

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**DOTCD30 Office of Aviation oversight of navigable airspace**

**R.C. 4561.01, 4561.021, 4561.05, 4561.30 (repealed), 4561.31-4561.341, 4561.36-4561.40, 4563.01, 4563.032, 4906.10**

**R.C. 4561.01, 4561.021, 4561.05, 4561.30 (repealed), 4561.31-4561.341, 4561.36-4561.40, 4563.01, 4563.032, 4906.10**

Alters various provisions of law governing the oversight and permitting of navigable airspace conducted by the Office of Aviation, as follows:

Same as the Executive.

No provision.

No provision.

(1) Eliminates a provision of law that exempts a person who obtains a permit from an airport zoning board for the construction or alteration of a structure within an airport hazard area from the requirement to obtain a permit to penetrate the navigable airspace from the Office;

(1) Same as the Executive.

No provision.

No provision.

(2) Modifies the process for filing an application or an amended application to construct or alter a structure that is reasonably expected to penetrate the navigable airspace;

(2) Same as the Executive.

No provision.

No provision.

(3) Allows the Office to order the owner of a nonconforming structure to remove the structure if the nonconforming use is voluntarily discontinued for two years or more;

(3) Same as the Executive.

No provision.

No provision.

(4) Specifies that the Office is not liable for damages caused by a structure that

(4) Same as the Executive.

No provision.

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obstructs the navigable airspace if the structure was not issued a permit or is not in compliance with a permit;

(5) Specifies that when a court determines that a person has violated, or threatens to violate, the law governing obstructions to the navigable airspace, the court may authorize the Office to either (A) enter upon the premises on which the structure is located; or (B) remove or demolish the structure or otherwise correct or abate the violation at the expense of the owner of the property; and

(6) Modifies other provisions of law to conform with federal aviation law, and makes other various changes.

**Fiscal effect: Presumably minimal, as the intent of this language is to clarify existing law and to conform with current federal guidelines.**

(5) Same as the Executive.

(6) Same as the Executive.

**Fiscal effect: Same as the Executive.**

No provision.

No provision.

No provision.

No provision.

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DOTCD58 **\*\*VETOED\*\*** Ohio Maritime Assistance Program

No provision.	No provision.	<p><b>R.C. 5501.91, Section 411.30</b>                  [***VETOED: Establishes the Ohio Maritime Assistance Program, under which certain municipal corporations and port authorities may apply to ODOT for grants to construct new marine cargo terminals or to improve existing marine cargo terminals located on the shores of Lake Erie or the Ohio River or on a Lake Erie tributary. Specifies the eligibility criteria and what factors ODOT must use in evaluating grant applications. Specifies the eligible uses of grant awards. Requires the grant recipient to provide a match not to exceed \$1 for each \$1 in state grant funding received.***]</p>	<p><b>R.C. 5501.91, Section 411.30</b>                  Same as the Senate.</p>
No provision.	No provision.	<p>[***VETOED: Creates the Ohio Maritime Assistance Fund (Fund 5QT0) and authorizes ODOT to request that the Director of Budget and Management transfer \$2.0 million each fiscal year from the Facilities Establishment Fund (Fund 7037) to Fund 5QT0.***]</p>	Same as the Senate.
No provision.	No provision.	<p>[***VETOED: Requires Fund 5QT0 appropriation item 776670, Ohio Maritime Assistance Program, to be used for the program.***]</p>	Same as the Senate.

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**Fiscal effect: The Facilities Establishment Fund (Fund 7037) is used by the Development Services Agency to support economic development projects via loans to businesses for capital expenses, such as property acquisition and development. Fund 7037 has a current balance of approximately \$227.5 million.**

**Fiscal effect: Same as the Senate.**

**DOTCD56 Interstate highway signs for Urbana University**

No provision.

No provision.

**R.C. 5511.11**

Requires ODOT to design and erect appropriate signs on I-70 to indicate the existence and location of Urbana University at the following locations: (1) at the exit ramps for State Route 68 in Clark County; and (2) at the exit ramps for State Route 29 in Madison County.

No provision.

**DOTCD54 Rest areas along scenic byways**

No provision.

**R.C. 5515.07**

Prohibits ODOT from closing any rest area that is located along a scenic byway.

**Fiscal effect: Uncertain.**

**R.C. 5515.07**

Same as the House.

**Fiscal effect: Same as the House.**

**R.C. 5515.07**

Same as the House.

**Fiscal effect: Same as the House.**

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**DOTCD55 Local Transportation Projects**

No provision.

**Section: 411.13**  
Requires GRF appropriation item 772502, Local Transportation Projects, to be used to support the regional transportation improvement project (RTIP) in Carroll, Columbiana, and Stark counties.

No provision.

**Section: 411.13**  
Same as the House.

**DOTCD28 Airport Improvements - State**

**Section: 411.20**  
Requires GRF appropriation item 777471, Airport Improvements – State, to be used to continue the Ohio Airport Grant Program for grants to publicly owned, public use airports in the state that receive neither Federal Aviation Administration Air Carrier Enplanement Funds nor Air Cargo Entitlements in order to (A) support capital improvements, (B) maintain infrastructure, and (C) ensure safety at the airports.

**Section: 411.20**  
Same as the Executive.

**Section: 411.20**  
Same as the Executive.

**Section: 411.20**  
Same as the Executive.

No provision.

Earmarks the following from GRF appropriation item 777471, Airport Improvements - State:  
(1) \$455,000 in FY 2018 to support expenses related to renaming the former Port Columbus International Airport as the John Glenn International Airport under S.B.

Same as the House.

Same as the House.

(1) No provision.

(1) Same as the House.

(1) Same as the House.

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(2) No provision.	<p>159 of the 131st General Assembly, money that may be allocated for costs already incurred in replacing signage or other related expenses, or for future costs associated with the name change.</p> <p>(2) \$100,000 in FY 2018 to support the installation of four new airline gates at the Akron-Canton Airport.</p>	(2) Same as the House.	(2) Same as the House.

**DOTCD29 Diesel Emissions Reduction Grant Program**

**Section: 512.80**

(1) Establishes a Diesel Emissions Reduction Grant Program (DERG) in the Highway Operating Fund (Fund 7002) and requires the Ohio Environmental Protection Agency (EPA) to administer the program and solicit, evaluate, score, and select projects submitted by public and private entities that are eligible for the federal Congestion Mitigation and Air Quality (CMAQ) Program. Requires ODOT to process Federal Highway Administration (FHWA) projects as recommended by EPA.

(2) Specifies that in addition to the expenditures allowed pursuant to section 122.861 of the Revised Code, program funds also may be used to assist projects involving the purchase or use of hybrid and alternative fuel vehicles that are allowed under CMAQ guidance developed by FHWA.

**Section: 512.80**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 512.80**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 512.80**

(1) Same as the Executive.

(2) Same as the Executive.

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<p>(3) Requires public entities eligible to receive program funds to be reimbursed from moneys in Fund 7002. Requires private entities eligible to receive funds to be reimbursed at the discretion of the local public sector agency and upon approval by ODOT, through direct payments to the vendor in the prorated share of federal/state participation. Specifies that the reimbursements shall be made from moneys in Fund 7002.</p>	<p>(3) Same as the Executive.</p>	<p>(3) Same as the Executive.</p>	<p>(3) Same as the Executive.</p>
<p>(4) Specifies that expenditures for the program from Fund 7002 shall not exceed \$10 million in both FY 2018 and FY 2019.</p>	<p>(4) Same as the Executive.</p>	<p>(4) Same as the Executive.</p>	<p>(4) Same as the Executive.</p>
<p>(5) Specifies that any allocations under this section of the bill represent CMAQ program moneys within ODOT for program use by EPA, and that such allocations shall not reduce the amount of moneys designated for metropolitan planning organizations (MPOs).</p>	<p>(5) Same as the Executive.</p>	<p>(5) Same as the Executive.</p>	<p>(5) Same as the Executive.</p>
<p>(6) Requires EPA, in consultation with ODOT, to develop guidance for the distribution of funds and for the administration of the program. Requires the guidance to include a method of prioritization for projects, acceptable technologies, and procedures for awarding grants.</p>	<p>(6) Same as the Executive.</p>	<p>(6) Same as the Executive.</p>	<p>(6) Same as the Executive.</p>

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Fiscal effect: The Diesel Emissions Reduction Grant Program has been authorized under temporary law of main operating budget bills in the same or a similar manner since the FY 2012-FY 2013 biennium. Up to \$10 million over the FY 2018-FY 2019 biennium may be used for the program from Fund 7002, complementing the federal CMAQ funding that metropolitan planning organizations (MPOs) receive from the Federal Highway Administration.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD57 Technical correction for towing vehicle exemption

No provision.

No provision.

**Section: 610.110**

Fixes a technical error in Sub. H.B. 26, the transportation budget act for the FY 2018-FY2019 biennium, where an uncodified section pertaining to size and weight exceptions for towing vehicles was erroneously scheduled for repeal one year after the effective date of the act, when the repeal should actually take effect two years from the effective date of the act.

**Section: 610.110**

Same as the Senate.



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EPACD27 Volkswagen settlement funding

**Section: 737.20**

**R.C. 3745.45**

(1) No provision.

(1) Requires the Director of the Ohio EPA, in consultation with the Director of Transportation, to distribute \$15 million in each of FY 2018 and FY 2019 from funding received under the Volkswagen Mitigation Trust Agreement or the Volkswagen Zero Emission Vehicle Fund arising from the Volkswagen Clean Air Act Settlement in accordance with the preferential scheme described in (2) below.

(1) No provision.

(1) No provision.

(2) No provision.

(2) Requires that: (a) first preference be given to qualifying projects that provide the greatest quantifiable reduction, in dollars per ton reduction, of carbon dioxide and nitrogen oxide; (b) second preference be given to qualifying projects that provide the greatest quantifiable reduction, in dollars per ton reduction, of carbon monoxide, fine particulate matter (pm 2.5), sulfur dioxide, and mercury; and (c) the methodology for calculating the quantifiable reductions be based on the U.S. EPA's methodology and incorporate the Greenhouse Gases, Regulated Emissions, and Energy Use in Transportation model.

(2) No provision.

(2) No provision.

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(3) No provision.	(3) Establishes appropriations of \$15 million for each of FY 2018 and FY 2019 to award to transit authorities for purposes of rolling stock projects to supplement money awarded by the Department of Transportation under the Ohio Transit Preservation Partnership Program.	(3) No provision.	(3) No provision.
(4) No provision.	(4) Requires the Department of Transportation to collaborate with the Ohio EPA to ensure distribution of the money complies with the preferential scheme and with the terms of the Volkswagen Clean Air Act Settlement, and specifies that the appropriations are from the Ohio EPA fund that receives the amounts under the settlement.	(4) No provision.	(4) No provision.
(5) No provision.	(5) Requires the directors of the Ohio EPA and Transportation, after they receive applications for qualifying projects, to submit a report of their findings and recommendations to the General Assembly before submitting the applications to the Settlement Trustee to request funding.	(5) No provision.	(5) No provision.
(6) No provision.	(6) No provision.	(6) No provision.	(6) Creates the Volkswagen Clean Air Act Settlement Fund consisting of money received by the state from the Volkswagen Clean Air Act Settlement, and declares that it is the intent of the General Assembly to appropriate into the fund the money received by Ohio from the settlement.

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Fiscal effect: The \$15 million in funding for each of FYs 2018 and FY 2019 provided under this provision supplements the Highway Operating Fund (Fund 7002) transit funding already contained in the Department of Transportation's appropriations enacted by H.B. 26 of the 132 General Assembly.

Fiscal effect: None