



May 22, 2023

Re: Central Ohio Transit Authority Written Testimony Opposition to House Bill 64

Chairman Hillyer, Vice Chair Mathews and Ranking Member Galonski, the Central Ohio Transit Authority would like to express our opposition to House Bill 64. If passed, this bill would have a deeply adverse effect on COTA's ability to maintain and enhance a transit network that supports workforce transportation and economic mobility in the region.

As Ohio continues to attract significant economic development projects to the state like Intel and Honda, many of these developments are outside of a transit authority's established service area. We must expand our service and develop creative and seamless solutions to meet the increased workforce transportation demands. House Bill 64 would be a great deterrent to those efforts.

Should House Bill 64 become law, COTA would incur extraordinary costs in litigation and time-delay related expenses for critical public interest projects. This bill would cause good projects that benefit communities and provide essential access to jobs, education, healthcare and recreation to either be delayed or in many cases be canceled all together.

This bill would make negotiations and settlement almost nonexistent. Litigation not only adds expense for both sides, but also increases overall project timelines and costs. Greatly increased specified timelines or adding in open-ended timelines as the bill proposes could create years of delays. As with all projects, increases in timelines not only delay projects and development dependent on those projects, but also increases costs of the overall project. For public entities like COTA, this could result in inefficient use of taxpayer dollars.

House Bill 64 would also have harmful effects on the region's proposed growth and mobility initiative called LinkUS. This initiative will better connect our community and businesses so everyone can share in Central Ohio's success. LinkUS will create an integrated mobility system that will make it easier to walk, bike or take public transit in our region's busiest areas. It will increase access to jobs, schools, and healthcare for all members of the community. Without eminent domain parts of the LinkUS project would not be possible. The increased costs and delays created by the proposed new eminent domain law would make some or all the parts of the project that need eminent domain prohibitively expensive, if not impossible. This may undermine the entire LinkUS project effort.

While COTA does not frequently use eminent domain, it is an essential tool available to us that we do not take lightly. As a recipient of federal funds, COTA legally can only pay market price



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for properties. As this law is currently written in regard to revision of offers, it may make it impossible for COTA to even engage. Significant constraints of this ability could cause future projects to become cost prohibitive or simply impossible resulting in a transit system that is inadequate and unable to meet the region's needs.

COTA is not opposed to improving the process to the benefit of all Ohioans so that eminent domain is utilized in the most efficient and equitable manner. However, as written, we respectfully ask that the Committee reconsider the proposed adverse changes to eminent domain law.

Sincerely,

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