



# Roadway Infrastructure Maintenance Responsibility

August 3, 2012

## Project Summary

Over the years there have been events or maintenance situations on roadways and bridges in which questions of responsibility arose. For example, there may be a culvert failing in a village under a state route in which the village assumes that it is the responsibility of the Ohio Department of Transportation (ODOT) to repair the culvert because it is on a state route. On the contrary, ODOT assumes it is the responsibility of the village since it is in a village. These situations arise frequently and, although most cases are solved through communication, stakeholders made it clear that maintenance responsibility guidelines are needed.

As a result of there being no set of published guidelines for roadway infrastructure maintenance, several problems and concerns arise. If maintenance responsibilities are unclear, maintenance repairs are delayed, which costs time and money. In the worst case, maintenance responsibilities are not performed at all, and failure may occur. In the events of delayed maintenance and failure of the roadway infrastructure, a public safety hazard is created, and the traveling public is adversely affected. A global understanding of maintenance responsibilities will help to avoid and minimize these problems. Furthermore, by addressing routine maintenance responsibilities, "emergencies" can be minimized.

This project set out to answer the question of responsibility by creating a reference manual and guidelines that helps government agencies and private entities easily determine which roadway infrastructure items they are responsible to maintain. Various forms of these guidelines have informally existed for many years. This document serves to replace those ad hoc documents with one official document that has been researched, reviewed and confirmed by all stakeholders.

## Project Goals

The goal of this project is to create and distribute a complete Roadway Infrastructure Maintenance Responsibility (RIMR) reference, complete with legal references and links. There are three main parts to the document: 1) Roadway Infrastructure Maintenance Responsibility Guidelines 2) Bridge Maintenance & Inspection Responsibility Guidelines and 3) references to US Code, Ohio Revised Code and the Ohio Attorney General opinions.

## Project Methodology

In order for this project and reference manual to be effective, several steps needed to happen.

1. Research the Ohio Revised Code
2. Research the US Code
3. Research previous AG opinions
4. Create a draft of the manual
5. Circulate the draft to identified stakeholders
6. Incorporate stakeholder comments into the document
7. Finalize the draft
8. Submit final draft to the Attorney General for review and comment
9. Prepare final document
10. Distribute final document

## Project Team

For more information about this project, contact team members:

NAME	AGENCY	TITLE	EMAIL	PHONE
Chris Merklin	ODOT	Administrator, Office of Geotechnical Engineering	chris.merklin@dot.state.oh.us	614.275.1361
Robert Taylor	ODOT	District Planning Engineer	rtaylor1@dot.state.oh.us	740.833.8354
Dan Wise	ODOT	Roadway Services Manager	dwise@dot.state.oh.us	740.833.8023
Tom Bretthauer	DAS	Network Administrator, MARCS	tom.bretthauer@ohio.gov	614.995.3530
Steve Updegraff	State of Ohio Library	Head of Transport & Facility Services	supdegra@library.ohio.gov	614.728.9573

# Roadway Infrastructure Maintenance Responsibility

(RIMR)

August 3, 2012

## Group Participants

Robert Taylor, P.E.  
District Planning Engineer  
Ohio Department of Transportation, District 6  
400 E. William Street  
Delaware, OH 43015  
740-833-8384

Dan Wise, P.E.  
Administrative Officer 3  
Ohio Department of Transportation, District 6  
400 E. William Street  
Delaware, OH 43015  
740-833-8023

Christopher Merklin, P.E.  
Administrator  
Office of Geotechnical Engineering  
Ohio Department of Transportation  
1600 West Broad Street  
Columbus, OH 43223  
614-275-1361

Tom Bretthauer  
Data Systems Manager  
Office of Information Technology  
Multi-Agency Radio Communication System  
30 East Broad Street, 39<sup>th</sup> Floor  
Columbus, Ohio 43215  
614-995-3530

Steve Updegraff  
Manager, Transport and Facilities Services  
State Library of Ohio  
274 East 1st Avenue, Suite 100  
Columbus, OH 43201-3692  
614-728-9573

Project Advisor: Cindy Holodnak

## Table of Contents

Project Description.....	1
Purpose and Goal .....	2-3
Action Plan and Execution.....	3-6
Information Gathering and Analysis.....	6-8
Project Schedule.....	8-9
Project Results .....	9-12
Team Dynamics .....	12
OCPM Concepts .....	12-14

### Appendix

RIMR Manual

Project Charter

## **Project Description**

Over the years there have been events or maintenance situations on roadways and bridges in which questions of responsibility arose. For example, there may be a culvert failing in a village under a state route in which the village assumes that it is the responsibility of the Ohio Department of Transportation (ODOT) to repair the culvert because it is on a state route. On the contrary, ODOT assumes it is the responsibility of the village since it is in a village. These situations arise frequently and, although most cases are solved through communication, stakeholders made it clear that maintenance responsibility guidelines are needed.

As a result of there being no set of published guidelines for roadway infrastructure maintenance, several problems and concerns arise. If maintenance responsibilities are unclear, maintenance repairs are delayed, which costs time and money. In the worst case, maintenance responsibilities are not performed at all, and failure may occur. In the events of delayed maintenance and failure of the roadway infrastructure, a public safety hazard is created, and the traveling public is adversely affected. A global understanding of maintenance responsibilities will help to avoid and minimize these problems. Furthermore, by addressing routine maintenance responsibilities, “emergencies” can be minimized.

This project set out to answer the question of responsibility by creating a reference manual and guidelines that helps government agencies and private entities easily determine which roadway infrastructure items they are responsible to maintain. Various forms of these guidelines have informally existed for many years. This document serves to replace those ad hoc documents with one official document that has been researched, reviewed and confirmed by all stakeholders.

## **Purpose and Goal**

The goal of this document is to create and distribute Roadway Infrastructure Maintenance Responsibility (RIMR) guidelines, presented in a single manual, complete with legal references and links. There are three main parts to the document:

- Roadway Infrastructure Maintenance Responsibility Guidelines
- Bridge Maintenance & Inspection Responsibility Guidelines
- References to US Code, Ohio Revised Code and the Ohio Attorney General opinions.

In order for this reference manual to be effective, several steps needed to happen.

### 1. Identify

- a. Ownership – who owns the facility?
- b. Scope of responsibility – routine or major maintenance, or both?
- c. Infrastructure inventory – what are the individual pieces of roadway that are to be maintained?

### 2. Verify

- a. Jurisdictional boundaries – what are the physical limits of responsibility?
- b. Necessity – is this guidance needed?
- c. Legal responsibility – what does the law say?
  - i. Ohio Revised Code (ORC)
  - ii. Ohio Attorney General (AG) Opinions
  - iii. United States Code (USC)
  - iv. Review by Ohio Attorney General

### 3. Develop

- a. RIMR manual – develop physical manual
  - b. Reference website – create reference website
4. Distribute
- a. Ohio Depository Libraries - Place copies of the manual in the State of Ohio  
Depository Libraries
  - b. Website - Electronic versions of the document will be on the website
  - c. Presentations – present the manual at various conferences and trade shows around  
Ohio
  - d. Organizations – provide information directly to stakeholder organizations

In order to create an accurate, reliable, and accepted guideline, it is important to complete all of the steps and have consensus from the stakeholders. The document also needs to be easy to read, understand, and access. We have received very positive feedback from the stakeholders regarding the value of such a document as well as many comments stating that this is something that is very much needed and long overdue. We conclude we have verified the need for RIMR through our outreach and communication with potential users and stakeholders.

### **Action Plan and Execution**

A formal action plan was not created, however, the team action items are summarized by the tasks shown on the Gantt chart in Figure 1. The project technical action items are defined in the outline above. The first order of business for our team was to establish our team rules. The rules created are as follows:

- Hold a 1 hour meeting before every CPM class
- In meetings, practice conversational courtesy; minimize sidebars

- Make decisions first by consensus; if consensus cannot be reached, then by majority
- Give all assignments people and deadlines
- Establish communication and document sharing by e-mail and a SharePoint site.

We deviated from some of these rules out of necessity. During the drafting of our document, we did not have much to discuss, therefore, we cancelled some of the pre-class meetings. In addition, the SharePoint site was created within the ODOT computer network; the ODOT employees could access but non-ODOT employees (Tom and Steve) could not. We resorted to document sharing by e-mail. Finally, in the final two months of the project, as deliverables became critical and responsibilities increased, the team created and attended an on-line meeting every Monday at noon. This turned out to be very valuable in planning and completing the final responsibilities of the project.

Our team quickly assigned roles and tasks for team members. Chris Merklin volunteered to be the team leader, with the primary responsibilities being coordination of meetings, meeting facilitation, and formation of and communication with the document review team. Bob Taylor and Dan Wise were designated as subject matter experts, having been involved with the process of highway maintenance in their job. As the subject matter experts, they were the primary authors of the matrices and document. Also, they evaluated review comments and incorporated changes as necessary. Bob also served as the main point of contact between the sponsors and the team. Steve Updegraff was assigned the roles of scribe, researcher, and document distributor. As the scribe, he took the official notes for all meetings. As researcher, he found and verified applicable parts of the ORC and USC. As distributor, he will put the document in the State Library depositories, for official access by the public. Finally, Tom Bretthauer assumed the roles and responsibilities of task scheduler, presentation layout, and IT support. Tom created and

maintained the team Gantt chart and designed the presentation layout. All team members served as reviewers of all documents created.

The team created the project charter within the first two meetings, included as an appendix to this report. The contents of the charter still apply, for the most part. Some milestones related to outside review and distribution are still in progress, but are still applicable to the goal of the project.

The tasks of drafting the matrices, creating the manual, and referencing the legal guidance occupied much of the beginning and middle portions of the project. Much of this work was performed by Bob and Dan. While that was happening, Chris put together a team of reviewers that would represent as many of the stakeholders as possible. This team consisted of the following:

- ODOT District 12 (northeast Ohio, urban setting)
- ODOT District 10 (southeast Ohio, rural setting)
- ODOT District 7 (west-central Ohio, rural and urban setting)
- Ohio Township Association (Matthew DeTemple), representing township interests
- Ohio Municipal League (Kent Scarrett), representing city and village interests
- Pickaway County Engineer's Office (Anthony Neff)
- Union County Engineer's Office (Emily Wieringa)
- Franklin County Engineer's Office (Jim Pajk)

Much valuable input and review comments were received from two of the three ODOT Districts, and two of the three county engineers. This information was reviewed and incorporated into the manual and matrices.

Progress and deliverables were shared with our sponsors throughout the process by Bob Taylor. The final draft document was sent to our sponsors, who then forwarded it on to the AG's office for review, which is where we are in the process now.

Once we had our document put together, we moved on to preparing our presentation and final report. Tom created the presentation layout. From that, we divided the corresponding presentation and report sections amongst the team. Again, we used the weekly on-line meetings to facilitate progress. We held 4-hour presentation development and review meetings at the state library.

The final task of distributing RIMR will follow the review by the AG's office. Ideally, this would have taken place within the timeline of this project, however, coordination of outside participation pushed the schedule out. We still plan to distribute via ODOT website, presentations at conferences and related organization meetings, and through the State Library Depositories.

### **Information Gathering and Analysis**

Understanding the complex nature of identifying all owners of roadway infrastructure in Ohio is a daunting task. Adding to that complexity is the fact that the only guidance to date for an infrastructure owner is the ORC and associated AG opinions. The ORC is subject to interpretation by the person(s) reading it. There were some sources of guidance put together by a couple ODOT Districts that served as a reference.

This group's objective was to gather as much information as possible by using the Federal guidelines, ORC and existing ODOT resources. The end result would be an all-encompassing

reference manual with a matrix describing ownership. This reference manual is designed to be used for guidance only.

The information was pulled together and the group started dividing pieces for analysis. Much of the work was determining which sections of the ORC were directing the responsibility of the owner. Again this information is subject to the opinion of the person(s) reading it. Along with this review, other team members were designing the actual matrices for review. The information in each matrix was modified as needed for this project.

This OCPM Cohort 45 team called upon the AG's office for review of the final draft documents and the ORC references used to create this document. The idea of requesting review from the AG was to collect their opinion on the correctness of this document. As noted above, the AG's office is currently reviewing RIMR.

During the discovery phase of this project the team determined that the stakeholders for this document were actually the customers of the project. The main customers are identified below:

- Federal Agencies
- State Agencies (ODNT, ODNR, et al)
- Attorney General's Office
- Counties (County Engineers, County Commissioners)
- Townships (Township trustees, Township maintenance staff)
- Cities (City Engineers and Managers)
- Villages (Village Administration)
- Railroad Agencies
- Private Owners

- General Public

Some of the agencies listed above were also contacted during this project. The agencies were asked to review the draft matrixes for accuracy and usefulness. Any input from the reviewing agencies was considered and the document was modified as needed.

The project team identified two sponsors. The sponsors' role was to provide guidance to the team during this project. The two sponsors for this project are listed below:

- Sonja Simpson, Deputy Director, Division of Operations, ODOT
- Megan O'Callaghan, P.E., Deputy Director, Division of Construction Management, ODOT

### **Project Schedule**

The work related to the OCPM project stayed true to the schedule as planned by the team. Each portion of the schedule started on time and wrapped up within the planned deadlines. The project schedule is displayed below in Figure 1.

# PROJECT SCHEDULE

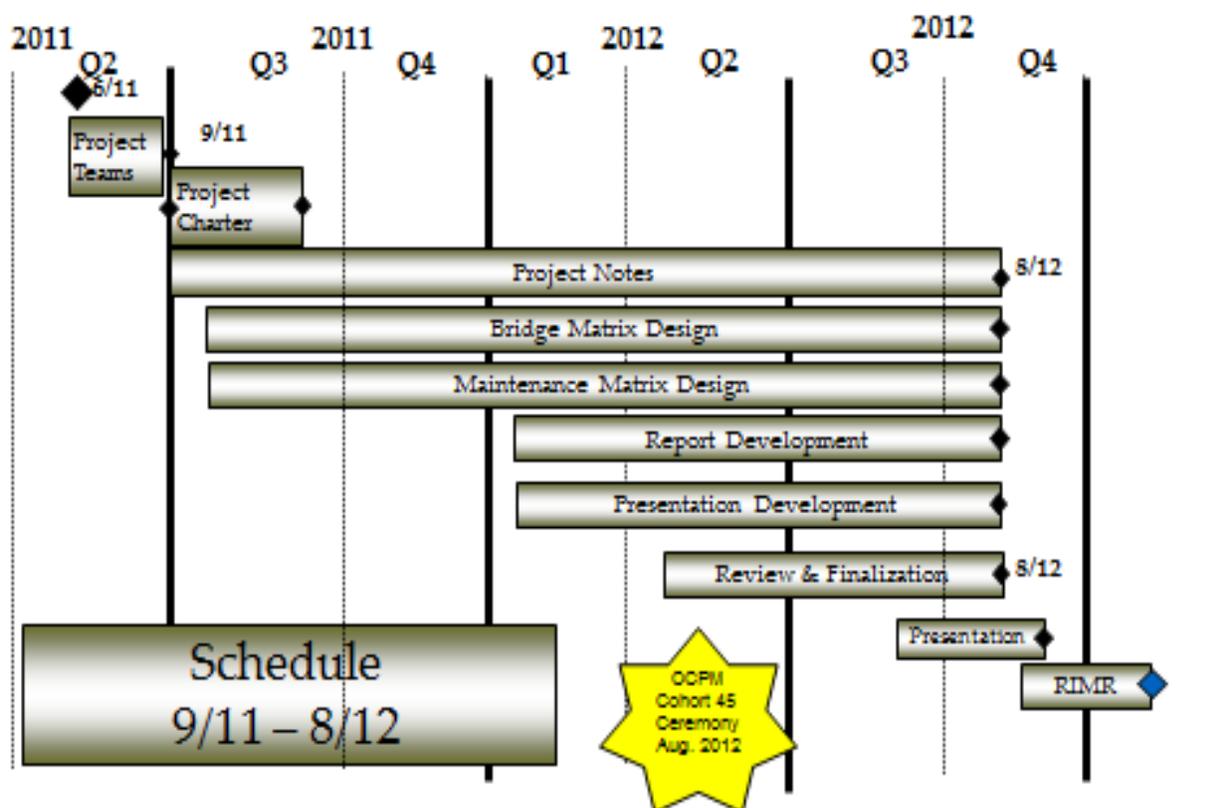


Figure 1: Project Schedule

## Project Results

During the project development phase it became apparent that identifying the ownership of roadway infrastructure inventory items was critical to the success of our project. Determining ownership directly correlates to who is responsible for maintaining a particular infrastructure item. As the cost of maintaining roadway infrastructure continues to rise and budgets become smaller, proper identification of ownership becomes all that much more important. Identifying ownership may seem like an easy task, but when municipal boundaries, past or outdated agreements, railroad right-of-way, private development and government jurisdictions overlap,

this task can become complicated. The difficulty of determining ownership is mainly due to the complexity and interpretation of the ORC. Our team was successful at identifying specific sections of the code that provides guidelines on who is responsible for maintaining specific features of the roadway infrastructure. As a result of our research the RIMR was created. The RIMR is a manual that provides definitions of relevant terms, guideline matrices for maintenance responsibility of roads and bridges, references to the ORC sections for legal clarification, and a summary of each ORC section referenced.

Roadway infrastructure is mainly comprised of bridges and culverts, pavement surface and subsurface, roadway appurtenances (curbs, drainage items, highway lighting, guardrail, sidewalks, embankment, etc.), pavement markings, roadway signs and lighting, traffic signals and school flashers.

When it comes to bridges the RIMR matrix not only identifies the pertinent ORC section for ownership, it also identifies who is responsible for routine maintenance, major maintenance, and inspection of specific structures.

The necessity of such a manual is to establish a common understanding among all government entities responsible for roadway safety and maintenance. It also potentially identifies the need to establish a maintenance agreement between government entities if one currently does not exist or is outdated and no longer relevant. A common occurrence with roadway maintenance items that falls within this area of jurisdictional unknown is that a minor inexpensive roadway repair can go uncorrected for many years and grow into an expensive major repair possibly, jeopardizing the safety of the motoring public. When this occurs the cost of the repair can significantly increase as time goes by. An example of this would be a bridge located within a municipality on a state

route. Referring to the *RIMR matrix for Bridge Responsibilities: Inside of Municipalities*, it can be determined that the routine maintenance is the responsibility of the municipality and the major maintenance and inspection is the responsibility of ODOT. The municipality performs incorrect routine maintenance on the bridge deck using asphalt (non-structural repair) to improve the smoothness of the bridge. Although the bridge deck is smooth the deck continues to get worse underneath and goes from a minor repair to a major repair due to the true problem being covered up by asphalt and going undetected by ODOT inspectors. The repair goes from what could have been a \$10,000 repair to a major repair costing the tax payer \$250,000 to replace the deck, all within a few years. Aside from the monetary loss there was a period of time when the bridge was unsafe to drive on, thus jeopardizing the safety of the motoring public.

Another common example of why the RIMR is necessary is when two maintaining agencies are each thinking the other is performing maintenance on an infrastructure item; the reality is neither one is. A small maintenance problem may go undetected for years until the problem manifests itself into a major problem and costs thousands of dollars to correct.

The RIMR matrices will assist roadway managers and owners with such obscure, yet important items as drive pipes under private drives. There have been many opinions over the years about who has maintenance responsibility for such drainage structures. For state or U.S. routes outside of City or Village Corporation limits, RIMR directs the roadway manager to the Ohio Attorney General Opinion 82-025 of the ORC 5543.16. This Opinion clearly defines that the property owner is responsible for maintenance of the pipe. Defining the obligation of the property owner saves the tax payer money by not spending valuable resources on the labor, equipment and materials necessary to replace the private drive pipe.

The RIMR matrix is intended to be a guideline which can be superseded with a maintenance agreement between two stakeholders. It is also intended to be a living document that can be updated as needed as the ORC is interpreted differently by the opinions of the AG.

Once the manual has been distributed, the time and effort spent creating the RIMR manual will not go unnoticed. The benefits will be far reaching and, most importantly, will improve the safety of our roadways for the motoring public. Money will be saved by performing timely maintenance on minor deficiencies rather than major repairs on what become major deficiencies and failures when not maintained. Having a reliable, accurate, and complete manual that clearly defines responsibilities will improve the communications between government entities and make us all better stewards of the roadway infrastructure and tax money.

### **Team Dynamics**

Our team dynamics would make other teams envious. We quickly defined roles and knocked out our project charter. With our supportive team sponsors providing clear objectives and direction, our team got off to a good start. Our team leader (Chris Merklin) hit the ground running and assigned tasks and timelines without delay. Tasks were distributed and shared evenly among all team members. We each brought a different skill set to the table that created a well-rounded team who communicated very well. We all worked together as a high performing group to accomplish the common goal.

### **OCPM Concepts**

Using the OCPM concepts and training modules proved to be effective for the Cohort 45 RIMR project development. The primary resources include:

- Project Management
- Effective Presentations
- Team Building
- MBTI Type Indicators
- Writing Advantage
- Leading Public Service
- Informed Decision Making
- Effective Communication.

These instructional modules have provided the RIMR team much guidance and clarity while developing the matrices for bridge and roadway responsibilities.

Project management strategies were used for structure of the team, developing and identifying the critical path as well as organizing the tasks assigned by our team leader.

Effective Presentations has provided opportunities for all team members to practice presentation skills and build confidence for the final project presentation as well as long lasting skill set development. When future presentation opportunities arise for our team members' individual agencies, the team will be well-equipped to present meaningful and well thought out presentations.

Team Building came very natural to the RIMR team. Our team leader volunteered and within the first team meeting the individual member tasks were assigned and the charter was initiated. The information gathered from the class module reinforced the effectiveness of the entire team, and the group has continued to develop and work very smoothly throughout project development.

Writing Advantage has definitely sharpened the writing skills for all team members and, even though there are always style differences, the confidence gained from the class module has resulted in improved continuity as the team writes collectively to complete the RIMR project.

Leading Public Service has given the RIMR team insight as to how the end product of our group effort will have a positive effect on the public and provides clear indication of the leadership skills of the individual team members. ODOT will obviously benefit from the development of the RIMR manual as an individual agency, but all of the team members' agencies will benefit from the leadership skill improvements of each team member.

Informed Decision Making proved to be very useful to the team by providing methods to evaluate the decisions derived from the outcome of brainstorming sessions. These sessions led to project task assignments that were meaningful and proved to be an efficient use of each team member's individual time.

Effective Communication has never been a problem for this team, but the effect of the information and teaching we received is very evident in the dynamic way that this team has been able to work together. The situations and responsibilities defined by ORC law that are outlined and defined in the RIMR manual would be extremely complex and difficult for the public as well as ODOT employees to discover. The skills that the team absorbed and put into practice are evident by examining the RIMR manual.

## Roadway Infrastructure Maintenance Responsibility

### Background

Over the years there have been events or maintenance situations on roadways and bridges in which questions of responsibility arose. For example, there may be a culvert failing in a village under a state route in which the village assumes that it is the responsibility of the Ohio Department of Transportation (ODOT) to repair the culvert because it is on a state route. On the contrary, ODOT assumes it is the responsibility of the village since it is in a village. These situations arise frequently and, although most cases are solved by a telephone call, it was determined that there is a need for a maintenance responsibility guideline.

As a result of there being no set of published guidelines for roadway infrastructure maintenance, several problems and concerns arise. If the responsibility is unclear, that creates delayed reaction of the repairs, which in turn costs time and money. Also, if a failure on the roadway occurs and there is delayed reaction that creates a public safety hazard. The maintenance guidelines created herein will help to solve some of these problems. Furthermore, since routine maintenance responsibilities are addressed, that will ultimately help reduce future “emergencies” since the responsible entity will be performing routine maintenance.

This project set out to answer the question of responsibility by creating a reference manual and guideline that helps government agencies and private entities easily determine which roadway infrastructure items they are responsible to maintain.

### Introduction

Various forms of these guidelines have informally existed for many years. This document serves to replace those ad hoc documents with one official document that has been researched, reviewed and confirmed by various agencies.

The draft of this document was created by representatives of ODOT, the Department of Administrative Services (DAS) and the State Library as part of a project for the Ohio Certified Public Manager (OCPM) Program. The draft document was then circulated for review and comment to various agencies across the state including:

- ODOT District 12 (northeast Ohio, urban setting)
- ODOT District 10 (southeast Ohio, rural setting)
- ODOT District 7 (west-central Ohio, rural and urban setting)
- ODOT Office of Structural Engineering
- Ohio Township Association - representing township interests
- Ohio Municipal League - representing city and village interests

- Pickaway County Engineer's Office
- Union County Engineer's Office
- Franklin County Engineer's Office

After the review and comment by the aforementioned agencies, the document was reviewed by the Ohio Attorney General's office.

The intent of this document is to offer a complete Roadway Infrastructure Maintenance Responsibility (RIMR) reference complete with legal references and links. There are three main parts to the document:

- 1) Roadway Infrastructure Maintenance Responsibility Guidelines
- 2) Bridge Maintenance & Inspection Responsibility Guidelines
- 3) References to US Code, Ohio Revised Code and the Ohio Attorney General Opinions.

### Definitions

The following are definitions used in respect to this document:

**Abandoned RR** – lands where a railroad once was, either still owned by the RR company or a private owner

**Bridge** - any structure of ten feet, or more, clear span or ten feet or more diameter on, above, or below a highway, including structures upon which railroad locomotives or cars may travel. (ORC 5501.47)

**City** – incorporated city

**Community Park Road** – private community road, cemetery road, etc. Not owned by any governmental entity

**County** – county limits / County Engineer

**Culvert** – any structure below a highway that is not a “bridge” and spans less than 10 feet

**Federal Domain** – lands owned by the Federal government

**Interstate** – interstate highway

**Local** – respective local government

**Maintenance** – keeping in a state of good repair

**Major Maintenance (bridge)** - includes the painting of a bridge, and the repair of deteriorated or damaged elements of bridge decks, including emergency patching of bridge decks, to restore the structural integrity of a bridge. (ORC 5501.49), and,

“Major maintenance and repair and replacement” relates to all elements constructed as part of or required for a grade separation, including bridges, pile, foundations, substructures, abutments, piers, superstructures, approach slabs, slopes, embankments, fences, and appurtenances. (5537.051)

**ODNR** – Ohio Department of Natural Resources

**ODOT** – Ohio Department of Transportation

**ORC** – Ohio Revised Code

**Owner** – any private owner of a facility or property

**Park** – respective park or park district, either public or private

**Railroad** – any railroad company, public or private

**Routine Maintenance (bridge)** - includes without limitation, clearing debris from the deck, sweeping, snow and ice removal, minor wearing surface patching, cleaning bridge drainage systems, marking decks for traffic control, minor and emergency repairs to railing and appurtenances, emergency patching of deck, and maintenance of traffic signal and lighting systems, including the supply of electrical power. (ORC 5501.49), and, “Routine maintenance” includes, without limitation, clearing debris, sweeping, snow and ice removal, wearing surface improvements, marking for traffic control, box culverts, drainage facilities including headwalls and underdrains, inlets, catch basins and grates, guardrails, minor and emergency repairs to railing and appurtenances, and emergency patching. (5537.051)

**State Highway** – either State or US route

**Toll Bridge** – any bridge that charges a toll for use

**Toll Road** – any roadway that charges a toll for use

**Township** – township limits / Township Trustees

**Turnpike** – Ohio Turnpike Commission

**USC** – United States Code

**Village** – incorporated village

Roadway Infrastructure Maintenance Responsibility Guidelines *		ROADWAY RESPONSIBILITY													
		Interstate Route	State Route US Route or	County Road	County Road over a Limited Access highway or freeway	Township Road	Township Road over a Limited Access highway or freeway	City Street	Village Road or Street	Avenue, Boulevard, Drive, Parkway, Alley	Toll Road	State Park Road	Community Park Road	Bike Path	
MAINTENANCE ITEM	Pavement Surface Course	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11	County 5, 12, 13, 11, 14, 30	County 25, 32	Township 5, 12, 13, 11, 18, 14	Township 25, 32	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City	City
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24
		Within Toll Road Limits	ODOT 1, 2	ODOT <sup>2</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16
	Full Depth Pavement	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11	County 5, 12, 13, 11, 14	ODOT *** 1, 2, 4, 25, 33	Township 5, 12, 13, 11, 18, 14	ODOT *** 1, 2, 4, 25, 33	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City	City
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24
		Within Toll Road Limits	ODOT 1, 2	ODOT <sup>2</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16
	Roadway Appurtenance**	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11, 25, 26, 27, 28, 33	County 5, 12, 13, 11, 14	ODOT *** 1, 2, 4, 25, 33	Township 5, 12, 13, 11, 18, 14, 31	ODOT *** 1, 2, 4, 25, 3	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City	City
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24
		Within Toll Road Limits	ODOT 1, 2	ODOT <sup>2</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16
Miscellaneous Roadway Items #	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11	County 5, 12, 13, 11, 14	County 25, 33	Township 5, 12, 13, 11, 18, 14	Township 25, 33	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
	Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City	City	
	Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24	
	Within Toll Road Limits	ODOT 1, 2	ODOT <sup>2</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	
	Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	

Roadway Infrastructure Maintenance Responsibility Guidelines *		ROADWAY RESPONSIBILITY														
		Interstate Route	State Route US Route or	County Road	County Road over a Limited Access highway or freeway	Township Road	Township Road over a Limited Access highway or freeway	City Street	Village Road or Street	Avenue, Boulevard, Drive, Parkway, Alley	Toll Road	State Park Road	Community Park Road	Bike Path		
MAINTENANCE ITEM	Standard Longitudinal Pavement Marking	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 9, 5	County 5, 12, 13, 11, 14	ODOT *** 1, 2, 4, 25, 33	Township 5, 12, 13, 11, 18, 14	ODOT *** 1, 2, 4, 25, 33	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 9, 5	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City	City	
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	ODOT 9, 5	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24	
		Within Toll Road Limits	ODOT 1, 2	ODOT**** 9, 5	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	N/A
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16
	Route Marker Signs****	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 6	County 5, 12, 13, 11, 14	ODOT *** 1, 2, 4, 25, 33	Township 5, 12, 13, 11, 18, 14	ODOT *** 1, 2, 4, 25, 33	N/A	N/A	County/Township 5, 12, 13, 11, 18, 14	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	ODOT 6	N/A	N/A	N/A	N/A	City/ODOT 5, 6, 9, 11	N/A	City 5, 6, 9, 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City	City	
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	ODOT 6	N/A	N/A	N/A	N/A	N/A	Village/ODOT 6, 9	Village 6, 9	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24	
		Within Toll Road Limits	ODOT 1, 2	Toll Road 17	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	N/A
		Within Railroad R/W Limits	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Regulatory & Warning Signs	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 9, 5	County 5, 12, 13, 11, 14	ODOT *** 1, 2, 4, 25, 33	Township 5, 12, 13, 11, 18, 14	ODOT *** 1, 2, 4, 25, 33	N/A	N/A	County/Township 5, 12, 13, 11, 18, 14	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 9, 5	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 5, 6, 9, 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City	City	
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	ODOT**** 9, 5	N/A	N/A	N/A	N/A	N/A	Village/ODOT 6, 9	Village 6, 9	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24	
		Within Toll Road Limits	ODOT 1, 2	ODOT 9, 5	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	N/A
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16
	School Flashers, including applicable pavement markings and signs	Outside of City or Village Corp Limits	N/A	ODOT 9, 5	County 5, 12, 13, 11, 14	County 5, 12, 13, 11, 14	Township 5, 12, 13, 11, 18, 14	Township 5, 12, 13, 11, 18, 14	N/A	N/A	County/Township 5, 12, 13, 11, 18, 14	N/A	N/A	N/A	N/A	
		Within City Corp Limits	N/A	City 9, 5	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 5, 6, 9, 11	N/A	N/A	N/A	N/A	
		Within Village Corp Limits	N/A	ODOT 9, 5	N/A	N/A	N/A	N/A	N/A	Village/ODOT **** 6, 9	Village 6, 9	N/A	N/A	N/A	N/A	
		Within Toll Road Limits	N/A	ODOT 9, 5	County	County	Township	Township	City	N/A	N/A	N/A	N/A	N/A	N/A	
		Within Railroad R/W Limits	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	

Roadway Infrastructure Maintenance Responsibility Guidelines *		ROADWAY RESPONSIBILITY														
		Interstate Route	State Route US Route or	County Road	County Road over a Limited Access highway or freeway	Township Road	Township Road over a Limited Access highway or freeway	City Street	Village Road or Street	Avenue, Boulevard, Drive, Parkway, Alley	Toll Road	State Park Road	Community Park Road	Bike Path		
MAINTENANCE ITEM	Traffic Signal, including applicable pavement markings and signs	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11	County 5, 12, 13, 11, 14	ODOT *** 1, 2, 4, 25, 33	Township 5, 12, 13, 11, 18, 14	ODOT *** 1, 2, 4, 25, 33	N/A	N/A	County 11	Toll Road 19, 20	N/A	N/A	N/A	
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	N/A	N/A	N/A	N/A
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	N/A	N/A	N/A	N/A
		Within Toll Road Limits	ODOT 1, 2	ODOT <sup>2</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	N/A
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	ODOT <sup>4</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	County <sup>4</sup> 5, 12, 13, 11, 14	N/A	Township <sup>4</sup> 5, 12, 13, 11, 18, 14	N/A	City <sup>4</sup> 5, 6, 9, 11	Village <sup>4</sup> 5, 9, 11	N/A	Toll Road <sup>4</sup> 19, 20	Division of Parks and Recreation <sup>4</sup> 22, 23	N/A	N/A	
	Speed Limits****	Outside of City or Village Corp Limits	ODOT**** 1, 2	ODOT**** 21	Statutory limits by **** 21	Statutory limits by **** 21	Statutory limits by **** 21	Statutory limits by **** 21	N/A	N/A	Statutory limits by **** 21	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Statutory limits by **** 21	Owner	
		Within City Corp Limits	ODOT <sup>1</sup> **** 1, 2	Statutory limits by	N/A	N/A	N/A	N/A	Statutory limits by **** 21	N/A	Statutory limits by **** 21	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Statutory limits by **** 21	City	
		Within Village Corp Limits	ODOT <sup>1</sup> **** 1, 2	Statutory limits by	N/A	N/A	N/A	N/A	N/A	Statutory limits by **** 21	Statutory limits by **** 21	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Statutory limits by **** 21	Township 24	
		Within Toll Road Limits	ODOT **** 1, 2	Toll Road	Statutory limits by **** 21	Statutory limits by **** 21	Statutory limits by **** 21	Statutory limits by **** 21	N/A	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	
		Within Railroad R/W Limits	ODOT <sup>1</sup> **** 1, 2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	Culverts (Less than 10' span)	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11, 25, 29, 33, 34, 35	County 5, 12, 13, 11, 14, 35	ODOT *** 1, 2, 4, 25, 33, 34, 35	Township 5, 12, 13, 11, 18, 14, 35	ODOT *** 1, 2, 4, 25, 33, 34, 35	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City	City	
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11, 35	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24	
		Within Toll Road Limits	ODOT 1, 2	ODOT <sup>2</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road-Major/County-Routine 17	Toll Road-Major/County-Routine 17	Toll Road-Major/Township-Routine 17	Toll Road-Major/Township-Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	

\* Any of the above may be replaced by a maintenance agreement

- ODOT<sup>1</sup> Unless a maintenance agreement exists
- ODOT<sup>2</sup> ODOT to notify Toll Road of work
- ODOT<sup>3</sup> Village obtains permission from ODOT
- ODOT<sup>4</sup> Government Agency to obtain permission from Railroad

\*\* Roadway Appurtenances include but not limited to: curbs; drainage items (catch basins, manholes, storm sewer, underdrains); highway lighting; roadway shoulders/berm; guardrail; cable rail; barrier wall; noise walls, sidewalks and crosswalks; barrier reflectors; raised pavement markers; fencing (right-of-way, chain link, pedestrian); embankments and or cut slopes. This list is not intended to be all inclusive. Maintenance agreements can and may exist that transfers maintenance responsibility. Per 5501.11 OAG2006-51 "Appurtenances" to a state highway are objects that are necessary accessories to the state highway.

\*\*\* Limits of maintenance responsibility begin/end where the improved roadway leaves/rejoins the preconstruction road grade or at the Rights-of-Way limits used to construct the improvement

\*\*\*\* Route markers should not be confused with trailblazer signs. ODOT is responsible for supplying trailblazer signs but the city or village is responsible for installing, maintaining and repairing all trailblazers signs considered necessary. ODOT Traffic Engineering Manual 260-4.2 (2c)

# Miscellaneous Roadway items: mowing and vegetation management; non-regulatory/warning signs; snow removal; fencing (fencing requested by government agency above a standard design (ie: decorative); road kill pickup and disposal. This list is not intended to be all inclusive. Maintenance agreements can and may exist that transfers maintenance responsibility.

Note: Where sections of the ORC state "the Director may..." The "Director may" shall be interpreted that the responsible government agency (ie. Village) should officially request ODOT to do the work through legislation and have a signed MR 689 form on file. "The Director may..." should not be interpreted as "the Director shall/should".

References

- 1) [23 USC 101](#)
- 2) [23 USC 116](#)
- 3) [ORC 5501.01](#)
- 4) [ORC 5501.11](#)
- 5) [ORC 5501.31](#)
- 6) [ORC 5511.01](#)
- 7) [ORC 5511.02](#)
- 8) [ORC 5511.03](#)
- 9) [ORC 5521.01](#)
- 10) [ORC 5535.07](#)
- 11) [ORC 5535.08](#)
- 12) [ORC 5517.04](#)
- 13) [ORC 5535.01](#)
- 14) [ORC 5591.36](#)
- 15) [ORC 5523.19](#)
- 16) [ORC 5561.16](#)
- 17) [ORC 5537.051](#)
- 18) [ORC 5571.02](#)
- 19) [ORC 5537.02](#)
- 20) [ORC 5537.17](#)
- 21) [ORC 4511.21](#)
- 22) [ORC 1541.22](#)
- 23) [ORC 5511.06](#)
- 24) [ORC 511.34](#)
- 25) [5501.11 OAG 1960-1841](#)
- 26) [5543.16 OAG 82-025](#)
- 27) [5571.02 OAG 81-039](#)
- 28) [5543.10 OAG 86-80](#)
- 29) [5501.11 OAG 94-025](#)
- 30) [5553.03 OAG 94-032](#)
- 31) [5589.06 OAG 94-061](#)
- 32) [5501.11 OAG 2006-51](#)
- 33) [5501.11 OAG 2012-009](#)
- 34) [5501.11 OAG 1960 1371](#)
- 35) [5501.11 OAG 1982-025](#)

**BRIDGE RESPONSIBILITIES: OUTSIDE OF MUNICIPALITIES**

Feature Over →		Highway Traffic											Non Highway Traffic						
		Ohio Conservancy	County	ODNR	ODOT (US or State Route)	ODOT (Interstate)	Other	Park District	State (other, no toll)	Toll (private)	Turnpike	Township	Aband. RR	Non-Highway	Other	Pedestrian and/or Bike	Railroad		
Feature Under ↓																			
Highway	County	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) COUNTY(9) COUNTY(9)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER	N/A	N/A	N/A	SEE NOTE	TWP(12) TWP(12) COUNTY(9)	OWNER OWNER COUNTY(9)	N/A	OWNER OWNER OWNER	OWNER OWNER OWNER	RR(5) RR(5) RR(6)	
	Non-Highway	ROUTINE MAJOR INSPECT	N/A	N/A	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	OWNER OWNER OWNER	N/A	
	ODNR	ROUTINE MAJOR INSPECT	N/A	N/A	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	OWNER OWNER OWNER	N/A	N/A	
	ODOT (US or State Route)	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) ODOT(7) ODOT(3)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/ODOT(3)	N/A	N/A	TOLL TOLL ODOT/TOLL(11)	SEE NOTE	TWP(12) ODOT(7) ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER ODOT(3)	RR(5) RR(5) ODOT/RR(6)	
	ODOT (Interstate)	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) ODOT(2) ODOT(3)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER ODOT(3)	N/A	N/A	TOLL TOLL ODOT/TOLL(11)	SEE NOTE	TWP(12) ODOT(2) ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER ODOT(3)	RR(5) RR(5) ODOT/RR(6)	
	Other	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) COUNTY(9) COUNTY(9)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	SEE NOTE	TWP(12) TWP(12) COUNTY(9)	N/A	N/A	N/A	N/A	N/A	N/A
	Park District	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) COUNTY(9) COUNTY(9)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	OWNER OWNER OWNER/PARK	N/A	
	State (other, no toll)	ROUTINE MAJOR INSPECT	N/A	N/A	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Toll (private)	ROUTINE MAJOR INSPECT	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TOLL TOLL TOLL(11)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Turnpike	ROUTINE MAJOR INSPECT	N/A	SEE NOTE	N/A	SEE NOTE	SEE NOTE	N/A	SEE NOTE	N/A	SEE NOTE	SEE NOTE	SEE NOTE	N/A	N/A	SEE NOTE	SEE NOTE	SEE NOTE	
Township	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) COUNTY(9) COUNTY(9)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	SEE NOTE	TWP(12) TWP(12) COUNTY(9)	N/A	N/A	OWNER OWNER OWNER	OWNER OWNER OWNER	RR(5) RR(5) RR(6)		
Non Highway	Other	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) COUNTY(9) COUNTY(9)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	SEE NOTE	TWP(12) TWP(12) COUNTY(9)	NOT A BRIDGE PER ORC 5501.47	N/A				
	Pedestrian and/or Bike	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) COUNTY(9) COUNTY(9)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	TWP(12) TWP(12) COUNTY(9)	NOT A BRIDGE PER ORC 5501.47	N/A				
	Railroad	ROUTINE MAJOR INSPECT	N/A	COUNTY(5) COUNTY(5)* COUNTY(9)	ODNR(5) ODNR(5)* ODOT#	ODOT(1) ODOT(1)* ODOT(3)	ODOT(2) ODOT(2)* ODOT(3)	OWNER(5) OWNER(5)* OWNER	PARK(5) PARK(5)* PARK	N/A	TOLL TOLL* TOLL(11)	SEE NOTE	TWP(12) TWP(12)* COUNTY(9)	NOT A BRIDGE PER ORC 5501.47	N/A				
	Relief (Aband. RR)	ROUTINE MAJOR INSPECT	N/A	COUNTY(9) OWNER COUNTY(9)	N/A	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	TWP(12) TWP(12) COUNTY(9)	NOT A BRIDGE PER ORC 5501.47	N/A				
	Waterway	ROUTINE MAJOR INSPECT	CONSERV CONSERV CONSERV	COUNTY(9) COUNTY(9) COUNTY(9)	ODNR ODNR ODOT#	ODOT(1) ODOT(1) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER	PARK PARK PARK	ODOT(1) ODOT(1) ODOT(3)	TOLL TOLL TOLL(11)	SEE NOTE	TWP(12) TWP(12) COUNTY(9)	NOT A BRIDGE PER ORC 5501.47	RR(5) RR(5) RR(6)				

**Notes:**

**Any maintenance agreement superceeds responsibilities noted in this**

Often times the maintenance responsibility of an overhead bridge rests on who constructed the All "shared" inspections are not defined by ORC, but are "safety" inspections per policy

\* Responsibility is dependant of who constructed the bridge

# By Agreement

**BRIDGE RESPONSIBILITIES: INSIDE OF MUNICIPALITIES**

Feature Over →		Highway Traffic										Non Highway Traffic					
Feature Under ↓		County**	Municipal	ODNR	ODOT (US or State Route)	ODOT (Interstate)	Other	Park District	State (other, no toll)	Toll (private)	Turnpike	Aband. RR	Building / Plaza	Non-Highway	Other	Pedestrian and/or Bike	Railroad
H i g h w a y	County**	ROUTINE MAJOR INSPECT COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/COUNTY	N/A	N/A	N/A	SEE NOTE	N/A	N/A	N/A	OWNER OWNER OWNER/COUNTY	OWNER OWNER OWNER/COUNTY	RR(5) RR(5) COUNTY/RR(6)
	Municipal	ROUTINE MAJOR INSPECT COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/LOCAL	N/A	N/A	N/A	SEE NOTE	N/A	OWNER OWNER OWNER/LOCAL	N/A	OWNER OWNER OWNER/LOCAL	N/A	N/A
	Non-Highway	ROUTINE MAJOR INSPECT N/A	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	OWNER OWNER OWNER	N/A
	ODNR	ROUTINE MAJOR INSPECT N/A	N/A	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	ODOT (US or State Route)	ROUTINE MAJOR INSPECT COUNTY(9) ODOT(4) ODOT(3)	LOCAL(4) ODOT(4) ODOT(3)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/ODOT(3)	N/A	N/A	TOLL TOLL ODOT/TOLL(11)	SEE NOTE	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	RR(5) RR(5) ODOT/RR(6)
	ODOT (Interstate)	ROUTINE MAJOR INSPECT COUNTY(9) ODOT(4) ODOT(3)	LOCAL(4) ODOT(4) ODOT(3)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/ODOT(3)	N/A	N/A	TOLL TOLL ODOT/TOLL(11)	SEE NOTE	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	RR(5) RR(5) ODOT/RR(6)
	Other	ROUTINE MAJOR INSPECT N/A	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Park District	ROUTINE MAJOR INSPECT N/A	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	State (other, no toll)	ROUTINE MAJOR INSPECT N/A	N/A	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Toll (private)	ROUTINE MAJOR INSPECT N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TOLL TOLL TOLL(11)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Turnpike	ROUTINE MAJOR INSPECT SEE NOTE	N/A	N/A	SEE NOTE	SEE NOTE	N/A	SEE NOTE	N/A	N/A	SEE NOTE	N/A	N/A	N/A	SEE NOTE	SEE NOTE	SEE NOTE	
N o n H i g h w a y	Other	ROUTINE MAJOR INSPECT COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	NOT A BRIDGE PER ORC 5501.47	N/A				
	Pedestrian and/or Bike	ROUTINE MAJOR INSPECT COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	LOCAL(4) ODOT(4) ODOT(3)	N/A	N/A	NOT A BRIDGE PER ORC 5501.47	RR(5) RR(5) RR(6)				
	Railroad	ROUTINE MAJOR INSPECT COUNTY(5) COUNTY(5)* COUNTY(9)	LOCAL(5) LOCAL(5*) LOCAL(7)	N/A	LOCAL(4) ODOT(4)* ODOT(3)	ODOT(2) ODOT(2)* ODOT(3)	OWNER(5) OWNER(5)* OWNER/RR	PARK(5) PARK(5)* PARK	N/A	TOLL(5) TOLL(5)* RR/TOLL(11)	SEE NOTE	NOT A BRIDGE PER ORC 5501.47	N/A				
	Relief (Aband. RR)	ROUTINE MAJOR INSPECT COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	NOT A BRIDGE PER ORC 5501.47	N/A				
	Waterway	ROUTINE MAJOR INSPECT COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	ODNR ODNR ODOT#	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER	PARK PARK PARK	LOCAL(4) ODOT(4) ODOT(3)	TOLL TOLL TOLL(11)	SEE NOTE	NOT A BRIDGE PER ORC 5501.47	RR(5) RR(5) RR(6)				

**Notes:**

- Any maintenance agreement superceeds responsibilities noted in this
- Often times the maintenance responsibility of an overhead bridge rests on who constructed the bridge
- All "shared" inspections are not defined by ORC, but are "safety" inspections per policy
- \* Responsibility is dependant of who constructed the bridge
- \*\* County Roads into or through a municipality
- # By Agreement

## BRIDGE RESPONSIBILITY MATRIX DEFINITIONS

### Abbreviations:

- COUNTY** respective County Engineer  
**CONSERV** Ohio Conservancy District  
**FED** Federal Government  
**LOCAL** entity that maintains the roadway on either side of the bridge  
**ODNR** Ohio Dept. of Natural Resources  
**ODOT** Ohio Dept. of Transportation  
**OWNER** owner of the structure  
**PARK** respective park district  
**RR** respective railroad company  
**T'PIKE** Ohio Turnpike Commission

**BRIDGE** "Bridge" means any structure of ten feet or more clear span or ten feet or more diameter on, above, or below a highway, including structures upon which railroad locomotives or cars may travel. (ORC 5501.47)

"Major maintenance" includes the painting of a bridge, and the repair of deteriorated or damaged elements of bridge decks, including emergency patching of bridge decks, to restore the structural integrity of a bridge. (ORC 5501.49) "Major maintenance and repair and replacement" relates to all

**MAJOR MAINTENANCE\*** elements constructed as part of or required for a grade separation, including bridges, pile, foundations, substructures, abutments, piers, superstructures, approach slabs, slopes, embankments, fences, and appurtenances. (5537.051)

"Routine maintenance" includes without limitation, clearing debris from the deck, sweeping, snow and ice removal, minor wearing surface patching, cleaning bridge drainage systems, marking decks for traffic control, minor and emergency repairs to railing and appurtenances, emergency patching of

**ROUTINE MAINTENANCE\*** deck, and maintenance of traffic signal and lighting systems, including the supply of electrical power. (ORC 5501.49) "Routine maintenance" includes, without limitation, clearing debris, sweeping, snow and ice removal, wearing surface improvements, marking for traffic control, box culverts, drainage facilities including headwalls and underdrains, inlets, catch basins and grates, guardrails, minor and emergency repairs to railing and appurtenances, and emergency patching. (5537.051)

The terms "Routine Maintenance" and "Major Maintenance" only occur in the ORC when referring to the  
\* State DOT relationship with Locals within Municipalities AND with Turnpike Bridges in relationship with any entity.

### References:

- 1) [ORC 5501.11](#)
- 2) [23 USC 116 \(a\)](#)
- 3) [ORC 5501.47](#)
- 4) [ORC 5501.49](#)
- 5) [ORC 4957.24](#)
- 6) [ORC 4907.44](#)
- 7) [5501.01 – 1960 OAG 1841](#)
- 8) [ORC 5537.17](#)
- 9) [ORC 5591.02](#) [ORC 5591.21](#) [ORC 5591.23](#) [ORC 5591.24](#) [ORC 5591.25](#) [ORC 5543.01](#)
- 10) [23 CFR 650 C](#)

### Notes:

Turnpike The ORC states that any bridge part of a Turnpike project is to be inspected and maintained by the Turnpike. Structures on or under the Turnpike depend upon who and when the structure was built. Also, The Ohio turnpike commission is responsible for the major maintenance and repair and replacement of failed grade separations (that had closed one or more roads as of January 1, 2011). The governmental entity with jurisdiction over the county or township road is responsible for routine maintenance of such failed grade separations. Repair shall commence not later than July 1, 2011 and be completed before December 31, 2014.

RR Railroad Companies have Inspection Responsibility (and maintenance) for all of their bridges in the State (49 CFR part 237 (FRA), ORC 4907.44); All entities responsible for the public traffic underneath a non-public or non-vehicular bridge, like RR traffic, do a "Safety" or cursory inspection in order to ensure that the public on their route is safe.

## **APPENDIX A - LEGAL REFERENCES**

### **OHIO REVISED CODE**

#### **Counties**

##### **Engineer**

##### **315.13 Emergency repairs - county engineer's emergency repair fund.**

The county engineer shall make all emergency repairs on all roads, bridges, and culverts in the county, including state highways, and shall keep on hand at all times a supply of material for the purposes of making such repairs. Upon report to the engineer of any road or bridge in the county needing immediate attention, such engineer shall, if he deems it an emergency repair, proceed at once to make such repair by force account, without preparing plans, specifications, estimates of cost, or forms of contract.

The board of county commissioners may appropriate a sum of money each year sufficient to enable the county engineer to carry out this section. Such sum shall constitute the "county engineer's emergency repair fund." All expenses incurred in employing extra help or in purchasing materials used in such repairs shall be paid from such fund on vouchers signed by the engineer.

Necessary repairs, the total cost of which is not more than five thousand dollars, shall be deemed as necessary for emergency repairs.

Effective Date: 10-27-1981

#### **Townships**

##### **Memorial Buildings: Halls: Parks**

##### **511.34 Care and maintenance of parks - tax levy.**

In townships composed of islands, and on one of which islands lands have been conveyed in trust for the benefit of the inhabitants of the island for use as a park, and a board of park trustees has been provided for the control of the park, the board of township trustees may create a tax district of the island to raise funds by taxation as provided under divisions (A) and (B) of this section.

(A) For the care and maintenance of parks on the island, the board of township trustees annually may levy a tax, not to exceed one mill, upon all the taxable property in the district. The tax shall be in addition to all other levies authorized by law, and subject to no limitation on tax rates except as provided in this division.

The proceeds of the tax levy shall be expended by the board of township trustees for the purpose of the care and maintenance of the parks, and shall be paid out of the township treasury upon the orders of the board of park trustees.

(B) For the purpose of acquiring additional land for use as a park, the board of township trustees may levy a tax in excess of the ten-mill limitation on all taxable property in the district. The tax shall be proposed by resolution adopted by two-thirds of the members of the board of township trustees. The resolution shall specify the purpose and rate of the tax and the number of years the tax will be levied, which shall not exceed five years, and which may include a levy on the current tax list and duplicate. The resolution shall go into immediate effect upon its passage, and no publication of the resolution is necessary other than that provided for in the notice of election. The board of township trustees shall

certify a copy of the resolution to the proper board of elections not later than ninety days before the primary or general election in the township, and the board of elections shall submit the question of the tax to the voters of the district at the succeeding primary or general election. The board of elections shall make the necessary arrangements for the submission of the question to the electors of the district, and the election shall be conducted, canvassed, and certified in the same manner as regular elections in the township for the election of officers. Notice of the election shall be published in a newspaper of general circulation in the township once a week for two consecutive weeks, or as provided in section 7.16 of the Revised Code prior to the election . If the board of elections operates and maintains a web site, notice of the election also shall be posted on that web site for thirty days prior to the election. The notice shall state the purpose of the tax, the proposed rate of the tax expressed in dollars and cents for each one hundred dollars of valuation and mills for each one dollar of valuation, the number of years the tax will be in effect, the first year the tax will be levied, and the time and place of the election.

The form of the ballots cast at an election held under this division shall be as follows:

“An additional tax for the benefit of ..... (name of the township) for the purpose of acquiring additional park land at a rate of ..... mills for each one dollar of valuation, which amounts to ..... (rate expressed in dollars and cents) for each one hundred dollars of valuation, for ..... (number of years the levy is to run) beginning in ..... (first year the tax will be levied).

FOR THE TAX LEVY

AGAINST THE TAX LEVY ”

The question shall be submitted as a separate proposition but may be printed on the same ballot with any other proposition submitted at the same election other than the election of officers. More than one such question may be submitted at the same election.

If the levy is approved by a majority of electors voting on the question, the board of elections shall certify the result of the election to the tax commissioner. In the first year of the levy, the tax shall be extended on the tax lists after the February settlement following the election. If the tax is to be placed on the tax lists of the current year as specified in the resolution, the board of elections shall certify the result of the election immediately after the canvass to the board of township trustees, which shall forthwith make the necessary levy and certify the levy to the county auditor, who shall extend the levy on the tax lists for collection. After the first year of the levy, the levy shall be included in the annual tax budget that is certified to the county budget commission.

Amended by 129th General Assembly File No. 28, HB 153, § 101.01, eff. 9/29/2011.

Amended by 128th General Assembly File No. 29, HB 48, § 1, eff. 7/2/2010.

Effective Date: 06-01-1998; 06-01-2006

## **Municipal Corporations**

### **Streets; Public Grounds**

#### **[723.01 Legislative authority to have care, supervision, and control of public roads, grounds and bridges.](#)**

Municipal corporations shall have special power to regulate the use of the streets. Except as provided in section 5501.49 of the Revised Code, the legislative authority of a municipal corporation shall have the care, supervision, and control of the public highways, streets, avenues, alleys, sidewalks, public

grounds, bridges, aqueducts, and viaducts within the municipal corporation. The liability or immunity from liability of a municipal corporation for injury, death, or loss to person or property allegedly caused by a failure to perform the responsibilities imposed by this section shall be determined pursuant to divisions (A) and (B)(3) of section 2744.02 of the Revised Code.

Effective Date: 04-09-2003

**723.33 Legislative authority may require bridge or railway to be lighted.**

The legislative authority of a municipal corporation, when it deems it necessary to have a bridge or railways, or any part thereof, located in whole or in part in the municipal corporation, and owned, possessed, or operated by an individual, company, association, or corporation, lighted, shall pass an ordinance for that purpose requiring such individual, company, association, or corporation to light such bridge or railway within a specified time, but it shall not require such railway or portion thereof to be lighted with electric arc lights.

Effective Date: 10-01-1953

**723.54 Inspection of bridges.**

The legislative authority of a municipality shall designate a municipal official to have responsibility for inspection of all or portions of bridges within such municipality, except for bridges on the state highway system and the county highway system.

This section does not prohibit the municipality from inspecting any bridge within its limits.

Such inspection shall be made at least annually by a professional engineer or other qualified person under the supervision of a professional engineer, or more frequently if required by the legislative authority, in accordance with the manual of bridge inspection described in section [5501.47](#) of the Revised Code. The legislative authority may contract for inspection services.

The municipal official responsible for inspection shall maintain an updated inventory record of all bridges in the municipality and indicate on such inventory record who is responsible for inspection and maintenance, and the authority for such responsibilities.

He shall report the condition of all bridges to the municipal legislative authority not later than sixty days after his annual inspection, or shall report more frequently if required by the legislative authority. Any bridge for which the municipality has inspection or maintenance responsibility which, at any time, is found to be in a condition that is or may be a potential danger to life or property shall be identified in reports, and if such official determines that the condition of such a bridge represents an immediate danger he shall immediately report the condition to the legislative authority. With respect to those bridges where there exists joint maintenance responsibility, the municipal official shall furnish a copy of his report to each party responsible for a share of maintenance.

“Maintenance” as used in this section means actual performance of maintenance work.

Effective Date: 11-20-1985

**Conservation of Natural Resources**

**Division of Parks and Receptions**

**1541.22 State park fund.**

The chief of the division of parks and recreation shall collect all rentals from leases of state lands and moneys for pipe permits, dock licenses, concession fees, and special privileges of any nature from all lands and waters operated and administered by the division of parks and recreation. The chief shall keep a record of all such payments showing the amounts received, from whom, and for what purpose collected. All such payments shall be credited to the state park fund, which is hereby created in the state treasury, except such revenues required to be set aside or paid into depositories or trust funds for the payment of bonds issued under sections [1501.12](#) to [1501.15](#) of the Revised Code, and to maintain the required reserves therefor as provided in the orders authorizing the issuance of such bonds or the trust agreements securing such bonds, and except such revenues required to be paid and credited pursuant to the bond proceedings applicable to obligations issued pursuant to section [154.22](#) of the Revised Code. All moneys derived from the operation of the lands, waters, facilities, and equipment by the division, except such revenues required to be set aside or paid into depositories or trust funds for the payment of bonds issued under sections [1501.12](#) to [1501.15](#) of the Revised Code, and to maintain the required reserves therefor as provided in the orders authorizing the issuance of such bonds or the trust agreements securing such bonds, and except such revenues required to be paid and credited pursuant to the bond proceedings applicable to obligations issued pursuant to section [154.22](#) of the Revised Code, shall accrue to the credit of the state park fund.

Except as otherwise provided in division (B) of this section and in sections [154.22](#), [1501.11](#), and [1501.14](#) of the Revised Code, such fund shall not be expended for any purpose other than the administration, operation, maintenance, development, and utilization of lands and waters, and for facilities and equipment incident thereto, administered by the division, or for the further purchase of lands and waters by the state for park and recreational purposes.

(B) The chief shall use moneys in the fund from the issuance of Ohio state parks license plates under section [4503.575](#) of the Revised Code only to pay the costs of state park interpretive and educational programs and displays and the development and operation of state park interpretive centers.

Effective Date: 02-27-1987; 03-23-2005

## **Public Utilities**

### **Public Utilities Commission – Railroad Powers**

#### **4907.44 Duty of commission as to dangerous structures.**

A railroad subject to regulation by the public utilities commission shall, in accordance with American railway engineers association codes of rules for inspection or other standards approved by the public utilities commission, inspect annually every bridge used for transportation of freight, passengers, or railroad crews on which the railroad performs all or part of the structural maintenance work. Inspection shall be made or supervised by a professional engineer. If at any time a bridge is found to be dangerous or unfit for transportation of passengers, freight, or railroad crews, the railroad shall immediately report the condition of the bridge to the public utilities commission. When the bridge passes over a public highway, such report shall also be given to the public authority having jurisdiction over such highway. The railroad shall file the annual inspection report with the commission on forms furnished by the commission or in a form acceptable to the commission. The commission shall examine all inspection reports. If, as a result of examination of inspection reports, on complaint, or otherwise, the public utilities commission has reasonable grounds to believe that any of the tracks, bridges, or other structures of a railroad are in a condition which renders them dangerous or unfit for the transportation of passengers, freight, or railroad crews, it shall forthwith inspect and examine them. If the commission is of the opinion that such structures are unfit for the transportation of passengers, freight, or railroad crews with safety, it shall immediately give to the superintendent, or other executive officer of the company operating such railroad, notice of the condition thereof, and of the repairs or reconstruction necessary to place them in a safe condition. The commission shall prescribe the time within which such repairs or reconstruction must be made, and the rate of speed for trains passing over such dangerous or defective track, bridge, or other structure, until the repairs

or reconstruction required are made. If of the opinion that it is needful and proper, the commission shall forbid the running of all trains over such defective track, bridge, or other structure.

Effective Date: 06-11-1968

**Elimination of Crossings**

**4957.01 Alteration or elimination of grade or other crossings.**

If the legislative authority of a municipal corporation in which a railroad and a street or other public highway cross each other at a grade or otherwise, or the board of county commissioners of a county in which a railroad and a public road or highway cross each other at grade, and the board of directors of the railroad company are of the opinion that the security and convenience of the public require alterations in such crossing, the approaches to such crossing, the location of the railroad or public way, or the grades thereof, so as to avoid a crossing at grade, or that such crossing should be discontinued with or without building a new way in substitution for it, and if they agree as to the alterations they may be made as provided in sections [4957.02](#) to [4957.09](#), inclusive, of the Revised Code. The board of county commissioners of a county has the same powers with respect to that part of a state, county, or township road which lies within the limits of a municipal corporation as are conferred upon municipal corporations to alter, or require to be altered, any railroad crossings, or to require any improvement in connection with them to be made, and to apportion the cost thereof between the county and such railroad as is provided in sections [4957.10](#) to [4957.26](#), inclusive, of the Revised Code.

Effective Date: 10-01-1953

**4957.06 Cost of maintenance of bridge borne by county or state.**

After the completion of the crossing alteration, the crossings and approaches shall be kept in repair as follows:

(A) When the public way crosses a railroad, or railroad and interurban railroad, by an overhead bridge, the cost of maintenance must be borne by the county or the state as may be provided by law.

(B) When the public way passes under a railroad, or railroad and interurban railroad, the bridge and its abutments shall be kept and maintained by the railroad company, or the railroad company and interurban railroad company, as the case may be, in such proportions as are fixed by agreement between the parties or, in the absence of such agreement, in such proportions as may be fixed by the court of common pleas of the county in which the improvement is located, and the public way and its approaches shall be maintained and kept in repair by the county in which they are situated or by the state as may be provided by law.

Effective Date: 10-01-1953

**4957.24 Cost of maintenance.**

After the completion of the work, crossings and approaches shall be kept in repair as follows:

(A) When the public way crosses a railroad by an overhead bridge, the cost of maintenance must be borne by the municipal corporation;

(B) When the public way passes under the railroad, the bridge and its abutments shall be kept and maintained by the railroad company, and the public way and its approaches shall be maintained and kept in repair by the municipal corporation in which they are situated.

Effective Date: 10-01-1953

## **Roads – Highways – Bridges**

### **Department of Transportation**

#### **5501.01 Department of transportation definitions.**

As used in Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code:

(A) “Transportation facilities” means all publicly owned modes and means of transporting people and goods, including the physical facilities, garages, district offices, and other related buildings therefor, and including, but not limited to, highways, rights-of-way, roads and bridges, parking facilities, aviation facilities, port facilities, rail facilities, public transportation facilities, rest areas, and roadside parks.

(B) “Public transportation” means publicly owned or operated transportation by bus, rail, or other conveyance, which provides to the public transit or paratransit service on a regular and continuing basis within the state, and may include demand-responsive transportation, subscription bus service, shared-ride taxi service, car pools, van pools, or jitney service. “Public transportation” does not include school bus transportation or charter or sightseeing services.

(C) “Road” or “highway” includes all appurtenances to the road or highway, including but not limited to, bridges, viaducts, grade separations, culverts, lighting, signalization, and approaches on or to such road or highway.

(D) “Right-of-way” has the same meaning as in division (UU)(2) of section 4511.01 of the Revised Code.

(E) “Telecommunications service provider” means an entity that, for a fee, provides telecommunications services, including, but not limited to, voice, data, interactive or two-way telecommunications services, without regard to the way such services are delivered.

(F) “Telecommunications facility” means a facility for the provision of telecommunications services. The facility may include, but is not limited to, a tower, monopole, antenna or other ancillary equipment, or buildings used to deliver telecommunications services.

Effective Date: 06-29-1999

#### **5501.11 Department of transportation with respect to highways.**

(A) The functions of the department of transportation with respect to highways shall be to do all of the following:

(1) Establish state highways on existing roads, streets, and new locations and construct, reconstruct, widen, resurface, maintain, and repair the state system of highways and the bridges and culverts thereon;

(2) Cooperate with the federal government in the establishment, construction, reconstruction, improvement, maintenance, and repair of post roads and other roads designated by the federal authorities;

(3) Conduct research and cooperate with organizations conducting research in matters pertaining to highway design, construction, maintenance, material, safety, and traffic;

(4) Cooperate with the counties, municipal corporations, townships, and other subdivisions of the state in the establishment, construction, reconstruction, maintenance, repair, and improvement of the public roads and bridges.

(B) To fulfill its functions under division (A) of this section, the department shall develop and maintain a pavement management system. The system shall inventory and evaluate basic road and bridge conditions throughout the state highway system and develop strategies to improve those conditions, minimize annual maintenance of the state highway system, and ensure that a disproportionate percentage of the roads and bridges on the state highway system are not due for replacement or major repair at the same time. The department shall identify and promote longer pavement life spans to lessen user delays and the disruption to traffic on the state highway system.

Effective Date: 09-28-1973; 03-29-2005

#### **5501.31 Director of transportation - powers and duties.**

The director of transportation shall have general supervision of all roads comprising the state highway system. The director may alter, widen, straighten, realign, relocate, establish, construct, reconstruct, improve, maintain, repair, and preserve any road or highway on the state highway system, and, in connection therewith, relocate, alter, widen, deepen, clean out, or straighten the channel of any watercourse as the director considers necessary, and purchase or appropriate property for the disposal of surplus materials or borrow pits, and, where an established road has been relocated, establish, construct, and maintain such connecting roads between the old and new location as will provide reasonable access thereto.

The director may purchase or appropriate property necessary for the location or construction of any culvert, bridge, or viaduct, or the approaches thereto, including any property needed to extend, widen, or alter any feeder or outlet road, street, or way adjacent to or under the bridge or viaduct when the extension, widening, or alteration of the feeder road, street, or way is necessary for the full utilization of the bridge or viaduct, or for any other highway improvement. The director may purchase or appropriate, for such length of time as is necessary and desirable, any additional property required for the construction and maintenance of slopes, detour roads, sewers, roadside parks, rest areas, recreational park areas, park and ride facilities, and park and carpool or vanpool facilities, scenic view areas, drainage systems, or land to replace wetlands, incident to any highway improvement, that the director is or may be authorized to locate or construct. Also incident to any authorized highway improvement, the director may purchase property from a willing seller as required for the construction and maintenance of bikeways and bicycle paths or to replace, preserve, or conserve any environmental resource if the replacement, preservation, or conservation is required by state or federal law.

Title to property purchased or appropriated by the director shall be taken in the name of the state either in fee simple or in any lesser estate or interest that the director considers necessary or proper, in accordance with forms to be prescribed by the attorney general. The deed shall contain a description of the property and be recorded in the county where the property is situated and, when recorded, shall be kept on file in the department of transportation. The property may be described by metes and bounds or by the department of transportation parcel number as shown on a right of way plan recorded in the county where the property is located.

Provided that when property, other than property used by a railroad for operating purposes, is acquired in connection with improvements involving projects affecting railroads wherein the department is obligated to acquire property under grade separation statutes, or on other improvements wherein the department is obligated to acquire lands under agreements with railroads, or with a public utility, political subdivision, public corporation, or private corporation owning transportation facilities for the readjustment, relocation, or improvement of their facilities, a fee simple title or an easement may be acquired by purchase or appropriation in the name of the railroad, public utility, political subdivision, public corporation, or private corporation in the discretion of the director. When the title to lands, which are required to adjust, relocate, or improve such facilities pursuant to agreements with the director, is taken in the name of the state, then, in the discretion of the director, the title to such lands may be conveyed to the railroad, public utility, political subdivision, or public corporation for which they were acquired. The conveyance shall be prepared by the attorney general and executed by the governor and bear the great seal of the state of Ohio.

The director, in the maintenance or repair of state highways, is not limited to the use of the materials with which the highways, including the bridges and culverts thereon, were originally constructed, but may use any material that is proper or suitable. The director may aid any board of county commissioners in establishing, creating, and repairing suitable systems of drainage for all highways within the jurisdiction or control of the board and advise with it as to the establishment, construction, improvement, maintenance, and repair of the highways.

Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code do not prohibit the federal government, or any individual or corporation, from contributing a portion of the cost of the establishment, construction, reconstruction, relocating, widening, resurfacing, maintenance, and repair of the highways.

Except in the case of maintaining, repairing, erecting traffic signs on, or pavement marking of state highways within villages, which is mandatory as required by section [5521.01](#) of the Revised Code, and except as provided in section [5501.49](#) of the Revised Code, no duty of constructing, reconstructing, widening, resurfacing, maintaining, or repairing state highways within municipal corporations, or the culverts thereon, shall attach to or rest upon the director, but the director may construct, reconstruct, widen, resurface, maintain, and repair the same with or without the cooperation of any municipal corporation, or with or without the cooperation of boards of county commissioners upon each municipal corporation consenting thereto.

Effective Date: 06-29-2001; 2007 HB67 07-03-2007

#### **[5501.44 Cooperative agreements for repair of bridges and regional traffic management systems.](#)**

(A) Notwithstanding section 5735.27 of the Revised Code, the director of transportation, when the director determines it in the interest of the welfare and safety of the citizens of Ohio, may enter into agreements with other states or subdivisions thereof or the United States relative to the cooperation in the repair, maintenance, or construction of a bridge crossing a stream that forms a boundary line of this state, and may expend state highway funds for said purpose.

(1) No such agreement shall be made that obligates this state to expend more than the cost of the construction of such portion of said bridge as is located within the state, and not more than fifty per cent of the cost of maintenance of any such bridge, and no such agreement shall be made that obligates the state in excess of three hundred thousand dollars in any one year for maintenance.

(2) Notwithstanding division (A)(1) of this section, the director may expend funds for the design, construction, inspection, maintenance, repair, and replacement of bridge and bridge approaches for the bridge that were transferred from the Ohio bridge commission to the control of the state of Ohio, department of transportation, as provided in Section 4 of Amended Substitute House Bill No. 98 of the

114th general assembly. Following the replacement of that bridge, the director may expend funds for the design, construction, inspection, maintenance, repair, and replacement of bridge and bridge approaches.

(3) Any such agreements shall be approved by the governor and attorney general of the state before they become effective.

(4) Each agreement entered into shall designate responsibility for inspection, provide for annual inspection, and require that a report of each inspection be filed with the department of transportation. The director, with regard to all existing bridges or other bridges on a stream that forms a boundary line of this state, shall take all reasonable measures to obtain and to secure the filing of a copy of each inspection report for each bridge with the department of transportation.

(5) The department, upon hearing that a bridge across the Ohio river is scheduled to be closed by a contiguous state, shall make all reasonable efforts to notify the Ohio residents likely to be adversely affected by that closing. The department also shall cooperate and communicate with contiguous states in trying to resolve bridge closing problems.

(B)(1) The director, when the director considers it in the interest of the welfare and safety of the citizens of Ohio, may enter into agreements with other states, subdivisions thereof, metropolitan planning organizations, or the United States, relative to the design, construction, operation, maintenance, and repair of a regional traffic management system, and may expend state and federal highway funds for such purposes, notwithstanding any other provision of the Revised Code.

(2) No such agreement shall be made that obligates this state to expend more than the cost of construction of such portion of a regional traffic management system as is located within the state, and not more than a proportional amount, based upon the system presence in this state, for costs of design, operation, maintenance, and repair.

(3) Any such agreements shall be approved by the governor and attorney general of the state before they become effective.

(4) As used in division (B) of this section, "regional traffic management system" means an integrated, high-technology system to provide remote control center surveillance and monitoring of the regional freeways and main arterial routes in order to reduce and eliminate major backups and delays to motorists in the area.

Amended by 129th General Assembly File No. 28, HB 153, § 101.01, eff. 9/29/2011.

Effective Date: 06-30-1993

#### **5501.47 Bridge inspections.**

(A) The director of transportation is responsible for inspection of all bridges on the state highway system inside and outside of municipalities, all bridges connecting Ohio with another state for which the department of transportation has inspection authority, and all other bridges or portions of bridges for which responsibility for inspection is by law or agreement assigned to the department.

Such inspection shall be made annually by a professional engineer or other qualified person under the supervision of a professional engineer, or more frequently if required by the director, in accordance with the manual of bridge inspection described in division (B) of this section.

The director shall cause to be maintained in each district of the department an updated inventory of all bridges within such district that are on the state highway system, including those located within

municipalities, and all other bridges for which the department has responsibility for inspection. The inventory record shall indicate who is responsible for inspection and for maintenance, and the authority for such responsibilities.

On those bridges where there exists joint maintenance responsibility, the director shall furnish a copy of reports to each party responsible for a share of maintenance.

“Maintenance” as used in this division means actual performance of maintenance work.

(B)(1) As used in this division:

(a) “Inspection” means the inspection described in the manual of bridge inspection adopted by the department.

(b) “Highway” means those highway systems in section [5535.01](#) of the Revised Code, highways, streets, and roads within municipalities, and any other highway, street, and road on which the public travels.

(c) “Bridge” means any structure of ten feet or more clear span or ten feet or more in diameter on, above, or below a highway, including structures upon which railroad locomotives or cars may travel.

(2) The director shall have general responsibility for initiating, developing, and maintaining procedures and practices that provide for and promote professional inspection of bridges. The director shall:

(a) Prepare, maintain, and update a manual of bridge inspection that will provide standards applicable to the inspection of all bridges on, above, or below highways. The manual shall include, but is not limited to, standards relating to frequency of inspection, qualifications of persons inspecting or supervising inspections, procedures and practices facilitating professional inspection of bridges;

(b) Develop and furnish inspection forms and other forms relating to inspection, and approve forms used in lieu of the departmental forms;

(c) Assist and cooperate with governmental units, upon request, with inspection, disseminate information to appropriate governmental officials and agencies with regard to responsibility and inspection practices, and confer with public officials and other individuals on inspection of bridges; such assistance may be in the form of contracts with counties or municipal corporations for transportation department inspection services;

(d) Inspect any bridge on a highway, with a designated representative of the owner, where he has reason to believe that the report of inspection does not reflect the condition of such bridge or that the inspection did not accord with the standards contained in the manual of bridge inspection.

Effective Date: 09-28-1973

**[5501.48 Toll bridge inspection.](#)**

The operator of a toll bridge located entirely or partly in the state shall inspect such bridge each year and file a copy of the annual inspection report with the director of transportation. Inspection shall be made or supervised by a professional engineer.

Effective Date: 09-28-1973

**[5501.49 Lift bridge inspection. \(Bridge Maintenance\)](#)**

(A) The director of transportation is responsible for the construction, reconstruction, major maintenance and repair, and operation of all bridges located on the state highway system within a municipal corporation. The public entity responsible for maintaining the pavements and sidewalks on either end of the bridge is responsible for the routine maintenance of all bridges located on the state highway system within the municipal corporation.

(B) The director may enter into an agreement with the legislative authority of a municipal corporation or a county, upon mutually agreeable terms, for the municipal corporation or county to operate and perform major maintenance and repair on any bridge located on the state highway system within the municipal corporation or county.

(C) The director is not required to obtain the consent of a municipal corporation prior to the performance of any major bridge maintenance and repair. Except in an emergency, the director shall give a municipal corporation reasonable notice prior to the performance of any work that will affect the flow of traffic. No utilities, signs, or other appurtenances shall be attached to a bridge without the prior written consent of the director.

(D) As used in this section:

(1) Major and routine maintenance and repair relates to all elements of a bridge, including abutments, wingwalls, and headwalls but excluding approach fill and approach slab, and appurtenances thereto.

(2) "Major maintenance" includes the painting of a bridge, and the repair of deteriorated or damaged elements of bridge decks, including emergency patching of bridge decks, to restore the structural integrity of a bridge.

(3) "Routine maintenance" includes without limitation, clearing debris from the deck, sweeping, snow and ice removal, minor wearing surface patching, cleaning bridge drainage systems, marking decks for traffic control, minor and emergency repairs to railing and appurtenances, emergency patching of deck, and maintenance of traffic signal and lighting systems, including the supply of electrical power.

(4) "Operation" relates solely to lift bridges and to those expenses that are necessary for the routine, daily operation of a lift bridge, such as payroll, workers' compensation and retirement payments, and the cost of utilities.

Effective Date: 06-30-1991; 2007 HB67 07-03-2007

### **State Highway System**

#### **5511.01 State highway system established.**

All state highways established by law shall continue to be known as state highways, and the state highway system established by law shall continue to be known as the state highway system.

Before establishing any additional highways as part of the state highway system, or making any significant changes in existing highways comprising the system, the director of transportation shall notify the general community of the project and offer an opportunity for appropriate public involvement in the project process.

The opportunity for public involvement shall satisfy the requirements of the "National Environmental Policy Act of 1969," 83 Stat. 852, 42 U.S.C.A. 4321 et seq., as amended, and may consist of activities including public meetings or hearings, small group meetings with local officials, individual meetings, news releases, public notices, workshops, newsletters, electronic communications, radio announcements, mail notification, and other activities considered appropriate for the exchange of

information. The director or the director's designee shall provide the public involvement activities in each of the counties in which the highway proposed to be established is to be located or in which it is proposed to make those changes.

Any changes made in existing highways by the director or any additional highways established by the director following the public involvement activities shall be certified to the following authorities interested in them: the legislative authority of municipalities, the board of county commissioners, the board of township trustees, the municipal, county, and regional planning commissions, and the municipal, township, or county officer authorized to issue land use or building permits. Before any zoning change or subdivision plat is approved and before any permit for land use or the erection, alteration, or moving of a building is granted affecting any land within three hundred feet of the center line of a proposed new highway or highway for which changes are proposed, as described in the certification by the director, or within a radius of five hundred feet from the point of intersection of that center line with any public road or highway, the authority authorized to approve the zoning change or subdivision plat or the authority authorized to grant the permit for land use or the erection, alteration, or moving of the building shall give notice, by certified mail, to the director, and shall not approve a zoning change or subdivision plat or grant a permit for land use or the erection, alteration, or moving of a building for one hundred twenty days from date notice is received by the director. During the one hundred twenty-day period and any extension of it as may be agreed to between the director and any property owner, notice of which has been given to the authority to which the application has been made, the director shall proceed to acquire any land needed by purchase or gift, or by initiating proceedings to appropriate, or make a finding that acquisition at such time is not in the public interest. Upon purchase, initiation of appropriation proceedings, or a finding that acquisition is not in the public interest, the director shall notify the authority from which notice was received of that action. Upon being notified that the director has purchased or initiated proceedings to appropriate the land that authority shall refuse to rezone land or to approve any subdivision plat that includes the land which the director has purchased or has initiated proceedings to appropriate, and that authority shall refuse to grant a permit for land use or the erection, alteration, or moving of a building on the land which the director has purchased or initiated proceedings to appropriate. Upon notification that the director has found acquisition at that time not to be in the public interest, or upon the expiration of the one hundred twenty-day period or any extension of it, if no notice has been received from the director, that authority shall proceed in accordance with law.

A report of the change or addition shall be filed in the office of the director, and the report of the director making the change or establishing the highway shall be placed on file in the office of the department of transportation.

In no event shall the total mileage of the state highway system be increased under this section to exceed two hundred miles in one year.

The director, upon petition of the boards of the counties traversed by a highway or of citizens of those counties, may officially assign to a highway of the state highway system a distinctive name commemorative of a historical event or personage, or officially assign to a highway of the state highway system a commonly accepted and appropriate name by which the highway is known.

The director may, upon giving appropriate notice and offering the opportunity for public involvement and comment, abandon a highway on the state highway system or part of such a highway which the director determines is of minor importance or which traverses territory adequately served by another state highway, and the abandoned highway shall revert to a county or township road or municipal street. A report covering that action shall be filed in the office of the director, and the director shall certify the action to the board of the county in which the highway or portion of the highway so abandoned is situated.

The director shall make a map showing, by appropriate numbering or other designation, all the state highways. The map shall be kept on file in the director's office, and the director shall cause the map to

be corrected and revised to show all changes and additions to the date of the correction. A copy of the map, certified by the director as a correct copy of the map on file in the director's office, shall be admissible as evidence in any court to prove the existence and location of the several highways and roads of the state highway system.

The state highway routes into or through municipal corporations, as designated or indicated by state highway route markers erected on the routes, are state highways and a part of the state highway system. The director may erect state highway route markers and other signs directing traffic as the director thinks proper upon those portions of the state highway system lying within municipal corporations, and the consent of the municipal corporations to that erection and marking shall not be necessary. However, the director may erect traffic signs in villages in accordance with section [5521.01](#) of the Revised Code. No change in the route of any highway through a municipal corporation shall be made except after providing public involvement activities.

Except as provided in sections [5501.49](#) and [5517.04](#) of the Revised Code, no duty of constructing, reconstructing, maintaining, and repairing such state highways within municipal corporations shall attach to or rest upon the director. The director may enter upon such state highways within any municipal corporation and construct, reconstruct, widen, improve, maintain, and repair them, provided the municipal corporation first consents by resolution of its legislative authority, except that the director need not obtain the consent of the municipal corporation if the existing highway being changed or the location of an additional highway being established was not within the corporate limits of the municipal corporation at the time the establishment or change is approved by the director, or if the director is acting pursuant to section [5501.49](#) of the Revised Code.

The director shall place in the files of the department a record of the routes of all such state highways within municipal corporations, and shall cause them to be corrected and revised to show all changes and additions to the date of the correction. A copy of the record or any pertinent part of it, certified by the director to be a true and correct copy, shall be admissible in evidence in any court of the state for the purpose of proving the existence and location of any state highway within a municipal corporation.

When the director proposes to change an existing state highway and there exists upon the highway a separated railroad crossing, the director shall mail to the interested railroad company a copy of the notice, which shall be mailed by first-class mail, postage prepaid, and certified with return receipt requested, at least two weeks before the time fixed for any public involvement activity. When the director proposes to change an existing state highway within a municipal corporation, the director shall mail to the mayor or other chief executive officer of the municipal corporation a copy of the notice, which shall be mailed by first-class mail, postage prepaid, and certified with return receipt requested, at least two weeks before the time fixed for any public involvement activity.

Nothing in this section shall be construed to require providing public involvement activities before the construction, reconstruction, maintenance, improvement, or widening of an existing highway where no relocation is involved.

With the exception of the authority conferred upon the director by this section to erect state highway route markers and signs directing traffic and by section [5501.49](#) of the Revised Code, Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code shall not in any way modify, limit, or restrict the authority conferred by section [723.01](#) of the Revised Code upon municipal corporations to regulate the use of streets and to have the care, supervision, and control of the public highways, streets, avenues, alleys, sidewalks, public grounds, bridges, aqueducts, and viaducts within the municipal corporations, or the liability imposed upon municipal corporations by division (B)(3) of section [2744.02](#) of the Revised Code for negligent failure to keep public roads in repair and other negligent failure to remove obstructions from public roads.

Effective Date: 04-09-2003

### **5511.03 Highway facilities for state institutions.**

The director of transportation shall examine the existing highway facilities serving the several hospitals, educational institutions, and correctional and other similar institutions belonging to the state, and located outside municipal corporations. Where the director finds that any such state institution is not located on a state highway or connected with a highway by a suitable road, affording in its present condition adequate transportation facilities to those having occasion to visit such institution, the director may establish a state highway leading to such institution from a convenient point on an existing highway. Where the director finds that any such institution is not served by adequate highway facilities connecting it with the railroad delivery point from which it principally obtains fuel, provisions, and supplies, the director may establish a highway connecting such institution and railroad delivery point. Limitations imposed on the mileage of state highways shall not apply to highways established under this section.

The director may construct at state expense all highways established under authority of this section and pay the entire cost thereof from the state highway operating fund. Such highways shall be maintained by the department of transportation and the cost shall be paid from the highway operating fund of the department.

The directors of transportation, mental health, developmental disabilities, and rehabilitation and correction may cooperate in the establishment, construction, reconstruction, maintenance, and repair of roads within the limits of state institutions. The cost shall be paid from funds appropriated for highway purposes and from the funds appropriated to the department of mental health, department of developmental disabilities, or the department of rehabilitation and correction for capital improvements or maintenance in such proportion as may be agreed upon by the directors of transportation, mental health, developmental disabilities, and rehabilitation and correction.

Amended by 128th General Assembly ch. 7, SB 79, § 1, eff. 10/6/2009.

Effective Date: 10-06-1994

### **5511.06 Park drives or park roads.**

The director of transportation may cooperate in the construction, reconstruction, improvement, repair, and maintenance of park drives or park roads within the boundaries of parks created under sections [511.18](#) to [511.34](#) and [1545.01](#) to [1545.22](#) of the Revised Code, together with roads leading from state highways to and into any such park.

The director, after agreement with the board of park commissioners of any such park district, may proceed with the construction, reconstruction, improvement, repair, and maintenance of any such drives or roads within such park, or roads leading from state highways to such park areas. Such construction, reconstruction, improvement, repair, and maintenance shall be in conformity with the general engineering plans of the park district.

The director may, with respect to any such park drive or road improvement, under such terms as are mutually agreed upon between him and any such board, because of benefits to be derived thereby, enter into a contract with any such park district that may be necessary or convenient to carry out the general plans of the park district, insofar as they relate to park roadway or drive improvement or repair.

The cost of such construction, reconstruction, improvement, repair, and maintenance shall be paid in the same manner as provided for state highway improvement, provided the expenditures in any one year, for the purposes set forth in this section, shall not exceed one and one-half million dollars.

This section does not derogate or limit the powers of the director to add additional mileage to the state highway system, and limitations imposed on the mileage of state highways shall not apply to work done under this section.

This section does not derogate or limit the power and authority conferred upon park districts and boards of commissioners created by sections [511.18](#) to [511.34](#) and [1545.01](#) to [1545.22](#) of the Revised Code, or of any amendatory or supplementary acts thereto.

Effective Date: 07-01-1989

#### **Proposed Projects – Maintenance; Repair**

##### **5517.04 Director to repair damage to county or township roads.**

The director of transportation shall repair all substantial damage done to county and township roads or to streets in municipal corporations resulting from the transportation of materials or equipment over such roads for use in constructing, reconstructing, or repairing, either by force account or contract, any road, street, or highway project of the department. Temporary repairs on such roads made necessary by reason of such transportation of materials or equipment shall be made during the construction period so as to assure normal conditions for the general public. Final repairs shall be made immediately upon the completion of the work on such road, street, or highway project, or as soon thereafter as weather conditions permit, and may be by contract or by the purchase of materials and employment of labor by the department of transportation.

Effective Date: 06-30-1991

#### **Municipal and County Cooperation**

##### **5521.01 Establishment and improvement of state highways within municipal corporation.**

The director of transportation, upon the request by and the approval of the legislative authority of a village, shall maintain, repair, and apply standard longitudinal pavement marking lines as the director considers appropriate, or may establish, construct, reconstruct, improve, or widen any section of a state highway within the limits of a village. The director also may erect regulatory and warning signs, as defined in the manual adopted under section 4511.09 of the Revised Code, on any section of a state highway within the limits of a village. The director may establish, construct, reconstruct, improve, widen, maintain, or repair any section of state highway within the limits of a city, including the elimination of railway grade crossings, and pay the entire or any part of the cost and expense thereof from state funds, but in all cases the director first shall obtain the consent of the legislative authority of the municipal corporation, except that the director need not obtain the consent of the municipal corporation if the existing highway being changed or the location of an additional highway being established was not within the corporate limits of the municipal corporation at the time the director determines the establishment or change should be made, or if the director is acting pursuant to section 5501.49 of the Revised Code.

Except as provided in section 5501.49 of the Revised Code, when in the opinion of the director there is urgent need to establish a state highway, which is to be designated a federal aid highway, or a federal aid interstate highway within a municipal corporation or, in the opinion of the director, any federal aid highway or interstate federal aid highway is in urgent need of repair, reconstruction, widening, improvement, or relocation, so as to accommodate the traveling public, the director shall submit a written request to the legislative authority of the municipal corporation for its consent to the desired establishment or improvement. The legislative authority, within sixty days after the written request has been received from the director, either shall grant its consent to the establishment or improvement or refuse consent by filing in writing with the director a statement of its reasons for

refusing consent and any alternate proposals it considers reasonable. If the legislative authority fails to act or refuses consent, the director, upon consideration of the reasons for rejection, may make a resolution declaring the necessity of the establishment or improvement, and then proceed in the same manner as if consent had been given. A certified copy of the resolution shall be served upon the municipal legislative authority, which, within twenty days from the date of service, may appeal to the court of common pleas of the county in which the municipal corporation is situated, upon the reasonableness and necessity of the action provided for in the resolution. In the hearing upon appeal, the director shall introduce the record of the director's proceedings, including the director's findings with respect to factors referred to in section 5521.011 of the Revised Code, and such other competent evidence as the director desires in support of the director's resolution, and the municipality likewise may introduce competent evidence opposing the resolution, and findings. The court may affirm or revoke the resolution. The decision of the common pleas court may be appealed to the court of appeals and the supreme court as in other cases. If the court affirms the resolution, the director may proceed with the establishment or improvement with or without the cooperation of the municipal corporation. Any such municipal corporation may cooperate with the director in the work and pay such portion of the cost as is agreed upon between the municipal corporation and the director. The legislative authority of any municipal corporation desiring to cooperate, by resolution, may propose such cooperation to the director, and a copy of the resolution, which shall set forth the proportion of the cost and expense to be contributed by the municipal corporation, shall be filed with the director. The director shall cause to be prepared the necessary surveys, plans, profiles, cross sections, estimates, and specifications and shall file copies of them with the legislative authority of the municipal corporation. After the legislative authority has approved the surveys, plans, profiles, cross sections, estimates, and specifications, and after the municipal corporation has provided the funds necessary to meet the portion of the cost of the work assumed by it, the municipal corporation shall enter into a contract with the state providing for payment by the municipal corporation of the agreed portion of the cost. The form of the contract shall be prescribed by the attorney general, and such contracts shall be submitted to the director and approved before the receipt of bids. Section 5705.41 of the Revised Code applies to such contract to be made by the municipal corporation, and a duplicate of the certificate of the chief fiscal officer of the municipal corporation shall be filed in the office of the director. That part of the cost of the work assumed by the municipal corporation shall be paid from the proceeds of taxes or special assessments, or both, or from the proceeds of notes or bonds issued and sold in anticipation of the collection of the taxes and assessments. For the purpose of providing funds for the payment of that part of the cost of the work assumed by the municipal corporation, the municipal corporation has the same authority to make special assessments, levy taxes, and issue bonds or notes, in anticipation of the collection of the same, as it has with respect to improvements constructed under the sole supervision and control of the municipal corporation. All such assessments shall be made, taxes levied, and bonds or notes issued and sold under such conditions and restrictions as may be provided with respect to assessments, taxes, bonds, or notes made, levied, issued, or sold in connection with improvements of the same class and character constructed under the sole supervision and control of the municipal corporation. The improvement shall be constructed under the sole supervision of the director. The proportion of the cost and expense payable by the municipal corporation shall be paid by the proper officers thereof, upon the requisition of the director, and at times during the progress of the work as may be determined by the director or as may be otherwise provided by law.

Effective Date: 04-05-2001

#### **5521.02 County co-operation in planning and construction.**

The board of county commissioners of any county may co-operate with the director of transportation in the elimination of railroad grade crossings on the state highway system, and in the construction or reconstruction of bridges and viaducts, together with the approaches thereto, and may pay such portion of the cost of any such work as is agreed upon between the board and the director. Such board may cooperate with the director in the preparation of comprehensive transportation and land use studies and major thoroughfare reports and in establishing, constructing, reconstructing, resurfacing, or widening a state highway, and it may, under such circumstances, pay any agreed

portion of the cost of such work. Any board desiring to co-operate as provided in this section may, by resolution, propose such co-operation to the director, and a copy of such resolution, which shall set forth the proportion of the cost and expense to be contributed by such county, shall be filed with the director. Where any portion of the work covered by such proposal is within the limits of a municipal corporation, such proposal shall be accompanied by the consent of the municipal corporation to the doing of such work, evidenced by proper legislation of its legislative body, unless such consent has already been given to the director. The boards may co-operate with the director in the cost of obtaining right-of-way required for or in connection with any state highway improvement or repair contemplated by the director, and may pay any agreed proportion of the cost of such right-of-way. Unless expressly restricted, the authority granted to boards by this section to co-operate with the director shall extend to all portions of the state highway system, both within and without municipal corporations, subject to the condition that the consent of a municipal corporation be given to the performance of any work within its limits.

When the board or the legislative authority of a municipal corporation co-operate with the director and assume all or a part of the cost of establishing, constructing, reconstructing, resurfacing, or widening a state highway, such board or municipal authority may specially assess such portion of the cost assumed on behalf of the county or municipal corporation as is deemed proper. In making such assessments the board or municipal authority shall proceed in the manner provided for the levying of special assessments by the board of county commissioners or municipal authorities for road improvement.

The board or municipal authority may issue notes and bonds in anticipation of the collection of the special assessments provided for by this section as is provided with respect to special assessments for the construction of highway improvements under the sole authority and control of such board or municipal authorities.

Effective Date: 09-28-1973

### **Grade Crossings**

#### **5523.01 Relocation or grade changes - elimination of grade crossings.**

For the purpose of eliminating one or more existing grade crossings on any road or highway on the state highway system or any extension thereof, the director of transportation may relocate any portion of a road or highway on the system or any portion of any extension thereof; or the director may raise or lower the grade of any road or highway on the system or of any extension thereof, above or below the existing tracks of a railroad and parallel and adjacent interurban railways and require any company owning, operating, managing, or controlling a railroad and any company owning, operating, managing, or controlling an interurban railway parallel and adjacent to such railroad to raise or lower the grade of its tracks above or below the grade of any highway on the state highway system, or on any extension of the system, and may construct ways or crossings for such highway or extension thereof above the tracks of any railroad and parallel and adjacent interurban railway, or require such company owning, operating, controlling, or managing any such railroad and any such parallel and adjacent interurban railway to construct ways or crossings for such highway or extension to be passed under its tracks, whenever, in the opinion of the director, the raising or lowering of any such railroad and parallel and adjacent interurban railway tracks, or the raising, lowering, or construction of such highway or extension is necessary, upon the terms of sections 5523.01 to 5523.20 of the Revised Code.

Effective Date: 09-28-1973

#### **5523.17 Improvement to be kept in repair - responsibility for bridge inspection.**

After the completion of the work of constructing, reconstructing, widening, or realigning a separated crossing by the director of transportation, in accordance with sections [5523.01](#) to [5523.20](#) of the Revised Code, the separated crossing and approaches thereto shall be kept in repair as follows:

(A) When the public way crosses the tracks of any railroad company by a structure carrying the highway over such tracks the responsibility for inspection and the cost of maintenance shall be borne by the state;

(B) When the public way passes under the tracks of any such company:

(1) The responsibility for inspection and cost of maintaining the bridge and its abutments shall be borne by such company;

(2) When there is more than one company involved the bridge and abutments shall be maintained by the companies in such proportion as is fixed by agreement between them and responsibility for inspection shall rest upon the company actually performing the greatest share of maintenance work;

(3) In the absence of any such agreement the cost shall be borne in such proportion as is found by the court of common pleas of the county within which the crossing is located to be just and equitable and responsibility for inspection shall rest upon the company actually performing the greatest share of maintenance work;

(C) All such public ways and their approaches shall be inspected, maintained, and kept in repair by the state.

Effective Date: 09-28-1973

#### **[5523.19 Separated crossing not constructed under certain sections.](#)**

When a separated crossing, which was not constructed in accordance with sections [4957.01](#) to [4957.26](#) or sections [5561.01](#) to [5561.15](#) of the Revised Code, is situated on a road or highway on the state highway system or an extension thereof, and is so located that in order to provide for the safety and convenience of the traveling public having occasion to use such road or highway or extension, the director of transportation deems it necessary to relocate and reconstruct the same in whole or in part outside the right-of-way of such road or highway or extension thereof, or when, in the opinion of the director, a separated crossing which was not constructed in accordance with such sections, and which separated crossing is located on a road or highway on the state system or an extension thereof, which road or highway was laid out and opened after the construction of the railroad, is in need of widening, reconstruction, or realignment in order to provide for the safety and convenience of the traveling public having occasion to use such road or highway or extension thereof, the director may relocate and reconstruct, widen, reconstruct, or realign the same.

The director may take such action and initiate and prosecute such proceedings as provided in sections [5523.01](#) to [5523.18](#) of the Revised Code, to secure the elimination of existing grade crossings. The cost and expense of such relocation and reconstruction, widening, reconstruction, or realignment shall be borne by the state, or by the state and any other political subdivision in which the crossing is located, and by the railroad company in the proportions set out in sections [5523.01](#) to [5523.20](#) of the Revised Code, in relation to the elimination of existing grade crossings, unless otherwise agreed upon.

Every person or company owning, controlling, managing, or operating a railroad in this state shall maintain and keep in good repair good, safe, adequate, and sufficient crossings and approaches thereto, whether at grade or otherwise, across its tracks, at all points other than crossings separated in accordance with sections [4957.01](#) to [4957.26](#) and [5561.01](#) to [5561.15](#) of the Revised Code, or in accordance with sections [5523.01](#) to [5523.20](#) of the Revised Code, and other than separated

crossings relocated and reconstructed, widened, reconstructed, or realigned in accordance with this section, where such tracks intersect a road or highway on the state highway system or an extension thereof.

Effective Date: 09-28-1973

**5523.20 Grade separation when highway is adjacent to or near a railroad.**

When a state highway or an extension or relocation thereof is parallel, adjacent, or near to a railroad, and the director of transportation deems it necessary to separate the grades of any intersecting highway, road, or street with such highway, extension, or relocation thereof, but which separation of grades should not, in the opinion of the director, be accomplished without eliminating an adjacent grade crossing over the tracks or reconstructing an existing separated crossing over or under the tracks of the railroad on such intersecting highway, road, or street, then the director was proceed with such proposed improvement, providing federal aid highway funds are used to pay costs involved, in whole or in part, including the elimination of the grade crossing over the tracks of such railroad, or the reconstruction of such existing separated crossing over or under such tracks, paying construction costs and acquiring and paying for property and rights therein as provided for in section [5531.02](#) of the Revised Code. Unless otherwise agreed upon, costs of the improvements to be borne by the railroad shall not be in excess of the amount or percentage set forth in an act of congress authorizing or appropriating federal aid highway funds, or other federal funds for highway purposes, which are used to finance the cost of the improvement in whole or in part.

Effective Date: 09-28-1973

**Federal Cooperation**

**5531.16 Maintenance and repair of toll projects.**

(A) Each toll project shall be maintained and kept in good condition and repair by the department of transportation. Toll projects shall be operated by toll collectors and other employees and agents that the department employs or contracts for. Toll projects shall be policed by the state highway patrol in accordance with section [5503.02](#) of the Revised Code; provided, that the state highway patrol also shall enforce all rules of the department adopted under division (A) of section [5531.15](#) of the Revised Code that relate to the operation and use of vehicles on a toll project and that are punishable under division (A) of section [5531.99](#) of the Revised Code.

(B) An action for damages against the state for any public or private property damaged or destroyed in carrying out the powers granted by sections [5531.11](#) to [5531.18](#) of the Revised Code shall be filed in the court of claims pursuant to Chapter 2743. of the Revised Code.

(C) All governmental agencies may lease, lend, grant, or convey to the department of transportation at its request, upon terms that the proper authorities of the governmental agencies consider reasonable and fair and without the necessity for an advertisement, order of court, or other action or formality, other than the regular and formal action of the authorities concerned, any property that is necessary or convenient to the effectuation of the purposes of sections [5531.11](#) to [5531.18](#) of the Revised Code, including public roads and other property already devoted to public use.

(D) Each bridge constituting part of a toll project shall be considered a bridge on the state highway system for purposes of sections [5501.47](#) and [5501.49](#) of the Revised Code.

(E) In accordance with Chapter 5501. of the Revised Code, the department of transportation shall make an annual report of its toll project activities for the preceding calendar year to the governor and the general assembly.

Added by 128th General Assembly ch. 1, HB 2, § 101.01, eff. 7/1/2009.

### **Type of Highways**

#### **5535.01 Classes of highways.**

The public highways of the state shall be divided into three classes: state roads, county roads, and township roads.

(A) State roads include the roads and highways on the state highway system.

(B) County roads include all roads which are or may be established as a part of the county system of roads as provided in sections [5541.01](#) to [5541.03](#), inclusive, of the Revised Code, which shall be known as the county highway system. Such roads shall be maintained by the board of county commissioners.

(C) Township roads include all public highways other than state or county roads. The board of township trustees shall maintain all such roads within its township. The board of county commissioners may assist the board of township trustees in maintaining all such roads. This section does not prevent the board of township trustees from improving any road within its township.

Effective Date: 10-01-1953

#### **5535.07 Maintenance of main highways.**

The director of transportation shall take over, for maintenance purposes such mileage of the system of intercounty highways outside of municipal corporations, as has not been constructed by the state or taken over by the state for maintenance. All such portions of the intercounty highway system not at present under state maintenance shall be first improved by the county to an extent which in the opinion of the director will permit economical maintenance for the purpose of making them passable for traffic.

The director shall maintain said roads and highways, and the respective counties and townships of the state in which such roads and highways are located shall be relieved of the duty of their maintenance. For the purpose of this section, maintenance does not include the construction of any new bridges or culverts or the replacement of any bridges or culverts destroyed by the elements or by natural wear, nor any construction work changing the type of construction existing on said roads at the time the same are taken over in accordance with this section.

This section does not prevent the authorities of any county or township from co-operating with the state in the construction, maintenance, or repair of any section of such highways within such county or township.

Effective Date: 09-28-1973

#### **5535.08 Maintenance of all roads.**

(A) The state, county, and township shall each maintain its roads, as designated in section [5535.01](#) of the Revised Code; however, the county or township, by agreement between the board of county commissioners and the board of township trustees, may contribute to the repair and maintenance of the roads under the control of the other. The state, county, or township, or any two or more of them, by agreement, may expend any funds available for road construction, improvement, or repair upon roads inside a village. A village may expend any funds available for street improvement upon roads outside the village and leading to the village.

(B)(1) In the case of an emergency, any political subdivision having authority to repair and maintain roads or streets may provide emergency road or street repair and maintenance assistance to any other political subdivision if the political subdivision seeking to provide the assistance has adopted a resolution or ordinance stating that it will participate in the provision of emergency road or street repair and maintenance assistance within this state, on a case by case basis, whenever it is possible for that political subdivision to do so. The resolution or ordinance shall identify any employees authorized to provide that assistance outside the boundaries of the political subdivision.

(2) Chapter 2744. of the Revised Code, insofar as it applies to performance of road or street repair and maintenance services, applies to a political subdivision having authority to repair and maintain roads or streets that has adopted a resolution or ordinance under division (B)(1) of this section, and to the employees of such a political subdivision, when the employees are providing emergency road or street repair and maintenance assistance outside the boundaries of the political subdivision.

(3) Employees of a political subdivision who provide emergency road or street repair and maintenance assistance outside the boundaries of that political subdivision pursuant to a resolution or ordinance adopted under division (B)(1) of this section may participate in any pension or indemnity fund that their employer establishes and are entitled to all rights and benefits of Chapter 4123. of the Revised Code, to the same extent as when performing road or street repair and maintenance services within the political subdivision that employs them.

(C)(1) In nonemergency situations, any political subdivision having authority to construct, reconstruct, resurface, improve, repair, and maintain roads or streets may enter into an agreement, under terms agreeable to all parties, with any other political subdivision having that authority to obtain or provide road or street construction, reconstruction, resurfacing, improvement, repair, or maintenance services. The cost, if any, of services obtained under the agreement may be paid from general fund moneys of the political subdivision receiving the services, or from any other funds available for the repair and maintenance of roads or streets within that political subdivision.

(2) Chapter 2744. of the Revised Code, insofar as it applies to the performance of road or street construction, reconstruction, resurfacing, improvement, repair, or maintenance services, applies to a political subdivision having authority to perform those services that has entered into an agreement authorized by division (C)(1) of this section, and to the employees of such a political subdivision, when the employees are performing those services outside the boundaries of the political subdivision under that agreement.

(3) Employees of a political subdivision who perform road or street construction, reconstruction, resurfacing, improvement, repair, or maintenance services outside the boundaries of that political subdivision pursuant to an agreement authorized by division (C)(1) of this section may participate in any pension or indemnity fund that their employer establishes and are entitled to all rights and benefits of Chapter 4123. of the Revised Code, to the same extent as when performing those services within the political subdivision that employs them.

(D) As used in this section, “emergency” means a natural disaster, or a state of emergency as declared by the governor or a county sheriff, that has occurred or been declared in the county, township, or municipal corporation receiving emergency road or street repair and maintenance assistance authorized by this section.

Effective Date: 04-05-2001

**Turnpike Commission**

**[5537.02 Ohio turnpike commission.](#)**

(A) There is hereby created a commission to be known as the "Ohio turnpike commission." The commission is a body both corporate and politic, constituting an instrumentality of the state, and the exercise by it of the powers conferred by this chapter in the construction, operation, and maintenance of the Ohio turnpike system are and shall be held to be essential governmental functions of the state, but the commission shall not be immune from liability by reason thereof. The commission is subject to all provisions of law generally applicable to state agencies which do not conflict with this chapter.

(B)(1) The commission shall consist of nine members as follows:

(a) Four members appointed by the governor with the advice and consent of the senate, no more than two of whom shall be members of the same political party;

(b) The director of transportation, the director of budget and management, and the director of development, each of whom shall be a member ex officio without compensation;

(c) One member of the senate, appointed by the president of the senate, who shall represent either a district in which is located or through which passes a portion of a turnpike project that is part of the Ohio turnpike system or a district located in the vicinity of a turnpike project that is part of the Ohio turnpike system;

(d) One member of the house of representatives, appointed by the speaker of the house of representatives, who shall represent either a district in which is located or through which passes a portion of a turnpike project that is part of the Ohio turnpike system or a district located in the vicinity of a turnpike project that is part of the Ohio turnpike system.

(2) The members appointed by the governor shall be residents of the state, shall have been qualified electors therein for a period of at least five years next preceding their appointment, and shall serve terms of eight years commencing on the first day of July and ending on the thirtieth day of June. Those members appointed by the president of the senate or the speaker of the house of representatives shall serve a term of the remainder of the general assembly during which the senator or representative is appointed. Each appointed member shall hold office from the date of appointment until the end of the term for which the member was appointed. If a commission member dies or resigns, or if a senator or representative who is a member of the commission ceases to be a senator or representative, or if an ex officio member ceases to hold the applicable office, the vacancy shall be filled in the same manner as provided in division (B)(1) of this section. Any member who fills a vacancy occurring prior to the end of the term for which the member's predecessor was appointed shall, if appointed by the governor, hold office for the remainder of such term or, if appointed by the president of the senate or the speaker of the house of representatives, shall hold office for the remainder of the term or for a shorter period of time as determined by the president or the speaker. Any member appointed by the governor shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. A member of the commission is eligible for reappointment. Each member of the commission appointed by the governor, before entering upon the member's duties, shall take an oath as provided by Section 7 of Article XV, Ohio Constitution. The governor, the president of the senate, or the speaker of the house of representatives, may at any time remove their respective appointees to the commission for misfeasance, nonfeasance, or malfeasance in office.

(3)(a) A member of the commission who is appointed by the president of the senate or the speaker of the house of representatives shall not participate in any vote of the commission. Serving as an appointed member of the commission under divisions (B)(1)(c), (1)(d), or (2) of this section does not constitute grounds for resignation from the senate or the house of representatives under section [101.26](#) of the Revised Code.

(b) The director of budget and management and the director of development shall not participate in any vote of the commission.

(C) The voting members of the commission shall elect one of the appointed voting members as chairperson and another as vice-chairperson, and shall appoint a secretary-treasurer who need not be a member of the commission. Three of the voting members of the commission constitute a quorum, and the affirmative vote of three voting members is necessary for any action taken by the commission. No vacancy in the membership of the commission impairs the rights of a quorum to exercise all the rights and perform all the duties of the commission.

(D) Each member of the commission appointed by the governor shall give a surety bond to the commission in the penal sum of twenty-five thousand dollars and the secretary-treasurer shall give such a bond in at least the penal sum of fifty thousand dollars. The commission may require any of its officers or employees to file surety bonds including a blanket bond as provided in section [3.06](#) of the Revised Code. Each such bond shall be in favor of the commission and shall be conditioned upon the faithful performance of the duties of the office, executed by a surety company authorized to transact business in this state, approved by the governor, and filed in the office of the secretary of state. The costs of the surety bonds shall be paid or reimbursed by the commission from revenues. Each member of the commission appointed by the governor shall receive an annual salary of five thousand dollars, payable in monthly installments. Each member shall be reimbursed for the member's actual expenses necessarily incurred in the performance of the member's duties. All costs and expenses incurred by the commission in carrying out this chapter shall be payable solely from revenues and state taxes, and no liability or obligation shall be incurred by the commission beyond the extent to which revenues have been provided for pursuant to this chapter.

Effective Date: 04-05-2001; 2006 HB699 03-29-2007

**[5537.051 Responsibility for maintenance and repair and replacement of failed grade separations.](#)**

(A)(1) In any county that as of January 1, 2011, had closed one or more roads as a result of grade separation failure at intersections of a turnpike project with a county or township road, the Ohio turnpike commission is responsible for the major maintenance and repair and replacement of failed grade separations. The governmental entity with jurisdiction over the county or township road is responsible for routine maintenance of such failed grade separations.

(2) This section does not apply to any grade separation at intersections of a turnpike project with a county or township road except as described in division (A)(1) of this section.

(3) Major maintenance and repair and replacement of aforementioned failed grade separations shall commence not later than July 1, 2011, and be completed before December 31, 2014.

(B) As used in this section:

(1) "Major maintenance and repair and replacement" relates to all elements constructed as part of or required for a grade separation, including bridges, pile, foundations, substructures, abutments, piers, superstructures, approach slabs, slopes, embankments, fences, and appurtenances.

(2) "Routine maintenance" includes, without limitation, clearing debris, sweeping, snow and ice removal, wearing surface improvements, marking for traffic control, box culverts, drainage facilities including headwalls and underdrains, inlets, catch basins and grates, guardrails, minor and emergency repairs to railing and appurtenances, and emergency patching.

Added by 129th General Assembly File No. 7, HB 114, § 101.01, eff. 6/29/2011.

**[5537.17 Maintenance and repair of turnpike project - restoration or repair of damaged property - cooperation by governmental agencies - bridge inspection - annual audit.](#)**

(A) Each turnpike project open to traffic shall be maintained and kept in good condition and repair by the Ohio turnpike commission. The Ohio turnpike system shall be policed and operated by a force of police, toll collectors, and other employees and agents that the commission employs or contracts for.

(B) All public or private property damaged or destroyed in carrying out the powers granted by this chapter shall be restored or repaired and placed in its original condition, as nearly as practicable, or adequate compensation or consideration made therefor out of moneys provided under this chapter.

(C) All governmental agencies may lease, lend, grant, or convey to the commission at its request, upon terms that the proper authorities of the governmental agencies consider reasonable and fair and without the necessity for an advertisement, order of court, or other action or formality, other than the regular and formal action of the authorities concerned, any property that is necessary or convenient to the effectuation of the purposes of the commission, including public roads and other property already devoted to public use.

(D) Each bridge constituting part of a turnpike project shall be inspected at least once each year by a professional engineer employed or retained by the commission.

(E) On or before the first day of July in each year, the commission shall make an annual report of its activities for the preceding calendar year to the governor and the general assembly. Each such report shall set forth a complete operating and financial statement covering the commission's operations during the year. The commission shall cause an audit of its books and accounts to be made at least once each year by certified public accountants, and the cost thereof may be treated as a part of the cost of operations of the commission. The auditor of state, at least once a year and without previous notice to the commission, shall audit the accounts and transactions of the commission.

(F) The commission shall submit a copy of its annual audit by the auditor of state and its proposed annual budget for each calendar or fiscal year to the governor, the presiding officers of each house of the general assembly, the director of budget and management, and the legislative service commission no later than the first day of that calendar or fiscal year.

(G) Upon request of the chairperson of the appropriate standing committee or subcommittee of the senate and house of representatives that is primarily responsible for considering transportation budget matters, the commission shall appear at least one time before each committee or subcommittee during the period when that committee or subcommittee is considering the biennial appropriations for the department of transportation and shall provide testimony outlining its budgetary results for the last two calendar years, including a comparison of budget and actual revenue and expenditure amounts. The commission also shall address its current budget and long-term capital plan.

(H) Not more than sixty nor less than thirty days before adopting its annual budget, the commission shall submit a copy of its proposed annual budget to the governor, the presiding officers of each house of the general assembly, the director of budget and management, and the legislative service commission. The office of budget and management shall review the proposed budget and may provide recommendations to the commission for its consideration.

Effective Date: 06-30-1993; 03-29-2005; 2006 HB699 03-29-2007

#### **Duties of County Engineer**

##### **5543.01 General powers and duties of county engineer.**

(A) Except as provided in division (B) of this section, the county engineer shall have general charge of the following:

(1) Construction, reconstruction, improvement, maintenance, and repair of all bridges and highways within the engineer's county, under the jurisdiction of the board of county commissioners, except for those county roads the board places on non-maintained status pursuant to section [5541.05](#) of the Revised Code;

(2) Construction, reconstruction, resurfacing, or improvement of roads by boards of township trustees under sections [5571.01](#), [5571.06](#), [5571.07](#), [5571.15](#), [5573.01](#) to [5573.15](#), and [5575.02](#) to [5575.09](#) of the Revised Code;

(3) Construction, reconstruction, resurfacing, or improvement of the roads of a road district under section [5573.21](#) of the Revised Code.

(B) For any particular project, after notifying the county engineer, the board of township trustees of a township that has adopted a limited home rule government under Chapter 504. of the Revised Code may hire an independent professional engineer to be in charge of those activities listed in division (A)(2) of this section. The county engineer shall review all of the independent professional engineer's plans for improvements and provide the board of township trustees with comments on those plans within ten working days after receiving them. The county engineer shall monitor all plans for improvements in order to maintain compliance with existing construction standards and thoroughfare plans, and coordinate construction timelines within the county.

(C) The county engineer may not perform any duties in connection with the repair, maintenance, or dragging of roads by boards of township trustees, except that, upon the request of any board of township trustees, the county engineer shall inspect any road designated by it and advise as to the best methods of repairing, maintaining, or dragging that road.

Effective Date: 09-20-1999

#### **[5543.20 Responsibility for bridge inspection.](#)**

The county engineer shall inspect all bridges or portions thereof on the county highway system inside and outside of municipalities, bridges on township roads, and other bridges or portions of bridges for which responsibility for inspection is by law or agreement assigned to the county. If the responsibility for inspection of a bridge is not fixed by law or agreement and the county performs the largest share of maintenance on a bridge, inspection shall be made by the engineer.

This section does not prohibit a board of township trustees from inspecting bridges within a township.

Such inspection shall be made annually, or more frequently if required by the board of county commissioners, in accordance with the manual of bridge inspection described in section [5501.47](#) of the Revised Code.

Counties may contract for inspection services.

The engineer shall maintain an updated inventory of all bridges in the county, except those on the state highway system and those within a municipality for which the engineer has no duty to inspect, and indicate on the inventory record who is responsible for inspection and for maintenance, and the authority for such responsibilities.

The engineer shall report the condition of all bridges to the board of county commissioners not later than sixty days after his annual inspection or he shall report more frequently if the board so requires. Any bridge for which the county has inspection or maintenance responsibility which, at any time, is found to be in a condition that is a potential danger to life or property shall be identified in the reports, and if the engineer determines that the condition of any bridge represents an immediate danger he

shall immediately report the condition to the board. With respect to those bridges where there exists joint maintenance responsibility, the engineer shall furnish a copy of his report to each party responsible for a share of maintenance. The engineer shall furnish each board of township trustees with a report of the condition of bridges on the township road system of such township and furnish the legislative authority of each municipality in the county with a report of the condition of bridges in such municipality for which the county has responsibility for inspection.

“Maintenance” as used in this division means actual performance of maintenance work.

Effective Date: 09-28-1973

#### **County Roads - Establishment; Alteration; Vacation**

##### **5553.02 Authority of board of county commissioners to locate, alter, or vacate roads.**

The board of county commissioners may locate, establish, alter, widen, straighten, vacate, or change the direction of roads as provided in sections [5553.03](#) to [5553.16](#) of the Revised Code. This power extends to all roads within the county, except that as to roads on the state highway system the approval of the director of transportation shall be had. However, no public road shall be located or established, by the board of county commissioners, unless the location or establishment begins on a public road and terminates on a public road, or begins on a public road and services a public park, a state supported educational institution, public school, public aviation area, or a public recreation rear, or begins on a public road and services at least three private residences or business in the first five hundred feet and one private residence or business in each two hundred feet thereafter.

Effective Date: 09-28-1973

#### **County Road Grade Crossings**

##### **5561.12 Cost of repairs.**

After the completion of construction work, grade crossings and approaches shall be kept in repair as follows:

(A) When the public way crosses a railroad or interurban railway, by an overhead bridge, the cost of maintenance must be borne by the county or state, as may be provided by law.

(B) When the public way passes under a railroad or interurban railway, the bridge and its abutments shall be kept and maintained by the railroad or interurban railway company in such proportions as are fixed by agreement between the parties, or, in the absence of such agreement, in such proportions as are fixed by the court of common pleas of the county in which the improvement is located, and the public way and its approaches shall be maintained and kept in repair by the county in which they are situated or by the state.

Effective Date: 10-01-1953

##### **5561.16 Cost to be borne by company - notification - cost.**

Any person, firm, or corporation operating a railroad for the transportation of passengers, freight, or express, crossing at grade any street or road, shall construct, reconstruct, improve, maintain, and repair that portion of the highway at such crossing and lying between the outside ends of the ties, and also that portion lying between the tracks, in the case of two or more tracks, and the cost and expense of this construction, reconstruction, improvement, maintenance, or repair shall be borne by said individual, firm, or corporation. Such construction, reconstruction, improvement, maintenance, or

repair shall be done in accordance with plans, profiles, and specifications first approved by the director of transportation, in case of state highways or extensions thereof, or by the county engineer, in case of county and township roads or extension thereof.

Such individual, firm, or corporation, upon being notified by the director, in case of state highways or extensions thereof, or the engineer, in case of county or township roads or extensions thereof, that he has determined that it is necessary that such individual, firm, or corporation make such improvement, and being informed of the character thereof in a general way, shall, within thirty days from receiving such notice, which shall be served by the sheriff in the same manner as summons in civil action, prepare and submit to the director or engineer for his approval, detailed plans and specifications covering such improvement. The director or engineer may approve such plans and specifications as submitted, or he may change such plans and specifications and approve them as changed. Within thirty days after the approval of such plans by the director or engineer, such individual, firm, or corporation shall proceed to make such improvement, in accordance with the plans and specifications approved, and complete it in a reasonable time.

If such individual, firm, or corporation does not, within the time limited, prepare and submit for approval such plans and specifications, or proceed to make such improvement, or, having proceeded to make such improvement within the time limited, fail to complete the same within a reasonable time, or proceed to make such improvement not in accordance with the plans and specifications so approved, the director or engineer may enter upon and make such improvement in accordance with the plans and specifications so approved, or if plans and specifications have not been submitted and approved, then in accordance with plans and specifications prepared by the director or engineer.

The costs of making such improvement, including engineering and inspection, by the director or engineer, shall, in the first instance, be paid by the director or county out of any appropriation of the department of transportation or county available for the construction, reconstruction, improvement, maintenance, or repair of highways.

Upon the completion of such improvement, the director or engineer shall certify the amount of the costs, including engineering and inspection of such improvement, to the attorney general or prosecuting attorney, for collection by civil action. The director or engineer, in such certificate to the attorney general or prosecuting attorney, may set out the amount of the payments and the time of making the various payments as set out, as deemed reasonable by the director or engineer.

The prosecuting attorney or attorney general shall proceed to collect such costs and expenses, in accordance with the certificate of the director or engineer. Whenever a road or street is improved where a street, interurban, or other railroad or railway lies within the improved portion of the roadway, such railroad or railway grade shall, in all respects, be changed to meet the approval of the engineer, unless otherwise provided for in the grant or franchise by virtue of which such railway operates on or occupies said highway. Costs of such change shall be paid by the company, under the law or by the terms of its franchise or grant, shall be a lien upon the property of such company, and the proper authorities may provide for the payment of the amount chargeable against said company, under the law or by the terms of its franchise or grant, in installments as in the case of other property owners. Such installments shall bear interest as in other cases, and the board of county commissioners or other authorities may issue bonds in anticipation of the collection of such installments.

Effective Date: 09-28-1973

#### **Board of Township Trustees**

#### **5571.02 Control and maintenance of township roads.**

The board of township trustees shall have control of the township roads of its township and, except for those township roads the board places on nonmaintained status pursuant to section [5571.20](#) of the

Revised Code, shall keep them in good repair. The board of township trustees , with the approval of the board of county commissioners or the director of transportation, may maintain or repair a county road, or intercounty highway, or state highway within the limits of its township.

In the maintenance and repair of roads, the board of township trustees may proceed in any of the following methods:

(A) It may designate one of its number to have charge of the maintenance and repair of roads within the township.

(B) It may divide the township into three road districts, in which event each trustee shall have charge of the maintenance and repair of roads within one of those districts.

(C) It may appoint some competent person, not a member of the board of township trustees, to have charge of maintenance and repair of roads within the township, who shall be known as “township highway superintendent” and shall serve at the pleasure of the board .

The method to be followed in each township shall be determined by the board of township trustees by resolution entered on its records.

Effective Date: 09-28-1973; 06-10-2004

### **County Bridges**

#### **5591.01 Definition of joint bridge.**

“Joint bridge” as used in sections 5591.01 to [5591.17](#), inclusive, of the Revised Code, means a bridge constructed, used, or maintained or to be constructed, used, or maintained for general highway traffic above, below, or at the grade of any bridge constructed or to be constructed by any railroad or union depot company, and in connection therewith.

Effective Date: 10-01-1953

#### **5591.02 Commissioners must build certain bridges.**

The board of county commissioners shall construct and keep in repair all necessary bridges in municipal corporations on all county roads and improved roads that are of general and public utility, running into or through the municipal corporations, and that are not on state highways.

Effective Date: 07-01-1989; 2007 HB67 07-03-2007

#### **5591.05 Board may establish new highway and change existing grades.**

Whenever, in the opinion of the board of county commissioners, it is for the best interests, security, and convenience of the public in carrying out any contract for the construction, use, and maintenance of a joint bridge, such board may establish new highways and widen, change the location of, alter, straighten, narrow, change the grade of, or vacate a part or all of any public highway established or to be established under previous contract.

Effective Date: 10-01-1953

#### **5591.21 Bridges - bonds - land acquisition.**

Except as provided in section [5501.49](#) of the Revised Code, the board of county commissioners shall construct and keep in repair necessary bridges over streams and public canals on or connecting state, county, and improved roads.

The board may submit to the electors the question of issuing county bonds for the construction of bridges on proposed state or county roads or connecting state or county roads, one or more of which may be proposed, but such bonds shall not be issued or sold until the proposed roads are actually established.

When the board determines it unnecessary in the construction of any bridge and the approaches thereto to acquire the entire land upon and over which the same shall be located, it may acquire such part of the land and easements and rights in the remainder thereof as are necessary and sufficient for such construction.

Effective Date: 07-01-1989

**[5591.23 Approaches to bridges.](#)**

Except as provided in section [5591.21](#) of the Revised Code, the board of county commissioners shall construct and keep in repair, approaches or ways to all bridges named in such section. When the cost of the construction or repair of the approaches or ways to any such bridge does not exceed fifty dollars, such construction or repair shall be performed by the board of township trustees.

Effective Date: 10-01-1953

**[5591.24 Construction of approaches to county bridges.](#)**

The board of county commissioners shall construct, without unnecessary delay, good and sufficient approaches or ways to bridges erected by it. The board shall contract for such construction in the same manner as for contracting for the construction of such bridges.

Effective Date: 10-01-1953

**[5591.25 Board of county commissioners of one or more counties may build bridges.](#)**

When it becomes necessary for the public convenience to bridge a stream of water which is on or near the lines of two or more counties, which are traversed by, or lie on or near the road on which such bridge is needed, the board of county commissioners of such interested counties may build or authorize the building of such bridge jointly, to be paid for, with the approaches thereto, in such proportion as the boards agree upon. The expense of keeping such bridge in repair shall be paid by the counties interested, in the same proportion as the expense of building such bridge was paid.

Effective Date: 10-01-1953

**[5591.33 Bridges over millraces.](#)**

No person possessed of the right to a water privilege shall be required to erect or keep in repair a bridge over a millrace or watercourse, excavated or constructed by him across a public road or highway for hydraulic purposes.

Effective Date: 10-01-1953

**[5591.35 Lighting of bridges - highway intersections.](#)**

The board of county commissioners may provide for the proper lighting of bridges over streams, highway intersections, highway or railroad grade separations or interchange areas erected by it. The cost of such lighting shall be paid from the bridge fund of the county, or from any funds available for highway construction or maintenance and repair, on the order of the board. This section does not apply where the board has constructed three or more bridges within the limits of a municipal corporation. In such case the municipal corporation shall light the bridges within its limits at its own expense.

Effective Date: 08-18-1955

**5591.36 Guardrails for bridge or steep embankment.**

The board of county commissioners shall erect and maintain on county roads, where not already done, one or more guardrails on each end of a county bridge, viaduct, or culvert more than five feet high. The board also shall protect, by guardrails, all embankments with a rise of more than eight feet in height and with a downward slope of greater than seventy degrees, where the embankments have an immediate connection with a county road.

The expense for a guardrail required under this section shall be paid out of the county bridge fund.

Effective Date: 04-09-2003

**Bridge Commissions**

**5593.01 Bridge commissions definitions.**

As used in Chapter 5593. of the Revised Code:

(A) "Bridge" includes all property, rights, easements, and franchises relating thereto including approaches.

(B) "Improvements" means such repairs, replacements, reconstructions, additions, and betterments of and to a bridge acquired or constructed under such chapter, including such approach facilities thereto, as such commission determines necessary to place it in a safe and efficient condition for the use of the public.

(C) "Cost of bridge" as applied to a bridge to be constructed or acquired by purchase or condemnation includes the estimated cost of construction or the cost of acquisition, cost of improvements, financing charges, interest during the period of construction and for a period not exceeding one year thereafter, interest during any period of disuse before completion of improvements, costs of traffic estimates, engineering and legal expenses, plans, specifications, surveys, estimates of cost and revenues, other expenses necessary or incident to determining the feasibility or practicability of the enterprise, administrative expense, and such other expenses as are necessary or incident to the financing authorized by Chapter 5593. of the Revised Code, the construction or acquisition of the bridge, and the placing of the bridge in operation.

(D) "County bridge commission" or "city bridge commission" means the bridge commission provided for in such sections of any such county or city, or if such commission is abolished, any board or officer succeeding to the principal functions thereof or upon whom the powers given by such sections to such commissions are given by law.

(E) "Owner" includes all individuals, incorporated companies, societies, or associations having any title or interest in any bridge properties, rights, easements, or franchises to be acquired.

(F) "Approach facilities" means such bridge approaches, entrance plazas, overpasses, underpasses, toll booths, toll plazas, exits, and approach highways as the state bridge commission or any county or city bridge commission determines necessary to place any bridge constructed or acquired under Chapter 5593. of the Revised Code, in a safe and efficient condition for the public and to control and expedite adequately the flow of traffic to and from the bridge and past the bridge in both directions to places on public roads where traffic becomes normal and uncongested.

(G) "Revenues" means all tolls, rentals, gifts, grants, receipts, moneys, and all other funds coming into the possession, or under the control, of the state bridge commission or any county or city bridge commission, by virtue of Chapter 5593. of the Revised Code, except the proceeds from the sale of bonds issued under authority of such sections.

Effective Date: 09-04-1982

#### **5593.03 Construction and acquisition of bridges.**

Any county or city bridge commission may:

(A) Construct, acquire by purchase or condemnation, and improve, operate, and maintain bridges entirely within the state or such county or city, or over rivers and navigable waters which form a boundary of the state, or such county or city, notwithstanding that the waters of such river or navigable water may not at all times extend to or reach said boundary line, whenever the bridge, any part thereof, or the approach facilities thereto will extend within the boundary of the state or of such county or city;

(B) Pay the costs of such construction, acquisition, improvement, operation, and maintenance;

(C) Issue bridge revenue bonds of the state, or of such county or city, as provided by Chapter 5593. of the Revised Code.

No bridge shall be constructed by a bridge commission until the director of transportation has approved the location and determined, after public hearing as provided in section [5511.01](#) of the Revised Code, that such construction is in the public interest. The determination and finding shall be journalized. Before any contracts may be awarded for the construction of such bridge, the plans and specifications shall be approved by the director.

Effective Date: 09-04-1982

#### **5593.06 Organization of commission - inspection of bridges.**

Upon the appointment and qualification of the members of any county or city bridge commission, they shall at once proceed to organize. Each such commission shall appoint a vice-chairman and secretary-treasurer, and the commission of any county or city shall elect a chairman. Each member of a county or city bridge commission shall receive such salary as may be fixed by the board of county commissioners or the legislative authority of the city appointing such commission, not exceeding three thousand five hundred dollars per annum, and the necessary expenses incurred in the discharge of the duties of his office. All salaries and compensations shall be paid solely from funds provided under the authority of such sections, and no such commission shall exercise or carry out any authority given it to bind such commission beyond the extent to which money has been or may be provided under such sections.

Each bridge operated entirely or in part by a bridge commission shall be inspected by a professional engineer employed or retained by such commission at least once each year.

Effective Date: 09-04-1982

5593.08 Bridge commissions - powers and duties.

The bridge commission of any county or city may:

- (A) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (B) Adopt an official seal, which shall not be the seal of Ohio;
- (C) Maintain a principal office and suboffices at such places within the county or city as it designates;
- (D) Sue and be sued in its own name, and plead and be impleaded. Any actions against a bridge commission shall be brought in the court of common pleas of the county in which the principal office of the commission is located, or in the court of common pleas of the county in which the cause of action arose, when such county is located within this state. All summonses, exceptions, and notices of every kind shall be served on the commission by leaving a copy thereof at the principal office with the secretary-treasurer or the person in charge.
- (E) Construct, acquire by purchase or condemnation, improve, maintain, repair, police, and operate any bridge, and establish rules for the use of any such bridge;
- (F) Issue bridge revenue bonds of the county or city, payable solely from revenues, as provided in sections 5593.10 and 5593.16 of the Revised Code, for the purpose of paying any part of the cost of any bridge or bridges;
- (G) Fix and revise from time to time and charge and collect tolls for transit over each bridge constructed or acquired by it;
- (H) Acquire, hold, and dispose of real and personal property in the exercise of its powers and the performance of its duties under this chapter;
- (I) Acquire, in the name of the county or city, as the case may be, by purchase or otherwise, on such terms and in such manner as it determines proper, or by the exercise of the right of condemnation in the manner provided by sections 163.01 to 163.22 of the Revised Code, any bridge, land, rights, easements, franchises, and other property necessary or convenient for the construction of a bridge or the improvement or efficient operation of any property acquired or constructed under this chapter, or for securing right-of-way leading to any such bridge or its approach facilities;
- (J) Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter:
  - (1) When the cost under any such contract or agreement, other than compensation for personal services, involves an expenditure of more than ten thousand dollars, the commission shall make a written contract with the lowest and best bidder after advertisement for not less than two consecutive weeks, or as provided in section 7.16 of the Revised Code, in a newspaper of general circulation in Franklin county, and in such other publications as the commission determines, which notice shall state the general character of the work and the general character of the materials to be furnished, the place where plans and specifications therefor may be examined, and the time and place of receiving bids.

(2) Each bid for a contract for the construction, demolition, alteration, repair, or reconstruction of an improvement shall contain the full name of every person interested in it and meets the requirements of section 153.54 of the Revised Code.

(3) Each bid for a contract except as provided in division (J)(2) of this section shall contain the full name of every person or company interested in it and shall be accompanied by a bond or certified check on a solvent bank, in such amount as the commission determines sufficient, that if the bid is accepted a contract will be entered into and the performance of its proposal secured.

(4) The commission may reject any and all bids.

(5) A bond with good and sufficient surety, approved by the commission, shall be required of every contractor awarded a contract except as provided in division (J)(2) of this section, in an amount equal to at least fifty per cent of the contract price, conditioned upon the faithful performance of the contract.

(K) Employ consulting engineers, superintendents, managers, engineers, construction and accounting experts, attorneys, and other employees and agents as are necessary in its judgment, and fix their compensation. All such expenses are payable solely from the proceeds of bridge revenue bonds issued under this chapter, or from revenues.

(L) Receive and accept from any federal agency, subject to the approval of the board of county commissioners or the legislative authority of the city, as the case may be, grants for or in aid of the construction, acquisition, improvement, or operation of any bridge, and receive and accept aid or contributions from any source of money, property, labor, or other things of value, to be held, used, and applied only for the purposes for which such grants and contributions are made;

(M) Provide coverage for its employees under sections 4123.01 to 4123.94 and 4141.01 to 4141.46 of the Revised Code;

(N) Do all acts necessary or proper to carry out the powers expressly granted in this chapter.

Amended by 129th General Assembly File No. 28, HB 153, § 101.01, eff. 9/29/2011.

Effective Date: 03-17-1989

#### **DECISIONS AND OPINIONS FROM THE OHIO ATTORNEY GENERAL (SUMMARIES)**

##### **1927-1334**

County commissioners are responsible to keep in repair bridges on established county roads inside municipalities

##### **1928-2834**

The State, County and Railroad are going to share maintenance responsibilities for a specific Bridge in Athens county built in 1876 over a stream both inside and outside of a municipality, by the county commissioners on what is now a state highway over the RR to eliminate a grade crossing.

##### **1935-4078**

Where a state or county road becomes a city street by reason of annexation of territory to a city, such street continues to exist as a state of county road within the intendment of GC 2421 and 7557 (RC [5591.21](#)), and it is the primary duty of the county commissioners to construct and keep in repair necessary bridges on such streets over streams and public canals, but municipalities are not thereby relived from their obligation to keep such bridges open, in repair and free from nuisance.

#### 1945-243

Necessary state and county bridges within a municipality are to be constructed by the County commissioners; the maintenance and repair of bridges erected on state and county highways within municipal corporations is a joint obligation of the county and the municipality

#### 1946-925

Upon request by and approval of council or other legislative author of a village, Director of highways has mandatory duty to maintain, repair and center line paint and section of a state highway, including bridges and culverts thereon, within a village.

#### 1951-471

County responsible for keeping in repair necessary bridges over streams and public canals within the municipality on or connecting state and county roads; however municipalities are not relieved from obligation to keep bridges and their approaches in repair and free from nuisance

#### 1957-790

A sidewalk on a bridge located in a municipality on a state or county highway is a part of such bridge and a duty to maintain such sidewalk rest primarily on the board of county commissioners and secondarily on the municipality.

#### 1960-1371

The primary duty for repair and maintenance of a culvert located within the state right-of-way of a state highway, at the intersection of such highway within a township highway, such culvert being necessary for the free flow of water in a drainage ditch running parallel to the state highway, rest upon the department of highways.

#### 1960-1841

Where the Director of highways constructs a limited access highway which intersects with a county road, the bridges, underpasses, approaches and guardrails constructed at the intersections, within the highway right-of-way, included in the state highway system and are not part of the county highway system, and such bridges, underpasses, approaches, and guardrails should be maintained by the state department of highways.

#### 1965-178 (Home Rule)

“municipal corporations shall have special power to regulate the use of the streets. The legislative authority of such municipal corporation shall have the care, supervision, and control of public highways, streets, avenues, alleys, sidewalks, public grounds, bridges, aqueducts, and viaducts within municipal corporation, and shall use them to be kept open, in repair, and free of nuisance.”

Municipalities derive all their powers of local self-government from **Section 3, Article XVIII, Ohio Constitution**, which reads:

“Municipalities shall have authority to exercise all powers of local self-government and to adopt and enforce with their limits such local police, sanitary and other similar regulations as are not in conflict with general laws.” This Section of the Constitution is the root of all municipal power.

“Accordingly, it is my opinion that the Director of Highways needs to obtain consent of the municipal corporation to maintain, repair or improve, provide lighting and remove snow and ice on interstate system within the municipal corporation limits, even though Amended Senate Bill No. 322 state that such duties are those of the Director of Highways notwithstanding Section [5501.14](#) and [5511.01](#), Revised Code.”

#### 1974-004: MOD OAG 81-007

A village which is required by RC [723.01](#) to keep certain bridges in repair, may pursuant to [5521.01](#) request the Director of transportation to perform such repairs and in such case both the state and county are under obligation to repair the bridge.

#### **1974-007: MOD OAG 81-007**

Where, pursuant to RC [5521.01](#), a village has requested and thereby obligated the Director of transportation to make repairs on a section of highway, the obligation does not continue in effect after the village becomes a city.

#### **1981-039**

The duty to clean and repair storm sewers falls on the political subdivision responsible for cleaning and repair of the ditches and culverts which comprise the storm sewer.

#### **1982-025**

A property owner who, in order to provide an approach to his property, places a culvert in a preexisting ditch which is part of a public highway is responsible for the maintenance of that culvert. (Clarified OAG 81-039)

#### **1986-080**

Where a sidewalk is located outside of municipality, the government entity which is currently responsible for the repair and maintenance of a particular highway is responsible for the repair and maintenance of the sidewalks appurtenant to the highway.

#### **1994-025**

- 1) Where the term "maintenance" has not been specifically defined in the Revised Code, it must be given its natural, literal, common, or ordinary meaning, and that definition must be applied with regard to that section of the Revised Code in which it appears.
- 2) A culvert is a structure that crosses under a road or an embankment for the passage of water from one side of the road or embankment to the other. Neither the size, shape, or material of which the culvert is constructed affects its status as a culvert. Instead, it is the function of the structure that determines whether it is a culvert. If it functions as a passage for water to move beneath a road from one side to the other, then it is a culvert.
- 3) A culvert is not a bridge. A bridge is a structure that spans and provides passage over a waterway or other obstacle, while a culvert provides for the passage of water beneath a road or embankment.

#### **1994-032**

- 1) The "right-of-way" of a public road refers to the easement acquired by the public in that portion of the land of the owner thereof over which a road or highway passes, with all the powers and privileges that are necessarily incident to such easement.
- 2) Pursuant to R.C. 5553.03, a public road established by a board of county commissioners after September 6, 1915, must, with certain exceptions described therein, be at least thirty feet wide.
- 3) The right-of-way of a township road established by common law dedication or by prescription includes both the improved road surface used for travel and as much of the land immediately adjacent thereto, and the use thereof, as is necessarily incident to the safe and efficient use of such road surface for actual travel. (1988 Op. Att'y Gen. No. 88-080 (syllabus, paragraph three), approved and followed.)

#### **1994-061**

- 1) A township is not required to repair a storm sewer pipe installed by a homeowner to carry water from his property to a township storm sewer pipe.
- 2) If the installation of a storm sewer pipe by a homeowner to carry water from his property to a township storm sewer pipe were to constitute a wrongful diversion of water to a township road, then the

homeowner would be in violation of R.C. 5589.06.

- 3) A township is not responsible if storm water backs up onto the property of homeowners unless the township has abridged the riparian rights of homeowners who have installed a storm sewer pipe to carry water from their property to a township storm sewer pipe.

#### 2000-012

- 1) Unless a road has been properly established as a public road, neither a county nor a township is required to repair or maintain a bridge that carries the road over a railroad line.
- 2) Pursuant to R.C. 4955.20, R.C. 4959.03, and R.C. 5523.19, a bridge carrying a public road over a railroad line must be repaired and maintained by the railroad company that owns or operates the railroad line, unless the bridge was constructed pursuant to R.C. Chapter 4957, 5523, or 5561. If the bridge carrying the road over the railroad line was constructed pursuant to R.C. Chapter 4957, 5523, or 5561, then the state or the county, as may be provided by law, is responsible for the repair and maintenance of the bridge.

#### 2006-051

- 1) When the Ohio Department of Transportation (ODOT) constructs a bridge to carry a county or township road or municipal street over a limited access state highway, the bridge structure is part of the state highway system; however, the road or street that passes over the bridge may be included in the county highway system, the township road system, or the system of municipal streets. (1960 Op. Att'y Gen. No. 1841, p. 667, followed in part and overruled in part, and 1958 Op. Att'y Gen. No. 1605, p. 29, reaffirmed in part).
- 2) Pursuant to R.C. 5501.11(A)(1), ODOT is responsible for the rehabilitation, reconstruction, maintenance, and repair of a bridge structure not located in a municipal corporation if the road that passes over the bridge is a county or township road and the road running beneath the bridge is a limited access state highway. ODOT is not responsible for the maintenance and repair of the wearing surface of the road that passes over the bridge; instead, this responsibility rests with the county or township, as determined pursuant to state law.
- 3) When, as part of the construction of a state highway that is not a limited access highway, ODOT constructs a bridge not located in a municipal corporation to carry a county or township road over the state highway, the bridge is appurtenant to the state highway and ODOT is responsible for the rehabilitation, reconstruction, maintenance, and repair of the bridge structure pursuant to R.C. 5501.11(A)(1); however, ODOT is not responsible for the maintenance and repair of the wearing surface of the road that passes over the bridge, for this responsibility rests with the county or township, as determined pursuant to state law. When a bridge carrying a county or township road over a state highway that is not a limited access highway is not located in a municipal corporation and is not part of ODOT's construction of the state highway, the bridge is not appurtenant to the state highway and responsibility for the rehabilitation, reconstruction, maintenance, and repair of both the bridge structure and the wearing surface of the road that passes over the bridge rests with the county or township, as determined pursuant to state law.
- 4) Except as provided in R.C. 5501.49, R.C. 5517.04, and R.C. 5521.01, ODOT is not responsible for the rehabilitation, reconstruction, maintenance, or repair of a bridge structure that carries a county or township road or a municipal street over a limited access state highway or other state highway within a municipal corporation, or for the maintenance or repair of the wearing surface of the county or township road or municipal street that passes over that bridge structure; instead, this responsibility rests with the county, township, or municipality, as determined pursuant to state law.

#### 2012-009

- 1) When the Ohio Department of Transportation constructs a bridge outside of a municipal corporation to carry a county or township road over a state highway, the Ohio Department of Transportation is responsible pursuant to R.C. [5501.11\(A\)\(1\)](#) for nonemergency maintenance of approaches, embankments, and safety devices that are part of the bridge structure. (2006 Op. Att’y Gen. No. 2006-051, approved and followed; 1927 Op. Att’y Gen. No. 461, vol. I, p. 765, syllabus, paragraph 1, overruled.)
- 2) A county does not have a duty under R.C. [5591.36](#) to maintain a guardrail on an embankment that is part of a bridge structure constructed by the Ohio Department of Transportation outside of a municipal corporation to carry a county road over a state highway. (1928 Op. Att’y Gen. No. 2940, vol. IV, p. 2713; 1928 Op. Att’y Gen. No. 2155, vol. II, p. 1250; and 1927 Op. Att’y Gen. No. 461, vol. I, p. 765, syllabus, paragraphs 3 and 4, overruled, in part, on the basis of statutory amendments.)

## **OTHER REFERENCES**

### **Miriam-Webster Definition of “maintain”:**

1. to keep in an existing state (as of repair, efficiency, or validity) : preserve from failure or decline  
<maintain machinery>

### **Miriam-Webster Definition of “maintenance”:**

1. the act of maintaining : the state of being maintained : support
2. something that maintains
3. the upkeep of property or equipment

## **UNITED STATES CODE**

### **[United States Code – Title 23 Highways](#)**

#### **§116. Maintenance**

(a) It shall be the duty of the State transportation department to maintain, or cause to be maintained, any project constructed under the provisions of this chapter or constructed under the provisions of prior Acts. The State's obligation to the United States to maintain any such project shall cease when it no longer constitutes a part of a Federal-aid system.

(b) In any State wherein the State transportation department is without legal authority to maintain a project constructed on the Federal-aid secondary system, or within a municipality, such transportation department shall enter into a formal agreement for its maintenance with the appropriate officials of the county or municipality in which such project is located.

(c) If at any time the Secretary shall find that any project constructed under the provisions of this chapter, or constructed under the provisions of prior Acts, is not being properly maintained, he shall call such fact to the attention of the State transportation department. If, within ninety days after receipt of such notice, such project has not been put in proper condition of maintenance, the Secretary shall withhold approval of further projects of all types in the State highway district, municipality, county, other political or administrative subdivision of the State, or the entire State in which such project is located, whichever the Secretary deems most appropriate, until such project shall have been put in proper condition of maintenance.

(d) Preventive Maintenance.—A preventive maintenance activity shall be eligible for Federal assistance under this title if the State demonstrates to the satisfaction of the Secretary that the activity is a cost-effective means of extending the useful life of a Federal-aid highway.

(Pub. L. 85–767, Aug. 27, 1958, 72 Stat. 896; Pub. L. 86–70, §21(d)(2), (e)(3), June 25, 1959, 73 Stat. 145, 146; Pub. L. 90–495, §26, Aug. 23, 1968, 82 Stat. 829; Pub. L. 95–599, title I, §124(d), Nov. 6, 1978, 92 Stat. 2705; Pub. L. 97–424, title I, §114, Jan. 6, 1983, 96 Stat. 2107; Pub. L. 100–17, title I, §125(b)(2), Apr. 2, 1987, 101 Stat. 167; Pub. L. 104–59, title III, §309,

Nov. 28, 1995, 109 Stat. 582; Pub. L. 105-178, title I, §1212(a)(2)(A)(i), June 9, 1998, 112 Stat. 193; Pub. L. 109-59, title I, §1111(b)(1), Aug. 10, 2005, 119 Stat. 1171.)

#### **AMENDMENTS**

**2005**—Subsec. (b). Pub. L. 109-59 substituted “such transportation department” for “such highway department”.

**1998**—Subsecs. (a) to (c). Pub. L. 105-178 substituted “State transportation department” for “State highway department”.

**1995**—Subsec. (d). Pub. L. 104-59 added subsec. (d).

**1987**—Subsecs. (d), (e). Pub. L. 100-17 struck out subsecs. (d) and (e) which read as follows:

“(d) The Secretary in consultation with the State highway departments and interested and knowledgeable private organizations and individuals shall as soon as possible establish national bridge inspection standards in order to provide for the proper safety inspection of bridges. Such standards shall specify in detail the method by which inspections shall be conducted by the State highway departments, the maximum time lapse between inspections and the qualifications for those charged with the responsibility for carrying out such inspections. Each State shall be required to maintain written reports to be available to the Secretary pursuant to such inspections together with a notation of the action taken pursuant to the findings of such inspections. Each State shall be required to maintain a current inventory of all bridges.

“(e) The Secretary shall establish in cooperation with the State highway departments a program designed to train appropriate employees of the Federal Government and the State governments to carry out bridge inspections. Such a program shall be revised from time to time in light of new or improved techniques. For the purposes of this section the Secretary may use funds made available pursuant to the provisions of section 104(a) and section 307(a) of this title.”

**1983**—Subsec. (c). Pub. L. 97-424 substituted “State highway district, municipality, county, other political or administrative subdivision of the State, or the entire State in which such project is located, whichever the Secretary deems most appropriate,” for “entire State” after “all types in the”, and struck out exception for a situation where such project was subject to an agreement pursuant to subsection (b) of this section, in which case approval was to have been withheld only for secondary or urban projects in the county or municipality where such project is located.

**1978**—Subsec. (d). Pub. L. 95-599 struck out provisions limiting provisions of the subsection to the Federal-aid system.

**1968**—Subsecs. (d), (e). Pub. L. 90-495 added subsecs. (d) and (e).

**1959**—Subsec. (a). Pub. L. 86-70, §21(e)(3), substituted “It” for “Except as provided in subsection (d) of this section, it”.

Subsec. (d). Pub. L. 86-70, §21(d)(2), repealed subsec. (d) which related to expenditure of funds apportioned to the Territory of Alaska and contributed by the Territory for the maintenance of roads.

#### **EFFECTIVE DATE OF 1968 AMENDMENT**

Amendment by Pub. L. 90-495 effective Aug. 23, 1968, see section 37 of Pub. L. 90-495, set out as a note under section 101 of this title.

#### **EFFECTIVE DATE OF 1959 AMENDMENT**

Amendment by section 21(d)(2) of Pub. L. 86-70 effective July 1, 1959, see section 21(d) of Pub. L. 86-70, set out as a note under section 103 of this title.

Amendment by section 21(e)(3) of Pub. L. 86-70 effective July 1, 1959, see section 21(e) of Pub. L. 86-70, set out as a note under section 101 of this title.

**ESTABLISHMENT OF MINIMUM FEDERAL GUIDELINES FOR MAINTENANCE; STUDY BY NATIONAL ACADEMY OF SCIENCES AND REPORT**

Section 163 of Pub. L. 100-17 directed Secretary to enter into appropriate arrangements with the National Academy of Sciences to conduct a complete investigation of the appropriateness of establishing minimum Federal guidelines for maintenance of the Federal-aid primary, secondary, and urban systems and, not later than 18 months after entering into appropriate arrangements, the National Academy of Sciences was to submit to Secretary and Congress a report on the results of the investigation and study together with recommendations (including legislative and administrative recommendations) concerning establishment of minimum Federal guidelines for maintenance of the Federal-aid primary, secondary, and urban systems.

**CODE OF FEDERAL REGULATIONS**

**[23 CFR 650 Subpart C](#)**

Sets the national standards for the proper safety inspection and evaluation of all highway bridges

**[49 CFR Part 237 \(FRA\)](#)**

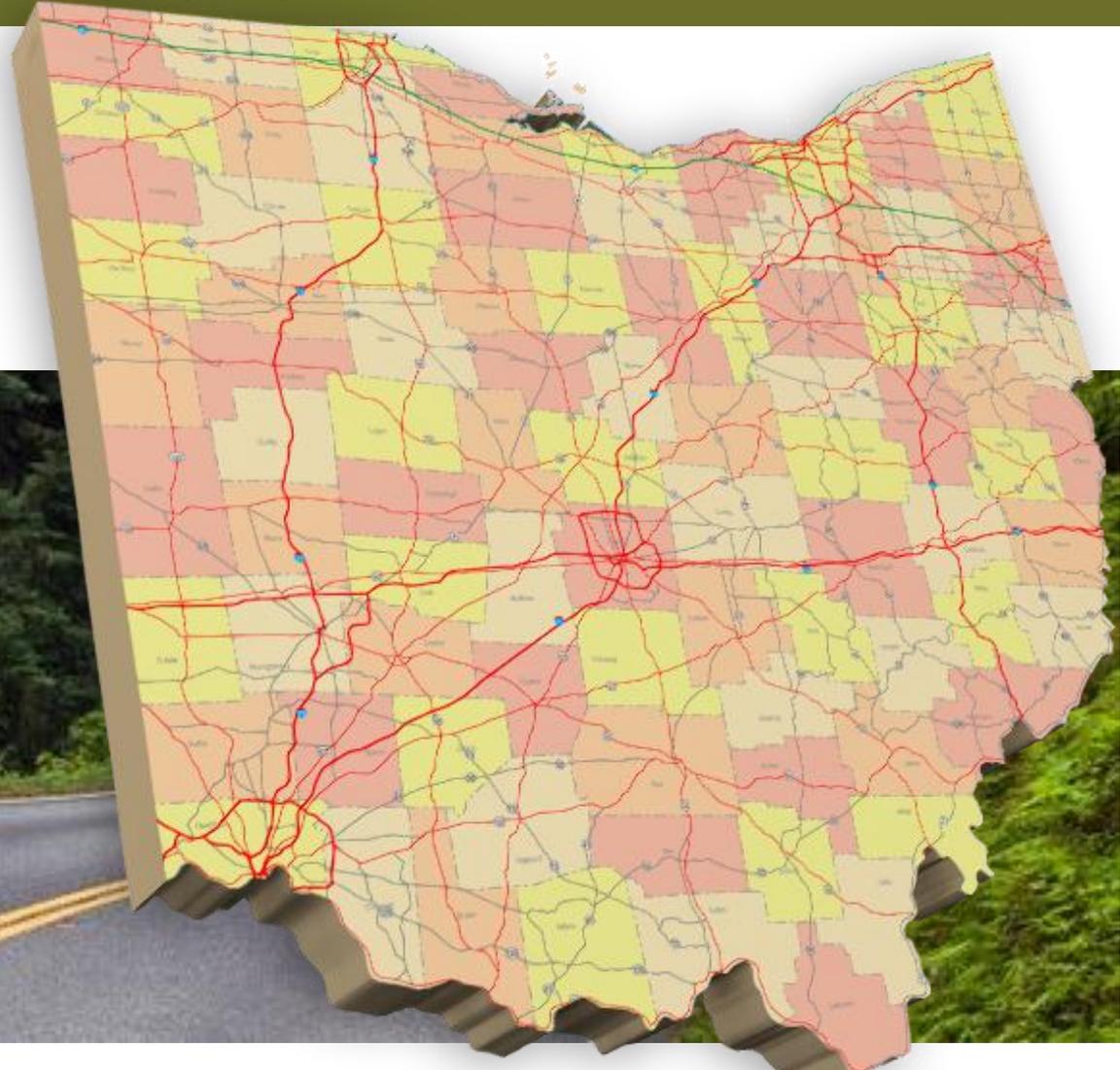
Each track owner shall adopt a bridge safety management program to prevent the deterioration of railroad bridges by preserving their capability to safely carry the traffic to be operated over them, and reduce the risk of human casualties, environmental damage, and disruption to the Nation's railroad transportation system that would result from a catastrophic bridge failure; Annual inspection of Bridges ( $\geq 10'$ )

STATE OF OHIO

# *Roadway Infrastructure Maintenance Responsibility*

Certified Public Manager Program – Cohort 45

The All Inclusive Reference for any person looking to maintain roadway infrastructure in Ohio



# AGENDA

- Project Description
- Purpose & Goal
- Action Plan & Execution
- Information Gathering
- Information Analysis
- Project Results
- Benefits to Agency, Organization or Work Unit
- Team Dynamics
- OCPM Concepts
- Summary
- Questions



# Project Description

- **Problem**
  - **Public Safety Hazard**
  - **Unclear Responsibilities**
    - *Roadway Maintenance*
    - *Bridge Maintenance*
  - **Delayed Action**
  - **No Published Guidelines**
- **Roadway Infrastructure Maintenance Responsibility (RIMR)**
  - **Importance**
    - *Saves Time & Money*
    - *Defines Responsibility*
    - *“Guideline” for Maintenance*
    - *Safety of Public*



# Purpose & Goal

- **Identify**
  - Ownership
  - Scope of Responsibility
  - Infrastructure Inventory
- **Verify**
  - Jurisdictional Boundary
  - Necessity
  - Legal Responsibility
    - ORC/AG Opinions
    - AG Review
- **Develop**
  - RIMR Manual
  - ODOT Website
- **Distribute**
  - Ohio Depository Libraries
  - ODOT Website
  - Group Presentations



# Action Plan & Execution

- **Develop Project Team**
  - Determine Roles
  - Assign Tasks
  - Establish Team Communication
- **Develop Project Charter**
  - Define Scope
  - Develop Schedule
  - Identify Project Sponsor
  - Project Assumptions
  - Milestones
  - Deliverables
- **Draft RIMR**
- **Identify Review Team(s)**
  - Solicit Comments
  - Incorporate Comments
- **Finalize**
  - AG Review
  - Distribution / Presentations



# Roadway Infrastructure Maintenance Reference



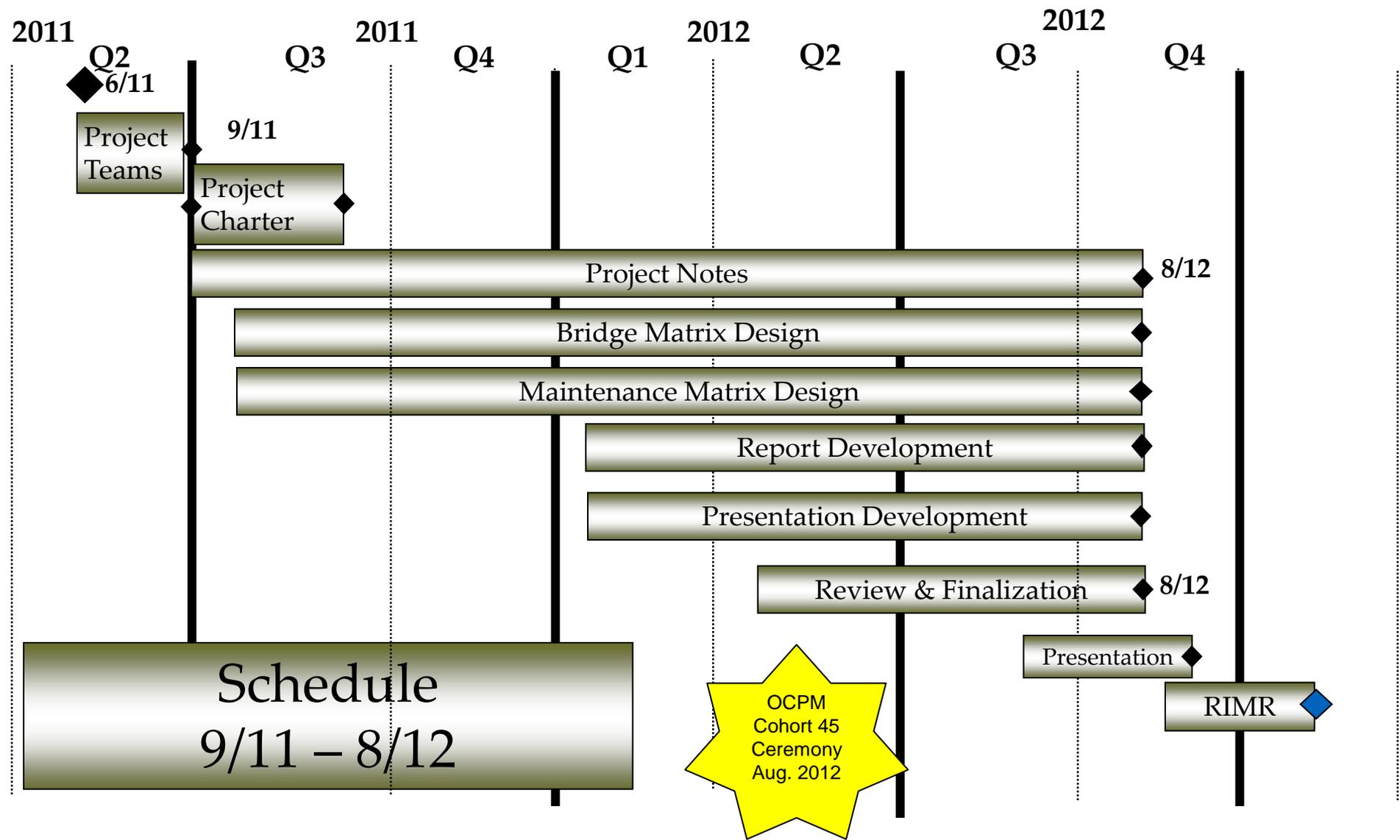
**Who's is it? – Use RIMR to Determine!**

# Information Gathering/Analysis

- **Ohio Revised Code**
- **Attorney General Opinions**
- **Existing Documents**
- **Federal Code**
- **Stakeholders**
- **Sponsors**

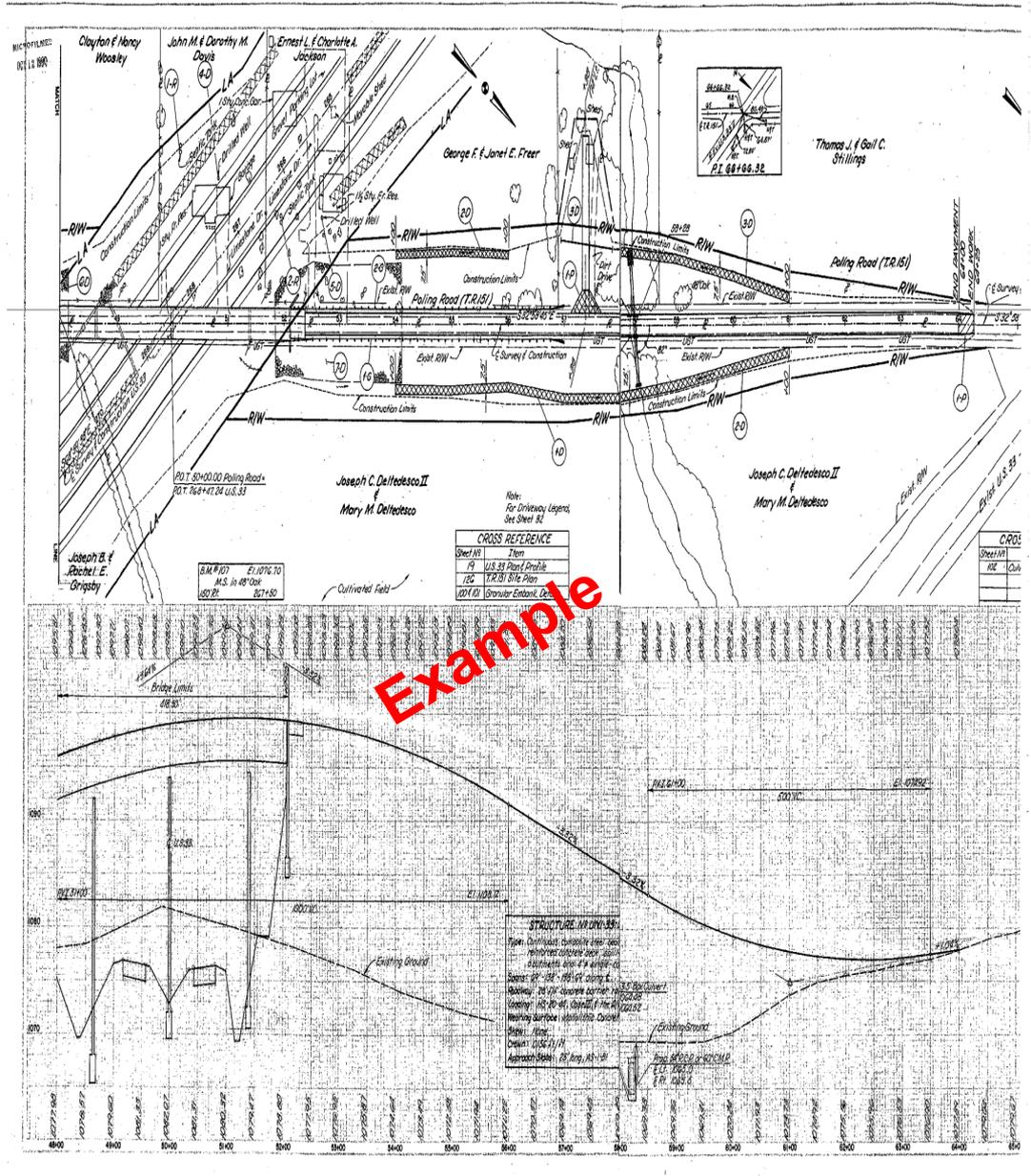


# PROJECT SCHEDULE

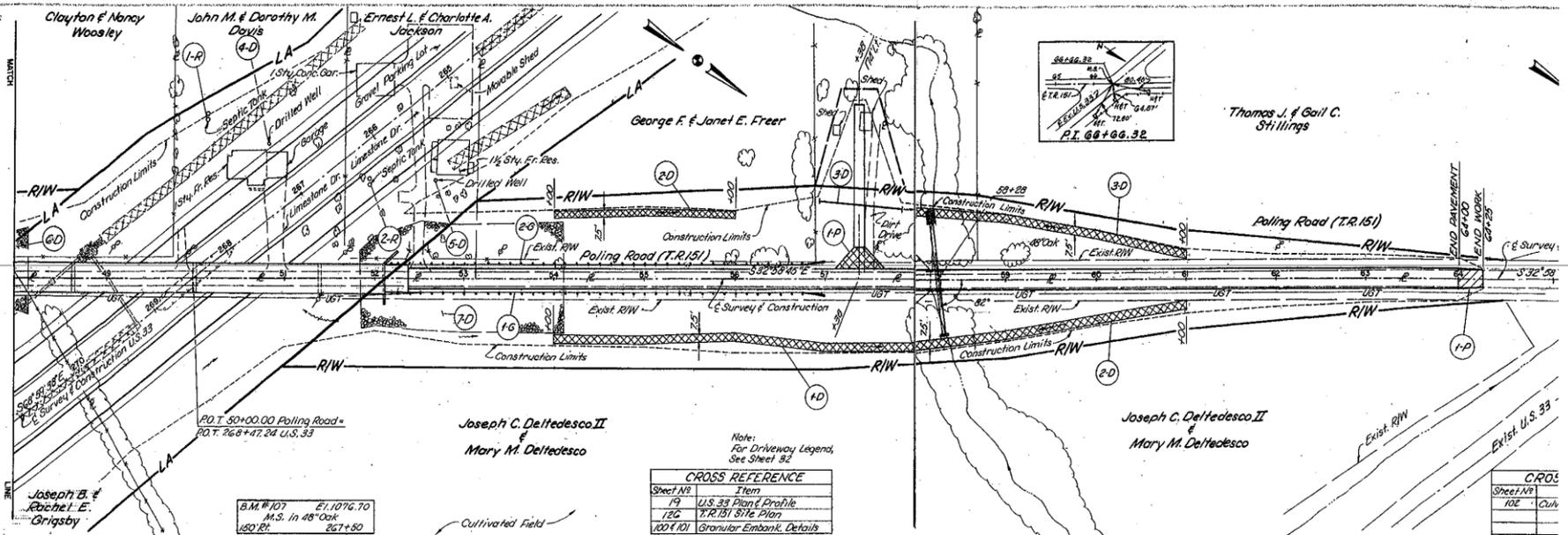


# Project Results

- Identify
  - ✓ Ownership
  - ✓ Scope of Responsibility
  - ✓ Infrastructure Inventory
- Verify
  - ✓ Jurisdictional Boundary
  - ✓ Necessity
  - ☐ Legal Responsibility
    - ✓ ORC/AG Opinions
    - ☐ AG Review
- Develop
  - ✓ RIMR Manual
  - ☐ ODOT Website
- Distribute
  - ☐ Ohio Depository Libraries
  - ☐ ODOT Website
  - ☐ Group Presentations



MICROFILMED  
DEC 12 1996

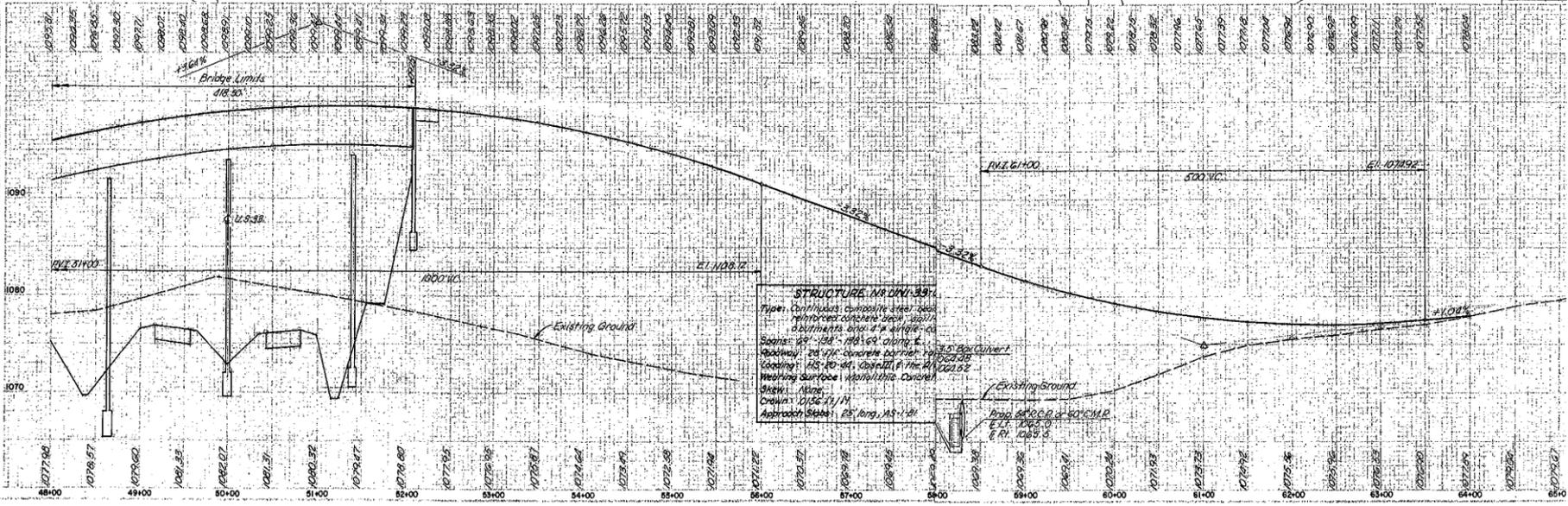


Note:  
For Driveway Legend,  
See Sheet 92

CROSS REFERENCE	Sheet No	Item
	19	U.S. 33 Plan & Profile
	12	T.R. 151 Site Plan
	1004 101	Granular Embankment Details

B.M. #107 E1.1076.70  
M.S. in 48" Oak  
150' R.P. 267+80

C.R.O.S.	Sheet No	IDE	Curb



**STRUCTURE: BRIDGE**  
Type: Continuous composite steel beam  
with prestressed concrete deck  
Spans: 62'-10" - 108'-0" along L.  
Roadway: 24'-0" concrete barrier, 10'-0" on  
each side  
Grading: 1% to 4% (vertical) in the R/W  
Finish surface: Mortar finish concrete  
Slopes: 4:1  
Approach Slope: 2% long, 1% short

Roadway Infrastructure Maintenance Responsibility Guidelines *		JURISDICTIONAL FEATURE														
		Interstate Route	State Route US Route	or	County Road	County Road over a Limited Access Highway or Freeway	Township Road	Township Road over a Limited Access Highway or Freeway	City Street	Village Road or Street	Avenue, Boulevard, Drive, Parkway, Alley	Toll Road	State Park Road	Community Park Road	Bike Path	
MAINTENANCE ITEM	Pavement Surface Course	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11	County 5, 12, 13, 11, 14, 30	County 25	Township 5, 12, 13, 11, 18, 14	Township 25	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City 24	City	
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24	
		Within Toll Road Limits	ODOT 1, 2	ODOT <sup>3</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road- Major/County- Routine 17	Toll Road- Major/County- Routine 17	Toll Road- Major/Township- Routine 17	Toll Road- Major/Township- Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16
		Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11	County 5, 12, 13, 11, 14	ODOT *** 1, 2, 4, 25	Township 5, 12, 13, 11, 18, 14	ODOT *** 1, 2, 4, 25	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
	Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City 24	City		
	Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24		
	Within Toll Road Limits	ODOT 1, 2	ODOT <sup>3</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road- Major/County- Routine 17	Toll Road- Major/County- Routine 17	Toll Road- Major/Township- Routine 17	Toll Road- Major/Township- Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A		
	Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	
	Roadway Appurtenance**	Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 26, 27, 28	County 5, 12, 13, 11, 14	ODOT *** 1, 2, 4, 25	Township 5, 12, 13, 11, 18, 14, 31	ODOT *** 1, 2, 4, 25	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
		Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City 24	City	
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24	
		Within Toll Road Limits	ODOT 1, 2	ODOT <sup>3</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road- Major/County- Routine 17	Toll Road- Major/County- Routine 17	Toll Road- Major/Township- Routine 17	Toll Road- Major/Township- Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A	
		Within Railroad R/W Limits	ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	
		Outside of City or Village Corp Limits	ODOT 1, 2	ODOT 3, 4, 5, 6, 7, 8, 9, 10, 11	County 5, 12, 13, 11, 14	County 25	Township 5, 12, 13, 11, 18, 14	Township 25	N/A	N/A	County 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Owner	
	Minor Elements Roadway Items #	Within City Corp Limits	ODOT <sup>1</sup> 1, 2	City 6, 9, 5, 11	N/A	N/A	N/A	N/A	City 5, 6, 9, 11	N/A	City 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	City 24	City	
		Within Village Corp Limits	ODOT <sup>1</sup> 1, 2	Village 5, 6, 9, 11	N/A	N/A	N/A	N/A	N/A	Village 5, 9, 11	Village 11	Toll Road 19, 20	Division of Parks and Recreation 22, 23	Township 24	Township 24	
Within Toll Road Limits		ODOT 1, 2	ODOT <sup>3</sup> 3, 4, 5, 6, 7, 8, 9, 10, 11	Toll Road- Major/County- Routine 17	Toll Road- Major/County- Routine 17	Toll Road- Major/Township- Routine 17	Toll Road- Major/Township- Routine 17	City/Toll Road 11, 6, 19, 20	N/A	N/A	Toll Road 19, 20	N/A	N/A	N/A		
Within Railroad R/W Limits		ODOT <sup>4</sup> 1, 2	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16	Railroad 15, 16		

**BRIDGE RESPONSIBILITIES: INSIDE OF MUNICIPALITIES**

Feature Over →		Highway Traffic										Non Highway Traffic						
		County**	Municipal	ODNR	ODOT (US or State Route)	ODOT (Interstate)	Other	Park District	State (other, no toll)	Toll (private)	Turnpike	Aband. RR	Building / Plaza	Non-Highway	Other	Pedestrian and/or Bike	Railroad	
Feature Under ↓																		
H i g h w a y	County**	ROUTINE MAJOR INSPECT	COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/COUNTY	N/A	N/A	N/A	SEE NOTE	N/A	N/A	N/A	OWNER OWNER OWNER/COUNTY	OWNER OWNER OWNER/COUNTY	RR(5) RR(5) COUNTY/RR(6)
	Municipal	ROUTINE MAJOR INSPECT	COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/LOCAL	N/A	N/A	N/A	SEE NOTE	N/A	OWNER OWNER OWNER/LOCAL	N/A	OWNER OWNER OWNER/LOCAL	N/A	N/A
	Non-Highway	ROUTINE MAJOR INSPECT	N/A	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	OWNER OWNER OWNER	N/A
	ODNR	ROUTINE MAJOR INSPECT	N/A	N/A	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	ODOT (US or State Route)	ROUTINE MAJOR INSPECT	COUNTY(9) ODOT(4) ODOT(3)	LOCAL(4) ODOT(4) ODOT(3)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/ODOT(3)	N/A	N/A	TOLL TOLL ODOT/TOLL(11)	SEE NOTE	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	RR(5) RR(5) ODOT/RR(6)
	ODOT (Interstate)	ROUTINE MAJOR INSPECT	COUNTY(9) ODOT(4) ODOT(3)	LOCAL(4) ODOT(4) ODOT(3)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER/ODOT(3)	N/A	N/A	TOLL TOLL ODOT/TOLL(11)	SEE NOTE	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	OWNER OWNER OWNER/ODOT(3)	RR(5) RR(5) ODOT/RR(6)
	Other	ROUTINE MAJOR INSPECT	N/A	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Park District	ROUTINE MAJOR INSPECT	N/A	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	State (other, no toll)	ROUTINE MAJOR INSPECT	N/A	N/A	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Toll (private)	ROUTINE MAJOR INSPECT	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TOLL TOLL TOLL(11)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Turnpike	ROUTINE MAJOR INSPECT	SEE NOTE	N/A	N/A	SEE NOTE	SEE NOTE	N/A	SEE NOTE	N/A	N/A	SEE NOTE	N/A	N/A	N/A	SEE NOTE	SEE NOTE	SEE NOTE	
N o n H i g h w a y	Other	ROUTINE MAJOR INSPECT	COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	NOT A BRIDGE PER ORC 5501.47	N/A				
	Pedestrian and/or Bike	ROUTINE MAJOR INSPECT	COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	LOCAL(4) ODOT(4) ODOT(3)	N/A	N/A	NOT A BRIDGE PER ORC 5501.47	RR(5) RR(5) RR(6)				
	Railroad	ROUTINE MAJOR INSPECT	COUNTY(5) COUNTY(5)* COUNTY(9)	LOCAL(5) LOCAL(5)* LOCAL(7)	N/A	LOCAL(4) ODOT(4)* ODOT(3)	ODOT(2) ODOT(2)* ODOT(3)	OWNER(5) OWNER(5)* OWNER/RR	PARK(5) PARK(5)* PARK	N/A	TOLL(5) TOLL(5)* RR/TOLL(11)	SEE NOTE	NOT A BRIDGE PER ORC 5501.47	N/A				
	Relief (Aband. RR)	ROUTINE MAJOR INSPECT	COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	N/A	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	N/A	N/A	N/A	N/A	N/A	NOT A BRIDGE PER ORC 5501.47	N/A				
	Waterway	ROUTINE MAJOR INSPECT	COUNTY(9) COUNTY(9) COUNTY(9)	LOCAL(7) LOCAL(7) LOCAL(7)	ODNR ODNR ODOT#	LOCAL(4) ODOT(4) ODOT(3)	ODOT(2) ODOT(2) ODOT(3)	OWNER OWNER OWNER	PARK PARK PARK	LOCAL(4) ODOT(4) ODOT(3)	TOLL TOLL TOLL(11)	SEE NOTE	NOT A BRIDGE PER ORC 5501.47	RR(5) RR(5) RR(6)				

# Benefits to Agency, Organization or Work Unit

- **Public Safety**
  - Improved Response Time
  - Reduced Hazards
- **Clear Responsibilities**
  - Roadway Maintenance
  - Bridge Maintenance
- **Clear Guidelines - RIMR**
- **Improved Communications**
- **Saving Taxpayer Dollars!**



# Team Dynamics

- **Roles**

- Leader - Chris
- SME's – Bob and Dan
- Organization – Steve and Tom

- **Assigned Tasks And Timelines**

- Bridge Matrix – Bob
- Roadway Matrix – Dan
- Communication – Chris
- Research – Steve
- Schedule/Documentation - Tom

- **Teamwork**

- Shared
- High Performance Group
- Fluid
- Well Rounded



# OCPM Concepts

- **Project Management**
- **Effective Presentations**
- **Team Building**
- **MBTI Types**
- **Writing Advantage**
- **Leading Public Service**
- **Informed Decision Making**
- **Effective Communication**



# Summary

- **Project Description**
- **Purpose & Goal**
- **Action Plan & Execution**
- **Information Gathering**
- **Information Analysis**
- **Project Results**
- **Benefits to Agency, Organization or Work Unit**
- **Team Dynamics**
- **OCPM Concepts**



# Discussion

- **Thank You**
- **Questions?**
- **Answers**
- **Follow-up**

