

COMPARISON DOCUMENT BASE

House Bill 35
130th General Assembly
Transportation Budget Bill
(FY 2014-FY 2015)

As Introduced

**Legislative Service Commission
February 6, 2013**

Executive**OBMCD1 State and Local Rebate Authorization***Amendments: TB-0026***Section: 503.10**

Appropriates, from the funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations, amounts computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code. Requires OBM to approve and voucher rebate payments.

Fiscal effect: None. Rebate payments, if any, will be paid out of the bond fund in which excess earnings were realized. Federal laws prohibit tax-exempt bond issuers, in this case the state of Ohio, from earning a higher rate of interest from investment of bond proceeds than the interest paid on the bonds.

Executive**CACCD1 Deferral of Payments to Municipal Corporations or Townships Where Racetracks are Located***Amendments: TB-0032***Section: 601.10**

Amends section 10 of H.B. 386 of the 129th G.A. to defer payments scheduled for December 31, 2012, and June 30, 2013, from the Casino Operator Settlement Fund to municipal corporations or townships where commercial racetracks are located, excluding those in Franklin County. Makes these payments contingent on availability of sufficient cash in the Casino Operator Settlement Fund. Requires that the first payments be made within three months after receipt of cash into this fund, and that the second payments be made within six months after the first payments. (The amount of each payment is unchanged at \$1 million.) Provides that if a municipal corporation or township loses a racetrack after receiving either of these payments, as a result of the racetrack permit holder's decision to relocate, the maximum payment that the municipal corporation or township may receive from the Racetrack Facility Community Economic Redevelopment Fund is capped at \$3 million minus the total amount of the payments already received from the Casino Operator Settlement Fund.

Fiscal effect: Delays any payments from the Casino Operator Settlement Fund to the designated municipal corporations or townships. The delayed payments could total \$12 million.

Executive**DEVCD1 Roadwork Development Fund***Amendments: TB-0026***Section: 207.10**

- (1) Requires the Roadwork Development Fund (Fund 4W00) to be used for road improvements associated with economic development projects to retain or attract businesses in Ohio. Defines "road improvements" as improvements to public roadway facilities located on, serving, or that are capable of serving a project site.
- (2) Requires the Department of Transportation to provide funds in accordance with the guidelines and requirements of Development Services Agency appropriation item 195623, Business Incentive Grants, including Controlling Board review and approval, as well as constitutional requirements for the use of motor fuel tax revenues. Permits the Department of Transportation to assist the Development Services Agency with project completion and to enter into contracts on behalf of the Development Services Agency. Permits funds to be used in conjunction with appropriation item 195623 or any other state funding for infrastructure improvements.
- (3) Requires the Director of Budget and Management, pursuant to a plan submitted by the Director of Development Services or as otherwise determined, to set a cash transfer schedule to meet the needs of Fund 4W00, and requires such transfers to be made according to the schedule from the Highway Operating Fund (Fund 7002).
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Executive**DNRCD1 Department of Natural Resources Parks Special Purposes***Amendments: TB-0030, TB-0041***Section: 503.20**

Creates GRF appropriation item 725509, Parks Special Purposes, with an appropriation of \$14 million in FY 2013, in order to facilitate the mutual termination of a lease agreement between the City of Cleveland and the Department of Natural Resources for Cleveland Lakefront Parks and to operate and conduct necessary upgrades to the parks.

Fiscal effect: Increases GRF appropriations by \$14.0 million in FY 2013, but potentially reduces costs to DNR in FY 2014 and thereafter due to the transfer of Cleveland Lakefront State Park to the City of Cleveland.

DNRCD2 Appropriations for Dam Rehabilitation*Amendments: TB-0033***Section: 601.20**

Amends sections 203.80 and 203.83 of Sub. H.B. 482 of the 129th General Assembly to increase the appropriation to Fund 7031 appropriation item C725M0, Dam Rehabilitation - Department, in the Department of Natural Resources from \$10,000,000 to \$40,000,000 for the FY 2013-FY 2014 biennium, and increase the debt authorization accordingly from \$23,000,000 to \$53,000,000.

Fiscal effect: Increases the amount available for dam rehabilitation projects by \$30,000,000 for the remainder of FY 2013 and FY 2014.

Executive**DPSCD23 Disposition of Vital Statistics Fee***Amendments: TB-0029***R.C. 3705.242**

Requires any penalty for failure to pay or forward fees charged for copies of birth records, certifications of births, and death records, and for the filing of divorce and dissolution decrees, to be paid to the Department of Public Safety and forwarded to the Treasurer of State for deposit to the Family Violence Prevention Fund (Fund 5BK0), rather than paid directly to the Treasurer for deposit to that fund.

Fiscal effect: None.

DPSCD22 Motorcycle Safety and Education Fund*Amendments: TB-0022, TB-0026***R.C. 4501.06, 4501.04, 4508.08, repeals 4501.13,
and Section 205.10**

Requires those portions of motorcycle registration fees that currently are deposited into Fund 8460, and are used to pay the costs of conducting motorcycle safety and education instruction, to be deposited into the State Highway Safety Fund (Fund 7036) to be used for the same purpose.

Requires the Director of Budget and Management to transfer the unexpended and unencumbered cash balance in the Motorcycle Safety and Education Fund (Fund 8460) to the State Highway Safety Fund (Fund 7036) by January 1, 2014. Abolishes Fund 8460 upon completion of the transfer.

Fiscal effect: Gain in revenues of approximately \$2.63 million to Fund 7036 annually, with a corresponding decrease in revenues to Fund 8460. Also, increase in expenditures for Fund 7036 for costs of motorcycle instruction.

Executive**DPSCD14 Local Motor Vehicle License Tax Fund**

Amendments: TB-0025, TB-0026

**R.C. 4501.031, 126.06, 127.14, 4501.03, 4501.04,
4501.041, 4501.042, 4501.043, 4504.19,
4504.21, and Section 205.10**

Creates the Local Motor Vehicle License Tax Fund and requires all revenue from local permissive motor vehicle registration taxes to be deposited into the fund for subsequent distribution to local authorities, instead of requiring the taxes to be deposited into the Auto Registration Distribution Fund (Fund 7051) as under current law.

Notwithstanding this provision, however, requires any license tax assessed under Chapters 4503. or 4504. of the Revised Code, and derived from registrations processed prior to July 1, 2013, to be deposited to the credit of the Auto Registration Distribution Fund (Fund 7051), even if the deposit occurs on or after July 1, 2013.

Fiscal effect: Gain in revenue to the newly created Local Motor Vehicle License Tax Fund equal to a corresponding loss in revenue to Fund 7051 dependent on the number of motor vehicle registrations issued in a given year.

DPSCD15 Local Permissive Taxes for Special Reserved and Collector's License Plates

Amendments: TB-0025

R.C. 4503.42, 4503.45

Clarifies that when special reserved and collector's vehicle license plates are issued, all applicable local permissive motor vehicle registration taxes are to be collected, not just two specific local taxes.

Fiscal effect: None.

DPSCD19 Redirection of Commercial Driver's License Revenue

Amendments: TB-0016

R.C. 4506.08, 4501.06, 4506.09, and 4507.23

Redirects a portion of the fees collected for commercial driver's licenses (CDL), CDL skills testing, and driver's licenses from the State Highway Safety Fund (Fund 7036) to the State Bureau of Motor Vehicles Fund (Fund 4W40).

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Fiscal effect: Gain in revenues in Fund 4W40 corresponding to a loss in revenues in Fund 7036, depending on the number of CDLs and driver's licenses issued and CDL skills tests administered in a given year. This additional revenue will allow the Bureau of Motor Vehicles to fund driver examiners.

DPSCD21 Deputy Registrar Rental Fees

Amendments: TB-0021, TB-0026

R.C. 4507.011, Section 205.10

Requires that the rental fees paid by a deputy registrar for the use of space in a driver's license examining station be paid into the State Bureau of Motor Vehicles Fund (Fund 4W40) rather than the Registrar Rental Fund (Fund 8380).

Requires the Director of Budget and Management to transfer the unexpended and unencumbered cash balance in the Registrar Rental Fund (Fund 8380) to the State Bureau of Motor Vehicles Fund (Fund 4W40) on July 1, 2013. Abolishes Fund 8380 upon completion of the transfer.

Fiscal effect: Gain in revenues to Fund 4W40 corresponding to a loss in revenues to Fund 8380.

DPSCD20 Commercial Bus Safety Inspection Fee

Amendments: TB-0020

R.C. 4513.53, 4501.06

Requires that the fee charged by the State Highway Patrol for the annual inspection of certain commercial buses (currently \$100 under rule) be credited to the State Highway Safety Fund (Fund 7036), rather than being paid into the GRF and transferred into Fund 7036 as reimbursement after annual certification of the inspection fee amount made by the Director of Public Safety to the Director of Budget and Management.

Fiscal effect: None.

DPSCD24 Clearing of Motor Vehicle Accident Scenes

Amendments: TB-0005

R.C. 4513.66

Permits a duly authorized designee of a county sheriff, chief of police, State Highway Patrol trooper, or chief of a fire department to remove any unoccupied motor vehicle, cargo, or personal property from a motor vehicle accident scene located on a public street or highway or property ordinarily used for vehicular travel.

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Fiscal effect: None.

DPSCD16 State Board of Emergency Medical, Fire, and Transportation Services

Amendments: TB-0023

R.C. 4513.263, 4765.02 - 4766.12, and other sections, various sections repealed, and Section 747.10

Changes the name of the State Board of Emergency Medical Services to the State Board of Emergency Medical and Transportation Services.

Eliminates the Ohio Medical Transportation Board and transfers its duties to the renamed Board mentioned above.

Provides for the membership of the renamed Board and its committees, including members of both former Boards.

Requires the Director of Budget and Management to take action with respect to budget changes made necessary by the transfer, including transferring cash balances between funds and cancelling encumbrances and reestablishing them, as needed, in the appropriate fund and appropriation item.

Fiscal effect: Annual gain in revenues to the Trauma and Emergency Medical Services Fund (Fund 83M0) of approximately \$550,000 and corresponding annual losses in revenues to the Occupational Licensing and Regulatory Fund (Fund 4K90) of approximately \$550,000.

DPSCD1 Motor Vehicle Registration

Amendments: TB-0026

Section: 205.10

Permits the Registrar of Motor Vehicles to deposit certain motor vehicle registration fee revenues to meet the cash needs of the State Bureau of Motor Vehicles Fund (Fund 4W40).

Requires the revenues that are deposited to be used to support, in part, appropriations for operating expenses and defray the cost of manufacturing and distributing license plates and license plate stickers and enforcing the law relative to the operation and registration of motor vehicles.

Requires these revenues be paid into Fund 4W40 before being paid into any other fund.

Requires that the deposit of these revenues be in approximately equal amounts on a monthly basis or as otherwise determined by the Director of Budget and Management pursuant to a plan submitted by the Registrar.

Executive**DPSCD2 Lease Rental Payments***Amendments: TB-0026***Section: 205.10**

Requires that appropriation item 761401 be used to make lease payments to the Treasurer of State.

DPSCD3 Cash Transfers Between Funds*Amendments: TB-0026***Section: 205.10**

Permits the Director of Budget and Management, upon the request of the Director of Public Safety, to transfer cash between the following six funds: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Homeland Security Fund (Fund 5DS0), the Investigations Fund (Fund 5FL0), the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30), the Justice Program Services Fund (Fund 4P60), and the State Bureau of Motor Vehicles Fund (Fund 4W40).

DPSCD4 Cash Transfer from Teen Driver Education Fund to License Plate Contribution Fund*Amendments: TB-0026***Section: 205.10**

Permits the Director of Budget and Management to transfer the unexpended and unencumbered cash balance in the Teen Driver Education Fund (Fund 5JS0) to the License Plate Contribution Fund (Fund 5V10) on July 1, 2013. Abolishes Fund 5JS0 upon completion of the transfer.

DPSCD5 Cash Transfer from Hilltop Utility Reimbursement Fund to State Highway Safety Fund*Amendments: TB-0026***Section: 205.10**

Permits the Director of Budget and Management to transfer the unexpended and unencumbered cash balance in the Hilltop Utility Reimbursement Fund (Fund 4S30) to the State Highway Safety Fund (Fund 7036) by July 1, 2014. Abolishes Fund 4S30 upon completion of the transfer.

Executive**DPSCD6 State Disaster Relief***Amendments: TB-0026***Section: 205.10**

Permits the State Disaster Relief Fund (Fund 5330):

To accept cash and appropriations transferred from Controlling Board appropriation items for Ohio Emergency Management Agency (Ohio EMA) disaster response costs and disaster program management costs.

To accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio EMA public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for disaster-related costs.

To accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments.

To accept disaster-related reimbursement from federal, state, and local governments. Permits the Director of Budget and Management to transfer cash from these reimbursements to other state funds from which transfers were originally approved by the Controlling Board.

To accept transfers of cash and appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program and the State Individual Assistance Program. Requires the Ohio EMA to publish and make available application packets outlining procedures for these two programs.

DPSCD7 Justice Assistance Grant Fund*Amendments: TB-0026***Section: 205.10**

Requires that the federal payments made to the state for the Byrne Justice Assistance Grants Program under Title II of Division A of the American Recovery and Reinvestment Act of 2009 be deposited to the credit of the Justice Assistance Grant Fund (Fund 3DE0).

Executive**DPSCD8 Transfer from State Fire Marshal Fund to Emergency Management Agency Service and Reimbursement Fund***Amendments: TB-0026***Section: 205.10**

Requires the Director of Budget and Management to transfer \$200,000 cash in each fiscal year from the State Fire Marshal Fund (Fund 5460) used by the Department of Commerce to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) used by the Department of Public Safety. Requires the transferred cash to be distributed to the Ohio Task Force One - Urban Search and Rescue Unit and other urban search and rescue programs around the state.

DPSCD9 Family Violence Prevention Fund*Amendments: TB-0026***Section: 205.10**

Requires the first \$750,000 received to the credit of the Family Violence Prevention Fund (Fund 5BK0) in each fiscal year be appropriated to appropriation item 768689, Family Violence Shelter Programs, the next \$400,000 received in each fiscal year be appropriated to appropriation item 768687, Criminal Justice Services - Operating, and any remaining revenues received be appropriated to appropriation item 768689, Family Violence Shelter Programs, with the approval of the Controlling Board, to be disbursed as grants to family violence shelters in Ohio.

DPSCD10 SARA Title III HAZMAT Planning*Amendments: TB-0026***Section: 205.10**

Authorizes the SARA Title III HAZMAT Planning Fund (Fund 6810) to receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's responsibilities under R.C. Chapter 3750.

Executive**DPSCD11 Collective Bargaining Increases***Amendments: TB-0026***Section: 205.10**

Permits the Controlling Board, upon the request of either the Director of Budget and Management or the Department of Public Safety with the approval of the Director of Budget and Management, to authorize expenditures in excess of appropriations and transfer appropriations, as necessary, for any fund used by the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under R.C. Chapter 4117. and, for exempt employees, under R.C. 124.152. Appropriates any money approved for expenditure under this provision.

DPSCD12 Cash Balance Fund Review*Amendments: TB-0026***Section: 205.10**

Requires the Director of Budget and Management to review in each fiscal year the cash balances for each fund in the State Highway Safety Fund Group, except the State Highway Safety Fund (Fund 7036) and the State Bureau of Motor Vehicles Fund (Fund 4W40), and recommend to the Controlling Board an amount to be transferred from each of those funds to the credit of Fund 7036 or Fund 4W40, as appropriate.

DPSCD13 Cash Transfers from the International Registration Plan Distribution Fund to the State Highway Safety Fund*Amendments: TB-0026***Section: 506.10**

Requires the Director of Public Safety to make deposits of money from the International Registration Plan Distribution Fund (Fund 7050) to the State Highway Safety Fund (Fund 7036) until the cumulative total in each of FYs 2014 and 2015 reaches \$24 million.

Executive**PWCCD1 Public Works Operating Expenses***Amendments: TB-0026***Section: 209.10**

Requires Fund 7038 appropriation item 150321, State Capital Improvements Program-Operating Expenses, to be used by the Ohio Public Works Commission to administer the State Capital Improvement Program under sections 164.01 to 164.16 of the Revised Code.

PWCCD2 District Administration Costs*Amendments: TB-0026***Section: 209.10**

Authorizes the Director of the Public Works Commission to use investment earnings from the State Capital Improvements Fund (Fund 7038) and the Local Transportation Improvement Program Fund (Fund 7052) for a District Administration Costs Program, which covers administrative costs incurred by individual District Public Works Integrating Committees. Permits no more than \$1,235,000 per fiscal year to be made available for reimbursement and prohibits any of the 19 Districts from receiving more than \$65,000 per fiscal year for these costs.

Requires the Director of the Public Works Commission to define allowable and nonallowable costs for the District Administration Costs Program. Specifies that nonallowable costs include indirect costs, elected official salaries and benefits, and project-specific costs. Requires district public works committees to approve such costs in order to participate in the program.

PWCCD3 Reappropriations*Amendments: TB-0026***Section: 209.10**

Reappropriates unencumbered appropriations from the Local Transportation Improvement Program Fund (Fund 7052) from Am. Sub. H.B. 114 of the 129th General Assembly for the same purposes during FY 2014 and FY 2015, subject to the availability of revenue as determined by the Director of the Public Works Commission.

Fiscal effect: Allows PWC to continue to use unencumbered funds from prior fiscal years for various local road and bridge projects.

Executive**PWCCD4 Temporary Transfers***Amendments: TB-0026***Section: 209.10**

Allows the Director of the Public Works Commission to request the Director of Budget and Management to transfer moneys from the Local Transportation Improvement Fund (Fund 7052) to the State Capital Improvement Fund (Fund 7038) and the Clean Ohio Conservation Fund (Fund 7056). Permits the Director of Budget and Management to approve temporary transfers if they are needed for capital outlays for which notes or bonds will be issued. Requires all such transfers to be reported to the Controlling Board by June 30 of the fiscal year in which the transfer occurred.

Fiscal effect: Provides PWC with the flexibility to make temporary transfers to funds 7038 and 7056 in order to ensure timely payments to contractors and local governments when the funds' cash flows are insufficient due to the timing of bond issuances.

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TAXCD1 Commercial Activity Tax Revenue from Sales of Motor Fuel

Amendments: TB-0035, TB-0037, TB-0039, TB-0045

R.C. 5751.02, 5751.051, and 5751.20; and Section 757.20

Creates a new fund, the Commercial Activity Tax Motor Fuel Receipts Fund, in the state treasury, to deposit commercial activity tax (CAT) receipts that are attributable to motor fuel used for propelling vehicles on public highways. Authorizes the Tax Commissioner to credit such receipts collected between December 7, 2012 and June 30, 2013 to the Fund. Requires taxpayers who file a CAT return to indicate on the return the portion of the taxpayer's receipts derived from motor fuel used for propelling vehicles on public highways and pay the full amount of such tax due on those receipts.

Requires the Tax Commissioner to notify taxpayers of the requirement to separately identify CAT taxable gross receipts that are attributable to motor fuel used for propelling vehicles on public highways from other CAT taxable gross receipts collected between December 7, 2012 and June 30, 2013. Provides that all taxpayers filing a CAT return must indicate on the return the portion of the taxpayer's receipts that are derived from motor fuel used for propelling vehicles on public highways.

Requires the Tax Commissioner to certify to the Director of Budget and Management, on or before June 30, 2013, an estimated amount of CAT revenue derived from taxable gross receipts that are attributable to motor fuel used for propelling vehicles on public highways received for the period between December 7, 2012 and June 30, 2013. Requires the Director of Budget and Management, upon such certification, to transfer the certified amount from the GRF to the Commercial Activity Tax Motor Fuel Receipts Fund. Requires the Director to reconcile any difference from the estimate, once the actual receipts from such sales have been reported, and augment the transfer accordingly, on or before November 20, 2013.

Fiscal effect: Reduces GRF total tax revenue collection by the amount of CAT receipts attributable to gross receipts from the sale of motor fuel used for propelling vehicles on public highways, and credits that amount to the Commercial Activity Tax Motor Fuel Receipts Fund. Beginning in FY 2014, reduces CAT revenues credited to the CAT Receipts Fund. This reduces amounts allocated to the GRF, the School District Tangible Property Tax Replacement Fund (Fund 7047), and the Local Government Tangible Property Tax Replacement Fund (Fund 7081) in proportion to CAT receipts attributable to motor fuel used for propelling vehicles on public highways.

Executive**DOTCD7 Left Turns on Red Traffic Signals***Amendments: TB-0024***R.C. 4511.13**

Specifies that a red traffic signal, whether circular or an arrow, prohibits a left turn unless turning from a one-way street onto another one-way street.

DOTCD1 Use of Airport Assistance Fund*Amendments: TB-0002***R.C. 4561.21**

Permits money in the Airport Assistance Fund (Fund 5W90) to be used for the operating costs of the Office of Aviation, in addition to maintenance and capital improvements to publicly owned airports.

Fiscal effect: Allows additional funds in Fund 5W90 to be used for administrative costs, reducing the reliance on the GRF for these purposes. However, if administrative costs paid from Fund 5W90 increase, this could reduce the amount available for grants to airports for pavement maintenance and obstruction removal.

DOTCD3 Midwest Interstate Passenger Rail Compact*Amendments: TB-0004***R.C. 4981.36, 4981.361 (both repealed)**

Repeals sections of law providing for Ohio's participation in the Midwest Interstate Passenger Rail Compact.

Fiscal effect: No longer requires ODOT to pay dues for membership in the Compact.

Executive**DOTCD34 Dispute Resolution for Public-Private Partnership Contracts***Amendments: TB-0009***R.C. 5501.73**

(1) Allows the Director of Transportation to include a provision authorizing a binding dispute resolution method in public-private agreements for any controversy that arises out of the contract. Specifies that the binding dispute resolution method may proceed only when all parties to the controversy agree to it. Requires that if all parties do not agree to proceed to a binding dispute resolution, a party having a claim against the Department must exhaust its administrative remedies specified in the public-private agreement prior to filing any action against the Department in the Court of Claims.

(2) Specifies that no appeal from the determination of a technical expert lies to any court, but allows the Franklin County Court of Common Pleas to issue an order vacating such a determination upon the application of any party to the binding dispute resolution if (A) the determination was procured by corruption, fraud, or undue means; (B) there was evidence of partiality or corruption on the part of the technical expert; or (C) the technical expert was guilty of misconduct in refusing to postpone the hearing, upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy, or of any other misbehavior which prejudiced the rights of any party.

(3) Defines a binding dispute resolution as a binding determination after review by a technical expert of all relevant items, which may include documents, and by interviewing appropriate personnel and visiting the project site involved in the controversy. Specifies that a binding dispute resolution does not involve representation by legal counsel or advocacy by any person on behalf of any party to the controversy.

DOTCD35 ODOT Rulemaking for Traffic Control and Regulation on Public-Private Transportation Facilities*Amendments: TB-0011***R.C. 5501.77**

(1) Allows the Director of Transportation to adopt rules under Chapter 119. of the Revised Code for the control and regulation of traffic on any transportation facility subject to a public-private agreement, for the protection and preservation of the transportation facility, for the maintenance and preservation of good order within the transportation facility, and for the purpose of establishing vehicle owner or operator liability for avoidance of user fees.

(2) Requires that the rules provide for public police officers to have ready access to the transportation facility without paying user fees while in the performance of their official duties.

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(3) Requires all fines collected for the violation of applicable state laws and ODOT rules, or money arising from bonds forfeited for such violations, to be disposed of in accordance with section 5503.04 of the Revised Code.

(4) Allows ODOT to charge fees by rule for civil violations of the above ODOT rules, and requires all fees or charges assessed by ODOT or a public-private operator against an owner or operator of a vehicle as a civil violation for failure to comply with toll collection rules shall be revenues of either ODOT or public-private operator as set forth in the public-private agreement.

(5) Specifies that, except when civil penalties are assessed by ODOT, whoever violates the applicable ODOT rules is guilty of a minor misdemeanor on a first offense and a fourth degree misdemeanor on each subsequent offense.

Fiscal effect: Fines (of up to \$150 for a minor misdemeanor and up to \$250 for a fourth degree misdemeanor) or forfeited bonds collected under this provision would be distributed as follows: 45% to the GRF, 5% to the Trauma and Emergency Medical Services Fund (Fund 83M0) used by the Department of Public Safety, and the remainder distributed to local governments depending on the court in which the violation is prosecuted. Civil penalties assessed by ODOT or public-private operators would be considered revenue of either ODOT or the operator, as applicable.

DOTCD6 Fees for Highway Access Permits

Amendments: TB-0019

R.C. 5515.01

Permits the Director of Transportation to charge a one-time processing fee for a permit to access or occupy a state road or highway. Specifies that the fees are not to exceed \$30 for agricultural access, \$70 for residential access, and \$300 for commercial or industrial access.

Fiscal effect: Potential increase in revenue to the Highway Operating Fund (Fund 7002), depending on the number of each type of permit that is issued.

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DOTCD8 ODOT Force Account Limits*Amendments: TB-0027***R.C. 5517.02, 5517.021**

- (1) Removes the general applicability of force account projects to some state highway, bridge, and culvert improvement projects and instead permits the Director of Transportation to employ labor, purchase materials, and furnish equipment without competitive bidding to (1) replace or widen any single-span bridge if the deck area of the new or widened bridge does not exceed 700 square feet; (2) replace the bearings, beams, and deck of any bridge on the bridge's existing foundation if the deck area of the rehabilitated structure does not exceed 800 square feet; (3) construct or replace any single-cell or multi-cell culvert whose waterway opening does not exceed 52 square feet; and (4) pave or patch an asphalt surface if the operation uses less than 120 tons of asphalt per lane mile, unless the cost exceeds \$30,000 per centerline mile
- (2) Specifies that the scope of work for such projects may include approach roadways extending not more than 150 feet as measured from the back side of the bridge abutment wall or outside edge of the culvert, as applicable, and requires the length of an approach guardrail to be in accordance with ODOT design requirements and excluded from the approach work size limitation.
- (3) Specifies that the requirements of section 117.16 of the Revised Code (force account project audits) do not apply to the above scope of work and exempts such work from audit for force account purposes except to determine compliance with the applicable size or tonnage restrictions.
- (4) Requires ODOT's estimated costs for force account work to include any estimated costs for subcontracted work and any competitively bid components.
- (5) Specifies that nonexempt work may proceed without competitive bidding if the total cost of labor, materials, and equipment does not exceed (a) \$30,000 per centerline mile of highway, exclusive of structures and traffic control signals, rather than \$25,000 per mile as in current law, or (b) \$60,000 for any traffic control signal or any other single project, rather than the threshold of \$50,000 for any bridge, culvert, or traffic signal project as in current law.
- (6) Requires the Director of Transportation, on July 1 of every odd-numbered year, to increase the threshold amounts above by up to the lesser of 3% or the percentage increase in ODOT's construction cost index as annualized and totaled for the preceding two calendar years, and requires the amounts to be posted on ODOT's web site.
- (7) Requires all project work proceeding by force account to comply with all requirements and specifications that would apply if the project was competitively bid, including maintenance of records of materials testing and placement compliance, personnel and equipment hours.

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(8) Requires the Director to proceed with competitive bidding to let work to the lowest competent and responsible bidder after advertisement (a) when the scope of work exceeds the above size and tonnage limits; or (b) when the estimated cost for a project, other than within the above scope of work, exceeds the applicable threshold amounts, as adjusted.

Fiscal effect: By narrowing the scope of work for force account projects and setting thresholds tailored to specific types of eligible projects, ODOT could reduce its own direct labor, materials, and equipment costs for these smaller-scale projects. Conversely, this provision could have the effect of increasing the amount ODOT spends on contracting for certain smaller projects that exceed the cost thresholds and scope of work established in the bill. The overall fiscal effect will depend on the number of such projects that are engaged in by ODOT.

DOTCD4 Hiring a Construction Manager During the Design Phase of a Transportation Facility Project

Amendments: TB-0006

R.C. 5517.011, 9.33, 153.01, 153.65

(1) Permits ODOT to engage a construction manager during the design phase of a transportation facility project to provide constructability input, including scheduling, pricing, and phasing, and to use the same construction manager during the construction phase.

(2) Permits the Director of Transportation to execute separate constructability input and construction contracts with the construction manager, and to include a guaranteed maximum price in the construction contract.

(3) Permits the Director of Transportation, when letting projects that use a construction manager for both constructability input and construction contracts, to develop and use a value-based selection process combining technical qualifications and competitive bidding elements, including consideration for disadvantaged or minority businesses, including joint ventures.

(4) Limits the selection of a construction manager for both constructability input and construction contracts to a single pilot project as determined by the Director of Transportation.

(5) Exempts the Department of Transportation from the definition of "public authority" for the purposes of general state contracting and public improvements laws.

(6) Specifies that nothing in Chapter 153. of the Revised Code shall interfere with the Director of Transportation's authority to prepare plans or acquire right-of-way for, or construct or maintain transportation facilities, or to let contracts for those purposes.

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Fiscal effect: If the use of a single construction manager for constructability input and construction results in a need for fewer changes in plans and change orders throughout the design and construction process, ODOT could realize some savings to this particular project. The exemption of ODOT from certain state laws relative to contracting and public improvements could also have an indeterminate impact on the Department's procurement costs.

DOTCD5 Public Advertisement of Construction Bids

Amendments: TB-0018

R.C. 5525.01

Modifies the requirement that, before entering into a construction contract, ODOT advertise for bids for two consecutive weeks in a newspaper of general circulation in the county in which all or part of the construction is to occur by permitting ODOT, after the first advertisement has been published, to publish an abbreviated advertisement pursuant to section 7.16 of the Revised Code.

Fiscal effect: Potentially reduces the costs of advertising for construction bids by allowing for the placement of abbreviated second advertisements after the publication of the first required advertisement.

DOTCD2 ODOT Contractor Performance Bond Contracts

Amendments: TB-0003

R.C. 5525.16

Requires the performance bond to be posted by Department of Transportation contractors to be for 100% of the amount of the contract, rather than 100% of the estimated cost of the work.

Fiscal effect: No fiscal effect on the state, but potentially reduces the amount of the performance bond some contractors would pay if the contract amount is less than the estimated cost of the work.

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DOTCD36 Ohio Turnpike and Infrastructure Commission

Amendments: TB-0031, TB-0040, TB-0044

R.C. 5537.01, 9.33, 153.65, 2937.221, 3354.13, 3355.10, 3357.12, 5503.31, 5503.32, 5513.01, 5533.31, 5537.02 to 5537.09, 5537.11 to 5537.22, 5537.24 to 5537.28, 5537.30, 5728.01, 5735.05, and 5735.23. Repealed: R.C. 126.60 through 126.605

(1) Changes the name of the Ohio Turnpike Commission to the Ohio Turnpike and Infrastructure Commission effective July 1, 2013.

(2) Changes the membership of the Commission to ten members instead of nine. Requires six members (rather than four) to be appointed by the Governor with the advice and consent of the Senate, requires no more than three of those (rather than two) to be members of the same political party, and removes the Director of Development as an ex officio member. Allows the Governor to appoint members who reside in different areas of the state, taking into consideration various turnpike and infrastructure projects throughout the state. Requires that members appointed by the Governor after July 1, 2013 serve three-year terms (rather than eight-year terms) commencing July 1 and ending June 30. Requires four (rather than three) members of the Commission to constitute a quorum, and requires the affirmative vote of four (rather than three) voting members to take any action.

(3) Changes the current definition of "project" for the purposes of the Commission's jurisdiction to the definition of a "turnpike project," and defines an "infrastructure project" as any public express or limited access highway, super highway, or motorway, including all bridges, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, and those portions of connecting public roads that serve interchanges, that is constructed or improved, in whole or in part, by the Department of Transportation using infrastructure funding approved by the Commission.

(4) Requires the Commission to adopt rules establishing the procedures and criteria under which it may approve an application for infrastructure project funding received from ODOT, and requires the rules to require an infrastructure project to have an anticipated economic or transportation-related impact on the Ohio Turnpike and Infrastructure System. Defines the Ohio Turnpike and Infrastructure System as turnpike projects and infrastructure projects funded by the Commission on and after July 1, 2013.

(5) Permits the Commission to enter into agreements with ODOT to pay all or part of the cost of infrastructure projects. Allows the Director of ODOT to apply to the Commission for infrastructure project funding, and requires such applications to include only infrastructure projects that previously have been reviewed and recommended by the Transportation Review

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Advisory Council pursuant to the Council's statutory selection process. Requires the Commission to evaluate each application in accordance with the procedures and criteria established in rules, and specifies that determinations or approvals made by the Commission are conclusive and incontestable.

(6) Authorizes the Commission to issue revenue bonds for infrastructure projects, as approved by the Commission, in addition to turnpike projects. Specifies that refunding bonds issued by the Commission may also be used for paying the costs of infrastructure projects if considered advisable by the Commission.

(7) Requires the proceeds of bonds issued for infrastructure projects, net of the payment of all financing expenses and deposits into debt service reserves or other special funds, to be deposited to one or more infrastructure funds overseen by the Commission for the exclusive purpose of paying the cost of Commission-approved infrastructure projects. Specifies that that income earned by the Infrastructure Fund may be used by the Commission towards the payment of bond service charges.

(8) Requires bond proceedings for turnpike projects to provide, subject to the provisions of any other applicable bond proceedings, for the pledge of all or part of the pledged revenues and the applicable special fund or funds to the payment of bond service charges that are senior, subordinate to or on a parity with bonds theretofore or thereafter issued, if and to the extent provided in the bond proceedings.

(9) Permits the Commission to collect tolls by any method it approves, including, but not limited to, manual methods or through electronic technology accepted within the tolling industry.

(10) Provides for tolls related to turnpike projects with no outstanding bonds to be set at amounts at least sufficient, rather than simply sufficient, to pay for turnpike construction and maintenance costs.

(11) Repeals the prohibition on the Commission using toll revenues generated by an existing turnpike project for the construction, operation, maintenance, or repair of another turnpike project. Allows the Commission to fund a turnpike project using excess revenues available from any other turnpike project.

(12) Repeals the prohibition on the Commission using toll revenues to pay the principal and interest on bonds or bond anticipation notes issued by the Commission to pay any portion of the cost of new turnpike projects.

(13) Requires that funding for turnpike and infrastructure projects be included with the financial statements that are part of the Commission's annual report.

(14) Requires the Commission to report at least annually to the Turnpike Legislative Review Committee on infrastructure projects approved and paid for by the Commission.

(15) Allows the Commission to adopt rules for the issuance of citations by either a policing authority or administrative means to individuals or corporations that evade toll payments. Specifies that fees or charges assessed by the Commission for toll evasion are revenues of the Commission.

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(16) Specifies that the Turnpike and Infrastructure Commission is a political subdivision for the purposes of Chapter 2744. of the Revised Code, relating to political subdivision tort liability.

(17) Extends the Commission's ability to sue and be sued and plea and be impleaded to infrastructure projects in addition to turnpike projects. Requires that actions brought against the Commission for infrastructure projects be brought to the Franklin County Court of Common Pleas.

(18) Modifies the authority of the Commission in regard to the business logo sign program by removing explicit language allowing the Commission to contract with a private person to operate the program.

(19) Repeals sections of the Revised Code that authorize ODOT and OBM to enter into contracts for private operation of the Ohio Turnpike.

Fiscal effect: Expands the Commission's bonding authority to encompass infrastructure projects, as defined in the bill, for which ODOT may apply for funding from the bond proceeds. This also expands ODOT's ability to finance eligible infrastructure projects for which motor fuel tax revenues or ODOT bonding capacity may not be available. Additionally provides flexibility to the Commission to collect additional tolls, direct excess toll revenues for certain projects to other projects, and to direct revenues pledged for debt service to any bond service charges that are senior, subordinate, or on parity with any other outstanding bonds.

DOTCD9 Public Access Roads for DNR Facilities

Amendments: TB-0026

Section: 203.20

Requires \$5,000,000 in each fiscal year from Fund 7002 appropriation item 772421, Highway Construction - State, to be used for the construction, reconstruction, or maintenance of public access roads and support features to and within facilities owned or operated by the Department of Natural Resources.

DOTCD10 Public Access Roads for Parks, Exposition Commission, and Ohio Historical Society Facilities

Amendments: TB-0026

Section: 203.30

Requires \$2,228,000 in each fiscal year from Fund 7002 appropriation item 772421, Highway Construction - State, to be used for the construction, reconstruction, or maintenance of park drives or park roads within metropolitan parks.

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Permits ODOT to use Fund 7002 appropriation item 772421, Highway Construction - State, for roadwork on behalf of the Ohio Expositions Commission at the state fairgrounds, including reconstruction or maintenance of public access roads and support features to and within fairgrounds facilities, as requested by the Commission and approved by the Director of Transportation.

Permits ODOT to use Fund 7002 appropriation item 772421, Highway Construction - State, for roadwork on behalf of the Ohio Historical Society, including reconstruction or maintenance of public access roads and support features to and within Society facilities, as requested by the Society and approved by the Director of Transportation.

DOTCD11 Transportation Improvement Districts

Amendments: TB-0026

Section: 203.40

- (1) Earmarks \$3.5 million in each fiscal year from Fund 7002 appropriation item 772421, Highway Construction - State, to be made available for distribution to transportation improvement districts (TIDs) that have facilitated funding for the cost of a project or project in conjunction with other governmental agencies.
- (2) Requires a TID to submit requests for project funding to ODOT no later than September 1 of each fiscal year and requires ODOT to notify the TID whether it has approved or disapproved the project funding request within 90 days after the day the request was submitted by the TID.
- (3) Prohibits any ODOT funding provided to a TID from being used for administrative costs. Requires the funding to be used for a specific project or projects. Prohibits the total amount of a project's cost from being fully funded by the DOT funds. Further, limits the total amount of ODOT funding for each project to 10% of total project costs or \$250,000 per fiscal year, whichever is greater. Specifies that TIDs co-sponsoring a specific project may individually apply for up to \$250,000 for that project, but prohibits ODOT funds from providing more than 10% of a project's total costs.
- (4) Permits ODOT funds for TIDs to be used for preliminary engineering, detailed design, right-of-way acquisition, and construction of a specific project and other project costs under certain circumstances. Requires ODOT to reimburse a TID for such expenditures upon receipt of a copy of an invoice for work performed on a specific project.
- (5) Requires any TID requesting ODOT funds to register with ODOT. Permits ODOT to register a TID only if the TID has a specific, eligible project and allows ODOT to cancel the registration of a TID that is not eligible to receive ODOT funds. Prohibits ODOT from providing funds to a TID if the TID is not registered.

Executive**DOTCD12 Issuance of Bonds***Amendments: TB-0026***Section: 203.50**

Authorizes the issuance of \$220 million in state highway bonds for highway purposes and credits bond proceeds to the Highway Capital Improvement Fund (Fund 7042).

DOTCD13 Transfer of Highway Operating Fund Appropriations*Amendments: TB-0026***Section: 203.60**

Allows the Director of OBM to approve requests for transfer of Highway Operating Fund appropriations for highway planning and research, highway construction and GARVEE debt service, highway maintenance, federal public transportation programs, rail grade crossings, aviation, and administration. Requires such transfers to be reported to the Controlling Board.

Fiscal effect: Provides ODOT with cash management flexibility to transfer these funds where needed.

DOTCD14 Transfer of Appropriations: Federal Highway, Transit, Aviation, and Rail and Local Transit*Amendments: TB-0026***Section: 203.60**

Allows the Director of OBM to approve requests for the transfer of appropriations between appropriation items 772422, Highway Construction - Federal, 775452, Public Transportation - Federal, 775454, Public Transportation - Other, 775459, Elderly and Disabled Special Equipment, 776475, Federal Rail Administration, and 777472, Airport Improvements - Federal. Requires that the transfers be reported to the Controlling Board.

Fiscal effect: Provides DOT with cash management flexibility to transfer these funds where needed.

Executive**DOTCD15 Transfer of Appropriations - ARRA***Amendments: TB-0026***Section: 203.60**

Allows the Director of OBM to approve requests for the transfer of appropriations between appropriation items 771412, Planning and Research - Federal, 772422, Highway Construction - Federal, 772424, Highway Construction - Other, 775452, Public Transportation - Federal, 776462, Grade Crossings - Federal, and 777472, Airport Improvements - Federal, based on the requirements of the American Recovery and Reinvestment Act that apply to the money appropriated. Requires that the transfers be reported to the Controlling Board.

DOTCD16 Transfer of Appropriations and Cash: State Infrastructure Bank*Amendments: TB-0026***Section: 203.60**

Allows the Director of OBM to transfer appropriations and cash in the State Infrastructure Bank (SIB) funds used by ODOT, including transfers between fiscal years 2014 and 2015. Allows the Director of OBM to transfer appropriations between the Highway Operating Fund (Fund 7002) to SIB funds. Specifies that transfers from the SIB funds to Fund 7002 can only be up to the amounts originally transferred to the SIB funds. Prohibits transfers between modes and different funding sources. Requires such transfers to be reported to the Controlling Board.

Fiscal effect: Provides ODOT with cash management flexibility to transfer these funds where needed.

DOTCD17 Transfer of Appropriations and Cash: Tolling Funds*Amendments: TB-0026***Section: 203.60**

Allows the Director of OBM to transfer appropriations and cash of the Ohio Toll Fund, including transfers between FY 2014 and FY 2015. Requires that the transfers be reported to the Controlling Board.

Fiscal effect: Provides ODOT with cash management flexibility to transfer these funds where needed.

Executive**DOTCD18 Increasing Appropriations: State Funds***Amendments: TB-0026***Section: 203.60**

Allows the Controlling Board to increase appropriations from the Highway Operating Fund (Fund 7002) in the event that receipts or unexpended balances credited to Fund 7002 exceed the estimates upon which the appropriations have been made.

Fiscal effect: Allows ODOT to use additional moneys that are credited to Fund 7002 over the biennium, such as additional motor fuel tax revenues.

DOTCD19 Increasing Appropriations: Federal and Local Funds*Amendments: TB-0026***Section: 203.60**

Allows the Controlling Board to increase appropriations of federal or local moneys from the Highway Operating Fund (Fund 7002).

Fiscal effect: Allows ODOT to use receipts or unexpected balances, apportionments, or allocations made available from the federal government and local governments that exceed appropriations. 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.

Executive**DOTCD20 Reappropriations***Amendments: TB-0026***Section: 203.60**

Allows the Director of Transportation, in each fiscal year of the FY 2014-FY 2015 biennium, to request the Director of Budget and Management to transfer any remaining unencumbered appropriations to the Highway Operating Fund (Fund 7002), Highway Capital Improvement Fund (Fund 7042), and the Infrastructure Bank funds for the same purpose in the following fiscal year. Requires the Director of ODOT to identify the appropriate funds and line items and the amount of the transfer, allows the Director of OBM to request additional information, and requires the Director of ODOT to provide any information requested. Requires the Director of OBM to determine the amounts to be transferred by fund and line item based on the information provided by ODOT, appropriates any approved reappropriations, and requires the reappropriations to be reported to the Controlling Board. Specifies that any unencumbered balances for which reappropriations are requested and approved are subject to the availability of revenue as determined by the Director of Transportation.

Fiscal effect: Allows ODOT to continue to use unencumbered funds from prior fiscal years for various transportation projects, subject to the discretion of the Director of Budget and Management.

DOTCD21 Liquidation of Unforeseen Liabilities*Amendments: TB-0026***Section: 203.60**

Allows for any Highway Operating Fund (Fund 7002) appropriation, unless restricted by law, to be used to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

DOTCD22 Maintenance of Interstate Highways*Amendments: TB-0026***Section: 203.70**

Authorizes ODOT to provide maintenance on interstate highways located within the boundaries of municipal corporations and to reimburse municipalities for their costs in providing such maintenance if there are agreements to do so.

Executive**DOTCD23 Public Transportation Highway Purpose Grants***Amendments: TB-0026***Section: 203.80**

Allows the Director of ODOT to use state motor fuel tax revenues to match federal grants to support local or state funded public transportation highway projects, including the construction and repair of high-occupancy vehicle lanes; the acquisition and construction of park and ride facilities and transit loops; and repair of bridges used by public transportation vehicles. Prohibits motor fuel tax revenues from being used for operating assistance or for the purchase of vehicles, equipment, or maintenance of facilities

DOTCD24 ARRA Highway Infrastructure or Transit Funds*Amendments: TB-0026***Section: 203.90**

Requires the federal payments for highway infrastructure and transit agencies under ARRA to be credited to the Highway Operating Fund (Fund 7002).

Fiscal effect: Permits DOT to continue directing federal reimbursement received for highway and transit projects funded by ARRA to Fund 7002.

DOTCD25 Authorization for Treasurer of State and OBM to Effectuate Certain Lease Rental Payments*Amendments: TB-0026***Section: 509.10**

Requires the Director of OBM to initiate and process payments from lease rental payment appropriation items during the FY 2014-FY 2015 biennium, pursuant to lease agreements for bonds or notes issued under Section 2i of Article VIII, Ohio Constitution and Chapters 152. and 154. of the Revised Code. Requires payments to be made upon certification by the Treasurer of State of the dates and amounts due on those dates.

Executive**DOTCD26 Lease and Debt Service Payments***Amendments: TB-0026***Section: 509.20**

Provides for increased appropriations for certain lease rental and other payments under leases and agreements related to bonds or notes issued under the Ohio Constitution and acts of the General Assembly, should additional appropriations be necessary.

DOTCD27 Transfers of Cash Between the Highway Operating Fund and the Highway Capital Improvement Fund*Amendments: TB-0026***Section: 512.10**

Allows the Director of OBM to transfer cash from the Highway Operating Fund (Fund 7002) to the Highway Capital Improvement Fund (Fund 7042). Allows the Director of OBM to transfer cash from Fund 7042 to Fund 7002 up to the amounts previously transferred to Fund 7042.

DOTCD28 Monthly Transfers to Gasoline Excise Tax Fund*Amendments: TB-0026***Section: 512.20**

Requires the Director of OBM to transfer cash in equal monthly increments totaling \$171,724,944 in FY 2014 and in equal monthly increments totaling \$173,884,776 in FY 2015 from the Highway Operating Fund (Fund 7002) to the Gasoline Excise Tax Fund (Fund 7060) and specifies how these amounts are to be distributed to municipalities, counties, and townships.

Fiscal effect: Provides transfers of motor fuel tax revenues to local governments for road and bridge projects in the following percentages pursuant to a statutory formula: 42.86% to municipalities, 37.14% to counties, and 20.0% to townships.

Executive**DOTCD29 Deputy Inspector General for ODOT Funding***Amendments: TB-0026***Section: 512.30**

Requires the Director of OBM to make semiannual transfers of cash of \$200,000, occurring on July 1 and January 1 in each fiscal year, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0) in order to fund the Deputy Inspector General's duties.

Permits the Inspector General, with the consent of the Director of OBM, to seek Controlling Board approval for additional transfers of cash and an increase in the amount appropriated from Fund 5FA0 appropriation item 965603, Deputy Inspector General for ODOT, in the amount of the additional transfers if additional amounts of cash and appropriation are necessary.

DOTCD30 Performance Audit of the Department of Transportation*Amendments: TB-0026***Section: 701.10**

Requires the Auditor of State to conduct a performance audit of ODOT.

Fiscal effect: Costs to ODOT depend on the scope and duration of the audit and the amount charged by the Auditor of State to carrying out the performance audit. ODOT paid \$323,000 to the Auditor of State for its performance audit in the FY 2012-FY 2013 biennium.

DOTCD33 Buy Ohio and Buy American Preferences for Federal Stimulus Funds*Amendments: TB-0026***Section: 701.20**

Requires that, to the extent permitted by federal law, federal stimulus moneys be used in accordance with preferences for goods and services under the Buy Ohio and Buy American programs in Ohio law.

Executive**DOTCD31 ODOT Environmental Reviews***Amendments: TB-0026***Section: 755.10**

Authorizes the Director of Transportation, with Controlling Board approval, to make advance payments to the federal government for its costs in dedicating staff to the expeditious and timely review of environmentally related documents submitted by ODOT that are necessary for the approval of federal permits.

DOTCD32 Motor Fuel Evaporation Tax Credit*Amendments: TB-0026***Section: 757.10**

Continues the temporary motor fuel tax evaporation allowance in effect for the FY 2012-FY 2013 biennium at 1.0% (less 0.5% of the gallonage sold to retail dealers) for distributors and 0.5% for retail dealers for the FY 2014-FY 2015 biennium.

Fiscal effect: Increases revenue from the motor fuel tax over what would be collected under permanent law, which provides for an allowance of 3.0%.
