



# OTA LEGISLATIVE PRIORITIES

OTA advocates and advances issues at the Ohio Statehouse on behalf of the trucking industry. We take your problems and find solutions, that is what we do best.

The legislative agenda is directed and monitored by our Legislative Committee. The committee membership is open to all current members of the association and meets monthly by conference call.



SPRING  
2021

Below is a list of priorities we are currently working on at the Ohio Statehouse.

## OTA LEGISLATIVE PRIORITIES

### Distracted Driving as a Primary Offense

No matter how you argue the matter, driving while distracted, especially using a handheld device is the greatest hazard our drivers face today. Drivers who text and drive are six times more likely to get in an accident than drunk drivers. Ohio is one of only four states that does not have texting and driving as a primary offense. It is time for Ohio to adopt laws that protect our workforce.

#### STATUS:

Governor Mike DeWine has made distracted driving one of his main priorities. Early in his administration he formed the Ohio Distracted Driving Task Force, which in 2019 released recommendations that included the enactment of a “hand-free” law as a primary offense. He has also formed the Ohio Traffic Safety Council, which OTA serves as a member. The governor’s most recent transportation budget included language to make using a phone while driving a primary offense; however, that language was removed by the legislature.

Lawmakers have since introduced HB 283 (Distracted Driving Bill), which would make it a primary offense to use, hold, or physically support a device while driving. The bill, introduced by Rep. Cindy Abrams (R-Harrison) and Rep. Brian Lampton (R-Fairborn), is pending in the House Criminal Justice Committee.

### Tax Credit for Driver Training

Driver training is paramount in having a great driver workforce and our trucking companies invest thousands of dollars annually to train drivers. Unfortunately, workforce training programs in Ohio have made CDL training ineligible for assistance. With the addition of the Entry Level Driver Training regulations from the Federal Motor Carrier Safety Administration it is going to be critical for companies to invest even more into driver training. The Ohio Trucking Association is asking the legislature to develop an income tax credit to incentivize trucking companies to invest in driver training. The credit will be 50% matching nonrefundable credit on income tax returns for sole proprietorships, partnerships and LLCs up to \$25,000.

#### STATUS:

HB 197 has been introduced by Rep. Reggie Stoltzfus (R-Paris Twp.) and Rep. Rodney Creech (R-W. Alexandria). It is currently pending in the House Ways and Means Committee. A similar bill (HB 222) was introduced last session and was passed by the House with near unanimous support (91-1), before failing in the Senate.

SPRING 2021

### Protection from Predatory Towing

Egregious towing bills on police ordered tows of commercial vehicles is becoming all too common. Bills over \$100,000 are on the rise with tows costing \$50,000-\$80,000 being commonplace. While we have made great progress with changes in laws regarding allowing law enforcement to allow companies to arrange their own tows, if in a reasonable timeframe, and removing immunity for negligent damages by towing companies, there is still a lot of work to be done.

#### STATUS:

Multiple bills have been passed (SB 274 in 2014 and SB 341 in 2017) to address predatory towing practices. OTA hopes to build off this work by identifying more areas of improvement and working with stakeholders to get further reforms signed into law.

### Fuel Tax Parity

During the 2019 transportation funding bill the legislature increased the revenue for roads in the form of a fuel tax increase, something the Ohio Trucking Association supported, but they increased the diesel tax by 8.5 cents more than gasoline. This is the first time in Ohio's history that the fuel tax has been bifurcated. While we advocated for paying our fair share, trucking now pays well over 50% of the taxes and fees for Ohio's roads, while only operating 10% of the total vehicle miles. The Ohio Trucking Association is resolute in our policy that we will not support any increase or indexing of the diesel tax until the gasoline tax rate is raised to match diesel tax.

#### STATUS:

There is no proposal at this time to increase either the diesel tax or the gasoline tax.

### Sales Tax Exemption for Forklifts

Ohio currently exempts sales and use tax for forklifts purchased for manufacturing, yet does not extend this tax exemption for those in the logistics industry like our neighboring state of Indiana. This puts Ohio's logistics industry, as well as Ohio-based forklift manufacturers and retailers, at a competitive disadvantage.

#### STATUS:

Senator Niraj Antani (R-Miamisburg) has introduced HB 98, which is currently pending in the Senate Ways and Means Committee.