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**Committees:**  
Finance  
State and  
Local Government  
Federalism  
Sunset Review

Chairman Green, Vice Chairman McLain, Ranking Member Sheehy, and members of the House Transportation and Public Safety Committee, thank you for the opportunity for Representative Lang and I to provide sponsor testimony on House Bill 499 to implement a permissive motor fuel quality testing program in Ohio.

Fuel quality is an issue of consumer protection. Contaminated gas can cause serious damage to vehicles and can cost thousands of dollars to fix. Ohioans deserve access to safe, high quality fuel for their vehicles. In short, we want people to get exactly what they are paying for at the pump.

Ohio is one of three states (others being Alaska and Nebraska) that do not currently test for fuel quality. In 47 other states, it is mandatory to test fuel quality; however, in Ohio, this legislation would make testing permissive. Cuyahoga and Summit counties already test for fuel quality based on local governance. (Counties that have already lawfully implemented motor fuel quality testing prior to this legislation will continue their existing programs.) Our bipartisan bill would permit, but not mandate, county auditors and the Department of Agriculture to test for octane levels, sediment, and water levels in fuel with no fees or charges on the retail dealers.

County Auditors already test for quantity of gas at the pump, but what they don't test for is quality. So, when a consumer goes to the pump, there are safeguards in place to know that your gallon of gas is, in fact, a gallon. However, there are no safeguards in place to know your gallon of regular gas is a gallon of regular gas or that your gallon of premium is a gallon of premium.

The legislation would authorize the Department of Agriculture to establish a motor fuel quality testing program that is uniform throughout the state or would authorize county auditors to implement their own fuel quality testing programs. All testing equipment would be provided and funded by the Department of Agriculture or the County Auditors. Counties may utilize fuel testing equipment from other counties, but only the fuel inspectors from the county who owns the equipment may perform the tests. Fuel inspectors must use testing equipment that meets the most recent standards established by the American Society for Testing and Materials (ASTM) and adhere to standards put in place by the Department of Agriculture.

Under this bill, fuel retailers will be issued violations for dangerous conditions based on the results of the tests. If a first violation is given, the fuel inspector will issue an order to stop selling fuel until the fuel is compliant, a written citation, or both. The Department of Agriculture will compile data provided by fuel inspectors and make it available to the public through the department of agriculture's web site.

As Hamilton County Auditor Dusty Rhodes said in a March 2019 op-ed<sup>1</sup>:

*"When a consumer goes to the gas pump in Ohio; they assume they are getting the posted grade. In Ohio, that's a big assumption: Ohio has no regulatory program to test and ensure the quality of gasoline, Ohioans are using blind luck at the pump...A fuel quality testing program will benefit*

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<sup>1</sup> <https://www.cincinnati.com/story/opinion/2019/03/20/ohio-gas-you-get-what-you-pay-pump-maybe/3216746002/>

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*consumers both in protecting their engines and assuring them they are getting full value for their hard earned energy dollars.”*

Again, Representative Lang and I appreciate the chance to offer testimony on House Bill 499 and would be happy to answer any questions.