particular type of
highway pavement from receiving priority in the
highway construction bidding process.

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

Section 1. That section 5525.26 of the Revised Code be
enacted to read as follows:

Sec. 5525.26. (A) The director of transportation shall
adopt rules in accordance with Chapter 119. of the Revised Code
that do all of the following:

(1) Encourage competition among industries involved in the
production of paving materials so that monopoly situations are
avoided and no single type of highway pavement receives
preferential treatment in the highway construction project
bidding process;

(2) Prohibit the adoption of any requirements or
guidelines that favor a single type of highway pavement in the
highway construction project bidding process;

<u>(3) Comply with federal highway administration guidelines</u>	19
<u>and recommendations for pavement design, use of alternate</u>	20
<u>bidding for pavement type selection, and the promotion of</u>	21
<u>competition in highway construction project bidding.</u>	22
<u>(B) The director shall ensure that the rules required by</u>	23
<u>division (A) of this section are effective not later than</u>	24
<u>January 1, 2022.</u>	25
<u>(C) Upon the effective date of the rules required by</u>	26
<u>division (A) of this section, the director shall deliver a copy</u>	27
<u>of the rules to the speaker of the house of representatives, the</u>	28
<u>president of the senate, and the chairs of the standing</u>	29
<u>committees in the house of representatives and senate with</u>	30
<u>primary responsibility over transportation issues.</u>	31
<u>(D) The rules required by division (A) of this section</u>	32
<u>shall apply, after their effective date, to all highway</u>	33
<u>construction projects that are advertised for bids pursuant to</u>	34
<u>this chapter.</u>	35