

OHIO TURNPIKE COMMISSION

**Resolution Adopting and Promulgating Amended Rules
for the Control and Regulation of Traffic**

WHEREAS, Section 5537.16 of the Revised Code authorizes the Commission to adopt rules in accordance with Section 111.15 of the Revised Code for the control and regulation of traffic, for the protection and preservation of property under its jurisdiction and/or for the maintenance and preservation of good order within the property under its control; and

WHEREAS, Section 119.032 of the Revised Code requires certain state agencies to review its rules every five years to determine: (1) whether the rule should be continued without amendment, be amended, or be rescinded, taking into consideration the purpose, scope, and intent of Section 5537.16 of the Revised Code; (2) whether the rule needs amendment or rescission to give more flexibility at the local level; (3) whether the rule needs amendment or rescission to eliminate unnecessary paperwork; and (4) whether the rule duplicates, overlaps with, or conflicts with other rules; and

WHEREAS, the Commission elected to review its rules pursuant to Section 119.032 of the Revised Code taking into consideration the continued need for each rule, the nature of any complaints or comments received concerning each rule, and any relevant factors that have changed the subject matter area affected by each rule; and

WHEREAS, the Commission desires to amend its rules embodied in Sections 5537-1-01, 5537-2-01, 5537-2-02, 5537-2-03, 5537-2-04, 5536-2-05, 5536-2-06, 5536-2-08, 5536-2-09, 5536-2-10, 5536-2-11, 5536-2-12, 5536-2-15, 5536-2-16, 5536-2-18, 5536-2-19, 5536-2-20, 5537-3-01, 5537-3-02, 5537-3-03, 5537-4-01, 5537-5-01 and 5537-5-02 of the Ohio Administrative Code (The "Amended Rules") for the control and regulation of traffic, for the protection and preservation of property under its jurisdiction and/or for the maintenance and preservation of good order within the property under its control; and

WHEREAS, the Commission desires to adopt such rules proposed to be embodied in Sections 5537-3-05 and 5537-7-01 of the Ohio Administrative Code (The "New Rules") which it considers advisable for the control and regulation of traffic on any turnpike project, for the protection and preservation of property under its jurisdiction and control and/or for the maintenance and preservation of good order within the property under its control; and

WHEREAS, in accordance with applicable statutory provisions, including Sections 111.15 and 119.032 of the Ohio Revised Code, the Commission filed with the Joint Committee on Agency Rule Review, the Legislative Service

Commission and the Secretary of State the following: (1) the proposed amendments to said Sections 5537-1-01, 5537-2-01, 5537-2-02, 5537-2-03, 5537-2-04, 5536-2-05, 5536-2-06, 5536-2-08, 5536-2-09, 5536-2-10, 5536-2-11, 5536-2-12, 5536-2-15, 5536-2-16, 5536-2-18, 5536-2-19, 5536-2-20, 5537-3-01, 5537-3-02, 5537-3-03, 5537-4-01, 5537-5-01 and 5537-5-02 of the Ohio Administrative Code; (2) the proposed newly adopted rules to be embodied in Sections 5537-3-05 and 5537-7-01 of the Ohio Administrative Code; and (3) the no change rules embodied in Sections 5536-2-07, 5536-2-13, 5536-2-14, 5536-2-17, 5536-2-21, 5537-3-04, 5537-4-02, 5537-4-03, 5537-4-04 and 5537-4-05 of the Administrative Code; and

WHEREAS, the above-referenced proposed and/or existing rules were filed with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State more than ninety days ago and have received favorable consideration consistent with Section 119.032 of the Revised Code; and

WHEREAS, the filing requirement of Section 111.15 of the Revised Code specifies that sixty-five days after filing as aforesaid, an agency may adopt and promulgate a rule;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby adopts the aforementioned Amended Rules, New Rules and No Change in accordance with Section 111.15 and 119.032 of the Revised Code; and

FURTHER RESOLVED that the general counsel is hereby instructed to certify copies of the aforementioned rules, to file the appropriate copies with the Director of the Legislative Service Commission, the Executive Director of the Joint Committee on Agency Rule Review and the Ohio Secretary of State, which certified copies shall designate an effective date of March 1, 2001 and a review date of October 1, 2005, and to cause said rules to be published in a newspaper of general circulation in Franklin County, Ohio.

(Resolution No. 9-2001 adopted February 12, 2001)

I, Gino Zomparelli, Assistant Secretary-Treasurer of the Ohio Turnpike Commission, do hereby certify that the above is a true copy of the aforesaid resolution which was duly adopted at a meeting of the Commission, duly called for and convened and held on February 12, 2001, at which a quorum was at all times present and voting.

WITNESS my hand and the seal of the Ohio Turnpike Commission on this 12th day of February, 2001.

Gino Zomparelli
Assistant Secretary-Treasurer

