

\_\_\_\_\_ moved to amend as follows: 1

Engross the bill as directed by the commands in the 2  
amendments attached hereto, ignoring matter extraneous to those 3  
commands 4

INDEX 5

The following amendments are attached hereto: 6

Amendment No.	Subject
am_135_0205	Bicycle lanes
am_135_0215	Corrective amendment: traffic camera prohibition
am_135_0216	Plug-in hybrid electric motor vehicle fee
am_135_0220	Corrective - Highway Patrol pay scale
am_135_0239	Use of traffic cameras
am_135_0252-1	Wayside detector system messages
am_135_0263	Hazardous waste transportation report



Amendment No.	Subject
am_135_0270	Law enforcement tinted windows
am_135_0285	Special improvement districts: park district property
am_135_0314	Permanent noncommercial trailer registration service fee
am_135_0319	Zoning: Aggregate minerals mining
am_135_0322-1	Regulation related to safety
am_135_0335	Remove accessible parking provisions
am_135_0336-1	Department of Transportation
am_135_0337	Blocked railroad crossings and incident reports - removal

7

The motion was \_\_\_\_\_ agreed to.

8

\_\_\_\_\_ moved to amend as follows:

- In line 7 of the title, delete "," 9
- In line 8 of the title, delete "5501.31" 10
- In line 32, delete ", 5501.31" 11
- Delete lines 4999 through 5113 12
- In line 6565, delete ", 5501.31" 13

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 14

**Bicycle lanes** 15

**R.C. 5501.31** 16

Removes a provision of the bill that requires the ODOT 17  
Director to adopt rules that establish standards of uniform 18  
application for the construction of bicycle lanes on public 19  
streets and highways, and that requires the rules to include the 20

following:	21
1. Engineering and safety standards;	22
2. Planning and design requirements, including the consideration of environmental factors;	23 24
3. Standards for signage, traffic lights, and signals; and	25
4. A prohibition against the construction of a bicycle lane in the center of a street or highway in a political subdivision with a population of 300,000 or more.	26 27 28

\_\_\_\_\_ moved to amend as follows:

In line 6353, strike through ""Local authority" and "traffic" and 29  
insert "Traffic" 30

In line 6354, strike through "have" and insert "has"; strike through 31  
"meanings" and insert "meaning" 32

After line 6391, insert: 33

"(11) Local authority" means a municipal corporation, 34  
county, or township." 35

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 36

**Corrective amendment: traffic camera prohibition** 37

**R.C. 5747.502 (A)** 38

Reinstates current law concerning the local government 39  
fund (LGF) reductions that apply to townships and counties that 40  
operate traffic cameras. The bill prohibits townships and 41

counties from operating traffic cameras, but the LGF reductions 42  
may continue to apply thereafter due to the lag between the 43  
times that camera fines are: (1) collected, (2) reported to the 44  
Tax Commissioner, and (3) deducted from the county's or 45  
township's LGF payments. Additionally, a residual adjustment may 46  
apply for several years after a county or township stops 47  
operating traffic cameras if the fines collected exceed the LGF 48  
payments the county or township would have otherwise received. 49

\_\_\_\_\_ moved to amend as follows:

In line 926, strike through "plug-"	50
In line 927, strike through "in hybrid electric motor vehicle or"	51
In line 929, strike through "plug-in hybrid electric motor vehicle or"	52 53
In line 938, after "any" insert " <u>plug-in hybrid electric motor vehicle or</u> "	54 55
In line 940, after "the" insert " <u>plug-in hybrid electric motor vehicle or</u> "	56 57
After line 7398, insert:	58
" <b>Section 803.10.</b> The amendments made by this act to division (C) (3) of section 4503.10 of the Revised Code apply beginning on January 1, 2024."	59 60 61

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

62

<b>Plug-in hybrid electric motor vehicle fee</b>	63
<b>R.C. 4503.10; Section 803.10</b>	64
Reduces, from \$200 to \$100, the additional registration fee applicable to plug-in hybrid electric motor vehicles.	65 66
Delays the application of the fee reduction until January 1, 2024.	67 68

\_\_\_\_\_ moved to amend as follows:

In line 5130, strike through "(A)"	69
In line 5134, strike through "(1)" and insert " <u>(A) A sergeant or</u>	70
<u>equivalent officer who is an exempt employee under section 124.152 of the</u>	71
<u>Revised Code shall be paid in accordance with pay range 14.</u>	72
<u>(B)"</u>	73
In line 5136, strike through "(2)" and insert " <u>(C)"</u>	74
In line 5138, strike through "(3)" and insert " <u>(D)"</u>	75
In line 5140, strike through "(4)" and insert " <u>(E)"</u>	76
In line 5142, after " <del>(5)</del> " insert " <u>(F)"</u> "; reinsert "A"; delete " <u>(B)</u>	77
<u>Beginning July 1, 2023, a"</u>	78
In line 5143, delete " <u>in the state highway patrol</u> "	79
In line 5144, reinsert "19"	80
In line 5145, delete " <u>45 from schedule E-2 of</u> "	81
In line 5146, delete " <u>division (B) of section</u> "; strike through	82
"124.152 of the Revised Code"	83

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Corrective - Highway Patrol pay scale**

**R.C. 5503.031**

Corrects an omission of changes to R.C. 5503.031 that  
should have been in Sub. H.B. 23 by making the following  
changes:

--Beginning July 1, 2023, placing exempt sergeants in the  
State Highway Patrol in pay range 14 of schedule E-1 of the  
exempt employee salary schedule.

--Replacing a requirement in the As Introduced version  
that a Highway Patrol lieutenant colonel be paid in accordance  
with pay range 45 in schedule E-2 in continuing law with a  
requirement that a lieutenant colonel be paid in accordance with  
pay range 19 in schedule E-1 established by the bill.

84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97

\_\_\_\_\_ moved to amend as follows:

- In line 5 of the title, after "4511.093" insert ", 4511.0913" 98
- In line 30, after "4511.093" insert ", 4511.0913" 99
- In line 3198, after "violations" insert "in accordance with sections  
4511.092 to 4511.0912 of the Revised Code" 100  
101
- After line 3226, insert: 102
- "Sec. 4511.0913.** Sections 4511.092 to 4511.0912 of the 103  
Revised Code do not apply to ~~the~~ either of the following: 104
- (A) The use of a traffic law photo-monitoring device that 105  
is placed on a school bus for the purpose of detecting 106  
violations of section 4511.75 of the Revised Code or a 107  
substantially equivalent municipal ordinance; 108
- (B) The use of a traffic law photo-monitoring device or an 109  
associated license plate reader by a county or township for the 110  
purpose of detecting and assisting in the enforcement of 111  
criminal offenses." 112
- In line 6564, after "4511.093" insert ", 4511.0913" 113

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

	114
<b>Use of traffic cameras</b>	115
<b>R.C. 4511.093 and 4511.0913</b>	116
Clarifies that the bill's current prohibition against a county or township using a traffic camera applies only to the use of traffic cameras for civil enforcement of red light or speeding offenses.	117 118 119 120
Clarifies that a county or township may continue to use a traffic law photo-monitoring device or an associated license plate reader for the purpose of detecting and assisting in the enforcement of criminal offenses.	121 122 123 124

\_\_\_\_\_ moved to amend as follows:

- In line 17 of the title, after "4955.50" insert ", 4955.51" 125
- In line 39, after "4955.50" insert ", 4955.51" 126
- In line 4754, after "section" insert "and section 4955.51 of the  
Revised Code" 127  
128
- In line 4802, after "standards" insert "in accordance with 49 C.F.R.  
Part 212" 129  
130
- In line 4805, delete "standards" and insert "laws" 131
- After line 4819, insert: 132
- "Sec. 4955.51. (A) When a wayside detector system detects  
a defect in a passing train, rolling stock, on-track equipment,  
or its component equipment and parts, if the message regarding  
the defect is not immediately sent to the operator of that  
train, rolling stock, or on-track equipment, the person that  
receives the message shall immediately notify the operator of  
the defect. 133  
134  
135  
136  
137  
138  
139
- (B) The department of transportation and the public  
utilities commission, as part of their work with each railroad 140  
141

company under division (B) of section 4955.50 of the Revised 142  
Code, shall ensure that the manner in which wayside detector 143  
system messages are sent and received complies with division (A) 144  
of this section." 145

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 146

**Wayside detector system messages** 147

**R.C. 4955.50 and 4955.51** 148

Requires a person who receives a message regarding a 149  
defect detected by a wayside detector system to immediately 150  
notify the operator of the applicable train, rolling stock, or 151  
on-track equipment if the receiver of the message is not the 152  
operator. 153

Requires ODOT and the PUCO to ensure that wayside detector 154  
system messages are sent and received as specified above, and as 155  
part of the bill's current requirement that the agencies work 156  
with railroad companies in Ohio. 157

Specifies that the ODOT and PUCO investigations into the 158  
safety practices of any railroad company, currently required by 159  
the bill, be conducted in accordance with 49 C.F.R. Part 212, 160  
which governs state involvement in railroad safety. 161

\_\_\_\_\_ moved to amend as follows:

After line 7211, insert: 162

"Section 749.10. (A) The Public Utilities Commission, in 163  
collaboration with the Ohio Environmental Protection Agency, 164  
shall examine current federal and state laws regarding both of 165  
the following: 166

(1) The regulations and protocols pertaining to the 167  
transportation of hazardous materials and hazardous waste; 168

(2) Any requirements pertaining to when, how, and to whom 169  
the transportation of hazardous materials and hazardous waste 170  
must be disclosed. 171

(B) The Commission and Agency shall compile the 172  
information obtained under division (A) of this section into a 173  
written report. The report shall include recommendations related 174  
to all of the following: 175

(1) Methods to strengthen Ohio's safety requirements for 176  
the transportation of hazardous materials and hazardous waste; 177

(2) Appropriate enhancements to current civil and criminal 178  
penalties related to the transportation of hazardous materials 179

and hazardous waste, including penalties related to:	180
(a) The mishandling of hazardous materials and hazardous waste;	181 182
(b) Failing to disclose or failing to meet all disclosure requirements related to the transportation of hazardous materials and hazardous waste.	183 184 185
(c) Not later than ninety days after the effective date of this section, the Commission and the Agency shall submit the report required under division (B) of this section to the General Assembly in accordance with section 101.68 of the Revised Code. "	186 187 188 189 190

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	191
<b>Hazardous waste transportation report</b>	192
<b>Section 749.10</b>	193
Requires the Public Utilities Commission and the Ohio Environmental Protection Agency to prepare and submit a written report to the General Assembly, within 90 days of the bill's effective date, pertaining to the transportation of hazardous materials and hazardous waste.	194 195 196 197 198
Requires the report to detail all of the following:	199
- Current applicable state and federal laws;	200
- Recommendations for improving Ohio's safety requirements for hazardous material and waste transportation; and	201 202

- Recommendations for enhancements to current civil and	203
criminal penalties for violating those transportation safety	204
requirements.	205

\_\_\_\_\_ moved to amend as follows:

In line 3941, strike through "under"	206
Strike through lines 3942 through 3947	207
In line 3948, strike through "(b) The vehicle primarily" and insert " <u>when the motor vehicle</u> "	208 209
In line 3949, strike through "canine unit for transporting a police dog" and insert " <u>agency for a purpose within the scope of the law enforcement agency's duties</u> "	210 211 212

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 213

**Law enforcement tinted windows** 214

**R.C. 4513.241** 215

Expands an exception to existing window tinting	216
prohibitions to allow a law enforcement agency to use tinted	217
windows for any vehicle used within the scope of an agency's	218

duties, rather than limiting the use of tinted windows to 219  
vehicles used for a special investigatory purpose and in a 220  
canine unit. 221

\_\_\_\_\_ moved to amend as follows:

In line 2 of the title, after "519.02" insert ", 1710.01, 1710.02, 222  
1710.03, 1710.13" 223

In line 28, after "519.02" insert ", 1710.01, 1710.02, 1710.03, 224  
1710.13" 225

After line 603, insert: 226

**"Sec. 1710.01.** As used in this chapter: 227

(A) "Special improvement district" means a special 228  
improvement district organized under this chapter. 229

(B) "Church" means a fellowship of believers, 230  
congregation, society, corporation, convention, or association 231  
that is formed primarily or exclusively for religious purposes 232  
and that is not formed for the private profit of any person. 233

(C) "Church property" means property that is described as 234  
being exempt from taxation under division (A) (2) of section 235  
5709.07 of the Revised Code and that the county auditor has 236  
entered on the exempt list compiled under section 5713.07 of the 237  
Revised Code. 238

(D) "Municipal executive" means the mayor, city manager,	239
or other chief executive officer of the municipal corporation in	240
which a special improvement district is located.	241
(E) "Participating political subdivision" means the	242
municipal corporation or township, or each of the municipal	243
corporations or townships, that has territory within the	244
boundaries of a special improvement district created under this	245
chapter.	246
(F) "Legislative authority of a participating political	247
subdivision" means, with reference to a township, the board of	248
township trustees.	249
(G) "Public improvement" means the planning, design,	250
construction, reconstruction, enlargement, or alteration of any	251
facility or improvement, including the acquisition of land, for	252
which a special assessment may be levied under Chapter 727. of	253
the Revised Code, and includes any special energy improvement	254
project or shoreline improvement project.	255
(H) "Public service" means any service that can be	256
provided by a municipal corporation or any service for which a	257
special assessment may be levied under Chapter 727. of the	258
Revised Code.	259
(I) "Special energy improvement project" means any	260
property, device, structure, or equipment necessary for the	261
acquisition, installation, equipping, and improvement of any	262
real or personal property used for the purpose of creating a	263
solar photovoltaic project, a solar thermal energy project, a	264
geothermal energy project, a customer-generated energy project,	265
or an energy efficiency improvement, whether such real or	266
personal property is publicly or privately owned.	267
(J) (1) Except as provided in division (J) (2) of this	268

section, "existing" qualified nonprofit corporation" means a 269  
nonprofit corporation that existed before the creation of the 270  
corresponding district under this chapter, that is composed of 271  
members located within or adjacent to the district, that has 272  
established a police department under section 1702.80 of the 273  
Revised Code, and that is organized for purposes that include 274  
acquisition of real property within an area specified by its 275  
articles for the subsequent transfer of such property to its 276  
members exclusively for charitable, scientific, literary, or 277  
educational purposes, or holding and maintaining and leasing 278  
such property; planning for and assisting in the development of 279  
its members; providing for the relief of the poor and distressed 280  
or underprivileged in the area and adjacent areas; combating 281  
community deterioration and lessening the burdens of government; 282  
providing or assisting others in providing housing for low- or 283  
moderate-income persons; and assisting its members by the 284  
provision of public safety and security services, parking 285  
facilities, transit service, landscaping, and parks. 286

(2) Regarding a special improvement district to implement 287  
a shoreline improvement project, "existing qualified nonprofit 288  
corporation" has the same meaning as in division (J)(1) of this 289  
section, except that the nonprofit does not need to have an 290  
established police department and does not need to be organized 291  
for purposes that include the acquisition of real property. 292

(K) "Energy efficiency improvement" means energy 293  
efficiency technologies, products, and activities that reduce or 294  
support the reduction of energy consumption, allow for the 295  
reduction in demand, or support the production of clean, 296  
renewable energy and that are or will be permanently fixed to 297  
real property. 298

(L) "Customer-generated energy project" means a wind, 299

biomass, or gasification facility for the production of	300
electricity that meets either of the following requirements:	301
(1) The facility is designed to have a generating capacity	302
of two hundred fifty kilowatts of electricity or less.	303
(2) The facility is:	304
(a) Designed to have a generating capacity of more than	305
two hundred fifty kilowatts of electricity;	306
(b) Operated in parallel with electric transmission and	307
distribution facilities serving the real property at the site of	308
the customer-generated energy project;	309
(c) Intended primarily to offset part or all of the	310
facility owner's requirements for electricity at the site of the	311
customer-generated energy project and is located on the facility	312
owner's real property; and	313
(d) Not producing energy for direct sale by the facility	314
owner to the public.	315
(M) "Reduction in demand" means a change in customer	316
behavior or a change in customer-owned or operated assets that	317
reduces or has the capability to reduce the demand for	318
electricity as a result of price signals or other incentives.	319
(N) "Electric distribution utility" and "mercantile	320
customer" have the same meanings as in section 4928.01 of the	321
Revised Code.	322
(O) "Shoreline improvement project" means acquiring,	323
constructing, installing, equipping, improving, maintaining, or	324
repairing real or tangible personal property necessary or useful	325
for making improvements to abate erosion along either the Lake	326
Erie shoreline or any water resource.	327

(P) "Water resource" has the same meaning as in section 6105.01 of the Revised Code.

(Q) "Park district" means a park district created under Chapter 1545. of the Revised Code.

**Sec. 1710.02.** (A) (1) A special improvement district may be created within the boundaries of any one municipal corporation, any one township, or any combination of municipal corporations and townships within a single county, or counties that adjoin one another, for the purpose of developing and implementing plans for public improvements and public services that benefit the district. A district may be created by petition of the owners of real property within the proposed district, or by an existing qualified nonprofit corporation.

(2) If the district is created by an existing qualified nonprofit corporation, the purposes for which the district is created may be supplemental to the other purposes for which the corporation is organized. The corporation is considered a special improvement district only when it acts with respect to a purpose for which the district is created, and not when it acts with respect to any other purpose for which it is organized.

(3) All territory in a special improvement district shall be contiguous; except that the territory in a special improvement district may be noncontiguous if at least one special energy improvement project or shoreline improvement project is designated for each parcel of real property included within the special improvement district. Additional territory may be added to a special improvement district created under this chapter for the purpose of developing and implementing plans for special energy improvement projects or shoreline improvement projects if at least one special energy improvement project or shoreline improvement project, respectively, is

designated for each parcel of real property included within such 359  
additional territory and the addition of territory is authorized 360  
by the initial plan proposed under division (F) of this section 361  
or a plan adopted by the board of directors of the special 362  
improvement district under section 1710.06 of the Revised Code. 363

(4) The district shall be governed by the board of 364  
trustees of a nonprofit corporation. This board shall be known 365  
as the board of directors of the special improvement district. 366

(5) No special improvement district shall include any 367  
church property, or property of the federal or state government 368  
or a county, township, ~~or~~ municipal corporation, or park 369  
district, unless the church or the county, township, ~~or~~ 370  
municipal corporation, or park district specifically requests in 371  
writing that the property be included within the district, or 372  
unless the church is a member of the existing qualified 373  
nonprofit corporation creating the district at the time the 374  
district is created. 375

(6) A shoreline improvement project may extend into the 376  
territory of Lake Erie as described in sections 1506.10 and 377  
1506.11 of the Revised Code. However, the state shall remain 378  
exempt from any special assessment that may be levied against 379  
that territory under section 1710.06 and Chapter 727. of the 380  
Revised Code. 381

(7) More than one district may be created within a 382  
participating political subdivision, but no real property may be 383  
included within more than one district unless the owner of the 384  
property files a written consent with the clerk of the 385  
legislative authority, the township fiscal officer, or the 386  
village clerk, as appropriate. 387

(8) The area of each district shall be contiguous; except 388  
that the area of a special improvement district may be 389

noncontiguous if all parcels of real property included within 390  
such area contain at least one special energy improvement or 391  
shoreline improvement thereon. 392

(B) Subject to division (A) (2) of this section, all of the 393  
following apply: 394

(1) A district created under this chapter is not a 395  
political subdivision, except for purposes of section 4905.34 of 396  
the Revised Code. 397

(2) A district created under this chapter shall be 398  
considered a public agency under section 102.01 and a public 399  
authority under section 4115.03 of the Revised Code. 400

(3) Districts created under this chapter are not subject 401  
to sections 121.81 to 121.83 of the Revised Code. Districts 402  
created under this chapter are subject to sections 121.22 and 403  
121.23 of the Revised Code. 404

(4) All records of the district are public records under 405  
section 149.43 of the Revised Code, except that records of 406  
organizations contracting with a district are not public records 407  
under section 149.43 or section 149.431 of the Revised Code 408  
solely by reason of any contract with a district. 409

(C) (1) Subject to division (C) (2) of this section, both of 410  
the following apply: 411

(a) Membership on the board of directors of the district 412  
shall not be considered as holding a public office. However, 413  
each member of the board of directors of a district, each 414  
member's designee or proxy, and each officer or employee of a 415  
district is a public official or employee under section 102.01 416  
and a public official under section 2921.42 of the Revised Code. 417  
District officers and district members and directors and their 418  
designees or proxies are not required to file a statement with 419

the Ohio ethics commission under section 102.02 of the Revised Code. 420  
421

(b) Directors and their designees shall be entitled to the 422  
immunities provided by Chapter 1702. and to the same immunity as 423  
an employee under division (A) (6) of section 2744.03 of the 424  
Revised Code, except that directors and their designees shall 425  
not be entitled to the indemnification provided in section 426  
2744.07 of the Revised Code unless the director or designee is 427  
an employee or official of a participating political subdivision 428  
of the district and is acting within the scope of the director's 429  
or designee's employment or official responsibilities. 430

(2) District officers and district members and directors 431  
of a district created by an existing qualified nonprofit 432  
corporation, and their designees or proxies, are public 433  
officials or employees under section 102.01 and public officials 434  
under section 2921.42 of the Revised Code by virtue of their 435  
positions with the corporation only when they act with respect 436  
to a purpose for which the district is created, and not when 437  
they act with respect to any other purpose for which the 438  
corporation is organized. 439

(D) Except as otherwise provided in this section, the 440  
nonprofit corporation that governs a district shall be organized 441  
in the manner described in Chapter 1702. of the Revised Code. 442  
Except in the case of a district created by an existing 443  
qualified nonprofit corporation, the corporation's articles of 444  
incorporation are required to be approved, as provided in 445  
division (E) of this section, by resolution of the legislative 446  
authority of each participating political subdivision of the 447  
district. A copy of that resolution shall be filed along with 448  
the articles of incorporation in the secretary of state's 449  
office. 450

In addition to meeting the requirements for articles of incorporation set forth in Chapter 1702. of the Revised Code, the articles of incorporation for the nonprofit corporation governing a district formed under this chapter shall provide all the following:

(1) The name for the district, which shall include the name of each participating political subdivision of the district;

(2) A description of the territory within the district, which may be all or part of each participating political subdivision. The description shall be specific enough to enable real property owners to determine if their property is located within the district.

(3) A description of the procedure by which the articles of incorporation may be amended. The procedure shall include receiving approval of the amendment, by resolution, from the legislative authority of each participating political subdivision and filing the approved amendment and resolution with the secretary of state.

(4) The reasons for creating the district, plus an explanation of how the district will be conducive to the public health, safety, peace, convenience, and welfare of the district.

(E) The articles of incorporation for a nonprofit corporation governing a district created under this chapter and amendments to them shall be submitted to the municipal executive, if any, and the legislative authority of each municipal corporation or township in which the proposed district is to be located. Except in the case of a district created by an existing qualified nonprofit corporation, the articles or amendments shall be accompanied by a petition signed either by the owners of at least sixty per cent of the front footage of

all real property located in the proposed district that abuts 482  
upon any street, alley, public road, place, boulevard, parkway, 483  
park entrance, easement, or other existing public improvement 484  
within the proposed district, excluding church property or 485  
property owned by the state, county, township, municipal, park 486  
district, or federal government, unless a church, county, 487  
township, ~~or~~ municipal corporation, or park district has 488  
specifically requested in writing that the property be included 489  
in the district, or by the owners of at least seventy-five per 490  
cent of the area of all real property located within the 491  
proposed district, excluding church property or property owned 492  
by the state, county, township, municipal, park district, or 493  
federal government, unless a church, county, township, ~~or~~ 494  
municipal corporation, or park district has specifically 495  
requested in writing that the property be included in the 496  
district. Pursuant to Section 2o of Article VIII, Ohio 497  
Constitution, the petition required under this division may be 498  
for the purpose of developing and implementing plans for special 499  
energy improvement projects or shoreline improvement projects, 500  
and, in such case, is determined to be in furtherance of the 501  
purposes set forth in Section 2o of Article VIII, Ohio 502  
Constitution. Except as provided in division (H) of this 503  
section, if a special improvement district is being created 504  
under this chapter for the purpose of developing and 505  
implementing plans for special energy improvement projects or 506  
shoreline improvement projects, the petition required under this 507  
division shall be signed by one hundred per cent of the owners 508  
of the area of all real property located within the proposed 509  
special improvement district, at least one special energy 510  
improvement project or shoreline improvement project shall be 511  
designated for each parcel of real property within the special 512  
improvement district, and the special improvement district may 513  
include any number of parcels of real property as determined by 514

the legislative authority of each participating political 515  
subdivision in which the proposed special improvement district 516  
is to be located. For purposes of determining compliance with 517  
these requirements, the area of the district, or the front 518  
footage and ownership of property, shall be as shown in the most 519  
current records available at the county recorder's office and 520  
the county engineer's office sixty days prior to the date on 521  
which the petition is filed. 522

Each municipal corporation or township with which the 523  
petition is filed has sixty days to approve or disapprove, by 524  
resolution, the petition, including the articles of 525  
incorporation. In the case of a district created by an existing 526  
qualified nonprofit corporation, each municipal corporation or 527  
township has sixty days to approve or disapprove the creation of 528  
the district after the corporation submits the articles of 529  
incorporation or amendments thereto. This chapter does not 530  
prohibit or restrict the rights of municipal corporations under 531  
Article XVIII of the Ohio Constitution or the right of the 532  
municipal legislative authority to impose reasonable conditions 533  
in a resolution of approval. The acquisition, installation, 534  
equipping, and improvement of a special energy improvement 535  
project under this chapter shall not supersede any local zoning, 536  
environmental, or similar law or regulation. In addition, all 537  
activities associated with a shoreline improvement project that 538  
is implemented under this chapter shall comply with all 539  
applicable local zoning requirements, all local, state, and 540  
federal environmental laws and regulations, and all applicable 541  
requirements established in Chapter 1506. of the Revised Code 542  
and rules adopted under it. 543

(F) Persons proposing creation and operation of the 544  
district may propose an initial plan for public services or 545  
public improvements that benefit all or any part of the 546

district. Any initial plan shall be submitted as part of the 547  
petition proposing creation of the district or, in the case of a 548  
district created by an existing qualified nonprofit corporation, 549  
shall be submitted with the articles of incorporation or 550  
amendments thereto. 551

An initial plan may include provisions for the following: 552

(1) Creation and operation of the district and of the 553  
nonprofit corporation to govern the district under this chapter; 554

(2) Hiring employees and professional services; 555

(3) Contracting for insurance; 556

(4) Purchasing or leasing office space and office 557  
equipment; 558

(5) Other actions necessary initially to form, operate, or 559  
organize the district and the nonprofit corporation to govern 560  
the district; 561

(6) A plan for public improvements or public services that 562  
benefit all or part of the district, which plan shall comply 563  
with the requirements of division (A) of section 1710.06 of the 564  
Revised Code and may include, but is not limited to, any of the 565  
permissive provisions described in the fourth sentence of that 566  
division or listed in divisions (A) (1) to (7) of that section; 567

(7) If the special improvement district is being created 568  
under this chapter for the purpose of developing and 569  
implementing plans for special energy improvement projects or 570  
shoreline improvement projects, provision for the addition of 571  
territory to the special improvement district. 572

After the initial plan is approved by all municipal 573  
corporations and townships to which it is submitted for approval 574  
and the district is created, each participating subdivision 575

shall levy a special assessment within its boundaries to pay for 576  
the costs of the initial plan. The levy shall be for no more 577  
than ten years from the date of the approval of the initial 578  
plan; except that if the proceeds of the levy are to be used to 579  
pay the costs of a special energy improvement project or 580  
shoreline improvement project, the levy of a special assessment 581  
shall be for no more than thirty years from the date of approval 582  
of the initial plan. In the event that additional territory is 583  
added to a special improvement district, the special assessment 584  
to be levied with respect to such additional territory shall 585  
commence not earlier than the date such territory is added and 586  
shall be for no more than thirty years from such date. For 587  
purposes of levying an assessment for this initial plan, the 588  
services or improvements included in the initial plan shall be 589  
deemed a special benefit to property owners within the district. 590

(G) Each nonprofit corporation governing a district under 591  
this chapter may do the following: 592

(1) Exercise all powers of nonprofit corporations granted 593  
under Chapter 1702. of the Revised Code that do not conflict 594  
with this chapter; 595

(2) Develop, adopt, revise, implement, and repeal plans 596  
for public improvements and public services for all or any part 597  
of the district; 598

(3) Contract with any person, political subdivision as 599  
defined in section 2744.01 of the Revised Code, or state agency 600  
as defined in section 1.60 of the Revised Code to develop and 601  
implement plans for public improvements or public services 602  
within the district; 603

(4) Contract and pay for insurance for the district and 604  
for directors, officers, agents, contractors, employees, or 605  
members of the district for any consequences of the 606

implementation of any plan adopted by the district or any 607  
actions of the district. 608

The board of directors of a special improvement district 609  
may, acting as agent and on behalf of a participating political 610  
subdivision, sell, transfer, lease, or convey any special energy 611  
improvement project owned by the participating political 612  
subdivision upon a determination by the legislative authority 613  
thereof that the project is not required to be owned exclusively 614  
by the participating political subdivision for its purposes, for 615  
uses determined by the legislative authority thereof as those 616  
that will promote the welfare of the people of such 617  
participating political subdivision; improve the quality of life 618  
and the general and economic well-being of the people of the 619  
participating political subdivision; better ensure the public 620  
health, safety, and welfare; protect water and other natural 621  
resources; provide for the conservation and preservation of 622  
natural and open areas and farmlands, including by making urban 623  
areas more desirable or suitable for development and 624  
revitalization; control, prevent, minimize, clean up, or mediate 625  
certain contamination of or pollution from lands in the state 626  
and water contamination or pollution; or provide for safe and 627  
natural areas and resources. The legislative authority of each 628  
participating political subdivision shall specify the 629  
consideration for such sale, transfer, lease, or conveyance and 630  
any other terms thereof. Any determinations made by a 631  
legislative authority of a participating political subdivision 632  
under this division shall be conclusive. 633

Any sale, transfer, lease, or conveyance of a special 634  
energy improvement project by a participating political 635  
subdivision or the board of directors of the special improvement 636  
district may be made without advertising, receipt of bids, or 637  
other competitive bidding procedures applicable to the 638

participating political subdivision or the special improvement 639  
district under Chapter 153. or 735. or section 1710.11 of the 640  
Revised Code or other representative provisions of the Revised 641  
Code. 642

(H) The owner of real property that is part of a planned 643  
community or a condominium development is deemed to have signed 644  
the petitions required under division (E) of this section and 645  
division (B) of section 1710.06 of the Revised Code with respect 646  
to a special improvement district that is being created for the 647  
purpose of developing and implementing plans for shoreline 648  
improvement projects if the district and the projects have been 649  
approved through an alternative process prescribed by the 650  
bylaws, declarations, covenants, and restrictions governing the 651  
planned community or condominium development. Such an 652  
alternative process may consist of a vote of the owners 653  
association or unit owners association, the approval of a 654  
specified percentage of property owners, or any other procedure 655  
authorized by the bylaws, declarations, covenants, and 656  
restrictions governing the planned community or condominium 657  
development. 658

As used in this division, "condominium development" and 659  
"unit owners association" have the same meanings as in section 660  
5311.01 of the Revised Code, and "planned community," "owners 661  
association," "bylaws," and "declaration" have the same meanings 662  
as in section 5312.01 of the Revised Code. 663

**Sec. 1710.03.** (A) Except as otherwise provided in this 664  
division, each owner of real property within a special 665  
improvement district other than the state or federal government 666  
is a member of the district, and the real property of each 667  
member of the district is subject to special assessment under 668  
division (C) of section 1710.06 of the Revised Code. A church is 669

not a member of the district unless the church specifically 670  
requested in writing that its property be included in the 671  
district or unless, in the case of a district created by an 672  
existing qualified nonprofit corporation, the church is a member 673  
of the corporation at the time the district is created. A 674  
county, township, ~~or~~ municipal corporation, or park district 675  
owning real property in the district is not a member of the 676  
district unless such entity specifically requested in writing 677  
that its property be included in the district. 678

The identity and address of the owners shall be determined 679  
for any particular action of the nonprofit corporation that 680  
governs the district, including notice of meetings of the 681  
district, no more than sixty days prior to the date of the 682  
action, from the most current records available at the county 683  
auditor's office. For purposes of this chapter, the persons 684  
shown on such records as having common or joint ownership 685  
interests in a parcel of real property collectively shall 686  
constitute the owner of the real property. 687

(B) A member may file a written statement with the 688  
district's secretary at least three days prior to any meeting of 689  
the entire membership of the district to appoint a proxy to 690  
carry out the member's rights and responsibilities under this 691  
chapter at that meeting. 692

(C) A member also may appoint a designee to carry out the 693  
member's rights and responsibilities under this chapter by 694  
filing a written designation form with the district's secretary. 695  
This form shall include the name and address of the member, the 696  
name and address of the designee, and the expiration date, if 697  
any, of the designation and may authorize the designee to vote 698  
at any meeting of the district. 699

(D) A proxy or designee need not be an elector or resident 700

of any participating political subdivision of the district or a 701  
member of the district. The appointment of a proxy or a designee 702  
may be changed by filing a new form with the district's 703  
secretary. The most current form filed with the secretary is the 704  
valid appointment. Service of any notice upon a proxy or 705  
designee at the proxy's or designee's address as shown on that 706  
form satisfies any requirements for notification of the member. 707

**Sec. 1710.13.** This section does not apply to a special 708  
improvement district created by an existing qualified nonprofit 709  
corporation. 710

The process for dissolving a special improvement district 711  
or repealing an improvements or services plan may be initiated 712  
by a petition signed by members of the district who own at least 713  
twenty per cent of the appraised value of the real property 714  
located in the district, excluding church property or real 715  
property owned by the federal government, the state, or a 716  
county, township, ~~or~~ municipal corporation, or park district, 717  
unless the church, county, township, ~~or~~ municipal corporation, or 718  
or park district has specifically requested in writing that the 719  
property be included in the district, and filed with the 720  
municipal executive, if any, and the legislative authorities of 721  
all the participating political subdivisions of the district. As 722  
used in this section, "appraised value" means the taxable value 723  
established by the county auditor for purposes of real estate 724  
taxation. 725

No later than forty-five days after such a petition is 726  
filed, the members of the district shall meet to consider it. 727  
Notice of the meeting shall be given as provided in section 728  
1710.05 of the Revised Code. Upon the affirmative vote of 729  
members who collectively own more than fifty per cent of the 730  
appraised value of the real property in the district that may be 731

subject to assessment under division (C) of section 1710.06 of 732  
the Revised Code, the district shall be dissolved, or the plan 733  
shall be repealed, as applicable. 734

No rights or obligations of any person under any contract, 735  
or in relation to any bonds, notes, or assessments made under 736  
this chapter, shall be affected by the dissolution of the 737  
district or the repeal of a plan, except with the consent of 738  
that person or by order of a court with jurisdiction over the 739  
matter. Upon dissolution of a district, any assets or rights of 740  
the district, after payment of all bonds, notes, or other 741  
obligations of the district, shall be deposited in a special 742  
account in the treasury of each participating political 743  
subdivision, prorated among all participating political 744  
subdivisions to reflect the percentage of the district's 745  
territory within that political subdivision, to be used for the 746  
benefit of the territory that made up the district. 747

Once the members have approved the repeal of a plan, all 748  
bonds, notes, and other obligations of the district associated 749  
with the plan shall be paid. Thereafter, the plan shall be 750  
repealed. Upon receipt of proof that all bonds, notes, and other 751  
obligations have been paid and that the plan has been repealed, 752  
the participating political subdivisions shall terminate any 753  
levies imposed to pay for costs of the plan." 754

In line 6561, after "519.02" insert ", 1710.01, 1710.02, 1710.03, 755  
1710.13" 756

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 757

<b>Special improvement districts: park district property</b>	758
<b>R.C. 1710.01, 1710.02, 1710.03, 1710.13</b>	759
Prohibits park district property from being included in a	760
special improvement district (SID), similar to the continuing	761
exclusion for county, township, municipal, state, and federal	762
property, unless the park district consents to its inclusion.	763

\_\_\_\_\_ moved to amend as follows:

In line 1213, delete "A single" and insert "The equivalent of eight 764  
times the"; delete "a single" and insert "eight times the" 765

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 766

**Permanent noncommercial trailer registration service fee** 767

**R.C. 4503.107** 768

Changes the deputy registrar/BMV service fee due when an 769  
applicant permanently registers a noncommercial trailer from the 770  
equivalent of a single fee (currently, \$5) to the equivalent of 771  
eight times that fee (currently, \$40). 772

Accordingly, makes that fee similar to the other taxes and 773  
fees due for such permanent registration that are also eight 774  
times a single year's registration taxes and fees. 775

\_\_\_\_\_ moved to amend as follows:

In line 160, after "use" insert "through the board of zoning appeals" 776  
777

In line 355, after "use" insert "through the board of zoning appeals" 778  
779

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 780

**Zoning: Aggregate minerals mining** 781

**R.C. 303.02 and 519.02** 782

Clarifies that if a conditional use is required instead of 783  
a permitted use in a county or township zoning resolution to 784  
allow certain aggregate mineral mining activities under the 785  
bill, that conditional use must be approved through the board of 786  
zoning appeals. 787

\_\_\_\_\_ moved to amend as follows:

In line 4967, delete "A" and insert "The requirements set forth in 788  
division (B) of this section are solely related to safety, including 789  
ensuring that no train or light engine used in connection with the 790  
movement of freight in this state is left without a functional crew person 791  
as a result of a medical emergency. 792

(B) A" 793

In line 4977, delete "(B) (1)" and insert "(C) (1)" 794

In line 4978, delete "(A)" and insert "(B)" 795

In line 4995, delete "(B) (1)" and insert "(C) (1)" 796

After line 4998, insert: 797

"(D) The requirements of this section do not apply on and 798  
after the date a federal law or regulation takes effect 799  
requiring a train or light engine used in connection with the 800  
movement of freight in this state to have a crew of at least two 801  
individuals." 802

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

803

**Regulation related to safety**

804

**R.C. 4999.09**

805

Specifies that the two-person crew requirement for trains  
or light engines in the bill is solely related to safety,  
including ensuring that a train or light engine is not left  
without a functional crew person due to a medical emergency.

806

807

808

809

Provides that the two-person crew section no longer  
applies if the federal government adopts a requirement that a  
train or light engine used in connection with the movement of  
freight in Ohio must have a crew of at least two individuals.

810

811

812

813

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete ", 311.30,"	814
In line 2 of the title, delete "505.541, 509.04"; delete ", 3501.29, 3781.111"	815 816
In line 3 of the title, delete ", 4503.12"	817
In line 5 of the title, delete ", 4511.69"	818
In line 6 of the title, delete ", 4517.01, 4517.12, 4521.01,"	819
In line 7 of the title, delete "4521.02, 4731.481, 4734.161"	820
In line 12 of the title, delete ", 4503.441, 4503.442, 4503.443,"	821
Delete line 13 of the title	822
In line 14 of the title, delete "4503.448"	823
In line 15 of the title, delete ", 4511.691, 4511.692,"	824
Delete line 16 of the title	825
In line 17 of the title, delete "4511.697"	826
In line 28, delete "311.30, 505.541, 509.04,"; delete ", 3501.29, 3781.111"	827 828

In line 29, delete ", 4503.12"	829
In line 31, delete "4511.69,"; delete ", 4517.01, 4517.12, 4521.01, 4521.02,"	830 831
In line 32, delete "4731.481, 4734.161"	832
In line 35, delete ", 4503.441,"	833
Delete line 36	834
In line 37, delete "4503.448"	835
Delete line 38	836
In line 39, delete "4511.697,"	837
Delete lines 230 through 308	838
Delete lines 604 through 735	839
In line 1012, reinsert "4503.44"; delete " <u>4503.441</u> "	840
Delete lines 1283 through 1422	841
In line 1472, reinsert "(A)"; reinsert "this section and in section"	842
In line 1473, reinsert "4511.69"; delete " <u>sections 4503.44 to 4503.448</u> "	843 844
In line 1474, reinsert "(1)"; delete " <u>(A)</u> "	845
In line 1477, reinsert "(a)"; delete " <u>(1)</u> "	846
In line 1479, reinsert "(b)"; delete " <u>(2)</u> "	847
In line 1482, reinsert "(c)"; delete " <u>(3)</u> "	848
In line 1487, reinsert "(d)"; delete " <u>(4)</u> "	849
In line 1488, reinsert "(e)"; delete " <u>(5)</u> "	850
In line 1492, reinsert "(f)"; delete " <u>(6)</u> "	851
In line 1494, reinsert "(g)"; delete " <u>(7)</u> "	852

In line 1496, reinsert "(2)"; delete " <u>(B)</u> "	853
In line 1502, reinsert "This definition"	854
Reinsert line 1503	855
In line 1504, reinsert "(3)"; delete " <u>(C)</u> "	856
In line 1508, reinsert "(A) (1) (g)"; delete " <u>(A) (7)</u> "	857
In line 1509, reinsert "(4)"; delete " <u>(D)</u> "	858
In line 1512, reinsert "(5)"; delete " <u>(E)</u> "	859
In line 1514, reinsert "(6)"; delete " <u>(F)</u> "	860
In line 1519, reinsert "(7)"; delete " <u>(G)</u> "	861
In line 1522, reinsert "(8)"; delete " <u>(H)</u> "	862
In line 1524, delete "._"	863
Delete lines 1525 through 1530	864
In line 1531, delete " <u>removable windshield placard, unless otherwise specified</u> "	865
	866
Reinsert lines 1532 through 1645	867
In line 1646, reinsert "exceed"; after " <del>five</del> " insert " <u>ten</u> "; reinsert "years from the date of issuance, and that the person"	868
	869
Reinsert lines 1647 through 1852	870
Delete lines 1853 through 2212	871
Delete lines 3227 through 3883	872
Delete lines 4220 through 4753	873
In line 6561, delete ", 311.30, 505.541, 509.04"; delete ", 3501.29, 3781.111"	874
	875
In line 6562, delete ", 4503.12"	876

In line 6564, delete ", 4511.69"; delete ", 4517.01, 4517.12, 4521.01," 877  
878

In line 6565, delete "4521.02, 4731.481, 4734.161" 879

Delete line 7448 880

In line 7449, delete "H.B. 281 and H.B. 458 of the 134th General Assembly." 881  
882

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 883

**Remove accessible parking provisions** 884

R.C. 311.30, 505.541, 509.04, 3501.29, 3781.111, 4503.10, 885  
4503.12, 4503.44, 4503.441, 4503.442, 4503.443, 4503.444, 886  
4503.445, 4503.446, 4503.447, 4503.448, 4511.69, 4511.691, 887  
4511.692, 4511.693, 4511.694, 4511.695, 4511.696, 4511.697, 888  
4517.01, 4517.12, 4521.01, 4521.02, 4731.481, and 4734.161 889

Removes the provisions added by the sub-bill that modified 890  
the accessible parking laws. 891

Retains the provision added by the sub-bill that extends 892  
the expiration date of a removable windshield placard from five 893  
years to ten years. 894

\_\_\_\_\_ moved to amend as follows:

After line 6767, insert: 895

"To be eligible for TRAC approval under this section, 896  
rural highway projects are projects that are on federal or state 897  
highways in counties that do not contain a municipality with a 898  
population greater than 65,000 according to the most recent 899  
decennial census. Under this section, rural highway projects do 900  
not include projects on Interstate routes. Eligible rural 901  
highway projects shall prioritize adding capacity or reducing 902  
commute times to urban areas or other employment centers. 903

Upon completion of the TRAC application process, the 904  
Director of Transportation shall determine the remaining portion 905  
of cash available in Fund 5ZR0 after all eligible rural highway 906  
award determinations have been made. This remaining portion of 907  
cash in Fund 5ZR0 may be used to provide additional funding for 908  
nonrural highway project TRAC applications, if any such eligible 909  
applications remain." 910

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

911

**Department of Transportation**

912

**Section 203.49**

913

Specifies that rural highway projects, for purposes of approval by TRAC under the Major/New Construction Program, are those on federal or state highways in counties that do not contain a municipality with a population greater than 65,000. Excludes projects on Interstate highways from eligibility. Specifies that the projects must add capacity or reduce commute times to urban areas or employment centers.

914

915

916

917

918

919

920

Allows for the Director of Transportation to use the remaining portion of Fund 5ZR0 to fund other nonrural highway TRAC projects, once all rural highway application awards have been determined.

921

922

923

924

\_\_\_\_\_ moved to amend as follows:

- In line 9 of the title, delete ", 5589.99" 925
- In line 17 of the title, after "4999.09," insert "and"; delete ",  
and" 926  
927
- In line 18 of the title, delete "5589.25" 928
- In line 33, delete the seventh ", " 929
- In line 34, delete "5589.99" 930
- In line 39, after "4999.09," insert "and"; delete ", and 5589.25" 931
- Delete lines 6291 through 6351 932
- In line 6567, delete ", 5589.99" 933

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 934

**Blocked railroad crossings and incident reports - removal** 935

**R.C. 5589.25 and 5589.99** 936

Removes provisions in Sub. H.B. 23 that do all of the	937
following:	938
- Require a railroad company to submit to the Public	939
Utilities Commission of Ohio (PUCO) an incident report each time	940
the company blocks a crossing for more than five minutes to the	941
hindrance of those trying to cross;	942
- Impose a first degree misdemeanor and fines for a	943
railroad company that does not submit an incident report in	944
accordance with the bill;	945
- Require the PUCO to adopt rules to administer the	946
incident reporting process for railroad companies;	947
- Require the PUCO to submit an annual report to the	948
General Assembly that contains aggregated incident report	949
information each year by July 1; and	950
- Increase the fines for a railroad company that blocks a	951
crossing for more than five minutes to the hindrance of those	952
trying to cross.	953