

certification on a permanent marking or permanent label attached to the electric vehicle fuel dispensing system by the manufacturer, you must not remove or deface the permanent marking or label. The records must be available for inspection by Federal Trade Commission staff members, or by persons authorized by FTC.

## DUTIES OF RETAILERS

**§ 309.15 Posting of non-liquid alternative vehicle fuel rating.**

(a) If you are a retailer who offers for sale or sells non-liquid alternative vehicle fuel (other than electricity) to consumers, you must post the fuel rating of each non-liquid alternative vehicle fuel. If you are a retailer who offers for sale or sells electricity to consumers through an electric vehicle fuel dispensing system, you must post the fuel rating of the electric vehicle fuel dispensing system you use. You must do this by putting at least one label on the face of each fuel dispenser through which you sell non-liquid alternative vehicle fuel. If you are selling two or more kinds of non-liquid alternative vehicle fuels with different fuel ratings from a single fuel dispenser, you must put separate labels for each kind of non-liquid alternative vehicle fuel on the face of the fuel dispenser.

(b)(1) The label, or labels, must be placed conspicuously on the fuel dispenser so as to be in full view of consumers and as near as reasonably practical to the price per unit of the non-liquid alternative vehicle fuel.

(2) You may petition for an exemption from the placement requirements by writing the Secretary of the Federal Trade Commission, Washington, DC 20580. You must state the reasons that you want the exemption.

(c) If you do not blend non-liquid alternative vehicle fuels (other than electricity), you must post consistent with the fuel rating certified to you. If you blend non-liquid alternative vehicle fuel (other than electricity), you must possess a reasonable basis, consisting of competent and reliable evidence, as required by § 309.10(a), for the fuel rating that you post for the blend.

(d)(1) You must maintain and replace labels as needed to make sure consumers can easily see and read them.

(2) If the labels you have are destroyed or are unusable or unreadable for some unexpected reason, you may satisfy this part by posting a temporary label as much like the required label as possible. You must still get and post the required label without delay.

(e) The following examples of fuel rating disclosures for CNG and hydrogen are meant to serve as illustrations of compliance with this part, but do not limit the rule's coverage to only the mentioned non-liquid alternative vehicle fuels (other than electricity):

(1) "CNG"

"Minimum"  
"XXX%"  
"Methane"

(2) "Hydrogen"

"Minimum"  
"XXX%"  
"Hydrogen"

(f) The following example of fuel rating disclosures for electric vehicle fuel dispensing systems is meant to serve as an illustration of compliance with this part:

"Electricity"  
"XX kW"  
"XXX vac/XX amps"  
"Inductive"

(g) When you receive non-liquid alternative vehicle fuel (other than electricity), or an electric vehicle fuel dispensing system, from a common carrier, you also must receive from the common carrier a certification of the fuel rating of the non-liquid alternative vehicle fuel (other than electricity) or electric vehicle fuel dispensing system, either by letter or on the delivery ticket or other paper, or by a permanent marking or label attached to the electric vehicle fuel dispensing system by the manufacturer.

**§ 309.16 Recordkeeping.**

You must keep for one year any delivery tickets, letters of certification, or other paper on which you based your posting of fuel ratings for non-liquid alternative vehicle fuels. You also must keep for one year records of any

## § 309.17

## 16 CFR Ch. I (1-1-04 Edition)

fuel rating determinations you made according to § 309.10. If you rely for your posting on a permanent marking or permanent label attached to the electric vehicle fuel dispensing system by the manufacturer, you must not remove or deface the permanent marking or label. The required records, other than the permanent marking or label on the electric vehicle fuel dispensing system, may be kept at the retail outlet or at a reasonably close location. The records, including the permanent marking or label on each electric vehicle fuel dispensing system, must be available for inspection by Federal Trade Commission staff members or by persons authorized by FTC.

### LABEL SPECIFICATIONS

#### § 309.17 Labels.

All labels must meet the following specifications:

(a) *Layout:*

(1) *Non-liquid alternative vehicle fuel (other than electricity) labels with disclosure of principal component only.* The label is 3" (7.62 cm) wide × 2½" (6.35 cm) long. "Helvetica black" type is used throughout. All type is centered. The band at the top of the label contains the name of the fuel. This band should measure 1" (2.54 cm) deep. Spacing of the fuel name is ¼" (.64 cm) from the top of the label and ⅜" (.48 cm) from the bottom of the black band, centered horizontally within the black band. The first line of type beneath the black band is ⅛" (.32 cm) from the bottom of the black band. All type below the black band is centered horizontally, with ⅛" (.32 cm) between lines. The bottom line of type is ¼" (.64 cm) from the bottom of the label. All type should fall no closer than ⅜" (.48 cm) from the side edges of the label. If you wish to change the format of this single component label, you must petition the Federal Trade Commission. You can do this by writing to the Secretary of the Federal Trade Commission, Washington, DC 20580. You must state the size and contents of the label that you wish to use, and the reasons that you want to use it.

(2) *Non-liquid alternative vehicle fuel (other than electricity) labels with disclosure of two components.* The label is 3"

(7.62 cm) wide × 2½" (6.35 cm) long. "Helvetica black" type is used throughout. All type is centered. The band at the top of the label contains the name of the fuel. This band should measure 1" (2.54 cm) deep. Spacing of the fuel name is ¼" (.64 cm) from the top of the label and ⅜" (.48 cm) from the bottom of the black band, centered horizontally within the black band. The first line of type beneath the black band is ⅜" (.48 cm) from the bottom of the black band. All type below the black band is centered horizontally, with ⅛" (.32 cm) between lines. The bottom line of type is ¼" (.64 cm) from the bottom of the label. All type should fall no closer than ⅜" (.48 cm) from the side edges of the label. If you wish to change the format of this two component label, you must petition the Federal Trade Commission. You can do this by writing to the Secretary of the Federal Trade Commission, Washington, DC 20580. You must state the size and contents of the label that you wish to use, and the reasons that you want to use it.

(3) *Electric vehicle fuel dispensing system labels.* The label is 3" (7.62 cm) wide × 2½" (6.35 cm) long. "Helvetica black" type is used throughout. All type is centered. The band at the top of the label contains the common identifier of the fuel. This band should measure 1" (2.54 cm) deep. Spacing of the common identifier is ¼" (.64 cm) from the top of the label and ⅜" (.48 cm) from the bottom of the black band, centered horizontally within the black band. The first line of type beneath the black band is ⅜" (.48 cm) from the bottom of the black band. All type below the black band is centered horizontally, with ⅛" (.32 cm) between lines. The bottom line of type is ¼" (.64 cm) from the bottom of the label. All type should fall no closer than ⅜" (.48 cm) from the side edges of the label.

(b) *Type size and setting:*

(1) *Labels for non-liquid alternative vehicle fuels (other than electricity) with disclosure of principal component only.* All type should be set in upper case (all caps) "Helvetica Black" throughout. Helvetica Black is available in a variety of computer desk-top and phototypesetting systems. Its name may vary, but the type must conform in