

As Passed by the House

124th General Assembly

Regular Session

2001-2002

Sub. H. B. No. 425

REPRESENTATIVES 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, Bocchieri, Otterman, Hoops, Hughes, Reidelbach, G. Smith,
Widowfield, Salerno, Sulzer

A BILL

To enact section 3704.12 of the Revised Code to 1
generally prohibit the sale of motor vehicle fuel 2
containing methyl tertiary butyl ether (MTBE) in 3
certain quantities. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3704.12 of the Revised Code be 5
enacted to read as follows: 6

Sec. 3704.12. (A) Subject to division (C) of this section, on 7
or after July 1, 2005, no person shall sell or deliver to any 8
distributor within this state, or import into this state for sale 9
in this state, any motor vehicle fuel containing methyl tertiary 10
butyl ether (MTBE) in quantities greater than one-half of one per 11
cent by volume. 12

(B) The attorney general, upon the request of the director of 13
environmental protection, shall commence an action for injunctive 14

relief in any court of competent jurisdiction against any person 15
violating or threatening to violate division (A) of this section. 16
The court may grant temporary as well as permanent injunctive 17
relief. 18

(C) The prohibitions of this section shall not operate unless 19
the United States environmental protection agency grants a waiver 20
allowing this state to control or prohibit the use of MTBE in 21
motor vehicle fuels. The director of environmental protection 22
shall apply for this waiver in a timely manner in order to obtain 23
it before July 1, 2005. 24