
DEPARTMENT OF TRANSPORTATION

Contents of a public private (P-3) agreement

- Limits the requirement that a P-3 agreement contain a contract performance bond and a payment bond to only those agreements that contain a construction services component.
- Requires a contract performance bond or payment bond, for purposes of a P-3 agreement, to be executed by a surety authorized by the Department of Insurance to write surety bonds.
- Removes a provision that required a contract performance bond or payment bond under a P-3 agreement to be in conformance with any terms or conditions specified by the Director of Transportation.

Funding for airport improvements (PARTIALLY VETOED)

- Creates the Airport Improvement Fund, and requires that the Director distribute money in the Fund to provide matching funds, loans, and grants for aviation infrastructure and economic development projects.
- Would have required the Director to prepare draft legislation that would direct that all revenue from the sales and use tax on aviation fuel be used for aviation infrastructure and economic development projects (VETOED).

Study regarding limited driving privilege license

- Requires the Joint Legislative Task Force on Department of Transportation Issues to study the cost and feasibility of establishing a limited driving privilege license.

Report of the Maritime Port Funding Study Committee

- Extends the deadline for the report that the Maritime Port Funding Study Committee must issue from January 1, 2015, to January 1, 2016.

Traffic light relocation (VETOED)

- Would have required the Director to relocate a traffic light in Clinton County that is currently located at the intersection of the off ramp of the northeast bound lanes of I-71 and S.R. 73 to the intersection of S.R. 73 and S.R. 380 (VETOED).



Quarterly report by ODOT on MBE/EDGE compliance

- Requires ODOT to submit a quarterly report on Minority Business Enterprise (MBE)/Encouraging Diversity, Growth and Equity (EDGE) compliance to the majority and minority leaders of the General Assembly and the Governor to reaffirm compliance with federal and state mandates.

Contents of a public private (P-3) agreement

(R.C. 5501.73)

The act modifies the required contents of a P-3 agreement related to contract performance and payment bonds. Law retained in part by the act requires a P-3 agreement to provide for both of the following:

(1) A contract performance bond in an amount specified by the Director of Transportation, conditioned upon the private entity performing the work in accordance with the agreed upon terms, within the time prescribed, and in conformance with any other such terms and conditions as are specified by the Director;

(2) A payment bond in an amount specified by the Director, conditioned upon the payment for all labor, work performed, and materials furnished in connection with the agreement and any other such terms and conditions as are specified by the Director.

The act specifies that those requirements only apply if the P-3 agreement contains a construction services component. For purposes of the act, "construction services" means design-build, construction, reconstruction, replacement, improvement, or repair services. The act also requires such a bond to be executed by a surety authorized by the Department of Insurance to write surety bonds and eliminates the requirement that such bonds conform with any other terms and conditions specified by the Director.

Funding for airport improvements (PARTIALLY VETOED)

(Sections 399.15 and 757.60)

The act establishes, in uncodified law, the Airport Improvement Fund, to be administered by the Director. Money appropriated to the Fund in the upcoming biennium must be used to continue the Ohio Airport Grant Program in supporting capital improvements, maintaining infrastructure, and ensuring safety at publicly owned, public use airports in Ohio, provided that the airports receive neither Federal Aviation Administration Air Carrier Enplanement Funds nor Air Cargo Entitlements.



The Governor vetoed a provision of the act that would have required the Director to prepare draft legislation that would direct that all revenue from the sales and use tax on aviation fuel be used for the same purposes for which the Airport Improvement Fund is established.¹⁷⁰ The Director would have been required to submit the draft legislation to the OAATC by June 30, 2016.

Study regarding limited driving privilege license

(Sections 610.01 and 610.02)

The act requires the Joint Legislative Task Force on Department of Transportation Issues, created in H.B. 53 of the 131st General Assembly, to study the cost and feasibility of establishing a limited driving privilege license. Specifically, the Task Force must consider the creation of a license that contains embedded information, accessible only to law enforcement officers, specifying the period during which the license holder may exercise limited driving privileges and the purposes for which those privileges are granted. The Task Force must consider the issuance of such a license to any person to whom one of the following applies:

(1) The person has been granted limited driving privileges during the suspension of the person's license;

(2) The person has been granted driving privileges while complying with a Bureau of Motor Vehicles fee installment plan to pay the person's reinstatement fees after the person's license suspension has ended;

(3) A court has granted the person occupational or family necessity operating privileges to enable the person to acquire delinquent reinstatement fees.

Report of the Maritime Port Funding Study Committee

(Sections 610.14 and 610.15)

The act extends the deadline for the Maritime Port Funding Study Committee report from January 1, 2015, to January 1, 2016. The Committee was created in 2014 by H.B. 483 of the 130th General Assembly to study alternative funding mechanisms for Ohio maritime ports that may be utilized beginning in fiscal year 2016-2017.

¹⁷⁰ Sales of aviation fuel are subject to the sales and use tax, unless the sale is made to an entity that holds a "certificate of public convenience and necessity" issued by the U.S. (e.g., a major air carrier). R.C. 5739.01(P) and 5739.02(B)(42)(a).



Traffic light relocation (VETOED)

(Section 745.20)

The Governor vetoed a provision of the act that would have required the Director to relocate a traffic light in Clinton County that is currently located at the intersection of the off ramp of the northeast bound lanes of I-71 and S.R. 73 to the intersection of S.R. 73 and S.R. 380.

Quarterly report by ODOT on MBE/EDGE compliance

(Section 745.30)

The act requires ODOT to submit a quarterly report on Minority Business Enterprise (MBE)/Encouraging Diversity, Growth and Equity (EDGE) compliance to the majority and minority leaders of the General Assembly and the Governor to reaffirm compliance with federal and state mandates.

