

As Introduced

As Passed by the House

As Passed by the Senate

1 Subject: H.B. 512 Effective Date

No provision.

No provision.

Section: 24

Moves effective date of Am. Sub. H.B. 512 of the 124th General Assembly from April 3, 2003, to July 1, 2003. The act regulates bingo.

Fiscal Effect: Minimal.

As Introduced

As Passed by the House

As Passed by the Senate

2

Subject: Roadwork Development Fund**Section: 9.0**

Provides a total of \$25,399,800 during the biennium for road improvements associated with economic development opportunities that will retain or attract business for Ohio. Moneys in the Roadwork Development Fund may be used in conjunction with appropriation item 195-412, Business Development, or any other state funds appropriated for infrastructure improvements.

Fiscal Effect: Local governments may receive additional revenues for road improvements.

Section: 14.0

No change.

Section: 14

No change.

3

Subject: Transportation Improvement Districts

No provision.

Section: 14.0

Earmarks \$250,00 in each fiscal year from appropriation item 195-629, Roadwork Development, for each of the transportation improvement districts in Butler, Hamilton, Medina, and Stark counties.

Section: 14

Adds Lorain and Montgomery counties to the list of transportation improvement districts (TIDs) that shall each receive \$250,000 from appropriation item 195-629, Roadwork Development, in each fiscal year of the biennium. The provision also notwithstanding section 5540.151 of the Revised Code to permit more than five TIDs to receive funding through this line item.

As Introduced

As Passed by the House

As Passed by the Senate

4 Subject: E-Check Five-Year Exemption

No provision.

R.C. 3704.14 and 4503.86

Expands the new vehicle exemption under the motor vehicle inspection and maintenance program to five years, regardless of whether legal title to the motor vehicle is transferred during that five year period. Also, it assesses a 50-cent per day rental car tax.

Fiscal Effect: Estimated \$25 million potential increased expenditure from General Revenue Fund (\$10 million in both FY 2004 and FY 2005; \$5 million in FY 2006), due to provisions of state's contract with Envirotest. Estimated revenue losses to Fund 602 (Motor Vehicle Inspection and Maintenance) of \$380,000 in FY 2004, \$310,000 in FY 2005, and \$155,000 in FY 2006 because of loss of EPA's portion of the testing fee. Estimated increase in revenue of approximately \$9.6 million annually, due to the 50-cent per day rental car tax.

Removes the House provisions. Specifies that EPA must develop procedures to test motor vehicles that are registered biennially.

Fiscal Effect: Minimal.

5 Subject: E-Check Contracts

No provision.

R.C. 3704.143

Clarifies the provision that prohibits the Director of Administrative Services or Director of Environmental Protection from entering into new contracts or extending existing contracts that would expand the E-check program to any new counties.

R.C. 3704.143

Same as House, except that any new contracts for vehicle emissions testing must exempt vehicles for their first five years, regardless of whether legal title to the motor vehicle is transferred during that five-year period.

Fiscal Effect: None.

As Introduced

As Passed by the House

As Passed by the Senate

6 Subject: State Forest Cleanup

No provision.

No provision.

Sections: 16 ,17

Allows the Department of Natural Resources to clear damaged timber in southern Ohio, increases the FY 2003 Fund 509 appropriation for 725-602, State Forest, by \$1,000,000, and earmarks \$285,000 of that money for use by the Civilian Conservation Corps' Camp Riffe facility to aide in forestry cleanup and road clearing. Also states that this is the final state assistance to the Civilian Conservation Corps' Camp Riffe facility.

7 Subject: Local Parks Projects

No provision.

Section: 25

Changes earmark of \$12,500 in current capital appropriations, from Big Prairie/Lakeville Park Improvements, to Berlin Township Park Improvements. This earmark was contained in Am. Sub. H.B. 524 of the 124th General Assembly.

Sections: 19 ,20

No change.

As Introduced

As Passed by the House

As Passed by the Senate

8 Subject: Biennial Renewal of Vehicle Registration

No provision.

R.C. 3704.14, 4503.103, and 4503.11

Allows owners of certain vehicles to register their motor vehicles on a biennial basis.

Fiscal Effect: Increase in expenditures of approximately \$500,000 to initiate the program. Potential decrease in postage costs in following years.

R.C. 3704.14, 4503.103, and 4503.11

Same as the House, except it removes a requirement that persons biennially registering pay a double service fee to deputy registrar, excludes commercial vehicles used solely in intrastate commerce, and a clarifies the law to allow individuals to register their motor vehicles on a multiyear basis.

Fiscal Effect: Same as the House.

9 Subject: State Highway Patrol Fund

No provision.

R.C. 4501.061

Creates the State Highway Patrol Fund and requires the additional fees levied in other provisions of the bill to be deposited into this fund for the purposes of defraying the costs associated with the administration and enforcement of the motor vehicle and traffic laws by the State Highway Patrol.

Fiscal Effect: None.

No provision.

10 Subject: Public Safety Investigative Unit Salvage and Exchange Fund

R.C. 4501.10

Creates the Public Safety Investigative Unit Salvage and Exchange Fund.

Fiscal Effect: Currently, any salvage revenue generated by the Department of Public Safety Investigative Unit is deposited into the Liquor Control Fund. This money goes to the Department of Commerce. Under the bill, revenues would go to the Public Safety Investigative Unit Salvage and Exchange Fund instead of the Liquor Control Fund. The Governor's recommended budget includes \$120,000 of

R.C. 4501.10

No change.

R.C. 4501.10

No change.

As Introduced

As Passed by the House

As Passed by the Senate

the Department of Public Safety incurs in administering and enforcing motor vehicle and traffic laws of Ohio.

Fiscal Effect: The fee increases will generate an additional \$132.75 million in FY 2004 and an additional \$177 million in each fiscal year thereafter. The driver's license fee increase will generate \$16 million annually, the registration fee increase will generate \$60 million annually, and the titling fee increase will generate \$101 million annually.

additional \$5 fee for the issuance of a temporary license placard.

Fiscal Effect: The combined effect will result in an additional \$180.5 million in revenue over current law (which is \$3.5 million more in revenue than the As Introduced version).

Clarifies that fee increases are effective for all registrations that expire after October 1, 2003, no matter when the registration renewal is actually sought.

Fiscal effect: The provision will result in \$181 million annual revenue above current law.

14 Subject: Quarterly Registration Periods

No provision.

R.C. 4503.101

Requires the Registrar of Motor Vehicles to adopt rules that will reassign commercial motor vehicle and rental car fleets to registration expiration dates beginning in 2004 that will evenly spread out the number of expirations each quarter of the year. Also requires that the additional \$8 fee established by the bill for vehicle registrations be charged in full for each registration renewal of a vehicle during the transition period.

Fiscal Effect: The provision will result in additional revenue for purposes of supporting the State Highway Patrol, by requiring owners of large vehicle fleets to pay the additional \$8 fee on certain vehicles more than once during the year of 2004.

R.C. 4503.101

Same as the House, with clarification that only commercial motor vehicle owners or motor vehicle renting dealers may stagger registration up to four different groups.

Fiscal Effect: Same as the House.

15 Subject: Boat Trailer Military Exemptions**R.C. 4503.173**

Eliminates the General Revenue Fund reimbursement to the State Highway Safety Fund and Auto Registration Distribution Fund for the amount of revenue lost because boat trailers owned by disabled veterans and prisoners of war are exempt from registration taxes and fees.

R.C. 4503.173

No change.

R.C. 4503.173

No change.

As Introduced

As Passed by the House

As Passed by the Senate

Fiscal Effect: Minimal savings to the GRF and minimal loss to the other funds.

16 Subject: Single License Plate

No provision.

R.C. 4503.181, 4503.19, 4503.21, 4503.23, 4549.10, 4503.19, 4503.21, and 4549.10

Requires that motor vehicles carry only one license plate and prohibits covering the face of the license plate with any transparent or nontransparent material.

No provision.

Fiscal Effect: Potential reduction in expenditures due to need to produce only one license plate per car, and potential increase in revenues due to the increased ability for radar guns to detect the speed of a car when a license plate is uncovered.

17 Subject: Temporary License Placard Service Fees

No provision.

R.C. 4503.182

Reduces the fees (by \$3.25 in 2003 and \$3.50 in 2004) that the Registrar charges motor vehicle dealers when they issue temporary license placards, if the dealer notifies the Registrar of the issuance of the placards by electronic means.

No provision.

Fiscal Effect: The Registrar would experience a decrease in revenue, the amount dependent on the number of dealers that notify the Registrar by electronic means. In the last year, the Registrar collected approximately \$4 million from the fees reduced by this provision.

18 Subject: Special Reserved License Plate Numbers

No provision.

No provision.

R.C. 4503.40 and 4503.42

Requires revenue from special license plates currently deposited in the highway operating fund to instead be

As Introduced

As Passed by the House

As Passed by the Senate

19 Subject: Motorcycle Safety and Education Fees

No provision.

No provision.

deposited in the state highway safety fund.

Fiscal Effect: An approximate \$4 million annual decrease from the Highway Operating Fund and an approximate \$4 million annual increase to the State Highway Safety Fund. The decrease in the Highway Operating Fund would lower allocations to ODOT and local governments.

R.C. 4508.08

Increases maximum fee for motorcycle safety and education classes from \$25 per student to \$50 per student.

Fiscal Effect: Potential increase in revenue of \$187,500 annually to the Motorcycle Safety and Education Fund. Currently, approximately 7,500 persons participate in this program annually.

20 Subject: Bus Safety Inspection Fees**R.C. 4513.52 and 4513.53**

Allows the Department of Public Safety to increase bus safety inspection fees from not more than \$100 to not more than \$200. It also allows the Director of Budget and Management to reimburse the State Highway Safety Fund from the General Revenue Fund for the amount collected in bus safety inspection fees.

Fiscal Effect: The change could lead to an increase of revenue up to \$280,000 per year to the State Highway Safety Fund. It would also lead to an approximate \$140,000 loss in the General Revenue Fund.

R.C. 4513.52 and 4513.53

No change.

R.C. 4513.52 and 4513.53

No change.

21 Subject: Emergency Management Agency Service and Reimbursement Fund**R.C. 5502.39****R.C. 5502.39****R.C. 5502.39**

As Introduced

As Passed by the House

As Passed by the Senate

Codifies the Emergency Management Service and Reimbursement Fund. The fund was originally created by the Controlling Board.

No change.

No change.

Fiscal Effect: None.

As Introduced

As Passed by the House

As Passed by the Senate

22 Subject: Federal Highway Safety Program Match**Section: 8**

Requires that line item 761-402, Traffic Safety Match, be used to provide the nonfederal portion of the Federal Highway Safety Program.

Fiscal Effect: None.

Section: 13

No change.

Section: 13

No change.

23 Subject: Capital Projects**Section: 8.01**

Authorizes the Registrar to transfer funds from the State Bureau of Motor Vehicles Fund to the State Highway Safety Fund to meet specified obligations.

Fiscal Effect: Dependent on the amount transferred.

Section: 13.01

No change.

Section: 13.01

No change.

24 Subject: Motor Vehicle Registration**Section: 8.01**

Allows the Bureau of Motor Vehicles to deposit revenue to meet the cash needs of the State Bureau of Motor Vehicles Fund.

Fiscal Effect: None.

Section: 13.01

No change.

Section: 13.01

No change.

25 Subject: Transfer of Funds to Fund 5V1**Section: 8.01**

Requires the Director of Budget and Management to transfer funds from the separate special license plate funds abolished by a permanent law provision in the bill to the

Section: 13.01

No change.

Section: 13.01

No change.

As Introduced

As Passed by the House

As Passed by the Senate

newly created License Plate Contribution Fund.

Fiscal Effect: No overall effect to the Department of Public Safety.

26 Subject: Collective Bargaining Increases**Section: 8.02**

Authorizes the Controlling Board to increase the appropriation of any fund as necessary for the Department of Public Safety to pay the increase in costs of employee compensation arising due to new collective bargaining agreements.

Fiscal Effect: Increase in expenditures dependent on the terms of future collective bargaining agreements.

Section: 13.02

No change.

Section: 13.02

No change.

27 Subject: Lease Rental Payments for CAP-076**Section: 8.04**

Requires the Director of Budget and Management to make cash transfers to the State Highway Safety Fund from other funds to reimburse the Fund for its share of lease rental payments to the Ohio Building Authority that are associated with Investigative Unit MARCS equipment.

Fiscal Effect: No overall effect to the Department of Public Safety.

Section: 13.04

No change.

Section: 13.04

No change.

28 Subject: EMA Service and Reimbursement Fund**Section: 8.05**

Requires the Director of Budget and Management to transfer the cash balances in Fund 4Y0 and Fund 4Y1 to the EMA Service and Reimbursement Fund.

Fiscal Effect: No overall effect on the Department of Public

Section: 13.05

No change.

Section: 13.05

No change.

As Introduced

As Passed by the House

As Passed by the Senate

Safety.

- 29 Subject: SARA Title III HAZMAT Planning**
Section: 8.05
 Authorizes the SARA Title III HAZMAT Planning Fund to receive grant funds from the Emergency Response Commission to finance the implementation of EMA responsibilities.

 Fiscal Effect: Dependent on grants received from the Emergency Response Commission.
- 30 Subject: State Disaster Relief**
Section: 8.05
 Authorizes line item 763-601, State Disaster Relief, to accept cash and appropriations from Controlling Board appropriation items to fund relief to local governments and nonprofit organizations for costs related to disasters.

 Fiscal Effect: Dependent on amount of transfers for purposes of disaster relief.
- 31 Subject: Hilltop Transfer**
Section: 8.07
 Authorizes the Director of Budget and Management to transfer funds from the Highway Operating Fund to the Highway Safety Fund. The amount to be transferred would be the Department of Transportation's share of the Hilltop Building Project, such amount to be determined by the Director of Public Safety, with the agreement of the Director of Transportation.

 Fiscal Effect: Dependent on agreed amount of transfer.

Section: 13.05

No change.

Section: 13.05

No change.

Section: 13.07

No change.

Section: 13.05

No change.

Section: 13.05

No change.

Section: 13.07

No change.

As Introduced

As Passed by the House

As Passed by the Senate

32 Subject: OBA Bond Authority/Lease Rental Payments**Section: 8.07**

Authorizes the Ohio Building Authority to lease capital facilities to the Department of Public Safety, and specifies that line item 761-401, Lease Rental Payments, be used to make lease payments to OBA.

Fiscal Effect: Line item 761-401, Lease Rental Payments, is appropriated \$11,676,700 in FY 2004 and \$13,663,200 in FY 2005.

Section: 13.07

No change.

Section: 13.07

No change.

33 Subject: Cash Balance Fund Review**Section: 8.09**

Requires the Director of Budget and Management to determine annually if any funds within the State Highway Safety Fund Group, except for the State Highway Safety Fund, contain balances which should be transferred to either the State Highway Safety Fund or the Bureau of Motor Vehicles Fund, and to make the appropriate recommendation to the Controlling Board.

Fiscal Effect: Dependent on the recommended amounts of transfers.

Section: 13.09

No change.

Section: 13.09

No change.

34 Subject: Schedule of Transfers to State Highway Safety Fund**Section: 8.09**

Requires the Director of Budget and Management to set a cash transfer schedule totaling \$140,137,500 in FY 2004 and \$94,359,250 in FY 2005 from the Highway Operating Fund to the State Highway Safety Fund.

Fiscal Effect: The provision transfers \$140,137,500 to the State Highway Safety Fund in FY 2004, and \$94,359,250 in FY 2005.

Section: 13.09

No change.

Section: 13.09

No change.

As Introduced

As Passed by the House

As Passed by the Senate

35 Subject: Monthly Transfers to Gasoline Excise Tax Fund**Section: 8.09**

Requires the Director of Budget and Management to transfer cash in equal monthly increments totaling \$46,712,500 in FY 2004 and \$94,359,250 in FY 2005 from the Highway Operating Fund to the Gasoline Excise Tax Fund. The distribution will give 42.86% to municipal corporations, 37.14% to counties and 20% to townships.

Fiscal Effect: Authorizes transfers to local governments from the Motor Vehicle Fuel Tax by \$46,712,500 in FY 2004 and \$94,359,250 in FY 2005.

Section: 13.09

No change.

Section: 13.09

No change.

36 Subject: Emergency Management Assistance and Training

No provision.

Section: 13.05

Requires that at least 85% of federal moneys available in appropriation item 763-647, Emergency Management Assistance and Training, be distributed to local governments, and that the Controlling Board approve the use and distribution of any moneys from the appropriation item before the moneys can be released.

Fiscal Effect: Specifies that local governments receive at least 85% of certain federal emergency management grants, the amount of which is not yet known.

No provision.

As Introduced

As Passed by the House

As Passed by the Senate

37 Subject: Towing Regulations

No provision.

No provision.

R.C. 4921.02 and 4921.30

Specifies that a motor transportation company that is engaged in the towing of motor vehicles is subject to regulation by the Public Utilities Commission of Ohio and is not subject to licensing and regulation by political subdivisions.

Fiscal Effect: Those political subdivisions that currently license tow trucks may experience a loss of revenue. The number of political subdivisions that currently license tow trucks is unknown.

As Introduced

As Passed by the House

As Passed by the Senate

38 Subject: District Administration Costs**Section: 10.0**

Authorizes the Director of the Public Works Commission to use investment earnings from the State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) funds for administrative costs incurred by individual District Public Works Integrating Committees. No more than \$760,000 per fiscal year will be available for reimbursement, and individual districts may receive more than \$40,000 per fiscal year. Currently, five districts take advantage of this program while other districts use primarily fees charged to local governments or allocations from county engineers to cover administrative costs. If districts choose not to use these allocations, the money is used for projects instead.

Fiscal Effect: None.

No change.

No change.

39 Subject: Reappropriations**Section: 10.0**

Specifies that all capital appropriations of the Local Transportation Improvement Fund (Fund 052) that remain unencumbered at the end of FY 2003 and FY 2004 are reappropriated for FY 2004 and FY 2005, respectively.

Fiscal Effect: This encumbrance is estimated to be \$103 million, and is used for projects that require an extended time-frame to complete.

No change.

No change.

As Introduced

As Passed by the House

As Passed by the Senate

40 Subject: Force Account Limits

No provision.

R.C. 117.16, 723.52, 723.53, 5517.02, 5543.19 and 5575.01

Increases force account limits (1) for ODOT, from \$10,000 per mile to \$25,000 per mile for highway maintenance or repair and from \$20,000 to \$50,000 for bridges, culverts, and traffic control signals; (2) for counties, from \$10,000 per mile to \$30,000 per mile for road construction or reconstruction, and from \$40,000 to \$100,000 for bridge and culvert construction, reconstruction, improvement, maintenance, or repair; (3) for townships, from \$15,000 to \$45,000 for road maintenance and repair; and from \$5,000 per mile for maintenance and repair to \$15,000 per mile for maintenance and repair, and (4) for municipal corporations, from \$10,000 to \$30,000 for street construction, reconstruction, or repair. Requires the Auditor of State to audit force account projects of state and local government entities at such times as the Auditor otherwise is conducting an audit of the public office; requires the Auditor to develop forms that the state and local government entities must use to estimate the costs of highway projects and subjects local government entities to reduced force account limits if the Auditor finds that the local governments violated the force account limits.

Fiscal effect: The state and local governments would have more flexibility to make cost-effective decisions, based on each government's circumstance, of whether to use government employees or whether to contract out for certain road and bridge projects. The Auditor of State may experience additional expenditures to audit force account projects and develop violation forms.

R.C. 117.16, 117.161, 723.52, 723.53, 5517.02, 5543.19 and 5575.01

Same as the House except establishes that for joint force account projects, force account limits shall be the higher limit that applies between the participating entities, prohibits aggregating force account limits, prohibits participation in a joint task force account project by an entity subject to reduced force account limits pursuant to a finding of the Auditor of State and establishes that all participating entities shall be subject to reduced force account limits if there is a violation of the limit for a joint project.

Requires the Auditor of State to examine a sample of force account project forms and records when it otherwise is conducting an audit, rather than examining the forms and records from each form; requires the Auditor of State to audit each force account project completed since an audit was last conducted only if the Auditor of State finds a violation of the force account limits.

Subjects local government entities that violate force account limits three or more times to penalty payments calculated by the Auditor of State to be 20% of the cost of the force account project that is the basis of the violation, and requires the Auditor of State to certify any money due for collection in accordance with an existing procedure where the Auditor of State certifies amounts owed by local governments to OBM to deduct the debt from future state payments.

Fiscal effect: The state and local governments would have more flexibility to make cost-effective decisions, based on each government's circumstances, of whether to use government employees or whether to contract out for certain road and bridge projects. The Auditor of State may experience additional expenditures to audit force account

As Introduced

As Passed by the House

As Passed by the Senate

41 Subject: Operating a Motor Vehicle While Under the Influence of Alcohol

projects and develop forms. The Director of the Office of Budget and Management may experience additional expenditures to deduct debt from future state payments.

No provision.

R.C. 1547.11, 4511.19, 4511.191 and 4511.197

R.C. 1547.11, 4511.19, 4511.191 and 4511.197

Reduces the prohibited per se concentrations of alcohol in a person's blood, breath, or urine for purposes of the state OMVI Law, the state law relating to boating while under the influence of alcohol, and the Implied Consent Law. In general, prohibits a person of any age from operating a motor vehicle and from boating on the waters of the state if he has a concentration of .08 of 1% or more by weight of alcohol in his blood, a concentration of .08 of one gram or more by weight of alcohol per 210 liters of his breath, or a concentration of .11 of one gram or more by weight of alcohol per 100 milliliters of his urine.

No change.

Fiscal Effect:

State

annual fine revenue of \$310,807 is estimated from the new OMVI convictions that would likely occur as a result of the provision. OMVI fine revenue is split between state and local jurisdictions, with the state receiving 20 percent and local governments 80 percent. In addition, state court cost revenue at the rate of \$20 per OMVI misdemeanor case will add \$127,260 annually, with \$69,993 of that amount being deposited in the GRF and the remaining \$57,267 being deposited into the Victims of Crime/Reparations Fund.

Several state funds may experience annual revenue gains as high as \$3.2 million annually as a result of the estimated 7,360 reinstatements of administratively suspended drivers' licenses.

As Introduced

As Passed by the House

As Passed by the Senate

If the state has not adopted a .08 blood alcohol content law by October 1, 2003, then 2 percent of certain federal highway construction funds will be withheld cumulatively for each year of non-compliance culminating in an 8 percent penalty in federal FY 2007 and each year thereafter. If this penalty is imposed, Ohio could expect to lose \$11.9 million in federal FY 2004, \$24.1 million in federal FY 2005, \$36.6 million in federal FY 2006, and \$49.2 million in federal FY 2007.

Local

From the annual fine revenue generated by the additional OMVI convictions, counties would receive 42 percent of the fine revenue, which constitutes a likely gain of \$652,695, plus some additional court cost revenue. Municipalities will receive 38 percent of the fine revenue, which constitutes a likely annual gain of \$590,533, plus additional court cost revenue.

The increase in annual county expenditures for jail time could reach a maximum of \$2,107,426 as a result of 6,363 likely new convictions, and based on the average jail sentence and the fact that about 60 percent of OMVI cases involve charges under state law. A similar calculation for municipalities suggests that their annual local incarceration costs could reach a maximum of \$1,404,950.

42 Subject: Snow Plow Exemptions

R.C. 4511.04

Modifies the civil and criminal liability of state and local government employees when driving snow removal and road surface maintenance equipment.

Fiscal Effect: This change may result in decreased court

R.C. 4511.04

No change.

R.C. 4511.04

No change.

As Introduced

As Passed by the House

As Passed by the Senate

costs and costs associated with court appearances.

43 Subject: Farm Machinery Standards

No provision.

R.C. 4513.111

Clarifies that units of farm machinery that travel on a street or highway produced during or after 2002 must meet specific lighting, illumination, and marking standards established by the American Society of Agricultural Engineers or any subsequent revision of those standards.

Fiscal effect: State agencies and local governments that own and operate farm machinery may experience additional expenditures to meet the specific standards.

R.C. 4513.111

No change.

44 Subject: Career Professional Service

R.C. 5501.20

Makes permanent the pilot project of ODOT that created the career professional service which ties promotions to performance.

Fiscal Effect: This change may create minimal savings because ODOT will no longer need to prepare a biennial evaluation report. Whether this provision would have any effect on salary costs is unknown.

R.C. 5501.20

No change.

R.C. 5501.20

No change.

45 Subject: Transfer of Unneeded Highway Property

R.C. 5501.34

Clarifies that for a conveyance by the Director of Transportation of real property no longer required for highway purposes, the deed conveying property must be executed by the Governor, bear the great seal of the state, and be in the form the Attorney General prescribes, but does not have to satisfy any other requirements of the statute generally controlling the preparation and execution

R.C. 5501.34

No change.

R.C. 5501.34

Same as the House except removes an exemption that currently excludes ODOT's sale of unneeded lands from the requirements generally applicable to all conveyances of state-owned property (RC 5501.34), including the requirement that all conveyances be countersigned by the Secretary of State and drafted and recorded by the Auditor of State.

As Introduced

As Passed by the House

As Passed by the Senate

of deeds conveying state-owned property. Thus, the provisions in R.C. section 5301.13 requiring all conveyances of real property by the state to be countersigned by the Secretary of State and drafted and recorded by the Auditor of State do not apply to these conveyances by the Director of Transportation. The Director must continue to record the conveyances.

Fiscal Effect: The Secretary of State may experience minimal savings for not countersigning such conveyances. The Auditor of State may experience minimal savings for not drafting and recording such conveyances.

46 Subject: Transfer of Property by the Director of Transportation

R.C. 5501.45

Allows the Director of Transportation in a specified manner to convey or transfer to, or permit the use by, the federal government (in addition to, under continuing law, state institutions, agencies, commissions, and instrumentalities, political subdivisions, taxing districts of the state, and institutions receiving financial assistance from the state) lands that (1) are owned by the state, (2) acquired or used for the state highway system or for highways, and (3) are no longer needed by the state for highway recreation purposes. Also, this change requires all conveyances, transfers, or grants of such land to be (1) by deed or, if a statutory dedication of public roads is included, by plat, (2) executed by the Director, and (3) in a form prescribed by the Attorney General, and requires the Director to keep a record of all conveyances, transfers, grants, and permits to use pertaining to such lands.

Fiscal Effect: The Attorney General may experience minimal costs for prescribing the form of such deeds or plats. Also, the Director of Transportation may experience minimal costs for keeping records of such conveyances, transfers,

R.C. 5501.45

No change.

R.C. 5501.45

Unlike the House, restores language exempting the sale of unneeded highway property from requirements generally applicable to all conveyances of state-owned land to state and local governmental entities (RC 5501.45).

Specifies that conveyances under this section must be by deed in a form prescribed by the Attorney General.

Fiscal Effect: The Attorney General may experience minimal costs for prescribing the form of such deeds or plats. Also, the Director of Transportation may experience minimal costs for keeping records of such conveyances, transfers, grants, or permits.

As Introduced

As Passed by the House

As Passed by the Senate

grants, or permits.

47 Subject: Highway Contributions

No provision.

No provision.

R.C. 5501.53

Permits persons to contribute money to the state and counties and townships to pay the expenses related to the maintenance and repair of highways and roads upon which animal drawn vehicles travel.

Fiscal Effect: Minimal administrative impact to the Highway Operating Fund for accounting for contributions. The Highway Operating Fund will experience no revenue gain since all contributions will be used for specific projects. Currently, an estimate of the number and amount of contributions is unknown.

48 Subject: Design-build Contracting for ODOT

R.C. 5517.011

Makes permanent the pilot project of ODOT that permits the combining of the design and construction elements of a project into a single contract and limits the dollar value of contracts made under this provision to \$250 million per biennium.

Fiscal Effect: Based on pilot project findings, this change may increase project delivery efficiencies, create time-savings, and reduce overall design and construction costs for the state.

R.C. 5517.011

No change.

R.C. 5517.011

No change.

49 Subject: Incentive Payments

R.C. 5525.20

Permits the Director of Transportation to elect to compensate a contractor in the form of a lump sum incentive payment for completing critical work ahead of

R.C. 5525.20

No change.

R.C. 5525.20

No change.

As Introduced

As Passed by the House

As Passed by the Senate

schedule.

Fiscal Effect: This change may incur immediate expense and result in long-term savings and efficiencies in the Highway Construction program series.

50 Subject: Payment of Bond Service Charges

R.C. 5531.10

Expands the source of federal moneys available for payment of bond service charges in connection with the issuance of state infrastructure obligations. This provision would allow the temporary use of federal dollars in the Highway Operating Fund (HOF) to be used to pay the debt service on federal bonds. Traditionally, debt service on these bonds has been paid from Fund 212, which then receives federal reimbursement. However, due to low cash balances in the fund, "loans" from the HOF will be used to pay this debt service and then the HOF will be repaid upon receipt of federal reimbursement.

Fiscal Effect: This change will ensure that required lease and debt service payments are met.

R.C. 5531.10

No change.

R.C. 5531.10

No change.

51 Subject: Snow and Ice Removal

No provision.

No provision.

R.C. 5535.16

Allows ODOT and political subdivisions to provide snow and ice removal on any road, regardless of whose control the road is under.

Fiscal Effect: Permissive costs to local governments and ODOT either choose to remove snow and ice from the roads within the others jurisdiction.

52 Subject: Design-build Contracting for County Engineers

As Introduced

As Passed by the House

As Passed by the Senate

R.C. 5543.22

Makes permanent the temporary authority of county engineers to combine the design and construction elements of a project into a single contract, so long as the cost of a project as bid does not exceed \$1,500,000.

Fiscal Effect: Based on pilot project findings, this change may increase project delivery efficiencies, create time-savings, and reduce overall design and construction costs for local governments.

R.C. 5543.22

No change.

R.C. 5543.22

No change.

53 Subject: Weight Limits

No provision.

No provision.

R.C. 5577.042

Increases the current vehicle weight tolerance applicable to farm trucks and log trucks from 5% to 7.5% of the weight limits otherwise applicable for those vehicles and extends the 7.5% weight tolerance to coal trucks.

Fiscal Effect: Potential minimal revenue gain to the State Treasury or the treasury of political subdivisions for violation of weight limits on state highways or roads with the jurisdiction of political subdivisions. Minimal administrative cost to the Director of Transportation, the Attorney General, local courts, boards of county commissioners, and boards of townships trustees to bring forth and/or adjudicate civil liability cases related to this provision. Any administrative costs to courts may be offset by court cost fees.

54 Subject: Fuel Use Tax

No provision.

No provision.

R.C. 5728.06

Phases out the additional 3 cents per gallon highway use tax rate by reducing it to 2 cents per gallon on July 1, 2004, and eliminating the additional tax rate on July 1, 2005. (The highway use tax is levied on fuel purchased outside Ohio but

As Introduced

As Passed by the House

As Passed by the Senate

consumed by commercial trucks on Ohio roads; the tax currently is levied at 3 cents per gallon above the motor fuel tax rate).

Fiscal Effect: According to the Department of Taxation, in FY 2002, there was approximately \$35,000,000 in revenue generated from the surcharge. Assuming that there will be no fluctuation in the amount of revenue generated, reducing the surcharge to two cents on July 1, 2004 will result in a revenue loss of approximately \$11,666,666. Furthermore, eliminating the tax rate on July 1, 2005, will result in a loss of approximately \$23,333,334 plus \$11,666,666 that was lost in July 1, 2004. As a result of this phase out, the Highway Operating Fund will experience all of the loss. Traditionally, the disposition of the 3 cents surcharge was to retire highway bonds first with the remaining revenue deposited into the Highway Operating Fund. The Treasurer of State reports that the potential loss of \$35,000,000 will not effect retirement of "old" 2i highway obligation bonds since there will be enough current revenue to make the payments, and the loss will not effect the debt service on "new" 2m bonds since the surcharge revenue is not used to retire these bonds. Therefore, with a potential loss of \$35,000,000 to the Highway Operating Fund, ODOT could experience reductions in various functions, such as planning, construction, maintenance, highway amenities, public transportation, rail safety projects, airport improvements, and administration.

55 Subject: Motor Fuel Tax Exemption

No provision.

No provision.

R.C. 5735.142

Allows city, exempted village, and school districts to apply for a refund of the new motor fuel taxes for fuel imposed after July 1, 2003, if the fuel was purchased for vehicles used to transport pupils.

As Introduced

As Passed by the House

As Passed by the Senate

56 Subject: Local Governments Motor Fuel Tax Reduction

No provision.

No provision.

Fiscal Effect: Based on the Department of Education data on fuel costs for all Ohio school districts, LSC estimates that approximately 30 million gallons of fuel were used. If school districts were exempt from paying this tax, and based on the current \$.22 cents motor fuel tax rate, this would result in approximately \$6,600,000 in savings to school districts, with a subsequent decrease to the Highway Operating Fund and local governments for road and bridge projects. Considering a motor fuel tax increase of an additional 6 cents, each year the 2 cents is phased in, school districts may save between approximately \$679,000 and 721,000. When the 6 cents is fully phased in over three years, school districts may save between \$2.0 million and \$2.2 million, again with a subsequent loss to the Highway Operating Fund and local governments for road and bridge projects.

R.C. 5735.23

Reduces a portion of motor fuel tax revenues to local governments when the 3 cent surcharge (fuel use tax) is reduced (and eliminated). The monthly reduction is \$248,625 for counties, \$87,750 for townships, and \$248,625 for municipal corporations.

Fiscal Effect: Local governments will experience reduced revenue for local road and bridge projects each month, whereas the Highway Operating Fund will experience a subsequent increase of approximately \$585,000 each month. It is unknown what the additional revenue to the Highway Operating Fund will be used, for whether it be for planning, construction, maintenance, highway amenities, public transportation, rail safety projects, airport improvements or administration.

57 Subject: Gas Tax Distribution to Townships

As Introduced

As Passed by the House

As Passed by the Senate

No provision.

R.C. 5735.27

Changes the distribution of the gas tax by allocating up to \$1,380,000 from both counties and municipal corporations (phased-in over three years) and \$4,500,000 from the Highway Operating Fund (phased in over three years) to townships.
Changes the distribution formula of the gas tax to townships to a formula that gives townships the greater of 70% of a formula based 50% on the proportionate number of lane miles in the township and 50% on the proportionate number of motor vehicle registrations, or \$44,155 in 2005, \$29,436 in 2004, and \$14,718 in 2003.

Fiscal Effect: Increases gas tax revenues to townships. In addition to utilizing monies that would have gone to municipalities and counties, this provision also decreases appropriations to the Highway Operating Fund, line item 772-421 by \$1,500,000 in FY 2004 and \$3,000,000 in FY 2005.

R.C. 5735.27

Same as the House except changes the distribution of the gas tax by allocating up to \$2,420,000 from counties, \$2,420,000 from municipal corporations, and \$2,420,000 from the Highway Operating Fund (phased-in over three years) to townships. The total of \$7,260,000 being transferred to townships is the same as the House version.

58 Subject: Motor Fuel Tax Increase

R.C. 5735.29 and 5735.291

Increases one component of the motor fuel tax from the current two cents per gallon to four cents effective July 1, 2003, from four cents per gallon to six cents effective July 1, 2004, and from six cents to eight cents effective July 1, 2005. Thus, the total increase is six cents per gallon. This change allocates approximately 75% of the increase to the state and 25% of the increase to local governments.

Fiscal Effect: The state Highway Operating Fund would experience revenue gains. Increased revenue is expected to finance state highway and bridge construction. Local governments would experience revenue gains. Increased revenue is expected to finance local road and bridge projects. When fully phased in, the six cent motor fuel tax

R.C. 5735.29 and 5735.291

No change.

R.C. 5735.29 and 5735.291

Same as the House except, cancels the final 2 cent increase in the motor fuel tax schedules to begin July 2005 if the Director of Transportation determines that Ohio receives at least 95% of federal fuel taxes paid in Ohio and that Ohio does not incur net losses of such taxes because of tax incentives for alcohol or ethanol-based fuels.

Unlike the "As Passed by the House" version, the 2 cent reduction in the 3 cent motor fuel use tax surcharge scheduled to begin July 2005 also would be cancelled (but the 1 cent reduction beginning July 2004 would not be affected).

Fiscal Effect: ODOT currently receives approximately 89%

As Introduced

As Passed by the House

As Passed by the Senate

increase is expected to generate approximately \$400 million in new transportation funding, with the state receiving approximately \$300 million and local governments receiving approximately \$100 million.

of the federal funding attributable to Ohio, and an increase to 95 % would increase Ohio's share by \$140 million annually, and if the federal ethanol penalty were eliminated this could result in an additional \$160 million annually. Whether ODOT will receive 95% back and whether the federal ethanol penalty will be eliminated is uncertain at this point. Since the Highway Trust Fund has recently experienced slow revenue growth, it is unlikely that significant new revenues will be available in the first years of the reauthorization of TEA-21. The reauthorization of TEA-21 may not occur until early to mid calendar year 2004.

Whether local governments will receive additional federal monies with these possible revenue increases is uncertain at this time. Between FY 2004 and FY 2008, ODOT estimates that they will funnel approximately \$212 million to \$245 million to local governments. If anything, local Metropolitan Planning Organizations will likely experience a revenue gain.

Overall, based on a flat consumption growth rate on the actual number of gallons consumed in 2002, which is 6,511,555,304, a 2 cent increase in motor fuel is estimated to generate approximately \$130,231,106 or more in additional revenue to the state and local governments. If the 2 cents were eliminated based on a subsequent federal revenue increase, ODOT would experience a loss of approximately \$97,500,000 and local governments would experience a loss of approximately \$32,500,000. Whether these losses would be completely (or a portion of them) offset by a possible increase in federal revenue increase is unknown at this time.

Reducing the 2 cent surcharge would allow ODOT to recoup approximately \$23 million in surcharge revenue out of an estimated \$35 million in revenue the 3 cent surcharge is estimated to generate.

As Introduced

As Passed by the House

As Passed by the Senate

59 Subject: Bond Issuance
Section: 7.01
 Authorizes the issuance of \$420 million in bonds for highway purposes. In the last transportation budget act (Sub. H.B. 73 of the 124th G.A.) approximately \$258 million was authorized.

 Fiscal Effect: This change will increase debt service payments above previous levels.

Section: 11.01
 No change.

Section: 11.01
 No change.

60 Subject: Maintenance of Interstate Highways
Section: 7.02
 Authorizes ODOT to provide maintenance on interstate highways located within the boundaries of municipal corporations, and to reimburse municipal corporations for their costs in providing such maintenance if ODOT has an agreement with a municipal corporation.

 Fiscal Effect: Reimbursement from ODOT will offset part or all of the costs incurred by a municipality.

Section: 11.02
 No change.

Section: 11.02
 No change.

61 Subject: Increase Appropriation Authority - State Funds; Federal and Local
Section: 7.03
 Allows the Director of Transportation to request additional appropriation authority from the Controlling Board in the event that revenues exceed estimates.

 Fiscal Effect: None.

Section: 11.03
 No change.

Section: 11.03
 No change.

62 Subject: Reappropriations
Section: 7.03

Section: 11.03

Section: 11.03

As Introduced

As Passed by the House

As Passed by the Senate

Specifies that appropriations of the Highway Operating Fund, the Highway Capital Improvement Fund, and the Infrastructure Bank funds that remain unencumbered at the end of FY 2003 and FY 2004 automatically be reappropriated for FY 2004 and FY 2005, respectively.

No change.

No change.

Fiscal Effect: None.

63 Subject: Transfer of Appropriations - Federal Highway and Federal Transit

Section: 7.03

Section: 11.03

Section: 11.03

Allows the Director of Budget and Management to approve requests for the transfer of appropriations between line items 772-422, Highway Construction-Federal and 775-452, Public Transportation-Federal within the Department.

No change.

No change.

Fiscal Effect: None.

64 Subject: Transfer of Appropriations - State Infrastructure Bank

Section: 7.03

Section: 11.03

Section: 11.03

Allows the Director of Budget and Management to approve requests for the transfer of appropriations between Infrastructure Bank line items and other line items within the Department.

No change.

No change.

Fiscal Effect: None.

65 Subject: Transfer of Fund 002 Appropriations

Section: 7.03

Section: 11.03

Section: 11.03

Allows the Director of Budget and Management to approve requests for the transfer of appropriations between various line items within the Department.

No change.

No change.

Fiscal Effect: None.

As Introduced

As Passed by the House

As Passed by the Senate

66 Subject: Liquidation of Unforeseen Liabilities**Section: 7.04**

Authorizes any appropriation to the Highway Operating Fund to be used to liquidate unforeseen liabilities arising from contractual agreements of prior years.

Fiscal Effect: None.

Section: 11.04

No change.

Section: 11.04

No change.

67 Subject: Public Access Roads for State Facilities**Section: 7.04**

Requires the Director of Transportation to utilize \$3,145,500 during each fiscal year of the biennium for the construction, reconstruction, or maintenance of public access roads to and within state facilities owned or operated by the Department of Natural Resources. Also, requires the Department of Transportation to utilize \$2,228,000 during each year of the biennium for the construction, reconstruction, or maintenance of park drives or park roads within metropolitan parks.

Fiscal Effect: None.

Section: 11.04

No change.

Section: 11.04

No change.

68 Subject: Rumble Strips at Railroad Crossings

No provision.

Section: 11.04

Provides \$1,000,000 in FY 2004 to fund competitive grants to political subdivisions for the cost of putting rumble strips at active railroad crossings without gates or lights. The maximum amount of a competitive grant is \$50,000 for any single crossing. Political subdivisions awarded the grants shall install the rumble strips by December 1, 2004. Political subdivisions may use the grant funding for a safety device or technology more appropriate for the crossing. The Department of Transportation (ODOT) shall notify political subdivisions with jurisdiction over a crossing of the available

Section: 11.04

Reduces appropriation item 776-665, Railroad Crossing Safety Devices, from \$1,000,000 to \$675,000 in FY 2004; restricts political subdivisions from using moneys awarded from state rail safety programs; and restricts transfers between appropriation item 776-665, Rail Crossing Safety Devices, administered by the Department of Transportation, and appropriation item 870-614, Grade Crossing Protection Devices-State, administered by the Public Utilities Commission.

As Introduced

As Passed by the House

As Passed by the Senate

grant funding. ODOT shall also issue a report on or before June 30, 2005 describing rumble strip projects completed, installation costs, the number of crossings without rumble strips or other safety devices, and a geographic breakdown of where the crossings are that have not received rumble strips.

Fiscal Effect: Local governments that are awarded the competitive grants will experience additional revenue for rumble strips and other rail crossing safety improvements. The Department of Transportation may experience additional expenditures to notify political subdivisions of grant funding available and for producing a report.

Fiscal Effect: Local governments that are awarded the competitive grants will experience additional revenue for rumble strips and other rail crossing safety improvements. The Department of Transportation may experience additional expenditures to notify political subdivisions of grant funding available and for producing a report.

69 Subject: Rental payments - OBA

Section: 7.05

Specifies the authorized use for line item 770-003, Administration - Debt Service, and that the Director of Transportation shall hold title to any land purchased and structures attributable to this line item.

Fiscal Effect: None.

Section: 11.05

No change.

Section: 11.05

No change.

70 Subject: Public Transportation Highway Purpose Grants

Section: 7.06

Authorizes the Director of Transportation to use motor vehicle fuel tax revenues to match federal grants for public transportation highway purposes.

Fiscal Effect: None.

Section: 11.06

No change.

Section: 11.06

No change.

71 Subject: Force Account Limits Study

Section: 8

As Introduced

As Passed by the House

As Passed by the Senate

No provision.

Requires the Legislative Service Commission to conduct a study of force account limits established in this act for the Department of Transportation, counties, municipalities, and townships and issue a report on or before January 1, 2007.

Requires the Legislative Service Commission to conduct a study of force account limits established in this act for the Department of Transportation, counties, municipalities, and townships and issue a report on or before January 1, 2007.

Fiscal Effect: The Legislative Service Commission may experience administrative costs to conduct a study and produce a report.

Fiscal Effect: The Legislative Service Commission may experience administrative costs to conduct a study and produce a report.

72 Subject: Steel Coils

No provision.

Section: 9

Establishes that, during the biennium, three or fewer steel coils are deemed to be a nondivisible load for purposes of special permits authorizing the movement of overweight vehicles.

Section: 9

Changes from June 30, 2005, to June 30, 2004, the ending date for the period during which ODOT must allow the operation of certain overweight vehicles that are transporting steel coils under special permits issued by ODOT; and requires ODOT to conduct a study of such overweight vehicles and any damage caused to roads by their operation and to issue a report to the General Assembly no later than December 31, 2003.

Fiscal Effect: None.

Fiscal Effect: Potential administrative costs to ODOT to conduct a study and produce a report. Currently no cost estimate is available.

73 Subject: Pavement Selection

No provision.

Section: 12

Requires the Department of Transportation to contract with an independent third party to analyze its pavement selection process. The report is due October 31, 2003, and the Department is required to change its process based on the report's recommendation.

Section: 12

Creates an advisory council, but unlike the "As Passed by the House" version, notes that the council shall consist of the Director of Transportation who shall act as chairman of the council; a member of the Ohio Society of Certified Public Accountants; a member of a statewide business organization representing major corporate entities from a list of three names submitted and approved by the Speaker of the House of Representatives; a member of the Ohio Society of Professional Engineers; and member of a

Fiscal Effect: Increase in expenditures to contract for the study. Increase or decrease in expenditures dependent on the recommendations of the third party.

As Introduced

As Passed by the House

As Passed by the Senate

74 Subject: Rockside/Snow Road

No provision.

Section: 21

Requires the Director of Transportation to incorporate Rockside/Snow Road within Cuyahoga County as part of the state highway system.

Fiscal Effect: Potential increase in expenditures.

Section: 21

No provision.

business organization representing small or independent businesses from a list of three names submitted to and approved by the Senate; a representative of the Ohio Concrete Construction Association; and a representative of Flexible Pavements Association of Ohio, Inc. Also, unlike the "As Passed by the House" version, specifies meetings shall be published, and a comment period shall be allowed before issuing the final report.

The council shall be appointed no later July 31, 2003, shall meet at a minimum every thirty days, and issue a report on or before December 31, 2003. ODOT shall make changes to its pavement-selection process based on the report's recommendations.

75 Subject: Lease Payments to OBA and Treasurer

No provision.

Specifies that certain provisions in this act are for the purposes of lease payments to the Ohio Building Authority to the Treasurer of State pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority or the Treasurer of State pursuant to the Ohio Constitution and acts of the General Assembly.

Fiscal Effect: None.

Section: 22

Specifies that certain provisions in this act are for the purposes of lease payments to the Ohio Building Authority to the Treasurer of State pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority or the Treasurer of State pursuant to the Ohio Constitution and acts of the General Assembly.

Fiscal Effect: None.

76 Subject: I-71 Lane Addition

As Introduced

As Passed by the House

As Passed by the Senate

No provision.

Section: 20

Requires the Department of Transportation to expand to three lanes the northbound and southbound lanes of Interstate 71 between State Route 18 and State Route 303, located in Medina County.

Fiscal Effect: None because the pavement already exists for a third lane.

Section: 23

Removes the requirement for ODOT to expand to three lanes the northbound and southbound lanes of Interstate 71, between State Route 18 and State Route 303, in Medina County. Instead, the provision requires ODOT to open and mark the third lane.

Fiscal Effect: None

77 Subject: Biofuel and Renewable Energy Task Force

No provision.

No provision.

Section: 25

Creates the Biofuel and Renewable Energy Task Force to submit a report to the General Assembly and the Governor by March 1, 2004, that describes the condition of the industries of biofuel and other renewable energy sources in this state, compares those industries in this state with those of surrounding states, and recommends methods to expand those industries in this state and to fund biofuel and renewable energy projects or studies; and provides that the Task Force ceases to exist upon the submission of the report.

Fiscal Effect: Task force members may experience minimal administrative expenses for supplies for the Task Force meetings and production of the final report.