

COMPARISON DOCUMENT

House Bill 53
131st General Assembly

Transportation Budget Bill
(FY 2016-FY 2017)

As Introduced
As Passed by the House

Legislative Service Commission
March 3, 2015

Executive

As Passed By the House

DASCD1 DAS Capital Appropriation

Section: 401.10

Establishes capital appropriation item C10035, Building Improvement, with an appropriation of \$1,252,000 from the Building Improvement Fund (Fund 5KZ0) for the FY 2015-FY 2016 biennium.

Section: 401.10

Same as the Executive.

Executive

As Passed By the House

OBMCD1 **Limitations on use of capital appropriations****Section: 401.20**

Specifies that the appropriations made in this bill for buildings or structures, remodeling, or renovations, be limited to: acquisition of real property or interests in real property; buildings and structures of certain types listed; architectural, engineering, and professional services; equipment under certain criteria.

Excludes the capital appropriations from the State Capital Improvement Fund (Fund 7038) and the State Capital Improvements Revolving Loan Fund (Fund 7040) from this provision.

Section: 401.20

Same as the Executive.

Same as the Executive.

OBMCD2 **State and local rebate authorization****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 sections 148(f) of the Internal Revenue Code. Requires OBM to approve and voucher rebate agreements.

Section: 503.10

Same as the Executive.

Executive

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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.

Fiscal effect: Same as the Executive.

OBMCD3**Authorization for Treasurer of State and OBM to effectuate lease rental Payments****Section: 509.10**

Requires OBM to initiate and process payments from lease rental payment appropriation items during the FY 2016-FY 2017 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.

Section: 509.10

Same as the Executive.

OBMCD4**Lease and debt service payments****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.

Section: 509.20

Same as the Executive.

Executive

As Passed By the House

OBMCD25 **Federal money for fiscal stabilization and recovery****Section: 521.10**

States that federal money received by the state for fiscal stabilization and recovery purposes shall be used in accordance with the preferences for products and services made or performed in the U.S. and Ohio established in section 125.09 of the Revised Code.

Section: 521.10

Same as the Executive.

Executive

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DEVCD1 Roadwork Development Grant Program**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 ODOT to provide funds in accordance with the guidelines and requirements of other Development Services Agency (DSA) programs, including Controlling Board review and approval, as well as constitutional requirements for the use of motor fuel tax revenues. Permits ODOT to assist DSA with project completion and to enter into contracts on behalf of DSA. Permits funds to be used in conjunction with appropriation item 195623 or any other state funding for infrastructure improvements.

(3) Requires OBM, pursuant to a plan submitted by DSA 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).

Section: 207.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

As Passed By the House

DNRCD42 Watercraft review mirrors for observing persons being towed by a watercraft

No provision.

R.C. 1547.15

Allows an operator of a vessel the option to use a rearview mirror to observe water skiers, barefoot skiers, and others who are being towed by the vessel as an alternative to the current law requirement that another person in the watercraft be responsible for observing those being towed.

Fiscal effect: None.

DNRCD43 Watercraft certificates of title

No provision.

R.C. 1548.07

Eliminates the requirement that the make, manufacturer's serial number, and horsepower of any inboard motor or motors of a watercraft be included with a watercraft certificate of title application. Retains the requirement that the application contain a description of the watercraft, including make, year, length, series or model if available, body type, and hull identification or serial number.

Fiscal effect: None.

Executive

As Passed By the House

DPSCD23 Commercial motor vehicle registration taxes

R.C. 126.06, 127.14, 4501.03, 4501.04, 4501.044, 4501.045, 4501.06, 5528.19 (repealed), 5528.30, 5528.31, 5528.32 (repealed), 5528.33 (repealed), 5528.35 (repealed), 5528.36 (repealed), 5528.38 (repealed), 5528.39 (repealed), 5528.40, 5728.08, 5735.23, 5735.26, 5735.291, 5735.30, Section 512.40

(1) Requires certain commercial vehicle registration taxes that currently are deposited to the credit of the Highway Operating Fund (Fund 7002) and the Highway Obligations Bond Retirement Fund (Fund 7071) to be deposited instead to the credit of the State Highway Safety Fund (Fund 7036).

(2) Eliminates Fund 7071, and provisions from the R.C., relating to highway bonds associated with Fund 7071 that no longer are outstanding.

(3) Abolishes Fund 7071.

Fiscal effect: Gain in revenues of approximately \$59 million to Fund 7036 annually, with a corresponding loss in revenues to Fund 7002. No impact to Fund 7071, as it is no longer in use.

R.C. 126.06, 127.14, 4501.03, 4501.04, 4501.044, 4501.045, 4501.06, 5528.19 (repealed), 5528.30, 5528.31, 5528.32 (repealed), 5528.33 (repealed), 5528.35 (repealed), 5528.36 (repealed), 5528.38 (repealed), 5528.39 (repealed), 5528.40, 5728.08, 5735.23, 5735.26, 5735.291, 5735.30, Section 512.40

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DPSCD7 Security, Investigations, and Policing Fund

R.C. 4501.11

Removes coordinating Homeland Security activities as one of the purposes for which the money in the Security, Investigations, and Policing Fund (Fund 8400) may be used.

Fiscal effect: Potentially: (1) increases, by around \$600,000 annually, the amount of money available for the Ohio State Highway Patrol's non-highway enforcement duties (e.g., Ohio State Fair, Ohio State Fairgrounds, and Capitol Square security), and (2) requires the Department, if necessary, to tap other moneys in its operating budget to support homeland security activities.

R.C. 4501.11

Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD11 Unidentified Public Safety Receipts Fund

R.C. 4501.26

Requires all investment earnings of the Unidentified Public Safety Receipts Fund (Fund R024) to be credited not to that fund but instead to the credit of the State Bureau of Motor Vehicles Fund (Fund 4W40).

Fiscal effect: Potential minimal annual revenue gain to Fund 4W40 with a corresponding annual revenue loss to Fund R024.

R.C. 4501.26

Same as the Executive.

Fiscal effect: Same as the Executive.

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DPSCD1 Abstract fee revenue distribution

R.C. 4501.34, 4503.26, 4505.14, 4506.08, 4509.05, 4513.263, 4519.63, 5502.131 (repealed), 5502.39, 5502.67, Section 512.40

- (1) Requires those portions of fees collected by the Department of Public Safety, the Registrar of Motor Vehicles, and clerks of courts of common pleas from the sale of lists containing information relating to driver licenses, motor vehicle certificates of registration, and certificates of title that are currently deposited to the credit of the Trauma and Emergency Medical Service Fund (Fund83M0), the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30), the Homeland Security Fund (Fund 5DS0), the Investigations Fund (Fund 5FL0), and the Justice Program Services Fund (Fund 4P60) to be deposited to the credit of the State Bureau of Motor Vehicles Fund (Fund 4W40).
- (2) Eliminates the authority of the Director of Budget and Management to transfer excess money from Fund 4V30 and Fund 4P60 to the Highway Safety Fund (Fund 7036).
- (3) Eliminates Fund 5DS0 and Fund 5FL0 from the Revised Code.
- (4) Requires the Director of Budget and Management, effective March 1, 2016, or as soon as possible thereafter, to transfer the cash balances in Fund 5DS0 and Fund 5FL0 to Fund 4W40, and abolishes Fund 5DS0 and Fund 5FL0 upon completion of the transfer.

R.C. 4501.34, 4503.26, 4505.14, 4506.08, 4509.05, 4513.263, 4519.63, 5502.131 (repealed), 5502.39, 5502.67, Section 512.40

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

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Fiscal effect: Gain in revenues to Fund 4W40 with corresponding revenue losses to Fund 83M0, Fund 4V30, Fund 5DS0, Fund 5FL0, and Fund 4P60. From FYs 2009-2014, abstract fee revenues for these latter five state funds as a group totaled, on average, approximately \$6.5 million annually.

Fiscal effect: Same as the Executive.

DPSCD39

Registrar of Motor Vehicles and deputy registrars to accept credit and debit cards

R.C. 4503.102

(1) No provision.

(1) Requires the Registrar of Motor Vehicles to establish a program permitting payment by financial transaction device (credit and debit cards) of specified BMV taxes and fees not later than July 1, 2016.

(2) No provision.

(2) Requires rules establishing the program to require a deputy registrar to accept payments by means of a financial transaction device beginning on the effective date of the rules unless the deputy registrar contract entered into by the deputy registrar prohibits the acceptance of such payments by financial transaction device, but retains a requirement that all such contracts entered into beginning July 1, 2016 must require the acceptance of payments by financial transaction device.

(3) No provision.

(3) Specifies that deputy registrars are not required to pay any costs that result from accepting payment by means of a financial transaction device.

(4) No provision.

(4) Permits deputy registrars to charge a person who pays for a Department of Public Safety transaction by means of a financial transaction device any cost the deputy registrar incurs from accepting payment by the device, but prohibits

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the deputy registrar from requiring the person to pay any additional fee of any kind in connection with the use by the person of the device.

Fiscal effect: None, as the Bureau of Motor Vehicles is already working on establishing a credit and debit card payment program.

DPSCD5 Non-permanent trailer registration transfers

R.C. 4503.103

Specifies that a permanent trailer or semitrailer registration is not transferable, rather than any multi-year trailer or semitrailer registration as under current law.

Fiscal effect: Potential loss in revenue if a vehicle owner pays for a multi-year trailer or semi-trailer registration and then transfers that multi-year registration to another trailer or semi-trailer instead of registering it under current law.

R.C. 4503.103

Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD38 Grants related to Automated Title Processing System development

No provision.

R.C. 4505.09

Requires the Automated Title Processing Board to determine, with the approval of the Director of Public Safety, the award of grant funds to the clerk of courts of any county who employs a person who assists with the design of, updates to, tests of, installation of, or any other activity related to the Automated Title Processing System.

Fiscal effect: Uncertain.

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DPSCD44 Commercial driver's license (CDL) skills test reciprocity with other states

R.C. 4506.01, 4506.09, 4506.13, 4506.21

- (1) Establishes generally interstate reciprocity for CDL skills testing.
- (2) Requires the Registrar, to the extent permitted by federal law and state law, provide within ten days conviction and disqualification records from the CDL information system regarding a CDL holder or commercial motor vehicle operator to specified parties.
- (3) Requires the Registrar to notify the driver licensing authority having jurisdiction of an out-of-state CDL, CDL permit, or certain noncommercial driver license holder who has been convicted of a violation of state law, local ordinance, or resolution related to traffic control, other than a parking violation, within ten days of the final judgment.

Fiscal effect: Negligible.

R.C. 4506.01, 4506.09, 4506.13, 4506.21

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD50 Commercial driver's license (CDL) definitional changes

R.C. 4506.01

- (1) Establishes generally a gross vehicle weight standard for operating commercial motor vehicles and combination vehicles, in addition to a gross vehicle weight rating, and in so doing, allows enforcement of commercial motor vehicle laws based on actual vehicle weight.
- (2) Includes a violation of any state or local law prohibiting using a handheld mobile telephone in the definition of a "serious traffic offense," which, upon conviction of two or

R.C. 4506.01

- (1) Same as the Executive.
- (2) Same as the Executive.

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more serious traffic offenses within a three-year period, may result in the person being disqualified from operating a commercial motor vehicle for a specified period of time.

(3) Defines "using a handheld mobile telephone" and redefines "texting" for purposes of the commercial driver's license law.

(3) Same as the Executive.

(4) Specifies that an out-of-state traffic violation is a serious traffic violation if it is determined to be a serious traffic violation by the U.S. Secretary of Transportation and designated as such by the Director of Transportation.

(4) Same as the Executive.

(5) Modifies the definition of "tank vehicle" to include any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that are either permanently or temporarily attached to the vehicle or its chassis and have an individual rated capacity of more than 119 gallons and aggregate rated capacity of 1,000 gallons or more, as opposed to any commercial motor vehicle that is designed to transport any liquid and has a maximum capacity greater than 119 gallons or is designed to transport gaseous materials and has a water capacity greater than 1,000 pounds within a tank that is either permanently or temporarily attached to the vehicle or its chassis, as under current law.

(5) Same as the Executive.

(6) Specifies that "tank vehicle" does not include a commercial motor vehicle transporting an empty storage container tank that is not designed for transportation, has a rated capacity of 1,000 gallons or more, and is temporarily attached to a flatbed trailer.

(6) Same as the Executive.

Fiscal effect: Negligible.

Fiscal effect: Same as the Executive.

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DPSCD9 Commercial driver's licensing (CDL) requirements, disqualifications and prohibitions

R.C. 4506.03, 4506.05, 4506.07, 4506.10, 4506.15, 4506.16, 4506.17

(1) Specifies that a CDL may not be upgraded or renewed until the applicant surrenders their current license or permit.

(2) Specifies that any conviction for an offense that would lead to disqualification, whether committed in a commercial motor vehicle or any other vehicle, must be counted for purposes of determining the number of violations and the appropriate disqualification period.

(3) Expressly references CDL temporary instruction permits in the prohibitions and other provisions governing CDLs.

(4) Requires an applicant for a CDL or CDL temporary instruction permit to include the applicant's state of domicile on the application.

Fiscal effect: Negligible.

R.C. 4506.03, 4506.05, 4506.07, 4506.10, 4506.15, 4506.16, 4506.17

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD45 Commercial driver's license (CDL) temporary instruction permits

R.C. 4506.03, 4506.06, 4506.09

(1) Clarifies that a CDL temporary instruction permit is a prerequisite to the initial issuance of a CDL or the upgrade of a CDL if the upgrade requires a skills test.

(2) Requires the holder of a CDL temporary instruction permit, in order to operate a commercial motor vehicle, be accompanied by a person who holds a valid CDL, all necessary endorsements for the type of vehicle being

R.C. 4506.03, 4506.06, 4506.09

(1) Same as the Executive.

(2) Same as the Executive.

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driven, and who has the permit holder under observation and direct supervision.

(3) Requires a minimum of 14 days between issuance of a CDL temporary instruction permit and eligibility for taking a skills test.

(3) Same as the Executive.

Fiscal effect: Negligible.

Fiscal effect: Same as the Executive.

DPSCD47 New prohibitions related to commercial driver's licenses (CDLs)

R.C. 4506.05, 4506.20

(1) Prohibits any person under the age of 21 who possesses a CDL or CDL temporary instruction permit from operating a commercial motor vehicle in interstate commerce.

R.C. 4506.05, 4506.20

(1) Same as the Executive.

(2) Prohibits an employer from knowingly permitting or authorizing a driver to operate a commercial motor vehicle without a CDL bearing the proper class or endorsement for the vehicle or in violation of any restrictions on the driver's CDL and makes a violation of either prohibition a first degree misdemeanor.

(2) Same as the Executive.

Fiscal effect: Negligible.

Fiscal effect: Same as the Executive.

DPSCD43 Commercial driver's license (CDL) skills test requirement waivers

R.C. 4506.09

(1) Eliminates the existing requirement that the Director of Public Safety adopt rules for the purpose of issuing a waiver of CDL skills tests under certain conditions and generally grants reciprocity to a person domiciled in Ohio who passed the skills test in another state.

R.C. 4506.09

(1) Same as the Executive.

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(2) Modifies the existing requirement that the Director of Public Safety adopt rules for the purpose of issuing a waiver to certain CDL applicants with prior experience operating a commercial motor vehicle in the military by requiring that the applicant is an active duty military personnel, a member of the military reserves, a member of the national guard, or active duty U.S. Coast Guard personnel and that the applicant operates a commercial motor vehicle for military purposes.

(2) Same as the Executive.

(3) Specifies that U.S. reserve technicians are not eligible for the waiver.

(3) Same as the Executive.

Fiscal effect: Negligible.

Fiscal effect: Same as the Executive.

DPSCD42

Comercial driver's license (CDL) skills test examiners

R.C. 4506.09

(1) Allows random examinations, inspections, and audits, as permitted under current law, to be either overt or covert.

R.C. 4506.09

(1) Same as the Executive.

(2) Requires criminal background checks for private test examiners.

(2) Same as the Executive.

(3) Requires private test examiners to maintain a bond as determined by the Director of Public Safety sufficient to pay retesting costs in the event test examiners are involved in fraudulent testing.

(3) Same as the Executive.

(4) Requires test examiners to pass a prescribed training course and be certified by the state as qualified.

(4) Same as the Executive.

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(5) Requires private test examiners to submit a schedule of skills test appointments to the Director of Public Safety not later than two business days prior to each skills test.

(5) Same as the Executive.

(6) Requires test examiners to use designated test routes.

(6) Same as the Executive.

(7) Requires certain records to be maintained by test examiners.

(7) Same as the Executive.

(8) Prohibits a driver training school examiner from testing an applicant that the examiner trained.

(8) Same as the Executive.

(9) Requires skills test examiners to conduct complete skills tests on a minimum of 32 different individuals per calendar year.

(9) Same as the Executive.

(10) Allows the state to take remedial action against the skills test examiners employed by a private test examiner for failure to comply with the applicable requirements or contract.

(10) Same as the Executive.

Fiscal effect: Negligible.

Fiscal effect: Same as the Executive.

DPSCD48 Commercial driver's license (CDL) medical examinations

R.C. 4506.10

Specifies that only a medical examiner who is listed on the national registry of certified medical examiners established by the Federal Motor Carrier Safety Administration may perform a physical examination on a person for purposes of a CDL application.

R.C. 4506.10

Same as the Executive.

Fiscal effect: None.

Fiscal effect: Same as the Executive.

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DPSCD46 Endorsements and restrictions for commercial driver's licenses (CDLs) and CDL temporary instruction permits

R.C. 4506.12

- (1) Specifies that the operation of a commercial motor vehicle in violation of a CDL restriction is a first degree misdemeanor and classifies the offense, as well as operation of a commercial motor vehicle without a required endorsement under current law, as strict liability offenses.
- (2) Revises the endorsements and restrictions for CDL holders.
- (3) Establishes endorsements and restrictions for CDL temporary instruction permit holders who, generally, may not operate vehicles requiring a hazardous materials endorsement and may not operate commercial motor vehicles with passengers.

Fiscal effect: Negligible.

R.C. 4506.12

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

Fiscal effect: Same as the Executive.

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DPSCD53 Testing for driver's licenses

R.C. 4507.11, 4507.21, 4508.02

(1) Requires every person, rather than only persons less than 18 years of age as required by current law, when applying for an initial driver's license to show proof of having successfully completed an approved driver education course, an approved driver training course, or a training course that is comparable to either of those two courses that was administered by a branch of the United States armed forces while residing outside this state for the purpose of being with or near any person serving in the United States armed forces.

(1) No provision.

(2) Specifies that the law requiring an actual demonstration of the ability to exercise ordinary and reasonable control in the operation of a motor vehicle consist of a road test and a maneuverability test, as determined by the Director of Public Safety.

(2) No provision.

(3) Permits the Director of Public Safety to require every applicant for an initial driver's license to successfully complete a simulated driving test under the supervision of an examining officer prior to taking the road and maneuverability tests and requires the Registrar of Motor Vehicles to adopt rules governing the specifications for the driving simulators and the standards for the simulated driving test.

(3) No provision.

(4) Permits driver training schools to offer an advanced driver skills course and permits the waiver of the maneuverability and road tests for driver's license

(4) No provision.

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applicants who successfully complete the course.

(5) Requires the Director of Public Safety to adopt rules governing the advanced driver skills course.

(5) No provision.

(6) Increases from eight to ten the number of hours of actual behind-the-wheel instruction conducted on public roads required for all beginning drivers of noncommercial motor vehicles who are under 18 years of age.

(6) No provision.

Fiscal effect: Negligible.

DPSCD8 Restrictions applicable to probationary driver's license holders

R.C. 4507.071

(1) Generally prohibits all probationary driver's license holders from operating a motor vehicle between midnight and 6 a.m. unless the holder is accompanied by a parent or guardian.

(1) No provision.

(2) Prohibits any probationary driver's license holder, as opposed to only those 17 years of age and younger, from operating a motor vehicle with more than one person who is not a family member occupying the vehicle unless the holder is accompanied by the holder's parent, guardian, or custodian.

(2) No provision.

(3) Revises the restrictions on the operation of a motor vehicle by a probationary driver's license holder who is convicted of, or is adjudicated in juvenile court of having committed, a moving violation.

(3) No provision.

(4) Eliminates a provision of current law that provides that a probationary driver's license holder who pleads guilty to a moving violation during the six-month period after issuance

(4) No provision.

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of the license does not have to be accompanied by the holder's parent or guardian if certain conditions are present.

DPSCD37 Duplicate driver's license fee

- (1) No provision.
- (2) No provision.

R.C. 4507.23

- (1) Requires the Registrar of Motor Vehicles to adopt rules establishing a prorated fee schedule for duplicate driver's licenses.
- (2) Requires the money received from such fees to be allocated to the same funds and in the same proportions as the total current duplicate driver's license fee.

Fiscal effect: Potential loss in revenue if a driver purchases a duplicate license at a prorated rate

DPSCD56 Driver training schools

- R.C. 4508.01, 4508.02, 4508.03, 4508.04, 4508.05, 4508.06, 4508.10, 4508.11**
- (1) Adds to the definition of "driver training school" an entity that provides (a) an online driver education course approved by the Director of Public Safety or (b) an advanced driver skills course approved by the Director of Public Safety.
 - (2) Provides that whoever operates a driver training school without a valid license is guilty of a second degree misdemeanor (instead of a minor misdemeanor as specified in current law). Provides, for a second or subsequent offense within two years of the first offense, that the offender is guilty of a first degree misdemeanor

- R.C. 4508.01, 4508.02, 4508.03, 4508.04, 4508.05, 4508.06, 4508.10, 4508.11**
- (1) Same as the Executive, but does not add an advanced driver skills course to the definition.
 - (2) Same as the Executive.

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(instead of a fourth degree misdemeanor as specified in current law).

(3) Provides that upon successful completion of all requirements for an initial driver training instructor license, the Director of Public Safety is required to issue an applicant a probationary driver training instructor license, which expires 180 days from the date of issuance.

(3) Same as the Executive.

(4) Requires, in order to receive a driver training instructor license, a person who is issued a probationary instructor license must pass an assessment. Requires the person pass the assessment prior to expiration of the probationary license. Permits, under certain circumstances, the Director to extend the expiration date of the person's probationary license. Requires the Director, upon successful completion of the assessment and approval of the Director, to issue to the person a driver training instructor license.

(4) Same as the Executive.

(5) Specifies that all nonprobationary driver training instructor licenses expire on December 31 of every year. Permits a person to renew such a license biennially or annually as under current law while maintaining the current fee of \$50 per year for a driver training school license renewal or \$10 per year for an instructor license renewal.

(5) Same as the Executive.

(6) Provides that whoever acts as a driver training instructor without having a valid license is guilty of a first degree misdemeanor (instead of a fourth degree misdemeanor as specified in current law).

(6) Same as the Executive.

(7) Provides that, in addition to reasons for a suspension of a driver training school or driver training instructor license under current law, the Director may: (a) suspend a driver training instructor license with a prior hearing if the Director

(7) Same as the Executive.

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believes there exists clear and convincing evidence that the license holder engaged in certain conduct or been convicted of a criminal offense that directly related to the fitness of that person to provide driving instruction, or (b) suspend a driver training school license without a prior hearing if the Director believes there exists clear and convincing evidence of certain circumstances.

(8) Requires the Director, immediately following a decision to suspend an instructor or school license without a prior hearing, issue a written order of suspension, cause it to be delivered to the license holder, and notify the license holder of the opportunity for a hearing. Requires, if the license holder submits a request, for the hearing to be in a timely manner. Provides that a person who fails to return an instructor license or a school license that has been suspended is guilty of a minor misdemeanor, and a second or subsequent such offense within two years of a first offense, is a fourth degree misdemeanor.

(8) Same as the Executive.

(9) Requires driver training schools to remit payments for all completion certificates (\$4 each under current law) when they request the certificates from the Department of Public Safety. Provides that failure to remit payment to the Department in a timely manner for the certificates is grounds for the Director to take action against the school.

(9) Same as the Executive.

(10) Requires the Attorney General, the prosecuting attorney of a county, or a city director of law, upon complaint of the Director of Public Safety, to prosecute to termination or bring an action for injunction against any person who violates any driver training school provision or any applicable rule. Provides that the court of common

(10) Same as the Executive.

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pleas in which an action for an injunction is filed has jurisdiction to grant injunctive relief upon a showing that the respondent named in the complaint is in violation of any driver training school provision or any applicable rule.

Fiscal effect: Negligible.

Fiscal effect: Same as the Executive.

DPSCD55 Offense of "Distracted Driving"

R.C. 4511.206

(1) Creates the offense of "distracted driving," but limits application and prosecution of the offense to persons who also commit a moving violation or a vehicular homicide offense at the same time as the distracted driving offense.

(1) No provision.

(2) Prohibits any person from committing a moving violation while either: (a) using in any manner an electronic wireless communications device, or (b) engaging in any activity that is not necessary to the driving of a motor vehicle and impairs, or reasonably would be expected to impair, the ability of the person to drive the motor vehicle safely (a violation of either prohibition is a misdemeanor).

(2) No provision.

(3) Requires the court impose the applicable fine in addition to any penalties the court imposes for the underlying moving violation.

(3) No provision.

(4) Requires, if a law enforcement officer issues a person a ticket, citation, or summons for a moving violation and also for the offense of distracted driving while committing a moving violation, the person who is issued a ticket, citation, or summons to appear in person in the proper court to answer the charge.

(4) No provision.

Executive

As Passed By the House

(5) Prohibits any person from committing any vehicular homicide offense while doing either of the actions described in dot point (2) above and subjects the person that violates the prohibition to the following penalties: (a) a fine that is twice the maximum fine permitted for a violation of a specified provision of the vehicular homicide statute, and (b) a jail or prison term that is twice the maximum term permitted for a violation of a specified provision of the vehicular homicide statute. Requires the court impose the applicable fine or prison term in addition to any penalties the court imposes for the underlying vehicular homicide violation.

(5) No provision.

(6) Creates the Driver Education Fund, consisting of all fines collected for state distracted driving offenses, and requires the Department to use all money in the fund to pay for the Department's driver safety activities and programs.

(6) No provision.

(7) Defines, for the purposes of the above described distracted driving provisions, "electronic wireless communications device" as including a wireless telephone, a text-messaging device, a personal digital assistant, a computer, including a laptop computer and a computer tablet, or any other substantially similar wireless device that is designed or used to communicate text.

(7) No provision.

Fiscal effect: Uncertain.

Executive

As Passed By the House

DPSCD10 Private Investigator and Security Guard Provider Fund

R.C. 4749.07

Includes the revenue from penalties to be deposited to the credit of the Private Investigator and Security Guard Provider Fund (Fund 5B90).

Fiscal effect: None, codifies current practice.

R.C. 4749.07

Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD13 Motor vehicle registration

Section: 205.10

- (1) Permits the Director of Public Safety to deposit certain motor vehicle registration fee revenues to meet the needs of the State Bureau of Motor Vehicles Fund (Fund 4W40).
- (2) Requires the revenues that are deposited to be used to support, in part, appropriations for operating expenses, to 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.
- (3) Requires these revenues be paid into Fund 4W40 before being paid into any other fund.
- (4) 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 Director of Public Safety.

Section: 205.10

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

Executive

As Passed By the House

DPSCD14 Public Safety facilities lease rental bond payments

Section: 205.10

Requires that HSF Fund 7036 appropriation item 761401 be used to make certain debt service payments.

Section: 205.10

Same as the Executive.

DPSCD15 Cash transfers between funds

Section: 205.10

Permits the Director of Budget and Management, upon written request from the Director of Public Safety, to transfer cash between the State Bureau of Motor Vehicles Fund (Fund 4W40) and the State Highway Safety Fund (Fund 7036).

Section: 205.10

Same as the Executive.

DPSCD16 Cash transfers - Highway Patrol

Section: 205.10

Permits the Director of Budget and Management, upon written request of the Director of Public Safety, to transfer cash from the State Highway Patrol Contraband, Forfeiture and Other Fund (Fund 83C0) or the Highway Safety Salvage and Exchange Highway Patrol Fund (Fund 8410) to the Security, Investigations and Policing Fund (Fund 8400).

Section: 205.10

Same as the Executive.

Executive

As Passed By the House

DPSCD17 Cash transfers to the Highway Safety Fund - Shipley upgrades

Section: 205.10

Permits the Director of Budget and Management (OBM), pursuant to a plan submitted by the Director of Public Safety or as other determined by the Director of OBM, to make cash transfers on a pro-rata basis from other funds used by the Department of Public Safety, excluding the Public Safety Building Fund (Fund 7025), to the State Highway Safety Fund (Fund 7036) to have other departmental operations help pay for capital improvements to the Shipley Building.

Section: 205.10

Same as the Executive.

DPSCD18 Cash transfers - federal funds

Section: 205.10

Permits the Director of Budget and Management, upon written request of the Director of Public Safety, to take the following actions:

- (1) Transfer cash from the Highway Safety Federal Reimbursement Fund (Fund 8310) to the Highway Safety Federal Reimbursement Fund (Fund 3GU0).
- (2) Transfer cash from the Traffic Safety Fund (Fund 8320) to the Traffic Safety Fund (Fund 3GV0).
- (3) Transfer cash from the Highway Patrol Justice Contraband Fund (Fund 83J0) to the Highway Patrol Justice Contraband Fund (Fund 3GR0).

Section: 205.10

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

As Passed By the House

(4) Transfer cash from the Highway Patrol Treasury Contraband Fund (Fund 83T0) to the Highway Patrol Treasury Contraband Fund (Fund 3GS0).

(4) Same as the Executive.

DPSCD19 Collective bargaining increases

Section: 205.10

Permits the Controlling Board, upon the request of either the Director of Budget and Management or the Director 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.

Section: 205.10

Same as the Executive.

DPSCD20 Cash balance fund review

Section: 205.10

(1) Requires the Director of Public Safety to review the cash balances for each fund in the State Highway Safety Fund Group, and permits the Director of Budget and Management, upon written request of the Director of Public Safety, to transfer amounts from any of those funds to the credit of the State Highway Safety Fund (Fund 7036) or the State Bureau of Motor Vehicles Fund (Fund 4W40), as appropriate.

Section: 205.10

(1) Same as the Executive.

Executive

As Passed By the House

(2) Permits the Director of Budget and Management, upon receipt of such a request, to make appropriate transfers.

(2) Same as the Executive.

DPSCD29

Crediting of moneys received

Section: 205.10

(1) Requires, beginning July 1, 2015, or as soon as possible thereafter, all moneys received pursuant to R.C. 4501.08 be deposited to the credit of the Highway Safety Federal Reimbursement Fund (Fund 3GU0).

Section: 205.10

(1) Same as the Executive.

(2) Requires, beginning July 1, 2015, or as soon as possible thereafter, all moneys received pursuant to R.C. 4501.09 be deposited to the credit of the Traffic Safety Fund (Fund 3GV0).

(2) Same as the Executive.

(3) Requires, beginning July 1, 2015, or as soon as possible thereafter, all moneys received pursuant to R.C. 2981.14 be deposited to the credit of the Highway Patrol Justice Contraband Fund (Fund 3GR0).

(3) Same as the Executive.

(4) Requires, beginning July 1, 2015, or as soon as possible thereafter, all moneys received pursuant to R.C. 2981.14 be deposited to the credit of the Highway Patrol Treasury Contraband Fund (Fund 3GS0).

(4) Same as the Executive.

Executive

As Passed By the House

DPSCD40 Portable driving simulators

No provision.

Section: 205.10

Increases by \$450,000 in each fiscal year the amount appropriated to HSF Fund 7036 line item 761321, Operating Expense – Information and Education, and earmarks those amounts for the purchase of portable driving simulators.

DPSCD22 Fund consolidation

Sections: 512.40, R.C. 4501.19 (repealed), 4503.233, 4505.09, 4519.59, 4509.101, 4509.81

(1) Eliminates from R.C.: (a) the Law Enforcement Reimbursement Fund (83R0), which consists of fees related to court-ordered motor vehicle immobilizations that are collected by the Registrar of Motor Vehicles and are used to make payments to law enforcement agencies under specified R.C. provisions, (b) the Motor Vehicle Dealers Board Fund (Fund 5390), which consists of fees charged for the issuance of certificates of title for specified vehicles, and (c) the Financial Responsibility Compliance Fund (Fund 8350), which consists of money derived from specified fees paid under the Motor Vehicle Financial Responsibility Law.

(2) Requires all the above fees or portions of fees to be deposited instead to the credit of the State Bureau of Motor Vehicles Fund (Fund 4W40).

Sections: 512.40, R.C. 4501.19 (repealed), 4503.233, 4505.09, 4519.59, 4509.101, 4509.81

(1) Same as the Executive, but removes the elimination of the Motor Vehicle Dealers Board Fund (Fund 5390), thus maintaining current law provisions that create the fund and its funding sources.

(2) Same as the Executive.

Executive

As Passed By the House

(3) Requires the Director of Budget and Management, on January 1, 2016, or as soon as possible thereafter, to transfer the cash balances in Fund 8350, Fund 5390, and Fund 83R0 to the State Bureau of Motor Vehicles Fund (Fund 4W40), and abolishes each fund upon completion of their respective cash balances being transferred to Fund 4W40.

Fiscal effect: Gain in revenues to Fund 4W40. From FY 2009-FY 2014, Funds 5390, 8350, and 83R0 averaged approximately \$18.8 million in revenues annually.

(3) Same as the Executive, but removes the cash balance transfer from Fund 5390 to the State Bureau of Motor Vehicles Fund (Fund 4W40) and the abolishment of Fund 5390.

Fiscal effect: Gain in revenues to Fund 4W40. From FY 2009-FY 2014, Funds 8350 and 83R0 averaged approximately \$18.6 million in revenues annually.

DPSCD24

MARCS Operation Fund

Sections: 512.40, R.C. 4501.28 (repealed)

(1) Eliminates the MARCS Operation Fund (Fund 4W60) from the R.C.

(2) Requires the Director of Budget and Management, to transfer the cash balance in Fund 4W60 to the MARCS Administration Fund (Fund 5C20), used by the Department of Administrative Services, and abolishes Fund 4W60 upon completion of the transfer.

Fiscal effect: Negligible onetime cash transfer.

Sections: 512.40, R.C. 4501.28 (repealed)

(1) Same as the Executive.

(2) Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DPSCD25 Highway Safety Federal Reimbursement Fund

Section: 512.40

(1) Requires the Director of Budget and Management (OBM), on March 1, 2016, or soon as possible thereafter to transfer the cash balance in the Highway Safety Federal Reimbursement Fund (Fund 8310) to the Highway Safety Federal Reimbursement Fund (Fund 3GU0), and abolishes Fund 8310 upon completion of the transfer.

(2) Requires the Director of OBM to cancel any existing encumbrances against HSF Fund 8310 appropriation item 761610, Information and Education - Federal, and reestablish them against FED Fund 3GU0 appropriation item 761610, Information and Education Grant, and appropriates the reestablished encumbrance amounts.

(3) Requires the Director of OBM to cancel any existing encumbrances against HSF Fund 8310 appropriation item 764608, FARS Grant Federal, and reestablish them against FED Fund 3GU0 appropriation item 764608, Fatality Analysis Report Systems Grant, and appropriates the reestablished encumbrance amounts.

(4) Requires the Director of OBM to cancel any existing encumbrances against HSF Fund 8310 appropriation item 764610, Patrol - Federal, and reestablish them against FED Fund 3GU0 appropriation item 764610, Highway Safety Programs Grant, and appropriates the reestablished encumbrance amounts.

(5) Requires the Director of OBM to cancel any existing encumbrances against HSF Fund 8310 appropriation item

Section: 512.40

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Executive

As Passed By the House

764659, Transportation Enforcement - Federal, and reestablish them against FED Fund 3GU0 appropriation item 764659, Motor Carrier Safety Assistance Program Grant, and appropriates the reestablished encumbrance amounts.

(6) Requires the Director of OBM to cancel any existing encumbrances against HSF Fund 8310 appropriation item 765610, EMS - Federal, and reestablish them against FED Fund 3GU0 appropriation item 765610, Emergency Medical Services Grants, and appropriates the reestablished encumbrance amounts.

(6) Same as the Executive.

(7) Requires the Director of OBM to cancel any existing encumbrances against HSF Fund 8310 appropriation item 769610, Investigative Unit Federal Reimbursement, and reestablish them against FED Fund 3GU0 appropriation item 769610, Investigations Grants - Food Stamps, Liquor, and Tobacco Laws, and appropriates the reestablished encumbrance amounts.

(7) Same as the Executive.

(8) Requires the Director of OBM to cancel any existing encumbrances against HSF Fund 8310 appropriation item 769631, Homeland Security - Federal, and reestablish them against FED Fund 3GU0 appropriation item 769631, Homeland Security Disaster Grants, and appropriates the reestablished encumbrance amounts.

(8) Same as the Executive.

Executive

As Passed By the House

DPSCD26 Traffic Safety Fund

Section: 512.40

Requires the Director of Budget and Management (OBM), on March 1, 2016, or as soon as possible thereafter, to transfer the cash balance in the Traffic Safety Fund (Fund 8320) to the Traffic Safety Fund (Fund 3GV0), abolishes Fund 8320 upon completion of the transfer, requires the Director of OBM to cancel any existing encumbrances against HSF Fund 8320 appropriation item 761612, Traffic Safety - Federal, and reestablish them against FED Fund 3GV0 appropriation item 761612, Traffic Safety - Federal, and appropriates the reestablished encumbrance amounts.

Section: 512.40

Same as the Executive.

DPSCD27 Highway Patrol Justice Contraband Fund

Section: 512.40

Requires the Director of Budget and Management (OBM), on March 1, 2016, or as soon as possible thereafter, to transfer the cash balance in the Highway Patrol Justice Contraband Fund (Fund 83J0) to the Highway Patrol Justice Contraband Fund (Fund 3GR0), abolishes Fund 83J0 upon completion of the transfer, requires the Director of OBM to cancel any existing encumbrances against HSF Fund 83J0 appropriation item 764693, Highway Patrol Justice Contraband, and reestablish them against FED Fund 3GR0 appropriation item 764693, Highway Patrol Justice Contraband, and appropriates the reestablished encumbrance amounts.

Section: 512.40

Same as the Executive.

Executive

As Passed By the House

DPSCD28 Highway Patrol Treasury Contraband Fund

Section: 512.40

Requires the Director of Budget and Management (OBM), on March 1, 2016, or as soon as possible thereafter, to transfer the cash balance in the Highway Patrol Treasury Contraband Fund (Fund 83T0) to the Highway Patrol Treasury Contraband Fund (Fund 3GS0), abolishes Fund 83T0 upon completion of the transfer, requires the Director of OBM to cancel any existing encumbrances against HSF Fund 83T0 appropriation item 764694, Highway Patrol Treasury Contraband, and reestablish them against FED Fund 3GS0 appropriation item 764694, Highway Patrol Treasury Contraband, and appropriates the reestablished encumbrance amounts.

Section: 512.40

Same as the Executive.

DPSCD12 Minor Capital Projects

**Sections: 610.10,
Amends Section 227.10 of H.B. 497 of the
130th G.A.**

Creates new capital appropriation item C76043, Minor Capital Projects, with an appropriation of \$1,250,000 from the Highway Safety Fund (Fund 7036) to pay for minor capital projects at Ohio State Highway Patrol facilities.

**Sections: 610.10,
Amends Section 227.10 of H.B. 497 of the
130th G.A.**

Same as the Executive.

Executive

As Passed By the House

PWCCD1 Public Works Commission SCIP operating expenses

Section: 209.10

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

Section: 209.10

Same as the Executive.

PWCCD2 District administration costs

Section: 209.10

Authorizes PWC to proceeds of the State Capital Improvement 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.

Section: 209.10

Same as the Executive.

Requires PWC to define allowable costs for the program. Specifies that indirect costs, elected official salaries and benefits, and project-specific costs are not allowable. Requires district public works committees to approve such costs in order to participate in the program.

Same as the Executive.

Executive

As Passed By the House

PWCCD3 Reappropriations

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 2016 and FY 2017, subject to the availability of revenue as determined by PWC. Reappropriates unencumbered FY 2016 appropriations under Fund 7052 for the same purposes subject to availability of revenue in FY 2017.

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

Section: 209.10

Same as the Executive.

Fiscal effect: Same as the Executive.

PWCCD4 Temporary transfers

Section: 209.10

Allows the Director of PWC to request that the Director of Budget and Management 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 OBM 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.

Section: 209.10

Same as the Executive.

Executive

As Passed By the House

Fiscal effect: Provides PWC with the flexibility to make temporary transfers to Fund 7038 and Fund 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.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD5 Elimination of alternative fuel usage requirements for state vehicles

R.C. 125.834

Eliminates the requirement that motor vehicles owned or leased by the state annually use "minimum" amounts of E85 blend gasoline and blended gasoline, which under current law, minimum amounts increase annually.

Fiscal effect: Potential reduction in fuel costs to various state agencies, since alternative fuels are generally higher priced than gasoline or standard diesel fuels. A June 2013 performance audit by the Auditor of State estimated that, if the alternative fuel requirement was removed, ODOT would save up to \$800,000 annually.

R.C. 125.834

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD30 Development of metrics to enable statewide strategic transportation planning across transportation modes

No provision.

No provision.

R.C. 5501.08

Requires ODOT to develop metrics that allow the comparison of data across transportation modes and to incorporate the full spectrum of state strategic transportation goals using those metrics, in order to assist in statewide strategic planning goals.

Specifies that the metrics include: (1) Anticipated future costs of maintaining infrastructure in acceptable condition in the long-term and short-term; (2) Short-term economic impact of 1 to 5 years, and long-term impact of 30 years and longer; (3) Economic impact on a region's future rate of job growth and job retention; and (4) Motorist, bicycle, and pedestrian counts and number of accidents by mode.

Executive

As Passed By the House

Fiscal effect: Administrative costs would likely be absorbed in ongoing planning expenses.

DOTCD4 Abolishment of Ohio Rail Development Commission, creation of the Division of Freight, and rail safety oversight

R.C. *5501.58, 126.11, 163.06, 163.09, 163.15, 163.21, 166.25, 307.202, 717.01, 4117.10, 5501.55-5501.661, 5501.03, 5512.02-5512.06, 5519.01, 5705.19*

R.C. *5501.55, 5501.56*

- (1) Eliminates the Ohio Rail Development Commission (ORDC) and establishes a new Division of Freight within ODOT. (In current law, the Ohio Rail Development Commission is an independent state agency within ODOT.)
- (2) Specifies that the Division of Freight, and ODOT at large in other cases, must assume the duties formerly under ORDC in developing and implementing rail service across the state, as well as any other duties involved with the transportation of freight across the state.
- (3) Authorizes the Director of Transportation to appoint a Deputy Director of the Division of Freight to oversee the operations of the Division, and allows the Deputy Director to select and appoint necessary employees to carry out his or her responsibilities.
- (4) Requires the Transportation Review Advisory Council (TRAC) to review and approve rail projects initiated under the Division.
- (5) Eliminates the current cap of six public hearings that TRAC may hold across the state in receiving public comments on the project selection process of TRAC.

- (1) No provision.
- (2) No provision.
- (3) No provision.
- (4) No provision.
- (5) No provision.

Executive

As Passed By the House

(6) Grants ODOT, as the designated state safety oversight agency responsible for overseeing the safety practices of rail fixed guideway systems, the authority to both (A) enforce the correction of identified hazardous conditions and make plans to minimize, control, correct, or eliminate those identified hazardous conditions, and (B) approve, oversee, and enforce the development, updating, and implementation of a transit agency's public transportation safety plan.

Fiscal effect: Potential increase in administrative costs to reflect the move of ORDC to be incorporated as a division within ODOT. (The budget for ORDC is currently housed under ODOT's budget, so appropriations to ODOT should not be significantly modified as a result of this provision.)

(6) Same as the Executive.

Fiscal effect: Potential increase in administrative costs in performing rail safety oversight duties.

DOTCD6 Local construction cost matching

R.C. 5531.08

Modifies the Director of Transportation's authority to issue a waiver of the county, municipal, or township portion of the costs of a highway project by eliminating the requirement that all of the following occur before such a waiver is issued:

- (1) the completion of the preliminary engineering design of the project;
- (2) the acquisition of all necessary rights-of-way; and
- (3) the performance or acquisition of all federal, state, and local environmental studies and permits.

R.C. 5531.08

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

Executive

As Passed By the House

Fiscal effect: Potential increase in expenditures from Fund 7002 line item 772421, Highway Construction-State, to provide additional state funds to cover local matching requirements.

Fiscal effect: Same as the Executive.

DOTCD3 Assumption of duties from federal agencies

R.C. 5531.30

Authorizes ODOT to enter into agreements with federal agencies for purposes of assuming certain duties of the Secretary of the United States Department of Transportation as authorized under federal law involved with environmental decisions and planning.

Waives state immunity from civil liability with regard to actions taken by ODOT pursuant to such an agreement with a federal agency.

Fiscal effect: ODOT already incurs costs in preparing environmental review documents; the assumption of these functions from federal offices like the Federal Highway Administration would presumably add no additional costs.

R.C. 5531.30

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD7 Transportation facilities lease rental bond payments

Section: 203.20

Requires Fund 7002 appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, to be used in the FY 2016-FY 2017 biennium to meet all payments under leases and agreements for facilities made under Chapter 154 of the Revised Code.

Section: 203.20

Same as the Executive.

Executive

As Passed By the House

Allows an amount equal to the balance of the appropriation to the line item in either fiscal year to be transferred to line items 772421, 773431, or 779491 upon the written request of ODOT with the approval of OBM. Requires the transfer to be reported to the Controlling Board.

Same as the Executive.

Fiscal effect: Appropriation item 770003 will be used to pay debt service on bonds issued for the rehabilitation and construction of ODOT maintenance facilities, outposts, and storage areas. The provision allows any excess appropriation to be transferred to other specified appropriation items, all within the Highway Operating Fund (Fund 7002), providing ODOT with flexibility in using excess appropriations for other highway costs.

Fiscal effect: Same as the Executive.

DOTCD8 Public access roads for DNR, Exposition Commission, Ohio History Connection and metropolitan parks

Section: 203.30

Requires 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, in addition to roadwork at the boundaries of metropolitan parks.

Section: 203.30

Same as the Executive, but specifies that the Director of Transportation shall determine portions of line item 772421 to be used for these purposes in each fiscal year. (The line item is used for many other construction purposes in addition to these.)

Allows the line item to be used for road work on behalf of the Ohio Expositions Commission at the state fairgrounds, and roadwork on behalf of the Ohio History Connection for their facilities, at the request of each of the agencies and approval by ODOT.

Same as the Executive.

Executive

As Passed By the House

DOTCD9 Earmark for Transportation Improvement Districts

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 ODOT funds, and limits the total amount of ODOT funding for each project to the lesser of 10% of total project costs or \$250,000. 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

Section: 203.40

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive, but increases the total limit of ODOT funding for each project to 25% of total project costs, up to \$250,000 per fiscal year, and for TIDs co-sponsoring a specific project, increases the ODOT funding limit from 10% to 25% of total project costs.

(4) Same as the Executive.

Executive

As Passed By the House

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.

(5) Same as the Executive.

(6) Prohibits ODOT from registering, or requires ODOT to cancel the registration of, any TID unless the TID has: (1) designated by resolution or resolutions a project or program of projects and facilitated funding for the project or program of projects, including in conjunction with other governmental agencies, of at least \$10 million during the eight-year period beginning July 1, 2005; (2) designated by resolution or resolutions a project or program of projects and facilitated funding for the project or program of projects, including in conjunction with other governmental agencies, of at least \$15 million since the project or program was commenced; or (3) designated by a resolution or resolutions a project or program of projects that has estimated aggregate costs in excess of \$10 million and the County Engineer of the county in which the TID is located has attested by a sworn affidavit that the costs of the project or program of projects exceeds \$10 million and that the TID is facilitating a portion of funding for that project or program of projects.

(6) Same as the Executive.

Fiscal effect: Outlines how the \$3.5 million earmarked in each fiscal year for TIDs under line item 772421, Highway Construction - State, are to be distributed.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD10 Issuance of bonds

Section: 203.50

Authorizes the issuance of \$313 million in state highway bonds for highway purposes and credits bond proceeds to the Highway Capital Improvement Fund (Fund 7042).

Section: 203.50

Same as the Executive.

DOTCD11 Transfers of appropriations: Highway Operating Fund

Section: 203.60

Allows OBM to approve requests for transfer of Highway Operating Fund (Fund 7002) appropriations for highway planning and research, highway construction and GARVEE debt service, highway maintenance, federal public transportation programs, rail grade crossings, aviation, and administration, so that transfers could occur between appropriation items 770003, 771411, 771412, 772421, 772422, 772424, 772425, 772437, 772438, 773431, 775452, 775459, 776462, 777475, 779491. Requires such transfers to be reported to the Controlling Board.

Section: 203.60

Same as the Executive.

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

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD12 Transfers of appropriations: Federal highway, transit, aviation, and rail

Section: 203.60

Allows OBM to approve requests for the transfer of appropriations for emergency situations or funding flexibility between appropriation items 772422, 775452, 775454, 775459, 776475, and 777472. Requires that the transfers be reported to the Controlling Board.

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

Section: 203.60

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD13 Transfers of appropriations: State Infrastructure Bank

Section: 203.60

Allows OBM to transfer appropriations and cash in the State Infrastructure Bank (SIB) funds used by ODOT, including transfers between fiscal years 2016 and 2017. Allows OBM to transfer appropriations and cash 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.

Section: 203.60

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD14 Transfers of appropriations: Tolling funds

Section: 203.60

Allows OBM to transfer appropriations and cash of the Ohio Toll Fund, including transfers between FY 2016 and FY 2017. Requires that the transfers be reported to the Controlling Board.

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

Section: 203.60

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD15 Increasing appropriations: State funds

Section: 203.60

Allows the Controlling Board, upon the request of the Director of Transportation, 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.

Section: 203.60

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD16 Increasing appropriations: Federal and local funds

Section: 203.60

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

Section: 203.60

Same as the Executive.

Executive

As Passed By the House

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.

Fiscal effect: Same as the Executive.

DOTCD17 Reappropriations

Section: 203.60

Allows ODOT, in each fiscal year of the FY 2016-FY 2017 biennium, to request that OBM 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 ODOT to identify the appropriate funds and line items and the amount of the transfer, allows OBM to request additional information, and requires ODOT to provide any information requested. Requires 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 ODOT.

Section: 203.60

Same as the Executive.

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

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD18 Liquidation of unforeseen liabilities

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.

Section: 203.60

Same as the Executive.

DOTCD19 Maintenance of interstate highways

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.

Section: 203.70

Same as the Executive.

Fiscal effect: State spending under these agreements would be made from the Highway Operating Fund (Fund 7002).

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD20 Public transportation highway purpose grants

Section: 203.80

Allows 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.

Fiscal effect: State spending for this purpose would be made from the Highway Operating Fund (Fund 7002).

Section: 203.80

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD21 ARRA highway infrastructure or transit funds

Section: 203.90

Requires the federal payments for highway infrastructure and transit agencies under the American Recovery and Reinvestment Act of 2009 (ARRA) to be credited to the Highway Operating Fund (Fund 7002).

Section: 203.90

Same as the Executive.

Executive

As Passed By the House

DOTCD22 Transfers of cash between Highway Operating Fund and Highway Capital Improvement Fund

Section: 512.10

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

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

Section: 512.10

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD23 Monthly transfers to Gasoline Excise Tax Fund

Section: 512.20

Requires the Director of Budget and Management to transfer cash in equal monthly increments totaling \$165,664,404 in each year of the FY 2016-FY 2017 biennium 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.

Section: 512.20

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD24 Deputy Inspector General for ODOT funding

Section: 512.30

Requires 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).
Permits the Inspector General, with the consent of the Director of Budget and Management, to seek Controlling Board approval for additional transfers of cash and increase the appropriation in Fund 5FA0 line item 965603, Deputy Inspector General for ODOT, in the amounts needed.

Section: 512.30

Same as the Executive.

Same as the Executive.

DOTCD25 Agreements related to federal permits

Section: 755.10

Authorizes ODOT to enter agreements with the federal government, and specifically certain agencies within the federal government, to dedicate ODOT staff to the review of federal environmental permit documents.
Requires ODOT to acquire Controlling Board approval of any agreement between ODOT and a federal agency for services performed relating to environment permit reviews.
Fiscal effect: Potential increase in administrative costs to ODOT in performing services under these agreements. However, these costs could be offset by federal reimbursements under the agreements.

Section: 755.10

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD2

Authorization to use Indefinite Delivery and Indefinite Quantity (IDIQ) contracts

Section: 755.20

- (1) Requires ODOT to enter into indefinite delivery indefinite quantity (IDIQ) contracts for not more than two projects in each year of the FY 2016-FY 2017 biennium.
- (2) Defines an IDIQ contract as a contract for an indefinite quantity, within stated limits, of supplies or services that will be delivered by the awarded bidder over a defined contract period.
- (3) Requires ODOT to prepare bidding documents, establish contract forms, determine contract terms and conditions, develop and implement a work order process, and take any other action necessary to fulfill the ODOT's duties and obligations related to IDIQ contracts.
- (4) Specifies that current law requirements ODOT must follow for the advertisement of bids and awarding of contracts also apply to IDIQ contracts.

Fiscal effect: Potential savings on the selected projects that utilize the IDIQ contract opportunity, depending on the supplies or services to be provided, and the circumstances involved with the projects; however, there is a possibility of additional costs as a result of these contracts as well.

Section: 755.20

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

DOTCD1 Authorization for Construction Manager General Contractor (CMGC) project delivery pilot

Section: 755.30

(1) Authorizes a single pilot project allowing ODOT to engage a firm to provide professional engineering services and Construction Manager General Contractor (CMGC) work.

(1) No provision.

(2) Specifies the process by which the CMGC firm will be selected, and describes the procedure in which ODOT will contract with the firm in completing preconstruction services, including design, feasibility and material availability reviews, and costing guidance.

(2) No provision.

(3) Allows a subsequent contract with the CMGC firm to be entered into for the actual construction of the project on a fixed price, fixed unit price, or guaranteed maximum price basis, as long as the construction contract price is within 10% of the official engineer's estimate and the estimate prepared by a contracted independent third-party who is required to review the proposed contract.

(3) No provision.

(4) If ODOT and the CMGC firm cannot negotiate a price for the construction services, ODOT may advertise and award a contract to other firms in accordance with current practices.

(4) No provision.

Fiscal effect: ODOT could realize some savings or could complete the selected project more quickly than possible under the current contracting process. The fiscal effects will depend on the terms of the contract or contracts, the supplies or services to be provided, and the circumstances involved with the project.

Executive

As Passed By the House

DOTCD29 ODOT spending on Eastern Corridor highway construction project in Hamilton County

Section: 755.30

(1) No provision.

(1) Requires ODOT to submit written notice to the President of the Senate and Speaker of the House of Representatives expressing the Department's intention to proceed or not proceed with the Eastern Corridor project by December 31, 2015.

(2) No provision.

(2) Provides that if it is the intention of ODOT not to proceed with the Eastern Corridor project, ODOT must expend all of the money that would have been spent on the portions or components of the project within Hamilton County solely on other ODOT highway projects located within Hamilton County.

(3) No provision.

(3) Requires the Transportation Review Advisory Council to allocate money in accordance with the requirement in (2) above.

Fiscal effect: Uncertain.

DOTCD33 Joint Legislative Task Force on ODOT Funding

Section: 755.40

No provision.

Creates the Joint Legislative Task Force on Department of Transportation Funding to study the issue of the effectiveness of the Ohio motor fuel tax in meeting ODOT funding needs.

No provision.

Requires the Task Force to issue a report containing its findings by December 15, 2016.

Executive

As Passed By the House

No provision.

Abolishes the Task Force once the report has been submitted to the President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, and the Minority Leader of the House of Representatives.

DOTCD26 Motor Fuel Tax distributions

Section: 757.10

Requires the Treasurer of State, beginning July 1, 2015, and on the first day of the month for each month thereafter, to deposit the first 2% of the amount of motor fuel tax received for the preceding calendar month to the credit of the Highway Operating Fund (Fund 7002) before making any other distributions required by law.

Fiscal effect: Slightly more revenue to Fund 7002 and offsetting decline in revenue to other state and local government funds that receive state motor fuel tax distributions by formula under continuing law.

Section: 757.10

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD27 Motor fuel evaporation tax credit

Section: 757.20

Continues a temporary reduction in MFT credits in effect for the FY 2014-FY 2015 biennium for the FY 2016-FY 2017 biennium. Fixes the temporary motor fuel tax evaporation allowance for motor fuel distributors at 1% (less 0.5% of the gallonage sold to retail dealers) and at 0.5% for retail dealers.

Section: 757.20

Same as the Executive.

Executive

As Passed By the House

Fiscal effect: Increases the amount the state retains in motor fuel tax over what would be collected under permanent law, which provides for higher allowances for distributors and retailers. Based on FY 2014 MFT data, under the statutory discount, the total credits would have amounted to approximately \$51.0 million. Under this continuing provision, in FY 2014 the credits amounted to \$17.8 million. Thus, the state retained approximately \$33.2 million in additional MFT revenue.

Fiscal effect: Same as the Executive.

Executive

As Passed By the House

OTCCD1

Flag display requirements

No provision.

R.C. 5537.35

Modifies an existing requirement that the U.S., Ohio, and POW/MIA flags be flown at rest areas along the Ohio Turnpike to require that the flags be flown at service facilities along the Turnpike. (There are no rest areas along the Turnpike, only service plazas.)

Fiscal effect: None.

Executive

As Passed By the House

LOCCD1 Design-build contracts for county engineers

No provision.

R.C. 5543.22

Increases the dollar limit under a design-build contract that a county engineer may enter into for a bridge, highway, or safety project from a project bid of up to \$1.5 million in current law to up to \$5.0 million per project.

Fiscal effect: Potential cost savings to counties if county engineers can engage in larger construction projects implemented under design-build contracts.