



COMPARISON DOCUMENT

Substitute House Bill 68 *126th General Assembly*

Representative Tom Patton, Sponsor

Transportation Budget Bill

As Introduced

As Passed by the House

As Reported by Senate Highways and Transportation

Legislative Service Commission

March 9, 2005

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**1 Earnings of the Security Deposit Fund**

No provision.

R.C. 122.14, 4509.27

Credits the investment earnings of the Security Deposit Fund (Fund R52) to the existing Roadwork Development Fund (Fund 4W0), rather than to the Security Deposit Fund.

Fiscal effect: Gain of approximately \$5,000 annually to Fund 4W0 and a similar annual loss to Fund R52.

R.C. 122.14, 4509.27

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**2 Roadwork Development Fund****Section: 203.09**

Specifies that the Roadwork Development Fund (Fund 4W0) is to be used for road improvements associated with economic development opportunities that will retain or attract businesses for Ohio. Directs the Department of Transportation to provide moneys to the Roadwork Development Fund in accordance with applicable guidelines, and to provide assistance to the Department of Development, when required, to bring a project to completion. Also specifies that moneys in the fund may be used in conjunction with Business Development grant awards, provided through appropriation 195-412, Business Development. Finally, specifies that the Director of Budget and Management is to set a cash transfer schedule from the Highway Operating Fund (Fund 002) to the Roadwork Development Fund and to make cash transfers as determined by the schedule.

Fiscal effect: Grants are provided to local governments for public road projects that enhance economic development opportunities. Typical awards range between \$100,000 and \$500,000, but can be as high, or higher, than \$1 million.

Section: 203.09

Same as the executive, but earmarks \$250,000 in each fiscal year for each of the Transportation Improvement Districts in Butler, Hamilton, Medina, and Montgomery counties and to the Rossford Transportation Improvement District in Wood County. Districts are authorized to use the payments for any purpose authorized under Chapter 5540. of the Revised Code, including administrative activities and the purchase of property and rights for the construction, maintenance, or operation of a project.

Fiscal effect: In total, \$1.25 million in each fiscal year is earmarked for these transportation improvement districts.

Section: 203.09

Same as the House, except adds Licking, Lorain, and Stark Counties and requires that the earmarked funds be used for specific transportation or highway projects.

Fiscal effect: In total, \$2 million in each fiscal year is earmarked for these transportation improvement districts.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**3 Modifying the Unidentified Motor Vehicle Receipts Fund**

R.C. 4501.12, 4501.26

Renames the Unidentified Motor Vehicle Receipts Fund to the Unidentified Public Safety Receipts Fund (Fund R24), provides that it is to be for receipts of the Department of Public Safety, not just the Bureau of Motor Vehicles, and eliminates the Highway Patrol Fee Refund Fund (Fund R27).

Fiscal effect: As the provision combines two funds within the Holding Account Redistribution Fund Group, there is no net fiscal effect.

R.C. 4501.12, 4501.26

No change.

R.C. 4501.12, 4501.26

No change.

4 Elimination of the Film Production Reimbursement Fund

R.C. 4501.35

Eliminates the Film Production Reimbursement Fund (Fund 847).

Fiscal effect: As the Department will continue to charge film production related expenses and to credit any related revenues to a fund within the State Highway Safety Fund Group, there is no net fiscal effect.

R.C. 4501.35

No change.

R.C. 4501.35

No change.

5 Multi-Year Registration for Owners of Multiple Commercial Trailers and Semitrailers

No provision.

R.C. 4503.103

Requires the Registrar of Motor Vehicles to adopt rules to permit persons or lessees who own two or more commercial trailers or semitrailers to register the trailers for up to five years.

Fiscal effect: As of this writing, it does not appear that the provision will have a noticeable long-term effect on the magnitude of the registration-related fees currently deposited to the credit of the State Bureau of Motor Vehicles Fund (Fund 4W4).

R.C. 4503.103

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**6 Display Single License Plate**

No provision.

R.C. 4503.181, 4503.19, 4503.192, 4503.21,
4503.23, 4549.10

Replaces the requirement that most motor vehicles display two license plates, one on the front and one on the rear, with a requirement that they display one plate on the rear.

Fiscal effect: Estimated annual savings in plate production costs of approximately \$2.5 million for the Bureau of Motor Vehicles Fund (Fund 4W4), based on the assumption of 2.5 million single universal plates and 175,000 special plates being produced annually.

R.C. 4503.181, 4503.19, 4503.192, 4503.21,
4503.23, 4549.10

No provision.

7 Motor Vehicle Registration Information Report Fee

R.C. 4503.26

Increases the fee for a written motor vehicle registration information report from \$1.50 to \$2.

Fiscal effect: Annual revenue gain of approximately \$1,450 in moneys deposited to the credit of the State Bureau of Motor Vehicles Fund (Fund 4W4).

R.C. 4503.26

No change.

R.C. 4503.26

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**8 Personalized and Initial Reserve License Plate Fees**

R.C. 4503.40, 4503.42

Redirects \$30 of the existing fee for personalized license plates and \$2.50 of the fee for initial reserved license plates to be credited to the State Highway Safety Fund (Fund 036), rather than the Highway Operating Fund (Fund 002).

Fiscal effect: Gain of approximately \$10 million annually in revenues deposited to the credit of the Highway Safety Fund (Fund 036) and a loss of approximately \$10 million annually in revenues deposited to the credit of the Highway Operating Fund (Fund 002).

R.C. 4503.40, 4503.42

No change.

R.C. 4503.40, 4503.42

No change.

9 "Fish Lake Erie" License Plates

No provision.

R.C. 4503.85, 4501.21

Creates "Fish Lake Erie" license plates that would be available for a \$15 contribution to be deposited to the credit of the License Plate Contribution Fund (Fund 5V1) and an additional \$10 fee to be deposited to the credit of Bureau of Motor Vehicles Fund for the purpose of compensating the BMV for additional services required to issue the plates, plus the normal fees and taxes required under current law. The \$15 contributions would be paid to the Ohio Sea Grant College Program to be used for Lake Erie area research projects.

Fiscal effect: Any fiscal impact would be dependent on the actual number of "Fish Lake Erie" license plates sold. It is difficult to estimate the number plates that would be sold. Some special plates designs have far exceeded others in sales.

R.C. 4503.85, 4501.21

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**10 Levy of Local Motor Vehicle License Tax**

No provision.

No provision.

R.C. 4504.02, 4504.15, 4504.16, 4504.18

Specifies that a county or township must conduct two public hearings prior to adopting any resolution concerning the levy of a local motor vehicle license tax.

Fiscal effect: As of this writing, it would appear that the costs, if any, related to the "two public hearings" requirement for any affected county or township are likely to be no more than minimal, if that.

11 Issuance of Electronic Certificate of Title Instead of Physical Certificate of Title

No provision.

R.C. 4505.021, 4505.06, 4505.08, 4519.58

Provides that when a clerk of a court of common pleas issues a certificate of title to a motor vehicle, off-highway motorcycle, or all-purpose vehicle and the title application is submitted electronically, the clerk need only issue an electronic certificate of title and not a physical certificate of title unless the applicant specifically requests the clerk to issue a physical certificate of title.

Fiscal effect: Presumably, the effect of the provision will be to allow clerks of courts to process certificate of titles more quickly, creating some savings in time and money, the magnitude of which, as of this writing, is uncertain.

R.C. 4505.021, 4505.06, 4505.08, 4519.58

Same as the House.

12 Minor's Application for a Certificate of Title

No provision.

R.C. 4505.031

Allows a minor's parent or guardian to appear once before a clerk of courts or notary public and sign a form authorizing the minor to conduct a motor vehicle transaction.

Fiscal effect: No apparent fiscal effect on clerks of courts.

R.C. 4505.031

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**13 Transfer of an Electronic Certificate of Title When an Electronic Motor Vehicle Dealer is Involved**

R.C. 4505.032

R.C. 4505.032

No provision.

Permits an electronic motor vehicle dealer to buy or sell a motor vehicle for which an electronic certificate of title has been issued without first obtaining a physical certificate of title to the vehicle.

Same as the House.

Fiscal effect: Presumably, the effect of the provision will be to allow clerks of courts to process certificate of titles more quickly, creating some savings in time and money, the magnitude of which, as of this writing, is uncertain.

14 Commercial Driver's License Law

R.C. 4506.01, 2935.03, 4506.02, 4506.03, 4506.05, 4506.09, 4506.10, 4506.11, 4506.12, 4506.15, 4506.16, 4506.17, 4506.20, 4506.23, 4506.25, 4506.26

No provision.

No provision.

(1) Establishes prohibited alcohol concentrations for blood plasma and serum and urine that apply to the operator of a commercial motor vehicle.

No provision.

No provision.

(2) Broadens the definition of "disqualification," modifies the definition of "hazardous materials," and enacts a definition of "imminent hazard."

No provision.

No provision.

(3) Reduces from two to one the number of definitions for "out-of-service order."

No provision.

No provision.

(4) Provides that current exceptions to the CDL chapter (R.C. 4506.) are exceptions to the current general CDL prohibitions.

No provision.

No provision.

(5) Provides that a "serious traffic violation" includes a single charge of any speed in excess of 15 miles per hour over the speed limit; a charge of operating a commercial motor vehicle without having the proper class or endorsement on

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation

No provision.

No provision.

one's commercial driver's license (CDL); and a charge of operating a commercial motor vehicle without having one's CDL in one's possession, provided that, if the person shows proof of having such a license, this offense is not a serious traffic violation.

(6) Eliminates the existing provision that there is no fee for the annual issuance of a waiver for farm-related service industries, and imposes a \$25 fee for such issuance.

No provision.

No provision.

(7) Provides that one criterion for granting a waiver of the skills portion of the CDL test is that, within the preceding two years, the person seeking the waiver has taken and passed an equivalent skills test given by a state.

No provision.

No provision.

(8) Provides that a CDL medical exam may be given by a doctor of chiropractic.

No provision.

No provision.

(9) Requires the color photograph on a CDL to show the licensee's uncovered face.

No provision.

No provision.

(10) Modifies some of the CDL classes and endorsements.

No provision.

No provision.

(11) Enacts three new prohibitions relating to actions that CDL holders are not permitted to perform.

No provision.

No provision.

(12) Modifies the disqualification and implied consent provisions.

No provision.

No provision.

(13) Requires an applicant for employment as a commercial motor vehicle driver to submit certain specified information to the prospective employer.

No provision.

No provision.

Fiscal effect: According to the Department of Public Safety, there would be no fiscal impact.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**15 Surrendered Drivers' Licenses**

No provision.

No provision.

R.C. 4506.03, 4507.02

Requires the Registrar, when a driver's license applicant surrenders a license from another jurisdiction, to prepare a report of the surrender for the other issuing authority rather than returning the physical license.

Fiscal effect: Currently, it costs the Bureau of Motor Vehicles \$23,000 annually to return licenses to other issuing authorities. This provision would reduce that cost to the Bureau to either \$1,000, if the reports are mailed, or zero (\$0), if the reports are sent electronically. Thus, the savings to the Bureau of Motor Vehicles Fund (Fund 4W4) would be approximately \$22,000 to \$23,000 annually.

16 Commercial Driver's License, Hazardous Materials Endorsement

No provision.

R.C. 4506.08, 4506.14

Allows a commercial driver's license with a hazardous materials endorsement to be issued for a period of less than four years if the person has undergone a required federal security threat assessment to obtain the endorsement and the assessment expires less than four years after the application date, and prorates the \$25 CDL fee based on the number of years for which the license is issued.

Fiscal effect: As of this writing, it does not appear that the provision will have a noticeable long-term effect on the magnitude of the CDL fee revenues currently deposited to the credit of the State Highway Safety Fund (Fund 036).

R.C. 4506.08, 4506.14

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**17 Commercial Driver's License Test Fees**

No provision.

No provision.

R.C. 4506.09

Establishes that a CDL license applicant's appointment fee (\$50 with a public entity and up to \$85 with a private entity) is not to be refunded if the person makes an appointment to take all portions of the skills test and appears to take the test, but then declines or is unable to take all portions of the test.

Fiscal effect: The amount of additional revenue that might be generated as a result of the provision for deposit to the credit of the Highway Safety Fund (Fund 036) would be unlikely to exceed minimal annually.

18 Fines for Violations by Driver Training Schools and Instructors

R.C. 4508.06

Permits the Director of Public Safety to impose fines on holders of, and applicants for, driver training school licenses and driver training instructor licenses for certain violations.

Fiscal effect: As there appears to be no special crediting language associated with these fines, presumably any of the moneys collected would be deposited to the credit of the state's GRF. It is also uncertain as to how much fine money might be collected annually, but, as of this writing, LSC fiscal staff has no reason to believe it would be more than minimal, if that.

R.C. 4508.06

Same as the Executive, except (1) limits to \$10,000 per occurrence the amount of the fine that the bill allows the Director of Public Safety to impose in any case in which the Director finds driver training school applicant or licensee has violated any of the laws or rules governing driver training schools and instructors, and (2) directs that any such fines collected be deposited to the credit of the State Highway Safety Fund (Fund 036).

Fiscal effect: Special crediting language will deposit any fine moneys collected to the credit of the State Highway Safety Fund (Fund 036) rather than to the credit of the state's GRF as would have been the case under the Executive's provision. As of this writing, LSC fiscal staff has no reason to believe the magnitude of the annual gain in fine moneys would be more than minimal, if that.

R.C. 4508.06

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**19 Driver Education Certificate of Completion Fee**

R.C. 4508.10

Establishes an \$8 fee for each certificate of completion provided to a driver training school by the Department of Public Safety, requires a driver training school to issue a certificate of completion to each person who successfully completes a training course necessary to obtain or maintain a driver's license, and requires the fees to be deposited to the credit of the State Highway Safety Fund (Fund 036).

Fiscal effect: Based on prior history, it appears that the amount of fee revenue that might be generated annually for deposit to the credit of the State Highway Safety Fund (Fund 036) would be around \$1.32 million. The intent is that these moneys assist the Department's Driver Training Program.

R.C. 4508.10

Same as the Executive, except reduces, from \$8 to \$4, the fee for each certificate of completion provided to a driver training school by the Department of Public Safety.

Fiscal effect: Essentially reduces by one-half, or approximately \$661,600, the annual gain in revenues that would be credited to the State Highway Safety Fund (Fund 036).

R.C. 4508.10

Same as the House.

20 Investment Earnings of the Security Deposit Fund

R.C. 4509.27

Credits the investment earnings of the Security Deposit Fund (Fund R52) to the existing Bureau of Motor Vehicles Fund (Fund 4W4), rather than to the Security Deposit Fund.

Fiscal effect: Gain of approximately \$5,000 annually to Fund 4W4 and a corresponding loss of approximately \$5,000 annually to Fund R52.

R.C. 4509.27

No provision.

R.C. 4509.27

No provision.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**21 Combining Department of Public Safety Funds Receiving Seat Belt Fine Money**

R.C. 4511.191, 4513.263, 4765.07, 4765.11, 5503.04

R.C. 4511.191, 4513.263, 4765.07, 4765.11,
5503.04R.C. 4511.191, 4513.263, 4765.07, 4765.11,
5503.04

Combines four existing funds (Fund 83M, Emergency Medical Services Fund; Fund 844, Seat Belt Education Fund; Fund 83P, Trauma and Emergency Medical Services Grant Fund; Fund 83N, Elementary School Program Fund) that receive seat belt fine moneys and are used by the Department of Public Safety into Fund 83M, Emergency Medical Services Fund, and retains the respective uses of the money but eliminates the specific percentages to be expended for those earmarked purposes. As a result, 98% of seat belt fine revenue will be deposited to the credit of Fund 83M, Emergency Medical Services Fund.

No provision.

Same as the Executive.

Fiscal effect: No readily apparent fiscal effect, although, presumably, it is possible that certain earmarked purposes may receive more or less of the seat belt fine moneys than might otherwise have been the case under current law.

22 Speed Limits on Roads with Center Line Boundaries

No provision.

No provision.

R.C. 4511.21

(1) Establishes if the boundary between two local authorities rests on the centerline of a highway, the speed limit for the shared part of the highway must be either established speed limit permitted by law as agreed to by the authorities, and (2) establishes procedures to maintain a uniform altered speed limit on the shared part of a highway.

Fiscal effect: The fiscal effects of this provision on local governments, if any, are uncertain.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**23 Towing and Storage of Abandoned Vehicles****R.C. 4513.61**

No provision.

No provision.

Allows a law enforcement officer who orders an abandoned vehicle into storage to relinquish jurisdiction of the vehicle at the time of the order to the place where the vehicle is ordered into storage.

Fiscal effect: According to the Department of Public Safety, this provision would have no fiscal impact.

24 Licensure and Registration of Private Investigators, Security Guard Providers, and Employees**R.C. 4749.03, 109.572, 4749.06, 4749.10****R.C. 4749.03, 109.572, 4749.06, 4749.10****R.C. 4749.03, 109.572, 4749.06, 4749.10**

(1) Gives the Director of Public Safety authority to prescribe the form for licensure as a Class A, B, or C private investigator or security guard provider and for registration as an employee of a licensed private investigator or security guard provider.

(1) No change.

(1) No change.

(2) Requires an applicant for licensure or registration to provide fingerprints for a criminal records check directly to the Superintendent of the Bureau of Criminal Identification and Investigation and to notify the Superintendent of any intent to carry a firearm.

(2) No change.

(2) No change.

(3) Requires the Superintendent to conduct a criminal records check of all applicants for licensure as a private investigator or security guard provider or for registration as an employee of a licensee and directs the Superintendent to request information related to that person from the FBI.

(3) No change.

(3) No change.

(4) Establishes a procedure and fee for the annual renewal registration as an employee of a licensed private investigator or security guard provider.

(4) Same as the Executive, except requires that the annual registration renewal for an employee of an investigator or security guard provider be made pursuant to procedures the Director of Public Safety establishes by rule.

(4) Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation

(5) Changes five fees related to the licensure of private investigators and security guard providers and the registration of employees.

(5) No change.

(5) Same as the Executive, except requires the Director of Public Safety to implement electronic renewal procedures for private investigators and security guards not later than December 31, 2006.

Fiscal effect: The existing fees are deposited to the credit of the Private Investigator and Security Guard Provider Fund (Fund 5B9). The proposed change in the fee structure is expected to generate approximately \$1,195,000 in additional annual revenues to be deposited to the credit of Fund 5B9.

Fiscal effect: No change.

Fiscal effect: No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**25 Federal Highway Safety Program Match****Section: 203.06**

Requires that line item 761-402, Traffic Safety Match, be used to provide the nonfederal portion of the Federal Highway Safety Program, and specifies the procedure by which cash is transferred from the Highway Safety Fund (Fund 036), which supports the appropriations for line item 761-402, to Fund 832 (Traffic Safety - Federal).

Section: 203.06

No change.

Section: 203.06

No change.

26 Film Production Reimbursement Fund**Section: 203.06**

Abolishes the Film Production Reimbursement Fund (Fund 847) and transfers the cash balance in the fund to the State Highway Safety Fund (Fund 036).

Fiscal effect: As of this writing, the available cash balance in Fund 847 is around \$500.

Section: 203.06

No change.

Section: 203.06

No change.

27 Capital Projects**Section: 203.06.03**

Authorizes the Registrar of Motor Vehicles to transfer cash from the State Bureau of Motor Vehicles Fund (Fund 4W4) to the State Highway Safety Fund (Fund 036) to meet its obligations for three specified capital projects.

Section: 203.06.03

No change.

Section: 203.06.03

No change.

28 Motor Vehicle Registration**Section: 203.06.03**

Permits the Bureau of Motor Vehicles to deposit certain revenues to meet the cash needs of the State Bureau of Motor Vehicles Fund (Fund 4W4) before any revenues collected pursuant to sections 4503.02 and 4504.02 of the Revised Code are paid into any other fund.

Section: 203.06.03

No change.

Section: 203.06.03

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**29 Transfer of Interest from Fund R52, Security Deposit Fund****Section: 203.06.03**

Requires the Director of Budget and Management to transfer all interest credited to the Security Deposit Fund (Fund R52) since the fund was created to the State Bureau of Motor Vehicles Fund (Fund 4W4) to offset operating expenses related to motor vehicle registration.

Fiscal effect: As of this writing, it appears that the total amount of interest that will have been credited to Fund R52 from its creation (FY 2002) through the end of FY 2005 will be around \$29,000 to \$33,000. Presumably, under the provision, a total of around \$29,000 to \$33,000 in cash will be transferred from Fund R52 to Fund 4W4.

Section: 203.06.03

No provision.

Section: 203.06.03

No provision.

30 Collective Bargaining Increases**Section: 203.06.06**

Permits the Controlling Board to increase the appropriations for any fund of the Department of Public Safety, except for the GRF, as necessary to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under Chapter 4117. of the Revised Code and, for exempt employees, under section 124.152 of the Revised Code.

Section: 203.06.06

No change.

Section: 203.06.06

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**31 Emergency Medical Services Fund****Section: 203.06.09**

Requires the Director of Budget and Management (1) cancel any existing encumbrances against line items 761-611, Elementary School Seat Belt Program, 761-613, Seat Belt Education Program and 761-637, EMS Grants, and re-establish them against line item 765-624, Operating Expenses - EMS, and (2) transfer any cash balances related to those line items to the Emergency Medical Services Fund (Fund 83M).

Section: 203.06.09

No provision.

Section: 203.06.09

Same as the Executive.

32 Lease Rental Payments for CAP-076, Investigative Unit MARCS Equipment**Section: 203.06.12**

Requires the Director of Public Safety to make cash transfers to the State Highway Safety Fund (Fund 036) from other funds to reimburse Fund 036 for the share of lease rental payments to the Ohio Building Authority that are associated with line item CAP-076, Investigative Unit MARCS Equipment.

Section: 203.06.12

No change.

Section: 203.06.12

No change.

33 Federal Mitigation Program**Section: 203.06.15**

Changes the name of the Disaster Relief Fund to the Federal Mitigation Program Fund (Fund 329) and requires that moneys in the fund be used to plan and mitigate against future disaster costs.

Section: 203.06.15

No change.

Section: 203.06.15

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**34 SARA Title III HAZMAT Planning****Section: 203.06.15**

Authorizes the SARA Title III HAZMAT Planning Fund (Fund 681) to receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's responsibilities under Chapter 3750. of the Revised Code.

Section: 203.06.15

No change.

Section: 203.06.15

No change.

35 State Disaster Relief**Section: 203.06.15**

(1) Authorizes line item 763-601, State Disaster Relief, to accept transfer of cash and appropriations from Controlling Board appropriation items to reimburse eligible local governments and nonprofit organizations for costs related to disasters that have been declared by local governments or the Governor, (2) requires the Emergency Management agency publish and make available certain materials, (3) specifies that individuals may be eligible for reimbursement of costs related to certain disasters, and (4) specifies that funding appropriated to line item 763-601 be used in accordance with the principles of the federal Individual and Family Grant Program.

Section: 203.06.15

No change.

Section: 203.06.15

No change.

36 Hilltop Transfer**Section: 203.06.21**

Requires the Director of Budget and Management, with the agreement of the Director of Public Safety and the Director of Transportation, to transfer cash from the Highway Operating Fund (Fund 002) to the State Highway Safety Fund (Fund 036) that represents the Department of Transportation's portion of the Hilltop Building Project.

Section: 203.06.21

No change.

Section: 203.06.21

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**37 OBA Bond Authority/Lease Rental Payments****Section: 203.06.21**

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

Section: 203.06.21

No change.

Section: 203.06.21

No change.

38 Transfer of Cash Balance from Fund R27, Highway Patrol Fee Refund Fund**Section: 203.06.24**

Requires the Director of Budget and Management to transfer the cash balance in the Highway Patrol Fee Refund Fund (Fund R27) to the Unidentified Public Safety Fund (Fund R24).

Fiscal effect: As of this writing, the available cash balance that would be transferred from Fund R27 to Fund R24 appears to be around \$11,000. The provision is consistent with the proposed consolidation of Fund R27 within Fund R24 contained in the Executive budget.

Section: 203.06.24

No change.

Section: 203.06.24

No change.

39 Cash Balance Fund Review**Section: 203.06.27**

Requires the Director of Budget and Management to review, on an annual basis, the cash balances for each fund in the State Highway Safety Fund Group, with the exception of the State Highway Safety Fund (Fund 036) and the State Bureau of Motor Vehicles Fund (Fund 4W4), and recommend to the Controlling Board an amount to be transferred to the credit of Fund 036 or Fund 4W4, as appropriate.

Section: 203.06.27

No change.

Section: 203.06.27

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**40 Monthly Transfers to Gasoline Excise Tax Fund****Section: 203.06.27**

(1) Requires the Director of Budget and Management to transfer cash in equal monthly increments totaling \$133,424,000 in FY 2006 and \$154,009,400 in FY 2007 from the Highway Operating Fund (Fund 002) to the Gasoline Excise Tax Fund (Fund 060), and (2) requires the monthly amounts to be distributed as follows: (a) 42.86% among the municipal corporations of the state under division (A)(2) of section 5735.27 of the Revised Code, (b) 37.14% among the counties within the state under division (A)(3) of section 5735.27 of the Revised Code, and (c) 20% among the townships within the state under division (A)(5)(b) of section 5735.27 of the Revised Code.

Section: 203.06.27

Relocates the temporary law provision to the Department of Transportation's budget (Section 203.03.15).

Section: 203.06.27

Same as the House.

41 Schedule of Transfers to the State Highway Safety Fund**Section: 203.06.27**

Requires the Director of Budget and Management, under a plan submitted by the Department of Public Safety, to set a cash transfer schedule totaling \$57,181,700 in FY 2006 and \$38,502,400 in FY 2007 from the Highway Operating Fund (Fund 002) to the State Highway Safety Fund (Fund 036).

Section: 203.06.27

No change.

Section: 203.06.27

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**42 Clerk of a Court of Common Pleas Revenue Loss Reimbursement from Automated Title Processing Fund**

No provision.

No provision.

Sections: 403.05, 403.06

Extends until the earlier of December 31, 2005, or the full implementation of the Automated Title Processing System, the 50% reimbursement made from the Automated Title Processing Fund to a clerk of a court of common pleas from any county who certifies revenue loss during 2004 resulting from the implementation of cross-county titling.

Fiscal effect: As a result of this provision, counties that might not otherwise have been reimbursed for certain revenue lost during 2004 will be so reimbursed. The magnitude of that lost revenue to be reimbursed and the related one-time fiscal effect on the state's Automated Titling Processing Board Fund (Fund 849), from which those county reimbursement payments would be disbursed, is estimated to be approximately \$400,000.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**43 District Administration Costs****Section: 203.12**

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 (DPWIC). No more than \$760,000 per year will be available for reimbursement, and individual districts may receive no more than \$40,000 per fiscal year.

Fiscal effect: Assists participating DPWICs in covering administrative costs. Currently, only a few districts take advantage of this program. Those that do not participate may charge fees to local governments or use allocations from county engineers to cover administrative costs. If districts choose not to use the \$40,000 the money may be used for projects instead.

Section: 203.12

No change.

Section: 203.12

No change.

44 Reappropriations**Section: 203.12**

Reappropriates unencumbered appropriations from the Local Transportation Improvement Fund (Fund 052) from Am. Sub. H.B. 87 of the 125th General Assembly for use during the period of July 1, 2005 through June 30, 2006 and from the period of July 1, 2006 through June 30, 2007.

Fiscal effect: Reappropriating encumbrances will allow the Public Works Commission to continue to provide financial assistance for projects that require an extended time frame to complete.

Section: 203.12

No change.

Section: 203.12

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

45 Disposal of Scrap Material by County Engineer

No provision.

R.C. 307.12

Permits a county engineer to dispose of scrap construction materials that remain from a road or bridge improvement if the total value of the scrap does not exceed \$25,000, provides that leftover metal construction material is scrap construction material only if it cannot be used in any other road or bridge improvement or other construction project in its current state, and requires that the county engineer keep records of all dispositions of scrap construction materials.

Fiscal effect: Potential revenue from disposal of scrap construction materials of less than \$25,000 in value.

R.C. 307.12

Same as the House, except permits the county engineer to dispose of metal scrap construction materials resulting from a road or bridge improvement only if they cannot be used in any other "project", rather than, as the bill currently provides, in an other "construction project."

Fiscal effect: Potential revenue from disposal of scrap construction materials of less than \$25,000 in value.

46 Duties of County Engineer

No provision.

R.C. 315.08, 315.14

Provides that the duties of the county engineer do not include engineering duties relating to building regulations and building inspections.

Fiscal effect: If a county contracts out for such a service they will continue to do so. If not, the county building inspector will likely perform the inspections.

R.C. 315.08, 315.14

Same as the House.

47 County Engineer Duty to Survey Land

No provision.

R.C. 315.18

Replaces the mandatory duty of a county engineer to survey lands sold for taxes with discretionary authority to do so.

Fiscal effect: Potential savings for county engineers.

R.C. 315.18

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

48 Repayments to the State Infrastructure Bank

R.C. **4501.04, 5532.09, 5531.10, 5735.05, 5735.25, 5735.27, 5735.28, 5735.29**

Permits counties and municipal corporations to pledge and obligate money received from motor vehicle license taxes, motor vehicle fuel taxes, and tax increment financing (TIF) service payments in lieu of taxes for the repayment of state infrastructure bank obligations. Provides that the specified money can only be obligated, pledged, and paid with respect to public transportation projects. Allows the State Infrastructure Bank (SIB) to issue bonds so that it can continue making loans to political subdivisions, and amends current fuel tax statutes relative to cities, counties, and townships to allow motor fuel tax revenue to be used to pay back SIB loans. The Department indicates that local governments have always used their motor fuel tax revenue to pay back SIB loans, but the Revised Code never clearly provided them the authority to do so.

Fiscal Effect: None apparent as local governments have always used their motor fuel tax revenue to pay back SIB loans.

R.C. **4501.04, 5532.09, 5531.10, 5735.05, 5735.25, 5735.27, 5735.28, 5735.29**

No change.

R.C. **4501.04, 5532.09, 5531.10, 5735.05, 5735.25, 5735.27, 5735.28, 5735.29**

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

49 Three or Fewer Steel Coils a Nondivisible Load

No provision.

R.C. 4513.34

With respect to ODOT special permit law, codifies the existing uncodified provisions that (1) declare three or fewer steel coils to be a nondivisible load and (2) limit the gross vehicle weight of the transport vehicle, including the coils, to 92,000 pounds.

Fiscal effect: The Department may experience additional revenue from issuing permits.

R.C. 4513.34

Same as the House, except extends from July 1, 2005, through June 30, 2007, the existing uncodified provision of law governing the issuance of special permits for overweight vehicles that (1) declares three or fewer steel coils to be a nondivisible load and (2) limits the gross vehicle weight of the transport vehicle, including the coils, to 92,000 pounds. Removes the provision of the bill that would make the existing uncodified provision permanent.

Fiscal effect: The Department may experience additional revenue from issuing permits from July 1, 2005 through June 30, 2007.

50 Debarring of Special Hauling Permit Applicant

No provision.

No provision.

R.C. 4513.34

Establishes procedures for the debarment of applicants for special hauling permits, and establishes grounds for debarment.

Fiscal effect: The Department may experience minimal administrative expenses to send notice to haulers of the proposed debarment, hold a hearing on the debarment, notify the hauler of the debarment decision by mail, and reissue special permits.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

51 Pavement Management System

No provision.

R.C. 5501.11

Requires ODOT to develop a pavement management system.

Fiscal effect: The Department may experience increased cost to develop a pavement management system. The actual costs are currently unknown.

R.C. 5501.11

Same as the House, except removes the word "implement" from the requirement of the bill that ODOT "develop and implement a pavement management system" and replaces it with a requirement for ODOT to "maintain" the system.

Fiscal effect: The Department may experience increased cost to develop and maintain a pavement management system. The actual costs are currently unknown.

52 Sale of ODOT Personal Property

No provision.

R.C. 5513.04

Defines "personal property" for purposes of the sale of unneeded ODOT personal property. Clarifies that the Director may reject any offer or bid for an item and that the Director separately may remove an item from a sale if a public authority has a use for the item.

Fiscal effect: None.

R.C. 5513.04

Same as the House.

53 Sale of ODOT State Property

R.C. 5513.04

Revises the sale of personal property by the Director of Transportation by allowing the Director to sell property by any method most advantageous to the Department, including an Internet auction.

Fiscal Effect: On-line auction provision would allow the Department to expand its sale of surplus equipment and possibly increase revenues. The actual amount of revenue will depend on sales.

R.C. 5513.04

No change.

R.C. 5513.04

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

54 Bidding Requirements

R.C. 5525.01

Eliminates the requirement that the information bidders must furnish ODOT detailing their pending work be printed and made under oath.

Fiscal Effect: Streamlines part of the bidding process since a bidder's pending work can now be submitted through ODOT's electronic bidding system. This provision will create minimal administrative savings for the Department.

R.C. 5525.01

No change.

R.C. 5525.01

No change.

55 Confidential Cost Estimates

R.C. 5525.10, 5525.15

Establishes that if ODOT keeps its cost estimate for a construction project confidential until bids are received, the requirement for contracts to be awarded at no more than the estimated costs plus 5% does not apply.

Fiscal Effect: This provision will allow the Department to adjust its project estimates to be more in line with bids received, potentially reducing project costs.

R.C. 5525.10, 5525.15

No change.

R.C. 5525.10, 5525.15

No change.

56 ODOT Bridge Painting Warranty Period

No provision.

No provision.

R.C. 5525.25

Establishes not more than five years as the warranty period for ODOT bridge painting projects that are bid requiring a warranty, instead of two years under current law.

Fiscal effect: May allow the Department to recoup additional costs for bridge painting projects.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

57 Advance Payment to the Federal Government

R.C. 5531.11

Permits the Director of Transportation to enter into agreements with the United States or any U.S. department or agency for costs of providing services, and project cooperation agreements with the United States Department of Army for construction projects, which may include provisions for advance payments by the Director.

Fiscal Effect: These advanced payments will remedy some of the difficulties the Department has had with U.S. government contract requirements.

R.C. 5531.11

No provision.

R.C. 5531.11

Same as the Executive.

58 Transportation of Load of Two or Fewer Steel Coils on the Ohio Turnpike

No provision.

R.C. 5537.161

Requires the Ohio Turnpike Commission to allow the operation of a motor vehicle transporting two or fewer steel coils under a special permit issued by the Director of Transportation.

Fiscal effect: Potential increase in revenue to ODOT from issuing permits.

R.C. 5537.161

Removes from the bill the provision requiring the Ohio Turnpike Commission to allow the operation on any turnpike project of a motor vehicle transporting two or fewer steel coils under a special permit issued by the Director of Transportation. Specifies that the rules of the Ohio Turnpike Commission with regard to the issuance of a special permit allowing the operation of a motor vehicle transporting two or fewer steel coils on a turnpike project apply notwithstanding general laws on vehicle weights and special permits.

Fiscal effect: Potential increase in revenue to the Ohio Turnpike Commission from issuing permits.

59 Date for the Ohio Turnpike Commission Annual Report

R.C. 5537.17

Moves the date for the Ohio Turnpike Commission annual report from on or before April 1 to on or before July 1.

Fiscal Effect: None.

R.C. 5537.17

No change.

R.C. 5537.17

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

60 County Engineer Road Reports

No provision.

R.C. 5543.02

Changes the deadline for the county engineer's annual road reports to the board of county commissioners and boards of township trustees from April 1 to June 1.

Fiscal effect: Deadline change may allow county engineer more opportunity to assess the condition of county roads and bridges.

R.C. 5543.02

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

61 Motor Fuel Use Tax Reimbursement

R.C. 5735.23

This provision increases the amount of reimbursement municipalities, counties, and townships are required to pay to the Highway Operating Fund each month to compensate ODOT for the loss of motor fuel use tax revenue. The final 2 cents of the motor fuel use tax is scheduled to be eliminated at the same time the final 2-cent motor fuel tax increase takes effect in FY 2006. Specifies that the amount certified to the Treasurer of State as being necessary to meet all payments of debt service and financing costs due during the fiscal year from the Highway Capital Improvement Bond Service Fund is to be transferred from the Highway Operating Fund to the Bond Service Fund in equal monthly installments from September to February of that fiscal year, rather than as the money becomes available, as provided in current law.

Fiscal Effect: Increases the reimbursement to cover the revenue lost from the phase out of the fuel use tax. The change will increase the reimbursement from \$248,625 each month from counties and municipalities to \$745,875, and increase the reimbursement from \$87,750 from townships to \$263,250 each month. This provision will also spread the transfers out over a longer period and will help maintain more consistent cash management activities.

R.C. 5735.23

No change.

R.C. 5735.23

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

62 Issuance of Bonds

Section: 203.03.03

Authorizes the issuance of \$360 million in bonds for highway purposes.

Fiscal effect: Bonding authority is reduced because the Department does not anticipate borrowing as much because of increased motor fuel tax revenues and additional federal revenues. In the last transportation budget act (Am. Sub. H.B. 87 of the 125th G.A.), \$420 million was authorized.

Section: 203.03.03

No change.

Section: 203.03.03

No change.

63 Maintenance of Interstate Highways

Section: 203.03.04

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: 203.03.04

No change.

Section: 203.03.04

No change.

64 Increase Appropriation Authority: Federal and Local Funds

Section: 203.03.06

Allows the Controlling Board to increase appropriation authority for line items in the Highway Operating Fund.

Fiscal Effect: This will allow the Department to use receipts or unexpended balances or apportionments or allocations made available from the federal and local government that exceed appropriations authority.

Section: 203.03.06

No change.

Section: 203.03.06

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

65 Increase Appropriation Authority: State Funds

Section: 203.03.06

Allows the Controlling Board to increase appropriation authority for line items in the Highway Operating Fund.

Fiscal Effect: Allows the Department to use receipts or unexpended balances that exceed appropriations authority.

Section: 203.03.06

No change.

Section: 203.03.06

No change.

66 Preventive Maintenance

No provision.

Section: 203.03.06

Requires the Department of Transportation to contract with an independent party to issue a yearly report on the effectiveness and progress of preventive maintenance projects that meet warranty guidelines. The Department is required to issue a yearly report on or before the first day of December for three consecutive years beginning in fiscal year 2005 and specifies its content.

Fiscal effect: The Department may experience increased costs to issue a yearly report for three years on preventive maintenance projects.

Section: 203.03.06

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

67 Reappropriations

Section: 203.03.06

Requires all appropriations of the Highway Operating Fund, the Highway Capital Improvement Fund, and the Infrastructure Bank Funds remaining unencumbered at the end of FY 2005 and FY 2006, be reappropriated in FY 2006 and FY 2007, respectively. Also, requires any balances of these funds prior years' appropriations that remain encumbered at the end of FY 2005 and FY 2006, be reappropriated in FY 2006 and FY 2007.

Fiscal Effect: This will allow the Department to use encumbered and unencumbered funds from prior fiscal years.

Section: 203.03.06

No change.

Section: 203.03.06

No change.

68 Transfer of Appropriations - Federal Highway and Federal Transit

Section: 203.03.06

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.

Fiscal Effect: This will give the Department cash management flexibility to meet federal funding guidelines for transit capital projects.

Section: 203.03.06

No change.

Section: 203.03.06

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

69 Transfer of Appropriations: State Infrastructure Bank

Section: 203.03.06

Allows the Director of Budget and Management to transfer appropriations and cash from Department's State Infrastructure Bank (SIB) funds, but not out of SIB debt service funds unless the appropriated amounts exceed debt, rental, or lease payments. If such debt, rental, or lease payments do exceed appropriations in the SIB debt service funds, the balance shall be transferred to appropriations item 772-422, Highway Construction-Federal.

Fiscal Effect: This will give the Department cash management flexibility to transfer these funds where needed.

Section: 203.03.06

No change.

Section: 203.03.06

No change.

70 Transfer of Highway Operating Fund Appropriations

Section: 203.03.06

Allows the Director of Budget and Management to approve requests for transfer of Highway Operating Fund appropriations for highway planning and research, highway construction, highway maintenance, rail grade crossings, aviation, and administration.

Fiscal Effect: This will give the Department cash management flexibility to provide for emergency situations and unforeseen conditions over the biennium.

Section: 203.03.06

No change.

Section: 203.03.06

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

71 Liquidation of Unforeseen Liabilities

Section: 203.03.09

Allows for any Highway Operating Fund appropriation, unless restricted by law, to be able to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

Fiscal Effect: Unknown, potential cash reduction in the Highway Operating Fund if such unforeseen liabilities arise.

Section: 203.03.09

No change.

Section: 203.03.09

No change.

72 Public Access Roads for State Facilities

Section: 203.03.09

Earmarks \$4,517,500 in each fiscal year from appropriation item 772-421, Highway Construction-State for construction, reconstruction, and maintenance of public access roads to and with state facilities owned and operated by the Department of Natural Resources. Also, earmarks \$2,228,000 for related roadwork in metropolitan parks. Allows the Department to use the appropriations to perform related roadwork on behalf of the Ohio Expositions Commission, but does not provide an earmark.

Fiscal Effect: Earmarks up to \$6,745,500 in each fiscal year from the 772-421, Highway Construction-State line item.

Section: 203.03.09

No change.

Section: 203.03.09

No change.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways and Transportation

73 Rental Payments

Section: 203.03.12

Requires appropriation item 770-003, Administration-State Debt Service be used to pay rent to the Ohio Building Authority for various buildings used by the Department. Requires rental payments be made from revenues from the motor fuel tax. Grants the Director title to the Department's land and buildings. Requires the Director to purchase the land for construction of the Department's buildings or facilities. Allows for current and prior year appropriations that exceed rental payments to be transferred to appropriations items for state construction, maintenance, and administration.

Fiscal Effect: If appropriations exceed rental payments there may be additional amounts available in specified line items.

Section: 203.03.12

No change.

Section: 203.03.12

No change.

74 Monthly Transfers to the Gasoline Excise Tax Fund

No provision.

Sections: 203.03.15, 203.06.27

Makes a technical change to the bill. Moves the Gasoline Excise Tax Fund monthly transfer language from the Department of Public Safety into the Department of Transportation.

Fiscal effect: Moves this language to the appropriate location in the bill; then requires monthly transfers of \$133,424,000 in FY 2006 and \$154,009,400 in FY 2007 and specifies the distribution formula for local governments.

Sections: 203.03.15, 203.06.27

Same as the House.

As Introduced (Executive)

As Passed by the House

As Reported by Senate Highways
and Transportation**75 Public Transportation Highway Purpose Grants****Section: 203.03.15**

Allows the Director to use motor fuel tax revenues to match federal grants or support local or state funded public transportation highway projects. Projects may include the construction and repair of high-occupancy vehicle traffic lanes; the acquisition and construction of park and ride facilities and transit loops; and repair of bridges used by public transportation vehicles. Motor fuel tax revenues may not be used for operating assistance or for the purchase of vehicles, equipment, or maintenance facilities.

Fiscal Effect: This provision expands the use of motor fuel tax revenues for public transportation highway projects.

Section: 203.03.15

No change.

Section: 203.03.15

No change.

76 Alternative Soundproofing

No provision.

Section: 203.0318

Requires the Director of Transportation to perform a study of alternative soundproofing methods or techniques that could be used in Ohio as an alternative to traditional sound barriers. The Director is required to issue a report on the study findings to the chairperson and ranking minority members of House and Senate Transportation Committees, the Speaker of the House of Representatives, the President of the Senate, and the Minority Leaders of the House of Representatives and Senate on or before June 30, 2006. The provision earmarks up to \$250,000 in FY 2006 for this purpose.

Section: 203.0318

Same as the House.