



Ohio Revised Code

Section 4981.30 Applying for and award of franchises.

Effective: October 20, 1994

Legislation: House Bill 250 - 120th General Assembly

(A) The Ohio rail development commission, in accordance with Chapter 119. of the Revised Code, shall adopt, and may amend and rescind, rules governing the process whereby a private corporation or organization may apply to the commission for a franchise for all or part of a rail system. The rules also shall establish the financial and technical criteria upon which a franchise is awarded. The criteria may include all of the following:

- (1) The qualifications of each applicant, including the familiarity of the applicant with the transportation needs and resources of the state and the applicant's prior involvement and experience with respect to the development of rail service in this state;
- (2) The level of transport services offered;
- (3) The technology proposed;
- (4) The timetable for construction;
- (5) The construction, operation, and management plans;
- (6) The financial plan and the applicant's financial ability to provide reliable service;
- (7) Whether the proposed rail system will meet all applicable state and federal safety requirements;
- (8) Any legislative changes that may be necessary in order to implement the applicant's proposal;
- (9) Any plans and studies prepared for the commission;
- (10) The projected ability of each applicant's proposed revenue sources to meet projected capital and operating funding requirements.



(B) The commission may solicit letters of intent from private corporations or organizations interested in applying for a franchise, and may require that a nonrefundable fee be submitted with the letter of intent. Any such fee may be applied against costs the commission incurs in evaluating applications and for subsequent administration of a franchise.

(C) The commission may request proposals to be delivered for a franchise to construct, operate, and maintain the rail system or a portion thereof.

(D) All applications for a franchise shall address the items contained in divisions (A)(1) to (11) of section 4981.04 of the Revised Code.

(E) The commission shall notify all prospective bidders for a franchise that any private corporation or organization that is awarded a franchise with respect to the 3-C corridor shall be obligated to reimburse the commission for amounts payable by the commission, up to a maximum of one million five hundred thousand dollars, arising out of commitments of the commission in connection with the preparation of the plan under section 4981.04 of the Revised Code, and out of other pre-existing contractual arrangements of the commission with respect to the 3-C corridor.

(F) The commission may award a franchise for the rail system or a portion of the system to the applicant the commission determines is best qualified, in accordance with standards for evaluation of applicants established by rule and previously announced.