

# Ohio Legislative Service Commission

Legislative Budget Office    Office of Research and Drafting

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## Comparison Document

House Bill 23—135th General Assembly

Transportation Budget

(FY 2024-FY 2025)

As Introduced

As Passed by House

As Passed by Senate

*Items on which the Executive, House, and Senate are in agreement are **not** shown.*

March 23, 2023

Executive	As Passed By House	As Passed By Senate
DOTCD30    Overweight permits for machinery		
	R.C.        4513.34	R.C.        4513.34
No provision.	Requires, rather than authorizes, the ODOT Director and every county, to issue an annual permit for: (1) vehicles that haul farm machinery, when the farm machinery otherwise qualifies for the ODOT "Farm Equipment Permit" or a similar county permit for farm machinery and equipment; and (2) vehicles that haul agricultural produce or agricultural production materials that otherwise could be hauled by farm machinery under the ODOT "Farm Equipment Permit" or a similar county permit for farm machinery and equipment.	Same as the House.
No provision.	Authorizes the Director and counties to continue to issue permits for those vehicles for less than a year in addition to the annual permit as required under the provision.	Same as the House.
	Fiscal effect: ODOT currently issues these permits. The blanket permit fee associated with farm equipment is \$100.	Fiscal effect: Same as the House.

Executive	As Passed By House	As Passed By Senate
DOTCD44 Passenger rail transportation system		
	R.C. 4981.04	R.C. 4981.04
No provision.	Authorizes the Ohio Rail Development Commission (ORDC) or its designees, rather than solely ORDC, to construct and operate an intercity conventional or high speed passenger transportation system under ORDC's authority.	Same as the House.
No provision.	Requires that the plan for the system provide for the connection of any points in Ohio and nearby states rather than only for the connection of Cleveland, Columbus, and Cincinnati and any points in between, as under current law.  Fiscal effect: This would allow for passenger rail operators, such as Amtrak, to build and provide service along rail corridors identified by the state. Ohio has applied to the Federal Railroad Administration for funding (\$500,000 per corridor) to study options and create a service development plan.	Same as the House.  Fiscal effect: Same as the House.
DOTCD47 ODOT expense reports		
		R.C. 5501.521
No provision.	No provision.	Requires ODOT to submit regular expense reports to the Senate President and the Speaker of the House related to the use of loans and grants issued by ODOT.
No provision.	No provision.	Requires the reports to be submitted at the conclusion of the loan, or grant, or at the end of each fiscal year while the loan or project is still pending, whichever occurs first.
No provision.	No provision.	Requires ODOT to receive help from the loan or grant recipients in compiling the reports and itemizing the uses of the loan or grant. Authorizes ODOT, if the content of the reports will be the same as the content submitted to the Ohio State and Local Government Expenditure Database (the Ohio Checkbook), to submit copies of that content in lieu of including it in a report.

Executive	As Passed By House	As Passed By Senate
		Fiscal effect: Minimal increase in administrative costs for ODOT to compile these reports.
<b>DOTCD35 Construction of interstate exit ramps</b>	<b>R.C. 5501.60</b>	
No provision.	Requires ODOT to ensure that limited access exit and entrance ramps to interstate highways exist at least every 4.5 miles in adjacent municipal corporations, provided that: (1) each city has a population above 35,000; (2) the cities are located in different counties; and (3) at least one of the cities is in a county with a population above 1 million. Requires ODOT to pay for these ramps.  Fiscal effect: Increase in construction costs to comply with required spacing for entrance and exit ramps.	No provision.
<b>DOTCD23 Expanding ODOT design-build authority</b>		
<b>R.C. 5517.011</b>		<b>R.C. 5517.011</b>
Expands the type of ODOT projects that can be bid as a design-build contract to include projects pertaining to all transportation facilities, not just highways or bridges.	No provision.	Same as the Executive.
Authorizes the ODOT Director to accept another bid or to reject all bids and re-bid the contract if it is determined that a best-value bidder for a design-build contract is not in the best interests of the state.	No provision.	Same as the Executive.
Fiscal effect: Increases the number of projects that ODOT will be able to bid using design-build. ODOT has 40 anticipated projects that will be bid as design-build contracts, of which 34 will be bid during the FY 2024-FY 2025 biennium.		Fiscal effect: Same as the Executive.

Executive	As Passed By House	As Passed By Senate
DOTCD49 ODOT contract performance and payment bonds		
No provision.	No provision.	<div>R.C. 5525.16</div> <div>Requires contract performance and payment bonds related to ODOT contracts to continue to cover 100% of the contract amount after issuance by doing both of the following: (1) requiring the final bond amount on each surety bond to be adjusted to account for either increases or decreases of \$40,000 or more from the original contract value; (2) requiring new surety bonds to be provided if the original surety can no longer cover its obligations (e.g., declares bankruptcy, allows its Ohio license to lapse, etc.).</div>
No provision.	No provision.	<div>If the total contract amount is more than \$500 million, authorizes the ODOT Director to do either of the following to satisfy the requirement that the bonding amount must equal 100% of the contract value: (1) allow the issuance of multiple contract performance bonds and payment bonds; and (2) allow the issuance of contract performance bonds and payment bonds in succession to align with the phases of the contract.</div> <div>Fiscal effect: This gives ODOT flexibility to allow contractors to provide multiple construction performance bonds (instead of a single one under current law) to cover the total contract price for large and costly projects. It potentially reduces construction costs to the extent performance bonds are priced into contracts.</div>
DOTCD37 State Infrastructure Bank loans to small cities		
No provision.	<div>R.C. 5531.09, 5531.10</div> <div>Requires any loan made to a small city from the State Infrastructure Bank (SIB) to carry zero interest. Specifies that a small city is one listed as eligible under ODOT's Small City Program.</div>	No provision.

Executive	As Passed By House	As Passed By Senate
	Fiscal effect: For ODOT, loss of interest income on SIB loans made to small cities. The interest on SIB loans is 3% and have terms up to 30 years. Receipts from interest on all SIB loans were \$27.4 million in FY 2022. There would be a savings for small cities who apply for SIB loan in the future. The Small City Program applies to cities of 5,000 to 24,999 people located outside of a Metropolitan Planning Organization.	
<b>DOTCD42</b> Electric vehicle weight limits		
No provision.	R.C.        5577.044   Specifies that a vehicle powered primarily by electric battery power may exceed the statutory gross vehicle weight and axle load limits by not more than 2,000 pounds.	R.C.        5577.044   Same as the House.
<b>DOTCD45</b> Wrong way driving study		
No provision.	No provision.	<b>Section:    203.25</b>   Earmarks up to \$50,000 in FY 2024 from Fund 7002 ALI 771411, Planning and Research - State, to conduct a wrong way driving study, and requires ODOT to use a RFP process in coordination with DAS to select a third-party to perform the study.
<b>DOTCD2</b> Public access roads for DNR, parks, Exposition Commission and Ohio History Connection		
<b>Section:    203.30</b> Requires the ODOT Director to determine portions of funding in each fiscal year from Fund 7002 ALI 772421, Highway Construction - State, to be used to construct, reconstruct, or maintain public access roads and support features to and within facilities owned or operated by ODNR and earmarks the following:  (1) \$2,562,000 in each fiscal year to construct, reconstruct, or maintain drives or roads within the boundaries of metropolitan parks;	<b>Section:    203.30</b>   Same as the Executive.          (1) Same as the Executive.	<b>Section:    203.30</b>   Same as the Executive, but changes the earmarks as follows:          (1) Same as the Executive.

Executive	As Passed By House	As Passed By Senate
(2) \$500,000 in each fiscal year for drives and roads within state parks and wildlife areas greater than 10,000 contiguous acres that were purchased in a single, or series of transactions; and	(2) Same as the Executive.	(2) Same as the Executive.
(3) \$500,000 in each fiscal year for roads leading to such state parks and wildlife areas.	(3) Same as the Executive.	(3) Same as the Executive.
(4) No provision.	(4) No provision.	(4) \$500,000 in each fiscal year to assist conservancy districts with the construction, reconstruction, repair, or maintenance of roads.
Allows ALI 772421 to be used for road work at the state fair grounds on behalf of the Ohio Expositions Commission and at the Ohio History Connection at the request of each entity and approval by the ODOT Director.	Same as the Executive.	Same as the Executive.
<b>DOTCD5    Regional Transportation Planning Organizations</b>		
<b>Section:    203.45</b>	<b>Section:    203.45</b>	<b>Section:    203.45</b>
Earmarks \$2,600,000 in each fiscal year from Fund 7002 ALI 772422, Highway Construction - Federal, to be used by the six Regional Transportation Planning Organizations (RTPOs) in the state to oversee a rural transportation planning grant program.	Same as the Executive, but increases the earmark to \$10,000,000 in each fiscal year.	Same as the Executive.
<b>DOTCD6    Strategic Transportation and Development Analysis</b>		
<b>Section:    203.47</b>	<b>Section:    203.47</b>	<b>Section:    203.47</b>
Requires Fund 7002 ALI 776672, Strategic Transportation and Development Analysis, to be used for a statewide study of the Ohio transportation system in collaboration with the Department of Development and the Governor's Office of Workforce Transformation. Allows ODOT to contract with third parties as needed to do the study.	Same as the Executive.	Same as the Executive.

Executive	As Passed By House	As Passed By Senate
Requires the study to (1) analyze statewide and regional demographics, (2) investigate economic development growth opportunities, (3) examine current transportation systems and capacities, (4) forecast passenger and freight travel needs over a 10, 20, and 30 year time frame, (5) identify current and future transportation links, (6) evaluate and rank current and potential risks of future system congestion, and (7) make actionable recommendations for transportation system projects to support statewide economic growth, including improving links between Columbus and Toledo. Specifies that individual hotspot locations may receive advanced analysis of conceptual remedies with planning-level costs.	Same as the Executive, but includes links from Columbus to Sandusky in the study parameters.	Same as the House, but requires the study to be completed by December 31, 2024.
<b>DOTCD8    Bond issuance authority for state highway bonds</b>  <b>Section:    203.50</b>  Authorizes the issuance of an additional \$251,000,000 in bonds for highway purposes to be credited to the Highway Capital Improvement Fund (Fund 7042).  No provision.  Specifies that not more than \$220,000,000 in principal obligations may be used in any fiscal year, and not more than \$1,200,000,000 may be outstanding at any one time.	<b>Section:    203.50</b>  Same as the Executive.  No provision.  Same as the Executive.	<b>Section:    203.50</b>  Same as the Executive.  Requires that \$100,000,000 of the issuance be used specifically to finance the Brent Spence Bridge Corridor project, and specifies that any portion of that \$100,000,000 not issued by December 31, 2029, expires on that date.  Same as the Executive.
<b>DOTCD41    Controlling Board approval to spend IIJA funds on electric vehicle charging stations</b>  No provision.	<b>Section:    203.60</b>  Requires ODOT to obtain Controlling Board approval to spend federal Infrastructure Investment and Jobs Act funds for building or maintaining electric vehicle charging stations.	<b>Section:    203.60</b>  Same as the House.



Executive	As Passed By House	As Passed By Senate
<b>DOTCD17    Reappropriations</b>		
<b>Section:    203.65</b>  Allows the OBM Director to request Controlling Board approval to transfer any remaining unencumbered appropriations in Funds 7002 and 7042, and the State Infrastructure Bank funds for the same purpose in the following fiscal year. Reappropriates the amounts authorized by the Controlling Board.  Requires the ODOT Director to develop and submit a reappropriation request plan to the OBM Director detailing the amounts to be reappropriated by fund and ALI. Allows the OBM Director to ask the ODOT Director for more information if needed to evaluate the plan. Specifies that any approved reappropriations are subject to the availability of revenue in the funds.	<b>Section:    203.65</b>  Same as the Executive, but adds the Ohio Highway Transportation Safety Fund (Fund 5XI0) to the list.    Same as the Executive, but adds Fund 5XI0 to the list of funds.	<b>Section:    203.65</b>  Same as the House.    Same as the House.
<b>DOTCD43    Rural Highway Fund</b>		
	<b>Section:    513.10, 203.49</b>	
No provision.	Transfers \$1,000,000,000 cash from the FY 2023 ending GRF balance to the Rural Highway Fund (Fund 5ZR0) and reappropriates the available balance of ALI 776673, Rural Highway Construction, at the end of FY 2024 for the same purpose in FY 2025.	No provision.
No provision.	Requires Fund 5ZR0 ALI 776673 to be used to provide supplemental funding for rural highway construction projects approved by the Transportation Review Advisory Council (TRAC), under the Major/New Construction Program.	No provision.

Executive	As Passed By House	As Passed By Senate
No provision.	Specifies that 80% of this appropriation amount be used for any such new rural highway construction projects, and the remaining 20% be used to provide any required local matching funds necessary for those projects. Specifies any qualifying rural highway project that receives funding through Fund 5ZR0 may not receive additional funding through any other funds used to support TRAC projects.	No provision.
No provision.	Specifies that eligible rural highway construction projects are those (1) on federal or state highways in counties with no cities having a population greater than 65,000, and (2) that add capacity or reduce commute times to urban areas or employment centers. Excludes construction projects on Interstate routes from eligibility. Requires awards be to only those rural highway projects that have received previous TRAC approval.	No provision.
No provision.	Allows the ODOT Director, at the end of FY 2024, to use the remaining portion of cash in Fund 5ZR0 to fund other previously approved TRAC projects once all rural highway project funding has been determined.  <b>Fiscal effect: 80 of Ohio's 88 counties would be eligible for projects funded through the Rural Highway Fund, if such projects were already approved.</b>	No provision.
DOTCD31 ODOT pavement selection process analysis		
	Section: 755.10	
No provision.	Requires ODOT to contract with a neutral third-party entity to conduct a study of the Department's pavement selection process.	No provision.
No provision.	Requires the ODOT Director to appoint an advisory council to recommend the neutral third-party entity, oversee the study, and make final recommendations based on the study.	No provision.

Executive	As Passed By House	As Passed By Senate
No provision.	<div>Requires ODOT to make changes to its pavement-selection process based on the neutral third-party entity's study and recommendations included in the advisory council's final report.</div> <div>Fiscal effect: The study costs would likely be paid from Fund 7002 771411, Planning and Research-State. It is uncertain what impact the study results will have on pavement selection and related costs.</div>	No provision.
DOTCD38 Ohio Workforce Mobility Partnership Program	Section: 755.20, 203.45	Section: 755.20, 203.45
No provision.	<div>Creates the Ohio Workforce Mobility Partnership Program, to be run by ODOT and provide grants to RTAs for workforce mobility initiatives.</div>	Same as the House.
No provision.	<div>Authorizes the boards of trustees of one or more RTAs, from either urban or rural locations, to singularly or jointly apply for program grants. Requires the grants to be used for the following: (1) transporting the resident workforce within or between RTA service territories; (2) supporting the employment needs of economically significant employment centers located within or near the service territories of the applicant RTAs; and (3) supporting easy, efficient, and economical transportation for a resident workforce either living in an RTA service territory with little or no public transit access to an economically significant employment center, or living within one RTA's service territory but working full-time within another RTA's service territory.</div>	Same as the House.
No provision.	<div>Earmarks \$15,000,000 in each fiscal year under Fund 7002 ALI 772422, Highway Construction-Federal, for ODOT to administer the program.</div>	Same as the House.

Executive	As Passed By House	As Passed By Senate
<b>DOTCD40 Private transit voucher study</b>		
No provision.	<b>Section: 755.30</b> Requires the ODOT Office of Transit to conduct a study and evaluate the use of private transit vouchers for low-income individuals. Specifies that a "private transit voucher" is a voucher for ridesharing, transportation network company, taxicab, or other similar vehicle for hire arrangements. Specifies that a "low-income individual" is an individual residing within a family unit with an income that is equal to or less than 400% of the federal poverty level.	No provision.
No provision.	Requires the study to evaluate both: (1) whether the use of private transit vouchers would benefit low-income individuals in maintaining effective access to transportation services; and (2) whether the distribution of private transit vouchers is a cost-effective option to eliminate public transit routes with low ridership.	No provision.
No provision.	Requires the Office to submit a report of its findings and recommendations by July 1, 2024, to the President of the Senate, the Speaker of the House of Representatives, and the chairs of the respective committees of the House of Representatives and Senate responsible for transportation-related matters.	No provision.
<b>DOTCD48 ODOT rest areas</b>		
No provision.	No provision.	<b>Section: 755.40</b> Allows ODOT to close a rest stop during the FY 2024-FY 2025 biennium only if the rest area's parking lot remains available for commercial motor vehicles. (This authorization was also in H.B. 74 of the 134th G.A., the FY 2022-FY 2023 transportation budget.) <b>Fiscal effect: Potential savings in maintenance costs depending on the type of rest area to be closed.</b>

Executive	As Passed By House	As Passed By Senate
<div>CSRCD4Maintenance and Equipment appropriation</div> <div>No provision.</div>	<div></div> <div>No provision.</div>	<div>Section: 305.10, 301.10, 350.10, 812.25</div> <div>Appropriates \$100,000 in FY 2023 to GRF ALI 874320, Maintenance and Equipment, in the budget of the Capital Square Review and Advisory Board.</div>

Executive	As Passed By House	As Passed By Senate
<b>DASCD1</b> <b>Exempt employee pay schedule changes affecting Ohio State Highway Patrol</b>		
<b>R.C.</b> <b>124.152, 5503.031; Section 812.15</b>	<b>R.C.</b> <b>124.152, 5503.031; Section 812.15</b>	<b>R.C.</b> <b>124.152, 5503.031; Section 812.15</b>
(1) Eliminates a requirement enacted in H.B. 462 of the 134th G.A. that DAS adopt rules to (a) create pay range 19 in exempt employee pay Schedule E-1, and (b) establish step value 7 in existing pay range 17 of exempt employee pay schedule E-1 (pay range 19 and pay range 17, step 7, take effect FY 2024).	(1) Replaces the Executive provision with one that establishes pay range 19 with six steps ranging from \$57.83 per hour (\$120,286 annually) to \$75.79 per hour (\$157,643 annually) and step value 7 in existing pay range 17 (\$65.97 per hour, \$137,217 annually) in the version of schedule E-1 that will take effect starting in FY 2024, instead of requiring DAS adopt rules to establish them as under H.B. 462 of the 134th G.A.	(1) Same as the House.
(2) No provision.	(2) Prohibits any exempt employee other than a captain or equivalent OSHP officer from being placed in step value 7 in pay range 17 of schedule E-1.	(2) Same as the House.
(3) Requires that, beginning in FY 2024, OSHP lieutenant colonels be paid according to pay range 45 from schedule E-2 of the exempt employee pay schedule in continuing law instead of pay range 19 of Schedule E-1.	(3) No provision.	(3) Same as the House.
(4) No provision.	(4) Beginning in FY 2024, places exempt OSHP sergeants or equivalent officers in pay range 14 of schedule E-1 (current law assigns lieutenants, captains, majors, and lieutenant colonels to specific pay ranges).	(4) Same as the House.
<b>Fiscal effect: None from (1) since DAS has not made those changes. The change in (3) affects pay for DPS lieutenant colonels. The annual salary for E-2 pay range 45 is from \$49,941 to \$156,790. The timing of the salary change for certain lieutenant colonels (currently two) will depend on when they are scheduled to advance through the pay classifications. The net change in the upper limit of the pay range is approximately \$25,000.</b>	<b>Fiscal effect: OSHP payroll costs will increase by several millions as eligible employees are placed in the new pay range 19 (lieutenant colonels) and step value 7 of pay range 17 (captains). Eligible employees in pay range 14 (sergeants) would receive between \$35.74 and \$51.03 per hour (\$74,339 to \$106,142 annually).</b>	<b>Fiscal effect: Same as the House.</b>

Executive	As Passed By House	As Passed By Senate
<b>DNRCD24</b> <b>Fallen Timbers Capital Improvements</b>		
No provision.	<b>Section:   601.10</b> Amends H.B. 687 of the 134th General Assembly, the capital budget for the FY 2023-FY 2024 biennium, to change the name of a community project from "Fallen Timbers Family Recreation Center Pool Replacement" to "Fallen Timbers Capital Improvements."	<b>Section:   601.10</b> Same as the House.

Executive	As Passed By House	As Passed By Senate
DPSCD61 Noncommercial trailer permanent registration		
	R.C. 4503.10, 4503.103, 4503.107, 4503.11, 4503.191	R.C. 4503.10, 4503.103, 4503.107, 4503.11, 4503.191
No provision.	Requires the Registrar of Motor Vehicles to authorize an owner or a lessee of a noncommercial trailer to register the trailer permanently.	Same as the House.
No provision.	Establishes the one-time cost of a permanent registration to be eight times each of the following single year taxes and fees:	Same as the House.
No provision.	(1) The registration tax for a noncommercial trailer (which is determined by the weight of the trailer);	(1) Same as the House.
No provision.	(2) The \$11 Bureau of Motor Vehicles fee;	(2) Same as the House.
No provision.	(3) The amount of any local motor vehicle taxes (if applicable); and	(3) Same as the House.
No provision.	(4) The \$5 deputy registrar/BMV service fee.	(4) Same as the House.
No provision.	Specifies that a permanent registration is not transferable to any other trailer and is nonrefundable.	Same as the House.
	Fiscal effect: Potential initial increase, and decrease over time, in registration taxes and fee revenue collected by the state and political subdivisions. The magnitude of which will depend on the number of permanent registrations issued for noncommercial trailers.	Fiscal effect: Same as the House.
DPSCD66 Plug-in hybrid electric motor vehicle fee		
	R.C. 4503.10, Section 803.10	
No provision.	Beginning January 1, 2024, reduces from \$200 to \$100, the additional registration fee applicable to plug-in hybrid electric motor vehicles.	No provision.



Executive	As Passed By House	As Passed By Senate
	<b>Fiscal effect: The estimated revenue loss would be up to \$1.2 million in FY 2024 and up to \$2.7 million in FY 2025. The actual revenue loss may be lower or higher than the estimated amounts due to uncertainties related to the future development of the market for these types of vehicles. Of the total revenue loss, about 55% would be borne by the state Highway Operating Fund (Fund 7002) and the remaining 45% by local governments (i.e. counties, municipalities, and townships).</b>	
<b>DPSCD67</b> County-issued veterans ID card for military license plate		<b>R.C. 4503.29</b>
No provision.	No provision.	Requires the Registrar of Motor Vehicles to accept a county-issued veterans identification card in lieu of an applicant's DD-214 as documentary evidence of service from a person who applies for a military license plate. <b>Fiscal effect: None.</b>
<b>DPSCD65</b> Accessible parking laws		
	<b>R.C. 4503.44</b>	<b>R.C. 4503.44</b>
No provision.	Extends the maximum validity period for a removable windshield placard issued to a person with a disability that limits or impairs the ability to walk from five to ten years. <b>Fiscal effect: None.</b>	Same as the House.  <b>Fiscal effect: Same as the House.</b>
<b>DPSCD62</b> Choice of electronic or physical certificate of title		
	<b>R.C. 4505.131</b>	<b>R.C. 4505.131</b>
No provision.	Requires the purchaser of a financed motor vehicle to affirmatively choose between receiving a physical certificate of title or having the title remain electronic upon completion of all payments financing the motor vehicle.	Same as the House.

Executive	As Passed By House	As Passed By Senate
No provision.	Requires a lender to send a form (either electronically or non-electronically) to the purchaser after the completion of payments for the purchaser to make their selection.	Same as the House.
No provision.	Requires the lender to have a physical certificate of title delivered to the purchaser, without any additional fee, if the purchaser elects to have a physical certificate.	Same as the House.
No provision.	Specifies that this process does not apply if the completion of payments is due to the purchaser selling or trading the motor vehicle (and thus, no longer having an ownership interest in that motor vehicle).	Same as the House.
Fiscal effect: None.		Fiscal effect: Same as the House.
DPSCD64    Enhanced driver's licenses and identification cards		
	R.C.        4506.01, 4506.072, 4506.11, 4507.01, 4507.021, 4507.061, 4507.063, 4507.13, 4507.511, 4507.52	
No provision.	Requires the ODPS Director to enter into an agreement with the U.S. Department of Homeland Security in order to obtain approval to issue enhanced driver's licenses, enhanced commercial driver's licenses (CDL), and enhanced identification (ID) cards.	No provision.
No provision.	Requires the Registrar of Motor Vehicles to adopt rules governing the issuance and security of enhanced driver's licenses, CDLs, and ID cards, all of which facilitate land and sea border crossings between the U.S. and Canada, Mexico, and the Caribbean.	No provision.
No provision.	Requires an applicant for an enhanced driver's license, CDL, or ID card to comply with specified application requirements, including providing proof of citizenship and paying an additional \$25 fee.	No provision.
No provision.	Specifies that the Ohio laws applying to driver's licenses, CDLs, and ID cards apply to their enhanced versions, unless otherwise specified.	No provision.

Executive	As Passed By House	As Passed By Senate
	<b>Fiscal effect: Potential increase in costs for the Bureau of Motor Vehicles to issue the enhanced driver's license, commercial driver's license, or state identification card, which is expected to be offset by the collection of the bill's \$25 fee.</b>	
<b>DPSCD60    Traffic cameras</b>	<b>R.C.            4511.092, 4511.093, 4511.0913</b>	<b>R.C.            4511.093, 5747.502</b>
No provision.	Eliminates the authority of a county or township to operate a traffic camera program for civil enforcement of red light and speeding offenses but clarifies that continuing law applicable to the use of a traffic law photo-monitoring device does not apply to a county or township's use of a traffic law photo-monitoring device or an associated license plate reader for the purpose of detecting and assisting in the enforcement of criminal offenses.  <b>Fiscal effect: Potential revenue loss for counties and townships that currently operate a traffic camera program.</b>	Replaces the House provision with one that requires townships and counties to only use handheld traffic cameras for their traffic camera civil enforcement programs.  <b>Fiscal effect: Potential revenue loss or expenditure increase for counties and townships that currently operate a traffic camera program, but do not use handheld traffic cameras.</b>
<b>DPSCD63    Window tinting</b>	<b>R.C.            4513.241</b>	
No provision.	Reduces the criminal penalty for both of the following minor misdemeanor window tinting violations from a fine of up to \$150 to a fine of up to \$25:	No provision.
No provision.	(1) Operating, parking, leasing, or renting a motor vehicle that is in violation of window tinting requirements; and	No provision.
No provision.	(2) Using reflectorized materials on or in any front windshield, side windows, sidewings, or rear window.	No provision.

Executive	As Passed By House	As Passed By Senate
No provision.	<div>Expands an exception to existing window tinting prohibitions to allow a law enforcement agency to use tinted windows for any vehicle used within the scope of an agency's duties, rather than limiting the use of tinted windows to vehicles used for a special investigatory purpose and in a canine unit.</div> <div>Fiscal effect: Potential decrease in the amount of fine revenue collected for window tint violations. The magnitude of any decrease would depend on the number of citations issued.</div>	No provision.
DPSCD69    Third-party motor vehicle history reports		R.C.        4517.262
No provision.	No provision.	<div>Specifies that a motor vehicle dealer is not liable for the accuracy of the information contained in a third-party motor vehicle history report that was provided by another entity.</div> <div>Fiscal effect: None.</div>

Executive	As Passed By House	As Passed By Senate
<b>EDUCD80    Daily pre-trip school bus inspections</b>		
No provision.	No provision.	<b>R.C.        4511.765</b> Requires the Superintendent of Public Instruction and the ODPS Director to modify their rules related to daily pre-trip inspections of school buses to remove checks of specified equipment.
No provision.	No provision.	Requires the State Highway Patrol to continue examining that equipment in their regular equipment inspections of school buses. <b>Fiscal effect: None.</b>
<b>EDUCD19    School bus purchase program</b>		
No provision.	<b>Section:    610.10, 610.11</b> Amends Section 265.325 of H.B. 110 of the 134th General Assembly to permit a recipient of a school bus purchasing grant awarded under continuing law in FY 2022 or FY 2023 to use the funds through FY 2024.	<b>Section:    610.10, 610.11</b> Same as the House.

Executive	As Passed By House	As Passed By Senate
<b>LOCCD15</b> Force account changes for political subdivisions	<b>R.C. 117.16, 117.161, 5543.19, 5543.191, and 5543.192</b>	<b>R.C. 117.16, 723.52, 723.53, 5543.19, 5543.191, 5543.192, and 5575.01</b>
No provision.	<p>Removes force account monetary limits that apply to county engineers for road, highway, bridge, and culvert projects. Replaces the monetary limits with scope of work limits, above which competitive bidding is required, as follows: (1) constructing, replacing, or widening any bridge or replacing any superstructure of a bridge up to 60 feet from abutment to abutment; (2) replacing the concrete deck of a bridge up to 75 feet from abutment to abutment; (3) constructing, replacing, or lengthening any pipe, including multi-cell pipe, under a roadway when the total waterway opening for all cells does not exceed 85 square feet; (4) constructing, replacing, or lengthening any culvert under a roadway when the total span does not exceed 10 feet; (5) performing any full-width asphalt surface paving operation up to 400 feet per centerline mile; (6) widening an existing roadway up to 1,800 square yards per lane mile; (7) performing a chip-and seal operation on a two-lane roadway up to 15,000 square yards per centerline mile per layer, excluding any noncontinuous turn lanes; and (8) performing a partial or full-depth concrete pavement repair up to 120 square yards per lane mile.</p>	<p>Replaces the House provision, which deals only with counties, with a provision that authorizes a local authority (county, township, or unchartered municipal corporation) to either establish its own force account limits or to act under the default statutory force account limits. Raises the statutory limits as follows: (1) for unchartered municipal corporations, from \$30,000 to \$75,840 for road construction and repair; (2) for counties, from \$30,000 per mile to \$78,840 per mile for highway construction and reconstruction, and from \$100,000 to \$252,800 for bridge construction and reconstruction; (3) for townships, from \$15,000 to \$37,920 per mile for road maintenance and repair, and from \$45,000 to \$113,760 for road construction or reconstruction. Increases these default limits annually based on the National Highway Construction Cost Index.</p>
No provision.	<p>Exempts scope of work operations done by the county engineer from the force account assessment form required by the Auditor of State (AOS) and the related audit, except for determining compliance with the applicable size limitations. Prohibits the county engineer from dividing projects into separate sections or work items to circumvent the scope of work and competitive bidding requirements.</p>	<p>Replaces the House provision with one that requires the local authority to report any locally-established force account limits to the AOS and specifies that a locally-established force account limit does not become effective until the local authority reports it to the AOS. Reduces a local authority's force account limits to 1/3 of the local authority's established limits for one year if that local authority violates those limits, rather than specifying dollar amount reductions as under current law.</p>

Executive	As Passed By House	As Passed By Senate
No provision.	<p>Authorizes a board of county commissioners and a county engineer to keep the engineer's total cost estimate for a competitively bid project confidential, and stipulates that when the total cost estimate for a project is kept confidential, the final contract entered into by the county is exempt from the general statutory requirement that the contract not exceed the county engineer's estimate plus 10%.</p> <p><b>Fiscal effect: Uncertain and depends on the project circumstances. Removing the statutory requirement of rejecting bids in excess of 10% of the county estimate could provide counties the ability to accept higher contract bids.</b></p>	<p>No provision.</p> <p><b>Fiscal effect: Provides greater flexibility for political subdivisions to consider when to undertake work using their own personnel or solicit bids.</b></p>
<b>LOCCD14    Aggregate mining</b>	<b>R.C.            303.02, 519.02</b>	<b>R.C.            303.02, 519.02</b>
No provision.	<p>Requires a county or township to allow aggregate mineral surface mining activities in any zoning district (i.e., residential, commercial, industrial) as either a permitted use or a conditional use through the board of zoning appeals when those activities are to be added to an existing mineral mining operation as authorized by a permit issued by ODNR.</p>	<p>Same as the House.</p>
<b>LOCCD5      Sale of Cincinnati Southern Railway</b>	<b>R.C.            746.01, 746.02-746.07; Section 610.51</b>	
<p>Permits a railway board of trustees created under the Ferguson Act of 1869 to sell a railway or portion of a railway if approved by a majority of residents of the city that established the railway at an election. Requires that minimum payments to the city resulting from the terms of the sale also be approved by the electorate.</p>	<p>Same as the Executive.</p>	<p>No provision.</p>

Executive	As Passed By House	As Passed By Senate
Requires the board to establish a trust fund to contain the proceeds from the sale, and allows the board to invest the proceeds. Requires the board to retain at least one independent financial advisor to help with investments and requires the board to invest using the prudent investor standard of care. Allows the board to hire managers, administrative staff, and other personnel that may be necessary to oversee the assets of the trust fund. Requires the board to pay for the cost of these services and other reasonable expenses from the investment earnings.	Same as the Executive.	No provision.
Requires the board to adopt management and investment policies with objectives and criteria that ensure the trust fund is self-sustaining and run efficiently, and that the policies yield income sufficient to make payments to a city as provided for in the sale of the railway.	Same as the Executive.	No provision.
Requires the management and investment policies of the board to be public and prohibits members of the board from having any direct or indirect interest in investments of the trust fund, as well as prohibits railway trustees or persons connected with them from borrowing or using the money in the trust fund other than to make payments as authorized by the board.	Same as the Executive.	No provision.
Requires the railroad board of trustees to report the financial results of the trust fund every calendar year through audited financial statements, including transactions, the value of accumulated cash and investments, and a balance sheet, to the fiscal officer of the city.	Same as the Executive.	No provision.



Executive	As Passed By House	As Passed By Senate
Requires the board, no later than September 30 each year, to certify the cash amounts to be disbursed from the trust fund’s investment earnings, after expenses, to the city during the next fiscal year according to a schedule agreed to by the board and the fiscal officer of the city. Requires these payments to be made from the trust fund principal if investment earnings in a year are not sufficient to do so.	Same as the Executive.	No provision.
Requires the city receiving payments under this provision to designate a fund to receive the payments from the railway trust fund. Specifies that the city may use the money it receives solely to rehabilitate, modernize, or replace existing infrastructure.	Same as the Executive.	No provision.
Clarifies that all net earnings and income under a lease of a municipally owned railway must be paid to the city treasury and credited to the sinking fund or bond retirement fund.	Same as the Executive.	No provision.
<b>Fiscal effect: The provision affects the City of Cincinnati and the Cincinnati Southern Railway. Cincinnati receives approximately \$25.0 million per year under the current lease between the Cincinnati Southern Railway and Norfolk Southern Corporation. There is a pending proposal to sell the railway to Norfolk Southern for \$1.62 billion.</b>	<b>Fiscal effect: Same as the Executive.</b>	
<b>LOCCD13    Inclusion of park district property in Special Improvement Districts</b>		
	<b>R.C.        1710.02, 1710.01, 1710.03 and 1710.13</b>	
No provision.	Prohibits park district property from being included in a special improvement district (SID) unless the park district consents to its inclusion.	No provision.

Executive	As Passed By House	As Passed By Senate
LOCCD11	Agreements between Transportation Improvement Districts and Regional Transit Authorities	
	R.C. 5540.01, 5540.03, 5540.06, 306.353	R.C. 5540.01, 5540.03, 5540.06, 306.353
No provision.	Authorizes a Transportation Improvement District (TID) to enter into an agreement (including a multi-year agreement) with a Regional Transit Authority (RTA) in Hamilton County regarding road and bridge projects as counties, municipal corporations, or townships may under current law.	Same as the House.
No provision.	Authorizes the TID, along with any participating county, municipal corporation, or township, to fund and finance qualifying projects, which are projects involving the general construction or maintenance of roads or bridges related to the provision of service by the RTA.	Same as the House.
No provision.	Authorizes the TID to issue bonds to assist in its provision of funding and financing. Authorizes the RTA to levy, pledge, and assign sales and use taxes to reimburse the TID for the debt service on qualifying bonds issued by the TID.	Same as the House.
No provision.	Applies the current law authority, immunity, and responsibilities granted to a TID for other projects to a qualifying project with the RTA.	Same as the House.
No provision.	Authorizes a TID to fund and finance projects, in addition to its current law powers to directly manage projects, and to employ, hire, or retain auditors.	Same as the House.
No provision.	Authorizes the qualifying RTA to pledge its sales and use tax revenue to similarly pay debt service on county, municipal, and township bonds to fund qualifying projects.	Same as the House.
	Fiscal effect: Enables the Southwestern Ohio Transit Authority (SORTA) to use its county sales and use tax receipts to back debt issued by the Hamilton County TID to build a replacement Western Hills viaduct.	Fiscal effect: Same as the House.

Executive	As Passed By House	As Passed By Senate
<b>LOCCD9</b> Authority for political subdivisions outside a TID to share costs	<b>R.C. 5540.02</b>	<b>R.C. 5540.02</b>
No provision.	Authorizes any county, municipal corporation, or township to make appropriations to pay costs incurred by a TID, rather than only the local governments that are part of the TID as in current law.  <b>Fiscal effect: Allows for cost sharing between political subdivisions that are part of a TID and areas benefiting from, but that are not part of, a TID.</b>	Same as the House.  <b>Fiscal effect: Same as the House.</b>
<b>LOCCD16</b> Removal of Senate President's appointment to a TID board of trustees		<b>R.C. 5540.02</b>
No provision.	No provision.	Removes the requirement that the President of the Senate appoint a nonvoting member to the board of trustees of a TID under either board TID membership structures allowed under current law.
<b>LOCCD10</b> TID agreements with contiguous counties	<b>R.C. 5540.03</b>	<b>R.C. 5540.03</b>
No provision.	Authorizes a TID to enter into an agreement with the board of county commissioners that created the TID and with the boards of county commissioners of any contiguous group of counties to exercise all powers of the TID for projects that are both: (1) partially or wholly within any county that is a party to the agreement; and (2) partially funded with federal money.  <b>Fiscal effect: This enables the Lucas County TID to undertake transportation system improvements benefiting Lucas, Wood, Ottawa, and Sandusky counties if these counties win a federal Safe Streets and Roads for All grant to do this work.</b>	Same as the House.  <b>Fiscal effect: Same as the House.</b>

Executive	As Passed By House	As Passed By Senate
LOCCD17   RTIP Opportunity Corridor Improvements		
		R.C.      5595.041, 4504.22, 5595.01, 5595.03, 5595.04, 5595.041, 5595.042, 5595.05, 5595.06, 5595.11, 5709.481, and 5709.50
No provision.	No provision.	Authorizes the governing board of a qualified Regional Transportation Improvement Project (RTIP) to negotiate and enter into a memorandum of understanding (MOU) with ODOT concerning infrastructure improvements and economic development activities (opportunity corridor improvements) within 2,500 feet of the RTIP's right-of-way (development area).
No provision.	No provision.	Allows a qualified RTIP governing board, acting under such an MOU, to do all of the following:
No provision.	No provision.	(1) appropriate property, through eminent domain, within the RTIP right-of-way exclusively for a transportation improvement described in the MOU, provided the appropriation authority is also described in the MOU (the board is explicitly prohibited from appropriating property by eminent domain under current law);
No provision.	No provision.	(2) purchase property located within the development area, through means other than by eminent domain, for use for transportation or economic opportunity corridor improvements;
No provision.	No provision.	(3) receive and reinvest funds from the development area;
No provision.	No provision.	(4) contract for the use of digitalized procurement planning and permitting systems;
No provision.	No provision.	(5) request and receive grants and private contributions;
No provision.	No provision.	(6) establish, acquire, own, control, manage, sell, or transfer businesses;

Executive	As Passed By House	As Passed By Senate
No provision.	No provision.	(7) form and manage public-private enterprises, i.e., private corporations jointly owned by the RTIP board and a private party, to manage opportunity corridor improvements; and
No provision.	No provision.	(8) contract with the Ohio Academic Resource Network to establish, expand, or improve broadband or other digital services in the development area.

Executive	As Passed By House	As Passed By Senate
LOCCD18	Conditions applying to the creation of a transportation financing district (TFD)	
No provision.	No provision.	<div>R.C. 5709.48, 5709.49, 5709.50, and 5709.83; Section 803.20</div> <div>Aligns the notice and approval requirements for creating a transportation financing district (TFD) with those that apply to a tax increment financing (TIF) arrangement by eliminating the requirement that all taxing districts within the territory of a proposed TFD approve its creation or receive compensation for any resulting revenue losses, and instead requiring approval or compensation of only the school districts within that territory, and only if the proposed exemption is greater than 75%, or is longer than ten years.</div>
No provision.	No provision.	<div>Requires that the territory of a TFD consists of all territory of all counties that are participants in the associated regional transportation improvement project (RTIP) other than residential property and property exempt under a TIF arrangement.</div>
No provision.	No provision.	<div>Requires that the RTIP governing board and the owner of each parcel included in a TFD establish an agreement that specifies the projects and purposes for which owner's service payments will be used. Requires, in the absence of such an agreement, that the parcel be excluded from the TFD. Expressly allows the governing board to amend a TFD resolution for the purpose of adding an excluded parcel if an agreement is later reached.</div> <div>Fiscal effect: By lowering approval requirements, makes formation of a TFD easier. Only the RTIP in Stark, Carroll, and Columbiana Counties is eligible to create a TFD. May result in loss of property tax revenue for those political subdivisions located in the TFD.</div>

Executive	As Passed By House	As Passed By Senate
LOCCD12   LGF reimbursements for public safety technology		
No provision.	<div><div>R.C.      5747.502</div><div>Allows a political subdivision to use Local Government Fund (LGF) reimbursements for traffic camera fines collected by the subdivision for school zone infractions to acquire or upgrade public safety technology, including body cameras, license plate readers, and gunfire locator or detection systems, not just for school safety purposes as under current law.</div><div>Fiscal effect: Expands the types of safety equipment that can be acquired using this source of funding.</div></div>	No provision.

Executive	As Passed By House	As Passed By Senate
<b>PUCCD2    Wayside detector systems</b>	<b>R.C.            4955.50</b>	<b>R.C.            4955.50, 4955.51</b>
No provision.	Requires PUCO and ODOT to work with each railroad company doing business in Ohio to ensure that the wayside detector systems used by those companies are operational, effective, and current. Specifies the criteria that PUCO, ODOT, and the company must consider while doing so. Requires PUCO and ODOT to investigate the safety practices of any railroad that does not work with them in good faith, in accordance with federal law that governs state involvement in railroad safety, and to issue a report to the Federal Railroad Administration recommending enforcement action against a company if the results of the investigation show that it is not in compliance with federal safety standards. Requires that copies of the report be sent to the Governor, the Senate President, the Speaker, and the minority leader in both the House and Senate.	Same as the House, but requires all wayside detector systems to be installed generally 10 miles apart, but if terrain does not allow for that, no more than 15 miles apart.
No provision.	Requires a person who receives a message regarding a defect detected by a wayside detector system to immediately notify the operator of the applicable train, rolling stock, or on-track equipment, if the receiver of the message is not the operator. Requires PUCO and ODOT to ensure that wayside detector system message are sent and received in compliance with the requirement.  <b>Fiscal effect: Potential increase in expenditures, likely minimal, for PUCO and ODOT. PUCO expenditures would be paid from the Public Utilities Fund (Fund 5F60).</b>	Same as the House.  <b>Fiscal effect: Same as the House.</b>



Executive		As Passed By House	As Passed By Senate
PUCCD3	Two-person freight train crews	R.C. 4999.09	R.C. 4999.09
No provision.		Requires a freight train or light engine to have at least a two-person crew. Permits PUCO to assess a civil penalty against a person who violates this requirement. Requires AGO to bring a civil action to collect the penalty when PUCO requests AGO to do so.	Same as the House.
No provision.		Specifies that this requirement is solely related to safety, including ensuring that a train or light engine is not left without a functional crew due to a medical emergency.	Same as the House.
No provision.		Provides that the two-person crew section no longer applies if the federal government adopts a requirement that a train or light engine used in connection with the movement of freight in Ohio must have a crew of at least two individuals.	Same as the House.
		Fiscal effect: Potential revenue to the Public Utilities Fund (Fund 5F60), from penalties the amounts of which may range from \$250 up to \$10,000, depending in part on the number of violations previously found.	Fiscal effect: Same as the House.

Executive	As Passed By House	As Passed By Senate
<b>PUCCD5     Hazardous waste transportation report</b>		
	<b>Section:     749.10</b>	<b>Section:     749.10</b>
No provision.	Requires PUCO, in collaboration with Ohio EPA, to compile and submit a written report to the General Assembly, within 90 days of the bill's effective date, pertaining to the transportation of hazardous materials and hazardous waste.	Same as the House.
No provision.	Requires the report to detail all of the following: (a) current applicable state and federal laws; (b) recommendations to strengthen safety requirements for the transportation of hazardous materials and hazardous waste; and (c) recommendations to enhance related civil and criminal penalties for violating those transportation safety requirements.	Same as the House.
	<b>Fiscal effect: Increase in expenditures, likely minimal. PUCO expenditures would likely be paid from the Public Utilities Fund (Fund 5F60).</b>	<b>Fiscal effect: Same as the House.</b>
<b>PUCCD6     Railroad safety technology report</b>		
		<b>Section:     749.20</b>
No provision.	No provision.	Requires PUCO to examine both current uses of and best practices for use of the following railroad safety technologies: hot boxes and hot bearing detectors, acoustic bearing detectors, cameras installed on or alongside railroad tracks or wayside detector systems. Authorizes PUCO to consult with technical experts in examining these technologies. Requires PUCO to submit a report based on the information found, within 90 days, to the chairperson and ranking member of specified legislative committees.
		<b>Fiscal effect: Potential increase in expenditures for PUCO. Expenditures would likely be minimal, and likely paid from the Public Utilities Fund (Fund 5F60).</b>

Executive	As Passed By House	As Passed By Senate
<div>PWCCD9    Road slips</div> <div>No provision.</div>	<div></div> <div>No provision.</div>	<div>Section:    610.16, 610.17</div> <div>Amends H.B. 687 of the 134th General Assembly, the capital budget for the FY 2023-FY 2024 biennium, to increase Fund 7038 ALI C15000, Local Public Infrastructure/State CIP by \$10,000,000, and earmarks that amount for grants under PWC's Emergency Program to communities to assist with road-slip emergency projects on nonstate roads or locally maintained routes and portions of interstates.</div>

Executive	As Passed By House	As Passed By Senate
<b>TAXCD40   Gasoline Excise Tax Fund</b>		
No provision.	No provision.	<b>Section:   221.10</b> Requires that Fund 7060 ALLs 110652, Gasoline Excise Tax Fund - Municipal, 110653, Gasoline Excise Tax Fund - Township, and 110654, Gasoline Excise Tax Fund - County, be used to distribute motor fuel excise tax revenue to municipalities, townships, and counties, respectively. Also, requires 110654 Gasoline Excise Tax Fund - County, to be used to distribute motor fuel excise tax revenue to the Ohio Turnpike and Infrastructure Commission. Appropriates additional amounts if needed.