
DEPARTMENT OF TRANSPORTATION

- Modifies the penalties that must be imposed in a civil action against a towing service or storage facility by limiting the consideration of prior violations to a one-year look back period.
- Modifies the prohibition against failure to display the certificate of public convenience and necessity number and business telephone number on the front doors of a towing vehicle to instead prohibit the failure to display that information on the sides of a towing vehicle.
- Creates the Airport Improvement Fund, and requires that the Director of Transportation distribute money in the Fund to provide matching funds, loans, and grants for aviation infrastructure and economic development projects.
- Requires the Director to prepare draft legislation that would direct that all revenue from the sales and use tax on aviation fuel be used for aviation infrastructure and economic development projects.
- Requires the Joint Legislative Task Force on Department of Transportation Issues to study the cost and feasibility of establishing a limited driving privilege license.
- Extends the deadline for the report that the Maritime Port Funding Study Committee must issue from January 1, 2015, to January 1, 2016.

Towing Law changes

(R.C. 4513.611 and 4513.67)

The bill modifies the penalties that must be awarded to a vehicle owner in a civil action against a towing service or storage facility for a violation of specified provisions of the Towing Law by limiting the consideration of prior violations to a one-year look back period. Under current law, if a court determines in such a civil action that a towing service or storage facility has committed a violation, the penalty that must be imposed upon the towing service or storage facility is based on the number of prior violations the towing service or storage facility has committed. The court must award the vehicle owner \$1,000 for a first violation, \$2,500 for a second violation, and \$2,500 for a third violation. Current law does not specify any look back period. However, under current law unchanged by the bill, upon the expiration of a six-month revocation of a towing service or storage facility's certificate of public convenience and necessity due to a third violation, a court is prohibited from considering violations committed prior to the



revocation for purposes of any civil action initiated after the expiration of the certificate revocation.

The bill also modifies a prohibition related to the failure to display specified information on a towing vehicle. Current law prohibits a person from operating a towing vehicle unless the certificate of public convenience and necessity number issued by the PUCO and business telephone number are visibly displayed on the left and right front doors of the towing vehicle. Additionally, current law prohibits any person who owns a towing vehicle used by a towing service, or any person with supervisory responsibility over a towing vehicle used by a towing service, from permitting the operation of a towing vehicle that does not comply with that display requirement. The bill modifies the display requirement to instead require the certificate number and business telephone number to be displayed on both the left and right sides of the towing vehicle.

Funding for airport improvements

(Sections 399.15 and 757.60)

The bill establishes, in uncodified law, the Airport Improvement Fund, to be administered by the Director of Transportation. Money appropriated to the Fund in the upcoming biennium must be used to:

(1) Provide matching funds for federal grants and funding under the Federal Aviation Administration's (FAA) Airport Improvement Program, or similar federal programs;

(2) Provide loans and grants for airport capital improvements, which may include infrastructure projects, safety projects, and the development and implementation of the FAA's "NextGen" programs and unmanned aerial systems technologies;

(3) Provide loans and grants for job creation projects, which may involve cooperation between airports and state and local economic development agencies.

The bill requires the Director to adopt rules for the distribution of money from the Fund. Before the Director may submit the rules to the Joint Committee on Agency Rule Review (JCARR), the Director must first submit, by October 1, 2015, the rules to the Ohio Aerospace and Aviation Technology Committee (OAATC).

The bill further requires the Director to prepare draft legislation that would direct that all revenue from the sales and use tax on aviation fuel be used for the same



purposes for which the Airport Improvement Fund is established.¹⁸⁴ The Director must submit the draft legislation to the OAATC by June 30, 2016.

Study regarding limited driving privilege license

(Sections 610.01 and 610.02)

The bill requires the Joint Legislative Task Force on Department of Transportation Issues, created in H.B. 53 of the 131st General Assembly, to study the cost and feasibility of establishing a limited driving privilege license. Specifically, the Task Force must consider the creation of a license that contains embedded information, accessible only to law enforcement officers, specifying the period during which the license holder may exercise limited driving privileges and the purposes for which those privileges are granted. The Task Force must consider the issuance of such a license to any person to whom one of the following applies:

(1) The person has been granted limited driving privileges during the suspension of the person's license;

(2) The person has been granted driving privileges while complying with a Bureau of Motor Vehicles fee installment plan to pay the person's reinstatement fees after the person's license suspension has ended; or

(3) A court has granted the person occupational or family necessity operating privileges to enable the person to acquire delinquent reinstatement fees.

Report of the Maritime Port Funding Study Committee

(Sections 610.14 and 610.15)

The bill extends the deadline for the Maritime Port Funding Study Committee report from January 1, 2015, to January 1, 2016. The Committee was created in 2014 by H.B. 483 of the 130th General Assembly to study alternative funding mechanisms for Ohio maritime ports that may be utilized beginning in fiscal year 2016-2017.

¹⁸⁴ Currently, sales of aviation fuel are subject to the sales and use tax, unless the sale is made to an entity that holds a "certificate of public convenience and necessity" issued by the U.S. Department of Transportation (e.g., a major air carrier). R.C. 5739.01(P) and 5739.02(B)(42)(a).

