



TED STRICKLAND
GOVERNOR
STATE OF OHIO

VETO MESSAGE

STATEMENT OF THE REASONS FOR VETOES OF ITEMS IN HOUSE BILL 2

April 1, 2009

Article II, SECTION 16 of the Ohio Constitution authorizes the Governor to veto any item or items in any bill making an appropriation of money. I have boxed and initialed text in House Bill 2 that I have disapproved. All remaining text in the bill is approved. The reasons for my vetoes are set out below.

Introduction

House Bill 2 includes nearly \$7.3 billion to fund the Ohio Department of Public Safety, which includes the Ohio State Highway Patrol, and the Ohio Department of Transportation. These resources fund projects that will further develop and improve our state's transportation infrastructure, positioning Ohio for lasting economic growth and development.

The bill includes spending authority for an additional \$1.9 billion in federal American Recovery and Reinvestment Act (ARRA) resources for several state agencies, including the \$774 million for 149 transportation projects across Ohio, which are expected to create or retain more than 20,000 jobs.

In addition to making transportation safer and more convenient for Ohioans, the bill invests in projects that will maintain Ohio's position as a leader in the logistics and distribution industry. This legislation also authorizes the state to compete for a share of \$9 billion in federal funding for start-up rail service in the 3-C Corridor (Cincinnati,

Dayton, Columbus and Cincinnati) – the first step toward establishing a system of high-speed rail in Ohio.

Taken together, these investments in Ohio’s infrastructure will help develop a 21st Century, multi-modal transportation system.

A. Speed Transition Zones

SECTION 4511.21

This provision requires the Department of Transportation to establish speed transition zones on state highways at locations where the posted speed limit decreases by 20 miles per hour or more. These zones would require appropriate signage, a designated distance and a reduced speed limit.

The Department already has a process to work with local jurisdictions on speed limit modifications. This provision imposes additional costs and operational needs, including a cost of more than \$500 for each zone. The Department is committed to working with local governments to address speed transition issues in a more efficient and cost-effective manner. Due to the added cost and operational needs, this veto is in the public interest.

Item Number 1

On pages 158 and 159, delete the boxed text.

B. Traffic Generator Sign Program

SECTION 4511.108

Under current law, the Department of Transportation operates the Ohio Business Logos sign program along Ohio roadways. This program is similar to the Traffic Generator sign program proposed in the bill.

While the Ohio Business Logos sign program’s fee-making authority does not require Controlling Board approval, this provision would add a Controlling Board fee-approval requirement to the Traffic Generator sign program.

This veto will align the fee-making authority of both programs – ultimately maintaining consistency between them. Therefore, this veto is in the public interest.

Item Number 2

On page 132, delete the boxed text.

C. Overweight Vehicle Permits

SECTION 4513.34

This provision requires the Director of Transportation to establish by rule the issuance of a continuing annual overweight vehicle permit.

The Ohio Revised Code allows the Director of Transportation to establish a schedule of fees for permits. Under this authority, the Department determines which classifications of overweight permits should receive an annual permit.

This veto will maintain existing law and continue to provide the Department with the necessary flexibility to manage the roadway and highway structures, while providing commercial vehicles with the permits needed to operate.

I have directed the Department to begin issuing annual permits by filing JCARR rules that will take effect no later than July 1, 2009.

Therefore, this veto is in the public interest.

Item Number 3

On page 1, delete "4513.34,".

On page 2, delete "4513.34,".

On page 166, delete the boxed texts.

D. Guardrails

SECTION 5501.60

This provision prohibits the Department of Transportation from erecting a guardrail or any other barrier that blocks or otherwise interferes in any manner with the only right-of-way to a parcel of real property.

The Department does not, by practice, erect guardrails or other barriers over legally-permitted right-of-ways to parcels or real property. The purpose of a guardrail is to prevent vehicles from leaving the paved portion of the highway that would pose an imminent threat of harm to that vehicle and its occupants. The guardrail also protects

the people and property located off the highway. There is currently a permit process for property owners to gain legal access when necessary.

It is the Department's responsibility to supervise and maintain the state highway system in a manner promoting public safety. Therefore, this veto is in the public interest.

Item Number 4

On page 1, delete "5501.60,".

On page 2, delete "5501.60,".

On page 202, delete the boxed text.

E. Curb Cut on State Route 91 in Lake County

SECTION 756.45

This provision requires the Director of Transportation to permit the construction of a curb cut on State Route 91, near Vine Street, in Lake County.

An established process in the state Highway Access Management Manual permits applications for variances to access decisions. Access decisions made by the Department must consider and preserve the operation of the state highway system's function and the ability to move people and goods efficiently, effectively and in the safest manner possible. Access to a controlled-access highway should be left to the sound discretion of the Director of Transportation. Therefore, this veto is in the public interest.

Item Number 5

On page 275, delete the boxed text beginning with the words "Section 756.45" and ending with "Lake County."

F. Lancaster Museum/Historical District Signs

SECTION 756.30

This provision requires the Department of Transportation to erect and maintain two traffic generator signs on the State Route 33 bypass approaching the City of Lancaster

that read “Historic Downtown Lancaster Museum District” and provide the approximate distance to the district.

The Department has established criteria in its Traffic Engineering Manual, which are applied statewide regarding traffic generator signs. The installation, placement, and maintenance of such signs should be left to the sound discretion of the Director of Transportation when such signs meet the criteria set forth in the Traffic Engineering Manual. Therefore, this veto is in the public interest.

Item Number 6

On page 273, delete the boxed text beginning with the words “Section 756.30” and ending with “and”.

On page 274, delete the boxed text.

G. Reimbursement for Utility Facilities

SECTION 756.55

The provision provides that when a state or local government directs a utility facility to relocate because of the construction, reconstruction, improvement, maintenance, or repair of a road, highway or bridge financed in whole or part by the American Recovery and Reinvestment Act, then the state or local government must reimburse the utility for the cost of the relocation.

Ohio law currently allows the Department of Transportation to issue revocable permits to utilities to construct their facilities in the highway right-of-way at no charge to the utility, thus saving utilities from acquiring many separate easements from private property owners. This saves the utilities money and time.

In return for the use of the public right-of-way, Ohio law does not require the Department or local governments to reimburse a utility when the utility is required to relocate its facilities to accommodate a highway project. This veto continues current Ohio law and ensures that funding received through ARRA is used to its fullest potential in constructing infrastructure and creating jobs. Therefore, this veto is in the public interest.

Item Number 7

On page 276, delete the box beginning with the words “Section 756.55” and ending with “or both.”.

H. Oversize Vehicle Permit Fee Increases

SECTION 755.90

This provision freezes Department of Transportation permit fees for movement of oversize vehicles at the rates, established by rule, that took effect on March 1, 2009. The provision does not allow the rate increase scheduled for July 1, 2009 to take effect and freezes the fees at the March rate until July 1, 2010.

The current fee structure was established through the traditional rules process and balances the needs of the industry with the impact that overweight vehicles have on Ohio roadways. This provision deprives the Department of revenues that are necessary to maintain operations and preserve the Ohio transportation system. Therefore, this veto is in the public interest.

Item Number 8

On page 273, delete the boxed text beginning with the words "Section 756.20" and ending with "July 1, 2010."

I. Diesel Emission Reduction Grant Program

SECTION 512.43.

This provision establishes a diesel emission reduction grant program using federal Congestion Mitigation and Air Quality funds from the Federal Highway Administration.

This provision would have a negative impact on the Department of Transportation's operations because it diverts a large portion of available flexible funding to specific purposes.

I have directed the Department to dedicate \$5 million toward a diesel emissions reduction program for purposes consistent with the intent of the legislation. This funding will provide assistance to small businesses and disadvantaged business enterprises. Therefore, this veto is in the public interest.

Item Number 9

On pages 261 and 262, delete the boxed text.

J. Modify parameters of vehicle emission inspection program competitive selection process regarding a contract

SECTION 756.60, part of SECTION 901.10, part of SECTION 901.11

The proposed language modifies the parameters set forth in the current Request for Proposal (RFP) issued through the Department of Administrative Services (DAS). Bids under this RFP have already been accepted. If the proposed language were to become law, specific sections of the RFP would have to be changed and, based on the nature of those changes, DAS would recommend that the RFP be rebid. This would result in approximately a 60-day delay in the current bidding process.

The Ohio Environmental Protection Agency (Ohio EPA) is looking for the most cost-effective, convenient and reliable inspection program for both motorists and the state based on directives contained in House Bill 119 of the 127th General Assembly. In order to obtain proposals from all types of vendors, the RFP released in January 2009 requested bids for decentralized, hybrid and centralized inspection programs. The proposed language would conflict with the current RFP because it only allows for a hybrid or decentralized testing network.

Ultimately, this provision would hamper the ability of the State to determine what type of program is the most cost-effective, convenient and reliable inspection program to maintain compliance with the federal Clean Air Act requirements. If the state fails to meet the federal standards, the emissions reductions would need to be made up from other emissions sources such as industry or small businesses that would negatively impact Ohio's economy.

Provisions in the proposed law also severely limit the financial resources required to be spent by the new vendor on educating motorists of program changes. A strong public education program is necessary to inform the motorists in those areas where testing is required of any changes to the testing program, especially if the testing locations are changed. Therefore, this veto is in the public interest.

Item Number 10

On page 276, delete the boxed text beginning with the words "Section 756.60" and ending with "The contract shall."

On pages 277 and 280, delete the boxed text.

K. Member of the Ohio Rail Development Commission

SECTION 4981.02

This language adds a member to the Ohio Rail Development Commission and charges that member with representing the interests of manufacturers and those having contracting responsibility for rail and non-rail freight transportation. The qualities required of this appointee are unique and do not align with the requirements of the six other commission members. The administration supports the addition of the seventh member but the extra qualifications related to contracting do not align with the Rail Development Commission statute. Therefore, this veto is in the public interest.

Item Number 11

On page 195, delete the boxed text.

L. Ohio State Highway Patrol Mission Review Task Force

SECTION 756.40

This provision creates the Ohio State Highway Patrol Mission Review Task Force. The provision allows the governor to name two public members to the Task Force, but requires that at least one of these appointees must not have any affiliation with law enforcement and further requires that this member be named as Chair of the Task Force.

The language unnecessarily restricts executive authority in appointing members and selecting a Chair of the Task Force. Therefore, this veto is in the public interest.

Item Number 12

On page 275, delete the boxed text beginning with the words “is not affiliated with” and ending with “agency of any kind”.

On page 275, delete the boxed text beginning with the words “if both members” and ending with “Task Force.”.

M. Ohio Tolling Technical Amendment

SECTION 5531.18

This veto that removes the reference to Chapter 5539 of the Ohio Revised Code which was proposed in the As Introduced version of House Bill 2 but was later removed from the final version.

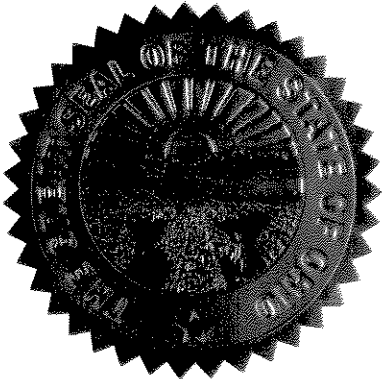
Therefore, this veto is in the public interest.

Item Number 13

On page 220, delete the boxed text.

I signed this veto message on April 1, 2009 in Columbus, Ohio and transmitted it, today, with copies of the disapproved text, to the Clerk of the Ohio House of Representatives.

In order to signal my approval of the text approved by me, I have, today, also filed the enrolled and engrossed original copies of the bill with the Secretary of State.



Ted Strickland
Ted Strickland, Governor

I acknowledge receipt of an original copy of this veto message, along with a copy of the disapproved text in the bill on April 1, 2009.

Thomas Lee Sherman
Name of Officer

House Clerk
Title of Officer

4/1/09 11:52 p.m.
Date and Time of Receipt

AN ACT

To amend sections 121.51, 133.52, 151.01, 151.09, 151.40, 955.201, 1548.10, 1751.53, 2911.21, 2949.094, 3304.14, 3719.21, 3905.423, 3923.38, 4141.242, 4141.301, 4163.01, 4163.07, 4501.01, 4501.03, 4501.044, 4501.06, 4501.21, 4501.34, 4503.04, 4503.042, 4503.07, 4503.10, 4503.103, 4503.182, 4503.19, 4503.191, 4503.26, 4503.40, 4503.42, 4503.65, 4505.032, 4505.09, 4505.14, 4506.07, 4506.08, 4506.11, 4507.06, 4507.13, 4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 4511.01, 4511.093, 4511.181, 4511.191, 4511.21, 4511.213, 4513.03, 4513.263, 4513.34 4517.021, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 4519.44, 4519.47, 4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 4729.42, 4729.99, 4776.02, 4776.04, 4928.64, 4928.65, 4981.02, 5501.03, 5501.311, 5501.34, 5502.03, 5502.39, 5502.67, 5502.68, 5515.01, 5515.07, 5517.011, 5525.15, 5531.09, 5537.07, 5537.99, 5541.05, and 5571.20; to enact sections 5.24, 121.53, 122.077, 123.153, 3905.425, 3905.426, 4501.026, 4511.108, 4905.801, 4905.802, 4981.40, 5501.60, 5502.131, 5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 5531.16, 5531.17, 5531.18, 5531.99, and 5537.30; to repeal sections 955.202 and 5902.09 of the Revised Code; to amend Section 229.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended; and to amend Sections 217.10, 217.11, 239.10, 241.10, 243.10, 243.11, and 503.40 of Am. Sub. H.B. 562 of the 127th General Assembly to make appropriations for programs related to transportation and public safety for

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the biennium beginning July 1, 2009, and ending June 30, 2011, to provide authorization and conditions for the operation of those and other programs, to appropriate federal stimulus moneys received under the American Recovery Reinvestment Act of 2009, to repeal section 121.53 of the Revised Code on September 30, 2013, to further amend sections 1751.53 and 3923.38 of the Revised Code, effective January 1, 2010, to revive the law as it existed prior to this act, and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 101.01. That sections 121.51, 133.52, 151.01, 151.09, 151.40, 955.201, 1548.10, 1751.53, 2911.21, 2949.094, 3304.14, 3719.21, 3905.423, 3923.38, 4141.242, 4141.301, 4163.01, 4163.07, 4501.01, 4501.03, 4501.044, 4501.06, 4501.21, 4501.34, 4503.04, 4503.042, 4503.07, 4503.10, 4503.103, 4503.182, 4503.19, 4503.191, 4503.26, 4503.40, 4503.42, 4503.65, 4505.032, 4505.09, 4505.14, 4506.07, 4506.08, 4506.11, 4507.06, 4507.13, 4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 4511.01, 4511.093, 4511.181, 4511.191, 4511.21, 4511.213, 4513.03, 4513.263, 4513.34, 4517.021, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 4519.44, 4519.47, 4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 4729.42, 4729.99, 4776.02, 4776.04, 4928.64, 4928.65, 4981.02, 5501.03, 5501.311, 5501.34, 5502.03, 5502.39, 5502.67, 5502.68, 5515.01, 5515.07, 5517.011, 5525.15, 5531.09, 5537.07, 5537.99, 5541.05, and 5571.20 be amended and sections 5.24, 121.53, 122.077, 123.153, 3905.425, 3905.426, 4501.026, 4511.108, 4905.801, 4905.802, 4981.40, 5501.60, 5502.131, 5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 5531.16, 5531.17, 5531.18, 5531.99, and 5537.30 of the Revised Code be enacted to read as follows:

Sec. 5.24. The city of Dayton and county of Montgomery are hereby designated as an Ohio hub of innovation and opportunity for aerospace and aviation.

Sec. 121.51. There is hereby created in the office of the inspector general the position of deputy inspector general for the department of transportation. The inspector general shall appoint the deputy inspector general, and the deputy inspector general shall serve at the pleasure of the

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specifications for a uniform system of traffic generator signs and the criteria for participation in the program. The department of transportation shall operate, construct, and maintain the program. The director shall establish, and ~~subject to approval by the controlling board,~~ may revise at any time, an annual fee to be charged for a qualifying private business to participate in the traffic generator sign program. Money paid by the qualifying private business shall be remitted to the department ~~and shall be deposited into the highway operating fund.~~ JS JS

Sec. 4511.181. As used in sections 4511.181 to ~~4511.199~~ 4511.198 of the Revised Code:

(A) "Equivalent offense" means any of the following:

(1) A violation of division (A) or (B) of section 4511.19 of the Revised Code;

(2) A violation of a municipal OVI ordinance;

(3) A violation of section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section;

(4) A violation of division (A)(1) of section 2903.06 or 2903.08 of the Revised Code or a municipal ordinance that is substantially equivalent to either of those divisions;

(5) A violation of division (A)(2), (3), or (4) of section 2903.06, division (A)(2) of section 2903.08, or former section 2903.07 of the Revised Code, or a municipal ordinance that is substantially equivalent to any of those divisions or that former section, in a case in which a judge or jury as the trier of fact found that the offender was under the influence of alcohol, a drug of abuse, or a combination of them;

(6) A violation of division (A) or (B) of section 1547.11 of the Revised Code;

(7) A violation of a municipal ordinance prohibiting a person from operating or being in physical control of any vessel underway or from manipulating any water skis, aquaplane, or similar device on the waters of this state while under the influence of alcohol, a drug of abuse, or a combination of them or prohibiting a person from operating or being in physical control of any vessel underway or from manipulating any water skis, aquaplane, or similar device on the waters of this state with a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath, or urine;

(8) A violation of an existing or former municipal ordinance, law of another state, or law of the United States that is substantially equivalent to

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jurisdiction unless both of the local authorities determine, upon the basis of an engineering and traffic investigation, that the speed permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both authorities so agree, each shall follow the procedure specified in this section for altering the prima-facie speed limit on the highway, and the speed limit for the part of the highway within their joint jurisdiction shall be uniformly altered. No altered speed limit may be withdrawn unless both local authorities determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in this section.

(O) At any location on a state highway where the posted speed limit decreases by twenty or more miles per hour, the director of transportation shall establish a speed transition zone consisting, at a minimum, of the preceding one thousand feet. The speed limit for the speed transition zone shall be ten miles per hour more than the speed limit to which the posted speed limit decreases by twenty or more miles per hour. A reduced speed limit established by the director pursuant to this division becomes effective when the department of transportation erects appropriate signs giving notice thereof on the state highway.

JS

(P)As used in this section:

- (1) "Interstate system" has the same meaning as in 23 U.S.C.A. 101.
- (2) "Commercial bus" means a motor vehicle designed for carrying more than nine passengers and used for the transportation of persons for compensation.
- (3) "Noncommercial bus" includes but is not limited to a school bus or a motor vehicle operated solely for the transportation of persons associated with a charitable or nonprofit organization.

JS

(P)(O) (1) A violation of any provision of this section is one of the following:

JS

(a) Except as otherwise provided in divisions (P)(O)(1)(b), (1)(c), (2), and (3) of this section, a minor misdemeanor;

JS

(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the fourth degree;

(c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of any provision of

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this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the third degree.

(2) If the offender has not previously been convicted of or pleaded guilty to a violation of any provision of this section or of any provision of a municipal ordinance that is substantially similar to this section and operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal corporation, faster than fifty miles an hour in other portions of a municipal corporation, or faster than thirty-five miles an hour in a school zone during recess or while children are going to or leaving school during the school's opening or closing hours, a misdemeanor of the fourth degree.

(3) Notwithstanding division ~~(P)(O)~~^{JH}(1) of this section, if the offender operated a motor vehicle in a construction zone where a sign was then posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the usual amount imposed for the violation. No court shall impose a fine of two times the usual amount imposed for the violation upon an offender if the offender alleges, in an affidavit filed with the court prior to the offender's sentencing, that the offender is indigent and is unable to pay the fine imposed pursuant to this division and if the court determines that the offender is an indigent person and unable to pay the fine.

Sec. 4511.213. (A) The driver of a motor vehicle, upon approaching a stationary public safety vehicle, an emergency vehicle, or a road service vehicle that is displaying ~~a flashing red light, flashing combination red and white light, oscillating or rotating red light, oscillating or rotating combination red and white light, flashing blue light, the appropriate visual signals by means of flashing combination blue and white light, oscillating or rotating blue light, or, oscillating, or rotating combination blue and white light lights, as prescribed in section 4513.17 of the Revised Code,~~ shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather, and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary public safety vehicle, an emergency vehicle, or a road service vehicle.

(2) If the driver is not traveling on a highway of a type described in division (A)(1) of this section, or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor

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reimburse the director or local authority for the administrative costs incurred in issuing the permit, and also to cover the cost of the normal and expected damage caused to the roadway or a street or highway structure as the result of the operation of the nonconforming vehicle or combination of vehicles. The director, in accordance with Chapter 119. of the Revised Code, shall establish a schedule of fees for permits issued by the director under this section *provided*, that the rules of the director shall include issuance of a continuing annual permit over routes reported to the director and shall require the recipient of such an annual permit to submit quarterly reports to the director containing such information as the director shall specify

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For the purposes of this section and of rules adopted by the director under this section, milk transported in bulk by vehicle is deemed a nondivisible load.

(D) The director or local authority may issue or withhold a permit. If a permit is to be issued, the director or local authority may limit or prescribe conditions of operation for the vehicle and may require the posting of a bond or other security conditioned upon the sufficiency of the permit fee to compensate for damage caused to the roadway or a street or highway structure. In addition, a local authority, as a condition of issuance of an overweight permit, may require the applicant to develop and enter into a mutual agreement with the local authority to compensate for or to repair excess damage caused to the roadway by travel under the permit.

For a permit that will allow travel of a nonconforming vehicle or combination of vehicles on a special economic development highway, the director, as a condition of issuance, may require the applicant to agree to make periodic payments to the department to compensate for damage caused to the roadway by travel under the permit.

(E) Every permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit. No person shall violate any of the terms of a permit.

(F) The director may debar an applicant from applying for a special permit under this section upon a finding based on a reasonable belief that the applicant has done any of the following:

(1) Abused the process by repeatedly submitting false information or false travel plans or by using another company or individual's name, insurance, or escrow account without proper authorization;

(2) Failed to comply with or substantially perform under a previously issued special permit according to its terms, conditions, and specifications within specified time limits;

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one shall represent the interests of a freight rail company, one shall represent the interests of passenger rail service, one shall have expertise in infrastructure financing, one shall represent the interests of organized labor, one shall represent the interests of manufacturers and have contracting responsibility for rail and nonrail freight transportation, and one shall represent the general public. All members shall be reimbursed for actual expenses incurred in the performance of their duties. The members of the commission from the Ohio senate and the Ohio house of representatives shall serve as nonvoting members. No more than four members of the ~~six~~ seven appointed to the commission by the governor shall be from the same political party. Each member of the commission shall be a resident of this state.

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JS

(B) Within sixty days after the effective date of this amendment, the governor shall make initial appointments to the commission. Of the initial appointments made to the commission, three shall be for a term ending three years after the effective date of this amendment, and three shall be for a term ending six years after that date. Terms for all other appointments made to the commission shall be for six years. Vacancies shall be filled in the manner provided for original appointments. Any member appointed to fill a vacancy shall have the same qualifications as his predecessor. Each term shall end on the same day of the same month of the year as did the term which it succeeds. Each appointed member shall hold office from the date of his appointment until the end of the term for which he was appointed. Any member appointed to fill a vacancy before the expiration of the term for which his predecessor was appointed shall hold office for the remainder of that term. Any appointed member shall continue in office subsequent to the expiration date of his term until his successor takes office, or for a period of sixty days, whichever occurs first. All members shall be eligible for reappointment.

(C) The commission may employ an executive director, who shall have appropriate experience as determined by the commission, and a secretary-treasurer and other employees that the commission considers appropriate. The commission may fix the compensation of the employees.

(D) Six members of the commission shall constitute a quorum, and the affirmative vote of ~~five~~ six members shall be necessary for any action taken by the commission. No vacancy in the membership of the commission shall impair the rights of a quorum to exercise all the rights and perform all the duties of the commission.

(E) All members of the commission are subject to Chapter 102. of the Revised Code.

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real property to be acquired from the landowner. If the landowner accepts the offer, the director shall convey the unneeded property directly to the landowner at the full fair market value determined by the department by appraisal. The director shall credit the value of the unneeded property against the acquisition price of the property being acquired by the department, and the landowner shall pay the department the difference if the value of the unneeded property exceeds the acquisition price of the property being acquired.

(G) Conveyances of real property under this section shall be by a deed executed by the governor, bearing the great seal of the state, and in the form prescribed by the attorney general. The director shall keep a record of all conveyances of real property made under this section. This section applies to all real property acquired by the department, regardless of how or from whom the property was acquired.

Sec. 5501.60. The department of transportation shall not erect a guardrail or any other barrier that blocks or otherwise interferes in any manner with the only right-of-way to a parcel of real property. If the department erects a guardrail or other barrier that blocks or otherwise interferes in any manner with the only right-of-way to a parcel of real property, the department shall remove the guardrail or other barrier promptly. If the department fails to remove such a guardrail or other barrier, the owner or occupier of the parcel of real property may remove or cause the removal of the guardrail or other barrier and the department shall reimburse fully the owner or occupier of the parcel of real property for the actual cost to the owner or occupier of the parcel of real property of the removal.

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Sec. 5502.03. (A) There is hereby created in the department of public safety a division of homeland security.

(B) The division shall do all of the following:

(1) Coordinate all homeland security activities of all state agencies and be the liaison between state agencies and local entities for the purposes of communicating homeland security funding and policy initiatives;

(2) Collect, analyze, maintain, and disseminate information to support local, state, and federal law enforcement agencies, other government agencies, and private organizations in detecting, deterring, preventing, preparing for, responding to, and recovering from threatened or actual terrorist events. This information is not a public record pursuant to section 149.43 of the Revised Code.

(3) Coordinate efforts of state and local governments and private organizations to enhance the security and protection of critical infrastructure and key assets in this state;

The above boxed and initialed text was disapproved.

Date: 4-1-09

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functions, the department shall not be required to pay any state or local taxes or assessments upon any toll project, or upon revenues or any property acquired or used by the department under sections 5531.11 to 5531.18 of the Revised Code, or upon the income therefrom.

Sec. 5531.18. The director of transportation shall establish a procedure whereby a political subdivision or other governmental agency or agencies may submit a written application to the director in accordance with Chapter 5539. of the Revised Code requesting the department of transportation to construct and operate a toll project within the boundaries of the subdivision, agency, or agencies making the request. The procedure shall include a requirement that the director send a written reply to the subdivision, agency, or agencies explaining the disposition of the request. The procedure established pursuant to this section shall not become effective unless it is approved by the Ohio transportation finance commission created under section 5531.12 of the Revised Code.

JS
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Sec. 5531.99. (A) Except as provided in division (B) of this section, whoever violates division (C) of section 5531.15 of the Revised Code is guilty of a minor misdemeanor on a first offense; on each subsequent offense such person is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division (C) of section 5531.15 of the Revised Code when the violation is a civil violation for failure to comply with toll collection rules is subject to a fee or charge established by the department of transportation by rule.

Sec. 5537.07. (A) When the cost to the Ohio turnpike commission under any contract with a person other than a governmental agency involves an expenditure of more than fifty thousand dollars, the commission shall make a written contract with the lowest responsive and responsible bidder in accordance with section 9.312 of the Revised Code after advertisement for not less than two consecutive weeks in a newspaper of general circulation in Franklin county, and in such other publications as the commission determines, which notice shall state the general character of the work and the general character of the materials to be furnished, the place where plans and specifications therefor may be examined, and the time and place of receiving bids. The commission may require that the cost estimate for the construction, demolition, alteration, repair, improvement, renovation, or reconstruction of roadways and bridges for which the commission is required to receive bids be kept confidential and remain confidential until after all bids for the public improvement have been received or the deadline for receiving bids has passed. Thereafter, and before opening the bids submitted for the roadways and bridges, the commission shall make the cost

The above boxed and initialed text was disapproved.

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SECTION 512.40. DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING

On July 1, 2009, and on January 1, 2010, respectively, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$200,000 in cash, for each period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

On July 1, 2010, and on January 1, 2011, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer \$200,000 in cash, for each period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

Should additional amounts be necessary, the Inspector General, with the consent of the Director of Budget and Management, may seek Controlling Board approval for additional transfers of cash and to increase the amount appropriated from appropriation item 965603, Deputy Inspector General for ODOT, in the amount of the additional transfers.

SECTION 512.41. DEPUTY INSPECTOR GENERAL FOR FUNDS RECEIVED THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

On the effective date of this section, and on July 1, 2009, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer \$150,000 in cash, for each period, from the General Revenue Fund to the Deputy Inspector General for Funds Received through the American Recovery and Reinvestment Act of 2009 Fund (Fund 5GIO), which is created in section 121.53 of the Revised Code.

On January 1, 2010, July 1, 2010, and January 1, 2011, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer \$300,000 in cash, for each period, from the General Revenue Fund to the Deputy Inspector General for Funds Received through the American Recovery and Reinvestment Act of 2009 Fund (Fund 5GIO).

SECTION 512.43. DIESEL EMISSIONS REDUCTION GRANT PROGRAM

There is established in the Highway Operating Fund (Fund 7002) in the Department of Transportation a Diesel Emissions Reduction Grant Program. The Director of Development shall administer the program and shall solicit,

JS

The above boxed and initialed text was disapproved.

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evaluate, score, and select projects submitted by public entities, small business concerns as the concerns are defined in 13 C.F.R. 121, as amended, and disadvantaged business enterprises as they are defined in 49 C.F.R. 26 that are eligible for the federal Congestion Mitigation and Air Quality (CMAQ) Program. The Director of Transportation shall process Federal Highway Administration-approved projects as recommended by the Director of Development.

In addition to the allowable expenditures set forth in section 122.861 of the Revised Code, Diesel Emissions Reduction Grant Program funds also may be used to fund projects involving the purchase or use of hybrid and alternative fuel vehicles that are allowed under guidance developed by the Federal Highway Administration for the CMAQ Program.

Public entities eligible to receive funds under section 122.861 of the Revised Code and CMAQ shall be reimbursed from the Department of Transportation's Diesel Emissions Reduction Grant Program.

Small business concerns and disadvantaged business enterprises eligible to receive funds under section 122.861 of the Revised Code and CMAQ shall be reimbursed through transfers of cash from the Department of Transportation's Diesel Emissions Reduction Grant Program to the Diesel Emissions Reduction Grant Fund (Fund 3BD0) used by the Department of Development. Total expenditures between both the Departments of Development and Transportation shall not exceed the amounts appropriated in this section.

Appropriation item 195697, Diesel Emissions Reduction Grants, is established with an appropriation of \$20,000,000 for fiscal year 2010.

On or before June 30, 2010, any unencumbered balance of the foregoing appropriation item 195697, Diesel Emissions Reduction Grants, for fiscal year 2010 is appropriated for the same purposes in fiscal year 2011.

Any cash transfers or allocations under this section represent CMAQ program moneys within the Department of Transportation for use by the Diesel Emissions Reduction Grant Program by the Department of Development. These allocations shall not reduce the amount of such moneys designated for metropolitan planning organizations.

The Director of Development, in consultation with the Directors of Environmental Protection and Transportation, shall develop guidance for the distribution of funds and for the administration of the Diesel Emissions Reduction Grant Program. The guidance shall include a method of prioritization for projects, acceptable technologies, and procedures for awarding grants.

The above boxed and initialed text was disapproved.

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operator a written warning, informing the operator of the existence of division (A)(3) of section 4513.03 of the Revised Code and that after the date that is six months after the effective date of the amendments to section 4513.03 of the Revised Code contained in Section 101.01 of this act, a law enforcement officer who observes that the operator of a motor vehicle has committed or is committing a violation of division (A)(3) of section 4513.03 of the Revised Code will be authorized to issue a ticket, citation, or summons to that operator for that violation or to cause the arrest of or commence a prosecution of such an operator for a violation of that division.

SECTION 756.20. The Department of Transportation shall not impose the overweight or overdimension vehicle movement permit fee increases established in paragraphs (A)(2), (D)(2), (G), (H), (I), (J), and (K) of rule 5501:2-1-10 of the Administrative Code that are scheduled to take effect on July 1, 2009. Rather, the fees that took effect on March 1, 2009, shall apply. The Director of Transportation shall amend rule 5501:2-1-10 of the Administrative Code to comply with this section, but shall not subsequently increase the rates by rule until July 1, 2010.

JS

SECTION 756.25. (A) Notwithstanding section 4505.09 of the Revised Code, until July 1, 2011, the clerk of a court of common pleas shall charge four dollars and fifty cents for each certificate of title issued to a licensed motor vehicle dealer for resale purposes and, in addition, shall charge and collect a separate fee of fifty cents from the licensed motor vehicle dealer, which shall be forwarded to the Registrar of Motor Vehicles for distribution in accordance with division (B) of this section.

(B) Notwithstanding division (B)(3) of section 4505.09 of the Revised Code, until July 1, 2011, the Registrar of Motor Vehicles shall pay one dollar and fifty cents of the amount received by the Registrar for each certificate of title issued to a licensed motor vehicle dealer for resale purposes into the Automated Title Processing Fund created by section 4505.09 of the Revised Code. The Registrar shall pay the fifty-cent separate fee collected from a licensed motor vehicle dealer under division (A) of this section into the Title Defect Recision Fund created by section 1345.52 of the Revised Code.

SECTION 756.30. The Department of Transportation shall erect and **The above boxed and initialed text was disapproved.**

JS

Date: 4-1-09

Fed Stiehlend
Fed Stiehlend, Governor

maintain one sign each in the rights-of-way of the northbound and southbound roadways of the State Route 33 bypass approaching each exit to the city of Lancaster that reads "Historic Downtown Lancaster Museum District" and the approximate distance. The signs shall conform to the provisions contained in the manual adopted by the Department pursuant to section 4511.09 of the Revised Code regarding the size, coloring, lettering, and installation locations of the signs.

JS

SECTION 756.35. Notwithstanding any provision of Chapter 5525. of the Revised Code, until July 1, 2011, the Director of Transportation may use a value-based selection process, combining technical qualifications and competitive bidding elements, including consideration for minority or disadvantaged businesses that may include joint ventures, when letting special projects that contain both design and construction elements of a highway or bridge project into a single contract.

Not later than January 20, 2011, the Director of Transportation shall present a report to the chair and ranking minority members of the House of Representatives and Senate committees that deal with transportation issues. The report shall identify each project for which the Director used a value-based selection process, shall evaluate the effect of the value-based selection process on the cost and timetable for completing the project, and shall make recommendations for renewing or modifying the use of a value-based selection process.

SECTION 756.40. (A) There is hereby established the Ohio State Highway Patrol Mission Review Task Force, consisting of seventeen members as follows: the Director of Public Safety or the Director's designee, the Superintendent of the State Highway Patrol, two members of the Senate appointed by the President of the Senate, one member of the Senate appointed by the Minority Leader of the Senate, two members of the House of Representatives appointed by the Speaker of the House of Representatives, one member of the House of Representatives appointed by the Minority Leader of the House of Representatives, one member who represents the County Commissioners' Association of Ohio appointed by the Association, one member who represents the Buckeye State Sheriffs Association appointed by the Association, one member who represents the Fraternal Order of Police of Ohio appointed by the Order, one member who

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represents the Ohio Association of Chiefs of Police appointed by the Association, one member who is a State Highway Patrol trooper appointed by the Ohio State Troopers Association to represent the troopers of the State Highway Patrol, one member appointed by the President of the Senate to represent the public, one member appointed by the Speaker of the House of Representatives to represent the public, and two members appointed by the Governor to represent the public, at least one of whom is not affiliated with any law enforcement agency or public safety force or agency of any kind. The appointed members shall be appointed not later than forty-five days after the effective date of this section.

JH

The member appointed by the Governor to represent the public who is not affiliated with any law enforcement agency or public safety force or agency of any kind shall serve as chairperson of the Task Force. If both members appointed by the Governor to represent the public are not affiliated with any law enforcement agency or public safety force or agency of any kind, the Governor shall designate one of those members to serve as chairperson of the Task Force. Members of the Task Force shall receive no compensation or reimbursement for their services. The Department of Public Safety shall furnish such staff support to the Task Force as the Task Force may require.

JH

(B) The Task Force shall review the operations and functions of the State Highway Patrol to explore opportunities to improve operational efficiency, identify overlapping services, and consolidate current operations. The Task Force shall formulate such recommendations as it considers advisable and shall compile a written report that contains its findings and recommendations.

(C) Not later than twelve months after the effective date of this section, the Task Force shall submit its report to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives. At that point, the Task Force shall cease to exist.

SECTION 756.45. The Director of Transportation shall permit the construction of a curb cut on State Route 91, near Vine Street, in Lake County.

JH

SECTION 756.50. In the award of any contract using money appropriated pursuant to this act, the parties to the contract shall comply with all applicable federal and state laws, including the requirements of the Minority

The above boxed and initialed text was disapproved.

Date: 4-1-09

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Business Enterprise Program, the Encouraging Diversity, Growth, and Equity Program, and the Buy Ohio Program.

SECTION 756.55. (A) Notwithstanding section 5501.51 or any other provision of the Revised Code, if relocation of utility facilities or any parts thereof is directed by the state or a county, township, or municipal corporation and is necessitated by the construction, reconstruction, improvement, maintenance, or repair of a road, highway, or bridge that is financed in whole or in part by federal funds provided as part of or as a result of the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, and the affected utility meets the project utility relocation work schedule as agreed to between the utility and the state, county, township, or municipal corporation, then the state, county, township, or municipal corporation shall reimburse the utility for the cost of the relocation, first, in the same proportion as federal funds are expended on the project and, second, as otherwise provided in section 5501.51 or other applicable provision of the Revised Code.

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(B) As used in this section, "utility" includes publicly, privately, and cooperatively owned utilities that are subject to the authority of the public utilities commission of Ohio, a utility as defined in division (B) of section 4905.02 of the Revised Code, an electric cooperative as defined in section 4928.01 of the Revised Code, a pipeline facility regulated under the "Accountable Pipeline Safety and Partnership Act of 1996," 110 Stat. 3793, 49 U.S.C. 60101, and a cable operator as defined in the "Cable Communications Policy Act of 1984," 98 Stat. 2780, 47 U.S.C. 522, as amended by the "Telecommunications Act of 1996," 110 Stat. 56, and includes the provision of other information or telecommunications services, or both.

SECTION 756.60. (A) Notwithstanding any law to the contrary, the Director of Administrative Services shall ensure that a competitive selection process regarding a contract to operate a motor vehicle emissions inspection program in this state incorporates the following elements, which shall be included in the contract:

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(1) A requirement that the vendor selected to operate the program provide notification of the program's requirements to each owner of a motor vehicle that is required to be inspected under the program. The contract shall

The above boxed and initialed text was disapproved.

Date: 4-1-09

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require the notification to be provided not later than sixty days prior to the date by which the owner of the motor vehicle is required to have the motor vehicle inspected. The Director of Environmental Protection and the vendor shall jointly agree on the content of the notice. However, the notice shall at a minimum include the locations of all inspection facilities within a specified distance of the address that is listed on the owner's motor vehicle registration.

(2) A requirement that the vendor selected to operate the program spend not more than five hundred thousand dollars over the term of the contract for public education regarding the locations at which motor vehicle inspections will take place;

(3) A requirement that the vendor selected to operate the program acquire all facilities that were previously utilized for motor vehicle emissions inspections via arm's-length transactions at the discretion of the interested parties if the vendor chooses to utilize those inspection facilities for purposes of the contract. The competitive selection process shall not include a requirement that a vendor pay book value for such facilities.

(4) A requirement that the motor vehicle emissions inspection program utilize established local businesses, such as existing motor vehicle repair facilities, for the purpose of expanding the number of inspection facilities for consumer convenience and increased local business participation.

(B) Any competitive selection process that is or has been initiated for purposes of a new contract to operate a motor vehicle emissions inspection program in this state shall comply with division (A) of this section.

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SECTION 757.10. Notwithstanding Chapter 5735. of the Revised Code, the following shall apply for the period of July 1, 2009, through June 30, 2011:

(A) For the discount under section 5735.06 of the Revised Code, if the monthly report is timely filed and the tax is timely paid, one per cent of the total number of gallons of motor fuel received by the motor fuel dealer within the state during the preceding calendar month, less the total number of gallons deducted under divisions (B)(1)(a) and (b) of section 5735.06 of the Revised Code, less one-half of one per cent of the total number of gallons of motor fuel that were sold to a retail dealer during the preceding calendar month.

(B) For the semiannual periods ending December 31, 2009, June 30, 2010, December 31, 2010, and June 30, 2011, the refund provided to retail dealers under section 5735.141 of the Revised Code shall be one-half of one per cent of the Ohio motor fuel taxes paid on fuel purchased during those

The above boxed and initialed text was disapproved.

Date: 4-1-09

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Revised Code does not affect the taking effect of the amendment previously made to that section by Am. Sub. H.B. 320 of the 127th General Assembly. The amendment of Am. Sub. H.B. 320 to that section takes effect as specified in that act.

SECTION 815.20. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 4501.21 of the Revised Code as amended by both Am. Sub. H.B. 273 and Am. Sub. S.B. 129 of the 127th General Assembly.

Section 4506.07 of the Revised Code as amended by both Am. Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly.

Section 4506.11 of the Revised Code as amended by both Am. Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly.

Section 4507.06 of the Revised Code as amended by both Am. Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly.

Section 4507.51 of the Revised Code as amended by Am. Sub. H.B. 130, Am. Sub. H.B. 450, and Sub. H.B. 529 of the 127th General Assembly.

Section 4511.181 of the Revised Code as amended by both Am. Sub. H.B. 562 and Am. Sub. S.B. 17 of the 127th General Assembly.

SECTION 901.10. Section 901.11 of this act applies only to sections 1751.53, 3719.21, 3923.38, 4729.42, 4729.99, 4776.02, 4776.04 of the Revised Code as amended by Sections 101.01 and 101.02 of this act and to *JS*
Section 756.60 of this act *JS*

SECTION 901.11. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity lies in the need, in these times of high unemployment, to provide assistance to those who have recently been working, while at the same time protecting the health and safety of the public. Therefore, this act shall go into immediate effect.

The above boxed and initialed text was disapproved.

Date: 4-1-09

Fed Strickland
Governor

Amos Branch

Speaker _____ of the House of Representatives.

Bill Harris

President _____ of the Senate.

Passed April 1, 2009

Approved April 1, 2009

Governor.

*The boxed and initialed text
contained in Am. Sub. H.B. 2
is disapproved.*

All remaining text is approved.

Ed Strickland

April 1, 2009

Am. Sub. H. B. No. 2

128th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____

(128th General Assembly)
(Amended Substitute House Bill Number 2)

AN ACT

To amend sections 121.51, 133.52, 151.01, 151.09, 151.40, 955.201, 1548.10, 1751.53, 2911.21, 2949.094, 3304.14, 3719.21, 3905.423, 3923.38, 4141.242, 4141.301, 4163.01, 4163.07, 4501.01, 4501.03, 4501.044, 4501.06, 4501.21, 4501.34, 4503.04, 4503.042, 4503.07, 4503.10, 4503.103, 4503.182, 4503.19, 4503.191, 4503.26, 4503.40, 4503.42, 4503.65, 4505.032, 4505.09, 4505.14, 4506.07, 4506.08, 4506.11, 4507.06, 4507.13, 4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 4511.01, 4511.093, 4511.181, 4511.191, 4511.21, 4511.213, 4513.03, 4513.263, 4513.34, 4517.021, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 4519.44, 4519.47, 4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 4729.42, 4729.99, 4776.02, 4776.04, 4928.64, 4928.65, 4981.02, 5501.03, 5501.311, 5501.34, 5502.03, 5502.39, 5502.67, 5502.68, 5515.01, 5515.07, 5517.011, 5525.15, 5531.09, 5537.07, 5537.99, 5541.05, and 5571.20; to enact sections 5.24, 121.53, 122.07, 123.153, 3905.425, 3905.426, 4501.026, 4511.108, 4905.801, 4905.802, 4981.40, 5501.60, 5502.131, 5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 5531.16, 5531.17, 5531.18, 5531.99, and 5537.30; to repeal sections 955.202 and 5902.09 of the Revised Code; to amend Section 229.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended; and to amend Sections 217.10, 217.11, 239.10, 241.10, 243.10, 243.11, and 503.40 of Am. Sub. H.B. 562 of the 127th General Assembly to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2009, and ending June 30, 2011, to provide authorization and conditions for the operation of those and other programs, to appropriate federal stimulus moneys received under the American Recovery Reinvestment Act of 2009, to repeal section 121.53 of the Revised Code on September 30, 2013, to further amend sections 1751.53 and 3923.38 of the Revised Code, effective January 1, 2010, to revive the law as it existed prior to this act, and to declare an emergency.

Introduced by

Representative Ujvagi
Cosponsors: Representatives Bolton, Boyd, Brown, Carney, Chandler, DeRose, Domenick, Dyer, Fende, Foley, Garrison, Hagan, Harris, Heard, Koziura, Letson, Luckie, Mallory, Otteman, Patten, Pfllich, Pryor, Stewart, Sykes,

Scollosi, Weddington, Williams, B., Williams, S., Winburn, Yates, Yanko
Senators Fedor, Gillmor, Goodman, Kearney, Miller, D., Miller, R., Morano, Patton, Sawyer, Schiavoni, Smith, Strahorn, Turner, Wilson, Harris, Cafaro

*(Conference report
agreed to April
1, 2009)*

Passed by the House of Representatives,

March 5, 2009

Passed by the Senate,

March 18, 2009

*Filed in the office of the Secretary of State at
Columbus, Ohio, on the*

day of _____, A. D. 20__

Secretary of State.