

**TESTIMONY ON SB 150**  
**CIVIL JUSTICE COMMITTEE**  
**OHIO SENATE**  
**June 19, 2015**

Chairman Bacon, Ranking Member Skindell and Members of the Committee:

Thank you for the opportunity to submit written testimony as a proponent of SB 150. My name is Kevin Krober, and I am a Senior Vice President and the Head of Utica Development for American Natural. American Natural was founded in 2011, and is currently an established developer, owner and operator of both gasoline and compressed natural gas (CNG) retail fueling stations. We opened our first multi-fuel location in downtown Pittsburgh in 2013, and our intent is to continue to build these stations across the Midwest, including our recent expansion into Ohio.

Although our different fuels are clearly marked and labeled, a very small subsection of customers have attempted to fill the tanks of their traditional gasoline fueled vehicle with CNG or diesel fuels. We take every precaution with our fueling infrastructure, but we are also dependent on the customer to make the final decision on using the correct fuel, as labeled at our station, for their vehicle.

SB 150, sponsored by Senator Hite and Senator Seitz, codifies this truth: retailers who follow the law in marketing and clearly labelling their fuels should not be held liable for those customers who inappropriately, use the wrong fuel in their vehicle. It also provides early fuel- adopters like American Natural with the certainty that our decisions to sell new motor fuels like CNG will not force us into costly legal conflicts.

Additionally SB150 provides that under Product Liability Law, a product that is a motor fuel or a fuel additive is not defective in design because it contains a renewable fuel, and furthermore not defective in design unless it violates a control imposed by the State Fire Marshall or the Administrator of the Environmental Protection Agency under the Clean Air Act. Lastly the legislation also prohibits insurers from denying claims on the basis that an underground storage tank is not compatible with a motor fuel if the State Fire Marshall has deemed the tank and fuel are compatible. These are all important protections for motor fuel retailers, and ultimately lower the cost to serve these fuels within Ohio.

For these reasons, we ask that you support SB 150.