

STATE OF OHIO  
**Executive Department**

OFFICE OF THE GOVERNOR

*Columbus*

**VETO MESSAGE**

**STATEMENT OF THE REASONS FOR THE VETO OF ITEMS IN  
AMENDED SUBSTITUTE HOUSE BILL 51**

**APRIL 1, 2013**

Pursuant to Article II, Section 16 of the Ohio Constitution, which states that the Governor may disapprove any items in a bill making an appropriation of money, I hereby disapprove the following items contained in Amended Substitute House Bill 51 and set forth below the reasons for so doing. The text I am disapproving is identified in this message by reference to the corresponding page and boxed text of the bill.

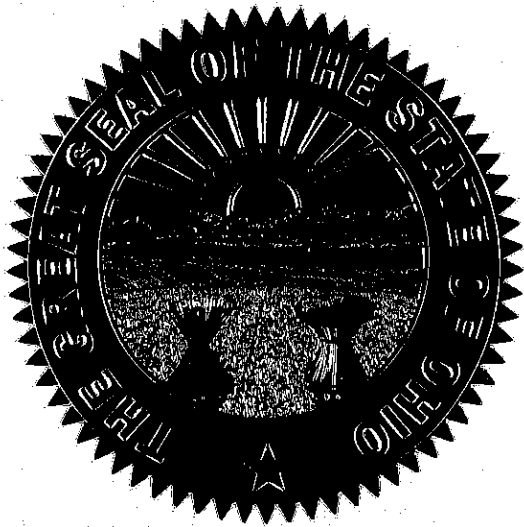
**ITEM NUMBER 1**

On page 392, delete the boxed text.

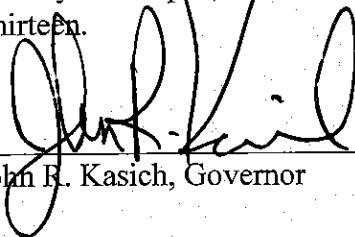
On page 395, delete the boxed text.

**Railroad Grade Crossings - Maintenance**

This provision would mandate the use of \$7.5 million per fiscal year by the Ohio Department of Transportation, from line item 776669, to reimburse operating railroads for the maintenance of roadways within the rights-of-way that they own or control. Railroads have the legal responsibility for maintaining the Crossings within their rights of way, and this provision represents a shift in the responsibility for routine maintenance of Crossings from the railroads to the state, thereby diverting limited transportation resources from much-needed highway projects across the state. Vetoing this item does nothing to reduce safety as this provision addresses maintenance for the purpose of maintaining traveling comfort, not traveling safety. The State of Ohio has a robust program for addressing safety concerns at railroad crossings, which consists of a coordinated effort of ODOT, the Ohio Rail Development Commission and the Public Utilities Commission. Therefore, this veto is in the public interest.



IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus this 1<sup>st</sup> day of April, Two Thousand Thirteen.

  
John R. Kasich, Governor

This will acknowledge the receipt of a copy of this veto Message of Amended Substitute House Bill 51 that was disapproved in part by Governor John R. Kasich on April 1, 2013.

Kathryn E. Stueline, Journal Clerk  
Name and Title of Officer

April 2, 2013 11:05 a.m.  
Date and Time of Receipt