

OHIO TURNPIKE COMMISSION

Resolution Authorizing the Filing of Permit Rules for Overweight and Over Dimension Vehicles Joint Committee on Agency Rule Review

WHEREAS, the Commission previously adopted administrative rules for the control and regulation of traffic, for the protection and preservation of property under its jurisdiction in accordance with the authority granted to it under Ohio Revised Code Section 5537.16 as promulgated in the provisions of Ohio Administrative Code Sections 5537-1-01 through 5537-7-01; and

WHEREAS, the Commission's traffic rules regulate the gross weight, width and length of vehicles that may travel on the Turnpike unless such overweight or over dimension vehicles have been granted a permit to travel on the Turnpike; and

WHEREAS, the Commission has previously decided to proceed with the implementation of electronic toll collection in the form of *E-ZPass*[®] and a new toll collection system in order to offer customers using the Turnpike the added convenience of paying tolls and permit fees electronically; and

WHEREAS, the Chief Engineer has recommended that the Commission adopt changes to the traffic rules that will allow customers to obtain an overweight or over dimension vehicle permit application online and pay the appropriate permit fee electronically as an added convenience to the travelling customer; and

WHEREAS, the Chief Engineer has recommended that the Commission modify its overweight and over dimension vehicle permit fees to be more closely aligned with those permit fees charged by the Ohio Department of Transportation; and

WHEREAS, the Executive Director has recommended that the Commission begin the process for adopting the attached amended rule for overweight and over dimension vehicle permits and the schedule of related fees, to be utilized by customers wishing to pay tolls and permit fees electronically in conjunction with the implementation of *E-ZPass*[®], which rules are attached in preliminary draft form to this Resolution; and

WHEREAS, in accordance with applicable statutory provisions, including Sections 111.15 and 119.032 of the Ohio Revised Code, the Commission must file with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State any new rule or amended rule in accordance with the procedures set forth in the statutes and the Commission wishes to begin the process to file its Overweight and Over Dimension Vehicle Permit Rule and the Schedule of Related Fees as reflected in the attached Exhibits.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby authorizes the Executive Director, Chief Engineer and General Counsel to finalize the attached Overweight and Over Dimension Vehicle Permit Rules and Schedule of Related Fees either in their current form or as may be modified in order to comply with the requirements imposed by the Joint Committee on Agency Rule Review; and

FURTHER RESOLVED that the Commission hereby authorizes the General Counsel to initiate the process necessary to adopt the attached Overweight and Over Dimension Vehicle Permit Rules and Schedule of Related Fees in accordance with Sections 111.15 and 119.032 of the Ohio Revised Code.

(Resolution No. 23-2009 adopted July 20, 2009)