

**Testimony Before the Ohio House Natural Resources Committee
In Opposition to Substitute Senate Bill 219**

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Chairman and members of the committee, thank you for the opportunity to testify. My name is Amy Zwick, and I have the honor of serving as the Monroe County Engineer. I'm here this afternoon because, like you, I care deeply about responsible growth — growth that strengthens communities instead of weakening the foundations they depend on.

Monroe County is one of the most active energy counties in the state. In just the third quarter of last year, our producers brought up more than 80 million MCF of natural gas and roughly 120,000 barrels of oil. Those numbers tell an impressive story of energy development and economic promise. But they also represent hundreds of heavy, 80,000-pound trucks moving each day across the narrow, winding roads that connect our communities.

We welcome that development. It brings jobs, revenue, and opportunities. But we also live with the daily consequences of that activity. When an embankment collapses or a culvert gives way, it's not a policy problem — it's a safety problem. When those roads fail, entire communities lose access to schools, fire stations, and farms.

Monroe County isn't built like most of Ohio. We're the "Switzerland of Ohio" with its steep slopes, winding routes, and no shoulder to spare. What works in flat counties doesn't work here. A one-size-fits-all rule ignores real engineering limits and raises real safety risks.

Frost Laws

One of the most important tools counties have to protect rural roads is the authority to implement **seasonal load limits during freeze-thaw cycles**, commonly known as **frost laws**. Under **Ohio Revised Code §5577.07**, the Ohio Department of Transportation and local authorities may temporarily reduce weight limits on roads when they become weakened by thawing conditions.

During the winter, water within the road base freezes and expands. As temperatures rise, the upper layers of the roadway thaw while deeper layers remain frozen. This traps water within the road base and dramatically reduces its structural capacity. During this period:

- The pavement loses load-bearing strength
- The subgrade becomes saturated
- Heavy truck loads can cause permanent structural damage in a single pass

Engineering research consistently demonstrates that one overloaded truck on a thawing road can equal the damage of 9,000 cars. Without that protection, one week of hauling can undo millions in investment. Without temporary seasonal weight restrictions:

- Pavement rutting occurs
- Alligator cracking spreads rapidly
- Road bases fail prematurely
- Embankment movement becomes more likely

For counties like Monroe with steep terrain and narrow hillside roads, the risk is even greater. Temporarily reducing loads prevents millions of dollars in premature road failure. That's not regulation for regulation's sake; it's an act of preservation that saves both public and private money in the long run.

\$30,000 Bond Cap

Substitute Senate Bill 219 proposes to cap RUMA bonds at **\$30,000**. That might sound tidy, but a cap that covers just **10 percent** of actual replacement costs is not a bond. The other 90 percent would need to be covered by State and Monroe County taxpayers -this creates an underfunded liability.

If heavy haul traffic damages a mile of road that costs half a million dollars to rebuild, Monroe County taxpayers will be left with the remaining **\$550,000**. In finance, that's called negative leverage. No prudent investor, business owner, or policymaker would accept that arrangement knowingly.

Replacing licensed engineering evaluation with an affidavit approach is another area where short-term thinking creates long-term cost. A slumping hillside or failing culvert isn't always visible from above. Once that failure occurs, fixing it costs five to ten times more than prevention. Spending a few thousand dollars on an engineer's analysis is an investment in avoiding a six-figure loss later.

ODNR Affidavit End Around

Replacing licensed engineering evaluation with a possible ODNR affidavit approach is another area where short-term thinking creates long-term cost. A slumping hillside or failing culvert isn't always visible from above. Once that failure occurs, fixing it costs five to ten times more than prevention. Spending a few thousand dollars on an engineer's analysis is an investment in avoiding a six-figure loss later.

Our annual RUMA oversight, realistic bonding levels, and frost law authority keep the system balanced and accountable.