



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 186 of the 131st G.A.

Date: September 15, 2015

Status: As Introduced

Sponsor: Rep. Burkley

Local Impact Statement Procedure Required: No

Contents: Creates a qualified immunity from liability for the dispensing of incompatible motor fuel, limits the Product Liability Law as applied to motor fuel and motor fuel additives, and makes other changes

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- As a consequence of the bill, there is likely to be a decrease in product liability suits and claims for civil damages. This could result in a reduction of caseload handled by local courts. While there could be a loss in court cost and filing fees collected by the courts, the loss would be offset by the administrative savings from reduced civil dockets.

Detailed Fiscal Analysis

The bill creates a qualified immunity from liability for the dispensing of incompatible motor fuel, unless the incompatible fuel was dispensed at a retail service station and from a motor fuel pump that was not properly maintained or did not correctly identify the type of fuel dispensed from the pump. The bill also limits the Product Liability Law with respect to motor fuel and motor fuel additives. Finally, the bill prohibits an insurer from denying a claim on the basis that an underground storage tank is not compatible with a motor fuel if the State Fire Marshal, the state authority responsible for overseeing underground storage tanks, has determined that the tank and fuel are compatible. Examples of the products included under the bill would be E85 fuel (85% ethanol, 15% gasoline), other ethanol blends, and various types of fuel additives purporting to boost fuel efficiency that are commonly available for pump dispensing at retail locations.

As a consequence of these changes, there is likely to be a reduction in civil actions dealing with engine damage caused by certain types of motor fuels or motor fuel additives. Civil cases that are filed would likely be more promptly adjudicated. Overall, the bill is likely to yield operational savings for courts. The savings realized by those courts in terms of their personnel and related administrative costs for processing cases would likely offset any possible loss of court cost and filing fee revenues.