

Testimony of

Owen March, P.E., President  
Ohio Society of Professional Engineers

To

Ohio House State and Local Government Committee  
Chair: Marlene Anielski

Date

November 1, 2017

Regarding

Ohio House Bill 121, Piping Materials

Good morning Chairwoman Anielski, Vice Chairman Hambley and members of the House State and Local Government Committee.

My name is Owen March. I am the president of the Ohio Society of Professional Engineers (OSPE) and a registered professional engineer (PE) in Ohio.

**Thank you for allowing me to testify in opposition to House Bill 121, which seeks to regulate the material selection process for state-funded water and wastewater infrastructure projects.**

I have over 40 years experience in consulting engineering. A major portion of this experience was as design engineer, project engineer or project manager. In those capacities I frequently researched, selected and specified piping materials for water and wastewater projects.

**OSPE – the single, most powerful voice representing professional engineers in Ohio – opposes House Bill 121. This opposition to House Bill 121 was approved by unanimous vote at a meeting of the OSPE Board of Directors.**

**Furthermore, OSPE opposes the proposed amendment that the committee is examining today.**

House Bill 121 addresses a problem that doesn't exist.

To protect the public, all Ohio public water systems and public wastewater systems must be designed by Ohio-registered PEs and reviewed by PEs at the Ohio EPA. This practice is very functional and effective, and it should remain in place as is.

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PEs select pipe materials based on the internal pressures that the pipes must withstand, as well as various external conditions and environmental factors.

In my experience, PEs evaluate all appropriate piping materials and select the material best suited for a particular system or location. Thus, it is common practice to exclude materials after evaluation, and the fact that a material was not included in a specification or a bid does not mean that it was not properly evaluated or otherwise considered.

I have nothing against the plastic pipes that are made by the industry that is pushing this bill. Plastic pipe was utilized on many of my projects when deemed appropriate.

There have been claims that engineers need this legislation to properly advise public utilities. That is completely false. Engineers do not need this legislation and we do not want it. Special interests are the ones who are asking for this legislation, and they are the ones who will benefit – not engineers.

**If made law, House Bill 121 will harm engineers and the communities that they serve:**

- House Bill 121 will preempt and undermine the professional judgment of engineers and local water works professionals and place new mandates on local communities.
- House Bill 121 will delay the implementation of public infrastructure projects while communities and PEs are forced to mitigate threats of litigation.
- House Bill 121 will ultimately cost Ohio tax-payers more money as complex, site-specific decisions would become subject to external forces and challenges.
- House Bill 121 is completely unnecessary and will set a bad precedent.

*What is next? Are we going to start dictating what doctors “shall consider” at state-funded hospitals?*

**The Ohio Society of Professional Engineers opposes House Bill 121, the proposed amendment and the proponents’ attempt to limit and preempt local communities and professional engineers from making the best decision to protect the public.**

Thank you again for allowing me to address the Committee. I am pleased to answer any questions you may have for me.