



COMPARISON DOCUMENT

Substitute House Bill 67 *127th General Assembly*

Representative Tom Patton, Sponsor

Transportation Budget Bill

As Introduced
As Passed by the House
As Passed by the Senate

Legislative Service Commission

March 27, 2007

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

1 (CD-282-AGR) Motor Fuel Quality Testing Program

No provision.

No provision.

R.C. 1327.70

Authorizes the Director of Agriculture to establish a motor fuel quality testing program in rules adopted in accordance with the Administrative Procedure Act.

Fiscal effect: The costs associated with developing the program and any administrative rules needed for its implementation are likely to be minimal.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

2 (CD-299-AFC) Capital Appropriation Change - Western Reserve Historical Society

No provision.

No provision.

Section: 401.10

Amends Am. Sub. H.B. 530 of the 126th General Assembly (capital reappropriations bill) and removes appropriation item CAP-814, Crawford Museum of Transportation and Industry, and reappropriates the funds to appropriation item CAP-853, Western Reserve Historical Society, all in Fund 030, and earmarks the funds for use on the East Boulevard/University Circle project.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

3 (CD-38-DEV) Roadwork Development Fund

Section: 227.10

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: 227.10

Same as the Executive, but adds earmarks of \$250,000 to each of nine Transportation Improvement Districts (TIDs):

- (1) Butler County TID
- (2) Clermont County TID
- (3) Hamilton County TID
- (4) Lorain County TID
- (5) Medina County TID
- (6) Montgomery County TID
- (7) Muskingum County TID
- (8) Stark County TID
- (9) Rossford TID in Wood County

Section: 227.10

Same as the House.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
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4 (CD-41-EDU) Community School Transportation

R.C. 3314.091

R.C. 3314.091

No provision.

Permits community schools to transport their students without entering into an agreement with the students' resident school districts.

Same as the House.

No provision.

Specifies that the transportation provided by community schools be comparable to the one provided by their resident school districts.

No provision.

Requires the Department of Education to pay community schools that transport their students without entering into an agreement with the district the per pupil amount that would otherwise be paid to the students' resident school districts for transportation.

Fiscal effect: These community school students will be included in their resident district's student count to qualify for state transportation funding, which will then be deducted and paid to community schools. This provision has no fiscal effect on resident districts.

5 (CD-45-EDU) School Bus Drivers

R.C. 3327.10

R.C. 3327.10

No provision.

Prohibits the owner of a school bus or motor van from permitting any person to drive the bus or van for seven years following any six-point traffic violation.

Same as the House.

No provision.

Requires each owner of a school bus or motor van (1) within 30 days after the bill's effective date, to obtain the seven-year driving record of each person employed or otherwise authorized to drive the bus or van; (2) to obtain seven-year driving records before allowing a person to operate a school

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

bus or motor van for the first time; (3) and to obtain annual driving records thereafter.

Fiscal effect: School districts, and other entities that own school buses or motor vans, are currently required to get driving abstracts each year, which cost \$2 a copy and typically cover three years, from the Bureau of Motor Vehicles. If fees are increased as a result of these changes, school districts may experience increases in costs to obtain the records.

6 (CD-63-EDU) Creation of School Zones for Special Elementary Schools

No provision.

R.C. 4511.21

Requires a County Engineer to create a school zone where a special elementary school (such as an Amish school) is located upon the request of the school.

Fiscal effect: A County Engineer's office may incur minimal expenses to erect signage indicating the location of a school zone.

R.C. 4511.21

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

7 (CD-294-DNR) Watercraft Trailer Brake Requirements

No provision.

No provision.

R.C. 4513.20

Revises the brake requirements for watercraft trailers manufactured or assembled on or after January 1, 2008.

Fiscal effect: Local county courts or municipal courts may experience a minimal increase in caseload and administrative expenses related to misdemeanor offenses associated with this provision. Any collection of fine revenue ranging from \$150 to \$500 will be credited to the county treasury in the county where the violation occurred.

8 (CD-281-DNR) Private Property Owner Immunity

No provision.

No provision.

R.C. 1533.18

Establishes that a person who operates a four-wheel drive motor vehicle on private property is a recreational user for purposes of the currently established immunity from liability that an owner, lessee, or occupant of private property has in regard to recreational users, which under current law means a person to whom permission has been granted, without charge, to enter upon premises to hunt, fish, trap, camp, hike, swim, operate a snowmobile or all-purpose vehicle, or engage in other recreational pursuits.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

11 (CD-309-DHS) Motor Vehicle Auctions

No provision.

No provision.

R.C. 4517.021, 4517.21, 4707.02, and 4707.074

Allows any person to conduct not more than two auctions of classic motor vehicles (over 26 years old) per year without being licensed by the Registrar of Motor Vehicles to sell or auction motor vehicles and establishes the conditions for such an auction.

No provision.

No provision.

Allows a motor vehicle auction owner licensed under the Motor Vehicle Dealer Law to: (1) conduct an auction of classic motor vehicles at the motor vehicle auction owner's place of business and auction vehicles at that location to any person and (2) conduct an auction at a motor vehicle dealer's place of business and auction vehicles at that location to any person.

No provision.

No provision.

Specifies that an auction owner is exempt under Auctioneers' Law only if the auction owner exclusively sells motor vehicles to a licensed motor vehicle dealer.

Fiscal effect: Department of Public Safety staff have indicated that these provisions are likely to generate a one-time increase in Bureau of Motor Vehicle expenditures related to the development of the form that the auctioneer is required to file before conducting any classic motor vehicle auctions.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

12 (CD-18-DHS) Uses of the Family Violence Prevention Fund

R.C. 3705.242

Requires the Director of Public Safety to use money credited to the Family Violence Prevention Fund (Fund 5BK), which is currently required to be used to provide grants to family violence shelters in Ohio, to be used to operate the Division of Criminal Justice Services as well.

Fiscal effect: Presumably, as a result of this provision, there will a reduction in the total amount of money available to provide grants to family violence shelters, the annual magnitude of which would be a function of the amount of money appropriated for operating expenses. Based on the executive-recommended appropriations for FYs 2008 and 2009, the amount of money to be allocated annually for operating expenses and grants will be \$400,000 and \$750,000, respectively.

R.C. 3705.242

Same as the Executive.

R.C. 3705.242

Same as the Executive.

13 (CD-43-DHS) Identity Verification Number for Vehicle Registration, Implementation Date

No provision.

R.C. 4503.10

Allows the use of a driver's license number or state identification number when applying for a vehicle registration, as options in addition to a person's social security number, which is generally required under current law.

Fiscal effect: The Department estimates that this provision will require approximately 1,500 hours of work at a one-time cost of around \$120,000.

R.C. 4503.10, Section 555.06

Same as the House, except extends the effective date for this section to September 1, 2007.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
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<p>14 (CD-42-DHS) Windshield Disability Placards</p> <p>No provision.</p>	<p>R.C. 4503.44</p> <p>Requires removable windshield disability placards (including temporary placards) to bear the name of the person with the disability.</p> <p><i>Fiscal effect: As of this writing, from the Department of Public Safety's perspective, the state and local fiscal effects of this provision, if any, are uncertain.</i></p>	<p>No provision.</p>
<p>15 (CD-44-DHS) Leased or Rented Vehicle Traffic Law Violations Detected by Photo-Monitoring Devices</p> <p>No provision.</p>	<p>R.C. 4511.092</p> <p>Establishes that a motor vehicle leasing dealer or motor vehicle renting dealer who receives a ticket for an alleged traffic law violation detected by a traffic law photo-monitoring device is not liable for a ticket issued for a vehicle that was in the care, custody, or control of a lessee or renter, but requires the dealer to notify whoever issued the ticket of the vehicle lessee or renter's name and address, and prohibits the dealer from paying such a ticket and then attempting to collect a fee or assess the lessee or renter a charge for any payment of such a ticket made on behalf of the lessee or renter.</p> <p><i>Fiscal effect: Currently, there are around ten communities in Ohio that are using photo red light traffic enforcement systems. As of this writing, the impact of these provisions on the revenue and expenditure activities of those communities is uncertain.</i></p>	<p>R.C. 4511.092</p> <p>Same as the House.</p>

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

16 (CD-17-DHS) Appropriations for the Division of Homeland Security

R.C. 5502.03

Removes language, enacted when the Division of Homeland Security was created in 2003, declaring the intent of the General Assembly that the creation of the division "not result in an increase in funding appropriated to the department."

Fiscal effect: Arguably, the removal of this intent language carries no fiscal effect. Since its creation, it appears that the Division's operating expenses have been, and will continue to be, financed by moneys appropriated from the Department's Fund 840, which consists of fines collected from, or money arising from bonds or bail forfeited by, persons apprehended or arrested by Ohio State Highway Patrol troopers.

R.C. 5502.03

Same as the Executive.

R.C. 5502.03

Same as the Executive.

17 (CD-19-DHS) Creation of the Federal Justice Grants Fund

R.C. 5502.62, Section 550.10

Creates the Federal Justice Grants Fund, which is in effect the renaming of the existing Justice Programs Fund (Fund 3L5), to consist of money from federal grants that is received by the Division of Criminal Justice Services for criminal justice programs and that is not required to be credited to an interest-bearing fund or account.

Fiscal effect: This appears to be a state accounting-related provision carrying no readily apparent fiscal effect.

R.C. 5502.62, Section 550.10

Same as the Executive.

R.C. 5502.62, Section 550.10

Same as the Executive.

18 (CD-20-DHS) Codification of the Justice Program Services Fund

R.C. 5502.67, Section 550.20

Codifies the Justice Program Services Fund, which is in effect a renaming of the existing General Services Fund (Fund 4P6), to consist of money collected by the Division of Criminal Justice Services for nonfederal purposes that is not required to be credited to some other fund and to be used for costs of administering the operations of the Division of Criminal Justice Services.

Fiscal effect: This appears to be a state accounting-related provision carrying no readily apparent fiscal effect.

R.C. 5502.67, Section 550.20

Same as the Executive.

R.C. 5502.67, Section 550.20

Same as the Executive.

19 (CD-305-DHS) Family Violence Prevention Fund

No provision.

No provision.

Section: 217.10

Requires that the first \$750,000 in revenues to the Family Violence Prevention Fund (Fund 5BK) in each fiscal year be appropriated to line item 768-689, Family Violence Shelter Programs, the next \$400,000 in revenues in each fiscal year be appropriated to line item 768-687, Criminal Justice Services Operating, and any remaining revenues be appropriated to line item 768-689, Family Violence Shelter Programs, with the approval of the Controlling Board, to be disbursed as grants to family violence shelters in Ohio.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

20 (CD-306-DHS) State Highway Patrol Funding Task Force

No provision.

No provision.

Section: 555.17

Creates a Task Force consisting of members appointed by the Governor to study and make a report by July 1, 2008, with a recommendation for a dedicated and stable long-term funding source for the State Highway Patrol.

Fiscal effect: As of this writing, the one-time state cost associated with the duties of the Task Force is uncertain, but may be no more than minimal.

21 (CD-1-DHS) Federal Highway Safety Program Match**Section: 205.10**

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 the Traffic Safety - Federal Fund (Fund 832).

Section: 205.10

Same as the Executive.

Section: 205.10

Same as the Executive.

22 (CD-2-DHS) Motor Vehicle Registration**Section: 207.10**

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: 207.10

Same as the Executive.

Section: 207.10

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

23 (CD-3-DHS) Capital Projects**Section: 207.10**

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: 207.10

Same as the Executive.

Section: 207.10

Same as the Executive.

24 (CD-4-DHS) Collective Bargaining Increases**Section: 209.10**

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: 209.10

Same as the Executive.

Section: 209.10

Same as the Executive.

25 (CD-5-DHS) Traffic Safety Operating Fund**Section: 209.10**

Requires the Director of Budget and Management to transfer the cash balance in Fund 5AY (Traffic Safety Operating Fund) to Fund 036 (State Highway Safety Fund) on July 1, 2007, or as soon as possible thereafter. Any existing encumbrances against line item 764-688, Traffic Safety Operating, are to be cancelled and re-established against line item 764-321, Operating Expense - Highway Patrol. Once the transfers are complete, Fund 5AY is to be abolished.

Section: 209.10

Same as the Executive.

Section: 209.10

Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
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26 (CD-6-DHS) Cash Transfer to the State Highway Safety Fund

Section: 209.10

Requires the Treasurer of State, prior to making any distributions for the evaporation/shrinkage allowance listed in sections 5735.23, 5735.26, 5735.291, and 5735.30 of the Revised Code, to deposit the first \$1,600,000 received each month to the credit of Fund 036 (State Highway Safety Fund).

Section: 209.10

Same as the Executive, except reduces the amount to be deposited to the State Highway Safety Fund from \$1,600,000 per month to \$1,250,000 per month.

Section: 209.10

Same as the House, except specifies that the amount to be deposited monthly to the State Highway Safety Fund is at least \$1,250,000 and up to \$1,600,000.

27 (CD-7-DHS) Cash Transfers of Seat Belt Fine Revenues

Section: 211.10

Permits, subject to the approval of the Controlling Board, cash transfers between the four funds that receive seat belt fine revenues: the Trauma and Emergency Medical Services Fund (Fund 83M), the Elementary School Program Fund (Fund 83N), the Trauma and Emergency Medical Services Grants Fund (Fund 83P), and the Seat Belt Education Fund (Fund 844).

Section: 211.10

Same as the Executive.

Section: 211.10

Same as the Executive.

28 (CD-8-DHS) Lease Rental Payments for CAP-076, Investigative Unit MARCS Equipment

Section: 213.10

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: 213.10

Same as the Executive.

Section: 213.10

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

29 (CD-9-DHS) State Disaster Relief**Section: 215.10**

Authorizes the State Disaster Relief (Fund 533) and related non-GRF appropriation item 763-601: (1) to accept cash and appropriations transferred from Controlling Board appropriation items for Ohio Emergency Management Agency (EMA) disaster response costs and disaster program management costs, (2) to accept transfers of cash and appropriations from Controlling Board appropriation items for EMA public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for disaster-related costs, (3) to accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments, (4) to accept disaster-related reimbursement from federal, state, and local governments, and (5) to accept transfers of cash and appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program for disasters declared by the Governor, and the State Individual Assistance Program for disasters declared by the Governor and the federal Small Business Administration.

Requires EMA to publish and make available application packets outlining procedures for the State Disaster Relief Program and the State Individual Assistance Program.

Section: 215.10

Same as the Executive.

Same as the Executive.

Section: 215.10

Same as the Executive.

Same as the Executive.

30 (CD-10-DHS) SARA Title III HAZMAT Planning**Section: 215.10**

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: 215.10

Same as the Executive.

Section: 215.10

Same as the Executive.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
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<p>31 (CD-11-DHS) Transfer of the Office of Criminal Justice Services to the Department of Public Safety</p> <p>Section: 217.10</p> <p>States that business not completed by the Office of Criminal Justice Services prior to its abolition effective July 1, 2005, is to be transferred to, and completed by, its successor, the Division of Criminal Justice Services, and that no validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer.</p>	<p>Section: 217.10</p> <p>Same as the Executive.</p>	<p>Section: 217.10</p> <p>Same as the Executive.</p>
<p>32 (CD-12-DHS) Fund Clarifications</p> <p>Section: 217.10</p> <p>Clarifies that: (1) the newly codified Federal Justice Grants Fund is the same fund, with a new name, as the Justice Programs Fund (Fund 3L5), and (2) the newly codified Justice Program Services Fund is the same fund, with a new name, as the General Services Fund (Fund 4P6).</p>	<p>Section: 217.10</p> <p>Same as the Executive.</p>	<p>Section: 217.10</p> <p>Same as the Executive.</p>
<p>33 (CD-13-DHS) OBA Bond Authority/Lease Rental Payments</p> <p>Section: 221.10</p> <p>Authorizes the Ohio Building Authority (OBA) 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.</p>	<p>Section: 221.10</p> <p>Same as the Executive.</p>	<p>Section: 221.10</p> <p>Same as the Executive.</p>

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

34 (CD-14-DHS) Hilltop Transfer**Section: 221.10**

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: 221.10

Same as the Executive.

Section: 221.10

Same as the Executive.

35 (CD-15-DHS) Cash Balance Fund Review**Section: 225.10**

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: 225.10

Same as the Executive.

Section: 225.10

Same as the Executive.

36 (CD-39-DHS) Real ID Act Extension

No provision.

Section: 555.05

Directs the Director of Public Safety to request an extension of time to meet the requirements of the federal Real ID Act of 2005.

Fiscal effect: This provision compels the Director to request a deadline extension that is already permitted under federal law. It is unclear as to whether such a deadline extension has any fiscal implications other than to grant the state more time

Section: 555.05

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

to comply with federal law.

37 (CD-16-DHS) Motor Fuel Excise Tax: Evaporation and Shrinkage Discount and Refund

Section: 557.10

Makes temporary changes to the motor fuel excise tax shrinkage and evaporation discount and refund amounts by reducing the discount for FYs 2008 and 2009 to 1.0% (minus 0.65% of gallonage sold to retail dealers) and retaining, for all four semiannual periods of FYs 2008 and 2009, the refund percentage established by Am. Sub. H.B. 66 of the 126th General Assembly for FY 2007 (0.65% of the taxes paid per semiannual period).

Fiscal effect: The executive proposal to reduce the shrinkage allowance will increase revenue to several state funds and to counties, municipalities, and townships for highway-related projects. The increased revenue results from an increase in the amount of tax paid by dealers due to an effective increase in the number of gallons that are taxable under the motor fuel excise tax. The amount of revenue involved is approximately \$37 million per year. Of the increased revenue, the executive-recommended transportation budget provides that \$19.2 million be transferred to the Highway Safety Fund (Fund 036) in each of FYs 2008 and 2009. The distribution of the remaining revenue, or approximately \$18 million, is as follows: (1) 1%, or \$170,000, directed to the Department of Natural Resources (0.875% to the Waterways Safety Fund and 0.125% to the Wildlife Boater Angler Fund), (2) 0.275%, or \$46,750, directed to the Department of

Sections: 557.10, 557.11

Same as the Executive, but a greater share of the remaining shrinkage allowance (0.5%) is permitted to motor fuel dealers, meaning that the share permitted to motor fuel retailers is reduced. Also, motor fuel retailers are allowed a vendor discount of 0.9% of motor fuel taxes paid on fuel that they purchase. The vendor discount is in addition to the retailer's share of the shrinkage allowance, and is refunded to the motor fuel retailer after the retailer applies for the funds. The vendor discount would expire at the end of the biennium.

Fiscal effect: The vendor discount provision would reduce the revenue increase to approximately \$20.5 million per year. Of this amount, the bill specifies that \$15 million each year is to be transferred to Fund 036. The remaining approximately \$5.5 million would be distributed according to the allocation formula described for the As Introduced version of the bill.

Section: 557.10

Same as the House, except that section numbers are reorganized and effective date of provision is specified to be immediate.

Fiscal effect: Same as the House, except that the amount transferred to Fund 036 is changed to between \$15 million and \$19.2 million each year. This leaves between \$1.3 million and \$5.5 million each year to be distributed to other state funds and to local governments according to the allocation formula described for the As Introduced version of the bill.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Taxation, (3) approximately 71.3%, or \$12,121,000, directed to the Department of Transportation, (4) approximately 23.8%, or \$4,046,000, directed to counties, municipalities, and townships for highway-related projects, and (5) approximately 3.6%, or \$612,000, directed to the Public Works Commission for use in the Local Transportation Infrastructure Program.

38 (CD-40-DHS) Land Conveyance in Lawrence County

No provision.

Section: 571.10

Authorizes the conveyance of real estate located in Lawrence County from the South Point Board of Education to the State Highway Patrol.

Fiscal effect: The value of the Perry Township property being conveyed at no cost by the South Point Board of Education to the State Highway Patrol is uncertain. It appears that the Patrol's intent is to build a new patrol post on the real estate.

Section: 571.10

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

39 (CD-61-PWC) District Administration Costs**Section: 229.10**

Authorizes the Director of the Public Works Commission to use investment earnings from the State Capital Improvement Fund (SCIP) and the Local Transportation Improvement Fund (LTIP) for administrative costs incurred by individual District Public Works Integrating Committees (DPWIC). No more than \$1,235,000 per year may be available for reimbursement, and individual districts may receive no more than \$65,000 per fiscal year.

Fiscal effect: Assists participating DPWICs in covering administrative costs. Currently, only a few districts take advantage of this program.

Section: 229.10

Same as the Executive.

Section: 229.10

Same as the Executive.

40 (CD-62-PWC) Reappropriations**Section: 229.10**

Reappropriates unencumbered appropriations from the Local Transportation Improvement Fund (Fund 052) from Am. Sub. H.B. 68 of the 126th General Assembly for use during the period July 1, 2007, through June 30, 2008 and from the period July 1, 2008, through June 30, 2009, for the same purpose.

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: 229.10

Same as the Executive.

Section: 229.10

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

41 (CD-53-BOR) Capital Project Transfers

No provision.

Section: 403.05

Amends Am. Sub. H.B. 699 of the 126th General Assembly to transfer projects CAP-166, Playhouse Square Center - Hanna Theatre, in the amount of \$750,000, and CAP-169, Cleveland Museum of Art, in the amount of \$3,000,000, from Cleveland State University to Cuyahoga Community College.

Section: 403.05

Same as the House.

42 (CD-284-DOT) Detour Route Repair

No provision.

No provision.

R.C. 5517.03

Requires the Director of Transportation to maintain and restore more than one detour route if the appropriate local legislative authority petitions the Director and the Director finds that traffic from a closed road, bridge, or culvert caused damage to the additional route that is the subject of the petition (in addition to the one route current law requires the Director to maintain and restore that was not the detour route selected by the Director).

Fiscal effect: Potential increase in expenditures to the Highway Operating Fund (Fund 002). The amount of the increase will depend on the number of local authority petitions and the extent of the work.

43 (CD-48-DOT) Creation of the Position of Deputy Inspector General for the Department of Transportation

No provision.

R.C. 121.51

Creates in the Office of the Inspector General the position of Deputy Inspector General for the Department of Transportation, with the duty to investigate all claims or cases of criminal violations, abuse of office, or misconduct on the part of officers or employees of the department to conduct a program of random review of the processing of contract associated with building and maintaining the state's infrastructure.

Fiscal effect: It is unknown what the salaries of the Deputy Inspector General and his or her employees may be, as well as the costs incurred by the Deputy Inspector General and his or her staff. The

R.C. 121.51, 305.20

Similar to the House, but requires 1) the Inspector General to appoint, rather than hire, the Deputy Inspector General for the Department of Transportation, 2) creates the "Deputy Inspector General for ODOT Fund", to be used by the Inspector General to pay the costs incurred by the Deputy Inspector General for the Department of Transportation, and 3) appropriates the amounts transferred by the Director of Budget and Management to the "Deputy Inspector General for ODOT Fund".

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expenses will be paid by ODOT from appropriations which support general administrative purposes.

44 (CD-52-DOT) Authorizes Port Authorities to Enter into Mutual Aid Agreements

No provision.

R.C. 737.04, 737.041

Authorizes municipal corporations to enter into contracts with port authorities to share police resources and permits police departments to provide police protection to port authorities even without a contract upon approval of the legislative authority.

Fiscal effect: Currently, it is unknown how much, if any, reimbursement may be paid by either municipalities or port authorities to share police resources.

R.C. 737.04, 737.041

Same as the House.

45 (CD-50-DOT) Distribution of Motor Vehicle and Special Vehicle Certificate of Title Fees

No provision.

R.C. 4505.09, 4519.59

Redirects the \$0.21 that the Registrar of Motor Vehicles receives for motor vehicle and special vehicle certificates of title that currently are paid into the General Revenue Fund into the Highway Operating Fund (Fund 002).

Fiscal effect: Based on the amount of revenue the Department of Public Safety received in FY 2006 from the \$0.21 title fees, the Highway Operating Fund (Fund 002) is likely to experience a gain of approximately \$1.1 million, more or less, each fiscal year.

R.C. 4505.09, 4519.59

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

46 (CD-36-DOT) Business Logo Signs for Qualified Attractions

R.C. 4511.101

Allows a charitable organization operating a qualified attraction (natural wonders, and artistic, scenic, and historical attractions) to participate in the Department of Transportation's business logo program and place a logo on state directional signs within the rights-of-way of divided, multi-lane, limited access highways at no cost or for a nominal fee.

Fiscal effect: If a fee is charged, ODOT estimates the changes to the business logo program will allow it to collect between \$500,000 to \$1 million annually. All revenue will be deposited into the Highway Operating Fund (Fund 002). Previously all program costs were paid by the participating businesses and ODOT received no revenue from the program.

R.C. 4511.101

Same as the Executive.

No provision.

47 (CD-54-DOT) Commercial Cargo Plane License Tax

No provision.

R.C. 4561.18

Establishes an annual license tax of \$750 for commercial cargo aircraft (effective in 2007), rather than the current annual rate of \$15 per seat based on the manufacturer's maximum listed seating capacity, and allows a taxpayer who has already filed in 2007 to obtain a refund if the change in the tax structure results in a reduction of the aircraft license tax due in 2007.

Fiscal effect: The Department estimates this provision will result in a loss of approximately \$175,000 each fiscal year to the County Airport Assistance Fund (Fund 5W9).

R.C. 4561.18

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

48 (CD-35-DOT) Construction Planning and Contracting Policy

R.C. 5501.10

Requires ODOT to revise its policy for classifying and prioritizing new construction planning to require prioritization of projects that promotes economic development, encourages infrastructure and airport preservation and rehabilitation, expands public transportation capacity, reduces traffic congestion in urban areas, improves rail freight services, enhances safety, and reflects local community requests in land use decisions.

Fiscal effect: Currently, it is unknown how this change will affect the current process of project selection by the Transportation Review Advisory Council (TRAC). The Department may experience minimal administrative costs in the process. Tier I TRAC commitments over the biennium are \$669 million in FY 2008 and \$579 million in FY 2009.

No provision.

No provision.

49 (CD-49-DOT) Department of Transportation Maintain Bridges on State Highway System in Municipal Corporations

No provision.

R.C. 5501.31, 5501.49, 5591.02

Makes the Department responsible for maintenance and repair of all bridges located on the state highway system within a municipal corporation, rather than the board of county commissioners as under current law.

Fiscal effect: ODOT may experience costs of several million dollars depending if ODOT maintains a general routine maintenance schedule statewide. Currently, ODOT does not have an

R.C. 5501.31, 5501.49, 5591.02

Same as the House, except specifies that the Department is responsible for major maintenance; and specifies that the public entity responsible for pavements and sidewalks at the end of the bridge is responsible for routine maintenance surface patching, snow and ice removal, railing and appurtenance repair, and traffic signals.

Fiscal effect: Similar to the House-passed version, ODOT may experience costs of several million dollars to perform routine maintenance on these bridges. Minimal costs are expected for ODOT to

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

accurate estimate of potential costs they may incur. County engineers currently performing routine maintenance on bridges on state route in municipalities may experience savings up to \$50,000 annually for smaller counties and up to \$200,000 for larger counties. Municipalities that perform routine maintenance on bridges on state routes in their municipality may experience savings if they no longer handle simple routine maintenance responsibilities, such as snowplowing, pothole patching, and other emergency repairs.

take on major maintenance since it is already performing this function. Since the routine maintenance responsibilities are shifting from counties to possibly municipalities in some cases, municipalities may experience expenditure increases of several thousand dollars. It is unknown if any funds from ODOT will help defray some of these costs. ODOT may also be sharing in this maintenance responsibility, thus incurring similar costs. County engineers currently performing routine maintenance on bridges on state route in municipalities may experience savings up to \$50,000 annually for smaller counties and up to \$200,000 or more for larger counties.

50 (CD-37-DOT) Advertising on Interstate Highways

R.C. 5516.01, 5516.02, 5516.06

Conforms Ohio law governing advertising devices along interstates and highways on the primary system with Federal Highway Administration provisions by updating definitions to reflect current procedures for determining highway status and by removing references to devices on the premises of a sports facility, which are not allowed under federal law. (Existing devices on sports facilities would become nonconforming devices.)

Fiscal effect: This provision is expected to have no fiscal impact on the department and aligns state law with federal law, but would ensure no reduction in federal revenue for non-compliance.

No provision.

No provision.

As Introduced (Executive)	As Passed by the House	As Passed by the Senate
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51 (CD-58-DOT) Rules for Engine Brakes on Turnpike

<p>No provision.</p>	<p>R.C. 5537.16</p> <p>Allows the Turnpike Commission to adopt rules governing the use of special engine brakes on the Ohio Turnpike; violations of Commission rules are a minor misdemeanor on a first offense, and subsequent offenses are a fourth degree misdemeanor.</p> <p><i>Fiscal effect: The Turnpike Commission may experience minimal administrative expenses to adopt rules. Any fines collected from violation of the rules would not be credited to the Turnpike, rather pursuant to R.C. section 5503.04 would be partially distributed to the GRF, Trauma and Emergency Medical Services Grant Fund (Fund 83P), and the appropriate treasury of a municipal corporation or county. Any gain in revenues to these funds are expected to be minimal.</i></p>	<p>R.C. 5537.16</p> <p>Same as the House.</p>
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52 (CD-57-DOT) Maximum Length for Vehicles Being Operating on Public Highways

<p>No provision.</p>	<p>R.C. 5577.05</p> <p>Establishes 97 feet as the maximum allowable length permitted for a type of vehicle known as a "saddlemount" (defined as "any combination of vehicles in which a straight truck or commercial tractor tows one or more straight trucks or commercial tractors, each connected by a saddle to the frame or fifth wheel of the straight truck or commercial tractor in front of it") when operated on any interstate, United States route, or state route, including reasonable access travel on all other roadways for a distance not to exceed one road mile from any such interstate or route.</p> <p><i>Fiscal effect: None.</i></p>	<p>R.C. 5577.05</p> <p>Same as the House.</p>
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As Introduced (Executive)	As Passed by the House	As Passed by the Senate
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53 (CD-34-DOT) Use of Motor Fuel Tax Revenues to Pay GARVEE Bonds

R.C. 5735.05

Permits fuel tax revenues to be used to pay the interest, principal, and charges on major new GARVEE bonds issued by the Treasurer of State on behalf of ODOT for highway construction projects approved by the United States Department of Transportation as federal-aid debt-financed projects.

Fiscal effect: In the past GARVEE debt service payments have been paid with 100% federal dollars out of ODOT's federal debt service fund (Fund 214). However, beginning in FY 2008 the debt service payments on GARVEE debt issuances from FY 2007 and beyond will be split 80% federal, 20% state. These new debt service payments will be paid out of the Highway Operating Fund (Fund 002) instead of only federal funds as under current law.

R.C. 5735.05

Same as the Executive.

R.C. 5735.05

Same as the Executive.

54 (CD-60-DOT) Earmark of Receipts from Commercial Activity Tax (CAT)

No provision.

R.C. 5751.032, 5751.20 and Section 203.53 and 557.11

Requires the Tax Commissioner each month to certify to the Director of Budget and Management the amount of revenue, if any, from the CAT that arises from the sale of motor fuel. Such amounts are then to be transferred to the newly-established Economic Development and Highway Construction Fund.

Fiscal effect: Gross receipts from sales of motor fuel are currently exempt from the CAT, but the exemption will expire on June 30, 2007 unless the General Assembly acts to extend the exemption.

No provision.

Revenues from the CAT on gross receipts from sales of motor fuel are estimated to be approximately \$190.6 million for the biennium. Actual receipts will depend on gasoline prices; higher prices would increase this amount, while lower prices would reduce it. Revenue from this provision will be credited to the new Economic Development and Highway Construction Fund. Without this provision, revenue from the CAT is credited to the CAT Receipts Fund in the State Treasury for distribution to the GRF, the School District Tangible Property Tax Replacement Fund (SDRF), and the Local Government Tangible Property Tax Replacement Fund (LGRF). The SDRF and LGRF were created by Am. Sub. H.B. 66 of the 126th General Assembly and distributions to the two funds were to replace moneys lost due to the elimination of the tax on most tangible personal property. Under current law, receipts from the CAT are to be distributed only to the SDRF and the LGRF in FY 2008 and FY 2009. Thus, the transfer of revenues from the CAT Receipts Fund to the Economic Development and Highway Construction Fund will reduce revenues available for distribution to the two local funds. Also, current law requires a transfer from the GRF to the two funds if distributions from CAT receipts to those local funds fall below \$931.6 million in FY 2008 and below \$1.275 billion in FY 2009. However, because CAT receipts in the biennium are expected to be higher than anticipated in Am. Sub. H.B. 66, the net reduction in distributions to the SDRF and the LGRF may be less than \$190.6 million. However, to

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

achieve the funding requirements of the local funds, this provision is likely to require a GRF transfer (subsidy) to supplement distributions to the SDRF and LGRF from the CAT Receipts Fund.

55 (CD-283-DOT) Portable Signal Preemption Device Pilot Program

No provision.

No provision.

Section: 555.19

Requires the Department of Transportation to expend at least \$400,000 in fiscal year 2008 in the township having the largest geographic area for a pilot program involving the installation and operation of a system of portable signal preemption devices.

Fiscal effect: Draws down on the cash balance in the Highway Operating Fund (Fund 002). Total estimated cost to complete pilot program is unknown.

56 (CD-289-DOT) Steel Coils as Nondivisible Load

No provision.

No provision.

Section: 555.07

Extends from July 1, 2007, through June 30, 2009, 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.

Fiscal effect: The Department may experience additional revenue from issuing permits from July 1, 2007 through June 30, 2009.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

57 (CD-291-DOT) State Route 69 Construction Project Funds

No provision.

No provision.

Section: 310.10

Requires the Director of Transportation to credit the proceeds from any sale of land previously acquired for the State Route 68 construction project in Champaign County to the local matching funds required for the project.

Fiscal effect: Draws down on the cash balance in the Highway Operating Fund (Fund 002) to make payments. Actual amount of credited proceeds unknown. Local governments may experience savings from decreased matching funds required.

58 (CD-301-DOT) Ohio Transportation Task Force Membership

No provision.

No provision.

Section: 401.05

Modifies the membership of the Ohio Transportation Task Force, created by Am. Sub. H.B. 530 of the 126th General Assembly, to add a member from the Ohio Contractors Association jointly appointed by the Speaker of the House of Representatives and the President of the Senate from a list of three individuals submitted by the Association. The Task Force is charged with evaluating the safe and efficient movement of freight within the state during the next two decades and must produce a report not later than December 15, 2007.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

59 (CD-303-DOT) Transportation Review Advisory Council (TRAC) Projects

No provision.

No provision.

Section: 555.08

Requires the Department of Transportation to construct the major new construction projects selected by the Transportation Review Advisory Council on December 20, 2006, as Tier I projects for construction in fiscal years 2007 through 2013; and allows the Council to recommend additional major new projects in accordance with the promulgated policies, but prohibits new Tier I projects from being given priority over Tier I projects recommended on December 20, 2006.

Fiscal effect: Currently an accurate estimate of the fiscal impact is unknown. ODOT reports that project funding flexibility may be reduced and the number of future major/new projects may be limited.

60 (CD-21-DOT) Issuance of Bonds

Section: 203.20

Authorizes the issuance of \$290 million in state highway bonds for highway purposes. Bond proceeds will be credited to the Highway Capital Improvement Fund (Fund 042).

Fiscal effect: The debt service on the bonds is paid with state motor fuel tax revenues. Bonds are typically issued after appropriate state and federal motor fuel tax revenues are used for project funding and additional cash is needed.

Section: 203.20

Same as the Executive.

Section: 203.20

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

65 (CD-26-DOT) Increase Appropriation Authority - State Funds

Section: 203.40

Allows the Controlling Board to increase appropriation authority in line items in the Highway Operating Fund in the event receipts or unexpected balances are credited to the Highway Operating Fund over the biennium.

Fiscal effect: This provision will allow the Department to use additional moneys that are credited to the Highway Operating Fund (Fund 002) over the biennium, such as additional motor fuel tax revenues.

Section: 203.40

Same as the Executive.

Section: 203.40

Same as the Executive.

66 (CD-27-DOT) Increase Appropriation Authority - Federal and Local Funds

Section: 203.40

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 unexpected balances, apportionments, or allocations made available from the federal government and local governments that exceed appropriation authority. Such a case may be when allocations from the federal highway trust fund are greater than expected or local participation amounts are more than budgeted.

Section: 203.40

Same as the Executive.

Section: 203.40

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

67 (CD-28-DOT) Reappropriations

Section: 203.40

Requires that all appropriations of the Highway Operating Fund (Fund 002), the Highway Capital Improvement Fund (Fund 042), and the Infrastructure Bank funds remaining unencumbered at the end of FY 2007 and FY 2008 (as well as prior years' unencumbered appropriations), be reappropriated in FY 2008 and FY 2009, respectively. Requires these amounts to be reported to the Controlling Board.

Fiscal effect: This will allow the Department to continue to use unencumbered funds from prior fiscal years for various highway projects.

Section: 203.40

Same as the Executive.

Section: 203.40

Same as the Executive.

68 (CD-29-DOT) Public Access Roads for State Facilities

Section: 203.50

Earmarks \$5,000,000 in each fiscal year from appropriation item 772-421, Highway Construction-State, for construction, reconstruction, or maintenance of public access roads to and within state facilities owned or 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.

Fiscal effect: None.

Section: 203.50

Same as the Executive.

Section: 203.50

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

69 (CD-31-DOT) Liquidation of Unforeseen Liabilities

Section: 203.50

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 reductions in the Highway Operating Fund (Fund 002) if such unforeseen liabilities arise.

Section: 203.50

Same as the Executive.

Section: 203.50

Same as the Executive.

70 (CD-30-DOT) Rental Payments - OBA

Section: 203.50

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

Fiscal effect: If appropriations exceed rental payments there may be additional appropriation amounts available in appropriation item 772-421, Highway Construction-State; 773-431, Highway Maintenance-State; or 779-491, Administration-State.

Section: 203.60

Same as the Executive.

Section: 203.60

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Local governments will continue to receive these gas tax allocations for their road and bridge programs.

73 (CD-59-DOT) Transportation Improvement District Joint Projects

No provision.

Section: 555.10

Authorizes transportation improvement districts and at least two other governmental agencies to agree to jointly finance a street, highway, interchange, or other transportation project on or before December 31, 2007. Authorizes the parties to the agreement to issue securities to finance their respective shares of the project cost and authorizes the district to purchase such securities.

Fiscal effect: Potential construction cost savings to transportation improvement districts and certain governmental agencies for jointly financing transportation projects.

Section: 555.10

Same as the House.

74 (CD-46-DOT) ODOT Environmental Reviews

Authorizes ODOT to enter into a federal pilot program with five states, including Oklahoma, Texas, Alaska, California, and Ohio, to assume the responsibilities of the Secretary of Transportation for implementation of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321-4347) for one or more highway projects. Corresponds to provisions of Section 6005 of the most recent federal surface transportation authorizing legislation – the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, or SAFETEA-LU (Pub. L. 109-59, 119 Stat. 1144).

Fiscal effect: The Ohio Department of

Section: 555.15

Permits the Director of Transportation to enter into agreements with an agency of the United States government for the purpose of dedicating staff to the review of environmentally related documents submitted by ODOT that are necessary for the approval of federal permits, and requires the Director to submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the federal agency, and the circumstances giving rise to the agreement. Removes the Executive provision that would allow ODOT to enter into the federal pilot program.

Fiscal effect: Will allow ODOT to maintain personnel

Section: 555.15

Same as the House, except specifies the agreements may include advance payment by ODOT for labor and all other identifiable costs.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

Transportation reports that all responsibilities to implement the pilot program will be done with current staff and within ODOT's current budget. No additional resources will be needed at this time. The Department may experience additional arbitration and/or litigation costs if a case is brought forth regarding the implementation of the NEPA. The potential costs are uncertain. It is possible, however, such costs could be absorbed within ODOT's existing budget. Any costs would likely be drawn from the Highway Operating Fund (Fund 002).

funding agreements with federal agencies to assist in environmental reviews and limit project delays. No additional costs are expected for arbitration or litigation as provision for Ohio's participation in pilot program is removed.

75 (CD-47-DOT) Sinclair College Englewood Learning Center and Huber Learning Center

No provision.

Section: 555.20

Requires ODOT to erect signs on Interstate Highway 70 indicating the exit for the Sinclair College Englewood Learning Center and the exit for Sinclair College Huber Learning Center.

Fiscal effect: Costs for signage are expected to be minimal.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

76 (CD-51-DOT) Resolution of Noise, Water, and Other Problems Caused by the Ohio Turnpike System

No provision.

R.C. 5537.31, and 5537.32; Section 203.40

Requires the Ohio Turnpike Commission to investigate and remedy noise, standing water, water run-off, and other problems caused by the turnpike that are experienced by land owners whose property is contiguous to the turnpike. Creates the Community Resolution Fund, and provides that money in the fund be used by the Commission for payment of the costs it incurs to resolve the land owners' problems. Requires the Director of Budget and Management to transfer \$250,000 in each fiscal year from the Highway Operating Fund (Fund 002) to the newly created Community Resolution Fund within the Ohio Turnpike Commission.

Fiscal effect: If the costs to remedy the problems exceed the amount of funds transferred to the Community Resolution Fund, the Turnpike may have to use some of its own operating revenues, or defer certain projects.

Section: 315.10

Similar to the House, however modifies the provision by 1) moving language to uncodified law, 2) narrows the scope to a noise mitigation and pilot project, 3) removes the House-passed provisions requiring the Commission to investigate community complaints of noise, standing water, and water run-off, and 4) creates the Community Resolution Fund in uncodified law rather than codified law.

Fiscal effect: Allocation of \$500,000 over the biennium may be enough for the Turnpike to conduct the study and pilot program. Any additional cost estimates will be brought forth to the Turnpike Legislative Review Committee.