



OUTDOOR POWER EQUIPMENT  
INSTITUTE

March 12, 2013

Senator David Koehler  
Chairman, Agriculture and Conservation Committee  
M113 Capitol  
Springfield, IL 62706  
fax (217) 782-2115

Senator John M. Sullivan  
527 Capitol Building  
Springfield, IL 62706  
fax (217) 558-0168

re: S.B. 52

Dear Senators Koehler and Sullivan,

I am writing to express our association's opposition to Senate Bill 52 which would modify the Use Tax Act, Service Use Tax Act, Service Occupation Tax Act, and Retailers Occupation Tax Act to incentivize sales of gasohol, and gasoline blended with 20 percent (E20) and 30 percent (E30) ethanol. OPEI's opposition is based on the EPA's identification of all gasoline blends above E10 as harmful for use in small off-road engines, like those used to power all of the products manufactured by OPEI member companies. It is also important to consider that these same products are common to Illinois households, and used by many small businesses throughout your state.

The Outdoor Power Equipment Institute is the major international trade association representing the manufacturers and their suppliers of consumer and commercial outdoor power equipment such as lawnmowers, garden tractors, utility vehicles, trimmers, edgers, chain saws, snow throwers, tillers, leaf blowers and other related products.

While this bill does not specifically require the use of ethanol blends above E10, it does provide tax incentives for the development and sale of blends well beyond the E15 blend which has been granted a partial waiver by the EPA. As you are aware, EPA bans the use of E15 in any off-road engine, including marine and outdoor power equipment engines. The EPA's national mandate is that E15 can only be used in motor vehicles manufactured after 2000. Specific to E15 and its entrance in to the marketplace, owners of gas powered outdoor power equipment will be faced with serious challenges in protecting their products when they go to the pump.

Concerning the blends in excess of E15, which are incentivized for development and sale by S.B. 52, they are not legal for use in any engines, and in the case of small engines will lead to higher temperatures and catastrophic damage, which void owner's warranties and more importantly pose a real threat of injury to the consumer, and economic loss.



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We urge this committee to oppose S.B. 52. Please contact me if I can answer any of your questions, and I appreciate the opportunity to provide these comments.

Best regards,

A handwritten signature in black ink that reads "Daniel J. Mustico". The signature is written in a cursive style with a large, sweeping "D" and "M".

Daniel J. Mustico  
Director, Industry Affairs  
[dmustico@opei.org](mailto:dmustico@opei.org)

cc: Members of Senate Agriculture and Conservation Committee