



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [Am. S.B. 37 of the 129th G.A.](#)

**Date:** January 20, 2012

**Status:** As Passed by the Senate

**Sponsor:** Sen. Hughes

**Local Impact Statement Procedure Required:** No

**Contents:** Prescribes a method by which the Director of Transportation designates memorial highways, streets, and roads to honor law enforcement officers killed in the line of duty

### State Fiscal Highlights

- The Ohio Department of Transportation (ODOT) may incur additional costs of around \$600 or so to install and maintain suitable plaques or signs along each applicable portion of road that is designated. ODOT's annual cost for the signs would depend on how many memorial highways are designated each year.

### Local Fiscal Highlights

- It is likely that ODOT will opt to make the applicable local government responsible for signage costs on designated roads that are not under the maintenance and operational authority of ODOT, such as streets or highways within the boundaries of a municipal corporation. Consequently, the appropriate local government would bear the signage costs if it were to install memorial markers on those roads.

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## Detailed Fiscal Analysis

The bill requires the Director of Transportation to designate portions of state highways, county roads, township roads, or municipal streets or highways in honor of each State Highway Patrol trooper, county sheriff or deputy sheriff, township constable or police officer, or municipal police officer that is or has been killed in the line of duty. In these circumstances, the Director of Transportation is to consult with the appropriate official, such as the Director of Public Safety and the Superintendent of the State Highway Patrol, the county sheriff, municipal police chief, or township police chief. Each designated portion of roadway may not exceed 20 miles in length. Portions of the road to be designated that already have a designation under current law would carry both names. The bill allows the Director of Transportation to erect suitable markers along each type of road to indicate its name.

As a result of the new process in the bill, the Ohio Department of Transportation (ODOT) may incur additional costs to install suitable plaques or signs along the designated portions of road, most likely along state highways in unincorporated areas of the state. Though the bill provides permissive authority for the Director of Transportation to erect suitable markers along each type of road, ODOT will likely opt to make the applicable local government responsible for manufacturing and installation costs for signs on roads not under the maintenance and operational authority of ODOT due to home rule considerations. This would include streets or highways located within a municipal corporation as well as rural county and township roads. Consequently, the appropriate local government would bear the signage costs if it wishes to install memorial markers on those roads. This approach is similar to the current policy delineated in Ohio's Traffic Engineering Manual for memorial highways designated by the legislature under Chapter 5533. of the Revised Code.

It is unclear how many memorial highways would be designated using the authority granted under the bill. This is because memorial highways could be designated for law enforcement officers killed in the line of duty both in the past and in the future. In just the last ten years or so, a total of 41 Ohio law enforcement officers have been killed in the line of duty. The number of law enforcement officers killed in the line of duty in any given year varied between one and seven during that time.<sup>1</sup> Some of these law enforcement officers already have highways designated in their memory under Chapter 5533. of the Revised Code.

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<sup>1</sup> Data obtained for calendar year (CY) 2002 through year-to-date CY 2011 from [www.odmp.org](http://www.odmp.org), the web site of Officer Down Memorial Page, Inc., a nonprofit organization created to honor fallen law enforcement officers.

According to ODOT, the current cost to manufacture, install, and maintain a single set of flatsheet signs at one location is estimated to be about \$600, depending on the size of the sign(s), equipment, and materials needed to install them. Once a set of signs is installed, typically there are no maintenance costs unless the signs are damaged. Signs are usually in need of replacement every 12 to 15 years. When a highway is designated as a memorial, ODOT policy is to first install a memorial plaque in a rest area, scenic overlook, recreational area, or other appropriate location. If this is not practical, a marker is installed along the highway instead. Two plaques or two markers are usually installed, one in each direction at each location.

*SB0037SP / emr*