

4901:5-33-01      **Definitions.**

As used in this chapter:

(A) "Commission" means the public utilities commission of Ohio.

(B) "Consumer" means the person who consumes transportation fuel.

(C) "Customer" means that person legally responsible to pay for transportation fuel.

(D) "Energy emergency" means:

(1) The governor has filed a written declaration of an energy emergency pursuant to section 4935.03 of the Revised Code, having found that the health, safety, or welfare of the residents of this state or of one or more counties of this state is so imminently and substantially threatened by an energy shortage with regard to transportation fuel that immediate action of state government is necessary to prevent loss of life, protect the public health or safety, and prevent unnecessary or avoidable damage to property.

(2) Such written declaration is in effect and has not been terminated.

(E) "Fuel source advisory council" means the advisory group formed by the chairman of the commission to monitor and advise the commission concerning fuel supply or energy shortages and related matters.

(F) "Hardship" means actual or threatened conditions of substantial discomfort and/or economic dislocation.

(G) "Nonpriority use" means all use of transportation fuel for other than priority use.

(H) "Person" means an individual, corporation, business trust, estate, trust, partnership, state or federal agency, or association.

(I) "Priority use" means the minimum amount of transportation fuel necessary, in order to protect the public's health and safety, to operate and to prevent unnecessary or avoidable damage to:

(1) Police and firefighting facilities, emergency management and response facilities, military bases, federal facilities essential to national defense, Ohio national guard facilities, and the Ohio department of public safety.

(2) Utility, water supply, emergency road works, sanitation maintenance and repair, and emergency road service vehicles and related equipment.

(3) Public transit vehicles, United States mail vehicles, buses, taxis, school buses, other common passenger carriers, and air, water, rail, or highway vehicles and related equipment.

(4) Farm food production machinery and equipment.

(5) Commercial motor vehicles and other carriers of essential needs such as coal, artificial or synthetic gas, propane, petroleum fuel, perishable medicines and medical supplies, dairy products, meat, fish, poultry, eggs, produce, grain, breads, and livestock and poultry feed.

(6) Nonvehicular stationary use required for any priority use designated in rule 4901:5-29-01 of the Administrative Code.

(7) Such other similar items as may be determined by the commission to be a priority use.

(J) "Transportation fuel" means all petroleum-based fuel which is used for internal combustion or other types of transportation vehicles or equipment, specifically including but not limited to gasoline, diesel, aviation gasoline, jet fuel, and fuel used by railroad locomotives and track mounted equipment; but excluding kerosene, number two heating oil, number four heating oil, number six heating oil, naphtha, butane, ethane, methane, pentane, and all cutting oil, lubricating oil, and solvents.

(K) "Transportation fuel supplier" or "supplier" means:

(1) A transportation fuel company owned by a municipal corporation.

(2) Any producer, broker, or person engaged in the business of supplying transportation fuel within this state.

(3) Any person that owns, operates, manages, controls, or leases intrastate storage of transportation fuel.

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Certification

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