

Ohio Legislative Service Commission

Legislative Budget Office Office of Research and Drafting

[www.lsc.ohio.gov/Budget Central](http://www.lsc.ohio.gov/BudgetCentral)

Comparison Document

House Bill 74—134th General Assembly

Transportation Budget

(FY 2022-FY 2023)

As Introduced

As Passed by the House

March 4, 2021

Executive

As Passed By House

DASCD9 Revenue share fee exemption - Cooperative purchasing programs

No provision.

R.C. 125.02

Prohibits the Department of Administrative Services (DAS) from charging a revenue share fee as a term or condition of a sale made through a membership-based cooperating purchasing program when the purchaser already pays a membership fee to participate in the program. Prohibits DAS from disallowing the purchase of supplies or services through a joint or cooperative purchasing program solely because of the purchaser's exemption from DAS's revenue share fee.

Fiscal effect: Potential minimal loss of revenue deposited to the credit of the General Services Fund (Fund 1170).

Executive

As Passed By House

AG OCD22 Retail installment contract additional fees

No provision.

R.C. 1317.07

Modifies current law's general prohibition against a retail seller charging any additional fee (or similar additional expense) as part of an installment contract, by authorizing the seller to add a fee (or similar additional expense) when the seller is expressly authorized by law to do so.

Fiscal effect: Minimal.

Executive

As Passed By House

OBMCD1 Limitations on use of capital appropriations

Section: 501.10

Requires that the use of the capital appropriations in the bill be limited to: real property; buildings and structures; architectural, engineering, and professional services directly related to the projects; machinery; new computer systems; and furniture, fixtures, or equipment meeting certain criteria.

Section: 501.10

Same as the Executive.

OBMCD2 State Arbitrage Rebate Authorization

Section: 503.10

Appropriates any amount necessary to make payments to the federal government of investment income rebates to maintain the federal income tax exemption of interest on bonds issued by the State of Ohio.

Requires OBM to approve and voucher payments for this purpose.

Fiscal effect: Federal law prohibits tax-exempt bond issuers, such as the state of Ohio, from earning a higher rate of interest from investment of bond proceeds than the interest paid on the bonds. Any payments that might be required under this section will be paid out of the bond fund in which excess earnings were realized.

Section: 503.10

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

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 2022-FY 2023 biennium pursuant to lease agreements for bonds or notes issued under Section 2i of Article VIII, Ohio Constitution, Chapters 152. and 154. of the Revised Code, and acts of the General Assembly. 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 additional appropriations to cover debt service and bond financing costs if additional appropriations to cover those payments are necessary.

Section: 509.20

Same as the Executive.

Executive

As Passed By House

COMCD26 Fireworks manufacturer and wholesaler licenses - license transfers

R.C. 3743.04, 3743.17, 3743.75, with conforming changes in R.C. 3743.01 and 3743.15

No provision.

Allows current and future fireworks manufacturer and wholesaler licensees to transfer their licenses from one geographic location to another upon application to, and approval from, the State Fire Marshal.

No provision.

Specifies that certain ownership transfers of fireworks manufacturer and wholesaler licenses are not subject to the current moratorium on new licenses if the transfer is through inheritance or a sale approved by the State Fire Marshal.

Fiscal effect: Potential minimal administrative costs for the State Fire Marshal to approve applications. Any costs would be paid from the State Fire Marshal Fund (Fund 5460).

Executive

As Passed By House

DEVCD1 Roadwork Development

Section: 207.20

(1) Requires Roadwork Development Fund (Fund 4W00) line item 195629, Roadwork Development, to be used for road improvements associated with economic development opportunities, including the construction, reconstruction, maintenance, or repair of public roads that provide access to a public airport or are located within a public airport.

(2) Defines "road improvements" as improvements to public roadway facilities located on, or serving or capable of serving, a project site, and include the construction, reconstruction, maintenance or repair of public roads that provide access to a public airport or are located within a public airport.

(3) Permits the line item to be used in conjunction with any other state funds appropriated for infrastructure improvements.

(4) Requires OBM, pursuant to a plan submitted by the Department of Development (DEV) or as otherwise determined, to set a cash transfer schedule to meet the needs of Fund 4W00, and requires such transfers to be made from the Highway Operating Fund (Fund 7002) according to the schedule.

(5) Requires that money in Fund 4W00 be used in accordance with the guidelines and requirements of other DEV programs, including Controlling Board review and approval, as well as constitutional requirements for the use of motor fuel tax revenues. Permits DEV to require ODOT to assist with project completion and to enter into contracts on behalf of DEV.

Section: 207.20

(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 House

Fiscal effect: The executive budget appropriates \$15.2 million in each of FY 2022 and FY 2023 for the Roadwork Development Program under Fund 4W00 appropriation item 195629, Roadwork Development. These amounts are identical to the sums appropriated in the FY 2020-FY 2021 biennium.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

DPSCD39 Joint ownership with right of survivorship

R.C. 2131.12, 2131.13, 4519.55, 4519.60

(1) No provision.

(1) Allows two persons who wish to establish joint ownership with right of survivorship to an all-purpose vehicle or off-highway motorcycle to make a joint application for the certificate of title.

(2) No provision.

(2) Specifies that ownership to an all-purpose vehicle or off-highway motorcycle that is titled between two owners who have joint ownership with right of survivorship passes immediately to the surviving owner upon the death of the other owner.

(3) No provision.

(3) Allows owners of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, and outboard motor who have title through joint ownership with right of survivorship to transfer that title through a transfer-on-death designation.

Fiscal effect: Potential savings effect in time and effort for probate courts.

DPSCD12 Distracted driving and electronic devices

R.C. 2743.51, 2903.06, 2903.07, 2903.08, 2929.41, 3321.141, 4508.02, 4510.036, 4511.043, 4511.122, 4511.181, 4511.202, 4511.204, 4511.75, 4511.991, Sections 745.10, 812.30

(1) Broadens the existing texting-while-driving prohibition to more generally prohibit using an electronic wireless communications device (EWCD) while driving.

(1) No provision.

(2) Modifies certain current exemptions and creates additional exemptions to the new EWCD-while-driving prohibition.

(2) No provision.

(3) Changes the existing minor misdemeanor penalty for texting-while-driving to an unclassified misdemeanor for the new EWCD-

(3) No provision.

Executive

As Passed By House

while-driving prohibition with a \$150 fine, and establishes increasing tiered penalties for additional violations within a three-year period.

(4) Makes the EWCD-while-driving prohibition a primary offense (rather than a secondary offense, as in current law).

(4) No provision.

(5) Aligns the scope of the distracted driving law with the new EWCD-while-driving prohibition so that violating EWCD-while driving constitutes distracted driving (driving distracted while committing a moving violation may result in an additional \$100 fine).

(5) No provision.

(6) Adds failure to control and passing a stopped school bus to the list of moving violations to which an additional distracted driving penalty applies.

(6) No provision.

(7) Creates a new aggravated vehicular homicide offense that prohibits a person from causing the death of another (or another’s unborn) as the proximate result of violating either the EWCD-while-driving prohibition or the distracted driving law, applies the current OVI-related (operating a vehicle while impaired) aggravated vehicular homicide penalties to a person who is convicted of or pleads guilty to this new offense (a second degree felony and a Class 1 driver’s license suspension (life)), and enhances the penalty for the new offense to a first degree felony under certain specified circumstances.

(7) No provision.

(8) Creates a new aggravated vehicular assault offense that prohibits a person from causing serious physical harm to another (or another’s unborn) as the proximate result of violating either the EWCD-while-driving prohibition or the distracted driving law, applies the current OVI-related aggravated vehicular assault penalties to a person who is convicted of or pleads guilty to this new offense (a third degree felony and a Class 3 driver’s license

(8) No provision.

Executive

As Passed By House

suspension (2 to 10 years)), and enhances the penalty for the new offense to a second degree felony and either a Class 2 (3 years to life) or Class 1 driver’s license suspension (life) under certain specified circumstances.

(9) Creates a new vehicular harm offense that prohibits a person from causing physical harm or serious physical harm to another (or another's unborn) as the proximate result of violating the EWCD-while-driving prohibition or the distracted driving law, imposes a first degree misdemeanor, a Class 5 license suspension (6 months to 3 years), and a \$500 to \$1,000 fine for a conviction or guilty plea.

(9) No provision.

(10) Imposes two additional points upon a person's driver's license when a court determines that the person has committed certain speeding offenses while distracted, and imposes additional points when a court determines that the person committed a violation of the EWCD-while-driving prohibition in any three-year period: 2 points for a first offense, 3 points for a second offense, 4 points for a third or subsequent offense.

(10) No provision.

(11) Requires driver's education instruction to include education on the dangers of driving a vehicle while distracted generally (the current required curriculum addresses only texting-while-driving).

(11) No provision.

(12) Requires the Department of Transportation to erect signs regarding the EWCD-while-driving prohibition where an interstate or United States route enters Ohio and where a road, originating from a commercial service airport, exits the airport's property.

(12) No provision.

(13) Makes corrective changes in the EWCD-while-driving and distracted driving laws.

(13) No provision.

Executive

As Passed By House

(14) Delays the effective date of the new distracted driving-related provisions for 180 days after the date they would otherwise become effective (which is 90 days after enactment).

(14) No provision.

(15) Authorizes a law enforcement officer, during the 180-day interim, to stop a driver and issue a warning that includes information about the EWCD-while-driving prohibition.

(15) No provision.

(16) Continues enforcement of the existing texting-while-driving prohibition during the interim period.

(16) No provision.

Fiscal effect: For the state and political subdivisions these provisions collectively increase their respective operating expenses and revenue to varying degrees, the net annual fiscal effect of which is indeterminate.

DPSCD37 Vehicle registration reminder notices: E-Check

R.C. 3704.14, 4501.01, 4503.10, 4503.102

(1) No provision.

(1) Clarifies that battery electric motor vehicles are excluded from the requirement to undergo an emissions inspection under the motor vehicle inspection and maintenance program (E-Check).

(2) No provision.

(2) Specifies that a battery electric motor vehicle is a passenger car powered wholly by a battery cell energy system that can be recharged via an external source of electricity.

(3) No provision.

(3) Requires the Registrar of Motor Vehicles to include a statement in vehicle registration renewal notices that battery electric vehicles are not subject to E-Check.

Fiscal effect: Minimal.

Executive

As Passed By House

DPSCD15 Specialty license plates

R.C. 4501.01, 4503.511 (repealed), 4503.512 (repealed), 4503.77 (repealed), 4503.772 (repealed), 4503.79 (repealed), 4503.791 (renumbered 4503.79); with conforming changes in 4501.21, 4503.19, 4503.29, 4503.51, 4503.513, 4503.573, 4503.581, 4503.591, 4503.593, 4503.67, 4503.68, 4503.69, 4503.771 (renumbered 4503.77), 4503.78, 4503.871, 4503.873, 4503.874, 4503.875, 4503.876, 4503.877, 4503.878, 4503.879, 4503.88, 4503.892, 4503.901, 4503.902, 4503.903, 4503.904, 4503.905, 4503.906, 4503.907, 4503.908, 4503.909, 4503.951, 4503.952, 4503.953, 4503.954, 4503.955

(1) Defines "specialty license plates" as a license plate authorized by the General Assembly, that displays a combination of words, markings, logos, or other graphic artwork that is in addition to the words, images, and distinctive numbers and letters typically required on license plates.

(2) Specifies that the fees for the renewal of a specialty license plate must be the same as the fees for initial issuance.

(3) Eliminates a prior intent statement that all applicants for a specialty license plate must pay the standard motor vehicle registration taxes and fees.

(4) Eliminates the minimum annual sales requirement that must be met for continued issuance of a specialty license plate.

(5) Eliminates the annual report that certain school districts and schools are required to submit to the Department of Mental Health and Addiction Services and to the Registrar of Motor Vehicles regarding the use of the contributions derived from that district or school's specialty license plate.

R.C. 4501.01, 4503.511 (repealed), 4503.512 (repealed), 4503.77 (repealed), 4503.772 (repealed), 4503.79 (repealed), 4503.791 (renumbered 4503.79); with conforming changes in 4501.21, 4503.19, 4503.29, 4503.51, 4503.513, 4503.573, 4503.581, 4503.591, 4503.593, 4503.67, 4503.68, 4503.69, 4503.771 (renumbered 4503.77), 4503.78, 4503.871, 4503.873, 4503.874, 4503.875, 4503.876, 4503.877, 4503.878, 4503.879, 4503.88, 4503.892, 4503.901, 4503.902, 4503.903, 4503.904, 4503.905, 4503.906, 4503.907, 4503.908, 4503.909, 4503.951, 4503.952, 4503.953, 4503.954, 4503.955

(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 House

(6) Makes technical changes to the specialty license plate law.

(6) Same as the Executive.

Fiscal effect: Potential annual savings effect for the Bureau of Motor Vehicles, and certain school districts and schools.

Fiscal effect: Same as the Executive.

DPSCD36 Farm bus registration

No provision.

R.C. 4503.04

Increases the period of validity of a motor vehicle registration for a farm bus from 210 days to 310 days.

Fiscal effect: None, under continuing law, a farm bus may only be registered once per calendar year.

DPSCD44 Commercial trailer and semitrailer registration

(1) No provision.

R.C. 4503.042, 4503.103, Section 755.20

(1) Requires an owner or lessee of a trailer or semitrailer that is registering it for the first time in Ohio to pay a one-time \$50 registration tax (instead of the annual \$25 registration tax).

(2) No provision.

(2) Retains the requirement that any owner or lessee of a trailer or semitrailer who has previously registered that trailer or semitrailer in Ohio pay the annual \$25 registration tax.

(3) No provision.

(3) Makes conforming changes to the multi-year and permanent registration options for commercial trailers and semitrailers to account for the changes mentioned above.

(4) No provision.

(4) Requires the Registrar to collect all of the following information until July 1, 2022:

(a) No provision.

(a) The number of trailers and semitrailers that register annually under the new registration tax;

(b) No provision.

(b) The number of trailers and semitrailers that register for a multi-year or permanent registration under the new registration

Executive

As Passed By House

(c) No provision.

tax;

(c) The number of trailers and semitrailers, registering under the new registration tax rate, that are registered by a person or entity that is located or based in Ohio;

(d) No provision.

(d) The number of trailers and semitrailers, registering under the new registration tax rate, where the trailer or semitrailer was most recently registered in another state or that constitutes a new registration made by a person or entity that is otherwise located, or was previously located, in another state;

(e) No provision.

(e) The total number of trailer and semitrailer registrations in Ohio.

(5) No provision.

(5) Requires the Registrar to provide a report detailing the information described above to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Director of the Legislative Service Commission by September 15, 2022.

Executive

As Passed By House

Fiscal effect: The provision requires first time registrants as described in (1) who opt to renew their registration each year, to pay a tax of \$50 for the first year of registration and to continue to register in subsequent years with no tax rather than pay \$25 for each year of registration as is required under current law. Under continuing law, besides an annual registration, there is also an option to register for multiple years or permanently. Under current law, the registration tax for a multi-year registration is \$25 per year of the registration up to \$200, and for a permanent registration is \$200. Under the bill, a multi-year or permanent registration for a first time registrant carries the one-time tax of \$50. So, the provision likely will decrease the total registration revenue received from each first time registrant.

If the lower tax causes new vehicles to register in Ohio that would have otherwise registered in another state, revenues associated with registration would tend to increase.

DPSCD7 BMV registration fee increase

R.C. 4503.10, 405.103, Section 745.20

(1) Increases the annual Bureau of Motor Vehicles (BMV) additional registration fee from \$11 to \$21 for passenger vehicles, noncommercial vehicles, and nonapportioned commercial buses, trailers, and semitrailers, and from \$30 to \$40 for nonapportioned commercial cars.

(2) Makes the fee increases effective October 1, 2021.

(1) No provision.

(2) No provision.

Executive

As Passed By House

Fiscal effect: Increases registration fee revenue by an estimated \$127.4 million annually. This revenue is credited to the Public Safety - Highway Purposes Fund (Fund 5TM0), which is used to defray the Department of Public Safety's costs associated with the administration and enforcement of state motor vehicle and traffic laws.

DPSCD11 Electronic certificates of title

R.C. 4503.10, 4505.01, 4505.032, 4505.06, 4505.11, 4505.19

(1) Authorizes the Registrar and a deputy registrar to confirm proof of ownership electronically when a person first registers a motor vehicle.

(2) Specifies that "certificate of title" and "title" include both physical and electronic copies of a motor vehicle certificate of title.

(3) Defines "electronic certificate of title" as an electronic record stored in the Automated Title Processing System that establishes ownership of a motor vehicle and any security interests that exist on that motor vehicle, and updates other definitions to reflect the use of electronic certificates of title.

(4) Requires a clerk of a court of common pleas to charge the same fee for an electronic certificate of title as for a physical certificate of title.

(5) Authorizes the use of an electronic certificate of title for a casual sale of a motor vehicle.

(6) Requires the Registrar to develop an assignment form that may be used instead of a physical certificate of title for certain casual sales of a motor vehicle and in certain sales of a motor vehicle to a salvage dealer.

R.C. 4503.10, 4505.01, 4505.032, 4505.06, 4505.11, 4505.19

(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.

(6) Same as the Executive.

Executive

As Passed By House

Fiscal effect: The increased use of electronic versus paper records may decrease administrative costs for the Registrar and deputy registrars in the long-run, but there may be a short-term increase in costs to adjust to the change.

Fiscal effect: Same as the Executive.

DPSCD13 Temporary motor vehicle license registration

R.C. 4503.182, 2913.71, 4503.21, 4511.454, 4511.751, 4519.10

- (1) Changes the name of the temporary license placard or windshield sticker that is issued to the purchaser of a motor vehicle upon application and proof of purchase to temporary motor vehicle license registration.
- (2) Requires, rather than authorizes, Ohio motorized bicycle dealers and licensed motor vehicle dealers to issue temporary motor vehicle license registrations by electronic means via computer equipment purchased and maintained by the dealer, unless authorized to do otherwise by the Registrar.
- (3) Eliminates the requirement that a dealer notify the Registrar within 48 hours of the issuance of a temporary license placard by electronic or other Registrar-approved means and the corresponding \$5 service fee that applies when a dealer notifies the Registrar of the issuance of a placard by nonelectronic means.
- (4) Authorizes, rather than requires, the Registrar to adopt rules specifying procedures for reporting information from temporary license registration applications and for providing that information to law enforcement.

R.C. 4503.182, 2913.71, 4503.21, 4511.454, 4511.751, 4519.10

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

Fiscal effect: Possible decrease in revenue for the Registrar due to the elimination of the service fee for nonelectronic notification offset by a possible decrease in costs from no longer receiving nonelectronic notifications.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

DPSCD14 Electronic delivery of motor vehicle certificates of registration

R.C. 4503.19

Expands the methods by which the Registrar may deliver a certificate of registration for a motor vehicle to include electronic delivery as well as in person and by regular mail, as under current law.

Fiscal effect: This provision may create costs for the Bureau of Motor Vehicles to establish and maintain an electronic delivery system, but may result in a long-term savings effect relative to the costs of delivering certificates of registration in person or by regular mail.

R.C. 4503.19

Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD21 Issuance of registration certificates and stickers

R.C. 4503.19, 4503.191, 4503.21, 4503.83

(1) Removes the requirement that a validation sticker be issued for and displayed on a nonapportioned commercial tractor or any apportioned motor vehicle (e.g., a vehicle registering under the International Registration Plan).

(2) Allows the Registrar to issue a county identification sticker that identifies the county of registration either by the county's name or by the county's identifying number, rather than only by county name as in current law.

Fiscal effect: Potential minimal annual savings in identification and validation sticker production costs for the Bureau of Motor Vehicles.

R.C. 4503.19, 4503.191, 4503.21, 4503.83

(1) Same as the Executive.

(2) Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

DPSCD20 Production of validation and county stickers

R.C. 4503.191, Section 205.20

(1) Alters the authority of the Registrar of Motor Vehicles to adopt rules allowing the Registrar or deputy registrars, in lieu of the Ohio Penal Industries, to print or produce validation and county stickers by doing both of the following:

(a) Requiring the rules to expressly permit the Registrar and deputy registrars to provide for the printing or production of the stickers; and

(b) Removing the requirement that the stickers be produced in house.

(2) Confirms that validation stickers are required for the annual registration of passenger, commercial, motorcycle, and other vehicles and are produced in accordance with R.C. 4503.191.

(3) Permits, notwithstanding R.C. 4503.191, the Registrar of Motor Vehicles to adopt rules authorizing validation stickers to be produced at any location.

Fiscal effect: Assuming the Registrar chooses the lowest cost option for procuring validation stickers, may decrease costs.

R.C. 4503.191, Section 205.20

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Fiscal effect: Same as the Executive.

DPSCD8 International Registration Plan annual registration tax increase

R.C. 4503.65

Increases the annual registration tax for apportioned commercial vehicles (subject to rates under the International Registration Plan) by \$10.

No provision.

Executive

As Passed By House

Fiscal effect: Increases International Registration Plan annual registration tax revenue by an estimated \$1.0 million annually. The tax is credited to the International Registration Plan Distribution Fund (Fund 7050) and is divided out to the state and political subdivisions according to a statutory formula.

DPSCD40 Salvage certificates of title

No provision.

R.C. 4505.22

Makes permanent a temporary provision of law that prohibits a clerk of court from issuing a salvage certificate of title if the only basis for issuing the title is information reported from the National Motor Vehicle Title Information System.

Fiscal effect: None. The provision, which has been in effect since September 2019, expired on January 1, 2021, but the Bureau of Motor Vehicles has issued guidance to the county clerks to continue current practice.

DPSCD42 Towing law changes

(1) No provision.

R.C. 4505.101, 4505.103, 4513.601, 4513.61, 4513.611

(1) Permits a towing service, storage facility, or law enforcement, to ascertain the identity of the owner and lienholder of a vehicle by searching the records of a vendor or vendors, approved by the Registrar of Motor Vehicles, rather than only by searching the records of the Registrar itself, as under current law.

(2) No provision.

(2) Adds certified mail with electronic tracking as an option by which notice may be sent to a towed vehicle's owner and lienholders.

Fiscal effect: Minimal.

Executive

As Passed By House

DPSCD9 Certificate of title fees

R.C. 4505.09, 4519.59

Increases the fee for motor vehicle and specialty vehicle certificates of title by \$2, from \$15 to \$17, and directs the proceeds from the increase to the Security, Investigations, and Policing Fund (Fund 8400).

No provision.

Fiscal effect: Increases, by an estimated \$8.9 million in each year, the amount of revenue credited to Fund 8400, which is used for expenses related to criminal investigations and security conducted by the Ohio State Highway Patrol.

DPSCD17 Single credential

R.C. 4507.02, 4507.213, 4507.50

- (1) Prohibits a person from receiving a temporary instruction permit or identification card until a person surrenders any permit or card issued by another jurisdiction.
- (2) Prohibits a person from possessing more than one valid temporary instruction permit or identification card.
- (3) Requires a person who becomes an Ohio resident to surrender any temporary instruction permit or identification card issued by another state to the Registrar or a deputy registrar within 30 days of becoming a resident.
- (4) Prohibits a new Ohio resident who fails to obtain a temporary instruction permit (or driver's license) within the 30-day period from operating a motor vehicle.
- (5) Applies the existing criminal penalty to any violations of the prohibitions (a first-degree misdemeanor).
- (6) Requires the Registrar to report to an issuing state, other than Ohio, the cancellation of any temporary instruction permit

R.C. 4507.02, 4507.213, 4507.50

- (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.
- (6) Same as the Executive.

Executive

As Passed By House

or identification card, and information that a temporary instruction permit or identification card has now been issued to the person in Ohio.

(7) Requires the Registrar or a deputy registrar to destroy cancelled permits and cards if not returned to the other state’s issuing authority.

(7) Same as the Executive.

(8) Specifies that a Registrar or deputy registrar may only issue an identification card or temporary identification card to a person who does not hold an identification card from another jurisdiction.

(8) Same as the Executive.

Fiscal effect: This provision brings the state of Ohio into compliance with provisions of the federal REAL ID Act and enables participation in the State-to-State (S2S) Verification Service.

Fiscal effect: Same as the Executive.

DPSCD18 Online renewal of driver's license or identification card

R.C. 4507.06, 4507.061, 4507.12, 4507.21, 4507.51

R.C. 4507.06, 4507.061, 4507.12, 4507.21, 4507.51

(1) Authorizes the Registrar of Motor Vehicles to allow online renewals of a driver's license or state identification card for eligible applicants.

(1) Same as the Executive.

(2) Specifies that an applicant is eligible for online renewal if all of the following apply:

(2) Same as the Executive.

(a) The applicant's current driver's license or identification card was processed in person at a deputy registrar office;

(a) Same as the Executive.

(b) The applicant has a photo on file with the Bureau of Motor Vehicles (BMV) from the applicant's current driver's license or identification card;

(b) Same as the Executive.

(c) The applicant's current driver's license or identification card expires on the birthday of the applicant four years after it was

(c) Same as the Executive.

Executive

As Passed By House

issued;

- (d) The applicant is applying for a four-year driver's license or identification card;
- (e) The applicant's current driver's license or identification card is unexpired or expired not more than six months prior to the date of the application;
- (f) The applicant is a U.S. citizen and a permanent Ohio resident;
- (g) The applicant is between the ages of 21 and 65;
- (h) The applicant's current driver's license or driving privileges are not suspended, canceled, revoked, or restricted, and the applicant is not otherwise prohibited by law from obtaining a driver's license or identification card;
- (i) The applicant has no changes to the applicant's name or personal information, other than a change of address; and
- (j) The applicant has no medical restrictions (as specified by the Registrar) that would require an in-person application.
- (3) Prohibits online applications for a temporary instruction permit, a commercial driver's license or a commercial driver's license temporary instruction permit, an initial issuance of an Ohio driver's license or identification card, an initial issuance of a federally compliant driver's license or identification card, an ignition interlock license, or any nonrenewable license.
- (4) Specifies that the Registrar may require applicants to submit digital copies of any required identification or supporting documents as required by state or federal law.

- (d) Same as the Executive.
- (e) Same as the Executive.
- (f) Same as the Executive.
- (g) Same as the Executive.
- (h) Same as the Executive.
- (i) Same as the Executive.
- (j) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

Executive

As Passed By House

(5) Requires all applicants to comply with all other related driver's license and identification card laws (e.g. pay any necessary fees).

(5) Same as the Executive.

(6) Authorizes the Registrar to adopt rules in accordance with R.C. Chapter 119. to implement and administer the online renewals.

(6) Same as the Executive.

(7) Makes conforming changes in the driver's license and identification card laws.

(7) Same as the Executive.

Fiscal effect: Online renewals may decrease administrative costs for the Registrar and deputy registrars in the long-run, but there may be a short-term increase in costs to adjust to the change.

Fiscal effect: Same as the Executive.

DPSCD6 Sharing digital driver's license photos

R.C. 4507.53

R.C. 4507.53

(1) Authorizes the Department of Public Safety to release digitalized photographic records to the American Association of Motor Vehicle Administrators.

(1) Same as the Executive.

(2) Specifies that the purpose of the authorization is to allow other state departments of motor vehicles that participate in certain association programs to use the records for identity verification purposes.

(2) Same as the Executive.

Fiscal effect: This provision brings the state of Ohio into compliance with provisions of the federal REAL ID Act.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

DPSCD43 Remedial driver instruction courses

No provision.

R.C. 4510.037

Eliminates the current law requirement that any remedial driver training course approved by the Director of Public Safety must be conducted at least 50% in person, and provides instead that courses may be entirely in person, entirely remote, or a combination of the two.

No provision.

Requires the Director to approve a course in any instruction method described above if it is capable of meeting the instructional standards established by the Director.

Fiscal effect: None.

DPSCD10 Seizure of license plates after OVI offense

R.C. 4511.195

Eliminates the requirement that an arresting law enforcement officer remove the license plates on a vehicle seized as part of an arrest for an OVI offense and, instead, requires the license plates to remain on the vehicle unless ordered removed by a court.

R.C. 4511.195

Same as the Executive.

Fiscal effect: Potential annual savings effect for law enforcement agencies.

Fiscal effect: Same as the Executive.

DPSCD16 Pedestrian right-of-way

R.C. 4511.46

(1) Requires the driver of a vehicle to stop and yield, rather than simply yield as in current law, the right-of-way to a pedestrian in a crosswalk when there is no traffic control signal.

R.C. 4511.46

(1) Same as the Executive.

(2) Requires the driver of a vehicle to stop and yield the right-of-way to a pedestrian waiting at the curb to enter a crosswalk on the half of the road on which the vehicle is traveling when there is no traffic control signal.

(2) Same as the Executive.

Executive

As Passed By House

Fiscal effect: Potential no more than minimal annual gain in fine, fee, and court cost revenue collected and distributed pursuant to state law between the state, counties, municipalities, and townships. The provision is unlikely to have a discernible effect on traffic law enforcement and adjudication costs.

Fiscal effect: Same as the Executive.

DPSCD1 Motor vehicle registration

Section: 205.20

(1) Permits the Director of Public Safety to deposit certain motor vehicle registration fee revenues to meet the cash needs of the Public Safety – Highway Purposes Fund (Fund 5TM0).

Section: 205.20

(1) Same as the Executive.

(2) Requires the revenues that are deposited to be used to support in part appropriations for the administration and enforcement of laws relative to the operation and registration of motor vehicles, and for payment of highway obligations and other statutory highway purposes.

(2) Same as the Executive.

(3) Requires these revenues be paid into Fund 5TM0 before being paid into any other fund.

(3) Same as the Executive.

(4) Requires that the deposit of these revenues be in approximately equal amounts on a monthly basis or as otherwise approved by the Director of Budget and Management.

(4) Same as the Executive.

(5) Requires the Director of Public Safety, prior to July 1 of each fiscal year, to submit a plan to the Director of Budget and Management requesting approval of the anticipated revenue amounts to be deposited into Fund 5TM0.

(5) Same as the Executive.

(6) Requires the Director of Public Safety, if during the fiscal year changes to the plan as approved by the Director of Budget and Management are necessary, to submit a revised plan to the Director of Budget and Management for approval prior to any

(6) Same as the Executive.

Executive

As Passed By House

change in the deposit of revenues.

DPSCD2 Cash transfers to the Security, Investigations, and Policing Fund

Section: 205.20

Permits the Director of Budget and Management, notwithstanding any provision of law to the contrary, upon written request of the Director of Public Safety to approve the transfer of cash from the State Highway Patrol Contraband, Forfeiture, and Other Fund (Fund 83C0) to the Security, Investigations and Policing Fund (Fund 8400).

Section: 205.20

Same as the Executive, but subjects the cash transfers to Controlling Board approval.

DPSCD3 Cash transfers to the Public Safety - Highway Purposes Fund – Shipley upgrades

Section: 205.20

Permits the Director of Budget and Management, pursuant to a plan submitted by the Director of Public Safety or as otherwise determined by the Director of Budget and Management and upon approval of the Controlling Board, to make appropriate 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 Public Safety – Highway Purposes Fund (Fund 5TM0) in order to reimburse expenditures for capital upgrades to the Shipley Building.

Section: 205.20

Same as the Executive.

Executive

As Passed By House

DPSCD4 Collective bargaining increases

Section: 205.20

(1) Permits the Controlling Board, notwithstanding certain provisions of the Revised Code and except for the GRF, 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 employee compensation cost increases that have occurred pursuant to collective bargaining agreements under R.C. Chapter 4117. and, for exempt employees, under R.C. 124.152.

(2) Appropriates any money approved for expenditure under provision (1) above.

Section: 205.20

(1) Same as the Executive.

(2) Same as the Executive.

DPSCD5 Cash balance fund review

Section: 205.20

(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 to submit a written request to the Director of Budget and Management to transfer amounts from any of those funds to the credit of the Public Safety – Highway Purposes Fund (Fund 5TMO), as appropriate.

(2) Permits the Director of Budget and Management, upon receipt of such a request, and subject to the approval of the Controlling Board, to make appropriate transfers as requested by the Director of Public Safety or as otherwise determined by the Director of Budget and Management.

Section: 205.20

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed By House

DPSCD38 Highway Patrol Operating Expenses

No provision.

Section: 205.20

Requires that GRF appropriation item 761408, Highway Patrol Operating Expenses, be used solely for operating expenses of the Ohio State Highway Patrol and only be released pursuant to a detailed expenditure plan submitted by the Director of Public Safety and approved by the Director of Budget and Management.

Executive

As Passed By House

PWCCD1 Reappropriations**Section: 209.20**

Reappropriates unencumbered capital appropriations at the end of FY 2021 from the Local Transportation Improvement Program Fund (Fund 7052) made in H.B. 62 of the 133rd G.A., the transportation budget for FY 2020-FY 2021, for the same purposes in FY 2022.

Reappropriates unencumbered capital appropriations and reappropriations at the end of FY 2022 from the Local Transportation Improvement Program Fund (Fund 7052) made in H.B. 62 of the 133rd GA for the same purposes in FY 2023.

Section: 209.20

Same as the Executive, but requires Controlling Board approval.

Same as the Executive, but requires Controlling Board approval.

PWCCD2 Temporary Transfers**Section: 209.20**

Allows PWC to request that OBM transfer cash 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 cash transfers if they are needed for capital outlays for which notes or bonds will be issued. Requires OBM, when there is a sufficient cash balance in the fund that received such a temporary cash transfer, to repay Fund 7052 for the amount originally transferred. Requires all such cash transfers to be reported to the Controlling Board by June 30 of the fiscal year in which the transfer occurred.

Section: 209.20

Same as the Executive, but requires Controlling Board approval for the initial transfer.

Executive

As Passed By House

TAXCD22 Disclosing taxpayer information

R.C. 5703.21

Authorizes the Department of Taxation to disclose to the Ohio Rail Development Commission taxpayer information that would otherwise be confidential for the purpose of verifying eligibility for grants or loans administered by the Commission.

Fiscal effect: None.

R.C. 5703.21

Same as the Executive.

Fiscal effect: Same as the Executive.

TAXCD15 Motor fuel tax distributions to Highway Operating Fund

Section: 757.10

Requires the Treasurer of State, beginning on July 31, 2021, and on the last day of each month through the end of the FY 2022-FY 2023 biennium, to deposit the first 2% of the amount of motor fuel tax (MFT) 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: This is an ongoing temporary law provision that results in a gain in revenue to Fund 7002 and an offsetting decline in revenue to other state and local government funds that also receive state MFT distributions according to statutory formulas set in ORC 5735.051. Reserves approximately the first \$52 million in MFT revenue in FY 2022, resulting in a net gain to Fund 7002 of around \$14.3 million, consisting of moneys that would have been transferred to local governments and other agencies.

Section: 757.10

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

TAXCD16 Motor fuel evaporation tax credit

Section: 757.20

Continues, for FY 2022-FY 2023, a temporary reduction in MFT credits, in which a temporary motor fuel tax evaporation allowance is set for motor fuel distributors to 1% (less 0.5% of the gallonage sold to retailers), and at 0.5% for retail dealers.

Fiscal effect: Increases the amount the state retains in MFT revenue over what would be collected under codified law that provides for higher allowances for distributors and retailers. Under the discount in codified law, LBO estimates the total credits would amount to approximately \$69.7 million in FY 2022. Under this continuing temporary law provision, the credits will amount to approximately \$23.2 million. Thus, the state will retain approximately \$46.5 million in additional MFT revenue annually.

Section: 757.20

Same as the Executive.

Fiscal effect: Same as the Executive.

TAXCD17 Transfers to Gasoline Excise Tax Fund

Section: 757.30

Requires the Director of Budget and Management to transfer cash, in equal monthly increments totaling \$156,450,408 in FY 2022 and \$158,240,592 in FY 2023, from the Highway Operating Fund (Fund 7002) to the Gasoline Excise Tax Fund (Fund 7060) and requires the transferred amounts be distributed to municipal corporations, counties, and townships.

Section: 757.30

Same as the Executive.

Executive

As Passed By House

Fiscal effect: After taking into account this temporary law provision, along with other transfers and credits (TAXCD15, TAXCD16, DOTCD12, DEVCD1), and the permanent law distribution formula under R.C. 5735.051, the total estimated MFT revenue distributed to entities in FY 2022 is projected to be approximately \$1.45 billion to ODOT (59.4%), \$866 million to local governments (35.5%), \$56 million to the Public Works Commission (2.3%), and around \$69 million to other state agencies (2.8%).

Fiscal effect: Same as the Executive.

Executive

As Passed By House

DOTCD24 Transit authority expansion and taxation

R.C. 306.322

Extends, until December 31, 2022, a provision in current law allowing a county, municipal corporation, or township to join, with voter approval, a regional transit authority (RTA) that levies a property tax and includes subdivisions that are located in a county with a population of at least 400,000 people, and, as part of this voter approved process, to repeal all RTA property taxes levied and instead levy an RTA sales and use tax.

Fiscal effect: Allows the Toledo Area Regional Transit Authority (TARTA) additional time to potentially expand its territory of operations and change the local taxation structure in place to support its operations.

No provision.

DOTCD20 Bridge inspection schedule

R.C. 723.54, 5501.47, 5501.48, and 5543.20

Requires bridges under the jurisdiction of the state, municipalities, and counties, including toll bridges, to be inspected on a schedule established by the Director of Transportation, but at least once every 24 months instead of once annually as required by current law. A local authority may continue to require a bridge to be inspected more frequently than the schedule established by the Director.

Fiscal effect: Potential cost savings of up to \$4.0 million to \$6.0 million annually for ODOT and likely in the low millions of dollars for counties assuming all follow the two-year inspection cycle.

R.C. 723.54, 5501.47, 5501.48, and 5543.20

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

DOTCD26 Regulations pertaining to navigable airspace

R.C. 4561.05, 4561.021, 4561.05, 4561.06, 4561.08, 4561.09, 4561.11, 4561.12, 4561.14, 4561.31, 4561.32, 4561.33, 4561.34, 4561.341, 4561.35, 4561.36, 4561.37, 4561.38, 4561.39, 4561.40, 4563.01, 4563.03, 4563.031, 4563.032, 4563.04, 4563.05, 4563.06, 4563.07, 4563.08, 4563.09, 4563.10, 4563.11, 4563.12, 4563.13, 4563.16, 4563.18, 4563.20, and 4563.21; R.C. 4561.30 (repealed)

(1) Updates state law to align with current federal law and Federal Aviation Administration (FAA) regulations regarding navigable airspace and obstructions to air navigation. Defines "navigable airspace" as the air and surface space around an airport that an aircraft requires to remain clear of obstructions based on the obstruction standards specified in 14 C.F.R. part 77, and any FAA regulations, advisory circulars, and other guidance.

No provision.

(2) Requires the Department of Transportation and the Office of Aviation to consider and protect navigable airspace through (A) administrative and legal actions, (B) allocation of federal, local, and grant funds, and (C) permitting structures and objects of natural growth that potentially penetrate the navigable airspace. Removes certain current law exceptions to obtaining a permit for constructing, establishing, substantially changing, or substantially altering a structure or object of natural growth.

No provision.

(3) Requires any person with an object of natural growth that has grown to a height that penetrates navigable airspace to trim, prune, cut, or remove the object themselves or to allow an airport authority, political subdivision, public body, or the agent or designee thereof to enter the property to do so. Authorizes a court to allow the Department, an airport authority, a political subdivision, or an agent thereof to enter property on which an obstruction to navigable airspace is located and take whatever

No provision.

Executive

As Passed By House

action is necessary to correct the obstruction, at the owner's expense. Clarifies how changes to the laws governing structures and objects of natural growth that penetrate the navigable airspace will apply to structures and objects of natural growth in existence prior to those changes.

(4) Modifies the process for filing an application for a permit or an amended permit to construct or alter a structure or object of natural growth that is reasonably expected to penetrate the navigable airspace. Specifies that an application must be submitted to the Office of Aviation not less than 90 days, rather than not less than 30 days as under current law, prior to the proposed changes (retaining that an application may be submitted up to two years before the changes).

No provision.

(5) Specifies that the Department and the Office of Aviation are not liable for damages caused by a structure or object of natural growth that obstructs the navigable airspace if a permit was not issued for the structure or object, the permit was issued by the Power Siting Board, or the structure or object is not in compliance with its permit.

No provision.

(6) Requires an airport zoning commission, rather than the Office of Aviation, to develop an airport approach plan for any airport within its jurisdiction.

No provision.

Fiscal effect: Expands the Office of Aviation’s ability to regulate, identify, and abate problems with structures or natural features that interfere with navigable airspace as defined under the provision. The Office is funded by non-highway related revenue deposited into Fund 7002.

Executive

As Passed By House

DOTCD27 Regulation of outdoor advertising devices

R.C. 5516.01, 5516.02, 5516.05, 5516.06, 5516.061, and 5516.11

Limits application of the Outdoor Advertising Law to any type of outdoor sign or billboard to which both of the following apply: (1) It is owned or operated by a person or entity that earns compensation for the placement of a message on it; and (2) it is visible from the main traveled way of any highway on the interstate system or primary system in this state.

Specifies that compensation is the exchange of anything of value including money, securities, real property interests, goods, services, a promise of future payment, or forbearance of a debt.

Eliminates all restrictions regarding the placement of non-compensated signs within the vicinity of a highway on the interstate system or primary system.

Fiscal effect: Potentially reduces the number of outdoor signs or billboards that may need to be permitted, with a corresponding decrease in costs for the Advertising Device Control (ADC) Office. Depending on device type, fees range from \$225-\$625. Possible loss of federal highway funding by deregulating non-compensated advertising devices, as required by federal law. (See 23 U.S.C. § 131).

R.C. 5516.01, 5516.02, 5516.05, 5516.06, 5516.061, and 5516.11

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD22 Expand ODOT Director's authority to designate scenic byways

R.C. 5516.05

Expands the authority of the Director of Transportation to designate a scenic byway to include any portion of a state, county, municipal, or township road or highway instead of only highways on the interstate, national, or primary system as under current law.

R.C. 5516.05

Same as the Executive.

Executive

As Passed By House

Fiscal effect: Potential increase in signage and program oversight costs for ODOT if additional routes are added to the existing 27 designated scenic byways.

Fiscal effect: Same as the Executive.

DOTCD23 ODOT force account limits

R.C. 5517.02, 5517.021

Specifies that when the Director proceeds without competitive bidding by force account for a highway project, the estimated cost of the completed project cannot exceed \$30,000 per lane-mile rather than centerline mile as in current law.

No provision.

Allows the ODOT director to proceed by force account on projects involving Installation of a drilled shaft retaining wall or driven pile retaining wall for landslide mitigation, provided all of the following apply: (1) The retaining wall does not exceed 5,000 sq. ft. in size, inclusive of the above and below ground height of the retaining wall; (2) any drilled shaft diameter does not exceed 24 in.; and (3) any steel beam used in the retaining wall weighs less than 35 lbs. per foot.

No provision.

Fiscal effect: Taken together, these changes could allow the Department to undertake a greater number of projects through the force account process instead of through competitive bidding otherwise required by law. While this could reduce project completion timelines, it may result in higher costs than if the projects had been competitively bid.

DOTCD21 ODOT heavy vehicle permitting process - exemptions for certain fire engines

R.C. 5577.02, 5577.045

Removes the general vehicle weight exemption for a vehicle run on stationary rails or tracks.

R.C. 5577.02, 5577.045

Same as the Executive.

Narrows the vehicle weight exemption that applies to all fire department vehicles used by municipal and volunteer fire

Same as the Executive, but also includes fire department vehicles used by township fire departments in the bill's vehicle weight

Executive

As Passed By House

departments under current law so that the exemption applies only to the following: (1) A fire department vehicle (while discharging its functions) with a front axle maximum weight of 24,000 pounds and a rear axle maximum weight of 33,500 pounds and a minimum wheelbase of 15 feet; and (2) A fire department vehicle (while discharging its functions) with a maximum gross vehicle weight of 86,000 pounds operated on an interstate highway or within one-road-mile of an interstate entrance or exit ramp.

No provision.

Fiscal effect: Potential cost savings of a few million for ODOT. By requiring permits only for the heaviest vehicles, this allows ODOT to target and load rate bridges where these vehicles operate. Seven such heavy vehicles are in use statewide.

DOTCD33 Public Transportation - State

No provision.

exemption.

Requires the Director of Transportation, or any local authority that issues a vehicle weight permit for fire engines not exempt from permitting under the bill, to do both of the following: (1) issue the permit at no cost to the municipal, township, or volunteer fire department, and (2) allow the permit to expire in five years from the date of issuance rather than one year as under current law.

Fiscal effect: Same as the Executive, but precludes ODOT or political subdivisions from collecting any such permit fees.

Section: 203.15

Requires GRF appropriation item 775470, Public Transportation - State, be used to support public transportation projects throughout the state.

Executive

As Passed By House

DOTCD1 Transportation facilities lease rental bond payments

Section: 203.20

Requires Highway Operating Fund (Fund 7002) appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, to be used to meet all payments under leases and agreements for facilities made under Chapter 154. of the Revised Code during the FY 2022-FY 2023 biennium.

Authorizes an amount equal to the balance of the appropriation remaining after the debt service has been paid in either fiscal year to be transferred to line items 772421, 773431, or 779491. Provides an appropriation of the balance upon the written request of ODOT with the approval of OBM. Requires the transferred appropriation to be reported to the Controlling Board.

Section: 203.20

Same as the Executive.

Same as the Executive.

DOTCD2 Public access roads for DNR facilities, parks, Exposition Commission, and Ohio History Connection

Section: 203.30

Requires portions of funding in each of FY 2022 and FY 2023 to be used from Fund 7002 appropriation item 772421, Highway Construction - State, 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.

Earmarks \$2,562,000 in each of FY 2022 and FY 2023 from line item 772421 for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

Allows line item 772421 to be used for road work on behalf of the Ohio Expositions Commission at the state fairgrounds, and road work on behalf of the Ohio History Connection, at the

Section: 203.30

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

request of each entity and approval by ODOT.

DOTCD3 Transportation Improvement Districts

Section: 203.40

Earmarks \$4.5 million in each fiscal year from Fund 7002 appropriation item 772421, Highway Construction - State, for transportation improvement districts (TIDs) that have facilitated funding for the cost of a project or projects in conjunction with other governmental agencies.

Requires a TID to submit requests for project funding to ODOT within a timeline as determined by the Director of Transportation. Requires ODOT to notify the TID regarding whether it has approved or disapproved the project funding request within 90 days after the day the request was submitted.

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 within the TID's area. 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 \$500,000 per fiscal year. Specifies that TIDs co-sponsoring a specific project may individually apply for up to \$500,000 for that project.

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 that TIDs be registered with ODOT in order to receive funding from ODOT under this provision. Authorizes ODOT to register a TID only if the TID has a specific eligible project.

Section: 203.40

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

Prohibits ODOT from registering a TID, or requires ODOT to cancel the registration of any TID, unless the TID has: (A) designated a project or program of projects and facilitated funding of at least \$15 million from the commencement date of the project or program; (B) designated that a program or project has costs in excess of \$10 million, as attested to in a sworn affidavit by the County Engineer of the county in which the TID is located.

Same as the Executive.

DOTCD34 Highway Construction - Federal

No provision.

Section: 203.43

Earmarks \$33,000,000 in each fiscal year under Highway Operating Fund (Fund 7002) appropriation item 722422, Highway Construction - Federal, to support public transportation statewide through the Federal Highway Administration (FHWA) flexible funding program.

No provision.

Specifies that if additional federal funding designated for public transportation is allocated to public transit agencies in Ohio, the Director of Transportation may submit a request to the Controlling Board to reduce the amount designated for public transportation under this appropriation item by up to \$13,000,000 in each fiscal year.

DOTCD30 Regional Transportation Planning Organizations

No provision.

Section: 203.45

Earmarks \$2,600,000 in each fiscal year be used from Fund 7002 appropriation item 772422, Highway Construction - Federal, by Regional Transportation Planning Organizations (RTPOs) to oversee rural transportation planning grant programs.

Executive

As Passed By House

DOTCD39 Public Transit Projects - Ohio Domestic Violence Network

No provision.

Section: 203.47

Earmarks \$5,000 in fiscal year 2022 under Highway Operating Fund (Fund 7022) appropriation item 775452, Public Transportation - Federal, to be distributed to the Ohio Domestic Violence Network to provide travel vouchers, gas cards, or ridesharing credits for eligible clients.

DOTCD4 Bond issuance authority for state highway bonds

Section: 203.50

Authorizes the issuance of \$85 million in bonds or highway purposes, in addition to original issuance of obligations authorized by prior acts of the General Assembly. Specifies that proceeds from these bonds are to be credited to the Highway Capital Improvement Fund (Fund 7042).

Specifies that not more than \$220 million in principal obligations may be issued in any fiscal year, and that not more than \$1.2 billion be outstanding at any one time.

Section: 203.50

Same as the Executive.

Same as the Executive.

DOTCD5 Transfers of appropriations within the Highway Operating Fund

Section: 203.60

Allows ODOT to request Controlling Board approval to transfer Highway Operating Fund (Fund 7002) appropriations for highway planning and research, highway construction, debt service, highway maintenance, federal public transit programs, rail grade crossings, aviation, and administration, so that transfers could occur between appropriation items 771411, 771412, 772421, 772422, 772424, 772425, 772437, 772438, 770003, 773431, 775452, 777475, 772472, and 779491.

Section: 203.60

Same as the Executive.

Executive

As Passed By House

Specifies that this transfer authority is intended to provide for three situations that could arise in the FY 2022-FY2023 biennium: (1) emergencies; (2) the need to purchase goods and services relating to inclement weather; (3) adjusting to circumstances affecting the obligation and expenditure of federal funds.

Same as the Executive.

Allows the Director of Transportation to request appropriation transfers out of debt service appropriation items, but only when it is determined that the appropriated amounts exceed actual and projected debt service requirements.

Same as the Executive.

DOTCD6 Transfers of federal and local funded appropriations: federal highway, transit, aviation, and rail

Section: 203.60

Allows the Director of Transportation to request Controlling Board authorization for the transfer of appropriations between appropriation items 772422, 771412, 775452, 775454, 776475, 776462, 777472, and appropriates amounts authorized by the Controlling Board.

Section: 203.60

Same as the Executive.

DOTCD7 Transfers of appropriations: State Infrastructure Bank

Section: 203.60

Allows the Director of Transportation to request Controlling Board authorization for the transfer of appropriations and cash of the State Infrastructure Bank (SIB) funds created in R.C. Section 5531.09, including transfers between FY 2022 and FY 2023.

Section: 203.60

Same as the Executive.

Allows the Director of Transportation to request Controlling Board approval for the transfer of appropriations and cash from the Highway Operating Fund (Fund 7002) to the SIB funds created in R.C. Section 5531.09. Specifies that transfers from the SIB funds to Fund 7002 can only be up to the amounts originally

Same as the Executive.

Executive

As Passed By House

transferred to the SIB funds. Prohibits transfers between transportation modes and different funding sources. Appropriates amounts authorized by the Controlling Board.

DOTCD8 Transfers of appropriations and cash: tolling funds

Section: 203.60

Allows the Director of Transportation to request Controlling Board authorization for the transfer of appropriations and cash of the Ohio Toll Fund and any subaccounts, including transfers between FY 2022 and FY 2023. Appropriates amounts authorized by the Controlling Board.

Section: 203.60

Same as the Executive.

DOTCD9 Increasing appropriations: state funds

Section: 203.60

Allows the Director of Transportation, in the event that receipts exceed estimated appropriations, to request Controlling Board approval to authorize expenditures in excess of appropriated moneys, and appropriates these funds as approved by the Controlling Board.

Section: 203.60

Same as the Executive.

DOTCD10 Increasing appropriations: federal and local funds

Section: 203.60

Allows the Director of Transportation to seek Controlling Board approval to increase spending of federal or local moneys credited to Fund 7002 in the event that receipts or unexpected balances credited to Fund 7002 exceed the estimates upon which the appropriations for FY 2022-FY 2023 were made. Appropriates the additional amounts authorized by Controlling Board.

Section: 203.60

Same as the Executive.

Executive

As Passed By House

DOTCD11 Transfers of cash between Highway Operating Fund and Highway Capital Improvement Fund

Section: 203.60

Allows the Director of Budget and Management, upon request from the Director of Transportation, to transfer cash from the Highway Operating Fund (Fund 7002) to the Highway Capital Improvement Fund (Fund 7042). Limits the dollar amount of transfers to the amount previously transferred to Fund 7042 under this section.

Section: 203.60

Same as the Executive, but requires that the transfers of cash be subject to Controlling Board approval.

DOTCD12 Deputy Inspector General for ODOT funding

Section: 203.60

Requires the Director of Budget and Management to make semiannual cash transfers of \$200,000 on July 1 and January 1 of each fiscal year, or as soon as possible thereafter, from Fund 7002 to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

Section: 203.60

Same as the Executive.

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 appropriation in Fund 5FA0 line item 965603, Deputy Inspector General for ODOT, in the amounts needed.

Same as the Executive.

DOTCD28 Liquidation of unforeseen liabilities

Section: 203.60

Allows for any appropriation made from the Highway Operating Fund (Fund 7002) not otherwise 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.

Executive

As Passed By House

DOTCD13 Reappropriations

Section: 203.65

Allows the Director of Budget and Management to transfer any remaining unencumbered appropriations to Fund 7002, Fund 7042, and the State Infrastructure Bank funds for the same purpose in the following fiscal year, contingent upon Controlling Board approval.

Requires the Director of Transportation to develop and submit a reappropriation request plan. Requires the Director of Transportation and the Director of Budget and Management to determine amounts to be reappropriated by fund and appropriation item based on the plan, and to request Controlling Board authorization for approval. Reappropriates any unencumbered amounts as approved by the Controlling Board, subject to the availability of funds.

Section: 203.65

Same as the Executive.

Same as the Executive.

DOTCD14 Maintenance of Interstate highways

Section: 203.70

Authorizes ODOT to enter into agreements with political subdivisions whereby those subdivisions may provide services such as snow and ice removal, maintenance, repair, or lighting, on interstate highways located within the boundaries of the political subdivisions. Authorizes ODOT to reimburse municipalities for their costs in providing these services if there are agreements between ODOT and the political subdivisions to do so.

Fiscal effect: Presumably, the agreements that ODOT and political subdivisions arrange under this ongoing authority would cover the cost of providing these services.

Section: 203.70

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

DOTCD15 Public transportation highway purpose grants

Section: 203.80

Allows the Director of Transportation to use revenue from the state motor fuel tax to match approved federal grants awarded to ODOT, regional transit authorities, or eligible public transportation highway purposes, or to support public transportation highway projects. Specifies that public transportation highway purposes include: (1) construction or repair of high-occupancy vehicle traffic lanes; (2) acquisition or construction of park-and-ride facilities; (3) acquisition or construction of public transportation vehicle loops; (4) construction or repair of bridges used by public transportation vehicles or that are the responsibility of a regional transit authority or other public transportation system; and (5) other similar construction that is designated as an eligible public transportation highway purpose.

Prohibits motor fuel tax revenue to be used for operational expenses, or for the purchase of vehicles, equipment, or maintenance facilities.

Section: 203.80

Same as the Executive.

Same as the Executive.

DOTCD16 Agreements related to federal environmental permits

Section: 203.90

Authorizes the Director of Transportation to enter into agreements with certain federal agencies to review federal environmental permit documents. Requires that the agreements be solely for the purpose of dedicating ODOT staff to the review of environmentally related documents submitted by ODOT as necessary for federal permits.

Requires the Director of Transportation to submit a request to the Controlling Board relating to its agreement with any federal

Section: 203.90

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

agency to provide labor relating to federal permits.

Fiscal effect: Up front administrative costs to ODOT are reimbursed by federal agencies under the agreements.

Fiscal effect: Same as the Executive.

DOTCD17 Indefinite Delivery Indefinite Quantity (IDIQ) contracts

Section: 203.100

Requires the Director of Transportation to seek bids for and award no more than two indefinite delivery indefinite quantity (IDIQ) contracts per fiscal year.

Section: 203.100

Same as the Executive.

Defines an IDIQ contract as a contract for an indefinite quantity, within state limits, of supplies or services that will be delivered by the awarded bidder over a defined contract period.

Same as the Executive.

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 ODOT's duties and obligations related to IDIQ contracts.

Same as the Executive.

Fiscal effect: During the current FY 2020-FY 2021 biennium, four IDIQ contracts have been awarded: three guardrail rebuilding and maintenance contracts, costing a total of \$2.7 million, and one bridge maintenance contract for \$500,000.

Fiscal effect: Same as the Executive.

DOTCD18 Closing of rest areas

Section: 509.30

Allows ODOT to close a rest stop in the FY 2022-FY 2023 biennium only if the rest area's parking lot remains available for commercial motor vehicles.

Section: 509.30

Same as the Executive.

Fiscal effect: Potential savings depending on the type of rest area to be closed. Generally, most rest areas are classified as modern, but some are primitive.

Fiscal effect: Same as the Executive.

Executive

As Passed By House

DOTCD32 Jefferson County land conveyances

No provision.

Section: 753.10

Authorizes the Governor to convey state-owned land (three parcels of approximately 363.5 acres in total) in Jefferson County for the use and benefit of the Jefferson Soil and Water Conservation District.

No provision.

Requires the Jefferson Soil and Water Conservation District to pay all costs associated with the purchase, closing, and conveyance of the real estate.

No provision.

Requires that the net proceeds of the sale, if any, be deposited into the Rail Development Fund (Fund 4N40).

DOTCD19 Catastrophic Snowfall Program

Section: 755.40

Requires ODOT to create the Catastrophic Snowfall Program for FY 2022 and FY 2023 to provide supplemental snow aid to counties, municipalities, or townships that receive 18 or more inches of snow in a 24-hour period and that request aid under the program. Requires ODOT to establish procedures to administer and implement the aid program.

Section: 755.40

Same as the Executive.

Fiscal effect: ODOT may incur aid costs for eligible local governments.

Fiscal effect: Same as the Executive.

DOTCD36 Keep Right Except to Pass signs

No provision.

Section: 755.50

Authorizes ODOT, in FY 2022 and FY 2023, to erect additional "Keep Right Except to Pass" signs along interstate highways in Ohio with three or more lanes, in order to encourage the use of the far left lane for passing purposes only.

Executive

As Passed By House

Fiscal effect: Additional costs for ODOT to manufacture and install these R4-16 sign types.
