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**Ohio Senate Energy Committee
Written Opposition Testimony – Senate Bill 219
Adam Schwiebert, Managing Director of Policy
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Chair Chavez, Vice Chair Landis, Ranking Member Smith, and members of the Senate Energy, thank you for the opportunity to submit testimony on behalf of the County Commissioners Association of Ohio (CCAO) in opposition to Senate Bill 219.

CCAO represents Ohio’s 88 counties, which are on the front lines of balancing energy development, public infrastructure needs, and community well-being. We appreciate the General Assembly’s continued attention to policies that support energy production in our state. However, we must respectfully oppose Senate Bill 219 because it weakens critical local safeguards designed to protect county roads and shifts costs and risks from private developers to public taxpayers.

Eighty-three percent of Ohio’s public road miles are maintained by local governments. These local roads are not designed for the constant movement of heavy industrial traffic associated with horizontal drilling operations—vehicles hauling water, sand, equipment, and production waste. Even limited activity of this nature can cause substantial degradation of rural roads, leading to unsafe driving conditions, costly repairs, and potential liability for local governments.

Under current law, before obtaining a permit to drill a horizontal well, an operator must enter into or make a good faith effort to enter into a road use and maintenance agreement (RUMA) with the affected local governments. These agreements ensure that operators coordinate with counties to identify impacted routes, maintain safe conditions, and restore damaged roads at no expense to local taxpayers.

By making these agreements entirely voluntary, Senate Bill 219 removes the only remaining practical mechanism local governments have to ensure accountability for infrastructure damage caused by heavy industrial activity. Without this requirement, counties would be left to absorb the costs of repairing roads damaged by operators who may or may not choose to partner in good faith. These costs are ultimately borne by taxpayers.

The bill further compounds local concern by imposing a three-year limit on the duration of any voluntary RUMA, regardless of the life cycle of the drilling activity. Horizontal drilling and



related infrastructure development often extend well beyond three years. Forcing the automatic expiration of an agreement—even one that is functioning effectively—creates unnecessary administrative burdens and could leave local governments without enforceable protections during ongoing operations.

Equally concerning is the bill's proposed exemption from special regional heavy hauling permits for permit holders who merely attempt to enter into a RUMA. Under current law, no vehicle or load exceeding statutory weight limits may use Ohio roads without a permit from the Department of Transportation or the local authority. Senate Bill 219 would undermine this safeguard by granting unilateral exemptions to operators.

Ohio's counties are not seeking to obstruct energy development. We seek partnership, predictability, and fairness. A mandatory RUMA requirement ensures all parties understand their responsibilities and that public infrastructure is protected. Making such agreements voluntary invites inconsistency, undermines local accountability, and exposes taxpayers to costs that should be borne by private operators profiting from the use of public assets.

In closing, CCAO urges this Committee to maintain the current statutory requirement that horizontal well permit applicants enter into or make good faith efforts to enter into road use and maintenance agreements with local governments. These agreements represent sound public policy, ensuring that as Ohio continues to advance its energy economy, we do so responsibly—protecting both local taxpayers and the infrastructure that supports our communities.

CCAO thanks the committee for considering our thoughts and concerns.