Ohio Legislative Service Commission

Bill Analysis

Joseph G. Aninao

H.B. 40

129th General Assembly
(As Introduced)

Reps. Damschroder, Murray, Sears, Boose, Amstutz, Slaby, Blessing, Gardner, Roegner, Stebelton, Blair, Brenner, Ruhl

BILL SUMMARY

- Makes the Ohio Turnpike Commission responsible for the major maintenance and repair and replacement of grade separations at intersections of any turnpike project with county and township roads.
- Makes the board of county commissioners or the board of township trustees, as the case may be, responsible for routine maintenance of such a grade separation.

CONTENT AND OPERATION

Major maintenance and repair and replacement at grade separations of the Ohio Turnpike and county and township roads

It appears that the responsibility for maintaining and repairing those portions of public roads that lead up to and pass over the Ohio Turnpike resides with the public entity that has jurisdiction over the public road, whether it be the state, a board of county commissioners, or a board of township trustees. It also appears that, on a number of occasions, the Ohio Turnpike Commission previously has paid such costs.

The bill specifically makes the Ohio Turnpike Commission responsible for the major maintenance and repair and replacement of grade separations at intersections of any turnpike project with county and township roads. The board of county commissioners or the board of township trustees, as the case may be, is responsible for routine maintenance of such grade separations.[1]

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[1] R.C. 5537.051(A).

Under the bill:

(1) "Major maintenance and repair and replacement" relates to all elements constructed as part of or required for a grade separation, including box culverts, bridges, pile, foundations, substructures, abutments, piers, superstructures, approach slabs, slopes, approaches, embankments, railing, guardrails, drainage facilities including headwalls, and underdrains, inlets, catch basins and grates, fences, and appurtenances. Major maintenance and repair includes the painting and the repair of deteriorated or damaged elements to restore the structural integrity of any grade separation including embankments.[2]

(2) "Routine maintenance" includes, without limitation, clearing debris, sweeping, snow and ice removal, wearing surface improvements, marking for traffic control, minor and emergency repairs to railing and appurtenances, and emergency patching.[3]

HISTORY

ACTION	DATE
Introduced	01-20-11

H0040-I-129/jc

[2] R.C. 5537.051(B)(1).

[3] R.C. 5537.051(B)(2).