

Proposed Amendments to the TRAC Policies and Procedures

Policy 17 State Highway System

When a TRAC project results in the addition, relocation, or realignment of a section of the State Highway System, the existing state highway will be abandoned to the county commissioners or to the appropriate township or municipal authorities through the abandonment process set forth in the Ohio Revised Code.

Principle 17 State Highway System

When the addition, relocation, or realignment of a portion of the State Highway System (State or U.S. Route) occurs, jurisdiction over the existing section of roadway shall be transferred to the appropriate local authorities (County, Township, Municipality) through the abandonment process set forth in the Ohio Revised Code and in accordance with ODOT's Policy on Changes to the State Highway System (Policy No. 20-005(P)) and Standard Procedure for Preparation and Distribution of Director's Journal Entries (Standard Procedure No. 321-001(SP)). As part of the application process, the TRAC shall require the local government(s) to submit a letter of acknowledgement stating that it recognizes that existing section(s) of state highway will revert to their jurisdiction once the new bypass or realigned state highway is constructed, and that the local government will accept jurisdiction of these existing section(s).

The TRAC recognizes that it is within the sole discretion of the Director to determine whether suitable repairs should be made to existing sections of the State Highway System prior to their final abandonment to a local governmental agency. If ODOT determines that repairs are warranted, a scope of work, a schedule for such work, and a budget for any repairs shall be submitted jointly by ODOT and the local government to the TRAC, for TRAC review, prior to expenditure of funds on the roadway to be abandoned.

It should be noted that ODOT has no legal duty under Ohio law to make any repairs to the existing highway prior to its abandonment. It is ODOT's intention to abandon existing highways in an acceptable condition, however, ODOT reserves the right to abandon a highway in "as is" condition per Section 5511.01 of the Ohio Revised Code. Once abandonment has occurred and jurisdiction has been transferred, ODOT's responsibility for any future maintenance of the existing roadway shall terminate.