



JEFFERSON COUNTY ENGINEER'S OFFICE

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136th Ohio General Assembly – Ohio House of Natural Resources

Testimony of Eric Hilty, P.E., P.S. – Jefferson County Engineer

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Opposition to Substitute Senate Bill 219

Chair, Vice Chair, Ranking Member, and members of the Committee, thank you for the opportunity to appear today.

I serve as the Jefferson County Engineer; the official statutorily responsible for the maintenance, inspection, and safety of every county road and bridge in one of Ohio's most active energy corridors. Jefferson County produces roughly 109.5 million MCF of natural gas per quarter, ranking us the state's second-largest gas-producing county. That development has brought real opportunity. It has also taught us a hard lesson: energy growth and infrastructure integrity are mutually dependent. When one is weakened, the other pays the price.

Substitute Senate Bill 219, as drafted, disturbs that balance in three specific ways: the affidavit pathway, the 30-thousand-dollar bond cap, and the undermining of frost law protections. None of these are minor technical adjustments. Each one transfers known, foreseeable risk from operators onto county governments and taxpayers.

First: Overweight Vehicles Must Have Permits. That Is Not Negotiable.

The permit requirement under R.C. 4513.34 is not red tape. It is the process through which we identify haul routes in advance, evaluate road and bridge capacity against proposed loads, and put protections in place before something fails; not after. Jefferson County averages one commercial vehicle crash every two days, and our Highway Patrol has directly linked a significant share of that traffic to oil and gas activity. Every overweight truck moving without a permit, without a route review, and without a bridge evaluation is a foreseeable and preventable risk.

The affidavit pathway in Sub. SB 219 replaces that process with an unverified declaration. It asks local officials to accept assurances in place of the enforceable obligations that have been built into the permitting and RUMA framework over the past decade. That is not a reform; it is an off-ramp from accountability.

Second: We Know Exactly What Happens Without Enforceable RUMAs.

Jefferson County has 26 active producers. In a single commission meeting, we executed five Road Use Maintenance Agreements, including one covering 27 miles of county roads. Those RUMAs work because they align interests: operators get predictable access, counties get enforceable route plans, bridge protections, and clearly assigned liability.

Before SB 315, operators held state permits with no meaningful local road-use obligation. More than 50 township boards in and around Jefferson County passed weight-limit resolutions in

frustration. Those resolutions had no leverage. Operations proceeded; communities paid for the damage. SB 315 fixed that by tying state permits to either a negotiated RUMA or a documented good-faith effort to secure one. Sub. SB 219's affidavit pathway reopens that gap. This is not a new idea we are being asked to try. It is a failed model we already lived through.

Third: The \$30,000 Bond Cap Has No Engineering Basis.

Full reconstruction of a county road damaged by heavy haul traffic (base repair, surface, shoulders, and drainage) routinely runs 300-thousand to 400-thousand dollars per mile in eastern Ohio shale counties. Sub. SB 219 caps bonds at 30-thousand dollars per mile; set without any engineering or cost analysis. On a five-mile haul route, the maximum bond is 150-thousand dollars enough to resurface roughly half a mile. The rest of the bill lands on the county road fund. That is not a safety net. It is a cost-shifting mechanism that moves liability from the entity creating the damage to the taxpayers who had no say in it.

Fourth: The Frost Law Is Our Best Tool.

Ohio's frost law under R.C. 5577.07 authorizes counties to reduce maximum vehicle weights by up to fifty percent during periods of thaw and excessive moisture. This is the single most effective protection county engineers have during the February-through-April freeze-thaw window, when road subgrades are saturated and at maximum vulnerability. Heavy haul traffic on a frost-weakened subgrade does not just accelerate wear; it destroys the structural base, requiring full reconstruction rather than resurfacing.

This is not an Ohio quirk. Frost laws are standard practice across the northern United States: Idaho, Iowa, Maine, Michigan, Minnesota, Montana, New Hampshire, New York, North Dakota, Pennsylvania, South Dakota, Vermont, Washington, Wisconsin, and Wyoming all maintain formal seasonal weight restriction programs. Michigan suspends overweight permits entirely during the frost period.

Under a negotiated RUMA, frost law compliance is explicit. Operators acknowledge posting requirements, observe reduced weight limits during the thaw window, and accept liability for violations. Under the affidavit pathway, none of that is required. You would have the heaviest trucks in Ohio's energy sector moving on the most vulnerable roads, at the most vulnerable time of year, with no enforceable seasonal restriction and a bond that cannot cover the damage

The Path Forward

Jefferson County supports responsible energy development. We have proved it through years of executed RUMAs, including one of the largest in the state. But responsible development requires a framework that is enforceable, not aspirational.

The minimum conditions for that framework are clear: no affidavit shortcut around the permit and route review process; continued linkage between ODNR permits and genuine RUMA negotiations; bond levels based on actual reconstruction costs; and non-waivable frost law protections unless determined engineeringly appropriate for the structure the vehicle is traveling on – no matter the size/ weight.

Those conditions do not stop development. They are what make it sustainable. Without them, Sub. SB 219 does not balance competing interests; it simply decides that counties and taxpayers absorb the costs while operators capture the benefits. Thank you. I would be pleased to answer any questions.

Sources

- R.C. 4513.34 — Overweight vehicle permit requirements
- R.C. 5577.07 — Ohio frost law, seasonal weight reduction authority
- It's Frost Law Season Again, Scopelitis Transportation Consulting, March 17, 2021
- Tuscola County Road Commission, Michigan – Weight Restrictions, February 16, 2026
- Safety around semis urged, The Times Leader, March 15, 2026
- Ohio & Gas Activity in Jefferson County, Ohio, ShaleXP, Q3 2025, Q1 2025
- Jefferson County Commissioners Meeting, January 13, 2022