



Final Analysis

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ACT SUMMARY

- Makes temporary changes to the motor fuel excise tax shrinkage and evaporation discount and refund amounts.
- Eliminates the possibility of triggered upward adjustments in the commercial activity tax rate when CAT revenue falls more than 10% below revenue targets during each of three test periods (FY 2006-2007, FY 2009, and FY 2011), while retaining the possibility of downward rate adjustments for any test period when revenue exceeds the target by more than 10%.
- Redirects into the Highway Operating Fund the \$0.21 that the Registrar of Motor Vehicles receives for motor vehicle, off-highway motorcycle, and all-purpose vehicle certificates of title that previously was paid into the General Revenue Fund.
- Requires the Department of Transportation to construct the major new construction projects selected by the Transportation Review Advisory Council on December 20, 2006, as Tier I projects for construction in fiscal years 2007 through 2013, and allows the Council to recommend additional major new projects in accordance with the promulgated

policies, but prohibits new Tier I projects from being given priority over Tier I projects recommended on December 20, 2006.

- Creates in the Office of the Inspector General the position of Deputy Inspector General for the Department of Transportation.
- Permits fuel tax revenues to be used to pay the interest, principal, and charges on Grant Anticipation Revenue Vehicles, which are bonds issued by the Treasurer of State on behalf of the Ohio Department of Transportation for highway construction projects approved by the United States Department of Transportation and are secured by federal transportation funds allocated to Ohio.
- Permits the Director of Transportation to enter into agreements with an agency of the United States government for the purpose of dedicating staff to the review of environmentally related documents submitted by ODOT that are necessary for the approval of federal permits, and requires the Director to submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the federal agency, and the circumstances giving rise to the agreement.
- Generally conforms Ohio law governing advertising devices along interstates and highways on the primary system with Federal Highway Administration provisions by updating definitions to reflect current procedures for determining highway status.
- Directs the Director of Public Safety to request an extension of time to meet the requirements of the federal REAL ID Act of 2005.
- Makes the Department of Transportation, rather than a board of county commissioners, responsible for major maintenance and repair of all bridges, not just lift bridges, located on the state highway system within a municipal corporation.
- Upon petition from the appropriate local legislative authorities, requires the Director of Transportation to maintain and restore more than one additional detour route if the Director finds that traffic from a closed highway, bridge, or culvert caused damage to the additional detour routes that are the subject of the petition.
- Establishes that a motor vehicle leasing dealer or motor vehicle renting dealer who receives a ticket for an alleged traffic law violation detected

by a traffic law photo-monitoring device is not liable for a ticket issued for a vehicle that was in the care, custody, or control of a lessee or renter but must notify the issuer of the ticket of the lessee's or renter's name and address.

- Allows any person to conduct not more than two auctions of classic motor vehicles (over 26 years old) per year without being licensed by the Registrar of Motor Vehicles to sell or auction motor vehicles and establishes the conditions for such an auction, including the use of a licensed auction firm.
- Allows a motor vehicle auction owner licensed under the Motor Vehicle Dealer Law to conduct an auction of classic motor vehicles at the motor vehicle auction owner's place of business and auction vehicles at that location to any person and to conduct an auction at a motor vehicle dealer's place of business and auction vehicles at that location to any person and also specifies that an auction owner is exempt from licensing requirements under Auctioneers' Law only if the auction owner exclusively sells motor vehicles to a licensed motor vehicle dealer.
- Requires that at least 50% of an adult remedial driving course be taken in person.
- Allows the use of a driver's license number or state identification number when applying for a vehicle registration as options that may be provided in lieu of a person's social security number.
- Permits advanced practice nurses to write a prescription certifying that a person is eligible to be issued a removable windshield disability placard or special disability license plates because the person has a disability that limits or impairs the ability to walk.
- Effective in 2007, establishes an annual license tax of \$750 for commercial cargo aircraft (rather than \$15 per seat) and allows a taxpayer who has already filed in 2007 to obtain a refund if the change in the tax structure results in a reduction of the aircraft license tax due in 2007.
- Authorizes projects between transportation improvement districts (TIDs) and governmental agencies (including local governments) for the financing of a street, highway, interchange, or other transportation project pursuant to an agreement entered into on or before December 31, 2007, and, in connection with those joint projects, authorizes a TID to purchase



securities issued by the governmental agency for the agency's portion of the project cost.

- Establishes 97 feet as the maximum allowable length for drive-away saddlemount vehicle transporter combinations and drive-away saddlemount with fullmount vehicle transporter combinations operated on an interstate highway, United States route, or state route.
- Removes language, enacted when the Division of Homeland Security was created in 2003, declaring the intent of the General Assembly that the creation of the Division "not result in an increase of funding appropriated to the department."
- Requires the Director of Public Safety to use money credited to the Family Violence Prevention Fund to operate the Division of Criminal Justice Services as well as to provide grants to family violence shelters in Ohio.
- Creates the Federal Justice Grants Fund, to consist of money from federal grants that is received by the Division of Criminal Justice Services for criminal justice programs and that is not required to be credited to an interest-bearing fund or account.
- Creates the Justice Program Services Fund, to consist of money collected by the Division of Criminal Justice Services for nonfederal purposes that is not required to be credited to some other fund and to be used to pay costs of administering the operations of the Division.
- Prohibits school bus or motor van owners from permitting any person to drive the bus or van for seven years following any six-point traffic violation.
- Requires each school bus or motor van owner (1) within 30 days after the act's effective date, to obtain the seven-year driving record for each of their bus or van drivers, (2) to obtain a person's seven-year driving record before allowing him or her to operate a bus or van for the first time, and (3) to obtain annual driving records thereafter.
- Would have permitted community schools to transport their students with or without entering into an agreement with the students' school district (VETOED).



- Would have specified that the transportation that a community school provides or arranges for be comparable to the transportation that the school district provides or arranges for students of the same grade level and distance from the school (VETOED).
- Would have required the Ohio Department of Education to pay community schools that transport their students without entering into an agreement with the district the per pupil amount that would otherwise be paid to the student's school district for transportation (VETOED).
- Permits a county engineer to create a school zone at the location of a "special elementary school."
- Extends the immunity from liability that private property owners or lessees have concerning recreational use of their property with permission and without paying a charge to the operation of a four-wheel drive motor vehicle.
- Allows the Turnpike Commission to adopt rules governing the use of special engine brakes on the Ohio Turnpike.
- Authorizes municipal corporations to enter into contracts with port authorities to obtain or share police resources and permits municipal police departments to provide police protection to port authorities without a contract.
- Authorizes the Director of Agriculture to establish a motor fuel quality testing program in rules adopted in accordance with the Administrative Procedure Act.
- Revises the brake requirements for watercraft trailers manufactured or assembled on or after January 1, 2008.
- Requires the Ohio Turnpike Commission to study noise mitigation and conduct a pilot project using funds transferred from the Highway Operating Fund to the Community Resolution Fund, which is created as a limited-life custodial fund of the Treasurer of State.
- Extends through June 30, 2009, an uncodified law allowing the Director of Transportation or a local authority to issue special permits for transporting three or fewer steel coils in a single load on a state or local

highway so long as the gross vehicle weight of the transport vehicle, including the coils, does not exceed 92,000 pounds.

- Modifies the membership of the Ohio Transportation Task Force to add a member from the Ohio Contractors Association jointly appointed by the Speaker of the House of Representatives and the President of the Senate from a list of three individuals submitted by the Association.
- Creates a State Highway Patrol Funding Task Force consisting of members appointed by the Governor to study and make a report by July 1, 2008, with a recommendation for a dedicated and stable long-term funding source for the State Highway Patrol.
- Authorizes the South Point Board of Education to convey specified real estate in Lawrence County to the State Highway Patrol.

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CONTENT AND OPERATION

Motor fuel excise tax: evaporation and shrinkage discount and refund

(Section 557.10)

Under continuing law, a motor fuel excise tax of 28¢ per gallon is imposed on motor fuel dealers. The codified law governing the motor fuel excise tax (R.C. 5735.06) provides that a motor fuel dealer filing a complete and timely monthly tax report with payment is entitled to deduct a discount equal to 3% of the fuel gallonage the dealer received minus 1% of the fuel gallonage sold to retail dealers (to cover the costs of filing the report and to account for evaporation, shrinkage, and other losses). The main operating appropriations act for the 2006-2007 fiscal biennium, Am. Sub. H.B. 66 of the 126th General Assembly, reduced the discount to 2.5% (minus 0.83% of gallonage sold to retail dealers) during fiscal year 2006 and to 1.95% (minus 0.65% of gallonage sold to retail dealers) during fiscal year 2007.



The act reduces the discount for fiscal years 2008 and 2009 to 1.0% (minus 0.50% of gallonage sold to retail dealers).

Under the codified motor fuel excise tax law, retail dealers of motor fuel who have purchased fuel on which the motor fuel excise tax has been paid are granted a refund for evaporation and shrinkage equal to 1.0% of the taxes paid on the fuel each semiannual period (R.C. 5735.141). Am. Sub. H.B. 66 reduced the refund to 0.83% for the semiannual periods ending in fiscal year 2006 and 0.65% for the semiannual periods ending in fiscal year 2007.

The act reduces the retail shrinkage refund percentage to 0.50% for all four semiannual periods of fiscal years 2008 and 2009.

The act also permits retail dealers to claim a vendor discount for motor fuel they purchase during the FY 2008-2009 biennium. The discount equals 0.90% of the fuel tax paid on the motor fuel purchased. Retail dealers may claim the discount as a refund for fuel purchased during each of the four semiannual periods during the biennium. Refund applications must be filed with the Tax Commissioner within 120 days after the end of the semiannual period.

Commercial activity tax upward rate trigger

(R.C. 5751.032)

Am. Sub. H.B. 66 of the 126th General Assembly imposed a new tax on businesses that generate business income. The new commercial activity tax (CAT) is an annual excise tax imposed on the basis of gross receipts for the privilege of doing business in Ohio. In creating the new business tax, Am. Sub. H.B. 66 also established a rate adjustment mechanism on the CAT rate. Under continuing law, the adjustment mechanism is activated and the tax rate is adjusted downward if revenue exceeds specified revenue thresholds by more than 10% of the threshold for any of the three test periods (FY 2006-2007, FY 2009, and FY 2011). Under prior law, the tax rate was to be adjusted upward if there was a revenue shortfall for any of the three test periods; the rate was to be adjusted upward to the rate that would have produced the specified threshold amount over the test period as computed by the Tax Commissioner and certified to the Governor and every member of the General Assembly.

The act eliminates the possibility of triggered upward adjustments in the CAT rate when CAT revenue falls more than 10% below existing revenue targets during each of the three test periods.

Distribution of a portion of the fee charged for a certificate of title

(R.C. 4505.09 and 4519.59)

Under continuing law, the clerk of a court of common pleas collects a fee of \$5 for every motor vehicle, off-highway motorcycle, and all-purpose vehicle certificate of title the clerk issues. The clerk retains \$2.25 and forwards the remaining \$2.75 to the Registrar of Motor Vehicles. The \$2.75 was allocated as follows under prior law: \$2 to the Automated Title Processing Fund, \$0.25 to the State Bureau of Motor Vehicles Fund, \$0.25 to the Motor Vehicle Sales Audit Fund, \$0.21 to the General Revenue Fund, and \$0.04 to the Motor Vehicle Dealers Board Fund.

The act redirects into the Highway Operating Fund the \$0.21 that previously was paid into the General Revenue Fund. The remainder of the distribution is unchanged.

Transportation Review Advisory Council projects

(Section 555.08)

Continuing law establishes the Transportation Review Advisory Council (TRAC), consisting of four members appointed by the Governor with the advice and consent of the Senate, one member appointed by the Speaker of the House of Representatives, one member appointed by the President of the Senate, and the Director of Transportation. Based upon strategic initiatives developed by the Director, TRAC has established policies and procedures to prioritize major new construction projects. TRAC has ranked projects as Tier I projects (those recommended for construction during the upcoming six-year construction project), Tier II projects (those recommended for additional environmental, design, or right-of-way development activities necessary before the projects are available for construction), and Tier III projects (those reviewed by TRAC but not recommended for further development).

The act requires the Department of Transportation to construct the major new construction projects selected by TRAC on December 20, 2006, as Tier I projects for construction in fiscal years 2007 through 2013 and prohibits the Department from undertaking other major new construction projects until construction of the previously selected Tier I projects has commenced in accordance with the December 20, 2006, recommendations. TRAC may recommend additional major new projects in accordance with the policies promulgated by TRAC, but new Tier I projects may not be given priority over Tier I projects recommended on December 20, 2006.

Creation of the position of Inspector General for the Department of Transportation

(R.C. 121.51)

The act creates in the Office of the Inspector General the position of Deputy Inspector General for the Department of Transportation (ODOT). Like the Inspector General, the Deputy Inspector General must be an attorney or CPA or must have at least five years of experience as a law enforcement officer or comptroller (chief accounting officer). The Deputy Inspector General is to be appointed by and serve at the pleasure of the Inspector General.

The Inspector General is directed to provide technical, professional, and clerical assistance to the Deputy Inspector General and to certify to the Director of Budget and Management the costs incurred by the Deputy Inspector General, including the salaries of the professional and clerical employees providing the assistance. The Director of Budget and Management is required to transfer the amount certified from ODOT's appropriation for general administrative purposes to the Deputy Inspector General for ODOT Fund, which the act creates in the state treasury.

The act requires the Deputy Inspector General to investigate wrongful acts or omissions that have been or are being committed by ODOT employees and to conduct a program of random review of the processing of contracts associated with building and maintaining the state's infrastructure. The random review program is to be designed, and may be altered at any time, by the Inspector General. The program is required to be "confidential," as are certain investigative reports of the Inspector General under continuing law if the designation appears reasonably necessary to protect the safety of a witness or to avoid disclosure of investigative techniques that would enable wrongdoers to avoid detection.

All officers and employees of ODOT are directed to cooperate with and provide assistance to the Deputy Inspector General in the performance of any investigation conducted by the Deputy Inspector General. At the same time the Deputy Inspector General is instructed to avoid interfering with the ongoing operations of the Department more than reasonably necessary. Any case for which remedial action is necessary is to be delivered to the Director and the Governor.

The act requires the Deputy Inspector General to maintain a public record of the Deputy Inspector General's activities to the extent permitted under the act, ensuring that the rights of the parties involved are protected. It also requires the Inspector General, in the annual report that continuing law requires the Inspector General to prepare, to include a summary of the activities of the Deputy Inspector General during the previous year.

Use of fuel tax proceeds to pay Grant Anticipation Revenue Vehicles (GARVEE bonds)

(R.C. 5735.05)

Federal law permits states to issue Grant Anticipation Revenue Vehicles, which are known as GARVEE bonds. This term refers to any financing instrument for which principal or interest is repaid with future federal-aid highway funds. The state debt instruments are issued in anticipation of the receipt of those funds in subsequent years. A state may use future obligations of its federal-aid funds not only for the retirement of principal but also for the payment of interest and of issuance, insurance, and other costs incidental to the sale of an eligible debt financing instrument.

Ohio motor fuel tax, which is levied on wholesalers and refiners that distribute fuel in Ohio, is composed of five components and totals 28¢ per gallon. The use of fuel tax revenue is limited by Section 5a of Article XII, Ohio Constitution, and permissible uses include payment of highway obligations, costs for the construction, reconstruction, maintenance, and repair of public highways and bridges and other statutory highway purposes, and the expense of state enforcement of traffic laws. Continuing motor vehicle fuel tax law specifies the purposes for which each component of the fuel tax may be used.

The act permits one component of the fuel tax to be used to pay the interest, principal, and charges on GARVEE bonds.

Agreements by ODOT with the federal government concerning the review of environmentally related documents

(Section 555.15)

An uncodified provision of the act allows the Director of Transportation to enter into agreements with the United States or any U.S. department or agency solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents submitted by ODOT, as necessary for the approval of federal permits. Such an agreement may include provisions for advance payment by ODOT for labor and all other identifiable costs of providing services by the United States or any U.S. department or agency as may be estimated by the United States or the department or agency. The act specifically includes the U.S. Army Corps of Engineers, the U.S. Forest Service, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service as federal agencies with which the Director may enter into agreements but does not limit the Director's authority to those agencies. The Director must submit a request to the Controlling Board indicating the amount of the agreement, the

services to be performed by the United States or the U.S. department or agency, and the circumstances giving rise to the agreement.

Advertising on interstate highways

(R.C. 5516.01)

The Ohio Department of Transportation regulates the placement of outdoor advertising devices along interstate and state primary system highways pursuant to the federal Highway Beautification Act of 1965. Whether a sign is prohibited, regulated by a permit system, or unregulated depends on a number of factors, including the type of highway near which the sign is located, the nature of the surrounding area (whether it is within an urban area, outside an urban area, or within a municipal corporation), whether the land is zoned commercial or industrial or is unzoned, and the distance from the sign to the highway. Under federal law, federal-aid highway funds may be reduced if the Secretary of Transportation determines that a state has not made provision for effective control of the erection and maintenance along the interstate system and the primary system of outdoor advertising signs, displays, and devices (23 U.S.C.A. § 131).

The act generally conforms Ohio law governing advertising devices along interstates, and highways on the primary system, with Federal Highway Administration provisions by (1) removing references to interstate highways, and highways on the national highway system, "as designated" by the Director of Transportation and "approved" by the Secretary of Transportation and (2) updating the definitions to reflect current federal procedures for determining highway status. Specifically, the act defines "interstate system" as "that portion of the interstate system, or the national highway system, located within this state" and defines "primary system" as "the federal-aid primary system in existence on June 1, 1991, and any highway that is not on such system but that is on the national highway system." Under federal law, the federal-aid systems are the interstate system and the national highway system; the national highway system consists of the routes and connections depicted on the map submitted by the Secretary of Transportation to Congress (23 U.S.C.A. § 103).

REAL ID Act extension

(Section 555.05)

The act directs the Director of Public Safety to request an extension of time to meet the requirements of the federal REAL ID Act of 2005. Absent an extension, which is permitted under federal law, states generally must comply with the REAL ID Act by May 11, 2008, or the federal government will be prohibited from accepting state-issued drivers' licenses and identification cards for official federal purposes such as boarding an airplane or entering a federal building. The

request for an extension must comply with requirements of the Department of Homeland Security and must notify the Department of the necessity for additional time to enable Ohio to implement the rules of the Department. The Director is required to make the request as soon as practicable, but not later than October 1, 2007.

Maintenance of bridges on the state highway system in municipal corporations

(R.C. 5501.31, 5501.49, and 5591.02)

Under prior law, county commissioners generally were responsible for the construction and repair of all necessary bridges on state highways and county roads and improved roads of general and public utility that run into or through municipal corporations. The Department of Transportation had a duty to perform major maintenance on bridges on state highways within municipal corporations only in regard to lift bridges. Under prior law, the county or other person responsible for maintaining the pavements and sidewalks on either end of all lift bridges located on the state highway system within the municipal corporation was responsible for routine maintenance of such lift bridges, unless other arrangements had been made between the county and the municipal corporation to perform the routine maintenance. The Department also was responsible for inspection of all bridges on the state highway system inside and outside municipalities (R.C. 5501.47, not in the act).

The act establishes that the Department is responsible for the construction, reconstruction, and major maintenance and repair of all bridges located on the state highway system within a municipal corporation. "Major maintenance" includes the painting of a bridge, and the repair of deteriorated or damaged elements of bridge decks, including emergency patching of bridge decks to restore the structural integrity of a bridge. The Department continues to be responsible for the operation of lift bridges located on the state highway system within a municipal corporation.

County commissioners continue to be responsible for bridges on county and improved roads within a municipal corporation that are not state highways. The act further specifies that the public entity with responsibility for maintaining the pavements and sidewalks on either end of the bridge is responsible for the routine maintenance of all bridges located on the state highway system within the municipal corporation. "Routine maintenance" includes "clearing debris from the deck, sweeping, snow and ice removal, minor wearing surface patching, cleaning bridge drainage systems, marking decks for traffic control, minor and emergency repairs to railing and appurtenances, emergency patching of deck, and maintenance of traffic signal and lighting systems, including the supply of electrical power." The act eliminates the provision of prior law allowing a county

and municipal corporation to make other arrangements for the performance of routine maintenance on lift bridges.

Department of Transportation detour route repair

(R.C. 5517.03)

When the Department of Transportation undertakes a construction project, the Department generally must try to avoid closing the entire width of the highway, bridge, or culvert being improved. If a detour is necessary, the Director is required to restore the detour route to as good a condition as it was at the time of its selection as a detour route. Additionally, in instances where traffic from the closed highway, bridge, or culvert caused damage by using a route other than the selected detour, the Director must maintain this other route (typically a route that local populations found more convenient than the designated detour route) in a passable condition and restore it in the same manner as if it were the selected detour route.

Under prior law, the Director was never required to maintain and restore more than one such additional detour route. Under the act, upon petition from the appropriate local legislative authorities, the Director is required to maintain and restore more than one additional detour route if the Director finds that traffic from the closed highway, bridge, or culvert caused damage to the additional detour routes that are the subject of the petition.

Leased or rented vehicle traffic law violations detected by photo-monitoring devices

(R.C. 4511.092)

Under the act, a motor vehicle leasing dealer or motor vehicle renting dealer (defined by reference to continuing law) who receives a ticket for an alleged traffic law violation detected by a traffic law photo-monitoring device (known generally as a red-light camera) is not liable for a ticket issued for a vehicle that was in the care, custody, or control of a lessee or renter at the time of the alleged violation. A dealer who receives a ticket for such a violation is required to notify whoever issued the ticket of the vehicle lessee's or renter's name and address. However, the act establishes that "in no case shall the dealer pay such a ticket and then attempt to collect a fee or assess the lessee or renter a charge for any payment of such a ticket made on behalf of the lessee or renter."

The act defines "ticket" as "any traffic ticket, citation, summons, or other notice of liability issued in response to an alleged traffic law violation detected by a traffic law photo-monitoring device" and defines "traffic law photo-monitoring device" as "an electronic system consisting of a photographic, video, or electronic

camera and a means of sensing the presence of a motor vehicle that automatically produces photographs, videotape, or digital images of the vehicle or its license plate."

Motor vehicle auctions

(R.C. 4517.021, 4517.21, 4707.02, and 4707.074)

Classic motor vehicle auctions

In general, continuing law requires any person who engages in the business of selling new or used motor vehicles to be licensed as a motor vehicle dealer or salesperson. A person who engages in the business of motor vehicle auctioning must be licensed as a motor vehicle auction owner and a motor vehicle auction owner must use a licensed auctioneer to conduct motor vehicle auctions. The Bureau of Motor Vehicles issues licenses to motor vehicle dealers, salespersons, and motor vehicle auction owners.

An auctioneer, who is licensed by the Ohio Department of Agriculture, is not required to obtain a license from the Bureau of Motor Vehicles as a dealer or salesperson when conducting an auction sale for a licensed motor vehicle dealer on the dealer's premises, or when conducting an auction sale for a licensed motor vehicle auction owner. A licensed auctioneer also is not required to obtain a motor vehicle auction owner's license when engaged in auctioning for a licensed motor vehicle auction owner. (R.C. 4517.02, not in the act.)

The act establishes that the motor vehicle dealer, salesperson, and auction owner licensing provisions of ongoing law do not apply to a person when auctioning classic motor vehicles (26 years old or older), provided all of the following apply:

- (1) The person is responsible for not more than two auctions of classic motor vehicles per year, with no auction lasting more than one day.
- (2) The person requests and receives permission for the auction from the Registrar of Motor Vehicles by filing an application, signed and sworn to by the person, for each proposed auction of classic motor vehicles, at least 30 days before the auction, in a form prescribed by the Registrar. The form must contain all of the following: (a) the person's name and business address, (b) the location of the auction, (c) evidence, sufficient to satisfy the Registrar, that the person does not exclusively sell motor vehicles, and (d) any necessary, reasonable, and relevant information that the Registrar may require to verify compliance.

(3) The person will be auctioning the classic motor vehicle to the general public for the legal owner of the vehicle, which ownership must be evidenced at the time of the auction by a valid certificate of title.

(4) The person keeps a record of the following information for each classic motor vehicle offered for sale at auction, in a manner prescribed by the Registrar: (a) the certificate of title number, county, and state of registration, (b) the year, make, model, and vehicle identification number, (c) the name and address of the person offering the vehicle for sale, (d) the name and address of any vehicle purchaser, (e) the date the vehicle is offered for sale, (f) any purchase price, and (g) the odometer reading at the time of the auction and an odometer statement from the person offering the vehicle for sale at auction that complies with federal odometer provisions.

(5) The person allows reasonable inspection by the Registrar of the person's records relating to each classic motor vehicle auction.

The act requires any person that auctions classic motor vehicles in this manner to use the auction services of an auction firm to conduct the auction. However, the Registrar may not authorize a nonresident with a one-auction license from the Department of Agriculture to offer auction services or act as an auctioneer in regard to an auction of classic motor vehicles.

The Registrar may refuse permission to hold an auction if the Registrar finds that the person has not complied with the requirements for the auction or has made a false statement of a material fact in the application. If a person does not comply with the requirements described above, the person is subject to the motor vehicle dealer, salesperson, and auction owner licensing provisions of continuing law and any sanctions established in law for being in violation of the licensing provisions.

Motor vehicle auction owners auctioning vehicles at a motor vehicle dealer's place of business to anyone

Under ongoing law, the Bureau of Motor Vehicles licenses motor vehicle auction owners to engage in the business of auctioning motor vehicles. A licensed motor vehicle auction owner currently cannot permit the sale of motor vehicles to any person except a licensed motor vehicle dealer and cannot permit the sale of a motor vehicle by any person who is not licensed by the Bureau of Motor Vehicles to engage in businesses related to motor vehicle sales. By rule of the Registrar, auction owners also auction repossessed motor vehicles to the general public (Ohio Administrative Code 4501:1-3-33).

The act allows a motor vehicle auction owner to sell vehicles to a person other than a dealer at a classic motor vehicle auction as described above and,

notwithstanding any contrary provisions of the motor vehicle dealer licensing laws, at an auction at a licensed dealer's place of business (provided such dealer's place of business is not owned, operated, or in any way managed by a motor vehicle auction owner or subsidiary). The act specifies that a licensed auction owner is not required to obtain an additional license for each dealer's premises at which the auction owner is engaging in the business of auctioning motor vehicles, regardless of whether the dealer's premises are located in another county. The auction owner must have a certified copy of the auction owner's license available for inspection when auctioning motor vehicles at a licensed dealer's established place of business.

The act also specifies that a person licensed as a motor vehicle auction owner is exempt from the auction license law only if the motor vehicle auction owner sells motor vehicles exclusively to motor vehicle dealers. If the motor vehicle auction owner sells to the general public at a classic motor vehicle auction or from a motor vehicle dealers location (as described above), the motor vehicle auction owner is not exempt from being licensed under the Auction Law (R.C. Chapter 4707.).

Remedial driving courses

(R.C. 4510.037 and 4510.038)

Under law largely unchanged by the act, an adult may undertake a remedial driving course for several reasons, including being required by a court as a condition for the return of full driving privileges (R.C. 4510.02, not in the act), to reduce the points charged against the person's driving record, or as a condition of being eligible to retain a license in connection with a grant of limited driving privileges or to have driving privileges reinstated. The Director of Public Safety must approve the remedial driving courses.

By rule, the Director has established standards for the operator of an adult remedial driving course that uses technology-based methods for delivery of the remedial driving course curriculum. The rules specify that a technology-based curriculum may be conducted in conjunction with classroom-based instruction or in lieu of classroom-based training. The rule also prohibits the Department of Public Safety from approving technology-based instruction to accomplish juvenile remedial driving instruction. (Ohio Administrative Code § 4501-21-14.)

Under the act, any course of adult remedial driving instruction the Director of Public Safety approves must require its students to attend at least 50% of the course in person. The Director is specifically prohibited from approving any course of remedial driving instruction that permits its students to take more than 50% of the course in any other manner, including via video teleconferencing or the Internet.



Identification verification number for vehicle registration

(R.C. 4503.10; Section 555.06)

Formerly an application for vehicle registration was required to contain the vehicle owner's social security number, if assigned. Under the act, an application may contain, as an alternative to the owner's social security number, the person's driver's license number or state identification number. The act requires the Bureau of Motor Vehicles to implement the new provision by September 1, 2007.

Certification of disability for a removable windshield placard

(R.C. 4503.44)

Under law largely unchanged by the act, a person with a disability that limits or impairs the ability to walk may apply to the Registrar for a removable windshield placard. The application must be accompanied by a prescription from the applicant's physician or chiropractor. The person receives a permanent placard if the disabling condition is expected to last more than six months; a permanent placard generally must be renewed every five years, if the disability continues. If the disabling condition is expected to last six months or less, a temporary placard is issued; a temporary placard cannot be renewed.

The act allows advanced practice nurses, not just physicians and chiropractors, to certify that a person is eligible to be issued a removable windshield disability placard or special disability license plates because the person has a disability that limits or impairs the ability to walk. The act defines "advanced practice nurse" as "any certified nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, or certified nurse-midwife who holds a certificate of authority issued by the board of nursing under Chapter 4723. of the Revised Code." These nurses generally are authorized to prescribe drugs and therapeutic devices.

General aviation license tax

(R.C. 4561.18; Section 545.03)

Under law retained in part by the act, the annual registration tax for all general aviation aircraft based in Ohio is \$15 per seat and the annual tax for a glider or a balloon is \$15. All such tax revenue is deposited into the Airport Assistance Fund.

The act creates an exception to the \$15 per seat registration tax for general aviation aircraft. Under the act, the annual license tax for commercial cargo aircraft is \$750 per aircraft. The act defines "commercial cargo aircraft" as any

aircraft used in connection with an all-cargo operation, as defined in federal law. The act establishes that this rate first applies to the 2007 registration form and associated license tax. A taxpayer is entitled to a refund if the taxpayer has filed the registration for 2007 and paid the tax due for 2007, and the change in the rate under the act results in a reduction of the aircraft license tax due in 2007. The Department of Transportation is required to establish refund procedures. Any person claiming a refund must file with the Department of Transportation on or before December 31, 2007, and the refund must be paid within 90 days.

Transportation improvement district projects

(Section 555.10)

The act authorizes transportation improvement districts (TIDs) and at least two other governmental agencies (including local governments) to enter into an agreement on or before December 31, 2007, providing for the joint financing of any street, highway, interchange, or other transportation project. The agreement must be approved by resolution or ordinance passed by the legislative authority of each of the parties to the agreement, and the resolution or ordinance must authorize the execution of the agreement by a designated official or officials of each of the parties to the agreement. The agreement, when so approved and executed, is in full force and effect.

Any party to the agreement may issue securities to finance the project, and the TID is authorized to purchase those securities as an investment. When a TID purchases securities under this authority, more than half of the property necessary for the joint project must be located within the territory of the TID. The securities represent the governmental agency's obligation to the TID to pay the agency's portion of the joint project's cost.

Maximum lengths for vehicles being operated on public highways

(R.C. 5577.05)

Law generally unchanged by the act establishes the maximum lengths for various types and combinations of vehicles being operated on public highways. The act revises the maximum length permitted for a type of vehicle known as a "saddlemount." A "saddlemount vehicle transporter combination" is defined as "any combination of vehicles in which a straight truck or commercial tractor tows one or more straight trucks or commercial tractors, each connected by a saddle to the frame or fifth wheel of the straight truck or commercial tractor in front of it" (R.C. 5577.01, not in the act). Under prior law drive-away saddlemount vehicle transporter combinations and drive-away saddlemount with fullmount vehicle transporter combinations could not exceed 75 feet in length. Under the act, such vehicles may not exceed 75 feet when operated on any roadway not designated as

an interstate, United States route, or state route. The act establishes 97 feet as the maximum allowable length for such vehicles when operated on any interstate, United States route, or state route, including reasonable access travel on all other roadways for a distance not to exceed one road mile from any interstate, United States route, or state route.

Appropriations for the Division of Homeland Security

(R.C. 5502.03)

In 2003, Am. Sub. H.B. 95, the main operating appropriations act of the 125th General Assembly, created the Division of Homeland Security within the Department of Public Safety. The creation of the Division was accompanied by a statement of legislative intent that the creation of the Division "does not result in an increase of funding appropriated to the department." The act removes this statement of intent. (The act also contains a separate line-item appropriation for the Division of Homeland Security.)

Division of Criminal Justice Services

Uses of the Family Violence Prevention Fund

(R.C. 3705.242)

Under continuing law, an additional fee of \$1.50 is charged for each certified copy of a birth record, certification of birth, and copy of a death record, and an additional fee of \$5.50 is charged for the filing of a divorce decree or decree of dissolution. Up to 3% of any such fee revenue may be retained by any local commissioner of health, local registrar of vital statistics, or court of common pleas that collects it to pay costs directly related to the collection of the fee and forwarding it to the Treasurer of State. The rest of the fee revenue must be forwarded to the Treasurer of State for deposit into the state treasury to the credit of the Family Violence Prevention Fund.

Prior law required the Director of Public Safety to use money credited to the Family Violence Prevention Fund to provide grants to family violence shelters in Ohio. The act requires that the Director also use the money to operate the Division of Criminal Justice Services in the Department of Public Safety, whose duties under continuing law as a criminal justice planning agency include the administration of federal family violence prevention and services funds.

Creation of the Federal Justice Grants Fund

(R.C. 5502.62; Section 550.10)

One of the duties of the Division of Criminal Justice Services under continuing law is to apply for grants that are made available pursuant to federal criminal justice acts, or from other federal sources, to improve the criminal justice system in Ohio. If the terms of such a grant require that the money be credited to an interest-bearing fund or account, prior law required it to be credited to a federal justice programs fund.

The act creates in the state treasury the Federal Justice Grants Fund. It is to be used to receive federal money that is not required to be credited to an interest-bearing fund or account. The money must be used or distributed pursuant to the federal grant programs under which the money is received.

Creation of the Justice Program Services Fund

(R.C. 5502.67; Section 550.20)

The act creates in the state treasury the Justice Program Services Fund. Unless otherwise provided, money collected by the Division of Criminal Justice Services for "nonfederal purposes" is to be credited to the fund; such money includes, both at present and under the act, subscription fees for participating in the Ohio Incident-Based Reporting System. The system is a voluntary crime reporting program in which Ohio law enforcement agencies can submit crime statistics directly to the state and federal governments in an automated format and can, in turn, query the database and obtain crime mapping and other reports from it. Money credited to the Justice Program Services Fund is to be used to pay costs of administering the operations of the Division of Criminal Justice Services.

School bus and motor van driver driving record checks

(R.C. 3327.10)

Background

Ongoing Ohio law establishes a point system for traffic violations. One of the features of this system is that if a licensed driver collects 12 or more points for violations committed within any two-year period, that driver's license is suspended for six months. The system assigns two points, four points, or six points to the various traffic violations. Speeding violations are an example of the two-point variety. Operating a motor vehicle in willful or wanton disregard of the safety of persons or property is an example of a four-point violation. Some examples of six-point violations include aggravated vehicular homicide, vehicular homicide,

vehicular manslaughter, fleeing an officer, OVI (operating a vehicle while under the influence), and any offense that is a felony.

Administrative rules adopted by the Ohio Department of Education (ODE) governing pupil transportation operation and safety establish school bus driver or other school transportation driver qualifications that utilize the driver point system. Under the regulations, an annual driver record check must reveal no more than eight points and no six-point convictions within the last 24 months (as verified by an abstract driver record obtained through the Ohio Bureau of Motor Vehicles) in order for a driver to remain qualified and therefore able to drive a school bus or motor van.¹

The act

The act establishes various new provisions regarding school bus drivers or other school transportation drivers with six-point traffic violations.

School bus or motor van owner duties. The act requires that, not later than 30 days after its effective date, each school bus or motor van owner must obtain from the Ohio Bureau of Motor Vehicles (BMV) the driving record of each of their school bus or motor van drivers for at least the prior seven-year period. An owner is prohibited from allowing a person to operate a school bus or motor van for the first time before obtaining the seven-year driving record. Each year after obtaining a person's seven-year driving record, the owner must obtain from the BMV the person's driving record for at least the prior year if the person remains employed or otherwise authorized to drive the school bus or motor van. If a person has an interruption in driving either kind of vehicle for a year or longer, an owner cannot permit the person to resume operating a school bus or motor van before obtaining from the BMV the person's driving record for at least the period since the owner last obtained the person's driving record or, if the owner had never obtained a seven-year driving record for the person, for at least the prior seven-year period.

The act also prohibits an owner from permitting a person to operate a school bus or motor van for seven years after the date of a violation for which six points are assessed under the traffic violation point system.

Voluntary imposition of more stringent standards. The act provides that a person, school district, educational service center, community school, nonpublic

¹ The Ohio Bureau of Motor Vehicles maintains records of abstracts of convictions from the various courts with jurisdiction in Ohio relating to the operation of motor vehicles. It is from these abstracts that the annual driver check is made. R.C. 4510.036--not in the act.

school, or other public or nonpublic entity that owns a school bus or motor van, or that contracts with another entity to operate a school bus or motor van, may impose more stringent restrictions on drivers than those prescribed above, in any other section of the Revised Code, and in any ODE rules.

Superseding ODE rules. The act provides that its provisions governing the seven-year driving record check and the prohibition regarding driving less than seven years after a six-point traffic violation supersede only the requirements of the ODE driver qualification rules described above that school bus drivers have no six-point violations during the prior 24 months. All other rules adopted by ODE prescribing qualifications of drivers of school buses and other student transportation, including the requirement that drivers not have been assessed eight points within the previous 24 months, remain in effect until amended or rescinded by ODE.

Pupil transportation to community schools (VETOED)

(R.C. 3314.091)

Background

Under existing law, the board of education of each city, local, or exempted village school district may enter into an agreement with a community school's governing authority designating the community school as being responsible for the transportation to and from the community school, free of charge, of each of its enrolled students who is eligible for transportation under Ohio law and whom the district otherwise would be required to transport (or make payment in lieu of transportation). If such an agreement is made, the Ohio Department of Education (ODE) must annually pay the community school for each of the enrolled students for whom the community school provides or arranges transportation in accordance with the agreement. The payment is taken from the school district's state aid payments. Payment will be made under an agreement only for eligible students for whom transportation to and from school is actually provided or arranged or for whom a payment in lieu of transportation is made by the community school. Payments made to the community school must be used only for providing or arranging for transportation of eligible students.

The act

The Governor vetoed a provision that, in addition to permitting school districts to make agreements that arrange for community schools to be responsible for transporting the district's eligible students to and from the community school, would have permitted the community school to decide unilaterally to accept responsibility for providing or arranging for the transportation of the district's students to and from the community school. The governing authority of the

community school would have been required to submit written notification to the school district board of education stating the acceptance of the transportation responsibility by a date prescribed by ODE. The acceptance would have been required to cover an entire school year and to remain in effect for subsequent school years unless the governing authority submitted written notification to the district board relinquishing the responsibility. A governing authority, however, would not have been permitted to relinquish the transportation responsibility before the end of a school year and would have been required to submit the notice of relinquishment by a date prescribed by ODE to allow the school district reasonable time to prepare transportation for its students enrolled in the community school. Additionally, if the governing authority of a community school unilaterally accepted the transportation responsibility, it would have been required to provide or arrange for transportation in a manner that was comparable to the transportation that the school district provides or arranges for its students of the same grade level and distance from school who are entitled to attend school in the district's schools.

The vetoed provision also would have provided a new method for determining the payments to be made to a community school that accepted the transportation responsibility. The vetoed provision would have required ODE to make payments to the community school for each student actually transported (1) calculated pursuant to existing law governing the calculation of transportation payments to school districts from the state and any ODE implementing rules for those payment calculations and that (2) otherwise would have been paid to the school district the student was entitled to attend. The payment made to the community school would have been deducted from the school district's state aid payments.

As mentioned above, current law requires a community school that enters into a transportation agreement with a district to provide it free of charge to its students who are eligible for free transportation under the law. The vetoed provision would have required a community school that entered into such an agreement or unilaterally accepted responsibility for transportation to provide it free not only to each of its students required to be transported by law, but also to its students who would otherwise be transported by the school district under the district's transportation policy. The vetoed provision also would have provided that a community school be paid only for students who actually utilize transportation arranged for, in addition to those whose transportation was actually provided or for whom a payment in lieu of transportation was made by the community school.

School zone at the location of a special elementary school

(R.C. 4511.21)

Law unchanged by the act prescribes a speed limit of 20 m.p.h. in a school zone during school recess and while children are going to or leaving school during the opening or closing hours and when 20 m.p.h. school speed limit signs are erected. "School zone" means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway, and also includes that portion of a state highway. The end of every school zone may be marked by a sign, but a school zone is not required to be indicated by signs equipped with flashing or other lights or signs that give special notice of the hours during which the 20 m.p.h. speed limit applies. A school that wishes to have a school zone created at its location must request the jurisdiction in which it is located to do so.² The Director of Transportation, upon request from local authorities for streets and highways under their jurisdiction, may extend the traditional school zone boundaries.

Under the act, a "special elementary school" may submit a written request to the county engineer of the county in which the special elementary school is located for the creation of a school zone at the school's location. Upon receipt of the request, the county engineer must create a school zone at that location by erecting the appropriate signs. The act permits a county engineer to request the Director for extended school zone boundaries for any such school zone.

The act defines a "special elementary school" as a school that meets all of the following criteria:

- (1) It is not chartered and does not receive tax revenue from any source;
- (2) It does not educate children beyond the eighth grade;
- (3) It is located outside the limits of a municipal corporation;
- (4) A majority of the total number of students enrolled at the school are not related by blood;

² Under law unchanged by the act, "school" means any school chartered by the State Board of Education and any nonchartered school that during the preceding year filed with the Department of Education a copy of the school's report for the parents of the school's pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone. This report is required by section 3301-35-08 of the Ohio Administrative Code.

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

Schools operated by the Amish generally fit the profile of a "special elementary school" as established by the act.

Property owner immunity for recreational four-wheel drive motor vehicle operation on privately owned or leased property

(R.C. 1533.18)

Ongoing law establishes that no owner, lessee, or occupant of premises (1) owes any duty to a recreational user to keep the premises safe for entry or use, (2) extends any assurance to a recreational user that the premises are safe for entry or use, or (3) assumes responsibility for or incurs liability for any injury to person or property caused by any act of a recreational user (R.C. 1533.181, not in the act). For purposes of this immunity from liability, "premises" generally are privately owned or leased property and a "recreational user" includes a person to whom permission has been granted, without charge, to enter upon premises to hunt, fish, trap, camp, hike, swim, operate a snowmobile or all-purpose vehicle, or engage in other recreational pursuits. Under the act, a recreational user also includes a person who operates a four-wheel drive motor vehicle on the property, with permission, and without paying a charge.

Rules for engine brakes on the Ohio Turnpike

(R.C. 5537.16)

Ongoing law allows the Ohio Turnpike Commission to adopt rules as it considers advisable for the control and regulation of traffic on any turnpike project. The rules of the Commission with respect to speed, axle loads, vehicle loads, and vehicle dimensions apply notwithstanding such violations established under general traffic law provisions. Violations of Commission rules are a minor misdemeanor on a first offense, and subsequent offenses are a fourth degree misdemeanor.

The act authorizes the Commission to adopt traffic rules on the turnpike with respect to the use of special engine brakes (commonly known by the trade name "Jake" brakes).

Port authority law enforcement

(R.C. 737.04 and 737.041)

Under laws unchanged by the act, the legislative authority of any municipal corporation may enter into contracts with one or more municipal corporations, townships, township police districts, county sheriffs, or park districts, or with a contiguous municipal corporation in an adjoining state, for police services and equipment or for the interchange of police services and equipment. The act adds port authorities to the list of entities with which municipal corporations are permitted to have these contracts.

Inversely, under ongoing law, the police department of any municipal corporation may provide police protection without a contract to any county, municipal corporation, township, township police district, or park district, or to a governmental entity of an adjoining state, so long as the extension of police protection is approved by the legislative authority of the municipal corporation and by an officer or employee of the police department. The act adds port authorities to the list of entities to which a municipal police department may provide police protection without a contract subject to the described conditions.

Motor fuel quality testing program

(R.C. 1327.70)

The act authorizes the Director of Agriculture to establish a motor fuel quality testing program in rules adopted in accordance with the Administrative Procedure Act. The testing program must be uniform throughout the state. The act defines "motor fuel" as meaning gasoline or diesel fuel that is sold by a retailer.

Watercraft trailer brake requirements

(R.C. 4513.20)

Under law retained by the act, most trailers above a certain weight must be equipped with brakes adequate to control the movement of the trailer and to stop and to hold the trailer. The brakes must be designed to be applied by the driver of the towing motor vehicle from its cab, and also designed and connected so that, in case of a breakaway of the towed vehicle, the brakes are automatically applied.

Under the act, every watercraft trailer with a gross weight or manufacturer's gross vehicle weight rating of 3,000 pounds or more that is manufactured or assembled on or after January 1, 2008, must have separate brakes equipped with hydraulic surge or electrically operated brakes on two wheels.



Ohio Turnpike Commission noise mitigation pilot program

(Section 315.10)

The act requires the Ohio Turnpike Commission to perform a study of noise impact mitigation methods or techniques that may be used as an alternative to traditional sound barriers on the turnpike project. The study must examine the viability of alternative noise impact mitigation methods or techniques that may be installed to alleviate traffic noise that is in excess of the criteria contained in the Ohio Department of Transportation's "Standard Procedures for the Analysis and Abatement of Highway Traffic Noise." After completing the study, but before June 30, 2008, the Ohio Turnpike Commission must commence a pilot program utilizing one or more alternative noise impact mitigation methods or techniques examined in the study, and must submit a report containing the results of the pilot program and projected costs of further implementation to the Turnpike Legislative Review Committee not later than December 30, 2008.

The act also creates the Community Resolution Fund as a limited-life custodial fund of the Treasurer of State. The act requires the Treasurer of State to transfer \$250,000 annually from the Highway Operating Fund to the Community Resolution Fund on or soon after July 1, 2007 and 2008 and to pay \$250,000 from the fund early in fiscal year 2008 and again early in fiscal year 2009 to the Ohio Turnpike Commission, which must use the money for the study and pilot program. After the fiscal year 2009 payment of \$250,000 is made to the Ohio Turnpike Commission, the Community Resolution Fund is abolished, and the Treasurer of State must transfer any cash balance that remains credited to that fund to the Highway Operating Fund.

Transportation of loads or two or three steel coils

(Section 555.07)

Continuing law establishes limits on the gross weight of vehicles that may travel over the improved streets, alleys, highways, bridges, and culverts of the state. At the same time, it allows the Director of Transportation and local authorities to issue special permits for the movement or operation of a vehicle or combination of vehicles on state and local highways that are in excess of the statutory maximum weight or size limits.

An uncodified law effective through June 30, 2007 specifies that three or fewer steel coils transported by vehicle are deemed to be a nondivisible load for purposes of the special permits granted by the Director of Transportation or a local authority so long as a vehicle and its load does not exceed 92,000 pounds. The act extends this uncodified law through June 30, 2007.

Ohio Transportation Task Force membership

(Sections 401.05 and 401.06)

Am. Sub. H.B. 530 of the 126th General Assembly created the Ohio Transportation Task Force to evaluate the safe and efficient movement of freight within the state during the next two decades and produce a report not later than December 15, 2007. The Task Force consists of 24 members, including three members of the House of Representatives; three members of the Senate; the Directors of Development, Public Safety, and Transportation or their designees; the Superintendent of the State Highway Patrol or the Superintendent's designee; nine members appointed jointly by the Speaker of the House of Representatives and the President of the Senate, with each such member being selected from a list of three individuals with the Ohio Aggregates Association, the Ohio Coal Association, the Ohio Farm Bureau, the Ohio Trucking Association, the County Engineers Association of Ohio, the Ohio Municipal League, the Ohio Township Association, the Ohio Association of Regional Councils, and the Ohio Manufacturers' Association, each submitting such a list to the Speaker and the President for their consideration; three additional members appointed jointly by the Speaker and the President, with one member representing the industry that transports freight by air, one member representing the industry that transports freight by water, and one member representing the industry that transports freight by rail; and two who represent the general public, appointed by the Speaker and the President.

The act adds an additional member from the Ohio Contractors Association jointly appointed by the Speaker of the House of Representatives and the President of the Senate from a list of three individuals submitted by the Association and specifies that the member from the Ohio Contractors Association must be appointed within 60 days of the act's effective date.

State Highway Patrol Funding Task Force

(Section 555.17)

The act creates the State Highway Patrol Funding Task Force and requires the Task Force to study the method of funding the State Highway Patrol and issue a report of its findings to the General Assembly and the Governor by July 1, 2008. The Governor must appoint the members of the Task Force. The Task Force must include in the report a recommendation for a dedicated and stable long-term funding source for the State Highway Patrol. Upon issuing its report, the Task Force ceases to exist.

Lawrence County land conveyance

(Section 571.10)

The act authorizes the South Point Board of Education to execute a deed conveying to the Superintendent of the State Highway Patrol all of the Board's right, title, and interest in certain real estate located in Lawrence County. The consideration for the conveyance is the mutual benefit accruing to the state and the South Point Board of Education from the State Highway Patrol's construction of a new patrol post on the real estate.

The act specifies the procedures for the preparation, execution, and recording of the deed to the real estate. The deed must state the consideration mentioned above. Authority for the sale expires five years after its effective date.

HISTORY

ACTION	DATE
Introduced	02-22-07
Reported, H. Finance & Appropriations	03-12-07
Passed House (98-0)	03-13-07
Reported, S. Highways & Transportation	03-27-07
Passed Senate (33-0)	03-27-07
House refused to concur in Senate amendments (43-55)	03-27-07
Senate requested conference committee	03-27-07
House acceded to request for conference committee	03-27-07
House agreed to conference committee report (97-0)	03-28-07
Senate agreed to conference committee report (33-0)	03-28-07

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