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## DEPARTMENT OF TRANSPORTATION

- Requires a P-3 agreement to contain a contract performance bond and a payment bond only if the P-3 agreement contains a construction services component, rather than in all cases as under current law.
- Requires a contract performance bond or payment bond, for purposes of a P-3 agreement, to be executed by a surety authorized by the Department of Insurance to write surety bonds.
- Removes a provision of current law that requires a contract performance bond or payment bond under a P-3 agreement to be in conformance with any terms or conditions specified by the Director 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 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.
- Requires the Director of Transportation to relocate a traffic light in Clinton County that is currently located at the intersection of the off ramp of the northeast bound lanes of I-71 and S.R. 73 to the intersection of S.R. 73 and S.R. 380.

### **Quarterly report by ODOT on MBE/EDGE compliance**

- Requires ODOT to submit a quarterly report on Minority Business Enterprise (MBE)/Encouraging Diversity, Growth and Equity (EDGE) compliance to the majority and minority leaders of the General Assembly and the Governor to reaffirm compliance with federal and state mandates.



## **Contents of a public private (P-3) agreement**

(R.C. 5501.73)

The bill modifies the required contents of a P-3 agreement related to contract performance and payment bonds. Under current law, among other requirements, a P-3 agreement must provide for both of the following:

(1) A contract performance bond in an amount specified by the Director of Transportation, conditioned upon the private entity performing the work in accordance with the agreed upon terms, within the time prescribed, and in conformance with any other such terms and conditions as are specified by the Director; and

(2) A payment bond in an amount specified by the Director, conditioned upon the payment for all labor, work performed, and materials furnished in connection with the agreement and any other such terms and conditions as are specified by the Director.

The bill specifies that those requirements only apply if the P-3 agreement contains a construction services component. For purposes of the bill, "construction services" means design-build, construction, reconstruction, replacement, improvement, or repair services. The bill also requires such a bond to be executed by a surety authorized by the Department of Insurance to write surety bonds and eliminates language that requires such bonds to conform with any other terms and conditions specified by the Director of Transportation.

## **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**

(Section 399.15)

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).

### **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.

### **Traffic light relocation**

(Section 745.20)

The bill requires the Director of Transportation to relocate a traffic light in Clinton County that is currently located at the intersection of the off ramp of the northeast bound lanes of I-71 and S.R. 73 to the intersection of S.R. 73 and S.R. 380.

### **Quarterly report by ODOT on MBE/EDGE compliance**

(Section 745.30)

The bill requires ODOT to submit a quarterly report on Minority Business Enterprise (MBE)/Encouraging Diversity, Growth and Equity (EDGE) compliance to the majority and minority leaders of the General Assembly and the Governor to reaffirm compliance with federal and state mandates.