



Ohio Township Association Legislative Alert

March 22, 2019

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Legislative Action This Week

Senate Alters and Passes Transportation Budget

The Senate Transportation, Commerce, and Workforce Committee continued hearings on HB 62, the biennial transportation budget, this week. The Committee accepted a substitute bill on Tuesday and incorporated an omnibus bill and voted on the proposal on Thursday. The full Senate passed [HB 62](#) 24-6 on Thursday as well.

The bill made the following changes:

- Increases the gas tax by 6 cents for both gasoline and diesel;
- Retains the 55/45 split between the state and local governments;
- Authorizes \$5 permissive license fee for townships and municipalities;
- Establishes a fee of \$175 for electric vehicles and \$75 for hybrid vehicles beginning in 2020;
- Allows a joint ambulance district to enter into a lease-purchase agreement;
- Allows simultaneous office-holding of local government and Transportation Improvement District positions;
- Authorizes a transit authority to levy a tax specifically for infrastructure projects, but limits based on size of the county;
- Increases the appropriation for the Roadwork Development Grant Program by \$2.1 million;
- Increases the State Capital Improvement Program set aside for emergency purposes from 2% to 6% beginning in 2022.

Note: changes to increase force account limits made in committee were removed from the bill on the floor. HB 62 now reflects current law on force account limits.

The Senate version also did not include the House-passed distribution of township revenue, which directed all new money through a formula that gives an equal share to all townships or additional funding based on road miles and vehicles registrations.

HB 62 will now go to conference committee where the House and Senate will work out differences in their two proposals.

ODOT has run numbers comparing the three proposals - Governor's, House, and Senate. View the [basic funding breakdowns](#) and [local government breakdowns](#) for the three versions. Remember: these are only estimates.

The OTA urges you to contact your [state representative](#) and [state senator](#). First, thank them for voting on the increase - voting yes on a tax increase is difficult for any legislator to do. Second, express the need for more revenue - 6 cents is not enough! Lastly, tell them thank you for including the provisions above and that you encourage them to retain those items in the final version of the bill.

OTA Testimony This Week

Interested Party Testimony on HB 62 Transportation Budget

OTA Executive Director Matt DeTemple once again appeared before the Senate Transportation, Commerce, and Workforce Committee to provide feedback on the changes outlined above.

On Wednesday, Matt relayed support for the inclusion of:

- Allowing a joint ambulance district to enter into a lease-purchase agreement;
- Allowing simultaneous office-holding of local government and Transportation Improvement District positions;
- Increasing the appropriation for the Roadwork Development Grant Program by \$2.1 million.

Additionally, he requested the Senate reconsider the following changes:

- Inclusion of the township distribution formula from the House-passed version of HB 62 that allocates all new money through the 2003 formula whereby each township gets the greater of an equal share of funds (1/1,308) or an amount based on road miles and vehicle registrations;
- Inclusion of the \$5 permissive registration fee for townships and cities;
- Inclusion of the House-passed Oil and Gas Infrastructure Fund that would direct more money to local governments in the Marcellus and Utica shale regions.



Ohio Senate Transportation, Commerce and Workforce Committee - 3-20-

You can read Matt's testimony [here](#) and view the full committee hearing [here](#). Matt's testimony begins at 30:35.

Opponent Testimony on HB 27 Subdivision Liability

Additionally, the OTA testified in front of the House Civil Justice Committee as an opponent to [HB 27](#), which would drastically change the standard of liability for political subdivisions when first responders are operating vehicles in emergency situations.

Under current law, a political subdivision can be held responsible if the driver of an emergency vehicle's actions amount to willful or wanton misconduct. HB 27 lessens this standard to mere negligence, which exposes political subdivisions to increased liability and potentially hinders response times in emergency situations.

For these reasons, the OTA opposes HB 27 and will continue to monitor the bill. You can read Matt's testimony [here](#).

CLOUT Chair Testifies in the Senate

The Coalition of Large Ohio Urban Townships Chair Christine Matacic also testified on the transportation budget this week in the Senate.

Christine presented her Transportation Improvement Rating Exchange (TIRE) program, which captures the estimated amount of fuel taxes not paid by high efficiency or alternative fuel vehicles and brings that money in when an owner renews their license plates each year. The Committee expressed interest in exploring this new way of generating revenue for long-term stability in infrastructure funding.



You can read Christine's testimony [here](#) and view the full committee hearing [here](#). Christine's testimony begins at 13:50.

Statehouse Committee Updates

House Committee Hearings - Civil Justice

[HB 27 SUBDIVISION LIABILITY](#) (Ingram) - To modify political subdivision liability for an employee's negligent operation of a motor vehicle.

The OTA provided opposition testimony along with several other organizations including the Ohio Municipal League, Ohio Fire Chiefs Association, Ohio Plan Risk Management, and others. OTA position - opposed.

House Committee Hearings - Ways and Means

[HB 75 PROPERTY VALUES](#) (Merrin) To require local governments that contest property values to formally pass an authorizing resolution for each contest and to notify property owners.

The committee heard proponent testimony from the County Auditors Association, Ohio Realtors, Ohio Chamber of Commerce, and others. OTA position - opposed.

Senate Committee Hearings - Transportation, Commerce, and Workforce

[HB 62 TRANSPORTATION BUDGET](#) (Oelslager, S.) - To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2019 and ending June 30, 2021, and to provide authorization and conditions for the operation of those programs.

The Senate continued hearings on HB 62, accepting a substitute bill on Tuesday and again heard numerous pieces of testimony throughout the week. The Committee made additional alterations on Thursday and ultimately passed the bill that day. The OTA testified as an interested party to the Senate's changes on Wednesday. OTA position - support.

Bills in Committee Next Week

Conference Committee - TBD

[HB 62 TRANSPORTATION BUDGET](#) (Oelslager) - To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2019 and ending June 30, 2021, and to provide authorization and conditions for the operation of those programs.

House Finance Subcommittees

HB XX OPERATING BUDGET - To be introduced
Finance Subcommittees are beginning to meet, hearing testimony from various agencies and organizations on their individual budgets. The full Finance Committee will not meet.

House State and Local Government

[HB 46 SPENDING DATABASE](#) (GREENSPAN) - To require the Treasurer of State to establish the Ohio State Government Expenditure Database.

2nd hearing - proponent testimony; OTA position - interested party

Let us know if you are interested in testifying on any of these bills.

Bill Introductions

[HB 139 TRAFFIC CAMERAS-EMERGENCY SERVICES](#) (Patton) - To prohibit a municipal corporation or township that does not operate either a fire department or an emergency medical services organization from utilizing traffic law photo-monitoring devices.

[HB 140 TRAFFIC CAMERAS-LOW POPULATION](#) (Patton) - To prohibit a local authority with a population of 200 or fewer from utilizing traffic law photo-monitoring devices.

[HB 141 TRAFFIC CAMERAS-TICKET/POPULATION CAP](#) (Patton) - To prohibit a local authority, in any year, from issuing a total number of traffic tickets based on

the use of traffic law photo-monitoring devices that exceeds two times the population of the local authority.

[HB 142 TRAFFIC CAMERAS-REVENUE CAP](#) (Patton) - To prohibit a local authority from deriving more than 30 per cent of the total annual revenue of the local authority from the issuance of tickets for traffic law violations based on evidence recorded by traffic law photo-monitoring devices.

[HB 143 TAX CREDIT-VOLUNTEER SERVICE](#) (Keller, Cera) - To grant income tax credits to persons who serve as volunteer peace officers, firefighters, or emergency medical technicians.

[HB 148 YIELD TO PARALLEL PARKERS](#) (Brinkman) - To require drivers to yield the right of way to any other vehicle that is parking in or exiting an angled or parallel parking space on a public road.

[HB 149 PROPERTY TAX EXEMPT-RESIDENTIAL SUBDIVISION](#) (Merrin) - To enact the "Affordable Homebuilding and Housing Act" to temporarily exempt from property tax the increased value of land subdivided for residential development.

[HB 152 TAX LEVY-SUBDIVISION CREATOR](#) (Brinkman) - To require certain subdivisions to obtain the approval of the body that created the subdivision before levying a tax.

[SB 114 NOISE REGULATION-TOWNSHIPS](#) (Hottinger) - To expand the authority of a township to regulate noise within the unincorporated area of the township.

Cemetery Grant Program Update

The Department of Commerce is moving forward with the rule-making process to implement the Cemetery Grant Program established in [HB 168](#) last GA.

The rules were approved from the Common Sense Initiative and, on March 20th, were filed with the Joint Committee on Agency Rule Review (JCARR). JCARR reviews new, amended, and rescinded rules from over 110 agencies to ensure they do not exceed statutory authority.

We will continue to update you as this process progresses.

Federal Update



Webinar - Get Ready for BUILD Grants

TFG Grants is presenting a webinar on **April 4th at 2:00pm** regarding the U.S. Department of Transportation's BUILD grant program.

The BUILD discretionary grant program funds road, rail, transit, and port projects across the country. The split is expected to be 50/50 between rural and urban projects. The Notice of Funding Opportunity is coming soon (before April 15th).

This free, one-hour webinar will provide information on grant eligibility, selection criteria that DOT will likely use, and helpful hints on how to prepare a winning BUILD grant application. [Register here!](#)

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