



Ohio Legislative Service Commission

Bill Analysis

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Sub. S.B. 187*

129th General Assembly

(As Reported by H. Transportation, Public Safety and Homeland Security)

Sens. Grendell, Patton, LaRose, Coley, Jordan, Lehner, Wilson, Turner, Schiavoni, Beagle, Brown, Cafaro, Daniels, Faber, Hite, Hughes, Jones, Manning, Obhof, Oelslager, Sawyer, Schaffer, Seitz, Skindell, Stewart, Tavares, Wagoner, Widener

BILL SUMMARY

- Designates a portion of United States Route 322 within Geauga County only as the "Chief Warrant Officer Christopher R. Thibodeau Memorial Highway."
- Designates part of Interstate 71 within southern Franklin County as the "Deputy Marty Martin Memorial Highway."
- Modifies the designation of part of Interstate 77 in Stark County from the "Heath Warner Memorial Highway" to the "U.S.M.C. Pvt. Heath Warner Memorial Highway."
- Imposes a penalty if any such truck or a unit of farm machinery, a farm truck, or a truck hauling logs, coal, or solid waste that is operated in accordance with certain specified requirements exceeds the wheel or axle-load limits of current law by more than 7.5%.
- Allows a truck hauling minerals, hot mix asphalt, concrete, lawn products, or wood products in accordance with certain specified requirements to exceed the gross vehicle weight provisions of current law by 7.5%, rather than 5.0%, before a penalty is imposed.
- Declares an emergency.

* This analysis was prepared before the report of the House Transportation, Public Safety and Homeland Security Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

CONTENT AND OPERATION

Memorial highways

The bill designates three memorial highways and in each case authorizes the Director of Transportation to erect suitable markers along the designated portion of the highway indicating the assigned name.

The bill designates part of United States Route 322, commencing at the boundary of Cuyahoga and Geauga counties and proceeding in an easterly direction to Caves Road within the community of Chesterland in Geauga County, as the "Chief Warrant Officer Christopher R. Thibodeau Memorial Highway."¹ Chief Warrant Officer Christopher R. Thibodeau was killed in Afghanistan on May 26, 2011.

The bill designates part of Interstate 71, running in a northerly and southerly direction within southern Franklin County, between the intersection of that highway and Interstate 270 and the intersection of that highway and Stringtown Road, as the "Deputy Marty Martin Memorial Highway."² Franklin County Deputy Sheriff Marty Martin was killed in an automobile accident while on duty on September 6, 2008.

The bill revises the designation of the part of Interstate 77 in Stark County from the "Heath Warner Memorial Highway" to the "U.S.M.C. Pvt. Heath Warner Memorial Highway."³ Private Heath Warner was killed in Iraq on November 22, 2006.

Weight provisions for farm machinery, farm trucks, and trucks hauling logs, coal, and solid waste

The bill provides that if a unit of farm machinery, a farm truck, or a truck hauling logs, coal, or solid waste is operated in accordance with certain specified requirements and does not exceed by more than 7.5% the gross vehicle weight provisions of current law and does not exceed the existing wheel or axle-load limits by more than 7.5%, no penalty prescribed in current law for wheel or axle overload may be imposed. This is a change from existing law, which provides that if such a vehicle is operated in accordance with the specified requirements and does not exceed by more than 7.5% the

¹ R.C. 5533.622.

² R.C. 5533.623.

³ R.C. 5533.374.

gross vehicle weight provisions of current law, no wheel or axle-load limits apply and no penalty for wheel or axle overload may be imposed.⁴

The bill does not substantively change the provision of current law that provides that if such a vehicle exceeds the existing gross vehicle weight limit by more than 7.5% both the prescribed criminal and civil penalties apply.⁵

Weight provisions for trucks hauling minerals, hot mix asphalt, concrete, lawn products, or wood products

The bill provides that if a truck hauling minerals, hot mix asphalt, concrete, lawn products (manure, turf, sod, or silage), or wood products (chips, sawdust, mulch, bark, pulpwood, biomass, or firewood) is operated in accordance with certain specified requirements and does not exceed by more than 7.5% the gross vehicle weight provisions of current law and does not exceed the existing wheel or axle-load limits by more than 7.5%, no penalty prescribed in current law for wheel or axle overload may be imposed.⁶ This is a change from existing law, which provides that if such a vehicle is operated in accordance with the specified requirements and does not exceed by more than 5.0% the gross vehicle weight and load limits prescribed in current law no wheel or axle-load limits apply and no penalty for wheel or axle overload may be imposed.

The bill makes a corresponding change to the provision of current law that provides that if such a vehicle exceeds any of the existing weight or load limits by more than 5.0% both the prescribed criminal and civil penalties apply by increasing the 5.0% limit to 7.5%.⁷

HISTORY

ACTION	DATE
Introduced	06-14-11
Reported, S. Highways & Transportation	06-22-11
Passed Senate (33-0)	06-22-11
Reported, H. Transportation, Public Safety & Homeland Security	---

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⁴ R.C. 5577.042(B)(2).

⁵ R.C. 5577.042(C).

⁶ R.C. 5577.043(B).

⁷ R.C. 5577.043(C).