



John Eklund
State Senator, 18th District

Senate Building
1 Capitol Square
Columbus, Ohio 43215
Phone: 614.644.7718
Eklund@ohiosenate.gov

Committees:

Criminal Justice, *Chair*
Commerce and Labor, *Vice-Chair*
Civil Justice
Energy and Natural Resources
Public Utilities
Ways and Means
Finance Sub-Committee:
General Government

Senator John Eklund - Sponsor Testimony
Senate Bill 30
Senate State and Local Government, Public Safety,
and Veterans Affairs Committee
February 14, 2017

Chairman Uecker, Vice-Chair Wilson, Ranking Member Thomas and members of the committee. Thank you for the opportunity to give sponsor testimony on Senate Bill 30, which would authorize counties to adopt resolutions regulating motor vehicle traffic on county and township roads.

Prior to 1993, it was generally recognized that section 4511.07 of the Ohio Revised Code authorized Ohio Counties to exercise a degree of authority over the streets and roads within their jurisdictions. The Ohio Supreme Court changed that in *Geauga County Commissioners v. Munn Road Sand & Gravel*, 67 Ohio St. 3d 579, holding, for the first time, that the statute was not an express grant of authority to the Counties. In doing so, the Court stated that “if the General Assembly wishes to grant the authority...to regulate...*that is its prerogative, either by amending the statute or by enacting a new one.*” *Id.* at 586 (emphasis added).

Senate Bill 30 would grant to Ohio counties authority to regulate the use of roads in enumerated ways consistent with the generally-held view of the law prior to 1993. The proposed authority would be subject to the limits of a County’s reasonable exercise of the police power and all other constitutional restraints on the exercise thereof. Hopefully, regulation of local road usage by government institutions most familiar with those roads and local conditions will result in government actions that more effectively address community needs.

Thank you for the opportunity to provide testimony on Senate Bill 30, and I will be glad to answer any questions you may have.