



Ohio Legislative Service Commission

Bill Analysis

Joseph G. Aninao

H.B. 448

129th General Assembly
(As Introduced)

Rep. Grossman

BILL SUMMARY

- Requires the Director of Transportation to comply with the Administrative Procedure Act when adopting rules to establish a business logo sign program for limited access highways.
- Requires the Director to comply with the APA when the Director establishes a required fee for participation in the business logo sign program, and permits the Director to revise that fee, but eliminates language that permits the Director to revise the fee "at any time."

CONTENT AND OPERATION

Business logo sign program of the Department of Transportation

The bill requires the Director of Transportation, in carrying out the following requirements of existing law, to do so by rule adopted pursuant to the Administrative Procedure Act:¹

(1) Establish a program for the placement of business logos for identification purposes on state directional signs within the rights-of-way of divided, multi-lane, limited access highways in both rural and urban areas;²

¹ R.C. Chapter 119.

² R.C. 4511.101(A). Business logo signs are blue.

(2) Establish a fee for participation in the business logo sign program. Existing law also allows the Director to revise the fee, but the bill eliminates language that permits the Director to revise the fee "at any time."³

The APA contains public notice and hearing provisions that apply to the adoption, amending, or rescision of rules of state agencies and departments. The APA requirement normally is imposed when particular rules of an agency or department will affect the rights of private parties. In contrast, agency rules that are of a purely internal administrative nature and do not affect the rights of private parties normally are not required to be adopted in accordance with the APA.

HISTORY

ACTION	DATE
Introduced	02-14-12

h0448-i-129.docx/ks

³ R.C. 4511.101(B)(1).

