

I_135_0002-4

135th General Assembly
Regular Session
2023-2024

. B. No.

A BILL

To amend sections 117.16, 117.161, 124.152, 303.02, 1
306.353, 519.02, 1710.01, 1710.02, 1710.03, 2
1710.13, 4503.10, 4503.103, 4503.11, 4503.191, 3
4503.29, 4503.44, 4504.22, 4511.093, 4511.21, 4
4513.34, 4981.02, 4981.04, 5503.031, 5517.011, 5
5525.16, 5540.01, 5540.02, 5540.03, 5540.06, 6
5543.19, 5577.044, 5595.01, 5595.03, 5595.04, 7
5595.05, 5595.06, 5595.11, 5709.48, 5709.481, 8
5709.49, 5709.50, and 5709.83; to enact sections 9
4503.107, 4505.131, 4511.765, 4955.50, 4955.51, 10
4999.09, 5501.521, 5543.191, 5543.192, 5595.041, 11
and 5595.042; and to repeal section 5501.09 of 12
the Revised Code and to amend Section 265.325 of 13
H.B. 110 of the 134th General Assembly and 14
Sections 223.15 as subsequently amended, 243.10, 15
and 243.20 of H.B. 687 of the 134th General 16
Assembly to make appropriations for programs 17
related to transportation for the biennium 18
beginning July 1, 2023, and ending June 30, 19
2025, and to provide authorization and 20
conditions for the operation of those programs. 21



kvv9fetokzhkxx8ebtjcwk

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

Section 101.01. That sections 117.16, 117.161, 124.152, 22
303.02, 306.353, 519.02, 1710.01, 1710.02, 1710.03, 1710.13, 23
4503.10, 4503.103, 4503.11, 4503.191, 4503.29, 4503.44, 4504.22, 24
4511.093, 4511.21, 4513.34, 4981.02, 4981.04, 5503.031, 25
5517.011, 5525.16, 5540.01, 5540.02, 5540.03, 5540.06, 5543.19, 26
5577.044, 5595.01, 5595.03, 5595.04, 5595.05, 5595.06, 5595.11, 27
5709.48, 5709.481, 5709.49, 5709.50, and 5709.83 be amended and 28
sections 4503.107, 4505.131, 4511.765, 4955.50, 4955.51, 29
4999.09, 5501.521, 5543.191, 5543.192, 5595.041, and 5595.042 of 30
the Revised Code be enacted to read as follows: 31

Sec. 117.16. (A) The auditor of state shall do all of the 32
following: 33

(1) Develop a force account project assessment form that 34
each public office that undertakes force account projects shall 35
use to estimate or report the cost of a force account project. 36
The form shall include costs for employee salaries and benefits, 37
any other labor costs, materials, freight, fuel, hauling, 38
overhead expense, workers' compensation premiums, and all other 39
items of cost and expense, including a reasonable allowance for 40
the use of all tools and equipment used on or in connection with 41
such work and for the depreciation on the tools and equipment. 42

(2) Make the form available to public offices by any cost- 43
effective, convenient method accessible to the auditor of state 44
and the public offices; 45

(3) When conducting an audit under this chapter of a 46
public office that undertakes force account projects, examine 47
the forms and records of a sampling of the force account 48

projects the public office completed since an audit was last 49
conducted, to determine compliance with its force account 50
limits. 51

(B) If the auditor of state receives a complaint from any 52
person that a public office has violated the scope of work or 53
force account limits established for that office, the auditor of 54
state may conduct an audit in addition to the audit provided in 55
section 117.11 of the Revised Code if the auditor of state has 56
reasonable cause to believe that an additional audit is in the 57
public interest. 58

(C) (1) If the auditor of state finds that a county, 59
township, or municipal corporation violated the scope of work or 60
force account limits established for that political subdivision, 61
as applicable, the auditor of state, in addition to any other 62
action authorized by this chapter, shall notify the political 63
subdivision that, for a period of one year from the date of the 64
notification, the scope of work or force account limits for the 65
subdivision are reduced as follows: 66

(a) For a county, the limits shall be ~~ten thousand dollars~~ 67
~~per mile for construction or reconstruction of a road and forty~~ 68
~~thousand dollars for construction, reconstruction, maintenance,~~ 69
~~or repair of a bridge or culvert~~ a twenty per cent reduction from 70
the original scope of work amount authorized for the type of 71
work under which the violation occurred; 72

(b) For a township, the limit shall be fifteen thousand 73
dollars for maintenance and repair of a road or five thousand 74
per mile for construction or reconstruction of a township road; 75

(c) For a municipal corporation, the limit shall be ten 76
thousand dollars for the construction, reconstruction, widening, 77

resurfacing, or repair of a street or other public way. 78

(2) If the auditor of state finds that a county, township, 79
or municipal corporation violated the scope of work or force 80
account limits established for that political subdivision a 81
second or subsequent time, the auditor of state, in addition to 82
any other action authorized by this chapter, shall notify the 83
political subdivision that, for a period of two years from the 84
date of the notification, the scope of work or force account 85
limits for the subdivision are reduced in accordance with 86
division (C) (1) (a), (b), or (c) of this section. 87

(3) If the auditor of state finds that a county, township, 88
or municipal corporation violated the scope of work or force 89
account limits established for that political subdivision a 90
third or subsequent time, the auditor of state shall certify to 91
the tax commissioner an amount the auditor of state determines 92
to be twenty per cent of the total cost of the scope of work or 93
force account project that is the basis of the violation. Upon 94
receipt of this certification, the tax commissioner shall 95
withhold the certified amount from any funds under the tax 96
commissioner's control that are due or payable to that political 97
subdivision. The tax commissioner shall promptly deposit this 98
withheld amount to the credit of the local transportation 99
improvement program fund created by section 164.14 of the 100
Revised Code. 101

If the tax commissioner determines that no funds are due 102
and payable to the violating political subdivision or that 103
insufficient amounts of such funds are available to cover the 104
entire certified amount, the tax commissioner shall withhold and 105
deposit to the credit of the local transportation improvement 106
program fund any amount available and certify the remaining 107

amount to be withheld to the county auditor of the county in 108
which the political subdivision is located. The county auditor 109
shall withhold from that political subdivision any amount, up to 110
that certified by the tax commissioner, that is available from 111
any funds under the county auditor's control, that is due or 112
payable to that political subdivision, and that can be lawfully 113
withheld. The county auditor shall promptly pay that withheld 114
amount to the tax commissioner for deposit into the local 115
transportation improvement program fund. 116

The payments required under division (C) (3) of this 117
section are in addition to the scope of work or force account 118
limit reductions described in division (C) (2) of this section 119
and also are in addition to any other action authorized by this 120
chapter. 121

(D) If the auditor of state finds that a county, township, 122
or municipal corporation violated its scope of work or force 123
account limits when participating in a joint force account 124
project, the auditor of state shall impose the reduction in 125
scope of work or force account limits under division (C) of this 126
section on all entities participating in the joint project. 127

(E) As used in this section, ~~"force":~~ 128

(1) "Force account limits" means any of the following, as 129
applicable: 130

~~(1) For a county, the amounts established in section~~ 131
~~5543.19 of the Revised Code;~~ 132

~~(2) (a) For a township, the amounts established in section~~ 133
~~5575.01 of the Revised Code;~~ 134

~~(3) (b) For a municipal corporation, the amount~~ 135
~~established in section 723.52 of the Revised Code;~~ 136

~~(4)-(c)~~ For the department of transportation, the amount 137
established in section 5517.02 of the Revised Code. 138

(2) "Scope of work" means either of the following, as 139
applicable: 140

(a) For a county, the projects listed in section 5543.191 141
of the Revised Code within their specified limitations; 142

(b) For the department of transportation, the projects 143
listed in section 5517.021 of the Revised Code within their 144
specified limitations. 145

Sec. 117.161. If the department of transportation, a 146
county, a township, or a municipal corporation proposes a joint 147
force account project with one or more other entities, the 148
controlling force account limit or the scope of work limit shall 149
be either the higher force account limit that applies between 150
the participating entities or, if applicable, the scope of work 151
limit. The participating entities shall not aggregate their 152
respective force account limits or scope of work limit, and the 153
share of each participating entity shall not exceed its 154
respective force account limit or scope of work limit. One of 155
the participating entities shall complete the force account 156
project assessment form developed by the auditor of state under 157
section 117.16 of the Revised Code prior to proceeding by force 158
account. 159

The department of transportation and any county, township, 160
or municipal corporation shall not proceed with a joint force 161
account project if any one of the participating entities is 162
subject to reduced force account limits under division (C) or 163
(D) of section 117.16 of the Revised Code. 164

As used in this section, "force account limits" has the 165

same meaning as in section 117.16 of the Revised Code. 166

Sec. 124.152. (A) (1) Except as provided in division (A) (2) 167
of this section, each exempt employee shall be paid a salary or 168
wage in accordance with schedule E-1 or schedule E-2 of division 169
(B) of this section. 170

(2) Each exempt employee who holds a position in the 171
unclassified civil service pursuant to division (A) (26) or (30) 172
of section 124.11 of the Revised Code may be paid a salary or 173
wage in accordance with schedule E-1 or schedule E-2 of division 174
(B) of this section, as applicable. 175

(B) (1) Each exempt employee who must be paid in accordance 176
with schedule E-1 or schedule E-2 of this section shall be paid 177
a salary or wage in accordance with the following schedule of 178
rates as of the pay period that includes July 1, 2021: 179

Schedule E-1 180

181

1 2 3 4 5 6 7 8 9 10

A Pay Ranges and Step Values

B

C Step 1 Step 2 Step 3 Step 4 Step 5 Step 6 Step 7 Step 8

D Range

182

	1	2	3	4	5	6	7	8	9	10
A	1	Hourly	12.14	12.69	13.21	13.80				
B		Annually	25251	26395	27476	28704				
C	2	Hourly	14.73	15.36	16.01	16.72				
D		Annually	30638	31948	33300	34777				
E	3	Hourly	15.44	16.13	16.84	17.56				
F		Annually	32115	33550	35027	36524				
G	4	Hourly	16.20	16.93	17.75	18.51				
H		Annually	33696	35214	36920	38500				
I	5	Hourly	17.00	17.78	18.51	19.33				
J		Annually	35360	36982	38500	40206				
K	6	Hourly	17.91	18.66	19.47	20.27				
L		Annually	37252	38812	40497	42161				
M	7	Hourly	19.01	19.72	20.54	21.25	22.07			
N		Annually	39540	41017	42723	44200	45905			
O	8	Hourly	20.11	21.00	21.90	22.89	23.97			
P		Annually	41828	43680	45552	47611	49857			
Q	9	Hourly	21.45	22.56	23.67	24.85	26.11			

R		Annually	44616	46924	49233	51688	54308			
S	10	Hourly	23.13	24.41	25.72	27.20	28.64			
T		Annually	48110	50772	53497	56576	59571			
U	11	Hourly	25.20	26.66	28.20	29.80	31.49			
V		Annually	52416	55452	58656	61984	65499			
W	12	Hourly	27.80	29.36	30.93	32.64	34.46	36.34	37.82	39.60
X		Annually	57824	61068	64334	67891	71676	75587	78665	82368
Y	13	Hourly	30.64	32.32	34.09	35.92	37.95	39.99	41.63	43.59
Z		Annually	63731	67225	70907	74713	78936	83179	86590	90667
AA	14	Hourly	33.69	35.61	37.52	39.56	41.80	44.13	45.95	48.10
AB		Annually	70075	74068	78041	82284	86944	91790	95576	100048
AC	15	Hourly	37.02	39.10	41.30	43.57	45.99	48.51	50.50	52.88
AD		Annually	77001	81328	85904	90625	95659	100900	105040	109990
AE	16	Hourly	40.81	43.08	45.45	48.00	50.63	53.53	55.73	58.34
AF		Annually	84884	89606	94536	99840	105310	111342	115918	121347
AG	17	Hourly	44.96	47.44	50.10	52.86	55.83	58.94		
AH		Annually	93516	98675	104208	109948	116126	122595		
AI	18	Hourly	49.55	52.29	55.24	58.28	61.50	64.94		

AJ Annually 103064 108763 114899 121222 127920 135075

Schedule E-2

183

184

	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	48.99
C		Annually	33758	101899
D	42	Hourly	17.89	54.09
E		Annually	37211	112507
F	43	Hourly	19.70	59.56
G		Annually	40976	123884
H	44	Hourly	21.73	65.08
I		Annually	45198	135366
J	45	Hourly	24.01	71.05
K		Annually	49941	147784
L	46	Hourly	26.43	77.65
M		Annually	54974	161512
N	47	Hourly	29.14	84.75

C	2	Hourly	15.17	15.82	16.49	17.22	
D		Annually	31553	32905	34299	35817	
E	3	Hourly	15.90	16.61	17.35	18.09	
F		Annually	33072	34548	36088	37627	
G	4	Hourly	16.69	17.44	18.28	19.07	
H		Annually	34715	36275	38022	39665	
I	5	Hourly	17.51	18.31	19.07	19.91	
J		Annually	36420	38084	39665	41412	
K	6	Hourly	18.45	19.22	20.05	20.88	
L		Annually	38376	39977	41704	43430	
M	7	Hourly	19.58	20.31	21.16	21.89	22.73
N		Annually	40726	42244	44012	45531	47278
O	8	Hourly	20.71	21.63	22.56	23.58	24.69
P		Annually	43076	44990	46924	49046	51355
Q	9	Hourly	22.09	23.24	24.38	25.60	26.89
R		Annually	45947	48339	50710	53248	55931
S	10	Hourly	23.82	25.14	26.49	28.02	29.50
T		Annually	49545	52291	55099	58281	61360

U	11	Hourly	25.96	27.46	29.05	30.69	32.43		
V		Annually	53996	57116	60424	63835	67454		
W	12	Hourly	28.63	30.24	31.86	33.62	35.49	37.43	40.79
X		Annually	59550	62889	66268	69929	73819	77854	81016
Y	13	Hourly	31.56	33.29	35.11	37.00	39.09	41.19	42.88
Z		Annually	65644	69243	73028	76960	81307	85675	89190
AA	14	Hourly	34.70	36.68	38.65	40.75	43.05	45.45	47.33
AB		Annually	72176	76294	80392	84760	89544	94536	98446
AC	15	Hourly	38.13	40.27	42.54	44.88	47.37	49.97	52.02
AD		Annually	79310	83761	88483	93350	98529	103937	108201
AE	16	Hourly	42.03	44.37	46.81	49.44	52.15	55.14	57.40
AF		Annually	87422	92289	97364	102835	108472	114691	119392
AG	17	Hourly	46.31	48.86	51.60	54.45	57.50	60.71	
AH		Annually	96324	101628	107328	113256	119600	126276	
AI	18	Hourly	51.04	53.86	56.90	60.03	63.35	66.89	
AJ		Annually	106163	112028	118352	124862	131768	139131	

Schedule E-2

192

193

1

2

3

4

A	Range		Minimum	Maximum
B	41	Hourly	16.23	50.46
C		Annually	33758	104956
D	42	Hourly	17.89	55.71
E		Annually	37211	115876
F	43	Hourly	19.70	61.35
G		Annually	40976	127608
H	44	Hourly	21.73	67.03
I		Annually	45198	139422
J	45	Hourly	24.01	73.18
K		Annually	49941	152214
L	46	Hourly	26.43	79.98
M		Annually	54974	166358
N	47	Hourly	29.14	87.29
O		Annually	60611	181563
P	48	Hourly	32.14	95.22
Q		Annually	66851	198057
R	49	Hourly	35.44	102.82

L	5	Hourly	18.04	18.86	19.64	20.51				
M		Annually	37523	39228	40851	42660				
N	6	Hourly	19.00	19.80	20.65	21.51				
O		Annually	39520	41184	42952	44740				
P	7	Hourly	20.17	20.92	21.79	22.55	23.41			
Q		Annually	41953	43513	45323	46904	48692			
R	8	Hourly	21.33	22.28	23.24	24.29	25.43			
S		Annually	44366	46342	48339	50523	52894			
T	9	Hourly	22.75	23.94	25.11	26.37	27.70			
U		Annually	47320	49795	52228	54849	57616			
V	10	Hourly	24.53	25.89	27.28	28.86	30.39			
W		Annually	51022	53851	56742	60028	63211			
X	11	Hourly	26.74	28.28	29.92	31.61	33.40			
Y		Annually	55619	58822	62233	65748	69472			
Z	12	Hourly	29.49	31.15	32.82	34.63	36.55	38.55	40.12	42.01
AA		Annually	61339	64792	68265	72030	76024	80184	83449	87380
AB	13	Hourly	32.51	34.29	36.16	38.11	40.26	42.43	44.17	46.25
AC		Annually	67620	71323	75212	79268	83740	88254	91873	96200

AD	14	Hourly	35.74	37.78	39.81	41.97	44.34	46.81	48.75	51.03
AE		Annually	74339	78582	82804	87297	92227	97364	101400	106142
AF	15	Hourly	39.27	41.48	43.82	46.23	48.79	51.47	53.58	56.10
AG		Annually	81681	86278	91145	96158	101483	107057	111446	116688
AH	16	Hourly	43.29	45.70	48.21	50.92	53.71	56.79	59.12	61.89
AI		Annually	90043	95056	100276	105913	111716	118123	122969	128731
AJ	17	Hourly	47.70	50.33	53.15	56.08	59.23	62.53	<u>65.97</u>	
AK		Annually	99216	104686	110552	116646	123198	130062	<u>137217</u>	
AL	18	Hourly	52.57	55.48	58.61	61.83	65.25	68.90		
AM		Annually	109345	115398	121908	128606	135720	143312		
AN	<u>19</u>	<u>Hourly</u>	<u>57.83</u>	<u>61.03</u>	<u>64.47</u>	<u>68.01</u>	<u>71.78</u>	<u>75.79</u>		
AO		<u>Annually</u>	<u>120286</u>	<u>126942</u>	<u>134097</u>	<u>141460</u>	<u>149302</u>	<u>157643</u>		

Schedule E-2

200

201

	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	51.97
C		Annually	33758	108097

D	42	Hourly	17.89	57.38
E		Annually	37211	119350
F	43	Hourly	19.70	63.19
G		Annually	40976	131435
H	44	Hourly	21.73	69.04
I		Annually	45198	143603
J	45	Hourly	24.01	75.38
K		Annually	49941	156790
L	46	Hourly	26.43	82.38
M		Annually	54974	171350
N	47	Hourly	29.14	89.91
O		Annually	60611	187012
P	48	Hourly	32.14	98.08
Q		Annually	66851	204006
R	49	Hourly	35.44	105.90
S		Annually	73715	220272

(C) As used in this section: 202

(1) "Exempt employee" means a permanent full-time or 203
permanent part-time employee paid directly by warrant of the 204

director of budget and management whose position is included in 205
the job classification plan established under division (A) of 206
section 124.14 of the Revised Code but who is not considered a 207
public employee for the purposes of Chapter 4117. of the Revised 208
Code. "Exempt employee" also includes a permanent full-time or 209
permanent part-time employee of the secretary of state, auditor 210
of state, treasurer of state, or attorney general who has not 211
been placed in an appropriate bargaining unit by the state 212
employment relations board. 213

(2) "Base rate of pay" means the rate of pay established 214
under schedule E-1 of this section, plus the supplement provided 215
under division (E) of section 124.181 of the Revised Code, plus 216
any supplements enacted into law that are added to schedule E-1 217
of this section. 218

~~(D) (1) The director of administrative services shall adopt 219
rules establishing pay range 19 in schedule E-1 of division (B) 220
(3) of this section. In the rules, the director shall do both of 221
the following: 222~~

~~(a) Require that an individual paid in accordance with 223
range 19 be paid a minimum annual salary of \$101,935 up to a 224
maximum annual salary of \$122,465. 225~~

~~(b) Establish the step values within range 19 and 226
determine the hourly rates of pay that correspond to the annual 227
salaries assigned to the steps. 228~~

~~(2) The director of administrative services shall adopt 229
rules identifying a (D) Notwithstanding any division of this 230
section to the contrary, or division (E) or (G) of section 231
124.15 of the Revised Code with respect to requirements for step 232
placement and advancement, no exempt employee other than a 233~~

~~captain or equivalent officer in the state highway patrol shall~~ 234
~~be placed in step value 7 in range 17 of schedule E-1 of~~ 235
~~division (B) (3) of this section. In the rules, the director~~ 236
~~shall identify the hourly and annual pay for step value 7 in~~ 237
~~range 17, which shall be proportionally higher than the hourly~~ 238
~~and annual pay for step value 6 in range 17.~~ 239

Sec. 303.02. (A) Except as otherwise provided in this 240
section, in the interest of the public health and safety, the 241
board of county commissioners may regulate by resolution, in 242
accordance with a comprehensive plan, the location, height, 243
bulk, number of stories, and size of buildings and other 244
structures, including tents, cabins, and trailer coaches, 245
percentages of lot areas that may be occupied, set back building 246
lines, sizes of yards, courts, and other open spaces, the 247
density of population, the uses of buildings and other 248
structures, including tents, cabins, and trailer coaches, and 249
the uses of land for trade, industry, residence, recreation, or 250
other purposes in the unincorporated territory of the county. 251
Except as otherwise provided in this section, in the interest of 252
the public convenience, comfort, prosperity, or general welfare, 253
the board, by resolution, in accordance with a comprehensive 254
plan, may regulate the location of, set back lines for, and the 255
uses of buildings and other structures, including tents, cabins, 256
and trailer coaches, and the uses of land for trade, industry, 257
residence, recreation, or other purposes in the unincorporated 258
territory of the county, and may establish reasonable 259
landscaping standards and architectural standards excluding 260
exterior building materials in the unincorporated territory of 261
the county. Except as otherwise provided in this section, in the 262
interest of the public convenience, comfort, prosperity, or 263
general welfare, the board may regulate by resolution, in 264

accordance with a comprehensive plan, for nonresidential 265
property only, the height, bulk, number of stories, and size of 266
buildings and other structures, including tents, cabins, and 267
trailer coaches, percentages of lot areas that may be occupied, 268
sizes of yards, courts, and other open spaces, and the density 269
of population in the unincorporated territory of the county. For 270
all these purposes, the board may divide all or any part of the 271
unincorporated territory of the county into districts or zones 272
of such number, shape, and area as the board determines. All 273
such regulations shall be uniform for each class or kind of 274
building or other structure or use throughout any district or 275
zone, but the regulations in one district or zone may differ 276
from those in other districts or zones. 277

For any activities permitted and regulated under Chapter 278
1513. or 1514. of the Revised Code and any related processing 279
activities, the board of county commissioners may regulate under 280
the authority conferred by this section only in the interest of 281
public health or safety. A zoning resolution authorized under 282
this section shall provide for the activities that are permitted 283
and regulated under Chapter 1514. of the Revised Code, and any 284
related processing activities, as either a permitted use or a 285
conditional use through the board of zoning appeals in any 286
district or zone when such activities are to be added to an 287
existing permit issued under Chapter 1514. of the Revised Code. 288

(B) A board of county commissioners that pursuant to this 289
chapter regulates adult entertainment establishments, as defined 290
in section 2907.39 of the Revised Code, may modify its 291
administrative zoning procedures with regard to adult 292
entertainment establishments as the board determines necessary 293
to ensure that the procedures comply with all applicable 294
constitutional requirements. 295

<u>Sec. 306.353. This (A) As used in this section applies</u>	296
<u>only to:</u>	297
<u>(1) "Qualifying regional transit authority" means a</u>	298
<u>regional transit authority whose territory includes a county</u>	299
<u>having a population of more than seven hundred fifty thousand</u>	300
<u>but less than nine hundred thousand as of the most recent</u>	301
<u>federal decennial census.</u>	302
<u>(2) "Qualifying project" means the general construction or</u>	303
<u>maintenance of roads or bridges related to the provision of</u>	304
<u>service by a qualifying regional transit authority.</u>	305
<u>(3) "Qualifying bonds" means bonds or similar obligations</u>	306
<u>issued by a county, municipal corporation, township, or</u>	307
<u>transportation improvement district to fund or finance</u>	308
<u>qualifying projects.</u>	309
<u>(4) "Sales and use tax" means a tax levied in accordance</u>	310
<u>with sections 5739.023 and 5741.022 of the Revised Code.</u>	311
<u>(B) A qualifying regional transit authority to which this</u>	312
<u>section applies may levy a sales and use tax, in accordance with</u>	313
<u>section 5739.023 of the Revised Code, in part for the specific</u>	314
<u>purpose of funding the general construction or maintenance of</u>	315
<u>roads or bridges related to the provision of service by the</u>	316
<u>regional transit authority or financing a qualifying project. If</u>	317
<u>a regional transit authority levies such a tax, the authority</u>	318
<u>shall enter into agreements, which may include an agreement in</u>	319
<u>effect for more than one year, with counties, municipal</u>	320
<u>corporations, and townships, and transportation improvement</u>	321
<u>districts located within the authority's territorial boundaries</u>	322
<u>to fund such or finance qualifying projects. Pursuant to such an</u>	323
<u>agreement, the authority may pledge or assign sales and use tax</u>	324

revenue to pay the debt service on qualifying bonds. Such 325
agreements shall be entered into before the authority may spend 326
any portion of the revenue from ~~such a~~ sales and use tax for 327
~~general construction or maintenance of any roads or bridges~~ a 328
qualifying project. Such agreements are subject to all of the 329
following: 330

~~(A)~~ (1) The regional transit authority shall submit each 331
such agreement for approval to the appropriate public works 332
integrating committee designated under section 164.03 of the 333
Revised Code. 334

~~(B)~~ (2) The integrating committee shall, on at least an 335
annual basis, review and approve or deny agreements submitted to 336
it under division ~~(A)~~ (B) (1) of this section, except for an 337
agreement that is in effect for more than one year and that was 338
reviewed and approved in a prior meeting of the committee. 339

~~(C)~~ (3) Notwithstanding anything to the contrary in 340
section 164.04 of the Revised Code, approvals and denials shall 341
be by an affirmative vote of six of the members of the 342
integrating committee. 343

~~(D)~~ (4) The integrating committee shall notify the 344
authority of the approval or denial. 345

~~(E)~~ (5) The qualifying regional transit authority shall 346
expend funds only as authorized in an approved agreement. 347

(C) Neither a qualifying regional transit authority, nor 348
the electors thereof, may repeal, rescind, or reduce any portion 349
of a sales and use tax pledged or assigned to pay the debt 350
service on qualifying bonds while those bonds remain 351
outstanding. If the sales and use tax is not in effect for a 352
continuing period of time, the final principal maturity date of 353

qualifying bonds shall not extend beyond the final year that the 354
tax is collected. 355

Sec. 519.02. (A) Except as otherwise provided in this 356
section, in the interest of the public health and safety, the 357
board of township trustees may regulate by resolution, in 358
accordance with a comprehensive plan, the location, height, 359
bulk, number of stories, and size of buildings and other 360
structures, including tents, cabins, and trailer coaches, 361
percentages of lot areas that may be occupied, set back building 362
lines, sizes of yards, courts, and other open spaces, the 363
density of population, the uses of buildings and other 364
structures, including tents, cabins, and trailer coaches, and 365
the uses of land for trade, industry, residence, recreation, or 366
other purposes in the unincorporated territory of the township. 367
Except as otherwise provided in this section, in the interest of 368
the public convenience, comfort, prosperity, or general welfare, 369
the board by resolution, in accordance with a comprehensive 370
plan, may regulate the location of, set back lines for, and the 371
uses of buildings and other structures, including tents, cabins, 372
and trailer coaches, and the uses of land for trade, industry, 373
residence, recreation, or other purposes in the unincorporated 374
territory of the township, and may establish reasonable 375
landscaping standards and architectural standards excluding 376
exterior building materials in the unincorporated territory of 377
the township. Except as otherwise provided in this section, in 378
the interest of the public convenience, comfort, prosperity, or 379
general welfare, the board may regulate by resolution, in 380
accordance with a comprehensive plan, for nonresidential 381
property only, the height, bulk, number of stories, and size of 382
buildings and other structures, including tents, cabins, and 383
trailer coaches, percentages of lot areas that may be occupied, 384

sizes of yards, courts, and other open spaces, and the density 385
of population in the unincorporated territory of the township. 386
For all these purposes, the board may divide all or any part of 387
the unincorporated territory of the township into districts or 388
zones of such number, shape, and area as the board determines. 389
All such regulations shall be uniform for each class or kind of 390
building or other structure or use throughout any district or 391
zone, but the regulations in one district or zone may differ 392
from those in other districts or zones. 393

For any activities permitted and regulated under Chapter 394
1513. or 1514. of the Revised Code and any related processing 395
activities, the board of township trustees may regulate under 396
the authority conferred by this section only in the interest of 397
public health or safety. A zoning resolution authorized under 398
this section shall provide for the activities that are permitted 399
and regulated under Chapter 1514. of the Revised Code, and any 400
related processing activities, as either a permitted use or a 401
conditional use through the board of zoning appeals in any 402
district or zone when such activities are to be added to an 403
existing permit issued under Chapter 1514. of the Revised Code. 404

(B) A board of township trustees that pursuant to this 405
chapter regulates adult entertainment establishments, as defined 406
in section 2907.39 of the Revised Code, may modify its 407
administrative zoning procedures with regard to adult 408
entertainment establishments as the board determines necessary 409
to ensure that the procedures comply with all applicable 410
constitutional requirements. 411

Sec. 1710.01. As used in this chapter: 412

(A) "Special improvement district" means a special 413
improvement district organized under this chapter. 414

(B) "Church" means a fellowship of believers, 415
congregation, society, corporation, convention, or association 416
that is formed primarily or exclusively for religious purposes 417
and that is not formed for the private profit of any person. 418

(C) "Church property" means property that is described as 419
being exempt from taxation under division (A) (2) of section 420
5709.07 of the Revised Code and that the county auditor has 421
entered on the exempt list compiled under section 5713.07 of the 422
Revised Code. 423

(D) "Municipal executive" means the mayor, city manager, 424
or other chief executive officer of the municipal corporation in 425
which a special improvement district is located. 426

(E) "Participating political subdivision" means the 427
municipal corporation or township, or each of the municipal 428
corporations or townships, that has territory within the 429
boundaries of a special improvement district created under this 430
chapter. 431

(F) "Legislative authority of a participating political 432
subdivision" means, with reference to a township, the board of 433
township trustees. 434

(G) "Public improvement" means the planning, design, 435
construction, reconstruction, enlargement, or alteration of any 436
facility or improvement, including the acquisition of land, for 437
which a special assessment may be levied under Chapter 727. of 438
the Revised Code, and includes any special energy improvement 439
project or shoreline improvement project. 440

(H) "Public service" means any service that can be 441
provided by a municipal corporation or any service for which a 442
special assessment may be levied under Chapter 727. of the 443

Revised Code. 444

(I) "Special energy improvement project" means any 445
property, device, structure, or equipment necessary for the 446
acquisition, installation, equipping, and improvement of any 447
real or personal property used for the purpose of creating a 448
solar photovoltaic project, a solar thermal energy project, a 449
geothermal energy project, a customer-generated energy project, 450
or an energy efficiency improvement, whether such real or 451
personal property is publicly or privately owned. 452

(J) (1) Except as provided in division (J) (2) of this 453
section, "existing" qualified nonprofit corporation" means a 454
nonprofit corporation that existed before the creation of the 455
corresponding district under this chapter, that is composed of 456
members located within or adjacent to the district, that has 457
established a police department under section 1702.80 of the 458
Revised Code, and that is organized for purposes that include 459
acquisition of real property within an area specified by its 460
articles for the subsequent transfer of such property to its 461
members exclusively for charitable, scientific, literary, or 462
educational purposes, or holding and maintaining and leasing 463
such property; planning for and assisting in the development of 464
its members; providing for the relief of the poor and distressed 465
or underprivileged in the area and adjacent areas; combating 466
community deterioration and lessening the burdens of government; 467
providing or assisting others in providing housing for low- or 468
moderate-income persons; and assisting its members by the 469
provision of public safety and security services, parking 470
facilities, transit service, landscaping, and parks. 471

(2) Regarding a special improvement district to implement 472
a shoreline improvement project, "existing qualified nonprofit 473

corporation" has the same meaning as in division (J) (1) of this section, except that the nonprofit does not need to have an established police department and does not need to be organized for purposes that include the acquisition of real property.

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

(L) "Customer-generated energy project" means a wind, biomass, or gasification facility for the production of electricity that meets either of the following requirements:

(1) The facility is designed to have a generating capacity of two hundred fifty kilowatts of electricity or less.

(2) The facility is:

(a) Designed to have a generating capacity of more than two hundred fifty kilowatts of electricity;

(b) Operated in parallel with electric transmission and distribution facilities serving the real property at the site of the customer-generated energy project;

(c) Intended primarily to offset part or all of the facility owner's requirements for electricity at the site of the customer-generated energy project and is located on the facility owner's real property; and

(d) Not producing energy for direct sale by the facility owner to the public.

(M) "Reduction in demand" means a change in customer

behavior or a change in customer-owned or operated assets that 502
reduces or has the capability to reduce the demand for 503
electricity as a result of price signals or other incentives. 504

(N) "Electric distribution utility" and "mercantile 505
customer" have the same meanings as in section 4928.01 of the 506
Revised Code. 507

(O) "Shoreline improvement project" means acquiring, 508
constructing, installing, equipping, improving, maintaining, or 509
repairing real or tangible personal property necessary or useful 510
for making improvements to abate erosion along either the Lake 511
Erie shoreline or any water resource. 512

(P) "Water resource" has the same meaning as in section 513
6105.01 of the Revised Code. 514

(Q) "Park district" means a park district created under 515
Chapter 1545. of the Revised Code. 516

Sec. 1710.02. (A) (1) A special improvement district may be 517
created within the boundaries of any one municipal corporation, 518
any one township, or any combination of municipal corporations 519
and townships within a single county, or counties that adjoin 520
one another, for the purpose of developing and implementing 521
plans for public improvements and public services that benefit 522
the district. A district may be created by petition of the 523
owners of real property within the proposed district, or by an 524
existing qualified nonprofit corporation. 525

(2) If the district is created by an existing qualified 526
nonprofit corporation, the purposes for which the district is 527
created may be supplemental to the other purposes for which the 528
corporation is organized. The corporation is considered a 529
special improvement district only when it acts with respect to a 530

purpose for which the district is created, and not when it acts 531
with respect to any other purpose for which it is organized. 532

(3) All territory in a special improvement district shall 533
be contiguous; except that the territory in a special 534
improvement district may be noncontiguous if at least one 535
special energy improvement project or shoreline improvement 536
project is designated for each parcel of real property included 537
within the special improvement district. Additional territory 538
may be added to a special improvement district created under 539
this chapter for the purpose of developing and implementing 540
plans for special energy improvement projects or shoreline 541
improvement projects if at least one special energy improvement 542
project or shoreline improvement project, respectively, is 543
designated for each parcel of real property included within such 544
additional territory and the addition of territory is authorized 545
by the initial plan proposed under division (F) of this section 546
or a plan adopted by the board of directors of the special 547
improvement district under section 1710.06 of the Revised Code. 548

(4) The district shall be governed by the board of 549
trustees of a nonprofit corporation. This board shall be known 550
as the board of directors of the special improvement district. 551

(5) No special improvement district shall include any 552
church property, or property of the federal or state government 553
or a county, township, ~~or~~ municipal corporation, or park 554
district, unless the church or the county, township, ~~or~~ 555
municipal corporation, or park district specifically requests in 556
writing that the property be included within the district, or 557
unless the church is a member of the existing qualified 558
nonprofit corporation creating the district at the time the 559
district is created. 560

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

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

(8) The area of each district shall be contiguous; except that the area of a special improvement district may be noncontiguous if all parcels of real property included within such area contain at least one special energy improvement or shoreline improvement thereon.

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

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

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

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

(4) All records of the district are public records under 590
section 149.43 of the Revised Code, except that records of 591
organizations contracting with a district are not public records 592
under section 149.43 or section 149.431 of the Revised Code 593
solely by reason of any contract with a district. 594

(C) (1) Subject to division (C) (2) of this section, both of 595
the following apply: 596

(a) Membership on the board of directors of the district 597
shall not be considered as holding a public office. However, 598
each member of the board of directors of a district, each 599
member's designee or proxy, and each officer or employee of a 600
district is a public official or employee under section 102.01 601
and a public official under section 2921.42 of the Revised Code. 602
District officers and district members and directors and their 603
designees or proxies are not required to file a statement with 604
the Ohio ethics commission under section 102.02 of the Revised 605
Code. 606

(b) Directors and their designees shall be entitled to the 607
immunities provided by Chapter 1702. and to the same immunity as 608
an employee under division (A) (6) of section 2744.03 of the 609
Revised Code, except that directors and their designees shall 610
not be entitled to the indemnification provided in section 611
2744.07 of the Revised Code unless the director or designee is 612
an employee or official of a participating political subdivision 613
of the district and is acting within the scope of the director's 614
or designee's employment or official responsibilities. 615

(2) District officers and district members and directors 616
of a district created by an existing qualified nonprofit 617
corporation, and their designees or proxies, are public 618
officials or employees under section 102.01 and public officials 619

under section 2921.42 of the Revised Code by virtue of their 620
positions with the corporation only when they act with respect 621
to a purpose for which the district is created, and not when 622
they act with respect to any other purpose for which the 623
corporation is organized. 624

(D) Except as otherwise provided in this section, the 625
nonprofit corporation that governs a district shall be organized 626
in the manner described in Chapter 1702. of the Revised Code. 627
Except in the case of a district created by an existing 628
qualified nonprofit corporation, the corporation's articles of 629
incorporation are required to be approved, as provided in 630
division (E) of this section, by resolution of the legislative 631
authority of each participating political subdivision of the 632
district. A copy of that resolution shall be filed along with 633
the articles of incorporation in the secretary of state's 634
office. 635

In addition to meeting the requirements for articles of 636
incorporation set forth in Chapter 1702. of the Revised Code, 637
the articles of incorporation for the nonprofit corporation 638
governing a district formed under this chapter shall provide all 639
the following: 640

(1) The name for the district, which shall include the 641
name of each participating political subdivision of the 642
district; 643

(2) A description of the territory within the district, 644
which may be all or part of each participating political 645
subdivision. The description shall be specific enough to enable 646
real property owners to determine if their property is located 647
within the district. 648

(3) A description of the procedure by which the articles 649
of incorporation may be amended. The procedure shall include 650
receiving approval of the amendment, by resolution, from the 651
legislative authority of each participating political 652
subdivision and filing the approved amendment and resolution 653
with the secretary of state. 654

(4) The reasons for creating the district, plus an 655
explanation of how the district will be conducive to the public 656
health, safety, peace, convenience, and welfare of the district. 657

(E) The articles of incorporation for a nonprofit 658
corporation governing a district created under this chapter and 659
amendments to them shall be submitted to the municipal 660
executive, if any, and the legislative authority of each 661
municipal corporation or township in which the proposed district 662
is to be located. Except in the case of a district created by an 663
existing qualified nonprofit corporation, the articles or 664
amendments shall be accompanied by a petition signed either by 665
the owners of at least sixty per cent of the front footage of 666
all real property located in the proposed district that abuts 667
upon any street, alley, public road, place, boulevard, parkway, 668
park entrance, easement, or other existing public improvement 669
within the proposed district, excluding church property or 670
property owned by the state, county, township, municipal, park 671
district, or federal government, unless a church, county, 672
township, ~~or~~ municipal corporation, or park district has 673
specifically requested in writing that the property be included 674
in the district, or by the owners of at least seventy-five per 675
cent of the area of all real property located within the 676
proposed district, excluding church property or property owned 677
by the state, county, township, municipal, park district, or 678
federal government, unless a church, county, township, ~~or~~ 679

municipal corporation, or park district has specifically 680
requested in writing that the property be included in the 681
district. Pursuant to Section 2o of Article VIII, Ohio 682
Constitution, the petition required under this division may be 683
for the purpose of developing and implementing plans for special 684
energy improvement projects or shoreline improvement projects, 685
and, in such case, is determined to be in furtherance of the 686
purposes set forth in Section 2o of Article VIII, Ohio 687
Constitution. Except as provided in division (H) of this 688
section, if a special improvement district is being created 689
under this chapter for the purpose of developing and 690
implementing plans for special energy improvement projects or 691
shoreline improvement projects, the petition required under this 692
division shall be signed by one hundred per cent of the owners 693
of the area of all real property located within the proposed 694
special improvement district, at least one special energy 695
improvement project or shoreline improvement project shall be 696
designated for each parcel of real property within the special 697
improvement district, and the special improvement district may 698
include any number of parcels of real property as determined by 699
the legislative authority of each participating political 700
subdivision in which the proposed special improvement district 701
is to be located. For purposes of determining compliance with 702
these requirements, the area of the district, or the front 703
footage and ownership of property, shall be as shown in the most 704
current records available at the county recorder's office and 705
the county engineer's office sixty days prior to the date on 706
which the petition is filed. 707

Each municipal corporation or township with which the 708
petition is filed has sixty days to approve or disapprove, by 709
resolution, the petition, including the articles of 710

incorporation. In the case of a district created by an existing 711
qualified nonprofit corporation, each municipal corporation or 712
township has sixty days to approve or disapprove the creation of 713
the district after the corporation submits the articles of 714
incorporation or amendments thereto. This chapter does not 715
prohibit or restrict the rights of municipal corporations under 716
Article XVIII of the Ohio Constitution or the right of the 717
municipal legislative authority to impose reasonable conditions 718
in a resolution of approval. The acquisition, installation, 719
equipping, and improvement of a special energy improvement 720
project under this chapter shall not supersede any local zoning, 721
environmental, or similar law or regulation. In addition, all 722
activities associated with a shoreline improvement project that 723
is implemented under this chapter shall comply with all 724
applicable local zoning requirements, all local, state, and 725
federal environmental laws and regulations, and all applicable 726
requirements established in Chapter 1506. of the Revised Code 727
and rules adopted under it. 728

(F) Persons proposing creation and operation of the 729
district may propose an initial plan for public services or 730
public improvements that benefit all or any part of the 731
district. Any initial plan shall be submitted as part of the 732
petition proposing creation of the district or, in the case of a 733
district created by an existing qualified nonprofit corporation, 734
shall be submitted with the articles of incorporation or 735
amendments thereto. 736

An initial plan may include provisions for the following: 737

(1) Creation and operation of the district and of the 738
nonprofit corporation to govern the district under this chapter; 739

(2) Hiring employees and professional services; 740

(3) Contracting for insurance;	741
(4) Purchasing or leasing office space and office equipment;	742 743
(5) Other actions necessary initially to form, operate, or organize the district and the nonprofit corporation to govern the district;	744 745 746
(6) A plan for public improvements or public services that benefit all or part of the district, which plan shall comply with the requirements of division (A) of section 1710.06 of the Revised Code and may include, but is not limited to, any of the permissive provisions described in the fourth sentence of that division or listed in divisions (A) (1) to (7) of that section;	747 748 749 750 751 752
(7) If the special improvement district is being created under this chapter for the purpose of developing and implementing plans for special energy improvement projects or shoreline improvement projects, provision for the addition of territory to the special improvement district.	753 754 755 756 757
After the initial plan is approved by all municipal corporations and townships to which it is submitted for approval and the district is created, each participating subdivision shall levy a special assessment within its boundaries to pay for the costs of the initial plan. The levy shall be for no more than ten years from the date of the approval of the initial plan; except that if the proceeds of the levy are to be used to pay the costs of a special energy improvement project or shoreline improvement project, the levy of a special assessment shall be for no more than thirty years from the date of approval of the initial plan. In the event that additional territory is added to a special improvement district, the special assessment	758 759 760 761 762 763 764 765 766 767 768 769

to be levied with respect to such additional territory shall 770
commence not earlier than the date such territory is added and 771
shall be for no more than thirty years from such date. For 772
purposes of levying an assessment for this initial plan, the 773
services or improvements included in the initial plan shall be 774
deemed a special benefit to property owners within the district. 775

(G) Each nonprofit corporation governing a district under 776
this chapter may do the following: 777

(1) Exercise all powers of nonprofit corporations granted 778
under Chapter 1702. of the Revised Code that do not conflict 779
with this chapter; 780

(2) Develop, adopt, revise, implement, and repeal plans 781
for public improvements and public services for all or any part 782
of the district; 783

(3) Contract with any person, political subdivision as 784
defined in section 2744.01 of the Revised Code, or state agency 785
as defined in section 1.60 of the Revised Code to develop and 786
implement plans for public improvements or public services 787
within the district; 788

(4) Contract and pay for insurance for the district and 789
for directors, officers, agents, contractors, employees, or 790
members of the district for any consequences of the 791
implementation of any plan adopted by the district or any 792
actions of the district. 793

The board of directors of a special improvement district 794
may, acting as agent and on behalf of a participating political 795
subdivision, sell, transfer, lease, or convey any special energy 796
improvement project owned by the participating political 797
subdivision upon a determination by the legislative authority 798

thereof that the project is not required to be owned exclusively 799
by the participating political subdivision for its purposes, for 800
uses determined by the legislative authority thereof as those 801
that will promote the welfare of the people of such 802
participating political subdivision; improve the quality of life 803
and the general and economic well-being of the people of the 804
participating political subdivision; better ensure the public 805
health, safety, and welfare; protect water and other natural 806
resources; provide for the conservation and preservation of 807
natural and open areas and farmlands, including by making urban 808
areas more desirable or suitable for development and 809
revitalization; control, prevent, minimize, clean up, or mediate 810
certain contamination of or pollution from lands in the state 811
and water contamination or pollution; or provide for safe and 812
natural areas and resources. The legislative authority of each 813
participating political subdivision shall specify the 814
consideration for such sale, transfer, lease, or conveyance and 815
any other terms thereof. Any determinations made by a 816
legislative authority of a participating political subdivision 817
under this division shall be conclusive. 818

Any sale, transfer, lease, or conveyance of a special 819
energy improvement project by a participating political 820
subdivision or the board of directors of the special improvement 821
district may be made without advertising, receipt of bids, or 822
other competitive bidding procedures applicable to the 823
participating political subdivision or the special improvement 824
district under Chapter 153. or 735. or section 1710.11 of the 825
Revised Code or other representative provisions of the Revised 826
Code. 827

(H) The owner of real property that is part of a planned 828
community or a condominium development is deemed to have signed 829

the petitions required under division (E) of this section and 830
division (B) of section 1710.06 of the Revised Code with respect 831
to a special improvement district that is being created for the 832
purpose of developing and implementing plans for shoreline 833
improvement projects if the district and the projects have been 834
approved through an alternative process prescribed by the 835
bylaws, declarations, covenants, and restrictions governing the 836
planned community or condominium development. Such an 837
alternative process may consist of a vote of the owners 838
association or unit owners association, the approval of a 839
specified percentage of property owners, or any other procedure 840
authorized by the bylaws, declarations, covenants, and 841
restrictions governing the planned community or condominium 842
development. 843

As used in this division, "condominium development" and 844
"unit owners association" have the same meanings as in section 845
5311.01 of the Revised Code, and "planned community," "owners 846
association," "bylaws," and "declaration" have the same meanings 847
as in section 5312.01 of the Revised Code. 848

Sec. 1710.03. (A) Except as otherwise provided in this 849
division, each owner of real property within a special 850
improvement district other than the state or federal government 851
is a member of the district, and the real property of each 852
member of the district is subject to special assessment under 853
division (C) of section 1710.06 of the Revised Code. A church is 854
not a member of the district unless the church specifically 855
requested in writing that its property be included in the 856
district or unless, in the case of a district created by an 857
existing qualified nonprofit corporation, the church is a member 858
of the corporation at the time the district is created. A 859
county, township, ~~or~~ municipal corporation, or park district 860

owning real property in the district is not a member of the 861
district unless such entity specifically requested in writing 862
that its property be included in the district. 863

The identity and address of the owners shall be determined 864
for any particular action of the nonprofit corporation that 865
governs the district, including notice of meetings of the 866
district, no more than sixty days prior to the date of the 867
action, from the most current records available at the county 868
auditor's office. For purposes of this chapter, the persons 869
shown on such records as having common or joint ownership 870
interests in a parcel of real property collectively shall 871
constitute the owner of the real property. 872

(B) A member may file a written statement with the 873
district's secretary at least three days prior to any meeting of 874
the entire membership of the district to appoint a proxy to 875
carry out the member's rights and responsibilities under this 876
chapter at that meeting. 877

(C) A member also may appoint a designee to carry out the 878
member's rights and responsibilities under this chapter by 879
filing a written designation form with the district's secretary. 880
This form shall include the name and address of the member, the 881
name and address of the designee, and the expiration date, if 882
any, of the designation and may authorize the designee to vote 883
at any meeting of the district. 884

(D) A proxy or designee need not be an elector or resident 885
of any participating political subdivision of the district or a 886
member of the district. The appointment of a proxy or a designee 887
may be changed by filing a new form with the district's 888
secretary. The most current form filed with the secretary is the 889
valid appointment. Service of any notice upon a proxy or 890

designee at the proxy's or designee's address as shown on that 891
form satisfies any requirements for notification of the member. 892

Sec. 1710.13. This section does not apply to a special 893
improvement district created by an existing qualified nonprofit 894
corporation. 895

The process for dissolving a special improvement district 896
or repealing an improvements or services plan may be initiated 897
by a petition signed by members of the district who own at least 898
twenty per cent of the appraised value of the real property 899
located in the district, excluding church property or real 900
property owned by the federal government, the state, or a 901
county, township, ~~or~~ municipal corporation, or park district, 902
unless the church, county, township, ~~or~~ municipal corporation, or 903
or park district has specifically requested in writing that the 904
property be included in the district, and filed with the 905
municipal executive, if any, and the legislative authorities of 906
all the participating political subdivisions of the district. As 907
used in this section, "appraised value" means the taxable value 908
established by the county auditor for purposes of real estate 909
taxation. 910

No later than forty-five days after such a petition is 911
filed, the members of the district shall meet to consider it. 912
Notice of the meeting shall be given as provided in section 913
1710.05 of the Revised Code. Upon the affirmative vote of 914
members who collectively own more than fifty per cent of the 915
appraised value of the real property in the district that may be 916
subject to assessment under division (C) of section 1710.06 of 917
the Revised Code, the district shall be dissolved, or the plan 918
shall be repealed, as applicable. 919

No rights or obligations of any person under any contract, 920

or in relation to any bonds, notes, or assessments made under 921
this chapter, shall be affected by the dissolution of the 922
district or the repeal of a plan, except with the consent of 923
that person or by order of a court with jurisdiction over the 924
matter. Upon dissolution of a district, any assets or rights of 925
the district, after payment of all bonds, notes, or other 926
obligations of the district, shall be deposited in a special 927
account in the treasury of each participating political 928
subdivision, prorated among all participating political 929
subdivisions to reflect the percentage of the district's 930
territory within that political subdivision, to be used for the 931
benefit of the territory that made up the district. 932

Once the members have approved the repeal of a plan, all 933
bonds, notes, and other obligations of the district associated 934
with the plan shall be paid. Thereafter, the plan shall be 935
repealed. Upon receipt of proof that all bonds, notes, and other 936
obligations have been paid and that the plan has been repealed, 937
the participating political subdivisions shall terminate any 938
levies imposed to pay for costs of the plan. 939

Sec. 4503.10. (A) The owner of every snowmobile, off- 940
highway motorcycle, and all-purpose vehicle required to be 941
registered under section 4519.02 of the Revised Code shall file 942
an application for registration under section 4519.03 of the 943
Revised Code. The owner of a motor vehicle, other than a 944
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 945
is not designed and constructed by the manufacturer for 946
operation on a street or highway may not register it under this 947
chapter except upon certification of inspection pursuant to 948
section 4513.02 of the Revised Code by the sheriff, or the chief 949
of police of the municipal corporation or township, with 950
jurisdiction over the political subdivision in which the owner 951

of the motor vehicle resides. Except as provided in ~~section~~ 952
sections 4503.103 and 4503.107 of the Revised Code, every owner 953
of every other motor vehicle not previously described in this 954
section and every person mentioned as owner in the last 955
certificate of title of a motor vehicle that is operated or 956
driven upon the public roads or highways shall cause to be filed 957
each year, by mail or otherwise, in the office of the registrar 958
of motor vehicles or a deputy registrar, a written or electronic 959
application or a preprinted registration renewal notice issued 960
under section 4503.102 of the Revised Code, the form of which 961
shall be prescribed by the registrar, for registration for the 962
following registration year, which shall begin on the first day 963
of January of every calendar year and end on the thirty-first 964
day of December in the same year. Applications for registration 965
and registration renewal notices shall be filed at the times 966
established by the registrar pursuant to section 4503.101 of the 967
Revised Code. A motor vehicle owner also may elect to apply for 968
or renew a motor vehicle registration by electronic means using 969
electronic signature in accordance with rules adopted by the 970
registrar. Except as provided in division (J) of this section, 971
applications for registration shall be made on blanks furnished 972
by the registrar for that purpose, containing the following 973
information: 974

(1) A brief description of the motor vehicle to be 975
registered, including the year, make, model, and vehicle 976
identification number, and, in the case of commercial cars, the 977
gross weight of the vehicle fully equipped computed in the 978
manner prescribed in section 4503.08 of the Revised Code; 979

(2) The name and residence address of the owner, and the 980
township and municipal corporation in which the owner resides; 981

(3) The district of registration, which shall be	982
determined as follows:	983
(a) In case the motor vehicle to be registered is used for	984
hire or principally in connection with any established business	985
or branch business, conducted at a particular place, the	986
district of registration is the municipal corporation in which	987
that place is located or, if not located in any municipal	988
corporation, the county and township in which that place is	989
located.	990
(b) In case the vehicle is not so used, the district of	991
registration is the municipal corporation or county in which the	992
owner resides at the time of making the application.	993
(4) Whether the motor vehicle is a new or used motor	994
vehicle;	995
(5) The date of purchase of the motor vehicle;	996
(6) Whether the fees required to be paid for the	997
registration or transfer of the motor vehicle, during the	998
preceding registration year and during the preceding period of	999
the current registration year, have been paid. Each application	1000
for registration shall be signed by the owner, either manually	1001
or by electronic signature, or pursuant to obtaining a limited	1002
power of attorney authorized by the registrar for registration,	1003
or other document authorizing such signature. If the owner	1004
elects to apply for or renew the motor vehicle registration with	1005
the registrar by electronic means, the owner's manual signature	1006
is not required.	1007
(7) The owner's social security number, driver's license	1008
number, or state identification number, or, where a motor	1009
vehicle to be registered is used for hire or principally in	1010

connection with any established business, the owner's federal 1011
taxpayer identification number. The bureau of motor vehicles 1012
shall retain in its records all social security numbers provided 1013
under this section, but the bureau shall not place social 1014
security numbers on motor vehicle certificates of registration. 1015

(8) Whether the applicant wishes to certify willingness to 1016
make an anatomical gift if an applicant has not so certified 1017
under section 2108.05 of the Revised Code. The applicant's 1018
response shall not be considered in the decision of whether to 1019
approve the application for registration. 1020

(B) (1) When an applicant first registers a motor vehicle 1021
in the applicant's name, the applicant shall provide proof of 1022
ownership of that motor vehicle. Proof of ownership may include 1023
any of the following: 1024

(a) The applicant may present for inspection a physical 1025
certificate of title or memorandum certificate showing title to 1026
the motor vehicle to be registered in the name of the applicant. 1027

(b) The applicant may present for inspection an electronic 1028
certificate of title for the applicant's motor vehicle in a 1029
manner prescribed by rules adopted by the registrar. 1030

(c) The registrar or deputy registrar may electronically 1031
confirm the applicant's ownership of the motor vehicle. 1032

An applicant is not required to present a certificate of 1033
title to an electronic motor vehicle dealer acting as a limited 1034
authority deputy registrar in accordance with rules adopted by 1035
the registrar. 1036

(2) When a motor vehicle inspection and maintenance 1037
program is in effect under section 3704.14 of the Revised Code 1038
and rules adopted under it, each application for registration 1039

for a vehicle required to be inspected under that section and 1040
those rules shall be accompanied by an inspection certificate 1041
for the motor vehicle issued in accordance with that section. 1042

(3) An application for registration shall be refused if 1043
any of the following applies: 1044

(a) The application is not in proper form. 1045

(b) The application is prohibited from being accepted by 1046
division (D) of section 2935.27, division (A) of section 1047
2937.221, division (A) of section 4503.13, division (B) of 1048
section 4510.22, division (B)(1) of section 4521.10, or division 1049
(B) of section 5537.041 of the Revised Code. 1050

(c) Proof of ownership is required but is not presented or 1051
confirmed in accordance with division (B)(1) of this section. 1052

(d) All registration and transfer fees for the motor 1053
vehicle, for the preceding year or the preceding period of the 1054
current registration year, have not been paid. 1055

(e) The owner or lessee does not have an inspection 1056
certificate for the motor vehicle as provided in section 3704.14 1057
of the Revised Code, and rules adopted under it, if that section 1058
is applicable. 1059

(4) This section does not require the payment of license 1060
or registration taxes on a motor vehicle for any preceding year, 1061
or for any preceding period of a year, if the motor vehicle was 1062
not taxable for that preceding year or period under sections 1063
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 1064
of the Revised Code. 1065

(5) When a certificate of registration is issued upon the 1066
first registration of a motor vehicle by or on behalf of the 1067

owner, the official issuing the certificate shall indicate the 1068
issuance with a stamp on the certificate of title or memorandum 1069
certificate or, in the case of an electronic certificate of 1070
title or electronic verification of ownership, an electronic 1071
stamp or other notation as specified in rules adopted by the 1072
registrar, and with a stamp on the inspection certificate for 1073
the motor vehicle, if any. 1074

(6) The official also shall indicate, by a stamp or by 1075
other means the registrar prescribes, on the registration 1076
certificate issued upon the first registration of a motor 1077
vehicle by or on behalf of the owner the odometer reading of the 1078
motor vehicle as shown in the odometer statement included in or 1079
attached to the certificate of title. Upon each subsequent 1080
registration of the motor vehicle by or on behalf of the same 1081
owner, the official also shall so indicate the odometer reading 1082
of the motor vehicle as shown on the immediately preceding 1083
certificate of registration. 1084

(7) The registrar shall include in the permanent 1085
registration record of any vehicle required to be inspected 1086
under section 3704.14 of the Revised Code the inspection 1087
certificate number from the inspection certificate that is 1088
presented at the time of registration of the vehicle as required 1089
under this division. 1090

(C) (1) Except as otherwise provided in division (C) (1) of 1091
this section, the registrar and each deputy registrar shall 1092
collect an additional fee of eleven dollars for each application 1093
for registration and registration renewal received. For vehicles 1094
specified in divisions (A) (1) to (21) of section 4503.042 of the 1095
Revised Code, the registrar and deputy registrar shall collect 1096
an additional fee of thirty dollars for each application for 1097

registration and registration renewal received. No additional 1098
fee shall be charged for vehicles registered under section 1099
4503.65 of the Revised Code. The additional fee is for the 1100
purpose of defraying the department of public safety's costs 1101
associated with the administration and enforcement of the motor 1102
vehicle and traffic laws of Ohio. Each deputy registrar shall 1103
transmit the fees collected under divisions (C)(1), (3), and (4) 1104
of this section in the time and manner provided in this section. 1105
The registrar shall deposit all moneys received under division 1106
(C)(1) of this section into the public safety - highway purposes 1107
fund established in section 4501.06 of the Revised Code. 1108

(2) In addition, a charge of twenty-five cents shall be 1109
made for each reflectorized safety license plate issued, and a 1110
single charge of twenty-five cents shall be made for each county 1111
identification sticker or each set of county identification 1112
stickers issued, as the case may be, to cover the cost of 1113
producing the license plates and stickers, including material, 1114
manufacturing, and administrative costs. Those fees shall be in 1115
addition to the license tax. If the total cost of producing the 1116
plates is less than twenty-five cents per plate, or if the total 1117
cost of producing the stickers is less than twenty-five cents 1118
per sticker or per set issued, any excess moneys accruing from 1119
the fees shall be distributed in the same manner as provided by 1120
section 4501.04 of the Revised Code for the distribution of 1121
license tax moneys. If the total cost of producing the plates 1122
exceeds twenty-five cents per plate, or if the total cost of 1123
producing the stickers exceeds twenty-five cents per sticker or 1124
per set issued, the difference shall be paid from the license 1125
tax moneys collected pursuant to section 4503.02 of the Revised 1126
Code. 1127

(3) The registrar and each deputy registrar shall collect 1128

an additional fee of two hundred dollars for each application 1129
for registration or registration renewal received for any plug- 1130
in hybrid electric motor vehicle or battery electric motor 1131
vehicle. The fee shall be prorated based on the number of months 1132
for which the plug-in hybrid electric motor vehicle or battery 1133
electric motor vehicle is registered. The registrar shall 1134
transmit all money arising from the fee imposed by division (C) 1135
(3) of this section to the treasurer of state for distribution 1136
in accordance with division (E) of section 5735.051 of the 1137
Revised Code, subject to division (D) of section 5735.05 of the 1138
Revised Code. 1139

(4) The registrar and each deputy registrar shall collect 1140
an additional fee of one hundred dollars for each application 1141
for registration or registration renewal received for any hybrid 1142
motor vehicle. The fee shall be prorated based on the number of 1143
months for which the hybrid motor vehicle is registered. The 1144
registrar shall transmit all money arising from the fee imposed 1145
by division (C) (4) of this section to the treasurer of state for 1146
distribution in accordance with division (E) of section 5735.051 1147
of the Revised Code, subject to division (D) of section 5735.05 1148
of the Revised Code. 1149

(D) Each deputy registrar shall be allowed a fee equal to 1150
the amount established under section 4503.038 of the Revised 1151
Code for each application for registration and registration 1152
renewal notice the deputy registrar receives, which shall be for 1153
the purpose of compensating the deputy registrar for the deputy 1154
registrar's services, and such office and rental expenses, as 1155
may be necessary for the proper discharge of the deputy 1156
registrar's duties in the receiving of applications and renewal 1157
notices and the issuing of registrations. 1158

(E) Upon the certification of the registrar, the county sheriff or local police officials shall recover license plates erroneously or fraudulently issued.

(F) Each deputy registrar, upon receipt of any application for registration or registration renewal notice, together with the license fee and any local motor vehicle license tax levied pursuant to Chapter 4504. of the Revised Code, shall transmit that fee and tax, if any, in the manner provided in this section, together with the original and duplicate copy of the application, to the registrar. The registrar, subject to the approval of the director of public safety, may deposit the funds collected by those deputies in a local bank or depository to the credit of the "state of Ohio, bureau of motor vehicles." Where a local bank or depository has been designated by the registrar, each deputy registrar shall deposit all moneys collected by the deputy registrar into that bank or depository not more than one business day after their collection and shall make reports to the registrar of the amounts so deposited, together with any other information, some of which may be prescribed by the treasurer of state, as the registrar may require and as prescribed by the registrar by rule. The registrar, within three days after receipt of notification of the deposit of funds by a deputy registrar in a local bank or depository, shall draw on that account in favor of the treasurer of state. The registrar, subject to the approval of the director and the treasurer of state, may make reasonable rules necessary for the prompt transmittal of fees and for safeguarding the interests of the state and of counties, townships, municipal corporations, and transportation improvement districts levying local motor vehicle license taxes. The registrar may pay service charges usually collected by banks and depositories for such service. If deputy

registrars are located in communities where banking facilities 1190
are not available, they shall transmit the fees forthwith, by 1191
money order or otherwise, as the registrar, by rule approved by 1192
the director and the treasurer of state, may prescribe. The 1193
registrar may pay the usual and customary fees for such service. 1194

(G) This section does not prevent any person from making 1195
an application for a motor vehicle license directly to the 1196
registrar by mail, by electronic means, or in person at any of 1197
the registrar's offices, upon payment of a service fee equal to 1198
the amount established under section 4503.038 of the Revised 1199
Code for each application. 1200

(H) No person shall make a false statement as to the 1201
district of registration in an application required by division 1202
(A) of this section. Violation of this division is falsification 1203
under section 2921.13 of the Revised Code and punishable as 1204
specified in that section. 1205

(I) (1) Where applicable, the requirements of division (B) 1206
of this section relating to the presentation of an inspection 1207
certificate issued under section 3704.14 of the Revised Code and 1208
rules adopted under it for a motor vehicle, the refusal of a 1209
license for failure to present an inspection certificate, and 1210
the stamping of the inspection certificate by the official 1211
issuing the certificate of registration apply to the 1212
registration of and issuance of license plates for a motor 1213
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 1214
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 1215
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 1216
Code. 1217

(2) (a) The registrar shall adopt rules ensuring that each 1218
owner registering a motor vehicle in a county where a motor 1219

vehicle inspection and maintenance program is in effect under 1220
section 3704.14 of the Revised Code and rules adopted under it 1221
receives information about the requirements established in that 1222
section and those rules and about the need in those counties to 1223
present an inspection certificate with an application for 1224
registration or preregistration. 1225

(b) Upon request, the registrar shall provide the director 1226
of environmental protection, or any person that has been awarded 1227
a contract under section 3704.14 of the Revised Code, an on-line 1228
computer data link to registration information for all passenger 1229
cars, noncommercial motor vehicles, and commercial cars that are 1230
subject to that section. The registrar also shall provide to the 1231
director of environmental protection a magnetic data tape 1232
containing registration information regarding passenger cars, 1233
noncommercial motor vehicles, and commercial cars for which a 1234
multi-year registration is in effect under section 4503.103 of 1235
the Revised Code or rules adopted under it, including, without 1236
limitation, the date of issuance of the multi-year registration, 1237
the registration deadline established under rules adopted under 1238
section 4503.101 of the Revised Code that was applicable in the 1239
year in which the multi-year registration was issued, and the 1240
registration deadline for renewal of the multi-year 1241
registration. 1242

(J) Subject to division (K) of this section, application 1243
for registration under the international registration plan, as 1244
set forth in sections 4503.60 to 4503.66 of the Revised Code, 1245
shall be made to the registrar on forms furnished by the 1246
registrar. In accordance with international registration plan 1247
guidelines and pursuant to rules adopted by the registrar, the 1248
forms shall include the following: 1249

(1) A uniform mileage schedule;	1250
(2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by the registrant;	1251 1252 1253
(3) Any other information the registrar requires by rule.	1254
(K) The registrar shall determine the feasibility of implementing an electronic commercial fleet licensing and management program that will enable the owners of commercial tractors, commercial trailers, and commercial semitrailers to conduct electronic transactions by July 1, 2010, or sooner. If the registrar determines that implementing such a program is feasible, the registrar shall adopt new rules under this division or amend existing rules adopted under this division as necessary in order to respond to advances in technology.	1255 1256 1257 1258 1259 1260 1261 1262 1263
If international registration plan guidelines and provisions allow member jurisdictions to permit applications for registrations under the international registration plan to be made via the internet, the rules the registrar adopts under this division shall permit such action.	1264 1265 1266 1267 1268
Sec. 4503.103. (A) (1) The registrar of motor vehicles may adopt rules to permit any person or lessee, other than a person receiving an apportioned license plate under the international registration plan, who owns or leases one or more motor vehicles to file a written application for registration for no more than five succeeding registration years. The rules adopted by the registrar may designate the classes of motor vehicles that are eligible for such registration. At the time of application, all annual taxes and fees shall be paid for each year for which the person is registering.	1269 1270 1271 1272 1273 1274 1275 1276 1277 1278

(2) (a) The registrar shall adopt rules to permit any 1279
person or lessee who owns or leases a trailer or semitrailer 1280
that is subject to the tax rate prescribed in either division 1281
(C) (1) or, beginning January 1, 2022, (C) (2) of section 4503.042 1282
of the Revised Code to file a written application for 1283
registration for any number of succeeding registration years, 1284
including a permanent registration, for such trailers or 1285
semitrailers. 1286

At the time of application, the applicant shall pay all of 1287
the following: 1288

(i) As applicable, either the annual tax prescribed in 1289
division (C) (1) of section 4503.042 of the Revised Code for each 1290
year for which the applicant is registering or the annual tax 1291
prescribed in division (C) (2) of section 4503.042 of the Revised 1292
Code, unless the applicant previously paid the tax specified in 1293
division (C) (2) of that section for the trailer or semitrailer 1294
being registered. However, an applicant paying the annual tax 1295
under division (C) (1) of section 4503.042 of the Revised Code 1296
shall not pay more than eight times the annual taxes due, 1297
regardless of the number of years for which the applicant is 1298
registering. 1299

(ii) The additional fee established under division (C) (1) 1300
of section 4503.10 of the Revised Code for each year of 1301
registration, provided that not more than eight times the 1302
additional fee due shall be paid, regardless of the number of 1303
years for which the applicant is registering. 1304

(iii) One single deputy registrar service fee in the 1305
amount specified in division (D) of section 4503.10 of the 1306
Revised Code or one single bureau of motor vehicles service fee 1307
in the amount specified in division (G) of that section, as 1308

applicable, regardless of the number of years for which the 1309
applicant is registering. 1310

(b) In addition, each applicant registering a trailer or 1311
semitrailer under division (A) (2) (a) of this section shall pay 1312
any applicable local motor vehicle license tax levied under 1313
Chapter 4504. of the Revised Code for each year for which the 1314
applicant is registering, provided that not more than eight 1315
times any such annual local taxes shall be due upon 1316
registration. 1317

(c) The period of registration for a trailer or 1318
semitrailer registered under division (A) (2) (a) of this section 1319
is exclusive to the trailer or semitrailer for which that 1320
certificate of registration is issued and is not transferable to 1321
any other trailer or semitrailer if the registration is a 1322
permanent registration. 1323

(3) Except as provided in division (A) (4) of this section, 1324
the registrar shall adopt rules to permit any person who owns a 1325
motor vehicle to file an application for registration for not 1326
more than five succeeding registration years. At the time of 1327
application, the person shall pay the annual taxes and fees for 1328
each registration year, calculated in accordance with division 1329
(C) of section 4503.11 of the Revised Code. A person who is 1330
registering a vehicle under division (A) (3) of this section 1331
shall pay for each year of registration the additional fee 1332
established under division (C) (1), (3), or (4) of section 1333
4503.10 of the Revised Code, as applicable. The person shall 1334
also pay the deputy registrar service fee or the bureau of motor 1335
vehicles service fee equal to the amount established under 1336
section 4503.038 of the Revised Code. 1337

(4) Division (A) (3) of this section does not apply to a 1338

person receiving an apportioned license plate under the 1339
international registration plan, or the owner of a commercial 1340
car used solely in intrastate commerce, or the owner of a bus as 1341
defined in section 4513.50 of the Revised Code. 1342

(5) A person registering a noncommercial trailer 1343
permanently shall register the trailer under section 4503.107 of 1344
the Revised Code. 1345

(B) No person applying for a multi-year registration under 1346
division (A) of this section is entitled to a refund of any 1347
taxes or fees paid. 1348

(C) The registrar shall not issue to any applicant who has 1349
been issued a final, nonappealable order under division (D) of 1350
this section a multi-year registration or renewal thereof under 1351
this division or rules adopted under it for any motor vehicle 1352
that is required to be inspected under section 3704.14 of the 1353
Revised Code the district of registration of which, as 1354
determined under section 4503.10 of the Revised Code, is or is 1355
located in the county named in the order. 1356

(D) Upon receipt from the director of environmental 1357
protection of a notice issued under rules adopted under section 1358
3704.14 of the Revised Code indicating that an owner of a motor 1359
vehicle that is required to be inspected under that section who 1360
obtained a multi-year registration for the vehicle under 1361
division (A) of this section or rules adopted under that 1362
division has not obtained a required inspection certificate for 1363
the vehicle, the registrar in accordance with Chapter 119. of 1364
the Revised Code shall issue an order to the owner impounding 1365
the certificate of registration and identification license 1366
plates for the vehicle. The order also shall prohibit the owner 1367
from obtaining or renewing a multi-year registration for any 1368

vehicle that is required to be inspected under that section, the 1369
district of registration of which is or is located in the same 1370
county as the county named in the order during the number of 1371
years after expiration of the current multi-year registration 1372
that equals the number of years for which the current multi-year 1373
registration was issued. 1374

An order issued under this division shall require the 1375
owner to surrender to the registrar the certificate of 1376
registration and license plates for the vehicle named in the 1377
order within five days after its issuance. If the owner fails to 1378
do so within that time, the registrar shall certify that fact to 1379
the county sheriff or local police officials who shall recover 1380
the certificate of registration and license plates for the 1381
vehicle. 1382

(E) Upon the occurrence of either of the following 1383
circumstances, the registrar in accordance with Chapter 119. of 1384
the Revised Code shall issue to the owner a modified order 1385
rescinding the provisions of the order issued under division (D) 1386
of this section impounding the certificate of registration and 1387
license plates for the vehicle named in that original order: 1388

(1) Receipt from the director of environmental protection 1389
of a subsequent notice under rules adopted under section 3704.14 1390
of the Revised Code that the owner has obtained the inspection 1391
certificate for the vehicle as required under those rules; 1392

(2) Presentation to the registrar by the owner of the 1393
required inspection certificate for the vehicle. 1394

(F) The owner of a motor vehicle for which the certificate 1395
of registration and license plates have been impounded pursuant 1396
to an order issued under division (D) of this section, upon 1397

issuance of a modified order under division (E) of this section, 1398
may apply to the registrar for their return. A fee of two 1399
dollars and fifty cents shall be charged for the return of the 1400
certificate of registration and license plates for each vehicle 1401
named in the application. 1402

Sec. 4503.107. (A) The registrar of motor vehicles shall 1403
permit any person or lessee who owns or leases a noncommercial 1404
trailer that is subject to the tax rates prescribed in division 1405
(E) of section 4503.04 of the Revised Code to file a written 1406
application for permanent registration of that noncommercial 1407
trailer. 1408

(B) (1) At the time of application, the applicant shall pay 1409
all of the following: 1410

(a) The equivalent of eight times the standard tax 1411
established for that noncommercial trailer by division (E) of 1412
section 4503.04 of the Revised Code; 1413

(b) The equivalent of eight times the additional fee 1414
established by division (C) (1) of section 4503.10 of the Revised 1415
Code; 1416

(c) The equivalent of eight times the deputy registrar 1417
service fee or eight times the bureau of motor vehicles service 1418
fee, as applicable, equal to the amount established by section 1419
4503.038 of the Revised Code. 1420

(2) In addition to any other prescribed tax or fee, if the 1421
noncommercial trailer registered under this section is subject 1422
to local motor vehicle taxes under Chapter 4504. of the Revised 1423
Code, the applicant shall pay the equivalent of eight times any 1424
applicable local motor vehicle license tax levied under that 1425
chapter for that noncommercial trailer. 1426

(C) Upon submission of a completed application, payment of 1427
all applicable taxes and fees, and compliance with all other 1428
applicable laws relating to the registration of motor vehicles, 1429
the registrar or deputy registrar shall issue the applicant a 1430
permanent license plate and a validation sticker. 1431

(D) The permanent registration of a noncommercial trailer 1432
under this section is exclusive to the trailer for which that 1433
certificate of registration is issued. The registration is not 1434
transferable to any other trailer. 1435

(E) No person applying for a permanent registration under 1436
this section is entitled to a refund of any taxes or fees paid. 1437

Sec. 4503.11. (A) Except as provided by sections 4503.103, 1438
4503.107, 4503.173, 4503.41, 4503.43, and 4503.46 of the Revised 1439
Code, no person who is the owner or chauffeur of a motor vehicle 1440
operated or driven upon the public roads or highways shall fail 1441
to file annually the application for registration or to pay the 1442
tax therefor. 1443

(B) Except as provided by sections 4503.12 and 4503.16 of 1444
the Revised Code, the taxes payable on all applications made 1445
under sections 4503.10 and 4503.102 of the Revised Code shall be 1446
the sum of the tax due under division (B) (1) (a) or (b) of this 1447
section plus the tax due under division (B) (2) (a) or (b) of this 1448
section: 1449

(1) (a) If the application is made before the second month 1450
of the current registration period to which the motor vehicle is 1451
assigned as provided in section 4503.101 of the Revised Code, 1452
the tax due is the full amount of the tax provided in section 1453
4503.04 of the Revised Code; 1454

(b) If the application is made during or after the second 1455

month of the current registration period to which the motor 1456
vehicle is assigned as provided in section 4503.101 of the 1457
Revised Code, and prior to the beginning of the next such 1458
registration period, the amount of the tax provided in section 1459
4503.04 of the Revised Code shall be reduced by one-twelfth of 1460
the amount of such tax, rounded upward to the nearest cent, 1461
multiplied by the number of full months that have elapsed in the 1462
current registration period. The resulting amount shall be 1463
rounded upward to the next highest dollar and shall be the 1464
amount of tax due. 1465

(2) (a) If the application is made before the sixth month 1466
of the current registration period to which the motor vehicle is 1467
assigned as provided in section 4503.101 of the Revised Code, 1468
the amount of tax due is the full amount of local motor vehicle 1469
license taxes levied under Chapter 4504. of the Revised Code; 1470

(b) If the application is made during or after the sixth 1471
month of the current registration period to which the motor 1472
vehicle is assigned as provided in section 4503.101 of the 1473
Revised Code and prior to the beginning of the next such 1474
registration period, the amount of tax due is one-half of the 1475
amount of local motor vehicle license taxes levied under Chapter 1476
4504. of the Revised Code. 1477

(C) The taxes payable on all applications made under 1478
division (A) (3) of section 4503.103 of the Revised Code shall be 1479
the sum of the tax due under division (B) (1) (a) or (b) of this 1480
section plus the tax due under division (B) (2) (a) or (b) of this 1481
section for the first year plus the full amount of the tax 1482
provided in section 4503.04 of the Revised Code and the full 1483
amount of local motor vehicle license taxes levied under Chapter 1484
4504. of the Revised Code for each succeeding year. 1485

(D) Whoever violates this section is guilty of a minor 1486
misdemeanor. 1487

Sec. 4503.191. (A) (1) The identification license plate 1488
shall be issued for a multi-year period as determined by the 1489
director of public safety, and, except as provided in division 1490
(A) (3) of this section, shall be accompanied by a validation 1491
sticker, to be attached to the license plate. Except as provided 1492
in divisions (A) (2) and (3) of this section, the validation 1493
sticker shall indicate the expiration of the registration period 1494
to which the motor vehicle for which the license plate is issued 1495
is assigned, in accordance with rules adopted by the registrar 1496
of motor vehicles. During each succeeding year of the multi-year 1497
period following the issuance of the plate and validation 1498
sticker, upon the filing of an application for registration and 1499
the payment of the tax therefor, a validation sticker alone 1500
shall be issued. The validation stickers required under this 1501
section shall be of different colors or shades each year, the 1502
new colors or shades to be selected by the director. 1503

(2) (a) The director shall develop a universal validation 1504
sticker that may be issued to any owner of five hundred or more 1505
passenger vehicles, so that a sticker issued to the owner may be 1506
placed on any passenger vehicle in that owner's fleet. Beginning 1507
January 1, 2019, the universal validation sticker shall not have 1508
an expiration date on it and shall not need replaced at the time 1509
of registration, except in the event of the loss, mutilation, or 1510
destruction of the validation sticker. The director may 1511
establish and charge an additional fee of not more than one 1512
dollar per registration to compensate for necessary costs of the 1513
universal validation sticker program. The additional fee shall 1514
be credited to the public safety - highway purposes fund created 1515
in section 4501.06 of the Revised Code. The director shall 1516

select the color or shade of the universal validation sticker. 1517

(b) A validation sticker issued for an all-purpose vehicle 1518
that is registered under Chapter 4519. of the Revised Code, for 1519
a noncommercial trailer that is permanently registered under 1520
section 4503.107 of the Revised Code, or for a trailer or 1521
semitrailer that is permanently registered under division (A) (2) 1522
of section 4503.103 of the Revised Code or is registered for any 1523
number of succeeding registration years may indicate the 1524
expiration of the registration period, if any, by any manner 1525
determined by the registrar by rule. 1526

(3) No validation sticker shall be issued, and a 1527
validation sticker is not required for display, on the license 1528
plate of a nonapportioned commercial tractor or any apportioned 1529
motor vehicle. 1530

(B) Identification license plates shall be produced by 1531
Ohio penal industries. Validation stickers and county 1532
identification stickers shall be produced by Ohio penal 1533
industries unless the registrar adopts rules expressly 1534
permitting the registrar or deputy registrars to provide for the 1535
printing or production of the stickers. 1536

Sec. 4503.29. (A) The director of veterans services in 1537
conjunction with the registrar of motor vehicles shall develop 1538
and maintain a program to establish and issue specialty license 1539
plates recognizing military service and military honors 1540
pertaining to valor and service. 1541

(B) The director and the registrar shall jointly adopt 1542
rules in accordance with Chapter 119. of the Revised Code for 1543
purposes of establishing the program under this section. The 1544
director and registrar shall adopt the rules as soon as possible 1545

after June 29, 2018, but not later than nine months after June 29, 2018. The rules shall do all of the following:

(1) Establish specialty license plates recognizing military service;

(2) Establish specialty license plates recognizing military honors pertaining to valor and service;

(3) Establish eligibility criteria that apply to each specialty license plate issued under this section;

(4) Establish requirements governing any necessary documentary evidence required to be presented by an applicant for a specialty license plate issued under this section. The rules shall allow an applicant to present a veterans identification card issued in accordance with section 317.241 of the Revised Code in lieu of a copy of the applicant's DD-214 or an equivalent document. An applicant may be required to present additional evidence if the veterans identification card does not show all of the information needed for issuance of the specific nonstandard license plate requested by the applicant.

(5) Establish guidelines for the designs, markings, and inscriptions on a specialty license plate established under this section;

(6) Establish procedures for altering the designs, markings, or inscriptions on a specialty license plate established under this section;

(7) Prohibit specialty license plates established under this section from recognizing achievement awards or unit awards;

(8) Establish any other procedures or requirements that are necessary for the implementation and administration of this

section. 1574

(C) The rules adopted under division (B) of this section 1575
shall provide for the establishment of the military specialty 1576
license plates created prior to June 29, 2018, that are no 1577
longer codified in the Revised Code. 1578

(D) (1) Any person who meets the applicable qualifications 1579
for the issuance of a specialty license plate established by 1580
rule adopted under division (B) of this section may apply to the 1581
registrar of motor vehicles for the registration of any 1582
passenger car, noncommercial motor vehicle, recreational 1583
vehicle, or other vehicle the person owns or leases of a class 1584
approved by the registrar. The application may be combined with 1585
a request for a special reserved license plate under section 1586
4503.40 or 4503.42 of the Revised Code. 1587

(2) (a) Except as provided in division (D) (2) (b) of this 1588
section, upon receipt of an application for registration of a 1589
motor vehicle under this section and the required taxes and 1590
fees, compliance with all applicable laws relating to the 1591
registration of a motor vehicle, and, if necessary, upon 1592
presentation of the required documentary evidence, the registrar 1593
shall issue to the applicant the appropriate motor vehicle 1594
registration and a set of license plates and a validation 1595
sticker, or a validation sticker alone when required by section 1596
4503.191 of the Revised Code. 1597

(b) Any disabled veteran who qualifies to apply to the 1598
registrar for the registration of a motor vehicle under section 1599
4503.41 of the Revised Code without the payment of any 1600
registration taxes or fees, may apply instead for registration 1601
of the motor vehicle under this section. The disabled veteran 1602
applying for registration under this section is not required to 1603

pay any registration taxes or fees as required by sections 1604
4503.038, 4503.04, 4503.10, 4503.102, and 4503.103 of the 1605
Revised Code, any local motor vehicle tax levied under Chapter 1606
4504. of the Revised Code, or any fee charged under section 1607
4503.19 of the Revised Code for up to two motor vehicles, 1608
including any motor vehicle registered under section 4503.41 of 1609
the Revised Code. Upon receipt of an application for 1610
registration of the motor vehicle and presentation of any 1611
documentation the registrar may require by rule, the registrar 1612
shall issue to the applicant the appropriate motor vehicle 1613
registration and a set of license plates authorized under this 1614
section and a validation sticker, or a validation sticker alone 1615
when required by section 4503.191 of the Revised Code. 1616

(3) The license plates shall display county identification 1617
stickers that identify the county of registration as required 1618
under section 4503.19 of the Revised Code. 1619

Sec. 4503.44. (A) As used in this section and in section 1620
4511.69 of the Revised Code: 1621

(1) "Person with a disability that limits or impairs the 1622
ability to walk" means any person who, as determined by a health 1623
care provider, meets any of the following criteria: 1624

(a) Cannot walk two hundred feet without stopping to rest; 1625

(b) Cannot walk without the use of, or assistance from, a 1626
brace, cane, crutch, another person, prosthetic device, 1627
wheelchair, or other assistive device; 1628

(c) Is restricted by a lung disease to such an extent that 1629
the person's forced (respiratory) expiratory volume for one 1630
second, when measured by spirometry, is less than one liter, or 1631
the arterial oxygen tension is less than sixty millimeters of 1632

mercury on room air at rest; 1633

(d) Uses portable oxygen; 1634

(e) Has a cardiac condition to the extent that the 1635
person's functional limitations are classified in severity as 1636
class III or class IV according to standards set by the American 1637
heart association; 1638

(f) Is severely limited in the ability to walk due to an 1639
arthritic, neurological, or orthopedic condition; 1640

(g) Is blind, legally blind, or severely visually 1641
impaired. 1642

(2) "Organization" means any private organization or 1643
corporation, or any governmental board, agency, department, 1644
division, or office, that, as part of its business or program, 1645
transports persons with disabilities that limit or impair the 1646
ability to walk on a regular basis in a motor vehicle that has 1647
not been altered for the purpose of providing it with special 1648
equipment for use by persons with disabilities. This definition 1649
does not apply to division (I) of this section. 1650

(3) "Health care provider" means a physician, physician 1651
assistant, advanced practice registered nurse, optometrist, or 1652
chiropractor as defined in this section except that an 1653
optometrist shall only make determinations as to division (A) (1) 1654
(g) of this section. 1655

(4) "Physician" means a person licensed to practice 1656
medicine or surgery or osteopathic medicine and surgery under 1657
Chapter 4731. of the Revised Code. 1658

(5) "Chiropractor" means a person licensed to practice 1659
chiropractic under Chapter 4734. of the Revised Code. 1660

(6) "Advanced practice registered nurse" means a certified 1661
nurse practitioner, clinical nurse specialist, certified 1662
registered nurse anesthetist, or certified nurse-midwife who 1663
holds a certificate of authority issued by the board of nursing 1664
under Chapter 4723. of the Revised Code. 1665

(7) "Physician assistant" means a person who is licensed 1666
as a physician assistant under Chapter 4730. of the Revised 1667
Code. 1668

(8) "Optometrist" means a person licensed to engage in the 1669
practice of optometry under Chapter 4725. of the Revised Code. 1670

(B) (1) An organization, or a person with a disability that 1671
limits or impairs the ability to walk, may apply for the 1672
registration of any motor vehicle the organization or person 1673
owns or leases. When a motor vehicle has been altered for the 1674
purpose of providing it with special equipment for a person with 1675
a disability that limits or impairs the ability to walk, but is 1676
owned or leased by someone other than such a person, the owner 1677
or lessee may apply to the registrar or a deputy registrar for 1678
registration under this section. The application for 1679
registration of a motor vehicle owned or leased by a person with 1680
a disability that limits or impairs the ability to walk shall be 1681
accompanied by a signed statement from the applicant's health 1682
care provider certifying that the applicant meets at least one 1683
of the criteria contained in division (A) (1) of this section and 1684
that the disability is expected to continue for more than six 1685
consecutive months. The application for registration of a motor 1686
vehicle that has been altered for the purpose of providing it 1687
with special equipment for a person with a disability that 1688
limits or impairs the ability to walk but is owned by someone 1689
other than such a person shall be accompanied by such 1690

documentary evidence of vehicle alterations as the registrar may 1691
require by rule. 1692

(2) When an organization, a person with a disability that 1693
limits or impairs the ability to walk, or a person who does not 1694
have a disability that limits or impairs the ability to walk but 1695
owns a motor vehicle that has been altered for the purpose of 1696
providing it with special equipment for a person with a 1697
disability that limits or impairs the ability to walk first 1698
submits an application for registration of a motor vehicle under 1699
this section and every fifth year thereafter, the organization 1700
or person shall submit a signed statement from the applicant's 1701
health care provider, a completed application, and any required 1702
documentary evidence of vehicle alterations as provided in 1703
division (B) (1) of this section, and also a power of attorney 1704
from the owner of the motor vehicle if the applicant leases the 1705
vehicle. Upon submission of these items, the registrar or deputy 1706
registrar shall issue to the applicant appropriate vehicle 1707
registration and a set of license plates and validation 1708
stickers, or validation stickers alone when required by section 1709
4503.191 of the Revised Code. In addition to the letters and 1710
numbers ordinarily inscribed thereon, the license plates shall 1711
be imprinted with the international symbol of access. The 1712
license plates and validation stickers shall be issued upon 1713
payment of the regular license fee as prescribed under section 1714
4503.04 of the Revised Code and any motor vehicle tax levied 1715
under Chapter 4504. of the Revised Code, and the payment of a 1716
service fee equal to the amount specified in division (D) or (G) 1717
of section 4503.10 of the Revised Code. 1718

(C) (1) A person with a disability that limits or impairs 1719
the ability to walk may apply to the registrar of motor vehicles 1720
for a removable windshield placard by completing and signing an 1721

application provided by the registrar. The person shall include 1722
with the application a prescription from the person's health 1723
care provider prescribing such a placard for the person based 1724
upon a determination that the person meets at least one of the 1725
criteria contained in division (A)(1) of this section. The 1726
health care provider shall state on the prescription the length 1727
of time the health care provider expects the applicant to have 1728
the disability that limits or impairs the person's ability to 1729
walk. 1730

In addition to one placard or one or more sets of license 1731
plates, a person with a disability that limits or impairs the 1732
ability to walk is entitled to one additional placard, but only 1733
if the person applies separately for the additional placard, 1734
states the reasons why the additional placard is needed, and the 1735
registrar, in the registrar's discretion determines that good 1736
and justifiable cause exists to approve the request for the 1737
additional placard. 1738

(2) An organization may apply to the registrar of motor 1739
vehicles for a removable windshield placard by completing and 1740
signing an application provided by the registrar. The 1741
organization shall comply with any procedures the registrar 1742
establishes by rule. The organization shall include with the 1743
application documentary evidence that the registrar requires by 1744
rule showing that the organization regularly transports persons 1745
with disabilities that limit or impair the ability to walk. 1746

(3) Upon receipt of a completed and signed application for 1747
a removable windshield placard, the accompanying documents 1748
required under division (C)(1) or (2) of this section, and 1749
payment of a service fee equal to the amount specified in 1750
division (D) or (G) of section 4503.10 of the Revised Code, the 1751

registrar or deputy registrar shall issue to the applicant a 1752
removable windshield placard, which shall bear the date of 1753
expiration on both sides of the placard and shall be valid until 1754
expired, revoked, or surrendered. Every removable windshield 1755
placard expires as described in division (C) (4) of this section, 1756
but in no case shall a removable windshield placard be valid for 1757
a period of less than sixty days. Removable windshield placards 1758
shall be renewable upon application as provided in division (C) 1759
(1) or (2) of this section and upon payment of a service fee 1760
equal to the amount specified in division (D) or (G) of section 1761
4503.10 of the Revised Code for the renewal of a removable 1762
windshield placard. The registrar shall provide the application 1763
form and shall determine the information to be included thereon. 1764
The registrar also shall determine the form and size of the 1765
removable windshield placard, the material of which it is to be 1766
made, and any other information to be included thereon, and 1767
shall adopt rules relating to the issuance, expiration, 1768
revocation, surrender, and proper display of such placards. Any 1769
placard issued after October 14, 1999, shall be manufactured in 1770
a manner that allows the expiration date of the placard to be 1771
indicated on it through the punching, drilling, boring, or 1772
creation by any other means of holes in the placard. 1773

(4) At the time a removable windshield placard is issued 1774
to a person with a disability that limits or impairs the ability 1775
to walk, the registrar or deputy registrar shall enter into the 1776
records of the bureau of motor vehicles the last date on which 1777
the person will have that disability, as indicated on the 1778
accompanying prescription. Not less than thirty days prior to 1779
that date and all removable windshield placard renewal dates, 1780
the bureau shall send a renewal notice to that person at the 1781
person's last known address as shown in the records of the 1782

bureau, informing the person that the person's removable 1783
windshield placard will expire on the indicated date not to 1784
exceed ~~five~~ten years from the date of issuance, and that the 1785
person is required to renew the placard by submitting to the 1786
registrar or a deputy registrar another prescription, as 1787
described in division (C) (1) or (2) of this section, and by 1788
complying with the renewal provisions prescribed in division (C) 1789
(3) of this section. If such a prescription is not received by 1790
the registrar or a deputy registrar by that date, the placard 1791
issued to that person expires and no longer is valid, and this 1792
fact shall be recorded in the records of the bureau. 1793

(5) At least once every year, on a date determined by the 1794
registrar, the bureau shall examine the records of the office of 1795
vital statistics, located within the department of health, that 1796
pertain to deceased persons, and also the bureau's records of 1797
all persons who have been issued removable windshield placards 1798
and temporary removable windshield placards. If the records of 1799
the office of vital statistics indicate that a person to whom a 1800
removable windshield placard or temporary removable windshield 1801
placard has been issued is deceased, the bureau shall cancel 1802
that placard, and note the cancellation in its records. 1803

The office of vital statistics shall make available to the 1804
bureau all information necessary to enable the bureau to comply 1805
with division (C) (5) of this section. 1806

(6) Nothing in this section shall be construed to require 1807
a person or organization to apply for a removable windshield 1808
placard or special license plates if the special license plates 1809
issued to the person or organization under prior law have not 1810
expired or been surrendered or revoked. 1811

(D) (1) (a) A person with a disability that limits or 1812

impairs the ability to walk may apply to the registrar or a 1813
deputy registrar for a temporary removable windshield placard. 1814
The application for a temporary removable windshield placard 1815
shall be accompanied by a prescription from the applicant's 1816
health care provider prescribing such a placard for the 1817
applicant, provided that the applicant meets at least one of the 1818
criteria contained in division (A)(1) of this section and that 1819
the disability is expected to continue for six consecutive 1820
months or less. The health care provider shall state on the 1821
prescription the length of time the health care provider expects 1822
the applicant to have the disability that limits or impairs the 1823
applicant's ability to walk, which cannot exceed six months from 1824
the date of the prescription. Upon receipt of an application for 1825
a temporary removable windshield placard, presentation of the 1826
prescription from the applicant's health care provider, and 1827
payment of a service fee equal to the amount specified in 1828
division (D) or (G) of section 4503.10 of the Revised Code, the 1829
registrar or deputy registrar shall issue to the applicant a 1830
temporary removable windshield placard. 1831

(b) Any active-duty member of the armed forces of the 1832
United States, including the reserve components of the armed 1833
forces and the national guard, who has an illness or injury that 1834
limits or impairs the ability to walk may apply to the registrar 1835
or a deputy registrar for a temporary removable windshield 1836
placard. With the application, the person shall present evidence 1837
of the person's active-duty status and the illness or injury. 1838
Evidence of the illness or injury may include a current 1839
department of defense convalescent leave statement, any 1840
department of defense document indicating that the person 1841
currently has an ill or injured casualty status or has limited 1842
duties, or a prescription from any health care provider 1843

prescribing the placard for the applicant. Upon receipt of the 1844
application and the necessary evidence, the registrar or deputy 1845
registrar shall issue the applicant the temporary removable 1846
windshield placard without the payment of any service fee. 1847

(2) The temporary removable windshield placard shall be of 1848
the same size and form as the removable windshield placard, 1849
shall be printed in white on a red-colored background, and shall 1850
bear the word "temporary" in letters of such size as the 1851
registrar shall prescribe. A temporary removable windshield 1852
placard also shall bear the date of expiration on the front and 1853
back of the placard, and shall be valid until expired, 1854
surrendered, or revoked, but in no case shall such a placard be 1855
valid for a period of less than sixty days. The registrar shall 1856
provide the application form and shall determine the information 1857
to be included on it, provided that the registrar shall not 1858
require a health care provider's prescription or certification 1859
for a person applying under division (D) (1) (b) of this section. 1860
The registrar also shall determine the material of which the 1861
temporary removable windshield placard is to be made and any 1862
other information to be included on the placard and shall adopt 1863
rules relating to the issuance, expiration, surrender, 1864
revocation, and proper display of those placards. Any temporary 1865
removable windshield placard issued after October 14, 1999, 1866
shall be manufactured in a manner that allows for the expiration 1867
date of the placard to be indicated on it through the punching, 1868
drilling, boring, or creation by any other means of holes in the 1869
placard. 1870

(E) If an applicant for a removable windshield placard is 1871
a veteran of the armed forces of the United States whose 1872
disability, as defined in division (A) (1) of this section, is 1873
service-connected, the registrar or deputy registrar, upon 1874

receipt of the application, presentation of a signed statement 1875
from the applicant's health care provider certifying the 1876
applicant's disability, and presentation of such documentary 1877
evidence from the department of veterans affairs that the 1878
disability of the applicant meets at least one of the criteria 1879
identified in division (A)(1) of this section and is service- 1880
connected as the registrar may require by rule, but without the 1881
payment of any service fee, shall issue the applicant a 1882
removable windshield placard that is valid until expired, 1883
surrendered, or revoked. 1884

(F) Upon a conviction of a violation of division (H) or 1885
(I) of this section, the court shall report the conviction, and 1886
send the placard, if available, to the registrar, who thereupon 1887
shall revoke the privilege of using the placard and send notice 1888
in writing to the placardholder at that holder's last known 1889
address as shown in the records of the bureau, and the 1890
placardholder shall return the placard if not previously 1891
surrendered to the court, to the registrar within ten days 1892
following mailing of the notice. 1893

Whenever a person to whom a removable windshield placard 1894
has been issued moves to another state, the person shall 1895
surrender the placard to the registrar; and whenever an 1896
organization to which a placard has been issued changes its 1897
place of operation to another state, the organization shall 1898
surrender the placard to the registrar. 1899

(G) Subject to division (F) of section 4511.69 of the 1900
Revised Code, the operator of a motor vehicle displaying a 1901
removable windshield placard, temporary removable windshield 1902
placard, or the special license plates authorized by this 1903
section is entitled to park the motor vehicle in any special 1904

parking location reserved for persons with disabilities that 1905
limit or impair the ability to walk, also known as handicapped 1906
parking spaces or disability parking spaces. 1907

(H) No person or organization that is not eligible for the 1908
issuance of license plates or any placard under this section 1909
shall willfully and falsely represent that the person or 1910
organization is so eligible. 1911

No person or organization shall display license plates 1912
issued under this section unless the license plates have been 1913
issued for the vehicle on which they are displayed and are 1914
valid. 1915

(I) No person or organization to which a removable 1916
windshield placard or temporary removable windshield placard is 1917
issued shall do either of the following: 1918

(1) Display or permit the display of the placard on any 1919
motor vehicle when having reasonable cause to believe the motor 1920
vehicle is being used in connection with an activity that does 1921
not include providing transportation for persons with 1922
disabilities that limit or impair the ability to walk; 1923

(2) Refuse to return or surrender the placard, when 1924
required. 1925

(J) If a removable windshield placard, temporary removable 1926
windshield placard, or parking card is lost, destroyed, or 1927
mutilated, the placardholder or cardholder may obtain a 1928
duplicate by doing both of the following: 1929

(1) Furnishing suitable proof of the loss, destruction, or 1930
mutilation to the registrar; 1931

(2) Paying a service fee equal to the amount specified in 1932

division (D) or (G) of section 4503.10 of the Revised Code. 1933

Any placardholder or cardholder who loses a placard or 1934
card and, after obtaining a duplicate, finds the original, 1935
immediately shall surrender the original placard or card to the 1936
registrar. 1937

(K) (1) The registrar shall pay all fees received under 1938
this section for the issuance of removable windshield placards 1939
or temporary removable windshield placards or duplicate 1940
removable windshield placards or cards into the state treasury 1941
to the credit of the public safety - highway purposes fund 1942
created in section 4501.06 of the Revised Code. 1943

(2) In addition to the fees collected under this section, 1944
the registrar or deputy registrar shall ask each person applying 1945
for a removable windshield placard or temporary removable 1946
windshield placard or duplicate removable windshield placard or 1947
license plate issued under this section, whether the person 1948
wishes to make a two-dollar voluntary contribution to support 1949
rehabilitation employment services. The registrar shall transmit 1950
the contributions received under this division to the treasurer 1951
of state for deposit into the rehabilitation employment fund, 1952
which is hereby created in the state treasury. A deputy 1953
registrar shall transmit the contributions received under this 1954
division to the registrar in the time and manner prescribed by 1955
the registrar. The contributions in the fund shall be used by 1956
the opportunities for Ohioans with disabilities agency to 1957
purchase services related to vocational evaluation, work 1958
adjustment, personal adjustment, job placement, job coaching, 1959
and community-based assessment from accredited community 1960
rehabilitation program facilities. 1961

(L) For purposes of enforcing this section, every peace 1962

officer is deemed to be an agent of the registrar. Any peace 1963
officer or any authorized employee of the bureau of motor 1964
vehicles who, in the performance of duties authorized by law, 1965
becomes aware of a person whose placard or parking card has been 1966
revoked pursuant to this section, may confiscate that placard or 1967
parking card and return it to the registrar. The registrar shall 1968
prescribe any forms used by law enforcement agencies in 1969
administering this section. 1970

No peace officer, law enforcement agency employing a peace 1971
officer, or political subdivision or governmental agency 1972
employing a peace officer, and no employee of the bureau is 1973
liable in a civil action for damages or loss to persons arising 1974
out of the performance of any duty required or authorized by 1975
this section. As used in this division, "peace officer" has the 1976
same meaning as in division (B) of section 2935.01 of the 1977
Revised Code. 1978

(M) All applications for registration of motor vehicles, 1979
removable windshield placards, and temporary removable 1980
windshield placards issued under this section, all renewal 1981
notices for such items, and all other publications issued by the 1982
bureau that relate to this section shall set forth the criminal 1983
penalties that may be imposed upon a person who violates any 1984
provision relating to special license plates issued under this 1985
section, the parking of vehicles displaying such license plates, 1986
and the issuance, procurement, use, and display of removable 1987
windshield placards and temporary removable windshield placards 1988
issued under this section. 1989

(N) Whoever violates this section is guilty of a 1990
misdemeanor of the fourth degree. 1991

Sec. 4504.22. (A) As used in this section: 1992

(1) "Business" means a sole proprietorship, a corporation for profit, or a pass-through entity as defined in section 5733.04 of the Revised Code. 1993
1994
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(2) "Owner" means a partner of a partnership, a member of a limited liability company, a majority shareholder of an S corporation, a person with a majority ownership interest in a pass-through entity, or any officer, employee, or agent with authority to make decisions legally binding upon a business. 1996
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(3) "Truck," "trailer," and "semitrailer" have the same meanings as in section 4501.01 of the Revised Code. 2001
2002

(4) "Commercial trailer" means any trailer that is not a noncommercial trailer as defined in section 4501.01 of the Revised Code. 2003
2004
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(B) The governing board of a regional transportation improvement project created under Chapter 5595. of the Revised Code may request that the board of county commissioners of each county participating in the project propose an annual license tax upon the operation of motor vehicles on public roads in the respective counties. If a governing board makes such a request, the governing board shall make the request to the boards of commissioners of all counties participating in the project. The request shall be in writing and, if the governing board adopted a resolution to allocate revenue from such taxes to fund supplemental transportation improvements as provided in division (B) of section 5595.06 of the Revised Code, shall be accompanied by a copy of the resolution adopted under that division. If the governing board intends for the taxes to apply to trucks, the request shall so state. The purposes of each of the taxes shall be to pay the costs of transportation improvements and opportunity corridor improvements, as those terms are defined by 2006
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section 5595.01 of the Revised Code, to pay the costs of 2023
supplemental improvements necessary to develop or complete the 2024
project, to pay debt service charges on obligations issued for 2025
those purposes, to supplement other revenue already available 2026
for such purposes, and to pay the cost of enforcing and 2027
administering the tax. No such tax may be levied unless the 2028
board of commissioners of each participating county consents to 2029
propose levying the tax and a majority of electors voting on the 2030
tax in each county as provided in this section approve the 2031
resolution levying the tax in that county. 2032

Each county's tax shall be levied in an increment of five 2033
dollars, not exceeding twenty-five dollars, per motor vehicle as 2034
determined by the governing board of the regional transportation 2035
improvement project. Commercial trailers and semitrailers shall 2036
not be subject to the tax. Trucks shall not be subject to the 2037
tax unless the governing board's request states that trucks 2038
shall be subject to the tax. If trucks are to be subject to the 2039
tax, the governing board shall proceed as required by division 2040
(D) of this section before the governing board submits its 2041
request to the boards of county commissioners under this 2042
division. The owner of each motor vehicle subject to the tax who 2043
resides in the county where the tax applies shall pay the tax 2044
levied by the board of county commissioners. The tax is in 2045
addition to all other taxes levied under this chapter and 2046
subject to reduction in the manner provided in division (B) (2) 2047
of section 4503.11 of the Revised Code. Each tax shall apply at 2048
a uniform rate throughout the county. Taxes levied under this 2049
section shall not apply to registrations for any registration 2050
year beginning before January 1, 2017. The taxes shall continue 2051
in effect until expiration or repeal or until the dissolution of 2052
the regional transportation improvement project for which the 2053

taxes are levied. 2054

(C) If the board of commissioners of each county 2055
participating in the regional transportation improvement project 2056
consents, by resolution, to the governing board's request to 2057
levy a tax under this section, the board of commissioners of 2058
each such county shall adopt a resolution levying the tax and 2059
proposing to submit the question of the tax to the electors of 2060
the county. The resolution shall specify the rate of the tax, 2061
the date on which the tax will terminate, and, if the request of 2062
the governing board of the regional transportation improvement 2063
project indicates that a portion of the revenue will be used for 2064
supplemental transportation improvements, the portion of the tax 2065
revenue that will be used for such supplemental improvements. 2066
The rate of the tax levied in each county, the election at which 2067
the question is to be submitted, the first registration year the 2068
tax will be levied, the date on which the tax will terminate, 2069
and whether the tax applies to trucks shall be identical for all 2070
the counties. 2071

The board of elections of each county shall submit the 2072
question of the tax to the electors at the primary or general 2073
election to be held not less than ninety days after the board of 2074
county commissioners certifies to the county board of elections 2075
its resolution proposing the tax. The secretary of state shall 2076
prescribe the form of the ballot for the election. If the 2077
question of the tax is approved by a majority of the electors 2078
voting on the question of the tax in each county, the board of 2079
county commissioners of each county shall levy the tax as 2080
provided in the resolution. 2081

A tax shall not be levied in any of the counties 2082
participating in the regional transportation improvement project 2083

unless the majority of electors voting on the question in each 2084
of those counties approve the question. If the question of the 2085
tax is approved in each county, the board of commissioners of 2086
the most populous of such counties as determined by the most 2087
recent federal decennial census shall certify the copies of all 2088
counties' resolutions to the registrar of motor vehicles as 2089
provided in section 4504.08 of the Revised Code. 2090

(D) If the taxes to be levied under this section would 2091
apply to the operation of trucks on public highways in the 2092
counties levying the tax, the governing board of the regional 2093
transportation improvement project that requested the levy of 2094
the taxes shall appoint a transportation advisory council. The 2095
council shall review the proposed license taxes in conjunction 2096
with the cooperative agreement for the project and determine if 2097
the agreement and taxes are in the best interests of businesses 2098
operating in the counties in which the taxes would be imposed. 2099
The governing board shall not submit a proposed tax to boards of 2100
county commissioners under division (B) of this section unless 2101
the tax is approved by the transportation advisory council or 2102
the tax does not apply to trucks. 2103

The transportation advisory council is a public body for 2104
the purposes of section 121.22 of the Revised Code and is a 2105
public office for the purposes of section 149.43 of the Revised 2106
Code. Members of the council shall not be considered to be 2107
holding a direct or indirect interest in a contract or 2108
expenditure of money by a county or a regional transportation 2109
improvement project because of their affiliation with the 2110
council. 2111

The transportation advisory council shall consist of one 2112
member for each county participating in the regional 2113

transportation improvement project. For each county, the 2114
governing board of the project shall first appoint an owner of 2115
the business that owns the most trucks that would be subject to 2116
the license tax if it was imposed in that county, or an 2117
individual designated by the owner to serve in the owner's 2118
place. If the owner of the business is unable or unwilling to 2119
serve on the council or to designate an individual to serve in 2120
the owner's place, the governing board shall appoint an owner of 2121
the business that owns the next most trucks that would be 2122
subject to the license tax if it was imposed in that county, or 2123
an individual designated by the owner to serve in the owner's 2124
place. The governing board shall repeat this appointment 2125
procedure until each position on the council has been filled. No 2126
business may have more than one representative on the council. 2127
If the appointment procedure results in an owner of the same 2128
business being appointed to the council more than once, the 2129
governing board shall skip that business in the appointment 2130
order in one of the participating counties and instead appoint 2131
an owner of the business that owns the next most trucks that 2132
would be subject to the license tax if it was imposed in that 2133
county, or an individual designated by the owner to serve in the 2134
owner's place. Two businesses are the same business for the 2135
purposes of this division if more than fifty per cent of the 2136
controlling interest in each of the businesses is owned by the 2137
same person or persons. 2138

The transportation advisory council shall hold at least 2139
one public meeting before voting on whether to approve the 2140
proposed license tax or taxes. Meetings shall be held in the 2141
most populous county in which a proposed license tax would be 2142
levied. Population shall be determined by reference to the most 2143
recent federal decennial census. Attendance by a majority of the 2144

members of the council constitutes a quorum to conduct the 2145
business of the council. At the meeting, the council shall 2146
consider the question of whether the license taxes and the 2147
cooperative agreement are in the best interests of the 2148
businesses operating in the counties in which the taxes would be 2149
imposed. In considering this question, the council shall allow 2150
the governing board, or a representative thereof, the 2151
opportunity to present testimony on the license taxes and the 2152
cooperative agreement. The council also shall allow time, during 2153
the meeting or meetings, for public comment on the license tax 2154
or taxes and the cooperative agreement. The council may hold an 2155
executive session in the manner provided in and subject to the 2156
limitations of section 122.22 of the Revised Code. 2157

If the council, by majority vote of the membership of the 2158
council, determines that the license taxes and the cooperative 2159
agreement are in the best interests of the businesses operating 2160
within counties in which the tax would be levied, the governing 2161
board may submit requests to the appropriate boards of county 2162
commissioners that the license tax be placed on the ballot in 2163
accordance with division (C) of this section. If the council 2164
does not approve the license taxes and the cooperative 2165
agreement, the council shall provide recommendations to the 2166
governing board for ways in which the proposed license taxes and 2167
the cooperative agreement may be modified to meet the approval 2168
of the council. Such recommendations shall be in writing and 2169
shall be sent to the governing board within fourteen days after 2170
the vote of the council on the license taxes and the cooperative 2171
agreement. 2172

The transportation advisory council shall dissolve by 2173
operation of law upon approving a license tax proposal under 2174
this division. 2175

The governing board shall make appropriations as are 2176
necessary to pay the costs incurred by the council in the 2177
exercise of its functions under this division. 2178

(E) The registrar of motor vehicles shall deposit revenue 2179
from each of the taxes levied under this section that is 2180
received by the registrar under section 4504.09 of the Revised 2181
Code in the local motor vehicle license tax fund created by 2182
section 4501.031 of the Revised Code. The registrar shall 2183
distribute the revenue from each tax to the appropriate board of 2184
county commissioners. The registrar may assign to each board of 2185
county commissioners a unique code to facilitate the 2186
distribution of the revenue, which may be the same unique code 2187
assigned to that county under section 4501.03 of the Revised 2188
Code. The board of county commissioners then shall pay the money 2189
to the governing board of the regional transportation 2190
improvement project that requested that the question of the 2191
levying of the tax be placed on the ballot. 2192

Sec. 4505.131. (A) Any person that purchases a motor 2193
vehicle that is financed shall choose, at the time that the 2194
security interest financing the motor vehicle is fully 2195
discharged, to either receive a physical certificate of title to 2196
that motor vehicle from the secured party or to have the 2197
certificate of title remain electronic. 2198

(B) Upon a secured party's receipt of good funds in the 2199
correct amount discharging the security interest financing the 2200
motor vehicle, the secured party shall send the purchaser a 2201
written form. The purchaser shall complete the form to 2202
affirmatively choose whether the purchaser wishes to receive a 2203
physical certificate of title or to have the certificate of 2204
title remain electronic. The form may be electronic or 2205

nonelectronic. 2206

(C) If the purchaser affirmatively selects to receive a physical certificate of title, the secured party shall deliver to the purchaser, without any additional fee, a physical certificate of title to the motor vehicle. 2207
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(D) This section does not apply when a security interest financing a motor vehicle is discharged because the purchaser sold or traded the motor vehicle and no longer has an ownership interest in that motor vehicle. 2211
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Sec. 4511.093. (A) A local authority may utilize a traffic law photo-monitoring device for the purpose of detecting traffic law violations. If the local authority is a county or township, the board of county commissioners or the board of township trustees may adopt such resolutions as may be necessary to enable the county or township to utilize traffic law photo-monitoring devices. 2215
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(B) The use of a traffic law photo-monitoring device is subject to the following conditions: 2222
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(1) A local authority shall use a traffic law photo-monitoring device to detect and enforce traffic law violations only if a law enforcement officer is present at the location of the device at all times during the operation of the device and if the local authority complies with sections 4511.094 and 4511.095 of the Revised Code. 2224
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(2) A law enforcement officer who is present at the location of any traffic law photo-monitoring device and who personally witnesses a traffic law violation may issue a ticket for the violation. Such a ticket shall be issued in accordance with section 2935.26 of the Revised Code and is not subject to 2230
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sections 4511.096 to 4511.0910 and section 4511.912 of the Revised Code.

(3) If a traffic law photo-monitoring device records a traffic law violation and the law enforcement officer who was present at the location of the traffic law photo-monitoring device does not issue a ticket as provided under division (B) (2) of this section, the local authority may only issue a ticket in accordance with sections 4511.096 to 4511.0912 of the Revised Code.

(4) If the local authority utilizing traffic law photo-monitoring devices is a county or township, a law enforcement officer of the county or township shall use only a handheld traffic law photo-monitoring device held by the law enforcement officer.

(C) No township constable appointed under section 509.01 of the Revised Code, member of a police force of a township or joint police district created under section 505.48 or 505.482 of the Revised Code, or other representative of a township shall utilize a traffic law photo-monitoring device to detect and enforce traffic law violations on an interstate highway.

Sec. 4511.21. (A) No person shall operate a motor vehicle, trackless trolley, or streetcar at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions, and no person shall drive any motor vehicle, trackless trolley, or streetcar in and upon any street or highway at a greater speed than will permit the person to bring it to a stop within the assured clear distance ahead.

(B) It is prima-facie lawful, in the absence of a lower

limit declared or established pursuant to this section by the 2264
director of transportation or local authorities, for the 2265
operator of a motor vehicle, trackless trolley, or streetcar to 2266
operate the same at a speed not exceeding the following: 2267

(1) (a) Twenty miles per hour in school zones during school 2268
recess and while children are going to or leaving school during 2269
the opening or closing hours, and when twenty miles per hour 2270
school speed limit signs are erected; except that, on 2271
controlled-access highways and expressways, if the right-of-way 2272
line fence has been erected without pedestrian opening, the 2273
speed shall be governed by division (B) (4) of this section and 2274
on freeways, if the right-of-way line fence has been erected 2275
without pedestrian opening, the speed shall be governed by 2276
divisions (B) (10) and (11) of this section. The end of every 2277
school zone may be marked by a sign indicating the end of the 2278
zone. Nothing in this section or in the manual and 2279
specifications for a uniform system of traffic control devices 2280
shall be construed to require school zones to be indicated by 2281
signs equipped with flashing or other lights, or giving other 2282
special notice of the hours in which the school zone speed limit 2283
is in effect. 2284

(b) As used in this section and in section 4511.212 of the 2285
Revised Code, "school" means all of the following: 2286

(i) Any school chartered under section 3301.16 of the 2287
Revised Code; 2288

(ii) Any nonchartered school that during the preceding 2289
year filed with the department of education in compliance with 2290
rule 3301-35-08 of the Ohio Administrative Code, a copy of the 2291
school's report for the parents of the school's pupils 2292
certifying that the school meets Ohio minimum standards for 2293

nonchartered, nontax-supported schools and presents evidence of 2294
this filing to the jurisdiction from which it is requesting the 2295
establishment of a school zone; 2296

(iii) Any special elementary school that in writing 2297
requests the county engineer of the county in which the special 2298
elementary school is located to create a school zone at the 2299
location of that school. Upon receipt of such a written request, 2300
the county engineer shall create a school zone at that location 2301
by erecting the appropriate signs. 2302

(iv) Any preschool education program operated by an 2303
educational service center that is located on a street or 2304
highway with a speed limit of forty-five miles per hour or more, 2305
when the educational service center in writing requests that the 2306
county engineer of the county in which the program is located 2307
create a school zone at the location of that program. Upon 2308
receipt of such a written request, the county engineer shall 2309
create a school zone at that location by erecting the 2310
appropriate signs. 2311

(c) As used in this section, "school zone" means that 2312
portion of a street or highway passing a school fronting upon 2313
the street or highway that is encompassed by projecting the 2314
school property lines to the fronting street or highway, and 2315
also includes that portion of a state highway. Upon request from 2316
local authorities for streets and highways under their 2317
jurisdiction and that portion of a state highway under the 2318
jurisdiction of the director of transportation or a request from 2319
a county engineer in the case of a school zone for a special 2320
elementary school, the director may extend the traditional 2321
school zone boundaries. The distances in divisions (B) (1) (c) (i), 2322
(ii), and (iii) of this section shall not exceed three hundred 2323

feet per approach per direction and are bounded by whichever of 2324
the following distances or combinations thereof the director 2325
approves as most appropriate: 2326

(i) The distance encompassed by projecting the school 2327
building lines normal to the fronting highway and extending a 2328
distance of three hundred feet on each approach direction; 2329

(ii) The distance encompassed by projecting the school 2330
property lines intersecting the fronting highway and extending a 2331
distance of three hundred feet on each approach direction; 2332

(iii) The distance encompassed by the special marking of 2333
the pavement for a principal school pupil crosswalk plus a 2334
distance of three hundred feet on each approach direction of the 2335
highway. 2336

Nothing in this section shall be construed to invalidate 2337
the director's initial action on August 9, 1976, establishing 2338
all school zones at the traditional school zone boundaries 2339
defined by projecting school property lines, except when those 2340
boundaries are extended as provided in divisions (B) (1) (a) and 2341
(c) of this section. 2342

(d) As used in this division, "crosswalk" has the meaning 2343
given that term in division (LL) (2) of section 4511.01 of the 2344
Revised Code. 2345

The director may, upon request by resolution of the 2346
legislative authority of a municipal corporation, the board of 2347
trustees of a township, or a county board of developmental 2348
disabilities created pursuant to Chapter 5126. of the Revised 2349
Code, and upon submission by the municipal corporation, 2350
township, or county board of such engineering, traffic, and 2351
other information as the director considers necessary, designate 2352

a school zone on any portion of a state route lying within the 2353
municipal corporation, lying within the unincorporated territory 2354
of the township, or lying adjacent to the property of a school 2355
that is operated by such county board, that includes a crosswalk 2356
customarily used by children going to or leaving a school during 2357
recess and opening and closing hours, whenever the distance, as 2358
measured in a straight line, from the school property line 2359
nearest the crosswalk to the nearest point of the crosswalk is 2360
no more than one thousand three hundred twenty feet. Such a 2361
school zone shall include the distance encompassed by the 2362
crosswalk and extending three hundred feet on each approach 2363
direction of the state route. 2364

(e) As used in this section, "special elementary school" 2365
means a school that meets all of the following criteria: 2366

(i) It is not chartered and does not receive tax revenue 2367
from any source. 2368

(ii) It does not educate children beyond the eighth grade. 2369

(iii) It is located outside the limits of a municipal 2370
corporation. 2371

(iv) A majority of the total number of students enrolled 2372
at the school are not related by blood. 2373

(v) The principal or other person in charge of the special 2374
elementary school annually sends a report to the superintendent 2375
of the school district in which the special elementary school is 2376
located indicating the total number of students enrolled at the 2377
school, but otherwise the principal or other person in charge 2378
does not report any other information or data to the 2379
superintendent. 2380

(2) Twenty-five miles per hour in all other portions of a 2381

municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;	2382
	2383
	2384
(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B)(4) and (6) of this section;	2385
	2386
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	2388
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations, except as provided in divisions (B)(12), (13), (14), (15), and (16) of this section;	2389
	2390
	2391
(5) Fifty-five <u>Sixty</u> miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section, highways as provided in divisions (B)(9) and (10) of this section, and highways, expressways, and freeways as provided in divisions (B) (12) , (13), (14), and (16) of this section;	2392
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(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;	2398
	2399
	2400
(7) Fifteen miles per hour on all alleys within the municipal corporation;	2401
	2402
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	2403
	2404
(9) Thirty-five miles per hour on through highways, except state routes, that are outside municipal corporations and that are within a national park with boundaries extending through two or more counties;	2405
	2406
	2407
	2408
(10) Sixty <u>Sixty-five</u> miles per hour on two-lane state	2409

routes outside municipal corporations as established by the 2410
director under division (H) (2) of this section; 2411

(11) Fifty-five miles per hour on freeways with paved 2412
shoulders inside municipal corporations, other than freeways as 2413
provided in divisions (B) (14) and (16) of this section; 2414

(12) Sixty miles per hour on rural expressways with 2415
traffic control signals and on all portions of rural divided 2416
highways, except as provided in divisions (B) (13) and (14) of 2417
this section; 2418

(13) Sixty-five miles per hour on all rural expressways 2419
without traffic control signals; 2420

(14) Seventy miles per hour on all rural freeways; 2421

(15) Fifty-five miles per hour on all portions of freeways 2422
or expressways in congested areas as determined by the director 2423
and that are located within a municipal corporation or within an 2424
interstate freeway outerbelt, except as provided in division (B) 2425
(16) of this section; 2426

(16) Sixty-five miles per hour on all portions of freeways 2427
or expressways without traffic control signals in urbanized 2428
areas. 2429

(C) It is prima-facie unlawful for any person to exceed 2430
any of the speed limitations in divisions (B) (1) (a), (2), (3), 2431
(4), (6), (7), (8), and (9) of this section, or any declared or 2432
established pursuant to this section by the director or local 2433
authorities and it is unlawful for any person to exceed any of 2434
the speed limitations in division (D) of this section. No person 2435
shall be convicted of more than one violation of this section 2436
for the same conduct, although violations of more than one 2437
provision of this section may be charged in the alternative in a 2438

single affidavit. 2439

(D) No person shall operate a motor vehicle, trackless 2440
trolley, or streetcar upon a street or highway as follows: 2441

(1) At a speed exceeding fifty-five miles per hour, except 2442
upon a two-lane state route as provided in division (B) (10) of 2443
this section and upon a highway, expressway, or freeway as 2444
provided in divisions (B) (12), (13), (14), and (16) of this 2445
section; 2446

(2) At a speed exceeding sixty miles per hour ~~upon a two-~~ 2447
~~lane state route as provided in division (B) (10) of this section~~ 2448
~~and upon a highway, expressway, or freeway as provided in~~ 2449
~~division (B) (12) divisions (B) (5) and (12) of this section,~~ 2450
~~except upon a highway, expressway, or freeway as provided in~~ 2451
~~divisions (B) (10), (13), (14), and (16) of this section;~~ 2452

(3) At a speed exceeding sixty-five miles per hour upon ~~an~~ 2453
a highway, expressway, or freeway as provided in ~~division (B)~~ 2454
~~(13) or upon a freeway as provided in division (B) (16) divisions~~ 2455
(B) (10), (13), and (16) of this section, except upon a freeway 2456
as provided in division (B) (14) of this section; 2457

(4) At a speed exceeding seventy miles per hour upon a 2458
freeway as provided in division (B) (14) of this section; 2459

(5) At a speed exceeding the posted speed limit upon a 2460
highway, expressway, or freeway for which the director has 2461
determined and declared a speed limit pursuant to division (I) 2462
(2) or (L) (2) of this section. 2463

(E) In every charge of violation of this section the 2464
affidavit and warrant shall specify the time, place, and speed 2465
at which the defendant is alleged to have driven, and in charges 2466
made in reliance upon division (C) of this section also the 2467

speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or 2468
(9) of, or a limit declared or established pursuant to, this 2469
section declares is prima-facie lawful at the time and place of 2470
such alleged violation, except that in affidavits where a person 2471
is alleged to have driven at a greater speed than will permit 2472
the person to bring the vehicle to a stop within the assured 2473
clear distance ahead the affidavit and warrant need not specify 2474
the speed at which the defendant is alleged to have driven. 2475

(F) When a speed in excess of both a prima-facie 2476
limitation and a limitation in division (D) of this section is 2477
alleged, the defendant shall be charged in a single affidavit, 2478
alleging a single act, with a violation indicated of both 2479
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this 2480
section, or of a limit declared or established pursuant to this 2481
section by the director or local authorities, and of the 2482
limitation in division (D) of this section. If the court finds a 2483
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8), 2484
or (9) of, or a limit declared or established pursuant to, this 2485
section has occurred, it shall enter a judgment of conviction 2486
under such division and dismiss the charge under division (D) of 2487
this section. If it finds no violation of division (B) (1) (a), 2488
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 2489
established pursuant to, this section, it shall then consider 2490
whether the evidence supports a conviction under division (D) of 2491
this section. 2492

(G) Points shall be assessed for violation of a limitation 2493
under division (C) or (D) of this section in accordance with 2494
section 4510.036 of the Revised Code. 2495

(H) (1) Whenever the director determines upon the basis of 2496
criteria established by an engineering study, as defined by the 2497

director, that any speed limit set forth in divisions (B) (1) (a) 2498
to (D) of this section is greater or less than is reasonable or 2499
safe under the conditions found to exist at any portion of a 2500
street or highway under the jurisdiction of the director, the 2501
director shall determine and declare a reasonable and safe 2502
prima-facie speed limit, which shall be effective when 2503
appropriate signs giving notice of it are erected at the 2504
location. 2505

(2) Whenever the director determines upon the basis of 2506
criteria established by an engineering study, as defined by the 2507
director, that the speed limit of ~~fifty-five~~ sixty miles per 2508
hour on a two-lane state route outside a municipal corporation 2509
is less than is reasonable or safe under the conditions found to 2510
exist at that portion of the state route, the director may 2511
determine and declare a speed limit of ~~sixty~~ sixty-five miles 2512
per hour for that portion of the state route, which shall be 2513
effective when appropriate signs giving notice of it are erected 2514
at the location. 2515

(3) (a) For purposes of the safe and orderly movement of 2516
traffic upon any portion of a street or highway under the 2517
jurisdiction of the director, the director may establish a 2518
variable speed limit that is different than the speed limit 2519
established by or under this section on all or portions of 2520
interstate six hundred seventy, interstate two hundred seventy- 2521
five, and interstate ninety commencing at the intersection of 2522
that interstate with interstate seventy-one and continuing to 2523
the border of the state of Ohio with the state of Pennsylvania. 2524
The director shall establish criteria for determining the 2525
appropriate use of variable speed limits and shall establish 2526
variable speed limits in accordance with the criteria. The 2527
director may establish variable speed limits based upon the time 2528

of day, weather conditions, traffic incidents, or other factors 2529
that affect the safe speed on a street or highway. The director 2530
shall not establish a variable speed limit that is based on a 2531
particular type or class of vehicle. A variable speed limit 2532
established by the director under this section is effective when 2533
appropriate signs giving notice of the speed limit are displayed 2534
at the location. 2535

(b) Except for variable speed limits established under 2536
division (H) (3) (a) of this section, the director shall establish 2537
a variable speed limit under the authority granted to the 2538
director by this section on not more than two additional 2539
highways and only pursuant to criteria established in rules 2540
adopted in accordance with Chapter 119. of the Revised Code. The 2541
rules shall be based on the criteria described in division (H) 2542
(3) (a) of this section. The rules also shall establish the 2543
parameters of any engineering study necessary for determining 2544
when variable speed limits are appropriate. 2545

(4) Nothing in this section shall be construed to limit 2546
the authority of the director to establish speed limits within a 2547
construction zone as authorized under section 4511.98 of the 2548
Revised Code. 2549

(I) (1) Except as provided in divisions (I) (2), (J), (K), 2550
and (N) of this section, whenever local authorities determine 2551
upon the basis of criteria established by an engineering study, 2552
as defined by the director, that the speed permitted by 2553
divisions (B) (1) (a) to (D) of this section, on any part of a 2554
highway under their jurisdiction, is greater than is reasonable 2555
and safe under the conditions found to exist at such location, 2556
the local authorities may by resolution request the director to 2557
determine and declare a reasonable and safe prima-facie speed 2558

limit. Upon receipt of such request the director may determine 2559
and declare a reasonable and safe prima-facie speed limit at 2560
such location, and if the director does so, then such declared 2561
speed limit shall become effective only when appropriate signs 2562
giving notice thereof are erected at such location by the local 2563
authorities. The director may withdraw the declaration of a 2564
prima-facie speed limit whenever in the director's opinion the 2565
altered prima-facie speed limit becomes unreasonable. Upon such 2566
withdrawal, the declared prima-facie speed limit shall become 2567
ineffective and the signs relating thereto shall be immediately 2568
removed by the local authorities. 2569

(2) A local authority may determine on the basis of 2570
criteria established by an engineering study, as defined by the 2571
director, that the speed limit of sixty-five or seventy miles 2572
per hour on a portion of a freeway under its jurisdiction is 2573
greater than is reasonable or safe under the conditions found to 2574
exist at that portion of the freeway. If the local authority 2575
makes such a determination, the local authority by resolution 2576
may request the director to determine and declare a reasonable 2577
and safe speed limit of not less than fifty-five miles per hour 2578
for that portion of the freeway. If the director takes such 2579
action, the declared speed limit becomes effective only when 2580
appropriate signs giving notice of it are erected at such 2581
location by the local authority. 2582

(J) Local authorities in their respective jurisdictions 2583
may authorize by ordinance higher prima-facie speeds than those 2584
stated in this section upon through highways, or upon highways 2585
or portions thereof where there are no intersections, or between 2586
widely spaced intersections, provided signs are erected giving 2587
notice of the authorized speed, but local authorities shall not 2588
modify or alter the basic rule set forth in division (A) of this 2589

section or in any event authorize by ordinance a speed in excess 2590
of the maximum speed permitted by division (D) of this section 2591
for the specified type of highway. 2592

Alteration of prima-facie limits on state routes by local 2593
authorities shall not be effective until the alteration has been 2594
approved by the director. The director may withdraw approval of 2595
any altered prima-facie speed limits whenever in the director's 2596
opinion any altered prima-facie speed becomes unreasonable, and 2597
upon such withdrawal, the altered prima-facie speed shall become 2598
ineffective and the signs relating thereto shall be immediately 2599
removed by the local authorities. 2600

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 2601
this section, "unimproved highway" means a highway consisting of 2602
any of the following: 2603

(a) Unimproved earth; 2604

(b) Unimproved graded and drained earth; 2605

(c) Gravel. 2606

(2) Except as otherwise provided in divisions (K) (4) and 2607
(5) of this section, whenever a board of township trustees 2608
determines upon the basis of criteria established by an 2609
engineering study, as defined by the director, that the speed 2610
permitted by division (B) (5) of this section on any part of an 2611
unimproved highway under its jurisdiction and in the 2612
unincorporated territory of the township is greater than is 2613
reasonable or safe under the conditions found to exist at the 2614
location, the board may by resolution declare a reasonable and 2615
safe prima-facie speed limit of ~~fifty-five~~ less than sixty but 2616
not less than twenty-five miles per hour. An altered speed limit 2617
adopted by a board of township trustees under this division 2618

becomes effective when appropriate traffic control devices, as 2619
prescribed in section 4511.11 of the Revised Code, giving notice 2620
thereof are erected at the location, which shall be no sooner 2621
than sixty days after adoption of the resolution. 2622

(3) (a) Whenever, in the opinion of a board of township 2623
trustees, any altered prima-facie speed limit established by the 2624
board under this division becomes unreasonable, the board may 2625
adopt a resolution withdrawing the altered prima-facie speed 2626
limit. Upon the adoption of such a resolution, the altered 2627
prima-facie speed limit becomes ineffective and the traffic 2628
control devices relating thereto shall be immediately removed. 2629

(b) Whenever a highway ceases to be an unimproved highway 2630
and the board has adopted an altered prima-facie speed limit 2631
pursuant to division (K) (2) of this section, the board shall, by 2632
resolution, withdraw the altered prima-facie speed limit as soon 2633
as the highway ceases to be unimproved. Upon the adoption of 2634
such a resolution, the altered prima-facie speed limit becomes 2635
ineffective and the traffic control devices relating thereto 2636
shall be immediately removed. 2637

(4) (a) If the boundary of two townships rests on the 2638
centerline of an unimproved highway in unincorporated territory 2639
and both townships have jurisdiction over the highway, neither 2640
of the boards of township trustees of such townships may declare 2641
an altered prima-facie speed limit pursuant to division (K) (2) 2642
of this section on the part of the highway under their joint 2643
jurisdiction unless the boards of township trustees of both of 2644
the townships determine, upon the basis of criteria established 2645
by an engineering study, as defined by the director, that the 2646
speed permitted by division (B) (5) of this section is greater 2647
than is reasonable or safe under the conditions found to exist 2648

at the location and both boards agree upon a reasonable and safe
prima-facie speed limit of less than ~~fifty-five~~ sixty but not
less than twenty-five miles per hour for that location. If both
boards so agree, each shall follow the procedure specified in
division (K) (2) of this section for altering the prima-facie
speed limit on the highway. Except as otherwise provided in
division (K) (4) (b) of this section, no speed limit altered
pursuant to division (K) (4) (a) of this section may be withdrawn
unless the boards of township trustees of both townships
determine that the altered prima-facie speed limit previously
adopted becomes unreasonable and each board adopts a resolution
withdrawing the altered prima-facie speed limit pursuant to the
procedure specified in division (K) (3) (a) of this section.

(b) Whenever a highway described in division (K) (4) (a) of
this section ceases to be an unimproved highway and two boards
of township trustees have adopted an altered prima-facie speed
limit pursuant to division (K) (4) (a) of this section, both
boards shall, by resolution, withdraw the altered prima-facie
speed limit as soon as the highway ceases to be unimproved. Upon
the adoption of the resolution, the altered prima-facie speed
limit becomes ineffective and the traffic control devices
relating thereto shall be immediately removed.

(5) As used in division (K) (5) of this section:

(a) "Commercial subdivision" means any platted territory
outside the limits of a municipal corporation and fronting a
highway where, for a distance of three hundred feet or more, the
frontage is improved with buildings in use for commercial
purposes, or where the entire length of the highway is less than
three hundred feet long and the frontage is improved with
buildings in use for commercial purposes.

(b) "Residential subdivision" means any platted territory 2679
outside the limits of a municipal corporation and fronting a 2680
highway, where, for a distance of three hundred feet or more, 2681
the frontage is improved with residences or residences and 2682
buildings in use for business, or where the entire length of the 2683
highway is less than three hundred feet long and the frontage is 2684
improved with residences or residences and buildings in use for 2685
business. 2686

Whenever a board of township trustees finds upon the basis 2687
of criteria established by an engineering study, as defined by 2688
the director, that the ~~prima-facie~~ speed permitted by division 2689
(B) (5) of this section on any part of a highway under its 2690
jurisdiction that is located in a commercial or residential 2691
subdivision, except on highways or portions thereof at the 2692
entrances to which vehicular traffic from the majority of 2693
intersecting highways is required to yield the right-of-way to 2694
vehicles on such highways in obedience to stop or yield signs or 2695
traffic control signals, is greater than is reasonable and safe 2696
under the conditions found to exist at the location, the board 2697
may by resolution declare a reasonable and safe prima-facie 2698
speed limit of less than ~~fifty-five-sixty~~ but not less than 2699
twenty-five miles per hour at the location. An altered speed 2700
limit adopted by a board of township trustees under this 2701
division shall become effective when appropriate signs giving 2702
notice thereof are erected at the location by the township. 2703
Whenever, in the opinion of a board of township trustees, any 2704
altered prima-facie speed limit established by it under this 2705
division becomes unreasonable, it may adopt a resolution 2706
withdrawing the altered prima-facie speed, and upon such 2707
withdrawal, the altered prima-facie speed shall become 2708
ineffective, and the signs relating thereto shall be immediately 2709

removed by the township. 2710

(L) (1) The director of transportation, based upon an 2711
engineering study, as defined by the director, of a highway, 2712
expressway, or freeway described in division (B) (12), (13), 2713
(14), (15), or (16) of this section, in consultation with the 2714
director of public safety and, if applicable, the local 2715
authority having jurisdiction over the studied highway, 2716
expressway, or freeway, may determine and declare that the speed 2717
limit established on such highway, expressway, or freeway under 2718
division (B) (12), (13), (14), (15), or (16) of this section 2719
either is reasonable and safe or is more or less than that which 2720
is reasonable and safe. 2721

(2) If the established speed limit for a highway, 2722
expressway, or freeway studied pursuant to division (L) (1) of 2723
this section is determined to be more or less than that which is 2724
reasonable and safe, the director of transportation, in 2725
consultation with the director of public safety and, if 2726
applicable, the local authority having jurisdiction over the 2727
studied highway, expressway, or freeway, shall determine and 2728
declare a reasonable and safe speed limit for that highway, 2729
expressway, or freeway. 2730

(M) (1) (a) If the boundary of two local authorities rests 2731
on the centerline of a highway and both authorities have 2732
jurisdiction over the highway, the speed limit for the part of 2733
the highway within their joint jurisdiction shall be either one 2734
of the following as agreed to by both authorities: 2735

(i) Either prima-facie speed limit permitted by division 2736
(B) of this section; 2737

(ii) An altered speed limit determined and posted in 2738

accordance with this section. 2739

(b) If the local authorities are unable to reach an 2740
agreement, the speed limit shall remain as established and 2741
posted under this section. 2742

(2) Neither local authority may declare an altered prima- 2743
facie speed limit pursuant to this section on the part of the 2744
highway under their joint jurisdiction unless both of the local 2745
authorities determine, upon the basis of criteria established by 2746
an engineering study, as defined by the director, that the speed 2747
permitted by this section is greater than is reasonable or safe 2748
under the conditions found to exist at the location and both 2749
authorities agree upon a uniform reasonable and safe prima-facie 2750
speed limit of less than fifty-five but not less than twenty- 2751
five miles per hour for that location. If both authorities so 2752
agree, each shall follow the procedure specified in this section 2753
for altering the prima-facie speed limit on the highway, and the 2754
speed limit for the part of the highway within their joint 2755
jurisdiction shall be uniformly altered. No altered speed limit 2756
may be withdrawn unless both local authorities determine that 2757
the altered prima-facie speed limit previously adopted becomes 2758
unreasonable and each adopts a resolution withdrawing the 2759
altered prima-facie speed limit pursuant to the procedure 2760
specified in this section. 2761

(N) The legislative authority of a municipal corporation 2762
or township in which a boarding school is located, by resolution 2763
or ordinance, may establish a boarding school zone. The 2764
legislative authority may alter the speed limit on any street or 2765
highway within the boarding school zone and shall specify the 2766
hours during which the altered speed limit is in effect. For 2767
purposes of determining the boundaries of the boarding school 2768

zone, the altered speed limit within the boarding school zone, 2769
and the hours the altered speed limit is in effect, the 2770
legislative authority shall consult with the administration of 2771
the boarding school and with the county engineer or other 2772
appropriate engineer, as applicable. A boarding school zone 2773
speed limit becomes effective only when appropriate signs giving 2774
notice thereof are erected at the appropriate locations. 2775

(0) As used in this section: 2776

(1) "Interstate system" has the same meaning as in 23 2777
U.S.C. 101. 2778

(2) "Commercial bus" means a motor vehicle designed for 2779
carrying more than nine passengers and used for the 2780
transportation of persons for compensation. 2781

(3) "Noncommercial bus" includes but is not limited to a 2782
school bus or a motor vehicle operated solely for the 2783
transportation of persons associated with a charitable or 2784
nonprofit organization. 2785

(4) "Outerbelt" means a portion of a freeway that is part 2786
of the interstate system and is located in the outer vicinity of 2787
a major municipal corporation or group of municipal 2788
corporations, as designated by the director. 2789

(5) "Rural" means an area outside urbanized areas and 2790
outside of a business or urban district, and areas that extend 2791
within urbanized areas where the roadway characteristics remain 2792
mostly unchanged from those outside the urbanized areas. 2793

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 2794
101. 2795

(7) "Divided" means a roadway having two or more travel 2796

lanes for vehicles moving in opposite directions and that is 2797
separated by a median of more than four feet, excluding turn 2798
lanes. 2799

(P) (1) A violation of any provision of this section is one 2800
of the following: 2801

(a) Except as otherwise provided in divisions (P) (1) (b), 2802
(1) (c), (2), and (3) of this section, a minor misdemeanor; 2803

(b) If, within one year of the offense, the offender 2804
previously has been convicted of or pleaded guilty to two 2805
violations of any provision of this section or of any provision 2806
of a municipal ordinance that is substantially similar to any 2807
provision of this section, a misdemeanor of the fourth degree; 2808

(c) If, within one year of the offense, the offender 2809
previously has been convicted of or pleaded guilty to three or 2810
more violations of any provision of this section or of any 2811
provision of a municipal ordinance that is substantially similar 2812
to any provision of this section, a misdemeanor of the third 2813
degree. 2814

(2) If the offender operated a motor vehicle faster than 2815
thirty-five miles an hour in a business district of a municipal 2816
corporation, faster than fifty miles an hour in other portions 2817
of a municipal corporation, or faster than thirty-five miles an 2818
hour in a school zone during recess or while children are going 2819
to or leaving school during the school's opening or closing 2820
hours, a misdemeanor of the fourth degree. Division (P) (2) of 2821
this section does not apply if penalties may be imposed under 2822
division (P) (1) (b) or (c) of this section. 2823

(3) Notwithstanding division (P) (1) of this section, if 2824
the offender operated a motor vehicle in a construction zone 2825

where a sign was then posted in accordance with section 4511.98 2826
of the Revised Code, the court, in addition to all other 2827
penalties provided by law, shall impose upon the offender a fine 2828
of two times the usual amount imposed for the violation. No 2829
court shall impose a fine of two times the usual amount imposed 2830
for the violation upon an offender if the offender alleges, in 2831
an affidavit filed with the court prior to the offender's 2832
sentencing, that the offender is indigent and is unable to pay 2833
the fine imposed pursuant to this division and if the court 2834
determines that the offender is an indigent person and unable to 2835
pay the fine. 2836

(4) If the offender commits the offense while distracted 2837
and the distracting activity is a contributing factor to the 2838
commission of the offense, the offender is subject to the 2839
additional fine established under section 4511.991 of the 2840
Revised Code. 2841

Sec. 4511.765. (A) The superintendent of public 2842
instruction, by and with the advice of the director of public 2843
safety, shall amend any rules adopted under section 4511.76 of 2844
the Revised Code pertaining to pre-trip inspections of a school 2845
bus. The amendment shall remove any requirement that the 2846
following equipment be included in the pre-trip inspection: 2847

(1) The turbo charger; 2848

(2) The alternator; 2849

(3) The belts; 2850

(4) The water pump; 2851

(5) The power steering pump; 2852

(6) The air pump; 2853

<u>(7) Any part of the steering system;</u>	2854
<u>(8) Any part of the suspension;</u>	2855
<u>(9) Any part of the air brakes;</u>	2856
<u>(10) Any part of the brake equipment, including drums or rotors;</u>	2857 2858
<u>(11) The springs and spring mounts;</u>	2859
<u>(12) The air bags.</u>	2860
<u>(B) The state highway patrol shall still examine all of the equipment listed in division (A) of this section during its school bus inspections conducted in accordance with section 4511.761 of the Revised Code.</u>	2861 2862 2863 2864
Sec. 4513.34. (A) (1) The director of transportation with respect to all highways that are a part of the state highway system and local authorities with respect to highways under their jurisdiction, upon application in writing, shall issue a special regional heavy hauling permit authorizing the applicant to operate or move a vehicle or combination of vehicles as follows:	2865 2866 2867 2868 2869 2870 2871
(a) At a size or weight of vehicle or load exceeding the maximum specified in sections 5577.01 to 5577.09 of the Revised Code, or otherwise not in conformity with sections 4513.01 to 4513.37 of the Revised Code;	2872 2873 2874 2875
(b) Upon any highway under the jurisdiction of the authority granting the permit except those highways with a condition insufficient to bear the weight of the vehicle or combination of vehicles as stated in the application.	2876 2877 2878 2879
Issuance of a special regional heavy hauling permit is	2880

subject to the payment of a fee established by the director or 2881
local authority in accordance with this section. 2882

(2) In circumstances where a person is not eligible to 2883
receive a permit under division (A)(1) of this section, the 2884
director of transportation with respect to all highways that are 2885
a part of the state highway system and local authorities with 2886
respect to highways under their jurisdiction, upon application 2887
in writing and for good cause shown, may issue a special permit 2888
in writing authorizing the applicant to operate or move a 2889
vehicle or combination of vehicles of a size or weight of 2890
vehicle or load exceeding the maximum specified in sections 2891
5577.01 to 5577.09 of the Revised Code, or otherwise not in 2892
conformity with sections 4513.01 to 4513.37 of the Revised Code, 2893
upon any highway under the jurisdiction of the authority 2894
granting the permit. 2895

(3) For purposes of this section, the director may 2896
designate certain state highways or portions of state highways 2897
as special economic development highways. If an application 2898
submitted to the director under this section involves travel of 2899
a nonconforming vehicle or combination of vehicles upon a 2900
special economic development highway, the director, in 2901
determining whether good cause has been shown that issuance of a 2902
permit is justified, shall consider the effect the travel of the 2903
vehicle or combination of vehicles will have on the economic 2904
development in the area in which the designated highway or 2905
portion of highway is located. 2906

~~(B)~~ (B)(1) Notwithstanding sections 715.22 and 723.01 of 2907
the Revised Code, the holder of a permit issued by the director 2908
under this section may move the vehicle or combination of 2909
vehicles described in the permit on any highway that is a part 2910

of the state highway system when the movement is partly within 2911
and partly without the corporate limits of a municipal 2912
corporation. No local authority shall require any other permit 2913
or license or charge any license fee or other charge against the 2914
holder of a permit for the movement of a vehicle or combination 2915
of vehicles on any highway that is a part of the state highway 2916
system. The director shall not require the holder of a permit 2917
issued by a local authority to obtain a special permit for the 2918
movement of vehicles or combination of vehicles on highways 2919
within the jurisdiction of the local authority. ~~Permits~~ 2920

(2) Except as provided in division (B) (3) of this section, 2921
permits may be issued for any period of time not to exceed one 2922
year, as the director in the director's discretion or a local 2923
authority in its discretion determines advisable, or for the 2924
duration of any public construction project. 2925

(3) The director and every county shall issue an annual 2926
permit under division (A) (2) of this section for: 2927

(a) A vehicle or combination of vehicles that haul farm 2928
machinery, provided that the farm machinery otherwise qualifies 2929
for the farm equipment permit or a similar permit offered by the 2930
county for farm machinery or equipment; 2931

(b) A vehicle or combination of vehicles that haul 2932
agricultural produce or agricultural production materials that 2933
otherwise could be hauled by farm machinery or equipment under 2934
the farm equipment permit or a similar permit offered by the 2935
county for farm machinery or equipment. 2936

(4) In addition to the annual permit issued under (B) (3) 2937
of this section, the director and every county may continue to 2938
issue a permit under division (A) (2) of this section for the 2939

vehicles specified in division (B) (3) of this section, for any 2940
period of time up to one year. 2941

(C) (1) The application for a permit issued under this 2942
section shall be in the form that the director or local 2943
authority prescribes. The director or local authority may 2944
prescribe a permit fee to be imposed and collected when any 2945
permit described in this section is issued. The permit fee may 2946
be in an amount sufficient to reimburse the director or local 2947
authority for the administrative costs incurred in issuing the 2948
permit, and also to cover the cost of the normal and expected 2949
damage caused to the roadway or a street or highway structure as 2950
the result of the operation of the nonconforming vehicle or 2951
combination of vehicles. The director, in accordance with 2952
Chapter 119. of the Revised Code, shall establish a schedule of 2953
fees for permits issued by the director under this section; 2954
however, the fee to operate a triple trailer unit, at locations 2955
authorized under federal law, shall be one hundred dollars. 2956

(2) For the purposes of this section and of rules adopted 2957
by the director under this section, milk transported in bulk by 2958
vehicle is deemed a nondivisible load. 2959

(3) For purposes of this section and of rules adopted by 2960
the director under this section, three or fewer aluminum coils, 2961
transported by a vehicle, are deemed a nondivisible load. The 2962
director shall adopt rules establishing requirements for an 2963
aluminum coil permit that are substantially similar to the 2964
requirements for a steel coil permit under Chapter 5501:2-1 of 2965
the Administrative Code. 2966

(D) The director or a local authority shall issue a 2967
special regional heavy hauling permit under division (A) (1) of 2968
this section upon application and payment of the applicable fee. 2969

~~However~~ Except when required to issue a special permit under 2970
division (B) (3) of this section, the director or local authority 2971
may issue or withhold a special permit specified in division (A) 2972
(2) of this section. If a permit is to be issued, the director 2973
or local authority may limit or prescribe conditions of 2974
operation for the vehicle and may require the posting of a bond 2975
or other security conditioned upon the sufficiency of the permit 2976
fee to compensate for damage caused to the roadway or a street 2977
or highway structure. In addition, a local authority, as a 2978
condition of issuance of an overweight permit, may require the 2979
applicant to develop and enter into a mutual agreement with the 2980
local authority to compensate for or to repair excess damage 2981
caused to the roadway by travel under the permit. 2982

For a permit that will allow travel of a nonconforming 2983
vehicle or combination of vehicles on a special economic 2984
development highway, the director, as a condition of issuance, 2985
may require the applicant to agree to make periodic payments to 2986
the department to compensate for damage caused to the roadway by 2987
travel under the permit. 2988

(E) Every permit issued under this section shall be 2989
carried in the vehicle or combination of vehicles to which it 2990
refers and shall be open to inspection by any police officer or 2991
authorized agent of any authority granting the permit. No person 2992
shall violate any of the terms of a permit. 2993

(F) The director may debar an applicant from applying for 2994
a permit under this section upon a finding based on a reasonable 2995
belief that the applicant has done any of the following: 2996

(1) Abused the process by repeatedly submitting false 2997
information or false travel plans or by using another company or 2998
individual's name, insurance, or escrow account without proper 2999

authorization;	3000
(2) Failed to comply with or substantially perform under a previously issued permit according to its terms, conditions, and specifications within specified time limits;	3001 3002 3003
(3) Failed to cooperate in the application process for the permit or in any other procedures that are related to the issuance of the permit by refusing to provide information or documents required in a permit or by failing to respond to and correct matters related to the permit;	3004 3005 3006 3007 3008
(4) Accumulated repeated justified complaints regarding performance under a permit that was previously issued to the applicant or previously failed to obtain a permit when such a permit was required;	3009 3010 3011 3012
(5) Attempted to influence a public employee to breach ethical conduct standards;	3013 3014
(6) Been convicted of a disqualifying offense as determined under section 9.79 of the Revised Code;	3015 3016
(7) Accumulated repeated convictions under a state or federal safety law governing commercial motor vehicles or a rule or regulation adopted under such a law;	3017 3018 3019
(8) Accumulated repeated convictions under a law, rule, or regulation governing the movement of traffic over the public streets and highways;	3020 3021 3022
(9) Failed to pay any fees associated with any permitted operation or move;	3023 3024
(10) Deliberately or willfully submitted false or misleading information in connection with the application for, or performance under, a permit issued under this section.	3025 3026 3027

If the applicant is a partnership, association, or corporation, the director also may debar from consideration for permits any partner of the partnership, or the officers, directors, or employees of the association or corporation being debarred.

The director may adopt rules in accordance with Chapter 119. of the Revised Code governing the debarment of an applicant.

(G) When the director reasonably believes that grounds for debarment exist, the director shall send the person that is subject to debarment a notice of the proposed debarment. A notice of proposed debarment shall indicate the grounds for the debarment of the person and the procedure for requesting a hearing. The notice and hearing shall be in accordance with Chapter 119. of the Revised Code. If the person does not respond with a request for a hearing in the manner specified in that chapter, the director shall issue the debarment decision without a hearing and shall notify the person of the decision by certified mail, return receipt requested. The debarment period may be of any length determined by the director, and the director may modify or rescind the debarment at any time. During the period of debarment, the director shall not issue, or consider issuing, a permit under this section to any partnership, association, or corporation that is affiliated with a debarred person. After the debarment period expires, the person, and any partnership, association, or corporation affiliated with the person, may reapply for a permit.

(H) (1) No person shall violate the terms of a permit issued under this section that relate to gross load limits.

(2) No person shall violate the terms of a permit issued

under this section that relate to axle load by more than two 3058
thousand pounds per axle or group of axles. 3059

(3) No person shall violate the terms of a permit issued 3060
under this section that relate to an approved route except upon 3061
order of a law enforcement officer or authorized agent of the 3062
issuing authority. 3063

(I) Whoever violates division (H) of this section shall be 3064
punished as provided in section 4513.99 of the Revised Code. 3065

(J) A permit issued by the department of transportation or 3066
a local authority under this section for the operation of a 3067
vehicle or combination of vehicles is valid for the purposes of 3068
the vehicle operation in accordance with the conditions and 3069
limitations specified on the permit. Such a permit is voidable 3070
by law enforcement only for operation of a vehicle or 3071
combination of vehicles in violation of the weight, dimension, 3072
or route provisions of the permit. However, a permit is not 3073
voidable for operation in violation of a route provision of a 3074
permit if the operation is upon the order of a law enforcement 3075
officer. 3076

Sec. 4955.50. (A) As used in this section and section 3077
4955.51 of the Revised Code: 3078

(1) "Wayside detector system" means an electronic device 3079
or a series of connected devices that scan passing trains, 3080
rolling stock, on-track equipment, and their component equipment 3081
and parts for defects. 3082

(2) "Defects" include hot wheel bearings, hot wheels, 3083
defective bearings that are detected through acoustics, dragging 3084
equipment, excessive height or weight, shifted loads, low hoses, 3085
rail temperature, and wheel condition. 3086

(B) The public utilities commission in conjunction with 3087
the department of transportation shall work with each railroad 3088
company that does business in this state to ensure that wayside 3089
detector systems are installed and are operating along railroad 3090
tracks on which the railroad operates and to ensure that such 3091
systems meet all of following standards: 3092

(1) The systems are properly installed, maintained, 3093
repaired, and operational in accordance with section 4955.51 of 3094
the Revised Code and the latest guidelines issued by the United 3095
States department of transportation, the federal railroad 3096
administration, and the association of American railroads. 3097

(2) Any expired, nonworking, or outdated wayside detector 3098
system or component parts of a system are removed and replaced 3099
with new parts or an entirely new system that reflects the 3100
current best practices and standards of the industry. 3101

(3) The distance between wayside detector systems is 3102
appropriate when accounting for the requirements of section 3103
4955.51 of the Revised Code, the natural terrain surrounding the 3104
railroad track on which the railroad operates, and the safety of 3105
the trains, rolling stock, on-track equipment, their operators, 3106
their passengers, and the persons and property in the vicinity 3107
of such railroad track so that if defects are detected operators 3108
have sufficient time to do the following: 3109

(a) Respond to the alerts projected by the wayside 3110
detector system; 3111

(b) Stop the train, rolling stock, or on-track equipment, 3112
if necessary; 3113

(c) Make all necessary repairs or, if repair is impossible 3114
at the location, to remove the component parts or equipment that 3115

is defective. 3116

(4) The railroad company has defined, written standards 3117
and training for its employees pertaining to wayside detector 3118
system defect alerts, the course of action that employees are 3119
required to take to respond to an alert, and appropriate 3120
monitoring and responses by the company if employees fail to 3121
take the required course of action. 3122

(C) If a railroad company refuses to work or otherwise 3123
cooperate with the public utilities commission and the 3124
department of transportation in good faith in accordance with 3125
this section, the commission and department shall investigate 3126
that railroad company's safety practices and standards in 3127
accordance with 49 C.F.R. Part 212. The commission and 3128
department shall determine whether the company appears to be in 3129
compliance with federal railroad safety laws, as defined in 49 3130
C.F.R. Part 209. 3131

(D) (1) If a railroad company does not appear to be in 3132
compliance with the applicable federal standards based on an 3133
investigation conducted under division (C) of this section, not 3134
later than sixty days after the conclusion of the investigation, 3135
the commission and department shall make a report to the federal 3136
railroad administration. The report shall detail the results of 3137
the investigation and recommend that the administration take 3138
enforcement action in accordance with its authority against the 3139
railroad company for the safety violations discovered through 3140
that investigation. 3141

(2) The commission and department shall send a copy of the 3142
report to the governor, the president of the senate, the speaker 3143
of the house of representatives, and the minority leaders of 3144
both the senate and the house of representatives. 3145

Sec. 4955.51. (A) (1) Except as otherwise provided in 3146
division (A) (2) of this section, any person responsible for the 3147
installation of wayside detector systems alongside or on a 3148
railroad shall ensure that each system location is not more than 3149
ten miles from the adjacent system location. 3150

(2) If the natural terrain does not allow for the 3151
placement of the next adjacent system location within ten miles 3152
from the prior system location, the next adjacent system 3153
location shall be installed not more than fifteen miles from the 3154
prior system location. 3155

(B) When a wayside detector system detects a defect in a 3156
passing train, rolling stock, on-track equipment, or its 3157
component equipment and parts, if the message regarding the 3158
defect is not immediately sent to the operator of that train, 3159
rolling stock, or on-track equipment, the person that receives 3160
the message shall immediately notify the operator of the defect. 3161

(C) The department of transportation and the public 3162
utilities commission, as part of their work with each railroad 3163
company under division (B) of section 4955.50 of the Revised 3164
Code, shall ensure both of the following: 3165

(1) The manner in which wayside detector systems are 3166
installed and placed complies with division (A) of this section; 3167

(2) The manner in which wayside detector system messages 3168
are sent and received complies with division (B) of this 3169
section. 3170

Sec. 4981.02. (A) There is hereby created the Ohio rail 3171
development commission, as an independent agency of the state 3172
within the department of transportation, consisting of ~~seven~~ 3173
~~members appointed by the governor with the advice and consent of~~ 3174

~~the senate, two~~ the following members: 3175

(1) Two members of the Ohio senate, one of whom shall be 3176
appointed by and serve at the pleasure of the president of the 3177
senate and one of whom shall be appointed by and serve at the 3178
pleasure of the minority leader of the senate, ~~two~~; 3179

(2) Two members of the Ohio house of representatives, one 3180
of whom shall be appointed by and serve at the pleasure of the 3181
speaker of the house of representatives and one of whom shall be 3182
appointed by and serve at the pleasure of the minority leader of 3183
the house of representatives, ~~and two~~; 3184

(3) Two members representing the general public, one of 3185
whom shall be appointed by the president of the senate and one 3186
of whom shall be appointed by the speaker of the house of 3187
representatives. ~~The director of transportation and the director~~ 3188
~~of development, or their designees, shall be ex officio members~~ 3189
~~of the commission. Of the~~; 3190

(4) The director of transportation, or the director's 3191
designee, who shall be an ex officio member; 3192

(5) The director of development, or the director's 3193
designee, who shall be an ex officio member; 3194

(6) The following members appointed by the governor, ~~one~~ 3195
with the advice and consent of the senate: 3196

(a) One member, who shall serve as chairman-chairperson of 3197
the commission, one until October 21, 2025, or an earlier date 3198
if the member resigns or otherwise leaves office; 3199

(b) One member, who shall represent the interests of a 3200
freight rail company, one; 3201

(c) One member, who shall represent the interests of 3202

passenger rail service,~~one~~; 3203

(d) One member, who shall have expertise in infrastructure 3204
financing,~~one~~; 3205

(e) One member, who shall represent the interests of 3206
organized labor,~~one~~; 3207

(f) One member, who shall represent the interests of 3208
manufacturers,~~and one~~; 3209

(g) One member who shall represent the general public, 3210
subject to division (B) of this section. All 3211

(B) Beginning on October 21, 2025, or at an earlier date 3212
if there is a vacancy in the position of chairperson, the 3213
director of transportation or the director's designee shall 3214
serve as the chairperson of the commission. Upon the director or 3215
director's designee assuming the position of chairperson, the 3216
governor shall appoint an additional member to the commission to 3217
represent the general public. 3218

(C) All members shall be reimbursed for actual expenses 3219
incurred in the performance of their duties. The members of the 3220
commission from the Ohio senate and the Ohio house of 3221
representatives shall serve as nonvoting members. No more than 3222
four members of the seven appointed to the commission by the 3223
governor shall be from the same political party. Each member of 3224
the commission shall be a resident of this state. 3225

~~(B)~~ (D) Within sixty days after the effective date of this 3226
~~amendment~~ October 20, 1994, the governor shall make initial 3227
appointments to the commission. Of the initial appointments made 3228
to the commission, three shall be for a term ending three years 3229
after ~~the effective date of this amendment~~ October 20, 1994, and 3230
three shall be for a term ending six years after that date. 3231

Terms for all other appointments made to the commission shall be 3232
for six years. Vacancies shall be filled in the manner provided 3233
for original appointments. Any member appointed to fill a 3234
vacancy shall have the same qualifications as ~~his~~ the member's 3235
predecessor. Each term shall end on the same day of the same 3236
month of the year as did the term which it succeeds. Each 3237
appointed member shall hold office from the date of ~~his~~ the 3238
member's appointment until the end of the term for which ~~he~~ the 3239
member was appointed. Any member appointed to fill a vacancy 3240
before the expiration of the term for which ~~his~~ the member's 3241
predecessor was appointed shall hold office for the remainder of 3242
that term. Any appointed member shall continue in office 3243
subsequent to the expiration date of ~~his~~ the member's term until 3244
~~his~~ the member's successor takes office, or for a period of 3245
sixty days, whichever occurs first. All members shall be 3246
eligible for reappointment. 3247

~~(C)~~ (E) The commission may employ an executive director, 3248
who shall have appropriate experience as determined by the 3249
commission, and a secretary-treasurer and other employees that 3250
the commission considers appropriate. The commission may fix the 3251
compensation of the employees. 3252

~~(D)~~ (F) Six members of the commission shall constitute a 3253
quorum, and the affirmative vote of six members shall be 3254
necessary for any action taken by the commission. No vacancy in 3255
the membership of the commission shall impair the rights of a 3256
quorum to exercise all the rights and perform all the duties of 3257
the commission. 3258

~~(E)~~ (G) All members of the commission are subject to 3259
Chapter 102. of the Revised Code. 3260

~~(F)~~ (H) The department of transportation may use all 3261

appropriate sources of revenue to assist the commission in 3262
developing and implementing rail service. 3263

~~(G)~~ (I) Expenditures by the department of transportation, 3264
the Ohio rail development commission, or any other state agency 3265
for capital improvements for the development of passenger rail 3266
shall be subject to the approval of the controlling board with 3267
an affirmative vote of not fewer than five members, including 3268
the affirmative vote of a majority of the controlling board 3269
members appointed by the president of the senate and a majority 3270
of the controlling board members appointed by the speaker of the 3271
house of representatives. All public funds acquired by the 3272
commission shall be used for developing, implementing, and 3273
regulating rail service and not for operating rail service 3274
unless the general assembly specifically approves the 3275
expenditure of funds for operating rail service. 3276

Sec. 4981.04. (A) The Ohio rail development commission 3277
shall prepare a plan for the construction and operation of an 3278
intercity conventional or high speed passenger transportation 3279
system in this state. The system shall be constructed and 3280
operated by the commission or its designees. The plan for 3281
construction and operation shall be based on existing studies, 3282
and shall state that the ~~system's initial route~~ system will 3283
connect ~~Cleveland, Columbus, and Cincinnati~~ and any points in 3284
~~between those cities~~ Ohio and nearby states as determined by the 3285
authority commission. The plan shall include the following 3286
information: 3287

- (1) The route alignment of the proposed system; 3288
- (2) The proposed technology; 3289
- (3) The size, nature, and scope of the proposed system; 3290

(4) The sources of the public and private revenue needed	3291
to finance the system;	3292
(5) The projected ability of all revenue sources to meet	3293
both capital and operating funding requirements of the proposed	3294
system;	3295
(6) The construction, operation, and management plan for	3296
the system, including a timetable for construction and the	3297
proposed location and number of transit stations considered	3298
necessary;	3299
(7) The likelihood that Ohio-based corporations will be	3300
used to manufacture or supply components of the proposed system;	3301
(8) The likelihood that additional or subsidiary	3302
development will be generated;	3303
(9) The extent to which the proposed system will create an	3304
additional or reduced demand for sources of energy;	3305
(10) Any changes in the law necessary to implement the	3306
proposed system;	3307
(11) The proposed system's impact on the economy of the	3308
state and on the economic and other public policies of the	3309
state.	3310
The commission may revise any plan of the Ohio high speed	3311
rail authority or may submit a separate plan for construction	3312
and operation and a funding request to the governor, the speaker	3313
of the house of representatives, and to the president of the	3314
senate. Any plan for an intercity conventional or high speed	3315
passenger transportation system submitted by the commission	3316
pursuant to this section shall not propose the operation of such	3317
a system by the state other than through the commission.	3318

Sec. 4999.09. (A) The requirements set forth in division 3319
(B) of this section are solely related to safety, including 3320
ensuring that no train or light engine used in connection with 3321
the movement of freight in this state is left without a 3322
functional crew person as a result of a medical emergency. 3323

(B) A train or light engine used in connection with the 3324
movement of freight shall have a crew that consists of at least 3325
two individuals. No superintendent, trainmaster, or other 3326
employee of a railroad shall order or otherwise require a train 3327
or light engine used in connection with the movement of freight 3328
to be operated unless it has a crew that consists of at least 3329
two individuals. 3330

As used in this division, "train or light engine used in 3331
connection with the movement of freight" does not include 3332
hostler service or utility employees. 3333

(C) (1) The public utilities commission may assess a civil 3334
penalty against a person who willfully violates division (B) of 3335
this section. If the commission assesses a civil penalty, the 3336
commission shall do so as follows: 3337

(a) If, within three years of the violation, the 3338
commission has not previously assessed a civil penalty against 3339
the person under this section, in an amount not less than two 3340
hundred fifty, but not more than one thousand dollars; 3341

(b) If, within three years of the violation, the 3342
commission has previously assessed one civil penalty against the 3343
person under this section, in an amount not less than one 3344
thousand, but not more than five thousand dollars; 3345

(c) If, within three years of the violation, the 3346
commission has previously assessed two or more civil penalties 3347

against the person under this section, in an amount not less 3348
than five thousand, but not more than ten thousand dollars. 3349

(2) The attorney general, upon the request of the public 3350
utilities commission, shall bring a civil action to collect the 3351
penalties described in division (C)(1) of this section. All 3352
penalties collected under the division shall be deposited into 3353
the state treasury to the credit of the public utilities fund 3354
created in section 4905.10 of the Revised Code. 3355

(D) The requirements of this section do not apply on and 3356
after the date a federal law or regulation takes effect 3357
requiring a train or light engine used in connection with the 3358
movement of freight in this state to have a crew of at least two 3359
individuals. 3360

Sec. 5501.521. (A) The department of transportation shall 3361
prepare expense reports related to grants and loans that are 3362
issued by the department through its transportation grant and 3363
loan programs. The department shall submit each report to the 3364
president of the senate and the speaker of the house of 3365
representatives at the earliest of the following periods: 3366

(1) The conclusion of the term of loan; 3367

(2) The conclusion of the project funded by the grant; 3368

(3) The end of the fiscal year for each fiscal year that 3369
the loan or the project is still pending. 3370

(B) The department shall require the recipient of the loan 3371
or grant to assist in preparing the expense reports and 3372
itemizing the uses of the loan or grant money issued to that 3373
recipient. 3374

(C) The department shall include its administrative 3375

expenses in managing the loan or grant program in the expense 3376
reports submitted in accordance with this section. 3377

(D) If any content required for inclusion in an expense 3378
report under this section is the same content that the 3379
department submits to the Ohio state and local government 3380
expenditure database established under sections 113.70 to 113.77 3381
of the Revised Code, the department may send copies of that 3382
content to the president of the senate and speaker of the house 3383
of representatives in lieu of including it in a report under 3384
this section. 3385

Sec. 5503.031. ~~(A)~~ Beginning July 1, 2023, the following 3386
officers of the state highway patrol shall be paid in accordance 3387
with the indicated pay ranges from schedule E-1 of division (B) 3388
of section 124.152 of the Revised Code: 3389

~~(1)~~ (A) A sergeant or equivalent officer who is an exempt 3390
employee under section 124.152 of the Revised Code shall be paid 3391
in accordance with pay range 14. 3392

(B) A lieutenant or equivalent officer shall be paid in 3393
accordance with pay range 15. 3394

~~(2)~~ (C) A staff lieutenant or equivalent officer shall be 3395
paid in accordance with pay range 16. 3396

~~(3)~~ (D) A captain or equivalent officer shall be paid in 3397
accordance with pay range 17. 3398

~~(4)~~ (E) A major or equivalent officer shall be paid in 3399
accordance with pay range 18. 3400

~~(5)~~ (F) A lieutenant colonel or equivalent officer shall 3401
be paid in accordance with pay range 19 ~~established in rules~~ 3402
~~adopted in accordance with division (D) of section 124.152 of~~ 3403

~~the Revised Code.~~ 3404

Sec. 5517.011. (A) Notwithstanding section 5517.01 of the 3405
Revised Code, the director of transportation may establish a 3406
program to expedite the sale and construction of special 3407
projects by combining the design and construction elements of a 3408
~~highway or bridge project~~projects for transportation facilities 3409
as defined in section 5501.01 of the Revised Code into a single 3410
contract. The director shall prepare and distribute a scope of 3411
work document upon which the bidders shall base their bids. 3412
Except in regard to those requirements relating to providing 3413
plans, the director shall award contracts under this section in 3414
accordance with Chapter 5525. of the Revised Code. 3415

(B) Notwithstanding any provision of Chapter 5525. of the 3416
Revised Code, the director may use a value-based selection 3417
process, combining technical qualifications and competitive 3418
bidding elements, including consideration for minority or 3419
disadvantaged businesses that may include joint ventures, when 3420
letting special projects that contain both design and 3421
construction elements of a transportation project into a single 3422
contract. If award of a contract to the best-value bidder is not 3423
in the best interest of the state, the director may accept 3424
another bid or reject all bids and then advertise for other 3425
bids. 3426

(C) The total dollar value of contracts made under this 3427
section shall not exceed one billion dollars per fiscal year. 3428
The director may provide compensation for preparation of a 3429
responsive preliminary design concept to not more than two 3430
bidders who, after the successful bidder, submitted the next 3431
best bids. The director may establish policies or procedures 3432
necessary to determine the amount of compensation to be provided 3433

for each project and the method of evaluating the value of the preliminary design concept submitted, but in no instance may the compensation exceed the value of such concept.

(D) (1) Notwithstanding division (C) of this section, the director may award contracts under this section for a bridge project that spans the Ohio river for an amount not to exceed one billion five hundred million dollars. The project may include both of the following:

(a) The replacement, addition, improvement, or rehabilitation of a bridge or a system of bridges over the Ohio river;

(b) The replacement, addition, improvement, or rehabilitation of roadways providing for ingress to and egress from the bridge or system of bridges over the Ohio river within this state and any adjoining state.

(2) If the amount of the contracts entered into under division (D) (1) of this section exceeds one billion five hundred million dollars, the director shall appear before the controlling board to request additional contracting authority beyond the one billion five hundred million dollar threshold. The controlling board may approve the request at its discretion.

(3) The director may provide compensation for preparation of a responsive preliminary design concept under division (D) of this section to not more than three bidders. The director may establish policies or procedures necessary to determine the amount of compensation to be provided for the project and the method of evaluating the value of the preliminary design concept submitted, but in no instance may the compensation exceed the cost to develop such concept.

(4) The authority granted under division (D) of this section is granted for the purposes of any application for available federal funding. Any such federal funding awarded shall be expended only pursuant to appropriations made by the general assembly after ~~the effective date of this amendment~~ August 31, 2022.

Sec. 5525.16. (A) Before entering into a contract, the director of transportation shall require a contract performance bond and a payment bond with sufficient sureties, as follows:

(1) A contract performance bond in an amount equal to one hundred per cent of the contract amount, conditioned, among other things, that the contractor will perform the work upon the terms proposed, within the time prescribed, and in accordance with the plans and specifications, will indemnify the state against any damage that may result from any failure of the contractor to so perform, and, further, in case of a grade separation will indemnify any railroad company involved against any damage that may result by reason of the negligence of the contractor in making the improvement.

(2) A payment bond in an amount equal to one hundred per cent of the contract amount, conditioned for the payment by the contractor and all subcontractors for labor or work performed or materials furnished in connection with the work, improvement, or project involved.

(B) After entering into a contract and the initial issuance of a contract performance bond and payment bond in accordance with division (A) of this section, both of the following apply, as applicable:

(1) If the contract amount increases or decreases by forty

thousand dollars or more during the term of the contract, the 3492
final bond premium amount shall be adjusted to account for the 3493
change from the original contract value to the actual final 3494
contract value. The director shall do all of the following: 3495

(a) Determine the final bond premium amount for the 3496
contract performance bond and payment bond based on the actual 3497
final contract value; 3498

(b) Finalize any bond premium adjustments after receiving 3499
written consent from the affected sureties confirming that the 3500
sureties increased or decreased the penal sums, as applicable; 3501

(c) Determine what, if any, additional payments or refunds 3502
are necessary under the contract as a result of the adjusted 3503
final bond premium amount. 3504

(2) Prior to final payment for the contract, a contractor 3505
shall provide the director with new surety bonds, in the form 3506
and amount required by this section, within twenty-one days of 3507
any of the following occurring to a surety providing a surety 3508
bond for the project: 3509

(a) It is adjudged bankrupt or has made a general 3510
assignment for the benefit of its creditors; 3511

(b) It has liquidated all assets or has made a general 3512
assignment for the benefit of its creditors; 3513

(c) It is placed in receivership; 3514

(d) It petitions a state or federal court for protection 3515
from its creditors; 3516

(e) It allows its license to do business in this state to 3517
lapse or to be revoked. 3518

(C)(1) In no case is the state liable for damages 3519
sustained in the construction of any work, improvement, or 3520
project under this chapter and Chapters 5501., 5503., 5511., 3521
5513., 5515., 5516., 5517., 5519., 5521., 5523., 5527., 5528., 3522
5529., 5531., 5533., and 5535. of the Revised Code. 3523

(2) This section does not require the director to take 3524
bonds as described in division (A) or (B) of this section in 3525
connection with any force account work, but the director may 3526
require those bonds in connection with force account work. 3527

(3) If any bonds taken under this section are executed by 3528
a surety company, the director may not approve such bonds unless 3529
there is attached a certificate of the superintendent of 3530
insurance that the company is authorized to transact business in 3531
this state, and a copy of the power of attorney of the agent of 3532
the company. The superintendent, upon request, shall issue to 3533
any licensed agent of such company the certificate without 3534
charge. 3535

(4) The bonds required to be taken under this section 3536
shall be executed by the same surety, approved by the director 3537
as to sufficiency of the sureties, and be in the form prescribed 3538
by the attorney general. 3539

~~(C)~~ (D) Any person to whom any money is due for labor or 3540
work performed or materials furnished in connection with a work, 3541
improvement, or project, at any time after performing the labor 3542
or furnishing the materials but not later than ninety days after 3543
the acceptance of the work, improvement, or project by the 3544
director, may furnish to the sureties on the payment bond a 3545
statement of the amount due the person. If the indebtedness is 3546
not paid in full at the expiration of sixty days after the 3547
statement is furnished, the person may commence an action in the 3548

person's own name upon the bond as provided in sections 2307.06 3549
and 2307.07 of the Revised Code. 3550

An action shall not be commenced against the sureties on a 3551
payment bond until sixty days after the furnishing of the 3552
statement described in this section or, notwithstanding section 3553
2305.12 of the Revised Code, later than one year after the date 3554
of the acceptance of the work, improvement, or project. 3555

~~(D)~~ (E) When the total contract amount is greater than 3556
five hundred million dollars, the director may authorize either 3557
of the following for purposes of meeting the requirements of 3558
division (A) of this section: 3559

(1) The issuance of multiple contract performance bonds or 3560
multiple contract payment bonds to meet the requirement that the 3561
bonding amount equals one hundred per cent of the contract 3562
amount; 3563

(2) The issuance of contract performance bonds and 3564
contract payment bonds in succession to align with the phases of 3565
the contract to meet the requirement that the bonding amount 3566
equals one hundred per cent of the contract amount. 3567

(F) As used in this section, ~~"improvement,"~~: 3568

(1) "Improvement," "subcontractor," "material supplier," 3569
and "materials" have the same meanings as in section 1311.01 of 3570
the Revised Code, and "contractor" has the same meaning as 3571
"original contractor" as defined in that section. 3572

(2) "Actual contract value" is the final sum of money, 3573
excluding any bond premium adjustments, that is paid by the 3574
department to the contractor as a result of the contractor 3575
completing the agreed upon work. 3576

Sec. 5540.01. As used in this chapter:	3577
(A) "Transportation improvement district" or "district"	3578
means a transportation improvement district designated pursuant	3579
to section 5540.02 of the Revised Code.	3580
(B) "Governmental agency" means a department, division, or	3581
other unit of state government; a county, township, or municipal	3582
corporation or other political subdivision; a regional transit	3583
authority or regional transit commission created pursuant to	3584
Chapter 306. of the Revised Code; a port authority created	3585
pursuant to Chapter 4582. of the Revised Code; and the United	3586
States or any agency thereof.	3587
(C) "Project" means a street, highway, parking facility,	3588
freight rail tracks and necessarily related freight rail	3589
facilities, or other transportation project constructed or	3590
improved under this chapter and includes all bridges, tunnels,	3591
overpasses, underpasses, interchanges, approaches, those	3592
portions of connecting streets or highways that serve	3593
interchanges and are determined by the district to be necessary	3594
for the safe merging of traffic between the project and those	3595
streets or highways, service facilities, and administration,	3596
storage, and other buildings, property, and facilities, that the	3597
district considers necessary for the operation of the project,	3598
together with all property and rights that must be acquired by	3599
the district for the construction, maintenance, or operation of	3600
the project. <u>"Project" includes a qualifying project.</u>	3601
(D) "Cost," as applied to the construction of a project,	3602
includes the cost of construction, including bridges over or	3603
under existing highways and railroads, acquisition of all	3604
property acquired by the district for such construction,	3605
demolishing or removing any buildings or structures on land so	3606

acquired, including the cost of acquiring any lands to which 3607
such buildings or structures may be moved, site clearance, 3608
improvement, and preparation, diverting streets or highways, 3609
interchanges with streets or highways, access roads to private 3610
property, including the cost of land or easements therefor, all 3611
machinery, furnishings, and equipment, communications 3612
facilities, financing and auditing expenses, interest prior to 3613
and during construction and for one year after completion of 3614
construction, traffic estimates, indemnity and surety bonds and 3615
premiums on insurance, and guarantees, engineering, feasibility 3616
studies, and legal expenses, plans, specifications, surveys, 3617
estimates of cost and revenues, other expenses necessary or 3618
incidental to determining the feasibility or practicability of 3619
constructing a project, and such other expense as may be 3620
necessary or incident to the construction of the project and the 3621
financing of such construction. Any obligation or expense 3622
incurred by any governmental agency or person for surveys, 3623
borings, preparation of plans and specifications, and other 3624
engineering services, or any other cost described above, in 3625
connection with the construction of a project may be regarded as 3626
part of the cost of the project and reimbursed from revenues, 3627
taxes, or the proceeds of bonds as authorized by this chapter. 3628

(E) "Owner" includes any person having any title or 3629
interest in any property authorized to be acquired by a district 3630
under this chapter. 3631

(F) "Revenues" means all moneys received by a district 3632
with respect to the lease, sublease, or sale, including 3633
installment sale, conditional sale, or sale under a lease- 3634
purchase agreement, of a project, all moneys received by a 3635
district under an agreement pursuant to Section 515.03 of H.B. 3636
66 of the 126th ~~General Assembly~~ general assembly, Section 3637

555.10 of H.B. 67 of the 127th general assembly, or Section 3638
755.20 of H.B. 153 of the 129th general assembly, any gift or 3639
grant received with respect to a project, tolls, special 3640
assessments levied by the district, sales and use taxes received 3641
from a qualifying regional transit authority for any purpose 3642
authorized by section 306.353 of the Revised Code, proceeds of 3643
bonds to the extent the use thereof for payment of principal or 3644
of premium, if any, or interest on the bonds is authorized by 3645
the district, proceeds from any insurance, condemnation, or 3646
guaranty pertaining to a project or property mortgaged to secure 3647
bonds or pertaining to the financing of a project, and income 3648
and profit from the investment of the proceeds of bonds or of 3649
any revenues. 3650

(G) "Street or highway" has the same meaning as in section 3651
4511.01 of the Revised Code. 3652

(H) "Financing expenses" means all costs and expenses 3653
relating to the authorization, issuance, sale, delivery, 3654
authentication, deposit, custody, clearing, registration, 3655
transfer, exchange, fractionalization, replacement, payment, and 3656
servicing of bonds including, without limitation, costs and 3657
expenses for or relating to publication and printing, postage, 3658
delivery, preliminary and final official statements, offering 3659
circulars, and informational statements, travel and 3660
transportation, underwriters, placement agents, investment 3661
bankers, paying agents, registrars, authenticating agents, 3662
remarketing agents, custodians, clearing agencies or 3663
corporations, securities depositories, financial advisory 3664
services, certifications, audits, federal or state regulatory 3665
agencies, accounting and computation services, legal services 3666
and obtaining approving legal opinions and other legal opinions, 3667
credit ratings, redemption premiums, and credit enhancement 3668

facilities. 3669

(I) "Bond proceedings" means the resolutions, trust 3670
agreements, certifications, notices, sale proceedings, leases, 3671
lease-purchase agreements, assignments, credit enhancement 3672
facility agreements, and other agreements, instruments, and 3673
documents, as amended and supplemented, or any one or more of 3674
combination thereof, authorizing, or authorizing or providing 3675
for the terms and conditions applicable to, or providing for the 3676
security or sale or award or liquidity of, bonds, and includes 3677
the provisions set forth or incorporated in those bonds and bond 3678
proceedings. 3679

(J) "Bond service charges" means principal, including any 3680
mandatory sinking fund or mandatory redemption requirements for 3681
retirement of bonds, and interest and any redemption premium 3682
payable on bonds, as those payments come due and are payable to 3683
the bondholder or to a person making payment under a credit 3684
enhancement facility of those bond service charges to a 3685
bondholder. 3686

(K) "Bond service fund" means the applicable fund created 3687
by the bond proceedings for and pledged to the payment of bond 3688
service charges on bonds provided for by those proceedings, 3689
including all moneys and investments, and earnings from 3690
investments, credited and to be credited to that fund as 3691
provided in the bond proceedings. 3692

(L) "Bonds" means bonds, notes, including notes 3693
anticipating bonds or other notes, commercial paper, 3694
certificates of participation, or other evidences of obligation, 3695
including any interest coupons pertaining thereto, issued 3696
pursuant to this chapter. 3697

(M) "Net revenues" means revenues lawfully available to 3698
pay both current operating expenses of a district and bond 3699
service charges in any fiscal year or other specified period, 3700
less current operating expenses of the district and any amount 3701
necessary to maintain a working capital reserve for that period. 3702

(N) "Pledged revenues" means net revenues, moneys and 3703
investments, and earnings on those investments, in the 3704
applicable bond service fund and any other special funds, and 3705
the proceeds of any bonds issued for the purpose of refunding 3706
prior bonds, all as lawfully available and by resolution of the 3707
district committed for application as pledged revenues to the 3708
payment of bond service charges on particular issues of bonds. 3709

(O) "Special funds" means the applicable bond service fund 3710
and any accounts and subaccounts in that fund, any other funds 3711
or accounts permitted by and established under, and identified 3712
as a special fund or special account in, the bond proceedings, 3713
including any special fund or account established for purposes 3714
of rebate or other requirements under federal income tax laws. 3715

(P) "Credit enhancement facilities" means letters of 3716
credit, lines of credit, standby, contingent, or firm securities 3717
purchase agreements, insurance, or surety arrangements, 3718
guarantees, and other arrangements that provide for direct or 3719
contingent payment of bond service charges, for security or 3720
additional security in the event of nonpayment or default in 3721
respect of bonds, or for making payment of bond service charges 3722
and at the option and on demand of bondholders or at the option 3723
of the district or upon certain conditions occurring under put 3724
or similar arrangements, or for otherwise supporting the credit 3725
or liquidity of the bonds, and includes credit, reimbursement, 3726
marketing, remarketing, indexing, carrying, interest rate hedge, 3727

and subrogation agreements, and other agreements and 3728
arrangements for payment and reimbursement of the person 3729
providing the credit enhancement facility and the security for 3730
that payment and reimbursement. 3731

(Q) "Refund" means to fund and retire outstanding bonds, 3732
including advance refunding with or without payment or 3733
redemption prior to stated maturity. 3734

(R) "Property" includes interests in property. 3735

(S) "Administrative agent," "agent," "commercial paper," 3736
"floating rate interest structure," "indexing agent," "interest 3737
rate hedge," "interest rate period," "put arrangement," and 3738
"remarketing agent" have the same meanings as in section 9.98 of 3739
the Revised Code. 3740

(T) "Outstanding" as applied to bonds means outstanding in 3741
accordance with the terms of the bonds and the applicable bond 3742
proceedings. 3743

(U) "Interstate system" has the same meaning as in section 3744
5516.01 of the Revised Code. 3745

(V) "Qualifying regional transit authority," "qualifying 3746
project," "qualifying bonds," and "sales and use tax" have the 3747
same meanings as in section 306.353 of the Revised Code. 3748

Sec. 5540.02. (A) A transportation improvement district 3749
may be created by the board of county commissioners of a county. 3750
The board, by resolution, shall determine the structure of the 3751
board of trustees of the transportation improvement district it 3752
creates by adopting the structure contained either in division 3753
(C) (1) or (2) of this section. 3754

(B) A transportation improvement district is a body both 3755

corporate and politic, and the exercise by it of the powers 3756
conferred by this chapter in the financing, construction, 3757
maintenance, repair, and operation of a project are and shall be 3758
held to be essential governmental functions. 3759

(C) (1) If the board of county commissioners so elects, a 3760
transportation improvement district shall be governed by a board 3761
of trustees consisting of the following members: 3762

(a) Two members appointed by the board of county 3763
commissioners; 3764

(b) Three members appointed by the legislative authority 3765
of the most populous municipal corporation in the district; 3766

(c) Two members appointed by the legislative authority of 3767
the second most populous municipal corporation in the district; 3768

(d) Two members appointed by the board of township 3769
trustees of the township in the county that is most populous in 3770
its unincorporated area; 3771

(e) The county engineer; 3772

(f) One member appointed by the legislative authority of 3773
any township or municipal corporation that cannot otherwise 3774
appoint a member to the board pursuant to this section, and that 3775
is wholly or partially within the area of the transportation 3776
improvement district as the district was originally designated 3777
by the board of county commissioners; 3778

(g) If the area of a transportation improvement district 3779
is expanded by the board of county commissioners, the 3780
legislative authority of any township or municipal corporation 3781
that is wholly or partially within the area of expansion and 3782
that cannot otherwise appoint a member to the board pursuant to 3783

this section, with the consent of the board of trustees of the 3784
district, may appoint one member to the board; 3785

(h) One member appointed by the regional planning 3786
commission for the county, who shall be a nonvoting member of 3787
the board; 3788

(i) One member appointed at the discretion of the speaker 3789
of the house of representatives, who, if appointed, shall be a 3790
nonvoting member of the board and who may be a member of the 3791
house of representatives; 3792

~~(j) One member appointed at the discretion of the 3793
president of the senate, who, if appointed, shall be a nonvoting 3794
member of the board and who may be a member of the senate. 3795~~

One of each of the appointments made by the board of 3796
county commissioners, the legislative authority of a municipal 3797
corporation, and the board of township trustees under divisions 3798
(C) (1) (a), (b), (c), and (d) of this section, shall be members 3799
of the chamber of commerce for the respective political 3800
subdivision. 3801

Whenever the addition of members to the board of trustees 3802
of a transportation improvement district pursuant to division 3803
(C) (1) (f) or (g) of this section results in an even number of 3804
total voting members on the board, the board of trustees of the 3805
district may appoint an additional person to its membership to 3806
maintain an odd number of voting members. 3807

(2) As an alternative to the structure prescribed in 3808
division (C) (1) of this section, a board of county 3809
commissioners, by resolution, may elect that the transportation 3810
improvement district it creates be governed by a board of 3811
trustees consisting of the following members: 3812

(a) Five members appointed by the board of county commissioners; 3813
3814

(b) One member appointed at the discretion of the speaker of the house of representatives, who, if appointed, shall be a nonvoting member of the board and who may be a member of the house of representatives; 3815
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3817
3818

~~(c) One member appointed at the discretion of the president of the senate, who, if appointed, shall be a nonvoting member of the board and who may be a member of the senate.~~ 3819
3820
3821

(D) Each appointed member of the board shall hold office for a term of two years but subject to removal at the pleasure of the authority that appointed the member. Members may be reappointed. Except as otherwise provided in this division, any vacancy on the board shall be filled in the same manner as the original appointment. Any vacancy on a board appointed under division (C)(1) of this section lasting longer than thirty days due to the failure of the legislative authority of a municipal corporation or a board of township trustees to make an appointment shall be filled by the board of trustees of the transportation improvement district. 3822
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(E) The voting members of the board shall elect from the entire board membership a chairperson, vice-chairperson, and secretary-treasurer. A majority of the voting members of the board constitutes a quorum, the affirmative vote of which is necessary for any action of the district. No vacancy in the membership of the board impairs the right of a quorum to exercise all the rights and perform all duties of the district. 3833
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(F) The board of county commissioners of ~~the any~~ county, the legislative authority of any municipal corporation, and the 3840
3841

board of township trustees of any township ~~that is part of the~~ 3842
~~district,~~ may make appropriations from moneys available to them 3843
and not otherwise appropriated, to pay costs incurred by the 3844
district in the exercise of its functions under this chapter, 3845
provided those moneys are available to use for that purpose. 3846

(G) An organizational meeting of the board of trustees of 3847
a transportation improvement district created under this section 3848
shall be held at the time and place designated by the board 3849
member who has served the most years as a member of the board of 3850
county commissioners that created the transportation improvement 3851
district. 3852

Sec. 5540.03. (A) A transportation improvement district 3853
may: 3854

(1) Adopt bylaws for the regulation of its affairs and the 3855
conduct of its business; 3856

(2) Adopt an official seal; 3857

(3) Sue and be sued in its own name, plead and be 3858
impleaded, provided any actions against the district shall be 3859
brought in the court of common pleas of the county in which the 3860
principal office of the district is located, or in the court of 3861
common pleas of the county in which the cause of action arose, 3862
and all summonses, exceptions, and notices of every kind shall 3863
be served on the district by leaving a copy thereof at its 3864
principal office with the secretary-treasurer; 3865

(4) Purchase, fund, finance, construct, maintain, repair, 3866
sell, exchange, police, operate, or lease projects; 3867

(5) Issue either or both of the following for the purpose 3868
of providing funds to pay the costs of any project or part 3869
thereof: 3870

(a) Transportation improvement district revenue bonds;	3871
(b) Bonds pursuant to Section 13 of Article VIII, Ohio Constitution.	3872 3873
(6) Maintain such funds as it considers necessary;	3874
(7) Direct its agents or employees, when properly identified in writing and after at least five days' written notice, to enter upon lands within its jurisdiction to make surveys and examinations preliminary to the location and construction of projects for the district, without liability of the district or its agents or employees except for actual damage done;	3875 3876 3877 3878 3879 3880 3881
(8) Make and enter into all contracts and agreements necessary or incidental to the performance of its functions and the execution of its powers under this chapter;	3882 3883 3884
(9) Employ or retain or contract for the services of consulting engineers, superintendents, managers, and such other engineers, construction and accounting experts, <u>auditors,</u> financial advisers, trustees, marketing, remarketing, and administrative agents, attorneys, and other employees, independent contractors, or agents as are necessary in its judgment and fix their compensation, provided all such expenses shall be payable solely from the proceeds of bonds or from revenues;	3885 3886 3887 3888 3889 3890 3891 3892 3893
(10) Receive and accept from the federal or any state or local government, including, but not limited to, any agency, entity, or instrumentality of any of the foregoing, loans and grants for or in aid of the construction, maintenance, or repair of any project, and receive and accept aid or contributions from any source or person of money, property, labor, or other things	3894 3895 3896 3897 3898 3899

of value, to be held, used, and applied only for the purposes 3900
for which such loans, grants, and contributions are made. 3901
Nothing in division (A) (10) of this section shall be construed 3902
as imposing any liability on this state for any loan received by 3903
a transportation improvement district from a third party unless 3904
this state has entered into an agreement to accept such 3905
liability. 3906

(11) Acquire, hold, and dispose of property in the 3907
exercise of its powers and the performance of its duties under 3908
this chapter; 3909

(12) Establish and collect tolls or user charges for its 3910
projects; 3911

(13) Subject to section 5540.18 of the Revised Code, enter 3912
into an agreement with a contiguous board of county 3913
commissioners other than the board of county commissioners that 3914
created the transportation improvement district, for the 3915
district to exercise all or any portion of its powers with 3916
respect to a project that is located wholly or partially within 3917
the county that is party to the agreement; 3918

(14) Cooperate with any governmental agencies in the 3919
planning, design, acquisition, construction, maintenance, 3920
funding, and financing of projects, including qualifying 3921
projects. In doing so, the district may enter into agreements 3922
with other governmental agencies to plan, design, acquire, 3923
construct, maintain, fund, and finance the projects or 3924
qualifying projects and to use pledged or assigned sales and use 3925
tax revenue to pay the debt service on qualifying bonds. 3926

(15) Enter into an agreement with the board of county 3927
commissioners that created the transportation improvement 3928

district and with the boards of county commissioners of any 3929
contiguous group of counties to exercise all powers of the 3930
district with respect to a project that is both of the 3931
following: 3932

(a) Located partially or wholly within any county that is 3933
a party to the agreement; 3934

(b) Partially funded with federal money. 3935

(16) Do all acts necessary and proper to carry out the 3936
powers expressly granted in this chapter. 3937

(B) (1) Chapters 123., 124., 125., and 153., and sections 3938
9.331 to 9.335 and 307.86 of the Revised Code do not apply to 3939
contracts or projects of a transportation improvement district. 3940

(2) A transportation improvement district is subject to 3941
sections 4115.03 to 4115.21 and 4115.99 of the Revised Code, 3942
unless the amount of state or local government funds, including, 3943
but not limited to, those provided by any agency, entity, or 3944
instrumentality of the state or a local government as described 3945
in division (A) (10) of this section received for the contract or 3946
project, is, in the aggregate, less than the amounts described 3947
in or calculated under section 4115.03 of the Revised Code. 3948

Sec. 5540.06. (A) The board of trustees of a 3949
transportation improvement district may provide by resolution 3950
for the issuance, at one time or from time to time, of bonds of 3951
the district for the purpose of paying all or any part of the 3952
cost of any one or more projects. The bond service charges shall 3953
be payable solely from pledged revenues pledged for such payment 3954
pursuant to the applicable bond proceedings. The bonds of each 3955
issue shall be dated, shall bear interest at a rate or rates or 3956
at variable rates, and shall mature or be payable at such time 3957

or times, with a final maturity not to exceed thirty years from 3958
their date or dates, all as determined by the board in the bond 3959
proceedings. The board shall determine the form of the bonds, 3960
including any interest coupons to be attached thereto, and shall 3961
fix the denomination or denominations of the bonds and the place 3962
or places of payment of bond service charges. 3963

(B) The bonds shall be signed by the chairperson or vice- 3964
chairperson of the board or by the facsimile signature of that 3965
officer, the official seal of the district or a facsimile 3966
thereof may be affixed thereto or printed thereon and attested 3967
by the secretary-treasurer of the district, which may be by 3968
facsimile signature, and any coupons attached thereto shall bear 3969
the facsimile signature of the chairperson or vice-chairperson 3970
of the board. In case any officer whose signature, or a 3971
facsimile of whose signature, appears on any bonds or coupons 3972
ceases to be such officer before delivery of the bonds, such 3973
signature or facsimile shall nevertheless be valid and 3974
sufficient for all purposes the same as if the officer had 3975
remained in office until such delivery. 3976

(C) Subject to the bond proceedings and provisions for 3977
registration, the bonds shall have all the qualities and 3978
incidents of negotiable instruments under Title XIII of the 3979
Revised Code. The bonds may be issued in such form or forms as 3980
the board determines, including without limitation coupon, book 3981
entry, and fully registered form, and provision may be made for 3982
the registration of any coupon bonds as to principal alone and 3983
also as to both principal and interest, and for the exchange of 3984
bonds between forms. The board may sell such bonds by 3985
competitive bid on the best bid after advertisement or request 3986
for bids or by private sale in the manner, and for the price, it 3987
determines to be for the best interest of the district. 3988

(D) The proceeds of the bonds of each issue shall be used 3989
solely for the payment of the costs of the project or projects 3990
for which the bonds were issued, and shall be disbursed in such 3991
manner and under such restrictions as the board provides in the 3992
bond proceedings. 3993

(E) Prior to the preparation of definitive bonds, the 3994
board may, under like restrictions, issue interim receipts or 3995
temporary bonds or bond anticipation notes, with or without 3996
coupons, exchangeable for definitive bonds when such bonds have 3997
been executed and are available for delivery. The board may 3998
provide for the replacement of any mutilated, stolen, destroyed, 3999
or lost bonds. 4000

(F) Sections 9.98 to 9.983 of the Revised Code apply to 4001
the bonds. 4002

(G) The bond proceedings shall provide, subject to the 4003
provisions of any other applicable bond proceedings, for the 4004
pledge to the payment of bond service charges and of any costs 4005
of or relating to credit enhancement facilities of all, or such 4006
part as the board may determine, of the pledged revenues and the 4007
applicable special fund or funds, which pledges may be made to 4008
secure the bonds on a parity with bonds theretofore or 4009
thereafter issued if and to the extent provided in the bond 4010
proceedings. Every pledge, and every covenant and agreement with 4011
respect thereto, made in the bond proceedings may in the bond 4012
proceedings be extended to the benefit of the owners and holders 4013
of bonds and to any trustee and any person providing a credit 4014
enhancement facility for those bonds, for the further security 4015
for the payment of the bond service charges and credit 4016
enhancement facility costs. 4017

(H) The bond proceedings may contain additional provisions 4018

as to:	4019
(1) The redemption of bonds prior to maturity at the option of the board or of the bondholders or upon the occurrence of certain stated conditions, and at such price or prices and under such terms and conditions as are provided in the bond proceedings;	4020 4021 4022 4023 4024
(2) Other terms of the bonds;	4025
(3) Limitations on the issuance of additional bonds;	4026
(4) The terms of any trust agreement securing the bonds or under which the same may be issued;	4027 4028
(5) Any or every provision of the bond proceedings being binding upon the board and state agencies, or other person as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision;	4029 4030 4031 4032 4033
(6) Any provision that may be made in a trust agreement;	4034
(7) Any other or additional agreements with the holders of the bonds, or the trustee therefor, relating to the bonds or the security for the bonds, including agreements for credit enhancement facilities.	4035 4036 4037 4038
(I) Any holder of bonds or a trustee under the bond proceedings, except to the extent that the holder's or trustee's rights are restricted by the bond proceedings, may by any suitable form of legal proceedings, protect and enforce any rights under the laws of this state or granted by the bond proceedings. Those rights include the right to compel the performance of all duties of the board required by this chapter or the bond proceedings; to enjoin unlawful activities; and in	4039 4040 4041 4042 4043 4044 4045 4046

the event of default with respect to the payment of any bond 4047
service charges on any bonds or in the performance of any 4048
covenant or agreement on the part of the board contained in the 4049
bond proceedings, to apply to a court having jurisdiction of the 4050
cause to appoint a receiver to receive and administer the 4051
revenues and the pledged revenues which are pledged to the 4052
payment of the bond service charges on such bonds or that are 4053
the subject of the covenant or agreement, with full power to 4054
pay, and to provide for payment of, bond service charges on such 4055
bonds, and with such powers, subject to the direction of the 4056
court, as are accorded receivers in general equity cases, 4057
excluding any power to pledge additional revenue or receipts or 4058
other income, funds, or moneys of the board to the payment of 4059
such bond service charges and excluding the power to take 4060
possession of, mortgage, or cause the sale or otherwise dispose 4061
of any project or other property of the board. 4062

(J) Each duty of the board and the board's officers and 4063
employees, undertaken pursuant to the bond proceedings, is 4064
hereby established as a duty of the board, and of each such 4065
officer, member, or employee having authority to perform the 4066
duty, specifically enjoined by law resulting from an office, 4067
trust, or station within the meaning of section 2731.01 of the 4068
Revised Code. 4069

(K) The board's officers or employees are not liable in 4070
their personal capacities on any bonds issued by the board or 4071
any agreements of or with the board relating to those bonds. 4072

(L) The bonds are lawful investments for banks, savings 4073
and loan associations, credit union share guaranty corporations, 4074
trust companies, trustees, fiduciaries, insurance companies, 4075
including domestic for life and domestic not for life, trustees 4076

or other officers having charge of sinking and bond retirement 4077
or other funds of the state or its political subdivisions and 4078
taxing districts, the commissioners of the sinking fund of the 4079
state, the administrator of workers' compensation, the state 4080
teachers retirement system, the public employees retirement 4081
system, the school employees retirement system, and the Ohio 4082
police and fire pension fund, notwithstanding any other 4083
provisions of the Revised Code or rules adopted pursuant thereto 4084
by any state agency with respect to investments by them, and 4085
also are acceptable as security for the repayment of the deposit 4086
of public moneys. 4087

(M) Provision may be made in the applicable bond 4088
proceedings for the establishment of separate accounts in the 4089
bond service fund and for the application of such accounts only 4090
to the specified bond service charges pertinent to such accounts 4091
and bond service fund, and for other accounts therein within the 4092
general purposes of such fund. 4093

(N) The board may pledge all, or such portion as it 4094
determines, of the pledged revenues to the payment of bond 4095
service charges, and for the establishment and maintenance of 4096
any reserves and special funds, as provided in the bond 4097
proceedings, and make other provisions therein with respect to 4098
pledged revenues, revenues, and net revenues as authorized by 4099
this chapter, which provisions shall be controlling 4100
notwithstanding any other provisions of law pertaining thereto. 4101

(O) The board may pledge all, or such portion as it 4102
determines, of the pledged or assigned sales and use taxes 4103
received from a qualifying regional transit authority to the 4104
payment of debt service charges on any qualifying bonds issued 4105
by the transportation improvement district to fund or finance 4106

qualifying projects under section 306.353 of the Revised Code. 4107

Sec. 5543.19. (A) The As used in this section and sections 4108
5543.191 and 5543.192 of the Revised Code: 4109

(1) "Competitive bidding" means the competitive process 4110
specified in sections 307.86 to 307.92 of the Revised Code 4111
involving competition for a whole contract and its component 4112
parts, including labor, equipment, and materials, that does not 4113
include any plan or specification that is drawn to favor any 4114
manufacturer or bidder unless required by the public interest. 4115

(2) "Force account" means that the county engineer will 4116
act as contractor, using county engineer employees and material 4117
and equipment either owned by the county or leased or purchased 4118
in compliance with sections 307.86 to 307.92 of the Revised 4119
Code, but shall not include subcontracting any part of such work 4120
unless the subcontracting is done pursuant to those sections. 4121

(3) "Culvert" means any structure that is covered with 4122
soil, rock, and roadway paving materials for the purpose of 4123
conveyance through an embankment. 4124

(4) "Deck" means that portion of a bridge that comprises 4125
the roadway surface and any pedestrian walkways and that 4126
provides direct support for vehicles and pedestrians traveling 4127
over the structure. The deck may include the appurtenances 4128
necessary for vehicle guidance, including guide or guardrails, 4129
barrier walls, sidewalks, integrated sign supports, and water 4130
conveyance items for roadway drainage. 4131

(5) "Superstructure" means that portion of a bridge that 4132
includes the beams or girders, the pads on which the beams rest 4133
on the substructure of the bridge, and the deck. 4134

(B) The county engineer may, when authorized by the board 4135

of county commissioners and not required by this section or 4136
other law to use competitive bidding, employ ~~such~~ laborers and 4137
vehicles, use ~~such~~ county employees and property, lease ~~such~~ 4138
implements and tools, and purchase ~~such~~ materials as ~~are~~ 4139
necessary ~~in for~~ the construction, reconstruction, improvement, 4140
maintenance, or repair of roads ~~by force account~~, bridges, and 4141
culverts within the county. 4142

(C) In determining whether construction ~~or,~~ 4143
reconstruction, ~~including widening and resurfacing,~~ improvement, 4144
maintenance, or repair of roads, bridges, or culverts may be 4145
undertaken ~~by force account~~ as specified in division (B) of this 4146
section, the county engineer shall first ~~cause to be made an~~ 4147
~~estimate of the cost~~ determine the scope of such work using the 4148
~~force account project assessment form developed by the auditor~~ 4149
~~of state under~~ in accordance with section 117.16-5543.191 of the 4150
Revised Code. When the ~~total estimated cost~~ scope of the work 4151
exceeds ~~thirty thousand dollars per mile~~ the parameters specified 4152
in section 5543.191 of the Revised Code, the county 4153
commissioners shall invite and receive competitive bids for 4154
furnishing all the labor, materials, and equipment necessary to 4155
complete the work in accordance with sections 307.86 to 307.92 4156
of the Revised Code. 4157

~~(B) The county engineer may, when authorized by the board~~ 4158
~~of county commissioners and not required by this section or~~ 4159
~~other law to use competitive bidding, employ such laborers and~~ 4160
~~vehicles, use such county employees and property, lease such~~ 4161
~~implements and tools, and purchase such materials as are~~ 4162
~~necessary in the construction, reconstruction, improvement,~~ 4163
~~maintenance, or repair of bridges and culverts by force account.~~ 4164

~~In determining whether such construction, reconstruction,~~ 4165

~~improvement, maintenance, or repair of bridges or culverts may~~ 4166
~~be undertaken by force account, the county engineer shall first~~ 4167
~~cause to be made an estimate of the cost of such work using the~~ 4168
~~force account project assessment form. When the total estimated~~ 4169
~~cost of the work exceeds one hundred thousand dollars, the board~~ 4170
~~of county commissioners shall invite and receive competitive~~ 4171
~~bids for furnishing all the labor, materials, and equipment~~ 4172
~~necessary to complete the work, in accordance with sections~~ 4173
~~307.86 to 307.92 of the Revised Code. The county engineer shall~~ 4174
~~obtain the approval required by section 5543.02 of the Revised~~ 4175
~~Code.~~ 4176

~~(C) On the first day of July of every odd-numbered year~~ 4177
~~beginning in 2021, the threshold amounts established in this~~ 4178
~~section shall increase by an amount not to exceed the lesser of~~ 4179
~~three per cent, or the percentage amount of any increase in the~~ 4180
~~department of transportation's construction cost index as~~ 4181
~~annualized and totaled for the prior two calendar years. The~~ 4182
~~director of transportation shall notify each appropriate county~~ 4183
~~engineer of the increased amount.~~ 4184

~~(D) "Force account," as used in this section means that~~ 4185
~~the county engineer will act as contractor, using labor employed~~ 4186
~~by the engineer using material and equipment either owned by the~~ 4187
~~county or leased or purchased in compliance with sections 307.86~~ 4188
~~to 307.92 of the Revised Code and excludes subcontracting any~~ 4189
~~part of such work unless done pursuant to sections 307.86 to~~ 4190
~~307.92 of the Revised Code.~~ 4191

~~The term "competitive bids" as used in this section~~ 4192
~~requires competition for the whole contract and in regard to its~~ 4193
~~component parts, including labor and materials. Neither plans~~ 4194
~~nor specifications shall be drawn to favor any manufacturer or~~ 4195

~~bidder unless required by the public interest.~~ 4196

Sec. 5543.191. (A) A county engineer may proceed without 4197
competitive bidding by force account by employing labor, 4198
purchasing materials, and furnishing equipment to do any of the 4199
following work: 4200

(1) Construct, replace, or widen any bridge or replace the 4201
superstructure of a bridge when the total length of the bridge 4202
does not exceed sixty feet as measured from face of abutment to 4203
face of abutment; 4204

(2) Replace the concrete deck of a bridge when the total 4205
length of the bridge does not exceed seventy-five feet as 4206
measured from face of abutment to face of abutment; 4207

(3) Construct, replace, or lengthen any pipe, including a 4208
multi-cell pipe, under a roadway, including making any necessary 4209
modifications to wingwalls and the related roadway 4210
modifications, when the total waterway opening for all cells 4211
does not exceed eighty-five square feet; 4212

(4) Construct, replace, or lengthen any culvert under a 4213
roadway, including making any necessary modifications to 4214
wingwalls and the related roadway modifications, when the total 4215
span does not exceed ten feet; 4216

(5) Perform any full-width asphalt surface paving 4217
operation when the operation does not exceed four hundred feet 4218
per centerline mile; 4219

(6) Widen an existing roadway when the widening does not 4220
exceed one thousand eight hundred square yards per lane mile; 4221

(7) Perform a chip-and-seal operation on a two-lane 4222
roadway when the operation does not exceed fifteen thousand 4223

square yards per centerline mile per layer, excluding any 4224
noncontinuous turn lanes; 4225

(8) Perform a partial or full-depth concrete pavement 4226
repair when the repair does not exceed one hundred twenty square 4227
yards per lane mile. 4228

(B) Both of the following apply to bridge, culvert, and 4229
pipe work performed under division (A) of this section: 4230

(1) The approach roadway work for a bridge or culvert 4231
shall not extend more than two hundred feet, as measured from 4232
the back side of the abutment wall or outside edge of the 4233
culvert, as applicable. The approach roadway work for pipe 4234
replacement shall not extend more than fifty feet in either 4235
direction from the centerline of the pipe. 4236

(2) The length of approach guardrails shall not be 4237
included in the approach work size limitations. 4238

(C) A county engineer shall not divide any project into 4239
separate sections or items of work for the purpose of 4240
circumventing the requirements and scope of work limitations of 4241
this section. 4242

(D) The work identified in this section is exempt from 4243
audit for force account purposes except to determine compliance 4244
with the applicable size restrictions. No force account 4245
assessment forms are required for such work. Divisions (B), (C), 4246
(D), and (E) of section 117.16 of the Revised Code remain in 4247
full force and effect. 4248

Sec. 5543.192. (A) Notwithstanding any other provision of 4249
the Revised Code to the contrary, the board of county 4250
commissioners may provide that, prior to the bid opening for any 4251
construction, reconstruction, improvement, maintenance, or 4252

repair of roads, bridges, and culverts within the county that is 4253
competitively bid in accordance with section 5543.19 of the 4254
Revised Code, the official county engineer's total cost estimate 4255
for the project shall be confidential information. 4256

(B) After the bid opening, the total cost estimate may be 4257
published by the board of county commissioners, but the unit 4258
price components and the estimate of cost of any particular item 4259
of work involved therein shall be kept and regarded by the board 4260
of county commissioners and the county engineer as confidential 4261
and are not public records for purposes of section 149.43 of the 4262
Revised Code. 4263

(C) Any provision in the Revised Code that provides that 4264
no contract for any improvement made by a county shall be 4265
awarded for a greater sum than the estimated cost thereof plus 4266
ten per cent, does not apply in the case of any project when the 4267
authority conferred by this section is exercised. 4268

Sec. 5577.044. (A) Notwithstanding sections 5577.02 and 4269
5577.04 of the Revised Code, a vehicle fueled solely by 4270
compressed natural gas or liquid natural gas or powered 4271
primarily by means of an electric battery may exceed by not more 4272
than two thousand pounds the gross vehicle weight provisions of 4273
sections 5577.01 to 5577.09 of the Revised Code or the axle load 4274
limits of those sections. 4275

(B) If a vehicle described in division (A) of this section 4276
exceeds the weight provisions of sections 5577.01 to 5577.09 of 4277
the Revised Code by more than the allowance provided for in 4278
division (A) of this section, both of the following apply: 4279

(1) The applicable penalty prescribed in section 5577.99 4280
of the Revised Code; 4281

(2) The civil liability imposed by section 5577.12 of the Revised Code. 4282
4283

(C) Division (A) of this section does not apply to the operation of a vehicle on a highway, road, or bridge that is subject to reduced maximum weights under section 4513.33, 5577.07, 5577.071, 5577.08, 5577.09, or 5591.42 of the Revised Code. 4284
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Sec. 5595.01. As used in this chapter: 4289

(A) "Regional transportation improvement project" or "project" means a regional transportation improvement project undertaken pursuant to section 5595.02 of the Revised Code. 4290
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(B) "Transportation improvement" ~~or "improvement"~~ means the construction, repair, maintenance, or expansion of streets, highways, parking facilities, rail tracks and necessarily related rail facilities, bridges, tunnels, overpasses, underpasses, interchanges, approaches, culverts, and other means of transportation, and the erection and maintenance of traffic signs, markers, lights, and signals. 4293
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(C) "Opportunity corridor improvement" means a public infrastructure improvement, as defined by section 5709.40 of the Revised Code, the primary purpose of which is to enhance or assist one or more transportation improvements or to create or facilitate economic development opportunities described in the memorandum of understanding or to otherwise benefit real property located, or businesses that are operating or will operate, within the development area, and that is funded at least in part with private funds. "Opportunity corridor improvement" includes the establishment, acquisition, ownership, control, management, sale, or transfer of a business under 4300
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division (E) of section 5595.041 of the Revised Code. 4311

(D) "Development area" means all parcels of real property 4312
located within two thousand five hundred feet of the outermost 4313
boundary of the right-of-way associated with any transportation 4314
improvement or economic development opportunity described in the 4315
memorandum of understanding. For the purpose of this division, a 4316
parcel is located within two thousand five hundred feet of the 4317
right-of-way if the distance between any portion of the parcel 4318
and any portion of the right-of-way is two thousand five hundred 4319
feet or less. 4320

(E) "Right-of-way" means land, property, or the interest 4321
therein, usually in the configuration of a strip, acquired for 4322
or devoted to transportation or economic development purposes. 4323
"Right-of-way" includes the roadway, shoulders or berm, ditch, 4324
and slopes extending to the right-of-way limits under the 4325
control of the state or local authority. 4326

(F) "Qualified RTIP" means a regional transportation 4327
improvement project undertaken before the effective date of this 4328
amendment. 4329

(G) "Memorandum of understanding" means a memorandum of 4330
understanding between the governing board of a qualified RTIP 4331
and the department of transportation under section 5595.041 of 4332
the Revised Code. 4333

Sec. 5595.03. (A) A resolution of a board of county 4334
commissioners undertaking a regional transportation improvement 4335
project must include a cooperative agreement containing all of 4336
the following: 4337

(1) A description or analysis of the deficiencies of the 4338
existing transportation system in the counties participating in 4339

the project and of projected needs or deficiencies of the system 4340
in ensuing years under reasonable assumptions about development, 4341
population trends, and other factors affecting transportation 4342
infrastructure in the counties; 4343

(2) A comprehensive list of the transportation 4344
improvements to be completed as part of the project, including a 4345
general description of each improvement, schedules of the 4346
projected beginning and end of each improvement, and the 4347
estimated cost of each improvement; 4348

(3) Directives regarding the operations and reporting 4349
requirements of the governing board; 4350

(4) Subject to division ~~(E)~~ (F) of this section, the 4351
period for which the agreement is to be in effect; 4352

(5) Any other terms the board of county commissioners 4353
considers necessary or conducive to communicate the intentions 4354
of the cooperative agreement and to ensure its effective 4355
implementation by the governing board. 4356

(B) The governing board of a qualified RTIP may negotiate 4357
and enter into a memorandum of understanding concerning the 4358
completion of opportunity corridor improvements. 4359

(C) A board of county commissioners that intends to 4360
undertake a regional transportation improvement project shall 4361
hold at least one public hearing on the proposed cooperative 4362
agreement before adopting a resolution approving the agreement. 4363
The board of county commissioners shall provide at least thirty 4364
days' public notice of the time and place of the public hearing 4365
in a newspaper of general circulation in the county. During the 4366
thirty-day period before the public hearing, the proposed 4367
cooperative agreement shall be made available for public 4368

inspection at the offices of each county that will be a party to 4369
the agreement. 4370

~~(C)~~ (D) If the cooperative agreement is approved by each 4371
county that will be a party to the agreement, one of the 4372
participating counties shall send a copy of the agreement to the 4373
director of transportation. The director shall evaluate the 4374
agreement and determine if the transportation improvements 4375
specified in the agreement are in the best interest of the 4376
transportation facilities of this state, as defined in section 4377
5501.01 of the Revised Code. If the director approves the 4378
agreement, the director shall send notice of approval to each 4379
county that is a party to the agreement. Unless otherwise 4380
provided in the cooperative agreement, the agreement is 4381
effective immediately upon approval by the director. If the 4382
director does not approve the agreement, the director shall send 4383
notice of denial to each county that is a party to the 4384
agreement. The notice of denial shall include the reason or 4385
reasons for the denial and recommendations for ways in which the 4386
agreement may be changed to meet the approval of the director. 4387
If the director does not make a determination within ninety days 4388
after receiving a cooperative agreement under this section, the 4389
director is deemed to have approved the agreement and, unless 4390
otherwise provided in the agreement, the agreement is effective 4391
immediately. No cooperative agreement is effective without 4392
actual or constructive approval by the director under this 4393
section. 4394

~~(D)~~ (E) The cooperative agreement governing a regional 4395
transportation improvement project may be amended at any time by 4396
majority vote of the governing board and of the boards of county 4397
commissioners of each of the participating counties and with the 4398
approval of the director of transportation obtained in the same 4399

manner as approval of the original agreement. 4400

~~(E)~~ (F) The period for which a cooperative agreement 4401
adopted or amended under this section is in effect shall not 4402
exceed fifteen years following the effective date of the 4403
original agreement or, if the agreement authorizes the governing 4404
board to issue securities, twenty years following the first 4405
issuance of securities by the governing board. 4406

Sec. 5595.04. The governing board of a regional 4407
transportation improvement project may do any of the following: 4408

(A) Make and enter into all contracts and agreements 4409
necessary or incidental to the performance of its functions and 4410
the execution of its powers under this chapter and in accordance 4411
with the cooperative agreement and, if applicable, the 4412
memorandum of understanding. The procuring of goods and awarding 4413
of contracts with a cost in excess of fifty thousand dollars 4414
shall be done in accordance with the competitive bidding 4415
procedures established for boards of county commissioners by 4416
sections 307.86 to 307.91 of the Revised Code. 4417

(B) Sue and be sued in its own name, plead and be 4418
impleaded, provided any actions against the governing board or 4419
the regional transportation improvement project shall be brought 4420
in the court of common pleas of a county that is a party to the 4421
cooperative agreement or in the court of common pleas of the 4422
county in which the cause of action arose, and all summonses, 4423
exceptions, and notices shall be served on the governing board 4424
by leaving a copy thereof at its principal office with a member 4425
of the governing board or an employee or agent thereof; 4426

(C) Employ or retain persons as are necessary in the 4427
judgment of the governing board to carry out the project, and 4428

fix their compensation; 4429

(D) Acquire by purchase, lease, lease-purchase, lease with 4430
option to purchase, or otherwise any property necessary, 4431
convenient, or proper for the construction, maintenance, repair, 4432
or operation of one or more transportation improvements and, if 4433
applicable, one or more opportunity corridor improvements. The 4434
governing board may pledge net revenues, to the extent permitted 4435
by this chapter with respect to bonds, to secure payments to be 4436
paid by the governing board under such a lease, lease-purchase 4437
agreement, or lease with option to purchase. Title to real and 4438
personal property shall be held in the name of the governing 4439
board. ~~The~~ Except as provided under section 5595.041 of the 4440
Revised Code, the governing board is not authorized to acquire 4441
property by appropriation. 4442

(E) Issue securities to pay for the costs of 4443
transportation improvements and opportunity corridor 4444
improvements pursuant to section 5595.05 of the Revised Code; 4445

(F) If the regional transportation project was undertaken 4446
pursuant to section 5595.02 of the Revised Code before March 23, 4447
2018, the effective date of the amendment of this section by 4448
S.B. 8 of the 132nd general assembly: 4449

(1) Create a transportation financing district and declare 4450
improvements to parcels within the district to be a public 4451
purpose and exempt from taxation as provided under section 4452
5709.48 of the Revised Code; 4453

(2) Negotiate and enter into voluntary agreements under 4454
section 5709.481 of the Revised Code that impose assessments on 4455
real property located in a transportation financing district. 4456

Sec. 5595.041. The governing board of a qualified RTIP may 4457

negotiate and enter into a memorandum of understanding with the 4458
department of transportation for the purpose of completing 4459
opportunity corridor improvements. The governing board, in 4460
carrying out the opportunity corridor improvements, may exercise 4461
all authority granted to it by this chapter and may additionally 4462
do all of the following: 4463

(A) Appropriate property, fully or partially located 4464
within the right-of-way associated with, or necessary as right- 4465
of-way for, any transportation improvement, provided both the 4466
improvement and appropriation authority are described in the 4467
memorandum of understanding and the appropriation is exclusively 4468
for that improvement. 4469

(B) Receive and reinvest any funds from development within 4470
the development area; 4471

(C) Contract for the use of digitalized procurement 4472
planning and permitting systems; 4473

(D) Request and receive grants and private contributions 4474
for any of the purposes described in division (A) of section 4475
5595.06 of the Revised Code; 4476

(E) Establish, acquire, own, control, manage, sell, or 4477
transfer a business, as defined in section 1354.01 of the 4478
Revised Code, as necessary, convenient, or proper for either of 4479
the following: 4480

(1) The construction, maintenance, repair, or operation of 4481
opportunity corridor improvements described in the memorandum of 4482
understanding; 4483

(2) Otherwise advancing the objectives of the qualified 4484
RTIP. 4485

(F) Form, participate in the management of, and contract 4486
with a public-private enterprise to assist in managing the 4487
development of opportunity corridor improvements to be located 4488
within rights of way and development areas acquired and owned by 4489
the RTIP. The governing documents of a proposed enterprise shall 4490
be submitted to the director of transportation for review and 4491
approval in the same manner as is required for approval of a 4492
cooperative agreement. 4493

As used in division (F) of this section, "public-private 4494
enterprise" means a business entity that is owned in part by a 4495
qualified RTIP and in part by one or more private persons. 4496

(G) Purchase real property fully or partially located 4497
within the development area, through means other than 4498
appropriation, that is necessary, convenient, or proper to 4499
provide a benefit to the public or for the construction, 4500
maintenance, repair, or operation of transportation improvements 4501
or opportunity corridor improvements. 4502

(H) Negotiate and enter into an agreement with the Ohio 4503
academic resources network to set up a point of presence for the 4504
purpose of establishing, expanding, or improving broadband 4505
service, or other digital capabilities or services, within the 4506
development area. 4507

Sec. 5595.042. A township, municipal corporation, or 4508
county may declare improvements made within the development area 4509
of a qualified RTIP to be for a public purpose and exempt from 4510
taxation pursuant to section 5709.40, 5709.41, 5709.73, or 4511
5709.78 of the Revised Code, as authorized under those sections. 4512

Sec. 5595.05. The governing board of a regional 4513
transportation improvement project may provide for the issuance 4514

of securities for the purpose of paying costs of transportation 4515
improvements and opportunity corridor improvements. The 4516
securities are Chapter 133. securities, and the issuance of the 4517
securities, the maturities and other details thereof, the rights 4518
of the holders thereof, and the rights, duties, and obligations 4519
of the governing board in respect to the securities is governed 4520
by the applicable bond proceedings, section 133.22 or 133.23, 4521
and other applicable sections of Chapter 133. of the Revised 4522
Code, notwithstanding that the transportation improvements or 4523
opportunity corridor improvements may result in permanent 4524
improvements for more than one purpose under that chapter. 4525

Such securities do not constitute a debt or a pledge of 4526
the faith and credit of the state or of any political 4527
subdivision of the state. Debt charges on outstanding securities 4528
are payable solely from revenues pledged to the regional 4529
transportation improvement project pursuant to section 5595.06 4530
of the Revised Code. All securities shall contain on their face 4531
a statement to that effect. Sections 9.98 to 9.983 of the 4532
Revised Code apply to the securities. 4533

Sec. 5595.06. (A) The governing board of a regional 4534
transportation improvement project, pursuant to the cooperative 4535
agreement, may request and receive pledges of revenue from the 4536
state, the counties that are parties to the agreement, and any 4537
political subdivision or taxing unit located within any of those 4538
counties. Except as provided in division (B) of this section, 4539
the pledged revenues shall be used ~~solely~~ for the purpose of 4540
funding the transportation improvements prescribed by the 4541
cooperative agreement and, if applicable, the opportunity 4542
corridor improvements prescribed by the memorandum of 4543
understanding, the debt charges on any securities issued by the 4544
governing board under section 5595.05 of the Revised Code, and 4545

the expenses of the governing board. The state, the counties, 4546
and any political subdivision or taxing unit located within such 4547
a county may pledge revenue to the governing board from any of 4548
the following sources: 4549

(1) The general revenue fund of the state; 4550

(2) License tax revenue derived from an annual motor 4551
vehicle license tax imposed pursuant to section 4504.22 of the 4552
Revised Code; 4553

(3) Payments in lieu of taxes derived under section 4554
5709.42, 5709.45, 5709.48, 5709.74, or 5709.79 of the Revised 4555
Code if the real property for which such payments are made will 4556
benefit from the proposed transportation improvements or 4557
opportunity corridor improvements; 4558

(4) Income tax revenue derived from a joint economic 4559
development district or joint economic development zone 4560
established pursuant to section 715.69, as that section existed 4561
before its repeal by H.B. 289 of the 130th General Assembly, 4562
715.691, 715.70, 715.71, or 715.72 of the Revised Code if the 4563
district or zone will benefit from the proposed transportation 4564
improvements or opportunity corridor improvements; 4565

(5) Revenue derived from special assessments levied in a 4566
special improvement district created under Chapter 1710. of the 4567
Revised Code if the district will benefit from the proposed 4568
transportation improvements or opportunity corridor 4569
improvements; 4570

(6) Revenue from an income source of a new community 4571
district established pursuant to section 349.03 of the Revised 4572
Code if the district will benefit from the proposed 4573
transportation improvements or opportunity corridor 4574

improvements; 4575

(7) Income tax revenue derived from a tax levied by a 4576
municipal corporation in accordance with Chapter 718. of the 4577
Revised Code if the municipal corporation will benefit from the 4578
proposed transportation improvements or opportunity corridor 4579
improvements and revenue from the tax may lawfully be applied to 4580
~~that purpose~~ those purposes under the ordinance or resolution 4581
levying the tax; 4582

(8) Sales and use tax revenue derived from a tax levied 4583
under section 5739.021, 5739.023, 5739.026, 5741.021, 5741.022, 4584
or 5741.023 of the Revised Code if the county or transit 4585
authority will benefit from the proposed transportation 4586
improvements or opportunity corridor improvements and revenue 4587
from the tax may lawfully be applied to ~~that purpose~~ those 4588
purposes under the resolution levying the tax. 4589

(B) The governing board shall use license tax revenue 4590
pledged to the project under division (A) (2) of this section for 4591
the purpose of funding transportation improvements described in 4592
the cooperative agreement, opportunity corridor improvements 4593
described by the memorandum of understanding, and any other 4594
supplemental transportation improvements necessary to complete 4595
the project. If the board intends to use any of the license tax 4596
revenue for supplemental improvements not described in the 4597
agreement, the board, before submitting a request for license 4598
tax revenue to a board of county commissioners under section 4599
4504.22 of the Revised Code, shall adopt a resolution allocating 4600
the revenue among the transportation improvements described in 4601
the agreement, the opportunity corridor improvements described 4602
in the memorandum of understanding, and such supplemental 4603
improvements not described in the agreement or memorandum. The 4604

amount used for supplemental improvements may not exceed five 4605
dollars for each motor vehicle on which the motor vehicle 4606
license tax is collected. If the motor vehicle license tax is 4607
approved, the governing board shall allocate the revenue only in 4608
accordance with the resolution. The allocation may not be 4609
changed unless a proposition to change the allocation is 4610
approved by the majority of electors voting on the proposition 4611
in each county that is a party to the cooperative agreement. 4612
Such a proposition may be proposed by resolution of the 4613
governing board certified to the board of county commissioners 4614
of each county, and, upon receiving such a certified resolution, 4615
each board of county commissioners shall certify identical 4616
resolutions to the respective county board of elections for 4617
placement on the questions and issues ballot at the next 4618
succeeding election occurring at least ninety days after the 4619
resolution is certified to the board of elections. 4620

(C) Pledges of revenue under division (A) of this section 4621
may take any form and may be made subject to any terms that are 4622
mutually agreeable between the revenue contributor and the 4623
governing board. Pledges may be effectuated through periodic or 4624
one-time fixed payments, in variable installments based on 4625
estimated increases in tax revenue attributable to the 4626
activities of the regional transportation improvement project, 4627
or through any other means negotiated by the revenue contributor 4628
and the government board. 4629

As used in this division, "revenue contributor" means the 4630
state, the counties that are parties to the cooperative 4631
agreement, or any political subdivision or taxing unit located 4632
within any of those participating counties, that pledges revenue 4633
to a regional transportation improvement project under division 4634
(A) of this section. 4635

Sec. 5595.11. The exercise of the powers granted by this 4636
chapter is in all respects for the benefit of the people of the 4637
state, for the increase of their commerce and prosperity, and 4638
for the improvement of their health and living conditions, and, 4639
as the completion of transportation improvements and opportunity
corridor improvements by a regional transportation improvement 4640
project constitute the performance of essential governmental 4641
functions, neither the project nor the governing board may be 4642
required to pay any state or local taxes or assessments upon any 4643
such improvement, or upon revenue or any property acquired or 4644
used by the governing board of the project under this chapter, 4645
or upon the income therefrom. The securities issued under this 4646
chapter, their transfer, and the income therefrom, including any 4647
profit made on the sale thereof, shall at all times be free from 4648
taxation within the state. 4649
4650

Sec. 5709.48. (A) As used in this section and sections 4651
5709.481, 5709.49, and 5709.50 of the Revised Code: 4652

(1) "Regional transportation improvement project" has the 4653
same meaning as in section 5595.01 of the Revised Code. 4654

(2) "Improvements" means the increase in the assessed 4655
value of any real property that would first appear on the tax 4656
list and duplicate of real and public utility property after the 4657
effective date of the resolution adopted under this section were 4658
it not for the exemption granted by that resolution. 4659

(B) For the purposes described in division (A) of section 4660
5595.06 of the Revised Code, the governing board of a regional 4661
transportation improvement project that was undertaken pursuant 4662
to section 5595.02 of the Revised Code before March 23, 2018, 4663
may, by resolution, create a transportation financing district 4664
and declare improvements to parcels within the district to be a 4665

public purpose and exempt from taxation. 4666

(C) A transportation financing district ~~may include~~shall 4667
consist of all territory in more than one county as long as each 4668
such county is a participant of all counties that are 4669
participants in the regional transportation improvement project 4670
funded by the district. ~~A, except that the~~ district shall not 4671
include parcels used primarily for residential purposes. ~~A~~ 4672
~~district shall not include any parcel that is, parcels that are~~ 4673
currently exempt from taxation under this section or section 4674
5709.40, 5709.41, 5709.45, 5709.73, or 5709.77 of the Revised 4675
Code, or parcels excluded from the district under division (G) 4676
of this section. ~~The governing board may designate parcels~~ 4677
~~within the boundaries of a district that are not to be included~~ 4678
~~in the district. The governing board may designate noncontiguous~~ 4679
~~parcels located outside the boundaries of the district that are~~ 4680
~~to be included in the district.~~ 4681

~~The governing board may adopt more than one resolution~~ 4682
~~under division (B) of this section. A single such resolution may~~ 4683
~~create more than one transportation financing district.~~ 4684

(D) A resolution creating a transportation financing 4685
district shall specify all of the following: 4686

(1) ~~A description of the territory included in the~~ 4687
~~district;~~ 4688

~~(2)~~The county treasurer's permanent parcel number 4689
associated with each parcel included in the district; 4690

~~(3)~~(2) (a) The percentage of improvements to be exempted 4691
from taxation and the duration of the exemption, ~~which.~~ 4692

(b) Except as provided in division (E) of this section, 4693
the percentage of improvements to be exempted shall not exceed 4694

seventy-five per cent, and the duration of the exemption shall 4695
not exceed ten years. 4696

(c) In no case may the life of the exemption exceed the 4697
remaining number of years the cooperative agreement for the 4698
regional transportation improvement district, described under 4699
section 5595.03 of the Revised Code, is in effect~~+~~. 4700

~~(4)~~(3) A plan for the district that describes the 4701
principal purposes and goals to be served by the district and 4702
explains how the use of service payments provided for by section 4703
5709.49 of the Revised Code will economically benefit owners of 4704
property within the district. 4705

~~(E) (1) Except as otherwise provided in divisions (E) (2)~~ 4706
~~and (3) (E) Subject to division (D) (2) (c) of this section, the~~ 4707
improvements to parcels located in a transportation financing 4708
district may be exempted from taxation for up to thirty years, 4709
and the percentage of improvements that may be exempted may 4710
equal up to one hundred per cent, if either of the following 4711
apply: 4712

(1) The governing board, before adopting a resolution 4713
under division (B) of this section, ~~shall notify and obtain~~ 4714
obtains the approval under division (F) of section of the board 4715
of education of each subdivision and taxing unit that levies a 4716
property tax city, local, and exempted village school district 4717
within the territory of the proposed transportation financing 4718
district. ~~A subdivision or taxing unit's approval or disapproval~~ 4719
~~of the proposed district shall be in the form of an ordinance or~~ 4720
~~resolution. The governing board may negotiate an agreement with~~ 4721
~~a subdivision or taxing unit~~ 4722

(2) In the resolution creating the transportation 4723

financing district, the governing board agrees to compensate 4724
each city, local, or exempted village, and joint vocational 4725
school district or districts in which the transportation 4726
financing district is located for the full amount of taxes that 4727
would have been payable to the school district or districts if 4728
the improvements had not been exempted from taxation. 4729

(F) (1) A governing board seeking the approval of a school 4730
district for the purpose of division (E) (1) of this section 4731
shall send notice of the proposed resolution to the school 4732
district not later than forty-five business days before it 4733
intends to adopt the resolution. The notice shall include a copy 4734
of the proposed resolution and shall indicate the date on which 4735
the governing board intends to adopt the resolution. 4736

The board of education, by resolution adopted by a 4737
majority of the board, may approve the exemption for the period 4738
or for the exemption percentage specified in the notice; may 4739
disapprove the exemption for the number of years in excess of 4740
ten, may disapprove the exemption for the percentage of the 4741
improvements to be exempted in excess of seventy-five per cent, 4742
or both; or may approve the exemption on the condition that the 4743
governing board and the board of education negotiate an 4744
agreement providing for compensation equal in value to a 4745
percentage of the amount of taxes exempted or some other 4746
mutually agreeable compensation. If a mutually acceptable 4747
compensation agreement is negotiated between the governing board 4748
and the board of education, the governing board shall compensate 4749
the joint vocational school district within which the district 4750
is located at the same rate and under the same terms received by 4751
the city, local, or exempted village school district. 4752

(2) The board of education shall certify a resolution 4753

adopted under division (F) (1) of this section to the governing 4754
board not later than fourteen days before the date the governing 4755
board intends to adopt the resolution as indicated in the 4756
notice. If the board of education approves the ordinance or 4757
negotiates a mutually acceptable compensation agreement, the 4758
governing board may enact the resolution in its current form. If 4759
the board of education disapproves of the ordinance and fails to 4760
negotiate a mutually acceptable compensation agreement, the 4761
resolution is subject to the limitations prescribed by divisions 4762
(D) (2) (b) and (c) of this section. If the board of education 4763
fails to certify a resolution within the time prescribed by this 4764
division, the governing board may adopt the resolution and 4765
declare the improvements a public purpose for the period of time 4766
specified in the resolution, or, in the case of exemption 4767
percentages proposed in excess of seventy-five per cent, for the 4768
exemption percentage specified in the resolution. 4769

The governing board may adopt the resolution at any time 4770
after the board of education certifies its resolution approving 4771
the exemption, or, if the board of education approves the 4772
exemption on the condition that a mutually acceptable 4773
compensation agreement be negotiated, at any time after the 4774
compensation agreement is agreed to by the board of education 4775
and the governing board. 4776

~~(2)-(3)~~ A subdivision or taxing unit board of education 4777
may adopt an ordinance or a resolution waiving its right to 4778
approve or receive notice of transportation financing districts 4779
proposed under this section. If a subdivision or taxing unit 4780
board of education has adopted such an ordinance or a 4781
resolution, the terms of that ordinance or resolution supersede 4782
the requirements of division ~~(E) (1)~~ (F) (1) of this section. The 4783
governing board may negotiate an agreement with a subdivision or 4784

~~taxing unit board of education~~ providing for some mutually 4785
agreeable compensation in exchange for the ~~subdivision or taxing~~ 4786
~~unit board of education~~ adopting such ~~an ordinance or a~~ 4787
resolution. If a ~~subdivision or taxing unit~~ board of education 4788
has adopted such an ordinance or resolution, it shall certify a 4789
copy to the governing board. If the ~~subdivision or taxing unit~~ 4790
~~board of education~~ rescinds such an ordinance or a resolution, 4791
it shall certify notice of the rescission to the governing 4792
board. 4793

~~(3) The governing board need not obtain the approval of a~~ 4794
~~subdivision or taxing unit if the governing board agrees to~~ 4795
~~compensate that subdivision or unit for the full amount of taxes~~ 4796
~~exempted under the resolution creating the district.~~ 4797

~~(F) After complying with division (E) of this section, the~~ 4798

(4) If the governing board is not required by division (F) 4799
of this section to notify the board of education of the 4800
governing board's intent to create a transportation financing 4801
district, the governing board shall comply with the notice 4802
requirements imposed under section 5709.83 of the Revised Code, 4803
unless the board of education has adopted a resolution under 4804
that section waiving its right to receive such a notice. 4805

(G) The governing board shall notify and obtain the 4806
approval of every real property owner whose property is included 4807
in the proposed transportation financing district. The approval 4808
shall include a signed agreement between the property owner and 4809
the governing board that specifies the projects and purposes for 4810
which the service payments made by the owner under section 4811
5709.49 of the Revised Code will be used. Such an agreement does 4812
not supersede any compensation agreement between the governing 4813
board and a school district under division (F) of this section. 4814

If the property owner and the governing board do not reach an 4815
agreement under this division, the parcel shall be excluded from 4816
the district. 4817

~~(G)(1)~~ (H)(1) Upon adopting a resolution creating a 4818
transportation financing district, the governing board shall 4819
send a copy of the resolution and documentation sufficient to 4820
prove that the requirements of divisions ~~(E)~~ (F) and ~~(F)~~ (G) of 4821
this section have been met to the director of development 4822
services. The director shall evaluate the resolution and 4823
documentation to determine if the governing board has fully 4824
complied with the requirements of this section. If the director 4825
approves the resolution, the director shall send notice of 4826
approval to the governing board. If the director does not 4827
approve the resolution, the director shall send a notice of 4828
denial to the governing board that includes the reason or 4829
reasons for the denial. If the director does not make a 4830
determination within ninety days after receiving a resolution 4831
under this section, the director is deemed to have approved the 4832
resolution. No resolution creating a transportation financing 4833
district is effective without actual or constructive approval by 4834
the director under this section. 4835

(2) An exemption from taxation granted under this section 4836
commences with the tax year specified in the resolution so long 4837
as the year specified in the resolution commences after the 4838
effective date of the resolution. If the resolution specifies a 4839
year commencing before the effective date of the resolution or 4840
specifies no year whatsoever, the exemption commences with the 4841
tax year in which an exempted improvement first appears on the 4842
tax list and that commences after the effective date of the 4843
resolution. 4844

(3) Except as otherwise provided in this division, the 4845
exemption ends on the date specified in the resolution as the 4846
date the improvement ceases to be a public purpose or the 4847
regional transportation improvement project funded by the 4848
service payments dissolves under section 5595.13 of the Revised 4849
Code, whichever occurs first. Exemptions shall be claimed and 4850
allowed in the same manner as in the case of other real property 4851
exemptions. If an exemption status changes during a year, the 4852
procedure for the apportionment of the taxes for that year is 4853
the same as in the case of other changes in tax exemption status 4854
during the year. 4855

~~(H)~~ (I) The resolution creating a transportation financing 4856
district may be amended at any time by majority vote of the 4857
governing board and with the approval of the director of 4858
development services obtained in the same manner as approval of 4859
the original resolution. Such an amendment may include adding a 4860
parcel to the district that was previously excluded under 4861
division (G) of this section, so long as the governing board and 4862
the owner of the parcel reach an agreement on the use of service 4863
payments as provided under that division. 4864

Sec. 5709.481. (A) The governing board of a regional 4865
transportation improvement project may negotiate and enter into 4866
a voluntary agreement with the owner or owners of any parcel 4867
located in a transportation financing district created by the 4868
board whereby the owner or owners agree to subject the parcel to 4869
an assessment levied by the governing board and the governing 4870
board agrees to use the proceeds of that assessment for the 4871
purposes ~~of the project as described in the resolution creating~~ 4872
~~the district~~ described in division (A) of section 5595.06 of the 4873
Revised Code. 4874

(B) The agreement shall specify the amount and duration of 4875
the assessment. The assessment may not be collected after the 4876
dissolution of the associated regional transportation 4877
improvement project under section 5595.13 of the Revised Code. 4878

(C) The governing board shall annually compute the amount 4879
of each assessment imposed by an agreement under this section 4880
and certify the amount to the owner or owners of the parcel and 4881
to the county auditor of the county in which the parcel is 4882
located. The county auditor shall enter the assessment on the 4883
tax list of real property opposite against which it is charged, 4884
and certify the assessment to the county treasurer. The 4885
assessment shall be charged and collected in the same manner as 4886
real property taxes and shall be treated in the same manner as 4887
real property taxes for all purposes of the lien described in 4888
section 323.11 of the Revised Code, including the priority and 4889
enforcement of the lien. Money collected from the assessment 4890
shall be paid immediately to the governing board. The county 4891
treasurer shall maintain a record of all payments of assessments 4892
under this section. 4893

(D) The governing board may negotiate and enter into as 4894
many agreements under this section as are necessary or useful in 4895
serving the principal purposes and goals described in the 4896
resolution creating the district. One agreement may impose an 4897
assessment on more than one parcel only if the owner or owners 4898
of all such parcels have approved the agreement. 4899

(E) An agreement may be amended for the purposes of 4900
subjecting additional parcels to the assessment by resolution 4901
adopted by the governing board and approved by the owner or 4902
owners of the additional parcels. An agreement may be rescinded 4903
or may be amended for any purpose other than subjecting 4904

additional parcels to the assessment by resolution adopted by 4905
the governing board and approved by the owner or owners of every 4906
parcel that is subject to the assessment imposed under the 4907
agreement. 4908

(F) An agreement under this section is hereby deemed to be 4909
a covenant running with each parcel of land that is subject to 4910
the agreement. The covenant is fully binding on behalf of and 4911
enforceable by the governing board against any person who 4912
subsequently acquires an interest in the land and all of that 4913
person's successors and assigns. No purchase agreement for real 4914
estate or any interest in real estate that is subject to such an 4915
agreement shall be enforceable by the seller or binding upon the 4916
purchaser unless the purchase agreement specifically refers to 4917
the agreement. If a conveyance of such real estate or interest 4918
in such real estate is made pursuant to a purchase agreement 4919
that does not make such a reference, the agreement shall 4920
continue to be a covenant running with the land fully binding on 4921
behalf of and enforceable by the governing board against the 4922
person accepting the conveyance pursuant to the purchase 4923
agreement. 4924

Sec. 5709.49. (A) The governing board of a regional 4925
transportation improvement project that has declared an 4926
improvement to be a public purpose under section 5709.48 of the 4927
Revised Code shall require the owner of any parcel located in 4928
the transportation financing district to make annual service 4929
payments in lieu of taxes to the county treasurer on or before 4930
the final dates for payment of real property taxes. Each such 4931
payment shall be charged and collected in the same manner and in 4932
the same amount as the real property taxes that would have been 4933
charged and payable against the improvement if it were not 4934
exempt from taxation. If any reduction in the levies otherwise 4935

applicable to such exempt property is made by the county budget 4936
commission under section 5705.31 of the Revised Code, the amount 4937
of the service payment in lieu of taxes shall be calculated as 4938
if such reduction in levies had not been made. 4939

(B) Moneys collected as service payments in lieu of taxes 4940
from a parcel shall be distributed at the same time and in the 4941
same manner as real property tax payments. If a resolution 4942
adopted under section 5709.48 of the Revised Code specifies that 4943
service payments shall be paid to ~~another subdivision or taxing-~~ 4944
~~unit~~ any city, local, or exempted village, and joint vocational 4945
school district or districts in which the parcel is located, the 4946
county treasurer shall distribute the portion of the service 4947
payments to ~~that subdivision or taxing unit~~ the district or 4948
districts in an amount equal to the property tax payments ~~the-~~ 4949
~~subdivision or taxing unit~~ each such district would have 4950
received from the portion of the parcel's improvement exempted 4951
from taxation had the improvement not been exempted, or some 4952
other amount as directed in the resolution. The treasurer shall 4953
maintain a record of the service payments in lieu of taxes made 4954
from property in each transportation financing district. 4955

(C) Nothing in this section or section 5709.48 of the 4956
Revised Code affects the taxes levied against that portion of 4957
the value of any parcel of property that is not exempt from 4958
taxation. 4959

Sec. 5709.50. (A) The governing board of a regional 4960
transportation improvement project that grants a tax exemption 4961
under section 5709.48 of the Revised Code or enters into one or 4962
more voluntary agreements imposing assessments under section 4963
5709.481 of the Revised Code shall establish a regional 4964
transportation improvement project fund into which shall be 4965

deposited service payments in lieu of taxes distributed under 4966
section 5709.49 of the Revised Code and assessments collected 4967
pursuant to such agreements. Money in the regional 4968
transportation improvement project fund shall be used by the 4969
governing board for the purposes described in ~~the resolution~~ 4970
~~creating the transportation financing district~~division (A) of 4971
section 5595.06 of the Revised Code and in accordance with the 4972
agreements between the governing board and property owners under 4973
division (G) of section 5709.48 of the Revised Code. Money in 4974
the regional transportation improvement project fund shall be 4975
administered by the governing board in accordance with the 4976
requirements of section 5595.08 of the Revised Code and may be 4977
invested as provided in section 5595.09 of the Revised Code. 4978

(B) The regional transportation improvement project fund 4979
is dissolved by operation of law upon the dissolution of the 4980
associated regional transportation improvement project under 4981
section 5595.13 of the Revised Code. Any incidental surplus 4982
remaining in the fund, to the extent unencumbered, shall be 4983
divided and distributed by the county treasurer of the most 4984
populous county in which the district is located as follows: 4985

(1) To the general funds of the subdivisions and taxing 4986
units in which the district is located, an amount equal to the 4987
surplus revenue multiplied by a fraction, the numerator of which 4988
is the amount of service payment revenue deposited to the fund 4989
after the most recent collection of property taxes and payments 4990
in lieu of taxes, and the denominator of which is the total 4991
amount deposited to the fund after the most recent collection of 4992
property taxes and payments in lieu of taxes. This amount shall 4993
be divided proportionally based on the property tax levy revenue 4994
foregone by each such subdivision and taxing unit due to the 4995
exemption of improvements to property within the district at the 4996

most recent collection of service payments in lieu of taxes. The 4997
division of revenue shall account for amounts returned to 4998
~~subdivisions—city, local, or exempted village, and taxing units—~~ 4999
joint vocational school districts through compensation 5000
~~agreements—arrangements~~ entered into under division (E) of 5001
section 5709.48 of the Revised Code. The amount distributed to 5002
each subdivision or taxing unit shall be apportioned among its 5003
funds as if that amount had been levied and collected as taxes 5004
and distributed in the most recent settlement of taxes. 5005

(2) To the owners of parcels subject to a special 5006
assessment under section 5709.481 of the Revised Code, all 5007
remaining surplus revenue. This amount shall be divided 5008
proportionally based on the amount of the assessment levied 5009
against each such parcel at the most recent collection of such 5010
assessments. Owners of parcels that are delinquent in paying an 5011
assessment imposed by an agreement under section 5709.481 of the 5012
Revised Code may not receive surplus revenue under this 5013
division. The share of surplus revenue that such owner or owners 5014
would have otherwise received shall be divided proportionally 5015
among the owners of nondelinquent parcels. 5016

Sec. 5709.83. (A) Except as otherwise provided in division 5017
(B) or (C) of this section, prior to taking formal action to 5018
adopt or enter into any instrument granting a tax exemption 5019
under section 725.02, 1728.06, 5709.40, 5709.41, 5709.45, 5020
5709.48, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 5709.84, 5021
or 5709.88 of the Revised Code or formally approving an 5022
agreement under section 3735.671 of the Revised Code, or prior 5023
to forwarding an application for a tax exemption for residential 5024
property under section 3735.67 of the Revised Code to the county 5025
auditor, the legislative authority of the political subdivision, 5026
governing board of a regional transportation improvement 5027

project, or housing officer shall notify the board of education 5028
of each city, local, exempted village, or joint vocational 5029
school district in which the proposed tax-exempted property is 5030
located. The notice shall include a copy of the instrument or 5031
application. The notice shall be delivered not later than 5032
fourteen days prior to the day the legislative authority or 5033
governing board takes formal action to adopt or enter into the 5034
instrument, or not later than fourteen days prior to the day the 5035
housing officer forwards the application to the county auditor. 5036
If the board of education comments on the instrument or 5037
application to the legislative authority, governing board, or 5038
housing officer, the legislative authority, governing board, or 5039
housing officer shall consider the comments. If the board of 5040
education of the city, local, exempted village, or joint 5041
vocational school district so requests, the legislative 5042
authority, governing board, or the housing officer shall meet in 5043
person with a representative designated by the board of 5044
education to discuss the terms of the instrument or application. 5045

(B) The notice otherwise required to be provided to boards 5046
of education under division (A) of this section is not required 5047
if the board has adopted a resolution waiving its right to 5048
receive such notices, and that resolution remains in effect. If 5049
a board of education adopts such a resolution, the board shall 5050
cause a copy of the resolution to be certified to the 5051
legislative authority or governing board. If the board of 5052
education rescinds such a resolution, it shall certify notice of 5053
the rescission to the legislative authority or governing board. 5054
A board of education may adopt such a resolution with respect to 5055
any one or more counties, townships, or municipal corporations 5056
situated in whole or in part within the school district. 5057

(C) If a legislative authority or governing board is 5058

required to provide notice to a city, local, or exempted village 5059
school district of its intent to adopt or enter into any 5060
instrument granting a tax exemption as required by section 5061
3735.671, 5709.40, 5709.41, 5709.45, 5709.48, 5709.62, 5709.63, 5062
5709.632, 5709.73, or 5709.78 of the Revised Code, the 5063
legislative authority, before adopting a resolution or ordinance 5064
or entering into an agreement under that section, shall notify 5065
the board of education of each joint vocational school district 5066
in which the property to be exempted is located using the same 5067
time requirements for the notice that applies to notices to 5068
city, local, and exempted village school districts. The content 5069
of the notice and procedures for responding to the notice are 5070
the same as required in division (A) of this section. 5071

Section 101.02. That existing sections 117.16, 117.161, 5072
124.152, 303.02, 306.353, 519.02, 1710.01, 1710.02, 1710.03, 5073
1710.13, 4503.10, 4503.103, 4503.11, 4503.191, 4503.29, 4503.44, 5074
4504.22, 4511.093, 4511.21, 4513.34, 4981.02, 4981.04, 5503.031, 5075
5517.011, 5525.16, 5540.01, 5540.02, 5540.03, 5540.06, 5543.19, 5076
5577.044, 5595.01, 5595.03, 5595.04, 5595.05, 5595.06, 5595.11, 5077
5709.48, 5709.481, 5709.49, 5709.50, and 5709.83 of the Revised 5078
Code are hereby repealed. 5079

Section 105.01. That section 5501.09 of the Revised Code 5080
is hereby repealed. 5081

Section 201.10. Except as otherwise provided in this act, 5082
all appropriation items in this act are appropriated out of any 5083
moneys in the state treasury to the credit of the designated 5084
fund that are not otherwise appropriated. For all appropriations 5085
made in this act, the amounts in the first column are for fiscal 5086
year 2024 and the amounts in the second column are for fiscal 5087
year 2025. 5088

Section 203.10.

5089

5090

1	2	3	4	5
A		DOT DEPARTMENT OF TRANSPORTATION		
B		General Revenue Fund		
C	GRF 775470	Public Transportation - State	\$37,014,636	\$37,014,636
D		TOTAL General Revenue Fund	\$37,014,636	\$37,014,636
E		Highway Operating Fund Group		
F	2120 772426	Highway Infrastructure Bank - Federal	\$5,750,500	\$5,750,500
G	2120 772427	Highway Infrastructure Bank - State	\$15,099,500	\$15,099,500
H	2130 772431	Roadway Infrastructure Bank - State	\$3,750,000	\$3,750,000
I	2130 777477	Aviation Infrastructure Bank - State	\$2,400,000	\$2,400,000

J	5XI0	772504	Ohio Highway Transportation Safety	\$2,736,000	\$1,600,000
K	7002	770003	Transportation Facilities Lease Rental Bond Payments	\$23,000,000	\$23,000,000
L	7002	771411	Planning and Research - State	\$30,128,120	\$29,650,000
M	7002	771412	Planning and Research - Federal	\$57,095,074	\$57,095,074
N	7002	772421	Highway Construction - State	\$902,000,000	\$734,000,000
O	7002	772422	Highway Construction - Federal	\$2,120,000,000	\$1,950,000,000
P	7002	772424	Highway Construction - Other	\$83,500,000	\$83,500,000
Q	7002	772437	Major New State Infrastructure Bond Debt Service - State	\$18,500,000	\$18,500,000
R	7002	772438	Major New State	\$132,500,000	\$132,500,000

			Infrastructure		
			Bond Debt Service		
			- Federal		
S	7002	772603	Brent Spence	\$182,800,000	\$0
			Bridge Corridor -		
			State		
T	7002	772604	Brent Spence	\$1,909,200,000	\$0
			Bridge Corridor -		
			Federal		
U	7002	772605	Brent Spence	\$809,000,000	\$0
			Bridge Corridor -		
			Other		
V	7002	773431	Highway	\$635,000,000	\$640,427,010
			Maintenance -		
			State		
W	7002	775452	Public	\$57,445,919	\$63,004,296
			Transportation -		
			Federal		
X	7002	775454	Public	\$1,570,000	\$1,570,000
			Transportation -		
			Other		
Y	7002	776462	Grade Crossings -	\$14,068,961	\$14,068,961
			Federal		
Z	7002	777472	Airport	\$405,000	\$405,000
			Improvements -		

		Federal		
AA 7002	777475	Aviation Administration	\$6,635,945	\$6,699,938
AB 7002	779491	Administration - State	\$115,424,899	\$115,593,642
AC TOTAL	HOF Highway Operating Fund Group		\$7,128,009,918	\$3,898,613,921
AD	Dedicated Purpose Fund Group			
AE 4N40	776664	Rail Transportation - Other	\$2,911,491	\$2,911,491
AF 5CV3	776672	Strategic Transportation and Development Analysis	\$10,000,000	\$0
AG 5W90	777615	County Airport Maintenance	\$620,000	\$620,000
AH TOTAL	DPF Dedicated Purpose Fund Group		\$13,531,491	\$3,531,491
AI	Capital Projects Fund Group			
AJ 7042	772723	Highway Construction - Bonds	\$94,450,000	\$94,450,000

AK 7045	772428	Highway	\$83,950,000	\$83,950,000
		Infrastructure		
		Bank - Bonds		
AL TOTAL CPF Capital Projects Fund			\$178,400,000	\$178,400,000
Group				
AM TOTAL ALL BUDGET FUND GROUPS			\$7,356,956,045	\$4,117,560,048

Section 203.20. TRANSPORTATION FACILITIES LEASE RENTAL	5091
BOND PAYMENTS	5092
The foregoing appropriation item 770003, Transportation	5093
Facilities Lease Rental Bond Payments, shall be used to meet all	5094
payments during the period from July 1, 2023, through June 30,	5095
2025, pursuant to the leases and agreements for facilities made	5096
under Chapter 154. of the Revised Code. These appropriations are	5097
the source of funds pledged for bond service charges on related	5098
obligations issued under Chapter 154. of the Revised Code.	5099
Should the appropriation in appropriation item 770003,	5100
Transportation Facilities Lease Rental Bond Payments, exceed the	5101
associated debt service payments in either fiscal year of the	5102
biennium ending June 30, 2025, the balance may be transferred to	5103
appropriation item 772421, Highway Construction - State, 773431,	5104
Highway Maintenance - State, or 779491, Administration - State,	5105
upon the written request of the Director of Transportation and	5106
with the approval of the Director of Budget and Management. The	5107
transfers are hereby appropriated and shall be reported to the	5108
Controlling Board.	5109
Section 203.25. PLANNING AND RESEARCH - STATE	5110
Of the foregoing appropriation item 771411, Planning and	5111

Research - State, up to \$50,000 in fiscal year 2024 shall be 5112
used to contract with a third-party through a request for 5113
proposal process and in coordination with the Department of 5114
Administrative Services to conduct a wrong way driving study 5115
across Ohio. The study shall collect data at specific locations, 5116
as determined by the Director of Transportation, to understand 5117
incorrect driving patterns and other factors that lead to wrong 5118
way driving. The data may be used to propose safety 5119
interventions that mitigate the hazards of wrong way driving or 5120
prevent its occurrence. 5121

Section 203.30. ROADS FOR DNR, METROPOLITAN PARKS, 5122
CONSERVANCY DISTRICTS, EXPOSITIONS COMMISSION, AND HISTORY 5123
CONNECTION 5124

(A) Notwithstanding section 5511.06 of the Revised Code, 5125
in each fiscal year of the biennium ending June 30, 2025, the 5126
Director of Transportation shall determine portions of the 5127
foregoing appropriation item 772421, Highway Construction - 5128
State, which shall be used for the construction, reconstruction, 5129
or maintenance of public access roads, including support 5130
features, to and within state facilities owned or operated by 5131
the Department of Natural Resources. 5132

(B) Notwithstanding section 5511.06 of the Revised Code, 5133
of the foregoing appropriation item 772421, Highway Construction 5134
- State, \$2,562,000 in each fiscal year shall be used for the 5135
construction, reconstruction, or maintenance of park drives or 5136
park roads within the boundaries of metropolitan parks. 5137

(C) Notwithstanding section 5511.06 of the Revised Code, 5138
of the foregoing appropriation item 772421, Highway Construction 5139
- State, \$500,000 in each fiscal year shall be used for the 5140
construction, reconstruction, or maintenance of park drives or 5141

park roads within the boundaries of state parks and wildlife 5142
areas greater than 10,000 contiguous acres that were purchased 5143
in a single, or series, of transactions, and \$500,000 in each 5144
fiscal year shall be used for construction, reconstruction, or 5145
maintenance of drives and roads leading to such state parks and 5146
wildlife areas. 5147

(D) Of the foregoing appropriation item 772421, Highway 5148
Construction - State, \$500,000 in each fiscal year shall be used 5149
to assist conservancy districts with the construction, 5150
reconstruction, improvement, repair, or maintenance of roads in 5151
accordance with section 5511.04 of the Revised Code. 5152

(E) The Department of Transportation may use the foregoing 5153
appropriation item 772421, Highway Construction - State, to 5154
perform: 5155

(1) Related road work on behalf of the Ohio Expositions 5156
Commission at the state fairgrounds, including reconstruction or 5157
maintenance of public access roads and support features to and 5158
within fairgrounds facilities, as requested by the Commission 5159
and approved by the Director of Transportation; and 5160

(2) Related road work on behalf of the Ohio History 5161
Connection, including reconstruction or maintenance of public 5162
access roads and support features to and within Ohio History 5163
Connection facilities, as requested by the Ohio History 5164
Connection and approved by the Director of Transportation. 5165

Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS 5166

(A) Of the foregoing appropriation item 772421, Highway 5167
Construction - State, \$4,500,000 in each fiscal year shall be 5168
made available for distribution by the Director of 5169
Transportation to Transportation Improvement Districts that have 5170

facilitated funding for the cost of a project or projects in 5171
conjunction with and through other governmental agencies. 5172

(B) A Transportation Improvement District shall submit 5173
requests for project funding to the Director of Transportation 5174
by a day determined by the Director. The Department shall notify 5175
the Transportation Improvement District whether the Department 5176
has approved or disapproved the project funding request within 5177
ninety days after the day the request was submitted by the 5178
Transportation Improvement District. 5179

(C) Any funding provided to a Transportation Improvement 5180
District specified in this section shall not be used for the 5181
purposes of administrative costs or administrative staffing and 5182
must be used to fund a specific project or projects within that 5183
District's area. The total amount of a specific project's cost 5184
shall not be fully funded by the amount of funds provided under 5185
this section. The total amount of funding provided for each 5186
project is limited to \$500,000 per fiscal year. Transportation 5187
Improvement Districts that are co-sponsoring a specific project 5188
may individually apply for up to \$500,000 for that project per 5189
fiscal year. 5190

(D) Funding provided under this section may be used for 5191
preliminary engineering, detailed design, right-of-way 5192
acquisition, and construction of the specific project and such 5193
other project costs that are defined in section 5540.01 of the 5194
Revised Code and approved by the Director of Transportation. 5195
Upon receipt of a copy of an invoice for work performed on the 5196
specific project, the Director shall reimburse a Transportation 5197
Improvement District for the expenditures described above, 5198
subject to the requirements of this section. 5199

(E) A Transportation Improvement District that is 5200

requesting funds under this section shall register with the 5201
Director of Transportation. The Director shall register a 5202
Transportation Improvement District only if the district has a 5203
specific, eligible project and may cancel the registration of a 5204
Transportation Improvement District that is not eligible to 5205
receive funds under this section. The Director shall not provide 5206
funds to any Transportation Improvement District under this 5207
section if the district is not registered. The Director shall 5208
not register a Transportation Improvement District and may 5209
cancel the registration of a currently registered Transportation 5210
Improvement District unless at least one of the following 5211
applies: 5212

(1) The Transportation Improvement District, by a 5213
resolution or resolutions, designated a project or program of 5214
projects and facilitated, including in conjunction with and 5215
through other governmental agencies, funding for costs of a 5216
project or program of projects in an aggregate amount of not 5217
less than \$15,000,000 from the commencement date of the project 5218
or program of projects. 5219

(2) The Transportation Improvement District has 5220
designated, by a resolution or resolutions, a project or program 5221
of projects that has estimated aggregate costs in excess of 5222
\$10,000,000 and the County Engineer of the county in which the 5223
Transportation Improvement District is located has attested by a 5224
sworn affidavit that the costs of the project or program of 5225
projects exceeds \$10,000,000 and that the Transportation 5226
Improvement District is facilitating a portion of funding for 5227
that project or program of projects. 5228

(F) For the purposes of this section: 5229

(1) "Project" has the same meaning as in division (C) of 5230

section 5540.01 of the Revised Code.	5231
(2) "Governmental agency" has the same meaning as in	5232
division (B) of section 5540.01 of the Revised Code.	5233
(3) "Cost" has the same meaning as in division (D) of	5234
section 5540.01 of the Revised Code.	5235
Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL	5236
Of the foregoing appropriation item 772422, Highway	5237
Construction - Federal, \$33,000,000 in each fiscal year shall be	5238
used to support public transportation statewide through the	5239
Federal Highway Administration (FHWA) flexible funding program.	5240
Section 203.45. REGIONAL TRANSPORTATION PLANNING	5241
ORGANIZATIONS	5242
Of the foregoing appropriation item 772422 Highway	5243
Construction - Federal, \$2,600,000 in each fiscal year shall be	5244
used by Regional Transportation Planning Organizations to	5245
conduct a rural transportation planning grant program.	5246
OHIO WORKFORCE MOBILITY PARTNERSHIP PROGRAM	5247
Of the foregoing appropriation item 772422 Highway	5248
Construction - Federal, \$15,000,000 in each fiscal year shall be	5249
used by the Ohio Department of Transportation to administer the	5250
Ohio Workforce Mobility Partnership Program established in	5251
Section 755.20 of this act.	5252
Section 203.47. STRATEGIC TRANSPORTATION AND DEVELOPMENT	5253
ANALYSIS	5254
The foregoing appropriation item 776672, Strategic	5255
Transportation and Development Analysis, shall be used for a	5256
statewide study of the Ohio transportation system, in	5257

collaboration with the Department of Development and the 5258
Governor's Office of Workforce Transformation. The study shall 5259
analyze statewide and regional demographics, investigate 5260
economic development growth opportunities, examine current 5261
transportation systems and capacities, forecast passenger and 5262
freight travel needs over a ten, twenty, and thirty year 5263
timeframe, identify current and future transportation links, 5264
evaluate and rank current and potential risks of future system 5265
congestion, and make actionable recommendations for 5266
transportation system projects to support statewide economic 5267
growth, including improving links between Toledo and Columbus 5268
and between Sandusky and Columbus. At any time, individual 5269
hotspot locations may receive advanced analysis of conceptual 5270
remedies with planning-level costs. The Department of 5271
Transportation may contract with third parties as necessary to 5272
execute this study. The study shall be completed by December 31, 5273
2024. 5274

BRENT SPENCE BRIDGE CORRIDOR PROJECT 5275

All spending related to the Brent Spence Bridge Corridor 5276
Project shall be documented in the Ohio Administrative Knowledge 5277
System (OAKS) and made visible in the Ohio State and Local 5278
Government Expenditure Database pursuant to section 113.71 of 5279
the Revised Code. 5280

Section 203.50. BOND ISSUANCE AUTHORIZATION 5281

The Treasurer of State, upon the request of the Director 5282
of Transportation, is authorized to issue and sell, in 5283
accordance with Section 2m of Article VIII, Ohio Constitution, 5284
and Chapter 151. and particularly sections 151.01 and 151.06 of 5285
the Revised Code, obligations, including bonds and notes, in the 5286
aggregate amount of \$251,000,000 in addition to the original 5287

issuance of obligations authorized by prior acts of the General Assembly. 5288
5289

The obligations shall be issued and sold from time to time 5290
in amounts necessary to provide sufficient moneys to the credit 5291
of the Highway Capital Improvement Fund (Fund 7042) created by 5292
section 5528.53 of the Revised Code to pay costs charged to the 5293
fund when due as estimated by the Director of Transportation, 5294
provided, however, that not more than \$220,000,000 original 5295
principal amount of obligations, plus the principal amount of 5296
obligations that in prior fiscal years could have been, but were 5297
not, issued within the \$220,000,000 limit, may be issued in any 5298
fiscal year, and not more than \$1,200,000,000 original principal 5299
amount of such obligations are outstanding at any one time. 5300

Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION 5301
INCREASES, AND CASH TRANSFERS 5302

(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: 5303
EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES 5304

The Director of Transportation may request the Controlling 5305
Board to approve transfers between Highway Operating Fund (Fund 5306
7002) appropriations for planning and research (appropriation 5307
items 771411 and 771412), highway construction and debt service 5308
(appropriation items 772421, 772422, 772424, 772425, 772437, 5309
772438, and 770003), highway maintenance (appropriation item 5310
773431), public transportation - federal (appropriation item 5311
775452), rail grade crossings (appropriation item 776462), 5312
aviation (appropriation item 777475), airport improvement 5313
(appropriation item 777472), and administration (appropriation 5314
item 779491). The Director of Transportation may not seek 5315
requests of appropriation transfers out of debt service 5316
appropriation items unless the Director determines that the 5317

appropriated amounts exceed the actual and projected debt 5318
service requirements. 5319

This transfer request authorization is intended to provide 5320
for emergency situations or for the purchase of goods and 5321
services relating to dangerous inclement weather that arise 5322
during the biennium ending June 30, 2025. It also is intended to 5323
allow the Department to adjust to circumstances affecting the 5324
obligation and expenditure of federal funds. 5325

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: 5326
HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION 5327

The Director of Transportation may request the Controlling 5328
Board to approve the transfer of appropriations between 5329
appropriation items 772422, Highway Construction - Federal, 5330
771412, Planning and Research - Federal, 775452, Public 5331
Transportation - Federal, 775454, Public Transportation - Other, 5332
776475, Federal Rail Administration, 776462, Grade Crossing - 5333
Federal, and 777472, Airport Improvements - Federal. 5334

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE 5335
INFRASTRUCTURE BANK 5336

The Director of Transportation may request the Controlling 5337
Board to approve the transfer of appropriations and cash of the 5338
Infrastructure Bank funds created in section 5531.09 of the 5339
Revised Code, including transfers between fiscal years 2024 and 5340
2025. 5341

The Director of Transportation may request the Controlling 5342
Board to approve the transfer of appropriations and cash from 5343
the Highway Operating Fund (Fund 7002) to the Infrastructure 5344
Bank funds created in section 5531.09 of the Revised Code. The 5345
Director of Budget and Management may transfer from the 5346

Infrastructure Bank funds to Fund 7002 up to the amounts 5347
originally transferred to the Infrastructure Bank funds under 5348
this section. However, the Director may not make transfers 5349
between modes or transfers between different funding sources. 5350

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS 5351

The Director of Transportation may request the Controlling 5352
Board to approve the transfer of appropriations and cash of the 5353
Ohio Toll Fund and any subaccounts created in section 5531.14 of 5354
the Revised Code, including transfers between fiscal years 2024 5355
and 2025. 5356

(E) INCREASING APPROPRIATIONS: STATE FUNDS 5357

In the event that receipts or unexpended balances credited 5358
to the Highway Operating Fund (Fund 7002) exceed the estimates 5359
upon which the appropriations have been made in this act, upon 5360
the request of the Director of Transportation, the Controlling 5361
Board may approve expenditures, in excess of the amounts 5362
appropriated, from the Highway Operating Fund in the manner 5363
prescribed in section 131.35 of the Revised Code. The amounts 5364
approved by the Controlling Board under this division are hereby 5365
appropriated. 5366

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 5367

In the event that receipts or unexpended balances credited 5368
to the Highway Operating Fund (Fund 7002) or apportionments or 5369
allocations made available from the federal and local 5370
governments exceed the estimates upon which the appropriations 5371
have been made in this act, upon the request of the Director of 5372
Transportation, the Controlling Board may approve expenditures, 5373
in excess of the amounts appropriated, from the Highway 5374
Operating Fund in the manner prescribed in section 131.35 of the 5375

Revised Code. The amounts approved by the Controlling Board 5376
under this division are hereby appropriated. 5377

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND 5378
AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 5379

Upon the request of the Director of Transportation, the 5380
Director of Budget and Management may transfer cash from the 5381
Highway Operating Fund (Fund 7002) to the Highway Capital 5382
Improvement Fund (Fund 7042) created in section 5528.53 of the 5383
Revised Code. The Director of Budget and Management may transfer 5384
cash from Fund 7042 to Fund 7002 up to the amount of cash 5385
previously transferred to Fund 7042 under this section. 5386

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 5387

On July 1 and January 1 of each year in the biennium 5388
ending June 30, 2025, or as soon as possible thereafter, 5389
respectively, the Director of Budget and Management shall 5390
transfer \$200,000 cash, for each semiannual period, from the 5391
Highway Operating Fund (Fund 7002) to the Deputy Inspector 5392
General for ODOT Fund (Fund 5FA0). 5393

The Inspector General, with the consent of the Director of 5394
Budget and Management, may request the Controlling Board to 5395
approve additional transfers of cash and expenditures in excess 5396
of the amount appropriated under appropriation item 965603, 5397
Deputy Inspector General for ODOT, if additional amounts are 5398
necessary. The amounts approved by the Controlling Board are 5399
hereby appropriated. 5400

(I) LIQUIDATION OF UNFORESEEN LIABILITIES 5401

Any appropriation made from the Highway Operating Fund 5402
(Fund 7002) not otherwise restricted by law is available to 5403
liquidate unforeseen liabilities arising from contractual 5404

agreements of prior years when the prior year encumbrance is 5405
insufficient. 5406

(J) ELECTRIC VEHICLE EXPENDITURES 5407

The Director of Transportation shall request Controlling 5408
Board approval for any expenditure of funds received under the 5409
federal "Infrastructure Investment and Jobs Act," Pub. L. No. 5410
117-58, that are to be used for the construction or maintenance 5411
of electric vehicle charging stations. Any such expenditures 5412
approved by the Controlling Board are hereby appropriated. 5413

Section 203.65. REAPPROPRIATIONS 5414

In each year of the biennium ending June 30, 2025, the 5415
Director of Budget and Management may request the Controlling 5416
Board to approve the expenditure of any remaining unencumbered 5417
balances of prior years' appropriations to the Ohio Highway 5418
Transportation Safety Fund (Fund 5XI0), the Highway Operating 5419
Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 5420
7042), and the Infrastructure Bank funds created in section 5421
5531.09 of the Revised Code for the same purpose in the 5422
following fiscal year. The amounts approved by the Controlling 5423
Board are hereby reappropriated. 5424

Prior to the Director of Budget and Management's seeking 5425
approval of the Controlling Board, the Director of 5426
Transportation shall develop a reappropriation request plan that 5427
identifies the appropriate fund and appropriation item of the 5428
reappropriation, and the reappropriation request amount and 5429
submit the plan to the Director of Budget and Management for 5430
evaluation. The Director of Budget and Management may request 5431
additional information necessary for evaluating the 5432
reappropriation request plan, and the Director of Transportation 5433

shall provide the requested information to the Director of 5434
Budget and Management. Based on the information provided by the 5435
Director of Transportation, the Director of Budget and 5436
Management shall determine amounts to be reappropriated by fund 5437
and appropriation item to submit to the Controlling Board for 5438
its approval. 5439

Any balances of prior years' unencumbered appropriations 5440
to the Highway Operating Fund (Fund 7002), the Highway Capital 5441
Improvement Fund (Fund 7042), the Ohio Highway Transportation 5442
Safety Fund (Fund 5XI0), and the Infrastructure Bank funds 5443
created in section 5531.09 of the Revised Code for which 5444
reappropriations are requested and approved are subject to the 5445
availability of revenue in the funds. 5446

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS 5447

The Department of Transportation has the responsibility to 5448
maintain all interstate highways in the state. The Director of 5449
Transportation may enter into an agreement with a political 5450
subdivision to allow the political subdivision to remove snow 5451
and ice and maintain, repair, improve, or provide lighting upon 5452
interstate highways that are located within the boundaries of 5453
the political subdivision, in a manner adequate to meet the 5454
requirements of federal law. 5455

When agreed in writing by the Director of Transportation 5456
and the legislative authority of a political subdivision and 5457
notwithstanding sections 125.01 and 125.11 of the Revised Code, 5458
the Department of Transportation may reimburse a political 5459
subdivision for all or any part of the costs, as provided by 5460
such agreement, incurred by the political subdivision in 5461
maintaining, repairing, lighting, and removing snow and ice from 5462
the interstate system. 5463

Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE 5464
GRANTS 5465

The Director of Transportation may use revenues from the 5466
state motor vehicle fuel tax to match approved federal grants 5467
awarded to the Department of Transportation, regional transit 5468
authorities, or eligible public transportation systems, for 5469
public transportation highway purposes, or to support local or 5470
state-funded projects for public transportation highway 5471
purposes. 5472

Public transportation highway purposes include (1) the 5473
construction or repair of high-occupancy vehicle traffic lanes, 5474
(2) the acquisition or construction of park-and-ride facilities, 5475
(3) the acquisition or construction of public transportation 5476
vehicle loops, (4) the construction or repair of bridges used by 5477
public transportation vehicles or that are the responsibility of 5478
a regional transit authority or other public transportation 5479
system, or (5) other similar construction that is designated as 5480
an eligible public transportation highway purpose. Motor vehicle 5481
fuel tax revenues may not be used for operating assistance or 5482
for the purchase of vehicles, equipment, or maintenance 5483
facilities. 5484

Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR 5485
ENVIRONMENTAL REVIEW PURPOSES 5486

The Director of Transportation may enter into agreements 5487
as provided in this section with the United States or any 5488
department or agency of the United States, including, but not 5489
limited to, the United States Army Corps of Engineers, the 5490
United States Forest Service, the United States Environmental 5491
Protection Agency, and the United States Fish and Wildlife 5492
Service. An agreement entered into pursuant to this section 5493

shall be solely for the purpose of dedicating staff to the 5494
expeditious and timely review of environmentally related 5495
documents submitted by the Director of Transportation, as 5496
necessary for the approval of federal permits. 5497

The agreements may include provisions for advance payment 5498
by the Director of Transportation for labor and all other 5499
identifiable costs of the United States or any department or 5500
agency of the United States providing the services, as may be 5501
estimated by the United States, or the department or agency of 5502
the United States. 5503

The Director shall submit a request to the Controlling 5504
Board indicating the amount of the agreement, the services to be 5505
performed by the United States or the department or agency of 5506
the United States, and the circumstances giving rise to the 5507
agreement. 5508

Section 203.100. INDEFINITE DELIVERY INDEFINITE QUANTITY 5509
CONTRACTS 5510

(A) As used in this section, "indefinite delivery 5511
indefinite quantity contract" means a contract for an indefinite 5512
quantity, within stated limits, of supplies or services that 5513
will be delivered by the awarded bidder over a defined contract 5514
period. 5515

(B) The Director of Transportation shall advertise and 5516
seek bids for, and shall award, indefinite delivery indefinite 5517
quantity contracts for not more than two projects in fiscal year 5518
2024 and for not more than two projects in fiscal year 2025. For 5519
purposes of entering into indefinite delivery indefinite 5520
quantity contracts, the Director shall do all of the following: 5521

(1) Prepare bidding documents; 5522

(2) Establish contract forms;	5523
(3) Determine contract terms and conditions, including the following:	5524
	5525
(a) The maximum overall value of the contract, which may include an allowable increase of one hundred thousand dollars or five per cent of the advertised contract value, whichever is less;	5526
	5527
	5528
	5529
(b) The duration of the contract, including a time extension of up to one year if determined appropriate by the Director;	5530
	5531
	5532
(c) The defined geographical area to which the contract applies, which shall be not greater than the size of one district of the Department of Transportation.	5533
	5534
	5535
(4) Develop and implement a work order process in order to provide the awarded bidder adequate notice of requested supplies or services, the anticipated quantities of supplies, and work location information for each work order;	5536
	5537
	5538
	5539
(5) Take any other action necessary to fulfill the duties and obligations of the Director under this section.	5540
	5541
(C) Section 5525.01 of the Revised Code applies to indefinite delivery indefinite quantity contracts.	5542
	5543
Section 207.10.	5544

5545

1 2 3 4 5

B	Dedicated Purpose Fund Group				
C	4W00	195629	Roadwork Development	\$15,200,000	\$15,200,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$15,200,000	\$15,200,000
E	TOTAL ALL BUDGET FUND GROUPS			\$15,200,000	\$15,200,000

Section 207.20. ROADWORK DEVELOPMENT 5546

The foregoing appropriation item 195629, Roadwork 5547
Development, shall be used for road improvements associated with 5548
economic development opportunities that will retain or attract 5549
businesses for Ohio, including the construction, reconstruction, 5550
maintenance, or repair of public roads that provide access to a 5551
public airport or are located within a public airport. "Road 5552
improvements" are improvements to public roadway facilities 5553
located on, or serving or capable of serving, a project site, 5554
and include the construction, reconstruction, maintenance or 5555
repair of public roads that provide access to a public airport 5556
or are located within a public airport. The appropriation item 5557
may be used in conjunction with any other state funds 5558
appropriated for infrastructure improvements. 5559

The Director of Budget and Management, pursuant to a plan 5560
submitted by the Director of Development or as otherwise 5561
determined by the Director of Budget and Management, shall set a 5562
cash transfer schedule to meet the cash needs of the Roadwork 5563
Development Fund (Fund 4W00) used by the Department of 5564
Development, less any other available cash. The Director of 5565
Budget and Management shall transfer such cash amounts from the 5566
Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as 5567

determined by the transfer schedule. 5568

The Director of Transportation, under the direction of the 5569
Director of Development, shall provide these funds in accordance 5570
with all guidelines and requirements established for other 5571
Department of Development programs, including Controlling Board 5572
review and approval, as well as the requirements for usage of 5573
motor vehicle fuel tax revenue prescribed in Section 5a of 5574
Article XII, Ohio Constitution. Should the Department of 5575
Development require the assistance of the Department of 5576
Transportation to bring a project to completion, the Department 5577
of Transportation shall use its authority under Title 55 of the 5578
Revised Code to provide such assistance and may enter into 5579
contracts on behalf of the Department of Development. 5580

Section 209.10. 5581

5582

	1	2	3	4	5
A			PWC PUBLIC WORKS COMMISSION		
B			Dedicated Purpose Fund Group		
C	7052	150402	Local Transportation Improvement Program - Operating	\$328,705	\$323,792
D	7052	150701	Local Transportation Improvement Program	\$60,000,000	\$64,000,000
E			TOTAL DPF Dedicated Purpose Fund Group	\$60,328,705	\$64,323,792

F TOTAL ALL BUDGET FUND GROUPS \$60,328,705 \$64,323,792

Section 209.20. REAPPROPRIATIONS 5583

All capital appropriations from the Local Transportation 5584
Improvement Program Fund (Fund 7052) in H.B. 74 of the 134th 5585
General Assembly remaining unencumbered as of June 30, 2023, may 5586
be reappropriated for use during the period July 1, 2023, 5587
through June 30, 2024, for the same purpose. 5588

Notwithstanding division (B) of section 127.14 of the 5589
Revised Code, all capital appropriations and reappropriations 5590
from the Local Transportation Improvement Program Fund (Fund 5591
7052) in this act remaining unencumbered as of June 30, 2024, 5592
are reappropriated for use during the period July 1, 2024, 5593
through June 30, 2025, for the same purposes, subject to the 5594
availability of revenue as determined by the Director of the 5595
Public Works Commission. 5596

TEMPORARY TRANSFERS 5597

Notwithstanding section 127.14 of the Revised Code, the 5598
Director of Budget and Management may transfer cash from the 5599
Local Transportation Improvement Fund (Fund 7052) to the State 5600
Capital Improvement Fund (Fund 7038) and the Clean Ohio 5601
Conservation Fund (Fund 7056). The Director of Budget and 5602
Management may approve temporary cash transfers if such 5603
transfers are needed for capital outlays for which notes or 5604
bonds will be issued. When there is a sufficient cash balance in 5605
the fund that receives a cash transfer under this section, the 5606
Director of Budget and Management shall transfer cash from that 5607
fund to Fund 7052 in order to repay Fund 7052 for the amount of 5608
the temporary cash transfers made under this section. Any 5609
transfers executed under this section shall be reported to the 5610

Controlling Board by June 30 of the fiscal year in which the 5611
transfer occurred. 5612

Section 221.10. 5613

5614

	1	2	3	4	5
A					RDF STATE REVENUE DISTRIBUTIONS
B					Revenue Distribution Fund Group
C	7060	110652	Gasoline Excise Tax	\$390,522,523	\$394,427,748
			Fund - Municipal		
D	7060	110653	Gasoline Excise Tax	\$202,000,662	\$204,020,669
			Fund - Township		
E	7060	110654	Gasoline Excise Tax	\$336,676,815	\$340,043,583
			Fund - County		
F			TOTAL Revenue Distribution Fund	\$929,200,000	\$938,492,000
			Group		
G			TOTAL ALL BUDGET FUND GROUPS	\$929,200,000	\$938,492,000

The foregoing appropriation item, 110652 Gasoline Excise 5615
Tax Fund - Municipal, shall be used to make payments to 5616
municipalities under sections 5735.051 and 5735.27 of the 5617
Revised Code. The foregoing appropriation item, 110653 Gasoline 5618
Excise Tax Fund - Township, shall be used to make payments to 5619
townships under those sections. The foregoing appropriation 5620
item, 110654 Gasoline Excise Tax Fund - County, shall be used to 5621

make payments to counties under those sections. 5622

Appropriation items in Section 221.10 of this act shall be 5623
used for the purpose of administering and distributing the 5624
designated revenue distribution fund according to the Revised 5625
Code. If it is determined that additional appropriations are 5626
necessary for this purpose, such amounts are hereby 5627
appropriated. 5628

Section 501.10. LIMITATION ON USE OF CAPITAL 5629
APPROPRIATIONS 5630

The capital appropriations made in this act for buildings 5631
or structures, including remodeling and renovations, are limited 5632
to: 5633

(A) Acquisition of real property or interests in real 5634
property; 5635

(B) Buildings and structures, which includes construction, 5636
demolition, complete heating and cooling, lighting and lighting 5637
fixtures, and all necessary utilities, ventilating, plumbing, 5638
sprinkling, water, and sewer systems, when such systems are 5639
authorized or necessary; 5640

(C) Architectural, engineering, and professional services 5641
expenses directly related to the projects; 5642

(D) Machinery that is a part of structures at the time of 5643
initial acquisition or construction; 5644

(E) Acquisition, development, and deployment of new 5645
computer systems, including the redevelopment or integration of 5646
existing and new computer systems, but excluding regular or 5647
ongoing maintenance or support agreements; 5648

(F) Furniture, fixtures, or equipment that meets all the 5649

following criteria: 5650

(1) Is essential in bringing the facility up to its 5651
intended use or is necessary for the functioning of the 5652
particular facility or project; 5653

(2) Has a unit cost, and not the individual parts of a 5654
unit, of about \$100 or more; and 5655

(3) Has a useful life of five years or more. 5656

Furniture, fixtures, or equipment that is not an integral 5657
part of or directly related to the basic purpose or function of 5658
a project for which moneys are appropriated shall not be paid 5659
from these appropriations. 5660

Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION 5661

If it is determined that a payment is necessary in the 5662
amount computed at the time to represent the portion of 5663
investment income to be rebated or amounts in lieu of or in 5664
addition to any rebate amount to be paid to the federal 5665
government in order to maintain the exclusion from gross income 5666
for federal income tax purposes of interest on those state 5667
obligations under section 148(f) of the Internal Revenue Code, 5668
such amount is hereby appropriated from those funds designated 5669
by or pursuant to the applicable proceedings authorizing the 5670
issuance of state obligations. 5671

Payments for this purpose shall be approved and vouchered 5672
by the Office of Budget and Management. 5673

Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND 5674
OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS 5675

The Office of Budget and Management shall process payments 5676
from lease rental payment appropriation items during the period 5677

from July 1, 2023, to June 30, 2025, pursuant to the lease and 5678
other agreements relating to bonds or notes issued under Section 5679
2i of Article VIII of the Ohio Constitution and Chapters 152. 5680
and 154. of the Revised Code, and acts of the General Assembly. 5681
Payments shall be made upon certification by the Treasurer of 5682
State of the dates and amounts due on those dates. 5683

Section 509.20. LEASE AND DEBT SERVICE PAYMENTS 5684

Certain appropriations are in this act for the purpose of 5685
paying debt service and financing costs on general obligation 5686
bonds or notes of the state and for the purpose of making lease 5687
rental and other payments under leases and agreements relating 5688
to bonds or notes issued under the Ohio Constitution, Revised 5689
Code, and acts of the General Assembly. If it is determined that 5690
additional appropriations are necessary for this purpose, such 5691
amounts are hereby appropriated. 5692

Section 610.10. That Section 265.325 of H.B. 110 of the 5693
134th General Assembly be amended to read as follows: 5694

Sec. 265.325. SCHOOL BUS PURCHASE 5695

The foregoing appropriation item 200663, School Bus 5696
Purchase, shall be used to distribute bus purchasing grants to 5697
city, local, and exempted village school districts pursuant to 5698
section 3317.071 of the Revised Code. 5699

An amount equal to the unexpended, unencumbered balance of 5700
the foregoing appropriation item 200663, School Bus Purchase, at 5701
the end of fiscal year 2022 is hereby reappropriated for the 5702
same purpose in fiscal year 2023. 5703

Notwithstanding any provision of law to the contrary, 5704
awards under this section may be used by recipients through 5705
fiscal year 2024 according to guidelines established by the 5706

<u>Department of Education.</u>	5707
Section 610.11. That existing Section 265.325 of H.B. 110 of the 134th General Assembly is hereby repealed.	5708 5709
Section 610.16. That Sections 223.15 (as amended by H.B. 45 of the 134th General Assembly), 243.10, and 243.20 of H.B. 687 of the 134th General Assembly be amended to read as follows:	5710 5711 5712
Sec. 223.15. The foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, shall be used to support the projects listed in this section. An amount equal to two per cent of the projects listed may be used by the Department of Natural Resources for the administration of local projects.	5713 5714 5715 5716 5717 5718
	5719

1

2

A	Project List	
B	Mentor Erosion Mitigation	\$3,000,000
C	Heritage Trail Extension	\$2,500,000
D	Lima Community Pool	\$2,400,000
E	Cleveland Zoo Primate Rainforest	\$1,700,000
F	Columbus Zoo	\$1,400,000
G	Cincinnati Findlay Community and Recreation Center	\$1,200,000

H	Gateway to Freedom Park	\$1,200,000
I	Akron Area YMCA Camp Y-Noah Capital Improvement	\$1,000,000
J	Euclid Waterfront Improvement Plan - Phase III	\$1,000,000
K	Franklin Park Conservatory Renovation of the Wolfe Palm House and the Davis Showhouse	\$1,000,000
L	Cincinnati Zoo and Botanical Garden Pedestrian Bridge	\$900,000
M	The Wilds RV Park and Campground	\$900,000
N	Irishtown Bend and Canal Basin Park	\$850,000
O	Cincinnati Playhouse in the Park	\$800,000
P	Lima Rotary Community Stage and Park	\$800,000
Q	Copley Ridgewood Trail	\$750,000
R	Delhi Towne Square	\$750,000
S	Environmental Education Pavilion at Forest Lawn Stormwater Park	\$750,000
T	Glen Helen Nature Preserve Accessibility Improvements	\$750,000

U	Lebanon Scenic Railway Bridge	\$750,000
V	Strongsville Town Center Enhancement and Walkability Initiative	\$725,000
W	Salem City Village Green Park	\$700,000
X	Green Township Veterans Park Enhancement	\$650,000
Y	Ohio Bird Sanctuary	\$600,000
Z	Stark Parks Magnolia Flouring Mill Public Access	\$571,000
AA	ArtsinStark Park	\$500,000
AB	Indian Lake Maintenance	\$500,000
AC	North Ridgeville Mills Creek	\$500,000
AD	Sidney Feeder Canal Bike Trail	\$500,000
AE	Sylvania YMCA	\$500,000
AF	The Foundry	\$500,000
AG	Vienna Air Heritage Park	\$500,000
AH	Litzenberg Memorial Woods Improvement Project	\$498,000
AI	Geneva Township Park - Old Lake Road Shoreline Restoration	\$450,000

AJ	Hamilton-Clover Groff Trail Project	\$450,000
AK	Lake Erie Shoreline Erosion Mitigation	\$450,000
AL	McCord Park Renovations	\$450,000
AM	Mentor Marsh Observation Tower	\$450,000
AN	Replacement of Discovery Frontier Playground at Fryer Park	\$450,000
AO	Mosquito Creek Lake Park Improvements	\$404,000
AP	Avon Traxler Preserve	\$400,000
AQ	Chagrin Meadows Preserve	\$400,000
AR	Fort Colerain Phase III	\$400,000
AS	Kelleys Island East Lakeshore Shoreline Protection	\$400,000
AT	Lake Metroparks Lake Erie Shoreline Trail and Revetment Wall	\$400,000
AU	Mason Makino Park	\$400,000
AV	McDonald Commons Renovation and Construction	\$400,000

AW	Ripley Freedom Landing Riverfront Development	\$400,000
AX	Solon to Chagrin Falls Multi- Purpose Trail	\$400,000
AY	Hamilton Beltline Recreational Trail	\$380,000
AZ	Holbrook Hollows Park Expansion	\$375,000
BA	Alum Creek Pedestrian/Bike Bridge - Bexley	\$350,000
BB	Boeckling Building Pier	\$350,000
BC	CROWN Wasson Way Crossing Improvements	\$350,000
BD	Fairport Harbor Marina Boat Launch	\$350,000
BE	Hiking Trails and Playground Refurbishment - Cincinnati	\$350,000
BF	Elyria Intergenerational Community Center	\$350,000
BG	Medina Recreation Center	\$350,000
BH	Project Playground Galena	\$350,000
BI	Wauseon Community Social and Recreational Center	\$350,000

BJ	Twinsburg Glen Chamberlin Park	\$338,000
BK	Botkins Community Park	\$300,000
BL	Camp Joy	\$300,000
BM	Canal Fulton Community Park	\$300,000
BN	Canton Township Faircrest Park	\$300,000
BO	Chagrin River Trail	\$300,000
BP	Creston Community Park Renovations	\$300,000
BQ	Edge Adventure Park	\$300,000
BR	Harbin Park ADA-Accessible Play Area and Splash Pad	\$300,000
BS	Kalida St. Michael Holy Name Ballpark	\$300,000
BT	Legacy Park Shelter House and Restrooms Project - Cridersville	\$300,000
BU	Liberty Landing Phase II	\$300,000
BV	Lincoln Heights Memorial Athletic Field Renovations	\$300,000
BW	Marysville Heritage Park	\$300,000
BX	Massillon Park Splash Pad	\$300,000

BY	Mayerson JCC Expansion	\$300,000
BZ	Meredith Park	\$300,000
CA	Niles Bike Path Bridge Improvements	\$300,000
CB	North Canton Dogwood Pool House	\$300,000
CC	Olmsted Township Nature Trail and Bark Park	\$300,000
CD	Plain Township Diamond Park Historic Barn	\$300,000
CE	Town Square Redevelopment - Blue Ash	\$300,000
CF	Willadale Trail-Boettler/Southgate Connector	\$275,000
CG	Fallen Timbers Family Recreation Center Pool Replacement <u>Capital</u> <u>Improvements</u>	\$275,000
CH	Grailville Park Improvements	\$260,000
CI	Streetsboro Industrial Park	\$250,000
CJ	Brunswick Recreation Center	\$250,000
CK	Chudzinski Johansen Conservancy Park	\$250,000

CL	Clearcreek Park Trail	\$250,000
CM	Coke Oven Community Civic Center Park	\$250,000
CN	Covington - Schoolhouse Park	\$250,000
CO	Girl Scouts of Western Ohio - EMPOWER HER	\$250,000
CP	Girl Scouts of Western Ohio Camp Libbey	\$250,000
CQ	Johnstown Splash Pad	\$250,000
CR	Lockington Trail Bridge	\$250,000
CS	Lodi Community Park	\$250,000
CT	Louisville Metzger Park	\$250,000
CU	Noble County Heritage Park	\$250,000
CV	Rotary Lodge at River Cliff Park Renovation	\$250,000
CW	Schoonover Observatory Improvements	\$250,000
CX	SPIRE Institute and Academy	\$250,000
CY	Timken Gatehouse Renovation	\$250,000
CZ	West Carrollton Whitewater Park	\$250,000

DA	Wooster Barnes Preserve	\$250,000
DB	Valleyview Park	\$240,000
DC	Cave Lake Dam	\$225,000
DD	Moonville Rail Trail	\$225,000
DE	Dan Beard Scout Camp Flooding and Erosion Mitigation	\$223,000
DF	Chillicothe Paint Creek Recreational Trail	\$215,000
DG	Ashtabula Township Park - Restoration	\$200,000
DH	Augusta Community Park	\$200,000
DI	Bryan Lincoln Park	\$200,000
DJ	Camp Oty'Okwa Capital Improvements	\$200,000
DK	Center Gateway Improvement Project - Rocky River	\$200,000
DL	Centerville Benham's Grove	\$200,000
DM	City of Monroe Lookout Point	\$200,000
DN	Coshocton County Connector	\$200,000
DO	Franklin Furnace Park	\$200,000

DP	Great Miami River Trail - Middletown to Monroe Segment Construction Project	\$200,000
DQ	Memorial Park All-Purpose Trail - North Royalton	\$200,000
DR	Mount Aloysius Community Rec Center	\$200,000
DS	Portage Bike and Hike Trail - Mill Race Segment	\$200,000
DT	Seven Gables Park Playground Replacement	\$200,000
DU	Sylvania Plummer Pool	\$200,000
DV	Tuscarawas Memorial Park Improvements	\$200,000
DW	Wellness at the Generational Recreation Complex- Construction	\$200,000
DX	West Farmington Park Improvements	\$200,000
DY	Shawnee West Buckeye Trail	\$195,000
DZ	Jim Terrell Park Canoe/Kayak Launch	\$190,000
EA	Racine Star Mill Park	\$190,000

EB	Darke County Art Trail	\$180,000
EC	Bryn Du Barn	\$175,000
ED	Erie MetroParks Nature Center	\$175,000
EE	Norton Bicentennial Park	\$175,000
EF	Ohio and Erie Canal Restoration	\$175,000
EG	Concord Township Park Renovation	\$172,000
EH	Ward Park Swimming Pool Filtration System Replacement	\$171,000
EI	Ashland County Corner Park	\$150,000
EJ	Brown County Board of Developmental Disabilities Resource and Community Center	\$150,000
EK	Buckeye Lake Boat Ramps and Pier Enabling Project	\$150,000
EL	Deer Park Chamberlin Park	\$150,000
EM	Elyria Holly Hall	\$150,000
EN	Forest Park Central Park Improvements	\$150,000
EO	Fostoria Splash Pad	\$150,000
EP	Geneva Township Park Commission - Handicap Accessible Ramp	\$150,000

EQ	Gibsonburg Logyard Park	\$150,000
ER	Greenville Downtown Park	\$150,000
ES	Hammertown Lake Improvements Project	\$150,000
ET	Kingsbury Riverfront Park Rehabilitation Project	\$150,000
EU	Lock Nine Riverfront Park	\$150,000
EV	MAGNET's Manufacturing Innovation, Technology and Job Center Park	\$150,000
EW	Mansfield B&O Trail Connector	\$150,000
EX	Mansfield Central Park	\$150,000
EY	Middle Point Recreation Center	\$150,000
EZ	Mount Gilead Park Site Preparations	\$150,000
FA	Navarre Park	\$150,000
FB	North Kingsville Village - Community Park	\$150,000
FC	North Olmsted Community Park Improvements	\$150,000
FD	Olmsted Falls East River Road Park	\$150,000

FE	Portsmouth Market Square Park	\$150,000
FF	Powhatan Point Municipal Park District	\$150,000
FG	Restore Rockefeller	\$150,000
FH	Richwood Splash Pad	\$150,000
FI	Rio Grande Reservoir and Park Improvements	\$150,000
FJ	Seven Hills Calvin Park Drainage Improvements	\$150,000
FK	Unger Park Multi-Use Loop Trail	\$150,000
FL	Urban Meadow Park Connector Trail	\$150,000
FM	Wellsville Marina Dredging	\$150,000
FN	Austintown Township Park Bandshell Replacement	\$140,000
FO	West Union SR 41 Shared Use Path Phase II	\$140,000
FP	Bellefontaine Blue Jacket Park	\$135,000
FQ	Alliance Memorial Park	\$250,000
FR	Antwerp Holly Kobee Memorial Splash Pad	\$125,000

FS	Carey Splash Pad	\$125,000
FT	Flight Line: East Dayton Rails- to-Trails	\$125,000
FU	Friedt Park	\$125,000
FV	Kirtland Community Center	\$125,000
FW	Miami Valley Research Park Bike Path and Pedestrian Bridge	\$125,000
FX	Old Murray City School Building Demolition	\$125,000
FY	Vermillion Main Street Beach and Harbor Access Project	\$125,000
FZ	Clepper Park Pickleball Courts	\$122,000
GA	Village of Fort Loramie Community Park Improvements	\$122,000
GB	North Fork Preserve of Bath	\$120,000
GC	Rootstown Community Park and Gracie Field Paving	\$120,000
GD	New Knoxville Splash Pad and Shelter House	\$110,000
GE	Sally Buffalo Park Stage	\$110,000
GF	South Lebanon Veteran's Park Playground	\$110,000

GG	Middleburg Heights Memorial Hall Courtyard	\$104,000
GH	Akron Zoo Additional Animal Housing Phase II	\$100,000
GI	Bay Village Green Improvements	\$100,000
GJ	Brecksville Field House	\$100,000
GK	Cobblestone Park - Medina	\$100,000
GL	Fairfield Township Veterans Memorial Project	\$100,000
GM	Gahanna Exploration Center	\$100,000
GN	Harmony Park	\$100,000
GO	Highland Heights Park Connector	\$100,000
GP	Holden Arboretum All-Season Trails	\$100,000
GQ	Kenton Saulisberry Park at France Lake	\$100,000
GR	Mansfield Sterkel Park	\$100,000
GS	Marion Lincoln Park	\$100,000
GT	Mecca Township Recreation Center	\$100,000
GU	Montgomery Cultural Arts and Performance Fountain	\$100,000

GV	Ottawa Memorial Pool Splash Pad	\$100,000
GW	Outdoor Theater and Performing Arts Community Park - Hillsboro	\$100,000
GX	Painesville Kiwanis Recreation Park	\$100,000
GY	Pickleball Courts at Patricia Allyn Park	\$100,000
GZ	Plain City Heritage Trail	\$100,000
HA	Plan4Health Perry Township Park Trail Improvement Plan	\$100,000
HB	Police and Fire Dedication Playground - Lyndhurst	\$100,000
HC	Sheffield Village James Day Park	\$100,000
HD	Syracuse Skatepark	\$100,000
HE	The Pony Wagon Trail	\$100,000
HF	The Wilds Shade and Shelter Improvements	\$100,000
HG	Veterans Memorial at Rose Run Park	\$100,000
HH	Village of Bellville Historic Bandstand Renovations	\$100,000
HI	Village of Bentleyville	\$100,000

	Riverview Community Park	
HJ	Village of Middlefield Parks Upgrades	\$100,000
HK	Weatherstone Park - Wadsworth	\$100,000
HL	West Alexandria Smith Street Park	\$100,000
HM	Wintersville Recreation Complex	\$100,000
HN	Acres of Adventure Learning Center	\$90,000
HO	Byesville Patriot Park	\$90,000
HP	Malta Park Improvements	\$90,000
HQ	Parma Park Improvements	\$90,000
HR	Perrysville Weltmer Park - Playground	\$85,000
HS	4-H Camp Piedmont Upgrades	\$75,000
HT	Brook Park Central Park	\$75,000
HU	Cuyahoga Heights Willowbrook Connector Trail	\$75,000
HV	Fairborn Memorial Park	\$75,000
HW	Fairview Park Bain Park	\$75,000

HX	Havener Park Improvements	\$75,000
HY	Independence Pool Facility Improvements	\$75,000
HZ	Lancaster Nature Trail at AHA!	\$75,000
IA	Leipsic Buckeye Park	\$75,000
IB	Little Miami River Access and Park Development	\$75,000
IC	Loveland Heights Playground Improvements	\$75,000
ID	Middleport-Pomeroy Walking Path Project Phase IV	\$75,000
IE	Monroe Township Park Playground	\$75,000
IF	Mt. Sterling Mason Park	\$75,000
IG	New Concord Swimming Pool	\$75,000
IH	Outdoor Sports Court Revitalization - Springdale	\$75,000
II	Sharon Nature Preserve Trails Phase I	\$75,000
IJ	Wadsworth Safety Town Park	\$75,000
IK	Voice of America MetroPark Tylersville Road Entrance	\$70,000

IL	Wilhelmina Park Trail and Shelter Project	\$70,000
IM	Ellsworth Hills Learning Lab	\$65,000
IN	Roscoe Village Infrastructure Project	\$60,000
IO	Buckeye Trail East Fork Wildlife Area	\$57,000
IP	Caldwell Walking Track Expansion	\$55,000
IQ	Reservoir Park Pathway Pedestrian Bridge - Deshler	\$52,000
IR	McCulloughs Run - Newton	\$50,000
IS	Bellaire Walking Trail	\$50,000
IT	Big Walnut Trail Extension and Park	\$50,000
IU	Big Walnut Trail SE Columbus - Eastland Area	\$50,000
IV	Brunswick Lake ADA Canoe/Kayak Launch	\$50,000
IW	Bryan George Bible Park	\$50,000
IX	Buckeye Lake Crystal Lagoon and Public Park	\$50,000
IY	Center Ice Foundation	\$50,000

IZ	Cleveland Botanical Garden Public Accessible Garden Path	\$50,000
JA	Concord Township Park Restroom Facility Project	\$50,000
JB	Doylestown Memorial Park	\$50,000
JC	Drews Track Memorial Pump Track Expansion	\$50,000
JD	Glass City Enrichment Center	\$50,000
JE	Greenwich Reservoir Park	\$50,000
JF	Leila McGuire Jeffrey Park Playground	\$50,000
JG	Levitt Pavilion Dayton	\$50,000
JH	Madison Village Dana's Park	\$50,000
JI	Madison Village Wetland Trail	\$50,000
JJ	Martins Ferry Recreation Center- Water Splash Park/Ice Rink	\$50,000
JK	Millersport Lions Park	\$50,000
JL	Moscow Ohio River Stabilization, Phase II	\$50,000
JM	Ohio FFA Camp Muskingum	\$50,000
JN	P&G MLB Cincinnati Reds Youth	\$50,000

	Academy	
JO	Penney Nature Center Improvement Project	\$50,000
JP	Prairie Trail/Stitt Park Improvements	\$50,000
JQ	Caldwell Race Track Upgrades	\$50,000
JR	Richmond Heights Community Park Gazebo	\$50,000
JS	Richwood Park Lynn St. Shelterhouse and Parking	\$50,000
JT	Salt Fork State Park	\$50,000
JU	Shade Community Center Upgrades	\$50,000
JV	Tinker's Creek Trail	\$50,000
JW	Village of Bloomdale Reservoir Project	\$50,000
JX	Wapakoneta Waterpark	\$50,000
JY	Walton Hills Thomas Young Park	\$48,000
JZ	Byrd Township Community Center	\$45,000
KA	Selby Building Revitalization	\$45,000
KB	Village of Dunkirk Splash Pad and Storage Building	\$45,000

KC	Burr Oak State Park	\$44,000
KD	Veterans Memorial Park Accessibility Improvements - Liberty Center	\$42,000
KE	Chippewa Falls Rail Trail Parking Lot	\$40,000
KF	Chippewa Park Shelter House	\$40,000
KG	Gates Mills Community House Improvements	\$40,000
KH	Hartinger Park/Diles Park Playground Improvements	\$40,000
KI	Fifth Street Park Play Structure and Splash Pad	\$30,000
KJ	Keener Park Sledding Hill	\$30,000
KK	Alger Park Upgrades	\$25,000
KL	Blue Heron Park Trail Phase II	\$25,000
KM	Charlement Reservation Stable	\$25,000
KN	Gloria Glens Southwest Park Grading	\$25,000
KO	Pickerington Promenade	\$25,000
KP	Plymouth Mary Fate Park	\$25,000

KQ	Blue Heron Park Flood Mitigation	\$20,000
KR	Hardin County Veterans Memorial Park	\$20,000
KS	Malinta Community Park	\$20,000
KT	Zuck Riparian Preserve Trail	\$18,000
KU	Perrysville Weltmer Park - Electrical	\$15,000
KV	Sardinia Veteran's Community Park Revitalization	\$15,000
KW	Kokosing Gap Trail	\$14,000
KX	Paulding County Park District Floating Pier Addition	\$10,000
KY	Buckeye Trail Boesel Easement Bridge	\$2,800
KZ	Paulding County Park District Boat Launch Improvement	\$2,500
LA	Paulding County Park District	\$1,000
LB	Paulding County Park District Pier	\$1,000

Sec. 243.10.

5720

5721

	1	2	3
A		PWC PUBLIC WORKS COMMISSION	
B		State Capital Improvements Fund (Fund 7038)	
C	C15000	Local Public Infrastructure/State CIP	\$400,000,000
			<u>\$410,000,000</u>
D		TOTAL State Capital Improvements Fund	\$400,000,000
			<u>\$410,000,000</u>
E		State Capital Improvements Revolving Loan Fund (Fund 7040)	
F	C15030	Revolving Loan	\$82,000,000
G		TOTAL State Capital Improvements Revolving Loan Fund	\$82,000,000
H		Clean Ohio Conservation Fund (Fund 7056)	
I	C15060	Clean Ohio Conservation Program	\$75,000,000
J		TOTAL Clean Ohio Conservation Fund	\$75,000,000
K		TOTAL ALL FUNDS	\$557,000,000
			<u>\$567,000,000</u>

LOCAL PUBLIC INFRASTRUCTURE 5722

Capital appropriations in this act made from the State 5723
Capital Improvements Fund (Fund 7038) shall be used in 5724
accordance with sections 164.01 to 164.12 of the Revised Code. 5725
The Director of the Public Works Commission may certify to the 5726

Director of Budget and Management that a need exists to 5727
appropriate investment earnings to be used in accordance with 5728
sections 164.01 to 164.12 of the Revised Code. If the Director 5729
of Budget and Management determines pursuant to division (D) of 5730
section 164.08 and section 164.12 of the Revised Code that 5731
investment earnings are available to support additional 5732
appropriations, such amounts are hereby appropriated. 5733

If the Public Works Commission receives refunds due to 5734
project overpayments that are discovered during a post-project 5735
audit, the Director of the Public Works Commission may certify 5736
to the Director of Budget and Management that refunds have been 5737
received. In certifying the refunds, the Director of the Public 5738
Works Commission shall provide the Director of Budget and 5739
Management information on the project refunds. The certification 5740
shall detail by project the source and amount of project 5741
overpayments received and include any supporting documentation 5742
required or requested by the Director of Budget and Management. 5743
Upon receipt of the certification, the Director of Budget and 5744
Management shall determine if the project refunds are necessary 5745
to support existing appropriations. If the project refunds are 5746
available to support additional appropriations, these amounts 5747
are hereby appropriated to appropriation item C15000, Local 5748
Public Infrastructure/State CIP. 5749

Of the foregoing appropriation item C15000, Local Public 5750
Infrastructure/State CIP, \$10,000,000 shall be used under the 5751
Emergency Program to provide grants to communities to assist 5752
with road-slip emergency projects on nonstate roads or locally 5753
maintained routes and portions of interstates. 5754

REVOLVING LOAN 5755

Capital appropriations in this act made from the State 5756

Capital Improvements Revolving Loan Fund (Fund 7040) shall be 5757
used in accordance with sections 164.01 to 164.12 of the Revised 5758
Code. 5759

If the Public Works Commission receives refunds due to 5760
project overpayments that are discovered during a post-project 5761
audit, the Director of the Public Works Commission may certify 5762
to the Director of Budget and Management that refunds have been 5763
received. In certifying the refunds, the Director of the Public 5764
Works Commission shall provide the Director of Budget and 5765
Management information on the project refunds. The certification 5766
shall detail by project the source and amount of project 5767
overpayments received and include any supporting documentation 5768
required or requested by the Director of Budget and Management. 5769
Upon receipt of the certification, the Director of Budget and 5770
Management shall determine if the project refunds are necessary 5771
to support existing appropriations. If the project refunds are 5772
available to support additional appropriations, these amounts 5773
are hereby appropriated to appropriation item C15030, Revolving 5774
Loan. 5775

CLEAN OHIO CONSERVATION GRANT REPAYMENTS 5776

Capital appropriations in this act made from the Clean 5777
Ohio Conservation Fund (Fund 7056) shall be used in accordance 5778
with sections 164.20 to 164.27 of the Revised Code. 5779

Any amount in grant repayments received by the Public 5780
Works Commission and deposited into the Clean Ohio Conservation 5781
Fund pursuant to section 164.261 of the Revised Code is hereby 5782
appropriated through the foregoing appropriation item C15060, 5783
Clean Ohio Conservation. 5784

Sec. 243.20. The Ohio Public Facilities Commission is 5785

hereby authorized to issue and sell, in accordance with Sections 5786
2p and 2s of Article VIII, Ohio Constitution, and Chapter 151. 5787
and particularly sections 151.01 and 151.08 of the Revised Code, 5788
original obligations, in an aggregate principal amount not to 5789
exceed ~~\$300,000,000~~ \$310,000,000 in addition to the original 5790
obligations heretofore authorized by prior acts of the General 5791
Assembly. These authorized obligations shall be issued, subject 5792
to applicable constitutional and statutory limitations, as 5793
needed to provide sufficient moneys to the credit of the State 5794
Capital Improvements Fund (Fund 7038) to pay costs of capital 5795
improvement projects of local subdivisions. 5796

Section 610.17. That existing Sections 223.15 (as amended 5797
by H.B. 45 of the 134th General Assembly), 243.10, and 243.20 of 5798
H.B. 687 of the 134th General Assembly are hereby repealed. 5799

Section 749.10. (A) The Public Utilities Commission, in 5800
collaboration with the Ohio Environmental Protection Agency, 5801
shall examine current federal and state laws regarding both of 5802
the following: 5803

(1) The regulations and protocols pertaining to the 5804
transportation of hazardous materials and hazardous waste; 5805

(2) Any requirements pertaining to when, how, and to whom 5806
the transportation of hazardous materials and hazardous waste 5807
must be disclosed. 5808

(B) The Commission and Agency shall compile the 5809
information obtained under division (A) of this section into a 5810
written report. The report shall include recommendations related 5811
to all of the following: 5812

(1) Methods to strengthen Ohio's safety requirements for 5813
the transportation of hazardous materials and hazardous waste; 5814

(2) Appropriate enhancements to current civil and criminal penalties related to the transportation of hazardous materials and hazardous waste, including penalties related to:

(a) The mishandling of hazardous materials and hazardous waste;

(b) Failing to disclose or failing to meet all disclosure requirements related to the transportation of hazardous materials and hazardous waste.

(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.

Section 749.20. (A) The Public Utilities Commission shall examine both the current use of and the best practices for use of the following railroad technology:

(1) Hot boxes and hot bearing detectors;

(2) Acoustic bearing detectors;

(3) Cameras installed on or alongside railroad tracks or wayside detector systems.

(B) In examining the technology specified under division (A) of this section, the Commission may consult with technical experts on the subject, including railroad companies that do business in Ohio, the Federal Railroad Administration, other professional railroad associations, and companies that manufacture and install such technology.

(C) The Commission shall compile the information obtained under division (A) of this section into a written report. Not

later than ninety days after the effective date of this section, 5843
the Commission shall submit the report, in accordance with 5844
section 101.68 of the Revised Code, to the chairperson and the 5845
ranking member of the following legislative committees: 5846

(1) The Senate Transportation Committee; 5847

(2) The Senate Finance Committee; 5848

(3) The House Transportation Committee; 5849

(4) The House Homeland Security Committee; 5850

(5) The House Finance Committee. 5851

Section 755.20. (A) As used in this section: 5852

(1) "Economically significant employment center" means a 5853
single site, multiple adjoining sites, or a business park where 5854
the employers located at the site or park employ not less than 5855
two hundred fifty full-time employees who work onsite. 5856

(2) "Rural or urban transit authorities" means regional 5857
transit authorities that are established pursuant to sections 5858
306.30 to 306.53 of the Revised Code and that serve either a 5859
rural population, an urban population, or both populations. 5860

(B) There is hereby established the Ohio Workforce 5861
Mobility Partnership Program. The Department of Transportation 5862
shall administer the Program. Under the Program, one or more 5863
boards of trustees of rural or urban transit authorities may 5864
either singularly or jointly apply for competitive grant funding 5865
for individual or collaborative projects. All grant funding 5866
shall be spent in accordance with division (C) of this section. 5867

(C) Any boards of trustees awarded grants under this 5868
section shall use the grant funding for purposes of transporting 5869

resident workforce members between the service territories of 5870
the joint rural or urban transit authorities. The boards shall 5871
also use the grant money to focus on transportation that 5872
supports the employment needs of economically significant 5873
employment centers located within or near the service 5874
territories of the rural or urban transit authorities. Such 5875
support shall include efforts to easily, efficiently, and 5876
economically transport a resident workforce that either lives 5877
within a service territory that has little or no public transit 5878
service to an employment center or lives within one service 5879
territory but is employed full-time within another service 5880
territory. 5881

(D) The Director of Transportation shall establish any 5882
procedures and requirements necessary to administer this 5883
section, including grant application, evaluation of 5884
applications, and award processes, and any conditions for the 5885
expenditure of grant funding awarded under the Program. 5886

(E) This section expires two years after its effective 5887
date. 5888

Section 755.40. Beginning July 1, 2023, until June 30, 5889
2025, the Department of Transportation may close a rest area 5890
that is under the Department's control and jurisdiction as 5891
established under section 5515.07 of the Revised Code only if 5892
the rest area's parking lot remains available for commercial 5893
motor vehicles as defined in section 4506.01 of the Revised 5894
Code. 5895

Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY 5896
OPERATING FUND 5897

On the last day of each month in the biennium ending June 5898

30, 2025, before making any of the distributions specified in 5899
section 5735.051 of the Revised Code but after any transfers to 5900
the tax refund fund as required by that section and section 5901
5703.052 of the Revised Code, the Treasurer of State shall 5902
deposit the first two per cent of the amount of motor fuel tax 5903
received for the preceding calendar month to the credit of the 5904
Highway Operating Fund (Fund 7002). 5905

Section 757.20. MOTOR FUEL DEALER REFUNDS 5906

Notwithstanding Chapter 5735. of the Revised Code, the 5907
following apply for the period of July 1, 2023, to June 30, 5908
2025: 5909

(A) For the discount under section 5735.06 of the Revised 5910
Code, if the monthly report is timely filed and the tax is 5911
timely paid, one per cent of the total number of gallons of 5912
motor fuel received by the motor fuel dealer within the state 5913
during the preceding calendar month, less the total number of 5914
gallons deducted under divisions (B)(1)(a) and (b) of section 5915
5735.06 of the Revised Code, less one-half of one per cent of 5916
the total number of gallons of motor fuel that were sold to a 5917
retail dealer during the preceding calendar month. 5918

(B) For the semiannual periods ending December 31, 2023, 5919
June 30, 2024, December 31, 2024, and June 30, 2025, the refund 5920
provided to retail dealers under section 5735.141 of the Revised 5921
Code shall be one-half of one per cent of the Ohio motor fuel 5922
taxes paid on fuel purchased during those semiannual periods. 5923

**Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX 5924
FUND** 5925

The Director of Budget and Management shall transfer cash 5926
in equal monthly increments totaling \$166,055,868 in fiscal year 5927

2024 and in equal monthly increments totaling \$168,885,288 in 5928
fiscal year 2025 from the Highway Operating Fund (Fund 7002) to 5929
the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts 5930
transferred under this section shall be distributed as follows: 5931

(A) 42.86 per cent shall be distributed among the 5932
municipal corporations within the state under division (A) (2) (b) 5933
(i) of section 5735.051 of the Revised Code; 5934

(B) 37.14 per cent shall be distributed among the counties 5935
within the state under division (A) (2) (b) (ii) of section 5936
5735.051 of the Revised Code; and 5937

(C) 20 per cent shall be distributed among the townships 5938
within the state under division (A) (2) (b) (iii) of section 5939
5735.051 of the Revised Code. 5940

Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 5941
APPROPRIATIONS 5942

Law contained in the main operating appropriations act of 5943
the 135th General Assembly that is generally applicable to the 5944
appropriations made in the main operating appropriations act 5945
also is generally applicable to the appropriations made in this 5946
act. 5947

Section 803.20. The amendment by this act of sections 5948
5709.48, 5709.49, 5709.50, and 5709.83 of the Revised Code 5949
applies to any resolution granting a tax exemption under section 5950
5709.48 of the Revised Code adopted on or after the effective 5951
date of this section. 5952

Section 806.10. SEVERABILITY 5953

The items of law contained in this act, and their 5954
applications, are severable. If any item of law contained in 5955

this act, or if any application of any item of law contained in 5956
this act, is held invalid, the invalidity does not affect other 5957
items of law contained in this act and their applications that 5958
can be given effect without the invalid item or application. 5959

Section 809.10. An item of law, other than an amending, 5960
enacting, or repealing clause, that composes the whole or part 5961
of an uncodified section contained in this act has no effect 5962
after June 30, 2025, unless its context clearly indicates 5963
otherwise. 5964

Section 812.10. LAWS AND REFERENDUM 5965

Except as otherwise provided in this act, the amendment, 5966
enactment, or repeal by this act of a section of law is subject 5967
to the referendum under Ohio Constitution, Article II, Section 5968
1c and therefore takes effect on the ninety-first day after this 5969
act is filed with the Secretary of State or, if a later 5970
effective date is specified below, on that date. 5971

Section 812.15. The Director of the Department of 5972
Administrative Services shall take no action with respect to the 5973
amendments to section 124.152 of the Revised Code contained in 5974
H.B. 462 of the 134th General Assembly. The amendments to 5975
sections 124.152 and 5503.031 of the Revised Code as made in 5976
this act shall become effective on July 1, 2023. 5977

Section 812.20. APPROPRIATIONS AND REFERENDUM 5978

In this section, an "appropriation" includes another 5979
provision of law in this act that relates to the subject of the 5980
appropriation. 5981

An appropriation of money made in this act is not subject 5982
to the referendum insofar as a contemplated expenditure 5983
authorized thereby is wholly to meet a current expense within 5984

the meaning of Ohio Constitution, Article II, Section 1d and 5985
section 1.471 of the Revised Code. To that extent, the 5986
appropriation takes effect immediately when this act becomes 5987
law. Conversely, the appropriation is subject to the referendum 5988
insofar as a contemplated expenditure authorized thereby is 5989
wholly or partly not to meet a current expense within the 5990
meaning of Ohio Constitution, Article II, Section 1d. To that 5991
extent, the appropriation takes effect on the ninety-first day 5992
after this act is filed with the Secretary of State. 5993

Section 820.10. Section 4503.10 of the Revised Code is 5994
presented in this act as a composite of the section as amended 5995
by H.B. 21, H.B. 74, and S.B. 162, all of the 134th General 5996
Assembly. The General Assembly, applying the principle stated in 5997
division (B) of section 1.52 of the Revised Code that amendments 5998
are to be harmonized if reasonably capable of simultaneous 5999
operation, finds that the composite is the resulting version of 6000
the section in effect prior to the effective date of the section 6001
as presented in this act. 6002

6003