



**Sub. H.B. 425**

124th General Assembly  
(As Passed by the House)

**Reps. Reinhard, Faber, Grendell, Manning, Husted, Gilb, Core, Hagan, Womer Benjamin, Young, Webster, Cates, Fessler, Trakas, Carmichael, Buehrer, Clancy, Flowers, Perry, Damschroder, Lendrum, Seitz, Carey, Peterson, Seaver, Patton, Redfern, Allen, Ogg, D. Miller, Wilson, Cirelli, Coates, Roman, Barrett, Carano, Latell, Britton, McGregor, Aslanides, Hartnett, Collier, Boccieri, Otterman, Hoops, Hughes, Reidelbach, G. Smith, Widowfield, Salerno, Sulzer**

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**BILL SUMMARY**

- Generally prohibits the sale of motor vehicle fuel containing methyl tertiary butyl ether (MTBE) in certain quantities.

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**CONTENT AND OPERATION**

The bill prohibits, on or after July 1, 2005, any person from selling or delivering to any distributor in Ohio, or from importing into Ohio for sale in Ohio, any motor vehicle fuel containing methyl tertiary butyl ether (MTBE) (see **COMMENT**) in quantities greater than 1/2 of 1% by volume (sec. 3704.12(A)). This prohibition, however, will not operate unless the United States Environmental Protection Agency grants a waiver allowing Ohio to control or prohibit the use of MTBE in motor vehicle fuels. The Ohio Director of Environmental Protection must apply for this waiver in a timely manner in order to obtain it before July 1, 2005. (Sec. 3704.12(C).)

Upon the Director's request, the Attorney General must commence an action for injunctive relief in any court of competent jurisdiction against any person violating or threatening to violate the bill's prohibition. The court may grant temporary as well as permanent injunctive relief. (Sec. 3704.12(B).)

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**COMMENT**

MTBE is an oxygenate, which means that is an oxygen-bearing additive used to reduce engine knocking and help gasoline burn more cleanly. According to information on the web site of the California Air Resources Board, MTBE

began to be used as an anti-knock compound after the United States Environmental Protection Agency certified it for use in gasoline in 1979. The Board's web site also indicates that MTBE has caused public concern because it, along with other gasoline components, can contaminate groundwater when underground fuel tanks leak. MTBE moves faster in water than other fuel components and, in small amounts, renders drinking water unusable.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	10-25-01	p. 997
Reported, H. State Gov't	02-07-02	p. 1365
Passed House (95-0)	02-19-02	p. 1411

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