



Ohio Revised Code

Section 5595.041 Memorandum of understanding and supplemental powers.

Effective: October 3, 2023

Legislation: House Bill 33 - 135th General Assembly

The governing board of a qualified RTIP may negotiate and enter into a memorandum of understanding with the department of transportation for the purpose of completing opportunity corridor improvements. The governing board, in carrying out the opportunity corridor improvements, may exercise all authority granted to it by this chapter and may additionally do all of the following:

(A) Appropriate property, fully or partially located within the right-of-way associated with, or necessary as right-of-way for, any transportation improvement, provided the appropriation would be within the department of transportation's appropriation authority if carried out by the department and both the improvement and appropriation authority are described in the memorandum of understanding and the appropriation is exclusively for that improvement.

This division does not grant any additional appropriation authority to the department of transportation.

(B) Receive and reinvest any funds from development within the development area;

(C) Contract for the use of digitalized procurement planning and permitting systems;

(D) Request and receive grants and private contributions for any of the purposes described in division (A) of section 5595.06 of the Revised Code;

(E) Establish, acquire, own, control, manage, sell, or transfer a business, as defined in section 1354.01 of the Revised Code, as necessary, convenient, or proper for either of the following:

(1) The construction, maintenance, repair, or operation of opportunity corridor improvements described in the memorandum of understanding;

(2) Otherwise advancing the objectives of the qualified RTIP.



(F) Form, participate in the management of, and contract with a public-private enterprise to assist in managing the development of opportunity corridor improvements to be located within rights of way and development areas acquired and owned by the RTIP. The governing documents of a proposed enterprise shall be submitted to the director of transportation for review and approval in the same manner as is required for approval of a cooperative agreement.

As used in division (F) of this section, "public-private enterprise" means a business entity that is owned in part by a qualified RTIP and in part by one or more private persons.

(G) Purchase real property fully or partially located within the development area, through means other than appropriation, that is necessary, convenient, or proper to provide a benefit to the public or for the construction, maintenance, repair, or operation of transportation improvements or opportunity corridor improvements.

(H) Negotiate and enter into an agreement with the Ohio academic resources network to set up a point of presence for the purpose of establishing, expanding, or improving broadband service, or other digital capabilities or services, within the development area.