



WRITTEN TESTIMONY BEFORE THE OHIO SENATE TRANSPORTATION
COMMITTEE

PROPONENT TESTIMONY
Sub. HB 74

March 23, 2021

Chair Kunze, Vice Chair Reineke, Ranking Member Antonio and members of the Senate Transportation Committee, thank you for the opportunity to write in support of Sub. HB 74, the transportation budget for fiscal years 2022-2023.

As Ohio continues to navigate the economic fallout of the COVID-19 pandemic, we appreciate the fiscal challenges facing the Ohio Department of Transportation in the coming years as they work to continue to fund infrastructure improvements and new construction with reduced revenues.

We also want to thank the General Assembly and the DeWine Administration for their work in passing a gas tax increase in the previous transportation budget, which prevented an even greater shortfall in transportation infrastructure funding, for the state and for local governments. Although motor fuel consumption decreased due to travel restrictions during the pandemic, the gas tax increase means local governments have access to revenues that will help them continue to make municipal roadways and bridges safer.

Sub. HB 74 contains several provisions that invest in local transportation infrastructure and public safety. The League supports the following:

- **Public Transportation**: In addition to the House changes to Sub. HB 74 that doubled the funding for local public transit programs to a total of \$193.7 million over the biennium, the substitute bill also increased General Revenue Fund (GRF) public transit support by \$13.85 million each fiscal year. This brings the total GRF appropriations for public transit to \$37 million each fiscal year of the biennium in addition to the flex funds and federal public transportation support already included in the bill.
 - This increase in funding for public transit will help make Ohio's municipalities more business friendly. Reliable public transportation draws businesses and the workforce to Ohio's cities, ensuring residents can get to their jobs. It is important to note that the need for public transportation is not limited to Ohio's urban areas, but there is a critical need for public transportation in the rural parts of the state as well.

- **Local Public Infrastructure:** The substitute bill increased the capital appropriation for the Public Works Commission’s Local Public Infrastructure by \$2 million, bringing the total appropriation to \$14 million. The funds are directed to emergency road-slip remediation projects across the state.
- **Increased Force Account Limits:** The substitute bill increasing force account limits for highway projects undertaken by an unchartered municipal corporation from \$30,000 per project to \$150,000 per project. “Force account” refers to the instance in which, under Ohio law, a public official is authorized to act as a contractor on a public works project where the local government purchases its own materials and employs its own labor to complete the project.
 - By increasing force account limits, municipalities will be able to defray the expense of these projects due to the increased cost of road maintenance. This is a permissive tool that enables cities and villages to utilize their own resources for smaller projects. Providing this increase in the force account threshold will relieve municipalities of the requirement to engage in the competitive bidding process for those projects, which lowers overall cost and enables projects to be completed more quickly. Municipalities will be able to employ their own workforce for these projects, enabling local leaders to keep costs down and remain good stewards of local taxpayer dollars.
- **State and Local Partnerships:** Sub. HB 74 allocates a total of \$357 million in fiscal year 2022 and in fiscal year 2023 to local programs. The Ohio Department of Transportation is also working with local partners to address 150 dangerous intersections across the state and is providing funding to help local governments address pedestrian safety concerns within their local communities.
- **Federal Aid:** Sub. HB 74 allocates \$126 million in federal aid to local governments to cover some of the gas tax revenue lost due to the COVID-19 pandemic’s travel restrictions. The funds come from \$333 million in federal aid that has been approved for roadway construction.

The substitute bill also authorizes a regional transit authority that levies a property tax to allow subdivisions to join with voter approval, as well as put a sales tax alternative before the voters, and increases the weight limit of cargo transported by personal delivery devices from 200 to 550 pounds. These changes do not alter local control for municipalities, and we appreciate the Senate’s preservation of Home Rule authority for Ohio’s cities and villages.

We thank the DeWine administration for its continued investment in and support of local transportation infrastructure and public safety, and we urge the Senate to support these provisions. However, Sub. HB 74 fails to adequately address the critical issue of distracted driving. The League respectfully requests the following change:

- **Distracted Driving:** Sub. HB 74 should be amended to reinstate a provision that would make it a primary offense for an adult to handle any electronic wireless devices while driving and increase fines for those using electronic devices habitually while driving. Additionally, in

cases where a driver using an electronic device causes serious injury or death, Sub. HB 74 should enforce the same penalties as for drunk driving.

- This update to Ohio law is much needed. A study by the Virginia Tech Transportation Institute found that dialing, texting or simply reaching for a phone while driving triples the risk of a crash. Strengthening Ohio's distracted driving laws can reduce crash fatalities. 14 states have enacted such laws before 2018; 11 of those states saw a reduction in traffic fatalities within two years of the passage and enforcement of those laws. Municipal law enforcement must be enabled to keep the roads of our cities and villages safer.

Ohio's dependence on safe, reliable transportation infrastructure will only increase as our state continues to recover from the coronavirus pandemic and restrictions on travel continue to be lifted. We strongly encourage the adequate funding of public transit, and we appreciate the investment Sub. HB 74 makes in Ohio's local communities. Thank you for your time, and we urge your support of this legislation.

Respectfully,



Kent Scarrett
Executive Director
Ohio Municipal League