

1 **Ohio Revised Code**
2 **Title [55] LV ROADS - HIGHWAYS - BRIDGES**
3 **Chapter 5537: OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**
4 **Proposed Revision Notes**

5
6 **List of Proposed Revisions**
7

8 **5537.01-5537.99**
9

10 Added "turnpike projects", "external infrastructure projects",
11 and "internal infrastructure projects" to just (turnpike)
12 "projects".
13

14 Added "turnpike project" tolls to just (turnpike) "tolls".
15

16 Changed most instances of "infrastructure projects" to "external
17 infrastructure projects".
18

19 Changed external infrastructure projects being "pay or defray"
20 and "funded" to "subsidized".
21

22 Eliminated most mentions of state taxes (see "State Taxes" in the
23 Issues section for further discussion).
24

25 Added "Acquisition" to most instances of construction,
26 improvement, and maintenance.
27

28 Added occasional paragraph breaks to improve clarity.
29

30 Added numeric dollar amounts to written dollar amounts, i.e.,
31 "twenty-five thousand dollars (\$25,000)".
32

33 Changed instances of "electronic technology accepted within the
34 tolling industry" to "automated technology accepted within the
35 tolling and metering industry".
36

37 Added "tunnels" to most instances of "bridges".
38
39

40 **5537.01 Turnpike commission definitions.**
41

42 **5537.01(A)** eliminated the procedures if OTIC is eliminated in the
43 future.
44

45 *OTIC's disposition would be determined at that time.*
46

47 **5537.01(B)** was split into three subsections.
48

49 **5537.01(B)(1)** relocated facilities and the naming of each
50 Turnpike project into separate subsections.
51

52 **5537.01(B)(2)** added "Turnpike Project Facilities" as a
53 subsection from **5537.01(B)**.

54
55 *Turnpike Project Facilities are implied to be part of*
56 *Turnpike Projects.*

57
58 **5537.01(B)(3)** added the naming of each Turnpike project
59 into separate subsections from **5537.01(B)**.

60
61 **5537.01(C)** was split into three subsections.

62
63 **5537.01(C)(1)** was renamed from "Infrastructure Project" to
64 "External Infrastructure Project".

65
66 *External Infrastructure Projects are those projects*
67 *not being part of OTIC's Turnpike Projects, but are*
68 *subsidized by OTIC's Turnpike Projects.*

69
70 **5537.01(C)(2)** added "Internal Infrastructure Projects"
71 being additional modes of distribution infrastructures
72 including air, rail-type, paved fixed guideways, electric
73 systems, pipeline systems, wireline and wireless
74 telecommunication systems, trails, and other beneficial
75 uses of OTIC rights of way. Each project will be named.

76
77 *Internal Infrastructure Projects are those projects*
78 *not being part of OTIC's Turnpike Projects, but are in*
79 *addition to and are not subsidized by OTIC's Turnpike*
80 *Projects. Internal Infrastructure Projects are not*
81 *External Infrastructure Projects and do not subsidize*
82 *External Infrastructure Projects like OTIC's turnpike*
83 *projects do.*

84
85 **5537.01(C)(3)** added "Internal Infrastructure Facilities"
86 being additional facilities used by and related to Internal
87 Infrastructure Projects and other beneficial uses of OTIC
88 rights of way. Each facility will be named.

89
90 *Internal Infrastructure Facilities are those*
91 *facilities not being part of OTIC's Turnpike*
92 *Facilities, but are in addition to but are not*
93 *subsidized by OTIC's Turnpike Facilities. Internal*
94 *Infrastructure Facilities do not subsidize External*
95 *Infrastructure Projects like OTIC's Turnpike Project*
96 *Facilities may.*

97
98 *Internal Infrastructure Facilities are implied to be*
99 *part of Internal Infrastructure Projects.*

100
101 **5537.01(D)** was split into two subsections.

102
103 **5537.01(D)(1)** refers to turnpike project or external
104 infrastructure project costs, and added tunnels and other
105 infrastructures.

106

107 **5537.01(D)(2)** refers to internal infrastructure project
108 costs.

109
110 **5537.01(H)** added tubes and appurtenances and eliminated
111 appliances.

112
113 **5537.01(N)** changed "Infrastructure Fund" into "External
114 Infrastructure Fund".

115
116 **5537.01(Q)** moved "Service Facilities" to **5537.01(B)(2)**.

117
118 **5537.01(Q)** was changed to "Turnpike Project Facility Revenues"
119 for the revenues OTIC receives from its turnpike project
120 facilities.

121
122 **5537.01(R)** was deleted.

123
124 **5537.01(R)** was changed to "Internal Infrastructure Facility
125 Revenues" for the revenues OTIC receives from its internal
126 infrastructure facilities.

127
128 **5537.01(V)** was split into three subsections.

129
130 **5537.01(V)(1)** changed "Tolls" to "Turnpike tolls".

131
132 **5537.01(V)(2)** added "Internal infrastructure project
133 assessments" defining those assessment types for internal
134 infrastructure projects.

135
136 **5537.01(DD)** changed "System" to "Ohio turnpike system".

137
138 **5537.01(EE)** changed "Ohio Turnpike and Infrastructure System" to
139 "Ohio Turnpike and External Infrastructure System".

140
141 **5537.01(FF)** added "Ohio Turnpike Internal Infrastructure System"
142 meaning all internal infrastructure projects acquired,
143 constructed, operated, and maintained under OTIC.

144
145 **5537.01(GG)** added and defined "Political Subdivision".

146
147
148 **5537.02 Ohio turnpike and infrastructure commission.**

149
150 **5537.02(B)(1)** changed the number of commission members from
151 ten to nine.

152
153 **5537.02(B)(1)(b)** eliminated the Director of Budget and
154 Management or their designee as a commission member.

155
156 *OBM need not be a commission member of OTIC. OBM*
157 *participates with OTIC in other issues and*
158 *oversight, and refraining from being an OTIC*

159 *commission member reduces OBM's own time and*
160 *expenses.*

161
162 **5537.02(B)(1)(c)** added that the Senate commission
163 member appointee represent a district that hosts or is
164 in the vicinity of a turnpike project or an internal
165 infrastructure project.

166
167 **5537.02(B)(1)(d)** added that the House commission
168 member appointee represent a district that hosts or is
169 in the vicinity of a turnpike project or an internal
170 infrastructure project.

171
172 **5537.02(B)(3)(b)** eliminated OBM director of budget and
173 management participating in any vote of the commission.

174
175
176 **5537.03 Turnpike projects, external infrastructure projects, and**
177 **internal infrastructure projects.**

178
179 **5537.03** was renamed from "**Turnpike and infrastructure projects**"
180 to "**Turnpike projects, external infrastructure projects, and**
181 **internal infrastructure projects**".

182
183 **5537.03 ¶#1** changed "vehicular traffic" to "freight, passenger,
184 and data traffic".

185
186 **5537.03 ¶#1** added "the acquisition, construction, improvement,
187 and maintenance of modern internal infrastructures embodying
188 efficient and optimal technologies and techniques including
189 safety and protection devices and methodologies, and grade
190 separations at intersections with other public roads, railroads,
191 utilities, and other infrastructures".

192
193 **5537.03(C)** was added regarding internal infrastructure projects
194 that "Subject to section **5537.26** of the Revised Code, acquire,
195 construct, maintain, repair, and operate a system of internal
196 infrastructure projects at locations that are reviewed by the
197 turnpike legislative review committee and approved by the
198 governor, and in accordance with any applicable alignment and
199 design standards that are approved by the director of
200 transportation, and issue revenue bonds of this state, payable
201 solely from pledged revenues, to pay the cost of those projects.
202 The internal infrastructure projects authorized by this chapter
203 are hereby or shall be made part of the Ohio turnpike internal
204 infrastructure system."

205
206
207 **5537.04 Authority and powers of turnpike and infrastructure**
208 **commission.**

209
210 **5537.04(A)(5)** was split into two subsections.

211

212 **5537.04(A)(5)(b)** was added regarding internal
213 infrastructure projects that "With respect to internal
214 infrastructure projects only, sue and be sued in its
215 own name, plead and be impleaded, provided any actions
216 against the commission shall be brought in the court
217 of common pleas of the county in which the principal
218 office of the commission is located, or in the court
219 of common pleas of the county in which the cause of
220 action arose if that county is located within this
221 state, and all summonses, exceptions, and notices of
222 every kind shall be served on the commission by
223 leaving a copy thereof at its principal office with
224 the secretary-treasurer or executive director of the
225 commission."
226

227 **5537.04(A)(6)** was split into two subsections.
228

229 **5537.04(A)(6)(b)** was added regarding internal
230 infrastructure projects that "Acquire, construct,
231 maintain, repair, police, and operate the turnpike
232 internal infrastructure system, and establish rules
233 for the use of any internal infrastructure project".
234

235 **5537.04(A)(10)** was split into two subsections.
236

237 **5537.04(A)(10)(b)** was added regarding internal
238 infrastructure projects that "Designate the locations
239 and methods, and establish, limit, and control such
240 points and methods of access, ingress to, egress from,
241 and use of each internal infrastructure project as are
242 necessary or desirable in the judgment of the
243 commission and if necessary in the judgment of the
244 director of transportation to ensure the proper
245 operation and maintenance of that internal
246 infrastructure project, and prohibit access, ingress
247 to, egress from, or use of such an internal
248 infrastructure project from any point or method not so
249 designated".
250

251 **5537.04(A)(13)** removed the approval of the Governor for
252 receiving and accepting grants and other aid for turnpike
253 projects or internal infrastructure projects, and added the
254 approval of the Governor for receiving and accepting
255 donations, property, labor, or other things of value and
256 aid from any sources and persons for which such grants and
257 contributions are made.
258

259 **5537.04(A)(13)** added the power of eminent domain.
260

261 *4582.31(A)(17) enables port authorities to have the*
262 *power of eminent domain.*
263
264

265 **5537.05 Construction of grade separations at intersections of turnpike**
266 **projects and internal infrastructure projects.**

267
268 **5537.05** was renamed from "**Construction of grade separations at**
269 **intersections of turnpike projects**" to "**Construction of grade**
270 **separations at intersections of turnpike projects and internal**
271 **infrastructure projects**".

272
273
274 **5537.07 Bidding process for contracts exceeding \$50,000.**

275
276 **5537.07(A)** changed instances of cost estimates and bids for
277 "roadways and bridges" to "the contract".

278
279
280 **5537.13 Contracts - bids - turnpike tolls and internal infrastructure**
281 **assessments - sinking fund - lien of the pledge.**

282
283 **5537.13** was renamed from "**Contracts - bids - tolls - sinking fund**
284 **- lien of the pledge**" to "**Contracts - bids - turnpike tolls and**
285 **internal infrastructure assessments - sinking fund - lien of the**
286 **pledge**".

287
288 **5537.13(B)** changed "contracts for the operation of service
289 facilities" to "contracts for the lease, licensing, or operation
290 of turnpike projects, turnpike project facilities, internal
291 infrastructure projects, and internal infrastructure facilities".

292
293 Changed "the notice shall state the general character of the
294 service facilities operation proposed" to "the notice shall state
295 the general character of the lease, licensing, or operation
296 proposed".

297
298 **5537.13(C)(3), 5537.13(C)(3)(a), and 5537.13(C)(3)(b)** were added
299 for internal infrastructure assessments based upon **5537.13(C)(2),**
300 **5537.13(C)(2)(a), and 5537.13(C)(2)(b)** except for the requirement
301 of being subject to **5537.13(C)(1)** that referred to turnpike toll
302 rate increases.

303
304
305 **5537.16 Bylaws and rules - disposal of fines.**

306
307 **5537.16(A)** was divided into **5537.16(A)(1)** for turnpike projects
308 and **5537.16(A)(2)** for internal infrastructure projects using
309 similar language as **5537.16(A)(1)**.

310
311 **5537.16(D)(3)** was added for internal infrastructure projects
312 using similar language as **5537.16(D)(2)** for turnpike projects.

313
314
315 **5537.17 Maintenance and repair of turnpike project and internal**
316 **infrastructure project - restoration or repair of damaged property -**

317 cooperation by governmental agencies - bridge and tunnel inspection -
318 annual audit.

319
320 5537.17 was renamed from "Maintenance and repair of turnpike
321 project - restoration or repair of damaged property - cooperation
322 by governmental agencies - bridge inspection - annual audit" to
323 "Maintenance and repair of turnpike project and internal
324 infrastructure project - restoration or repair of damaged
325 property - cooperation by governmental agencies - bridge and
326 tunnel inspection - annual audit".

327
328
329 **5537.18 Applications for external infrastructure project subsidies.**

330
331 5537.18 was renamed from "Applications for infrastructure project
332 funding" to "Applications for external infrastructure project
333 subsidies".

334
335
336 **5537.19 Studies of turnpike projects, external infrastructure**
337 **projects, or internal infrastructure projects.**

338
339 5537.19 was renamed from "Studies of turnpike or infrastructure
340 projects" to "Studies of turnpike projects, external
341 infrastructure projects, or internal infrastructure projects".

342
343
344 **5537.20 Real and personal property taxes.**

345
346 5537.20 was renamed from "Turnpike and infrastructure projects,
347 property, income, and bonds free from taxation" to "Real and
348 personal property taxes".

349
350 5537.20 ¶1 added the exceptions of 5537.20(A) to 5537.20(I)
351 regarding the payment of any state or local taxes or assessments
352 upon any turnpike project, external infrastructure project, or
353 internal infrastructure project or upon the revenues or any
354 property acquired or used by OTIC or upon the income therefrom.

355
356 5537.20(A) was added to allow any person who leases, occupies, or
357 uses OTIC property for economic development, housing, recreation,
358 education, governmental operations, culture, or research purposes
359 to be exempt from any real and personal taxes on the property if
360 their uses would normally be exempt from taxes under **5709 Taxable**
361 **Property.**

362
363 5537.20(B) was added to disallow any person who leases, occupies,
364 or uses OTIC property for economic development, housing,
365 recreation, education, governmental operations, culture, or
366 research purposes to be exempt from any real and personal taxes
367 on the property if their uses would normally not be exempt from
368 taxes under **5709 Taxable Property.**

369

370 **5537.20(C)** was added to allow any person who leases OTIC right of
371 way for the installation and administration of the person's own
372 mode of distribution project infrastructure to be exempt from
373 real property taxes upon OTIC's right of way. The person will
374 still be required to pay any personal property taxes upon their
375 own mode of distribution project infrastructure.

376
377 **5537.20(D)** was added to require when OTIC leases its right of way
378 to a person for the installation and administration of the
379 person's own mode of distribution project infrastructure where
380 the person is the sole provider of the mode of distribution
381 project infrastructure by agreement with OTIC, or where the
382 person is the sole provider of the mode of distribution project
383 infrastructure on OTIC right of way due to capacity restraints of
384 OTIC's existing right of way or due to the unavailability of
385 additional right of way that OTIC cannot acquire and provide,
386 that OTIC will be required to pay any real property taxes upon
387 its right of way.

388
389 **5537.20(E)** was added to allow any person who leases OTIC
390 infrastructure for the installation and administration of the
391 person's own mode of distribution project personal property to be
392 exempt from personal property taxes upon OTIC's infrastructure.
393 The person will be required to pay any personal property taxes
394 upon their own mode of distribution project personal property.

395
396 **5537.20(F)** was added to require when OTIC leases its
397 infrastructure to a person for the installation and
398 administration of the person's own mode of distribution project
399 personal property where the person is the sole provider of the
400 mode of distribution project personal property by agreement with
401 OTIC, or where the person is the sole provider of the mode of
402 distribution project personal property on OTIC's infrastructure
403 due to capacity restraints of OTIC's existing infrastructure or
404 due to the unavailability of additional infrastructure that OTIC
405 cannot acquire or initiate and provide, that OTIC will be
406 required to pay any personal property taxes upon its
407 infrastructure.

408
409 **5537.20(G)** was added to allow any person who leases OTIC real
410 property for the installation and administration of the person's
411 own mode of distribution project user facility to be exempt from
412 real property taxes upon OTIC's real property. The person will be
413 required to pay any personal property taxes upon their own mode
414 of distribution project user facility.

415
416 **5537.20(H)** was added to require when OTIC leases its real
417 property to a person for the installation and administration of
418 the person's own mode of distribution project user facility where
419 the person is the sole provider of the mode of distribution
420 project user facility by agreement with OTIC, or where the person
421 is the sole provider of the mode of distribution project user
422 facility on OTIC's real property due to capacity restraints of

423 OTIC's existing real property or due to the unavailability of
424 additional real property that OTIC cannot acquire and provide,
425 that OTIC will be required to pay any real property taxes upon
426 its real property.

427
428 **5537.20(I)** was added to require that nothing in **5537.20**
429 eliminates the lessor's or the lessee's obligation to comply with
430 other provisions of the ORC to obtain an exemption for such
431 property.

432
433 ***5537.20(I)** was copied nearly verbatim from **4582.46 Port***
434 ***authority property exempted from taxes.***

435
436 **5537.20 ¶2** changed that the bonds issued under this chapter,
437 their transfer, and the income therefrom, including any profit
438 made on the sale thereof, "except as provided in division (A)
439 through division (I) of section **5537.20** of the Revised Code,"
440 shall at all times be free from taxation within the state.

441
442

443 **5537.21 Turnpike projects continuing to be tolled and internal**
444 **infrastructure projects continuing to be assessed**

445

446 **5537.21** was renamed from "Project continuing to be operated and
447 maintained as toll road" to "Turnpike projects continuing to be
448 tolled and internal infrastructure projects continuing to be
449 assessed".

450

451 **5537.21(C)** was added regarding bond proceedings for internal
452 infrastructure projects and internal infrastructure assessments,
453 and is nearly verbatim to **5537.21(B)** regarding bond proceedings
454 for turnpike or external infrastructure projects.

455

456

457 **5537.24 Turnpike legislative review committee.**

458

459 **5537.24(A)(1)** changed the Ohio Senate's chairperson of the
460 "committee dealing primarily with highway matters" being a
461 member of the Turnpike legislative review committee to the
462 "committee dealing primarily with transportation and
463 infrastructure matters".

464

465 *The change will require the Ohio Senate's*
466 *"Transportation, Commerce and Workforce Committee" be*
467 *renamed to the "Transportation, Infrastructure,*
468 *Commerce, and Workforce Committee".*

469

470 Added that the Senate member appointed by the Senate
471 President and the Senate member appointed by the Senate
472 Minority Leader shall represent districts hosting or in the
473 vicinity of a turnpike project "or an internal
474 infrastructure project".

475

476 **5537.24(A)(2)** changed the Ohio House of Representative's
477 chairperson of the "committee dealing primarily with
478 highway matters" being a member of the Turnpike legislative
479 review committee to the "committee dealing primarily with
480 transportation and infrastructure matters".

481
482 *The change will require the Ohio House of*
483 *representative's "Transportation and Public Safety*
484 *Committee" be renamed to the "Transportation,*
485 *Infrastructure, and Public Safety Committee".*

486
487 Added that the House of Representatives member appointed by
488 the House of Representatives Speaker and the House of
489 Representatives member appointed by the House of
490 Representatives Minority Leader shall represent districts
491 hosting or in the vicinity of a turnpike project "or an
492 internal infrastructure project".

493
494 Added that "No members of the general assembly who
495 currently serve as members of the commission board shall
496 concurrently serve as members of the turnpike legislative
497 review committee".

498
499 *The change provides greater General Assembly oversight*
500 *over OTIC and the General Assembly's members over the*
501 *General Assembly's OTIC commission members.*

502
503
504 **5537.25 No expenditures for lobbyist.**

505
506 **5537.25** was deleted.

507
508 *See the discussion in the following Issues section*

509
510
511 **5537.26 Change in turnpike toll and internal infrastructure assessment**
512 **rate structure, turnpike and internal infrastructure, and authority**
513 **and powers requires notice and hearing.**

514
515 **5537.26** was renamed from "Change in toll rate structure requires
516 notice and hearing" to "Change in turnpike toll and internal
517 infrastructure assessment rate structure, turnpike and internal
518 infrastructure, and authority and powers requires notice and
519 hearing".

520
521 **5537.26(A)** added "contracts" to any OTIC action that "expands or
522 contracts" any turnpike project or internal infrastructure.

523
524 Added "expands, contracts, repurposes, rationalizes, abandons,
525 liquidates, or conveys to another governmental agency" to any
526 OTIC action taken unless OTIC complies with the notice and
527 hearing requirements prescribed in **5537.26(B)**.

528

529 Changed "sphere of responsibility" to "authority and powers" of
530 OTIC beyond the Ohio turnpike system and Ohio turnpike internal
531 infrastructure system.

532
533 *"Sphere of responsibility" is not well defined and is found*
534 *nowhere else in the ORC. "Authority and powers" might not*
535 *be a legally acceptable substitute either.*

536
537 **5537.26(B), 5537.26(B)(1), and 5537.26(B)(2)** were changed
538 similarly to **5537.26(A)**.

539
540 **5537.26(C)** deleted "The commission shall not implement any
541 increase until it complies with division (B) of this section" and
542 "The commission shall not take the proposed action until it
543 complies with the notice and hearing requirements prescribed in
544 division (B) of this section".

545
546 *The requirements are both redundant and likely meant to be*
547 *threatening.*

548
549 **5537.26(D)** added that OTIC could implement a permanent decrease
550 in the turnpike toll rate structure that is applicable to
551 vehicles operating on a turnpike project.

552
553 *New technologies and methodologies incorporated by OTIC*
554 *could result in permanent cost savings that should be*
555 *passed along to turnpike project users.*

556
557 **5537.26(D)(2)** changed from OTIC to OTIC's Turnpike Advisory
558 Committee for hosting a public meeting to explain to the
559 public reasons for an upcoming rate decrease, to inform
560 them of any benefits and any negative consequences, and to
561 give them the opportunity to express their opinions as to
562 the relative merits or drawbacks of each turnpike toll or
563 internal infrastructure assessment decrease.

564
565 Changed from OTIC to the Turnpike Advisory Committee that
566 shall not be required to hold any public hearing or meeting
567 upon the expiration of any temporary decrease in the
568 turnpike toll rate structure so long as OTIC implements the
569 same turnpike toll rate structure that was in effect
570 immediately prior to the temporary decrease.

571
572 Added that the Turnpike Advisory Committee shall submit
573 written reports of public meetings regarding turnpike toll
574 or internal infrastructure assessment decreases to OTIC,
575 either at OTIC meetings or at any other time.

576
577 **5537.26(E)** was deleted.

578
579 *"Ohio Turnpike" may not only or in the future mean the toll*
580 *freeway that is under the jurisdiction of OTIC and runs in*
581 *an easterly and westerly direction across the entire*

582 *northern portion of this state between its borders with the*
583 *state of Pennsylvania in the east and the state of Indiana*
584 *in the west, and carries the I-76, I-80, and I-80/I-90, and*
585 *other definitions in 5537.01 Turnpike commission*
586 *definitions are sufficient for use throughout the section*
587 *and chapter.*

588
589
590 **5537.27 Application for turnpike projects, external infrastructure**
591 **projects, and internal infrastructure projects.**

592
593 **5537.27** was renamed from "**Application by political subdivisions**
594 **or government agencies for projects**" to "**Application for turnpike**
595 **projects, external infrastructure projects, and internal**
596 **infrastructure projects**".

597
598 **5537.27 ¶1** deleted OTIC, ODOT's Director, and the Governor's
599 designee being required to establish a procedure for political
600 subdivisions or other government agencies to submit a written
601 application to OTIC requesting a turnpike project be constructed
602 and operated within the boundaries of the subdivisions or
603 agencies making the request.

604
605 **5537.27 ¶1** added that "one or more political subdivisions,
606 government agencies, or members of the public may submit written
607 applications to the Turnpike Advisory Committee requesting OTIC
608 acquire, construct, and operate a turnpike project, an external
609 infrastructure project, or an internal infrastructure project
610 within the boundaries of the subdivisions or agencies, or in a
611 region or corridor suggested by members of the public making the
612 request".

613
614 **5537.27 ¶1** changed "The procedure shall include a requirement
615 that the commission send a written reply to the subdivision,
616 agency, or agencies, explaining the disposition of the request"
617 to "The commission shall send a written reply to the
618 subdivisions, agencies or members of the public explaining the
619 disposition of the request".

620
621 **5537.27 ¶1** changed "The procedure established pursuant to this
622 section shall not become effective unless it is approved by the
623 commission and by the director or the director's designee and the
624 designee of the governor, and shall require submission of the
625 proposed turnpike project to the turnpike legislative review
626 committee if the project must be approved by the governor" to
627 "The proposed turnpike project or external infrastructure project
628 or internal infrastructure project shall be submitted to the
629 turnpike legislative review committee if the turnpike project or
630 external infrastructure project or internal infrastructure
631 project must be approved by the governor".

632
633

634 **5537.30 Program for the placement of business logos for advertising**
635 **purposes on signs within the turnpike right-of-way.**
636

637 **5537.30** was renamed from "**Program for the placement of business**
638 **logos for identification purposes on directional signs within the**
639 **turnpike right-of-way**" to "**Program for the placement of business**
640 **logos for advertising purposes on signs within the turnpike**
641 **right-of-way**".
642

643 *Instances of "Advertising" were substituted for*
644 *"Information" since that is what the program actually*
645 *entails. OTIC provides non-profit "Information" and not*
646 *for-profit "Advertising".*
647

648 **5537.30(A)** changed that OTIC "may" and not "shall" establish a
649 program for the placement of business logos for advertising
650 purposes on signs within the turnpike right-of-way.
651

652 Changed advertising on "directional signs" to "signs".
653

654 *A strict interpretation of "directional signs" means that*
655 *such signs are only for traffic control. Any advertising*
656 *or extraneous information on directional signs becomes a*
657 *distraction for turnpike project users. A compromise*
658 *terminology could be "advertising signs" that are assumed*
659 *to also give turnpike project users navigational directions*
660 *and distances from the location of the signs to the*
661 *location of the businesses.*
662

663 **5537.30(D)** added that OTIC "may at any time terminate the
664 business logo program or portions of the business logo program
665 pending at least one month of advanced notice to any businesses
666 participating in the program".
667

668 *If no businesses participated in the program, OTIC would*
669 *still be required to offer the program without **5537.30(D)**.*
670 *In the future such advertising may shift to being more*
671 *online.*
672

673
674 **5537.35 Turnpike facility and internal infrastructure facility flags.**
675

676 **5537.35** was renamed from "**Turnpike rest area flags**" to "**Turnpike**
677 **facility and internal infrastructure facility flags**".
678

679 **5537.35(A)** changed from "service facility" to "turnpike facility"
680 and deleted "that is along the turnpike".
681

682 *Some turnpike facilities may not be located immediately*
683 *adjacent to a turnpike project.*
684

685 **5537.35(C)** was added authorizing OTIC to optionally display flags
686 at internal infrastructure facilities including:

687
688 **5537.35(C)(1)** The US flag;
689
690 **5537.35(C)(2)** The Ohio flag;
691
692 **5537.35(C)(3)** The flags of other countries or states if an
693 internal infrastructure project extends into or through
694 their boundaries and jurisdictions;
695
696 **5537.35(C)(4)** Other flags, banners, etc. that the OTIC
697 approves of.
698
699 **5537.35(D)** was added and is nearly identical to **5537.35(B)** except
700 for referring to **5537.35(C)(1)** and **5537.35(C)(2)**.

701
702
703 **5537.36 Turnpike advisory committee.**

704
705 **5537.36** was added and named "**Turnpike advisory committee**".
706

707 **5537.36(A)** was added creating a Turnpike Advisory Committee
708 consisting of the OTIC executive director and two voting OTIC
709 members as determined by the OTIC members, and one alternative
710 representative for the executive director and one alternative
711 representative for the two voting OTIC members.

712
713 Each appointed committee member will hold the position from the
714 date of their appointment until the end of the term for which
715 they were appointed.

716
717 If a committee member dies or resigns, the vacancy shall be
718 filled by the alternative member or by a determination of the
719 OTIC members.

720
721 Any committee member who fills a vacancy occurring prior to the
722 end of the term for which the committee member's predecessor was
723 appointed shall hold the position for the remainder of the term
724 or for a shorter period of time as determined by OTIC members.

725
726 A committee member is eligible for reappointment.

727
728 Each committee member shall take an oath as provided by **Section 7**
729 of **Article XV, Ohio Constitution**.

730
731 The OTIC members may at any time remove their respective
732 appointees to the committee for misfeasance, nonfeasance, or
733 malfeasance in office.

734
735 **5537.36(B)** was added whereby the committee members will elect one
736 of the committee members as chairperson and another as vice-
737 chairperson, and shall appoint a secretary-treasurer who need not
738 be a member of the committee.

739

740 Two of the committee members will constitute a quorum, and the
741 affirmative vote of two committee members is necessary for any
742 action taken by the committee.

743
744 No vacancy in the membership of the committee will impair the
745 rights of a quorum to exercise all the rights and perform all the
746 duties of the committee.

747
748 **5537.36(C)** was added whereby each member of the committee will
749 serve without compensation.

750
751 Each member will be reimbursed for the member's actual expenses
752 necessarily incurred in the performance of the member's duties.

753
754 All costs and expenses incurred by the committee in carrying out
755 this chapter will be payable solely from revenues, and no
756 liability or obligation will be incurred by OTIC beyond the
757 extent to which revenues are provided.

758
759 **5537.36(D)** was added whereby the committee will meet at least
760 quarterly and may meet at the call of its chairperson, or upon
761 the written request to the chairperson of not fewer than two
762 members of the committee.

763
764 Meetings will be held at sites that are determined solely by the
765 chairperson of the committee with consultation from other
766 committee members.

767
768 **5537.36(E)** was added whereby at each meeting, the committee will
769 host open regular or occasional discussions and presentations,
770 and will solicit input, critiques, and advice from turnpike and
771 internal infrastructure project users, lessees, renters, clients,
772 service providers, vendors, concessionaires, consultants, similar
773 project administrators, and other stakeholders and members of the
774 public having interests in or whom are affected by proposed and
775 on-going turnpike and internal infrastructure project
776 acquisition, construction, maintenance, repair, or operations, or
777 whom may suggest new or changes to interchanges located on
778 existing turnpike projects or internal infrastructures and
779 facilities, or on any other related matters.

780
781 **5537.36(F)** was added whereby the committee, by the affirmative
782 vote of at least two of its members, may submit written committee
783 reports to OTIC, either at OTIC meetings or at any other time.

784
785
786 **5537.37 Meeting by interactive video conference or teleconference.**

787
788 **5537.37** was added and named "**Meeting by interactive video**
789 **conference or teleconference**".

790
791 *5537.37 is nearly verbatim to 4582.60 "Meeting by*
792 *interactive video conference or teleconference".*

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844

5537.37(A) was added whereby the requirement in **121.22(C)** that a member of a public body be present in person at a meeting open to the public in order to be part of a quorum or to vote does not apply to OTIC if OTIC holds the meeting by interactive video conference or by teleconference in the following manner:

5537.37(A)(1) OTIC establishes a meeting location that is open and accessible to the public;

5537.37(A)(2) Meeting-related materials that are available before the meeting are sent via electronic mail, facsimile, hand-delivery, or United States postal service to each OTIC member;

5537.37(A)(3) In the case of an interactive video conference, OTIC causes a clear video and audio connection to be established that enables all meeting participants at the meeting location to see and hear each OTIC member;

5537.37(A)(4) In the case of a teleconference, OTIC causes a clear audio connection to be established that enables all meeting participants at the meeting location to hear each OTIC member;

5537.37(A)(5) All OTIC members have the capability to receive meeting-related materials that are distributed in advance of and during an OTIC meeting;

5537.37(A)(6) A roll call voice vote is recorded for each vote taken; and

5537.37(A)(7) The minutes of the OTIC meeting identify which OTIC members remotely attended the meeting by interactive video conference or teleconference and their remote location.

If OTIC proceeds under this division, use of an interactive video conference is preferred, but nothing in this section prohibits OTIC from conducting its meetings by teleconference or by a combination of interactive video conference and teleconference at the same meeting.

5537.37(B) was added whereby OTIC will adopt rules necessary to implement this section. At a minimum, the rules will do all of the following:

5537.37(B)(1) Authorize OTIC members to remotely attend an OTIC meeting by interactive video conference or teleconference, or by a combination thereof, in lieu of attending the meeting in person;

845 **5537.37(B)(2)** Establish a minimum number of OTIC members
846 that must be physically present in person at a meeting
847 location if OTIC conducts a meeting by interactive video
848 conference or teleconference;

849
850 **5537.37(B)(3)** Require that not more than one OTIC member
851 remotely attending an OTIC meeting by teleconference is
852 permitted to be physically present at the same remote
853 location;

854
855 **5537.37(B)(4)** Establish a policy for distributing and
856 circulating meeting-related materials to OTIC members, the
857 public, and the media in advance of or during a meeting at
858 which OTIC members are permitted to attend by interactive
859 video conference or teleconference; and

860
861 **5537.37(B)(5)** Establish a method for verifying the identity
862 and location of an OTIC member who remotely attends a
863 meeting by teleconference.

864
865 **5537.37**© was added whereby OTIC may and is encouraged to open its
866 meetings to the public by interactive video conference or by
867 teleconference

868

869
870 **5537.99 Penalty.**

871
872 **5537.99(B)(1)** was changed from "Whoever violates division
873 (C) of section **5537.16** of the Revised Code when the
874 violation is a civil violation for failure to comply with
875 toll collection rules is subject to a fee or charge
876 established by the commission by rule" to "Whoever violates
877 division (C) of section **5537.16** of the Revised Code when
878 the violation is a civil violation for failure to comply
879 with turnpike toll or internal infrastructure assessment
880 collection rules is subject to a fine and/or restriction of
881 turnpike or internal infrastructure project access and/or
882 use established by the commission by rule".

883

884 *See further discussion in the following Issues.*

885

886

887

887 **Issues and Opinions**

888

889 **5537.01 Turnpike commission definitions.**

890

891 **5537.01(C)(2)** "Internal infrastructure project" means any
892 mode of distribution infrastructures including but not
893 limited to ports, landing strips, and pads for airplanes,
894 helicopters, drones, blimps, rockets, and other air and
895 spacecraft types; monorail, funicular, trolley, tramway,
896 subway, interurban, light rail, heavy rail, rail fixed
897 guideway, tubular, maglev, and related systems; busways and
898 other paved "fixed guideways" for rapid transit system
899 types; electric power transmission and distribution
900 systems; pipeline transmission and distribution systems;
901 towers, tunnels, ducts, conduits, and other guideways to
902 host copper, twisted pair, coaxial, fiber optic, and
903 related mediums for the electromagnetic, seismic, quantum
904 mechanical and similar means for distribution of
905 information; improved and unimproved service roadways and
906 trails; and beneficial uses of infrastructure rights of way
907 including public gardens, bee and butterfly pollinator
908 programs, solar and wind energy generation, litter cleanup,
909 cargo spillage, road salt neutralization, wayside air
910 pollution abatement systems, and the like when and where
911 they can be openly accessible to the public safely and
912 securely situated and separated from other infrastructure
913 projects when necessary; and any combination of the
914 foregoing including all bridges, tunnels, overpasses,
915 underpasses, interchanges, approaches, those portions of
916 connecting public roads and other infrastructures that
917 serve interchanges and interconnections that are determined
918 by the commission to be necessary for the safe merging and
919 interexchange of freight, passenger, and data traffic among
920 the internal infrastructure project and those public roads,
921 other infrastructures, and internal infrastructure
922 facilities that the commission considers necessary for the
923 operation of the internal infrastructure project, together
924 with all real and personal property and rights that the
925 commission considers necessary for the acquisition,
926 construction, maintenance, or operation of the internal
927 infrastructure project pursuant to this chapter at
928 locations reviewed by the turnpike legislative review
929 committee and approved by the governor.

930

931 *US DOT's definition for "Fixed Guideway" is:*

932

933 *(7) The term "fixed guideway" means a public*
934 *transportation facility— (A) using and occupying*
935 *a separate right-of-way for the exclusive use of*
936 *public transportation; (B) using rail; (C) using*
937 *a fixed catenary system; (D) for a passenger*
938 *ferry system; or (E) for a bus rapid transit*
939 *system.*

940 [https://www.transit.dot.gov/funding/grants/grant-](https://www.transit.dot.gov/funding/grants/grant-programs/fixed-guideway-modernization-5309-b2)
941 [programs/fixed-guideway-modernization-5309-b2](https://www.transit.dot.gov/funding/grants/grant-programs/fixed-guideway-modernization-5309-b2)
942

943 ODOT regulates "rail fixed guideway systems":
944

945 **5501.55 Overseeing safety practices of rail fixed**
946 **guideway systems.**
947

948
949 **5537.01(U)** "State taxes" means receipts of the commission from
950 the proceeds of state taxes or excises levied and collected, or
951 appropriated by the general assembly to the commission, for the
952 purposes and functions of the commission. State taxes do not
953 include ~~tolls~~ turnpike tolls, internal infrastructure
954 assessments, or investment earnings on state taxes except on
955 those state taxes referred to in Section 5a of Article XII, Ohio
956 Constitution.
957

958 *This section was allowed to remain and is assumed to refer*
959 *to taxes assessed by the State of which some are allocated*
960 *to OTIC. OTIC and its lessees and users may be required by*
961 *the Ohio Department of Taxation to collect various types of*
962 *state taxes on certain sales, access, and uses that are*
963 *then forwarded to their designated recipients.*
964

965 **5537.01(U)** *should nonetheless be clarified and re-written.*
966

967
968 **5537.16 Bylaws and rules - disposal of fines.**
969

970 **5537.16(D)(1)** All fines collected for the violation of
971 applicable laws of the state and the bylaws and rules of
972 the commission or moneys arising from bonds forfeited for
973 such violation shall be disposed of in accordance with
974 section **5503.04** of the Revised Code.
975

976 **5503.04 Disposition of fines and moneys arising from bail**
977 **forfeitures.**
978

979 *The Ohio State Highway Patrol may not be the*
980 *designated or preferred agency to police internal*
981 *infrastructure projects, so this designation may need*
982 *to change for internal infrastructure projects.*
983

984
985 **5537.25 No expenditures for lobbyist.**
986

987 *5537.25 was deleted since no other Ohio commissions likewise*
988 *prohibit hiring persons to lobby on their behalves-*
989

990 **102 Ethics Commission**

991 **103 Legislative Service Commission**

992 **121.31 Commission on Hispanic-Latino Affairs**

993 121.40 Commission on Service and Volunteerism
994 123.20 Facilities Construction Commission
995 164 Public Works Commission
996 991.02 Expositions Commission
997 1506.21 Lake Erie Commission
998 3377 Higher Education Facility Commission
999 3517.152 Elections Commission
1000 3701.78 Commission on Minority Health
1001 3769 Racing Commission
1002 3773.33, 3773.34 Athletic Commission
1003 4112 Civil Rights Commission
1004 4121 Industrial Commission
1005 4301 Liquor Control
1006 4781 Manufactured Homes Commission
1007 4981 Rail Development Commission
1008 5101.34 Commission on Fatherhood

1009
1010 *4582 Port Authorities engaging in the proposed similar projects*
1011 *and facilities are authorized to hire lobbyists.*

1012
1013 *The restriction is not fair when other persons hire lobbyists for*
1014 *issues including those issues affecting OTIC and especially if*
1015 *OTIC is authorized to engage in the proposed similar projects and*
1016 *facilities.*

1017
1018
1019 ~~5537.26 Change in toll rate structure requires notice and hearing.~~

1020
1021 5537.26 Change in turnpike toll and internal infrastructure assessment
1022 rate structure, turnpike and internal infrastructure, and authority
1023 and powers requires notice and hearing.

1024
1025 **5537.26(A)** Except as provided in division (D) of this section, no
1026 increase by the Ohio turnpike and infrastructure commission in
1027 the turnpike toll rate structure that is applicable to vehicles
1028 operating on a turnpike project or in the internal infrastructure
1029 assessment rate structure that is applicable to users accessing
1030 and using an internal infrastructure project shall become
1031 effective unless the commission complies with the notice and
1032 hearing requirements prescribed in division (B) of this section,
1033 and the commission shall not take any action that will or in the
1034 future expand, contract, repurpose, rationalize, abandon,
1035 liquidate, or convey to another governmental agency or person any
1036 turnpike project or a portion of any turnpike project, or any
1037 internal infrastructure project or a portion of any internal
1038 infrastructure project, and the commission shall not take any
1039 action that expands or contracts, has the effect of expanding or
1040 contracting, or will to any degree at any time in the future have
1041 the effect of expanding or contracting the "sphere of
1042 responsibility" authority and powers of the commission beyond the
1043 Ohio turnpike system and Ohio turnpike internal infrastructure
1044 system, unless the commission complies with the notice and
1045 hearing requirements prescribed in division (B) of this section.

1046
1047 *"Sphere of responsibility" is not well defined and is found*
1048 *nowhere else in the ORC. "Authority and powers" might not*
1049 *be the legally acceptable substitute either.*

1050
1051 *"Sphere of responsibility" also appears in 5537.26(B),*
1052 *5537.26(B)(1), 5537.26(B)(2), and 5537.26(C) and was*
1053 *similarly replaced with "Authority and powers".*

1054
1055
1056 **5537.30 Program for the placement of business logos for advertising**
1057 **purposes on signs within the turnpike right-of-way**

1058
1059 **5537.30(B)(1)** If the commission establishes the program, it
1060 shall establish, and may revise at any time, a fee for
1061 participation in the business logo sign program. All direct
1062 and indirect costs of the business logo sign program
1063 established pursuant to this section shall be fully paid by
1064 the businesses applying for participation in the program.
1065 The direct and indirect costs of the program shall include,
1066 but not be limited to, the cost of capital, signs,
1067 "blanks", posts, logos, installation, repair, engineering,
1068 design, insurance, removal, replacement, and
1069 administration.

1070
1071 *What are "blanks"? Define or better describe.*

1072
1073
1074 **5537.99 Penalty.**

1075
1076 **5537.99(B)(1)** Whoever violates division (C) of section **5537.16** of
1077 the Revised Code when the violation is a civil violation for
1078 failure to comply with turnpike toll or internal infrastructure
1079 assessment collection rules is subject to a fee or charge fine
1080 and/or restriction of turnpike or internal infrastructure project
1081 access and/or use established by the commission by rule.

1082
1083 *Are those turnpike toll collection rules adequate as*
1084 *internal infrastructure assessment collection rules too?*

1085
1086 *Are those turnpike fees or charges/fines and/or*
1087 *restrictions of turnpike project access and/or use also*
1088 *adequate for internal infrastructure project fees or*
1089 *charges/fines and/or restrictions of access and/or use?*

1090
1091
1092 **OTIC Provision of Multiple Modes of Distribution**

1093
1094 On 8-17-2012, the State of Illinois General Assembly authorized
1095 the Illinois State Toll Highway Authority to additionally
1096 administer rail infrastructures-

1097 <http://www.ilga.gov/legislation/ilcs/documents/060500100K32.1.htm>

1098

1099 thereby increasingly diversifying its lines of businesses vs.
1100 relying solely upon one primary line of business. ISTHA could
1101 better guard against shifts from its tollway to rail if it were
1102 to additionally provide the infrastructure. Thus the rationale
1103 for requesting OTIC be authorized to engage in additional modes
1104 of distribution preferably using a similar metered and tolled
1105 assessment model as the turnpike to help retain traffic and
1106 revenue levels and attract more investments.

1107
1108 OTIC providing additional modes of distribution allows for
1109 failover in case of contingencies or force majeure to an
1110 alternative infrastructure and/or facility. For example, in 1972
1111 Hurricane Agnes severely damaged the Erie Lackawanna Rwy Co.'s
1112 main rail lines and the excessive repair costs caused it to
1113 declare Ch. 77 bankruptcy. Also I-80 in or near EL's corridor
1114 assumed and siphoned traffic from EL. Many of EL's main lines
1115 (including those in OTIC's Project #1 corridor) were thereafter
1116 downgraded and liquidated, unfortunately contributing to freight
1117 traffic being out-of-routed and congestion on remaining rail
1118 lines and highways.

1119
1120 Some expenses for OTIC labor, equipment, materials,
1121 administration, etc. can be shared among multiple provided modes
1122 of distribution thereby reducing assessments to all project users
1123 vs. only providing an individual mode of distribution.

1124
1125

1126 **State and Federal Fuel Taxes vs. Turnpike Project Tolls**

1127
1128 OTIC's business and governance model contrasts with ODOT's and
1129 other public roadway providers regarding tolls vs. state and
1130 federal fuel taxes and other revenues financing roadway
1131 construction, maintenance, operations, debt retirement, etc.

1132
1133 When vehicle users purchase fuel and use the Turnpike project,
1134 almost all of those fuel taxes are being allocated to public
1135 roads and other transportation projects but are not used for the
1136 Turnpike. Then the Turnpike assesses its tolls that are used for
1137 the Turnpike project. This situation results in double
1138 assessments or "taxation" upon Turnpike project users as they
1139 unfairly must cross-subsidize the public roads and other
1140 transportation projects that arbitrarily adds to their costs of
1141 accessing and using the Turnpike.

1142
1143 There are potentially four scenarios on how to address the issue:

1144
1145 Scenario #1: "Universally" standardize the two models by making
1146 the Turnpike toll free and relying upon the fuel tax and other
1147 revenues to finance roadway construction, maintenance,
1148 operations, debt retirement, etc. Disadvantage – the Turnpike
1149 then essentially becomes a freeway and OTIC is liable to be
1150 dissolved and absorbed to ODOT.

1151

1152 Scenario #2: Universally standardize the two models by actually
1153 and virtually tolling users' access and use to all roads and
1154 highways. See Oregon DOT's virtual open system tolling
1155 experiment. Disadvantage – virtual tolling needs to be publicly
1156 accepted (particularly with privacy issues) and may require
1157 advanced telecommunications and information technologies not
1158 universally available yet.

1159
1160 Scenario #3: Have Turnpike project users switch to using a fuel
1161 tax-exempt fuel obtained only on the Turnpike project. When the
1162 user consumes all of the fuel or concludes using the Turnpike
1163 project and still has fuel, unused fuel is returned to the
1164 Turnpike. Disadvantages – not really feasible at this point for
1165 diesel and gasoline, but in the future could be feasible for
1166 electricity and other pay/use-as-you-go fuels.

1167
1168 Scenario #4: Have OTIC issue hardcopy and/or digital receipts to
1169 Turnpike project users requesting those receipts with their tolls
1170 for them to deduct 100% from their state and federal tax returns
1171 to compensate the estimated equivalent fuel tax used while
1172 operating their vehicles on the Turnpike project. The receipts
1173 would indicate information including the mileage driven on the
1174 Turnpike project; time and date of the access and use; license
1175 plate of the vehicle or other identifying information; make,
1176 model, and year of the vehicle; estimated vehicle MPG; and
1177 estimated state and federal fuel taxes expended while using the
1178 Turnpike project. Issue – US DOT, the IRS, and other government
1179 agencies would have to approve such receipts, but legislators are
1180 actively pursuing other assessment means to replace if not
1181 supplement current fuel taxes.

1182
1183

1184 **Subsidized External Infrastructure Projects**

1185
1186 OTIC authorizes the subsidization of external infrastructure
1187 projects "in whole or in part" with Turnpike project tolls.

1188
1189 The Commonwealth of Pennsylvania's Act 44 required the
1190 Pennsylvania Turnpike Commission to significantly subsidize
1191 unrelated transportation and transit improvements in that state
1192 to the eventual extent that PTC nearly became insolvent. Act 44
1193 is now being sunsetted by 2057, but PTC's toll rates are
1194 extraordinarily high and continue to rise to finance its extreme
1195 debts caused in part by the required subsidizations.

1196
1197 OTIC is currently investigating additional Turnpike project
1198 improvements and Intelligent Transportation Systems technologies
1199 including autonomous vehicles, drones, etc., and could use more
1200 if not all of their toll revenues to finance those projects.

1201
1202 Consider eliminating OTIC's Turnpike projects subsidizing
1203 external infrastructure projects and dedicating Turnpike tolls
1204 (and potential internal infrastructure project and facility

1205 assessments) to only the Ohio Turnpike System (and the proposed
1206 Ohio Turnpike Internal Infrastructure System).
1207

1208 Also per the previous "State and Federal Fuel Taxes vs. Turnpike
1209 Project Tolls" discussion, not only do Turnpike project users'
1210 fuel taxes mostly finance public roads and other transportation
1211 projects and not Turnpike projects, but their Turnpike toll rates
1212 are likewise arbitrarily raised to subsidize external
1213 infrastructure projects. OTIC would likely experience more
1214 traffic and revenues while reducing toll rates if it could issue
1215 fuel tax receipts to Turnpike users and eliminate subsidizing
1216 external infrastructure projects.
1217

1218
1219 **State Taxes**
1220

1221 Most mentions of OTIC receiving state taxes throughout 5537 were
1222 eliminated. If OTIC desires to continue tolling its Turnpike
1223 projects to receive revenues as cited by 5537.01(F) for its
1224 desired business and governance model, it should defer from
1225 requesting and/or receiving state taxes to remain independent
1226 from state and federal fuel taxes and other revenues financing
1227 model.
1228

1229
1230 **Turnpike Advisory Committee**
1231

1232 The Turnpike Advisory Committee was created because there is
1233 currently no opportunity for public input at OTIC Commission
1234 meetings, and meeting individually with OTIC Commissioners and
1235 Officials is not the same as an open group discussion session
1236 with brainstorming and similar interactions. Other governments
1237 and organizations have advisory committees, "Friends of ... " etc.,
1238 for discussions, feedback, public involvement, etc. ODOT has its
1239 Transportation Review Advisory Council.
1240

1241
1242 **More Precise Metering of Turnpike Project Vehicle Use**
1243

1244 OTIC currently divides vehicle users into seven classes based on
1245 the number of axels per vehicle and vehicle height for its toll
1246 assessments. OTIC combines infrastructure maintenance expenses
1247 with other administration expenses to constitute one toll charge
1248 to the vehicle user.
1249

1250 Rail access and use assessments can be separated into more
1251 precise tons-mile tolls for maintenance expenses, vehicle count
1252 fees for administration expenses, and if so desired time of total
1253 project use by the vehicle for dispatching expenses. Thus trains
1254 with empty train cars would be assessed less use tolls than
1255 loaded train cars would because the empties are doing
1256 proportionately less wear and tear on the rail infrastructure
1257 than the loads.

1258

1259

OTIC should consider a similar debundling of expenses and more precise metering to help encourage more traffic and revenues for its Turnpike projects.

1261

1262

1263

1264

OTIC as a State of Ohio Department

1265

1266

State officials should consider elevating OTIC to a state department on par with ODOT, particularly if OTIC is also authorized to provide other modes of distribution infrastructures on par with roads and highways. The concept is known as "Modal Equality".

1267

1268

1269

1270

1271

1272

1273

Real and personal property taxes

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1285

5537.20 added divisions that need checked against most real world mode of distribution scenarios. In theory, if a market is naturally or artificially monopolized, its properties should be taxed or should be taxed at higher rates than an equally and openly accessible non-monopolized market, which in his case would be the mode of distribution being considered the particular market. A reduction in or elimination of property taxes upon naturally or artificially monopolized mode of distribution markets indicates the government is sanctioning such monopolized markets vs. promoting more competitive markets.

1286

1287

The subsequent section examines existing and potential mode of distribution scenarios though is subject to revisions.

1288

1289

Mode of Distribution and Facility Taxation

1290

Mode of distribution and facility types

1291

Airport Facility and Interexchange

1292

Rail Facility and Interexchange

1293

Harbor/Port Facility and Interexchange

1294

Pipeline Gathering

1295

Pipeline Transmission

1296

Pipeline Distribution

1297

Pipeline Interexchange

1298

Intermodal and Elevator Transloading and Interexchange

1299

Wireless Telecommunications – Public Networks

1300

Wireline Telecommunications – Public Networks

1301

Telecommunications - Interexchange

1302

Electric Gathering

1303

Electric Transmission

1304

Electric Distribution

1305

Electric Interexchange

1306

1307

Airport Facility and Interexchange

1308

Description

1309

Duplex airway terminals and interexchanges

1310

Mode of Distribution Infrastructure Related

1311	Network Operation Centers
1312	Hangers
1313	Cargo Transload/Intramodal
1314	Terminals
1315	Counters
1316	Baggage Processing
1317	Waiting Rooms
1318	Gates
1319	Mode of Distribution Services
1320	Vehicles
1321	Storage
1322	Service
1323	Refueling
1324	Repairs
1325	Customs
1326	Passengers
1327	Restrooms
1328	First aid
1329	TSA
1330	CVB
1331	Food Court Seating
1332	Other
1333	On-premise
1334	Warehouses
1335	Restaurants
1336	Hotels
1337	Convenience Stores
1338	Other
1339	Off-premise
1340	Economic Development
1341	
1342	Rail Facility and Interexchange
1343	Description
1344	Duplex rail and rail type-related terminals and
1345	interexchanges
1346	Mode of Distribution Infrastructure Related
1347	NOCs
1348	Stations
1349	Ticket Offices
1350	Waiting Rooms
1351	Checked Baggage Processing
1352	Platforms
1353	Terminals
1354	Yards
1355	Team Tracks
1356	Transload/Intramodal
1357	Yard Offices
1358	Mode of Distribution Services
1359	Vehicles
1360	Storage
1361	Service
1362	Refueling
1363	Repairs

1364	Customs
1365	Passengers
1366	Restrooms
1367	First aid
1368	TSA
1369	CVB
1370	Food Court Seating
1371	Other
1372	On-premise
1373	Warehouses
1374	Restaurants
1375	Hotels
1376	Convenience Stores
1377	Other
1378	Off-premise
1379	Economic Development
1380	
1381	Harbor/Port Facility and Interexchange
1382	Description
1383	Duplex waterway terminals and interexchanges
1384	Mode of Distribution Infrastructure Related
1385	NOCs
1386	Mooring Docks
1387	Land-Water Slips
1388	Cargo Transload/Intramodal
1389	Equipment
1390	Apron Ramps
1391	Loading Docks
1392	Gates
1393	Desks
1394	Baggage Processing
1395	Waiting Rooms
1396	Mode of Distribution Services
1397	Vehicles
1398	Mooring Docks for Short Term Vehicle Storage
1399	Service
1400	Refueling
1401	Repairs
1402	Customs
1403	Passengers
1404	Restrooms
1405	First aid
1406	TSA
1407	Food Court Seating
1408	Other
1409	On-premise
1410	Warehouses
1411	Restaurants
1412	Hotels
1413	Convenience Stores
1414	Other
1415	Off-premise
1416	Economic Development

1417
1418 Pipeline Gathering
1419 Mode of Description
1420 Simplex wellsite, processing, and/or storage
1421 Transload to Transmission, Distribution, and/or
1422 Interexchanges
1423 Mode of Distribution Infrastructure Related
1424 NOCs
1425 Pumping Stations
1426 Mode of Distribution Services
1427 Temporary consist storage
1428 Other
1429 On-premise
1430 Off-premise
1431 Economic Development
1432
1433 Pipeline Transmission
1434 Description
1435 Simplex Long Haul Network
1436 Mode of Distribution Infrastructure Related
1437 NOCs
1438 Pumping Stations
1439 Mode of Distribution Services
1440 Temporary consist storage
1441 Other
1442 On-premise
1443 Off-premise
1444 Economic Development
1445
1446 Pipeline Distribution
1447 Description
1448 Simplex middle and last mile network
1449 Mode of Distribution Infrastructure Related
1450 NOCs
1451 Pumping Stations
1452 Mode of Distribution Services
1453 Temporary consist storage
1454 Other
1455 On-premise
1456 Off-premise
1457 Economic Development
1458
1459
1460 Pipeline Interexchange
1461 Description
1462 Interexchange among simplex Transmission
1463 Mode of Distribution Infrastructure Related
1464 NOCs
1465 Interexchange Hubs
1466 Pumping Stations
1467 Mode of Distribution Services
1468 Temporary consist storage
1469 Other

1470 On-premise
1471 Off-premise
1472 Economic Development
1473
1474 Pipeline Common
1475 Description
1476 Simplex last mile distribution network
1477 Gathering interexchange to last mile distribution
1478 network
1479 Mode of Distribution Infrastructure Related
1480 NOCs
1481 Interexchange Hubs
1482 Pumping Stations
1483 Mode of Distribution Services
1484 Temporary consist storage
1485 Other
1486 On-premise
1487 Off-premise
1488 Economic Development
1489
1490 Intermodal and Elevator Transloading and Interexchange
1491 Description
1492 Simplex Gathering to Long Haul, Transmission,
1493 Distribution, and/or Interexchanges
1494 Simplex Long Haul, Transmission, Distribution, and/or
1495 Interexchange to Users
1496 Duplex Long Haul, Transmission, Distribution, and/or
1497 Interexchanges to Long Haul, Transmission,
1498 Distribution, and/or Interexchanges
1499 Mode of Distribution Infrastructure Related
1500 NOCs
1501 Equipment
1502 Mode of Distribution Services
1503 Temporary vehicle storage
1504 Temporary consist storage
1505 Awaiting transloading
1506 Customs
1507 Other
1508 On-premise
1509 Off-premise
1510 Economic Development
1511
1512 Wireless Telecommunications – Public Networks
1513 Description
1514 Duplex Terminals and Interexchanges
1515 Mode of Distribution Infrastructure Related
1516 NOCs
1517 Freestanding Towers and Poles
1518 Facilities Hosting Towers and Poles
1519 Satellite Dish Farms
1520 Mode of Distribution Services
1521 Other
1522 On-premise

1523 Mini interexchange point
1524 Wireline and wireless private and public network
1525 POPs
1526 Off-premise
1527 User NOCs
1528 Datacenters
1529 Economic Development
1530
1531 Wireline Telecommunications – Public Networks
1532 Description
1533 Duplex Terminals and Interexchanges
1534 Mode of Distribution Infrastructure Related
1535 NOCs
1536 Mode of Distribution Services
1537 Other
1538 On-premise
1539 Mini interexchange point
1540 Wireline and wireless private and public network
1541 POPs
1542 Off-premise
1543 User NOCs
1544 Datacenters
1545 Economic Development
1546
1547 Telecommunications - Interexchange
1548 Mode of Distribution Infrastructure Related
1549 Interexchange
1550 Access Point
1551 Mode of Distribution Services
1552 Other
1553 On-premise
1554 Wireline and wireless private and public network
1555 POPs
1556 Off-premise
1557 User NOCs
1558 Datacenters
1559 Economic Development
1560
1561 Electric Gathering
1562 Description
1563 Simplex production and/or storage
1564 Transload to Transmission, Distribution, and/or
1565 Interexchanges
1566 Mode of Distribution Infrastructure Related
1567 Project NOCs
1568 Equipment
1569 Mode of Distribution Services
1570 Temporary power storage
1571 Other
1572 On-premise
1573 Off-premise
1574 Economic Development
1575

1576 Electric Transmission
1577 Description
1578 Simplex Long Haul Network
1579 Mode of Distribution Infrastructure Related
1580 Interconnects
1581 Transformers
1582 Mode of Distribution Services
1583 Peaker power supply
1584 Redundant power supply
1585 If all others go down
1586 Other
1587 On-premise
1588 Off-premise
1589 Economic Development
1590
1591 Electric Distribution
1592 Description
1593 Simplex middle and last mile network
1594 Mode of Distribution Infrastructure Related
1595 NOCs
1596 Interconnects
1597 Transformers
1598 Mode of Distribution Services
1599 Peaker power supply
1600 Redundant power supply
1601 If all others go down
1602 Temporary power storage
1603 Other
1604 On-premise
1605 Off-premise
1606 Economic Development
1607
1608 Electric Interexchange
1609 Description
1610 Interexchange among simplex Transmission
1611 Mode of Distribution Infrastructure Related
1612 NOCs
1613 Interexchange Hubs
1614 Equipment
1615 Mode of Distribution Services
1616 Temporary power storage
1617 Other
1618 On-premise
1619 Off-premise
1620 Economic Development
1621
1622 Electric Common
1623 Description
1624 Simplex last mile distribution network
1625 Gathering interexchange to last mile distribution
1626 network
1627 Mode of Distribution Infrastructure Related
1628 NOCs

1629	Interexchange Hubs
1630	Equipment
1631	Mode of Distribution Services
1632	Temporary power storage
1633	Other
1634	On-premise
1635	Off-premise
1636	Economic Development
1637	
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