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# OHIO LEGISLATIVE SERVICE COMMISSION

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136<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Ferguson and McClain

Margaret E. Marcy, Attorney

### SUMMARY

- Requires the Department of Transportation (ODOT) to do both of the following automatically in consultation with a village, rather than after the request and approval of the village:
  - Maintain and repair any section of a state highway within the village's limits; and
  - Apply standard pavement marking lines on any section of a state highway within the village's limits.
- Makes substantial organizational changes for clarity regarding ODOT's responsibilities for state highways within a municipal corporation.

### DETAILED ANALYSIS

#### State highways in municipal corporations

##### Background

With regard to state highways located within a municipal corporation, the Department of Transportation (ODOT) has different responsibilities based on whether the municipal corporation is a city or a village and based on the type of activity conducted on the state highway. A village is a municipal corporation with a population of 4,999 or less. A city is a municipal corporation with a population of 5,000 or more.<sup>1</sup> The following table describes ODOT's responsibilities for state highways, under current law, based on the type of municipal corporation and the activity.

<sup>1</sup> Ohio Constitution, Article XVIII, Section 1.

Re: state highways within a municipal corporation		
ODOT	Within Village	Within City
Required to perform the duty when requested and authorized by the municipal corporation	Maintenance Repair Longitudinal line markings	N/A
Authorized to perform the duty when requested and authorized by the municipal corporation	Construction Reconstruction Widening Resurfacing	Maintenance Repair Construction Reconstruction Widening Resurfacing

### ODOT's responsibilities within a village

Regarding ODOT's duty to maintain and repair a state highway within a village and its duty to apply line markings (any line markings, not just longitudinal), the bill eliminates the requirement that a village must request and approve the work. Rather, ODOT must work in consultation with the village to ensure those activities are conducted for the relevant state highways. The bill retains ODOT's permissive authority, with village authorization, for construction, reconstruction, widening, improving, and resurfacing state highways within a village, including the erection of regulatory and warning signs (e.g., speed limit signs). Additionally, it retains in its entirety ODOT's permissive authority with regard to all activities on state highways within a city.<sup>2</sup>

### Organizational changes

In order to better clarify ODOT's responsibilities with regard to state highways within a municipal corporation, the bill makes substantial organizational changes to the relevant state statutes. Those changes include renumbering within sections and divisions, moving language pertaining to state federal aid highways to its own section of the Revised Code, and making associated technical changes. While the organizational changes are numerous, other than the additions to ODOT's responsibilities described above, the substance of current law's requirements remains the same.<sup>3</sup>

<sup>2</sup> R.C. 5521.01; R.C. 4511.11, not in the bill.

<sup>3</sup> R.C. 5501.31, 5521.01, 5521.011, and 5521.012.

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## HISTORY

Action	Date
Introduced	02-11-25

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