

**L&R Item NEW-5**  
**Complete Mark-up for Proposed Changes**

***[TEXT WILL BE RENUMBERED AND ALPHABETIZED EDITORIALY AS NEEDED]***

**B. Uniform Regulation for the Method of Sale of Commodities**

as adopted by  
The National Conference on Weights and Measures\*

~~2.15. Solid Fuel Products.— Anthracite, semi anthracite, bituminous, semi bituminous or lignite coal, and any other natural, manufactured, or patented fuel, not in liquid or gaseous form, except fireplace and stove wood, shall be offered, exposed for sale, or sold by net weight when in package form.~~

~~(Added 1979)~~

~~2.16. Compressed or Liquefied Gases in Refillable Cylinders.~~

~~2.16.1. Application.— This section does not apply to disposable cylinders of compressed or liquefied gases.~~

~~2.16.2. Net Contents.— The net contents shall be expressed in terms of cubic meters or cubic feet, kilograms, or pounds and ounces. See Section 2.21. Liquefied Petroleum Gas for permitted expressions of net contents for liquefied petroleum gas. A standard cubic foot of gas is defined as a cubic foot at a temperature of 21 °C (70 °F) and a pressure of 101.35 kilopascals (14.696 psia), except for liquefied petroleum gas as stated in Section 2.21.~~

~~2.16.3. Cylinder Labeling.— Whenever cylinders are used for the sale of compressed or liquefied gases by weight, or are filled by weight and converted to volume, the following shall apply:~~

~~2.16.3.1. Tare weights.~~

- ~~(a) Stamped or Stenciled Tare Weight.— For safety purposes, the tare weight shall be legibly and permanently stamped or stenciled on the cylinder. All tare weight values shall be preceded by the letters “TW” or the words “tare weight.” The tare weight shall include the weight of the cylinder (including paint), valve, and other permanent attachments. The weight of a protective cap shall not be included in tare or gross weights. The Code of Federal Regulations Title 49, Section 178.50-22 requires the maker of cylinders to retain test reports verifying the cylinder tare weight accuracy to a tolerance of 1 %.~~
- ~~(b) Tare Weight for Purposes of Determining the Net Contents.— The tare weight used in the determination of the final net contents may be either:
  - ~~(1) the stamped or stenciled tare weight; or~~
  - ~~(2) the actual tare determined at the time of filling the cylinder. If the actual tare is determined at the time of filling the cylinder, it must be legibly marked on the cylinder or on a tag attached to the cylinder at the time of filling.~~~~
- ~~(c) Allowable difference.— If the stamped or stenciled tare is used to determine the net contents of the cylinder, the allowable difference between the actual tare weight and the stamped (or stenciled) tare weight, or the tare weight on a tag attached to the cylinder for a new or used cylinder, shall be:~~

~~(1) ½ % for tare weights of 9 kg (20 lb) or less; or~~

~~(2) ¼ % for tare weights of more than 9 kg (20 lb).~~

~~(d) Average requirement.—When used to determine the net contents of cylinders, the stamped or stenciled tare weights of cylinders at a single place of business found to be in error predominantly in a direction favorable to the seller and near the allowable difference limit shall be considered to be not in conformance with these requirements.~~

~~2.16.3.2. Acetylene Gas Cylinder Tare Weights.—Acetone in the cylinder shall be included as part of the tare weight.~~

~~2.16.3.3. Acetylene Gas Cylinder Volumes.—The volumes of acetylene shall be determined from the product weight using approved tables such as those published in NIST Handbook 133 or those developed using 70 °F (21 °C) and 14.7 ft<sup>3</sup> (101.35 kPa) per pound at 1 atmosphere as conversion factors.~~

~~2.16.3.4. Compressed Gases such as Oxygen, Argon, Nitrogen, Helium, and Hydrogen.—The volumes of compressed gases such as oxygen, argon, nitrogen, helium, or hydrogen shall be determined using the tables and procedures given in NIST Technical Note 1079, Tables of Industrial Gas Container Contents and Density for Oxygen, Argon, Nitrogen, Helium, and Hydrogen and supplemented by additional procedures and tables in NIST Handbook 133.~~

~~(Added 1981) (Amended 1990)~~

~~2.19. Kerosene (Kerosine).—All kerosene kept, offered, exposed for sale, or sold shall be identified as such and will include, with the word kerosene, an indication of its compliance with the latest version of the standard specification ASTM Standard D3699, “Standard Specification for Kerosine.”~~

~~Example:~~

~~1K Kerosene; Kerosene—2K.~~

~~(Added 1983)~~

~~2.19.1. Retail Sale from Bulk.—All kerosene kept, offered, or exposed for sale and sold from bulk at retail shall be in terms of the gallon or liter.~~

~~(Added 2012)~~

~~2.20. Gasoline Oxygenate Blends.~~

~~2.20.1. Method of Retail Sale.—Type of Oxygenate must be Disclosed —All automotive gasoline or automotive gasoline-oxygenate blends kept, offered, or exposed for sale, or sold at retail containing at least 1.5 mass percent oxygen shall be identified as “with” or “containing” (or similar wording) the predominant oxygenate in the engine fuel. For example, the label may read “contains ethanol” or “with MTBE.” The oxygenate contributing the largest mass percent oxygen to the blend shall be considered the predominant oxygenate. Where mixtures of only ethers are present, the retailer may post the predominant oxygenate followed by the phrase “or other ethers” or alternatively post the phrase “contains MTBE or other ethers.” In addition, gasoline-methanol blend fuels containing more than 0.15 mass percent oxygen from methanol shall be identified as “with” or “containing” methanol. This information shall be posted on the upper 50 % of the dispenser front panel in a position clear and conspicuous from the driver’s position in a type at least 12.7 mm (½ in) in height, 1.5 mm (¼ in) stroke (width of type).~~

~~(Amended 1996)~~

~~2.20.2. Documentation for Dispenser Labeling Purposes.—The retailer shall be provided, at the time of delivery of the fuel, on product transfer documents such as an invoice, bill of lading, shipping paper, or other documentation:~~

~~(a) Information that complies with 40 CFR § 80.1503 when the fuel contains ethanol.~~

~~(b) For fuels that do not contain ethanol, information that complies with 40 CFR § 80.1503 and a declaration of the predominant oxygenate or combination of oxygenates present in concentrations sufficient to yield an oxygen content of at least 1.5 mass percent in the fuel. Where mixtures of only ethers are present, the fuel supplier may identify either the predominant oxygenate in the fuel (i.e., the oxygenate contributing the largest mass percent oxygen) or alternatively, use the phrase “contains MTBE or other ethers.”~~

~~(c) Gasoline containing more than 0.15 mass percent oxygen from methanol shall be identified as “with” or “containing” methanol.~~

~~(Added 1984) (Amended 1985, 1986, 1991, 1996, and 2014)~~

~~2.21. Liquefied Petroleum Gas. All liquefied petroleum gas, including, but not limited to propane, butane, and mixtures thereof, shall be kept, offered, exposed for sale, or sold by the pound, metered cubic foot<sup>NOTE 7, page 1251</sup> of vapor (defined as 1 ft<sup>3</sup> at 60 °F [15.6 °C]), or the gallon (defined as 231 in<sup>3</sup> at 60 °F [15.6 °C]). All metered sales by the gallon, except those using meters with a maximum rated capacity of 20 gal/min or less, shall be accomplished by use of a meter and device that automatically compensates for temperature.~~

~~(Added 1986)~~

~~NOTE 7: Sources: American National Standards Institute, Inc., “American National Standard for Gas Displacement Meters (500 Cubic Feet per Hour Capacity and Under),” First edition, 1974, and NIST Handbook 44, “Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices.”~~

## ~~2.27. Retail Sales of Natural Gas Sold as a Vehicle Fuel.~~

### ~~2.27.1. Definitions.~~

~~2.27.1.1. Compressed Natural Gas (CNG). A gaseous fuel composed primarily of methane that is suitable for compression and dispensing into a fuel storage container(s) for use as an engine fuel.~~

~~(Amended 2016)~~

~~2.27.1.2. Gasoline Gallon Equivalent (GGE). Gasoline gallon equivalent (GGE) means 2.567 kg (5.660 lb) of compressed natural gas.~~

~~(Amended 2016)~~

~~2.27.1.3. Diesel Gallon Equivalent (DGE). Diesel gallon equivalent means 6.384 lb of compressed natural gas or 6.059 lb of liquefied natural gas.~~

~~(Added 2016)~~

~~2.27.1.4. Liquefied Natural Gas (LNG). Natural gas, which is predominantly methane, that has been liquefied at 162 °C (− 260 °F) at 14.696 psia and stored in insulated cryogenic fuel storage tanks for use as an engine fuel.~~

~~(Added 2016)~~

### ~~2.27.2. Method of Retail Sale and Dispenser Labeling.~~

~~2.27.2.1. Method of Retail Sale for Compressed Natural Gas. All compressed natural gas kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be measured in terms of mass, and indicted in the gasoline gallon equivalent (GGE), diesel gallon equivalent (DGE) units, or mass.~~

~~(Amended 2016)~~

~~2.27.2.2. Dispenser Labeling Compressed Natural Gas.—All retail compressed natural gas dispensers shall be labeled with the equivalent conversion factor in terms of pounds (lb). The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have the statement “1 Gasoline Gallon Equivalent (GGE) means 5.660 lb of Compressed Natural Gas” or “1 Diesel Gallon Equivalent (DGE) means 6.384 lb of Compressed Natural Gas” consistent with the method of sale used.~~

~~(Amended 2016)~~

~~2.27.2.3. Method of Retail Sale for Liquefied Natural Gas.—All liquefied natural gas kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be measured in mass and indicated in diesel gallon equivalent (DGE) units or mass.~~

~~(Added 2016)~~

~~2.27.2.4. Dispenser Labeling of Retail Liquefied Natural Gas.—All retail liquefied natural gas dispensers shall be labeled with the equivalent conversion factor in terms of pounds (lb). The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have the statement “1 Diesel Gallon Equivalent (DGE) means 6.059 lb of Liquefied Natural Gas.”~~

~~(Added 2016)~~

## 2.30. Ethanol Flex Fuel.

~~2.30.1. How to Identify Ethanol Flex Fuel.—Ethanol flex fuel shall be identified as “Ethanol Flex Fuel or EXX Flex Fuel.”~~

### 2.30.2. Labeling Requirements.

- (a) ~~Ethanol flex fuel with an ethanol concentration no less than 51 and no greater than 83 volume percent shall be labeled “Ethanol Flex Fuel, minimum 51 % ethanol.”~~

~~(Amended 2014)~~

~~Ethanol flex fuel with an ethanol concentration less than or equal to 50 volume percent shall be labeled “EXX Flex Fuel, minimum YY % ethanol,” where the XX is the target ethanol concentration in volume percent and YY is XX minus five ( $-5$ ). The actual ethanol concentration of the fuel shall be XX volume percent plus or minus five ( $\pm 5$ ) volume percent.~~

~~(Added 2014)~~

~~A label shall be posted which states “For Use in Flexible Fuel Vehicles (FFV) Only.” This information shall be clearly and conspicuously posted on the upper 50 % of the dispenser front panel in a type at least 12.7 mm ( $1/2$  in) in height, 1.5 mm ( $3/16$  in) stroke (width of type). A label shall be posted which states, “CHECK OWNERS MANUAL,” and shall not be less than 6 mm ( $1/4$  in) in height by 0.8 mm ( $1/32$  in) stroke; block style letters and the color shall be in definite contrast to the background color to which it is applied.~~

~~(Amended 2014)~~

~~(Added 2007) (Amended 2014)~~

## 2.31. Biodiesel and Biodiesel Blends.

~~2.31.1. Identification of Product.—Biodiesel shall be identified by the term “Biodiesel” with the designation “B100.” Biodiesel Blends shall be identified by the term “Biodiesel Blend.”~~

### 2.31.2. Labeling of Retail Dispensers.

~~2.31.2.1. Labeling of Grade Required.—Biodiesel shall be identified by the grades S15 or S500. Biodiesel blends shall be identified by the grades No. 1-D, No. 2-D, or No. 4-D.~~

~~2.31.2.2. EPA Labeling Requirements also Apply. Retailers and wholesale purchaser consumers of biodiesel blends shall comply with EPA pump labeling requirements for sulfur under 40 CFR § 80.570.~~

~~2.31.2.3. Automotive Fuel Rating. Biodiesel and biodiesel blends shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306.~~

~~2.31.2.4. Biodiesel Blends. When biodiesel blends greater than 20 % by volume are offered by sale, each side of the dispenser where fuel can be delivered shall have a label conspicuously placed that states "Consult Vehicle Manufacturer Fuel Recommendations." The lettering of this legend shall not be less than 6 mm (¼ in) in height by 0.8 mm (⅛ in) stroke; block style letters and the color shall be in definite contrast to the background color to which it is applied.~~

~~2.31.3. Documentation for Dispenser Labeling Purposes. The retailer shall be provided, at the time of delivery of the fuel, a declaration of the volume percent biodiesel on an invoice, bill of lading, shipping paper, or other document. This documentation is for dispenser labeling purposes only; it is the responsibility of any potential blender to determine the amount of biodiesel in the diesel fuel prior to blending.~~

~~2.31.4. Exemption. Biodiesel blends that contain less than or equal to 5 % biodiesel by volume are exempt from the requirements of Sections 2.31.1. Identification of Product, 2.31.2. Labeling of Retail Dispensers, and 2.31.3. Documentation for Dispenser Labeling Purposes when it is sold as diesel fuel.~~

(Added 2008)

## 2.32. Retail Sales of Hydrogen

~~2.32.1. Definitions for Hydrogen Fuel. A fuel composed of molecular hydrogen intended for consumption in a surface vehicle or electricity production device with an internal combustion engine or fuel cell.~~

(Amended 2012)

~~2.32.2. Method of Retail Sale and Dispenser Labeling. All hydrogen fuel kept, offered, or exposed for sale and sold at retail shall be in mass units in terms of the kilogram. The symbol for hydrogen vehicle fuel shall be the capital letter "H" (the word Hydrogen may also be used).~~

### 2.32.3. Retail Dispenser Labeling

- ~~(a) A computing dispenser must display the unit price in whole cents on the basis of price per kilogram.~~
- ~~(b) The service pressure(s) of the dispenser must be conspicuously shown on the user interface in bar or the SI unit of pascal (Pa) (e.g., MPa).~~
- ~~(c) The product identity must be shown in a conspicuous location on the dispenser.~~
- ~~(d) National Fire Protection Association (NFPA) labeling requirements also apply.~~
- ~~(e) Hydrogen shall be labeled in accordance with 16 CFR 309—FTC Labeling Alternative Fuels.~~

### 2.32.4. Street Sign Prices and Advertisements.

- ~~(a) The unit price must be in terms of price per kilogram in whole cents (e.g., \$3.49 per kg, not \$3.499 per kg).~~
- ~~(b) The sign or advertisement must include the service pressure (expressed in megapascals) at which the dispenser(s) delivers hydrogen fuel (e.g., H35 or H70).~~

(Added 2010)

**2.33. Oil.**

**2.33.1. Labeling of Vehicle Engine (Motor) Oil.— Vehicle engine (motor) oil shall be labeled.**

**2.33.1.1. Viscosity.** ~~The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank, and any invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank, shall contain the viscosity grade classification preceded by the letters “SAE” in accordance with SAE International’s latest version of SAE J300, “Engine Oil Viscosity Classification.”~~

*NOTE: If an invoice or receipt from service on an engine has limited room for identifying the viscosity, brand, and service category, then abbreviated versions of each may be used on the invoice or receipt and the letters “SAE” may be omitted from the viscosity classification.*

(Note added 2014)

(Amended 2014)

**2.33.1.2. Brand.** ~~The label on any vehicle engine (motor) oil container and the invoice or receipt from service on an engine that includes the installation of bulk vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the name, brand, trademark, or trade name of the vehicle engine (motor) oil.~~

(Amended 2014)

**2.33.1.3. Engine Service Category.** ~~The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of bulk vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the engine service category, or categories, displayed in letters not less than 3.18 mm (<sup>1</sup>/<sub>8</sub> in) in height, as defined by the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (Other than “Energy Conserving”),” API Publication 1509, “Engine Oil Licensing and Certification System,” European Automobile Manufacturers Association (ACEA), “European Oil Sequences,” or other Vehicle or Engine Manufacturer standards as approved in Section 2.33.1.3.1. Vehicle or Engine Manufacturer Standard.~~

(Amended 2014)

**2.33.1.3.1. Vehicle or Engine Manufacturer Standard.** ~~The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall identify the specific vehicle or engine manufacturer standard, or standards, met in letters not less than 3.18 mm (<sup>1</sup>/<sub>8</sub> in) in height. If the vehicle (motor) oil only meets a vehicle or engine manufacturer standard, the label must clearly identify that the oil is only intended for use where specifically recommended by the vehicle or engine manufacturer.~~

(Added 2014)

~~2.33.1.3.2. Inactive or Obsolete Service Categories. The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of bulk vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall bear a plainly visible cautionary statement in compliance with the latest version of SAE J183, Appendix A, whenever the vehicle engine (motor) oil in the container or in bulk does not meet an active API service category as defined by the latest version of SAE J183, "Engine Oil Performance and Engine Service Classification (Other than "Energy Conserving")." If a vehicle engine (motor) oil is identified as only meeting a vehicle or engine manufacturer standard, the labeling requirements in Section 2.33.1.3.1. Vehicle or Engine Manufacturer Standard applies.~~

~~(Amended 2014)~~

~~2.33.1.4. Tank Trucks or Rail Cars. Tank trucks, rail cars, and other types of delivery trucks that are used to deliver bulk vehicle engine (motor) oil are not required to display the SAE viscosity grade and service category or categories on such tank trucks, rail cars, and other types of delivery trucks.~~

~~(Amended 2013 and 2014)~~

~~2.33.1.5. Documentation. When the engine (motor) oil is sold in bulk, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery. This document must identify the quantity of bulk engine (motor) oil delivered as defined in Sections 2.33.1.1. Viscosity; 2.33.1.2. Brand; 2.33.1.3. Engine Service Category; the name and address of the seller and buyer; and the date and time of the sale. For inactive or obsolete service categories, the documentation shall also bear a plainly visible cautionary statement as required in Section 2.33.1.3.2. Inactive or Obsolete Service Categories. Documentation must be retained at the retail establishment for a period of not less than one year.~~

~~(Added 2013) (Amended 2014)~~

~~(Added 2012) (Amended 2013 and 2014)~~

## **2.34. Retail Sales of Electricity Sold as a Vehicle Fuel.**

### **2.34.1. Definitions.**

~~2.34.1.1. Electricity Sold as Vehicle Fuel. Electrical energy transferred to and/or stored onboard an electric vehicle primarily for the purpose of propulsion.~~

~~2.34.1.2. Electric Vehicle Supply Equipment (EVSE). The conductors, including the ungrounded, grounded, and equipment grounding conductors; the electric vehicle connectors; attachment plugs; and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of measuring, delivering, and computing the price of electrical energy delivered to the electric vehicle.~~

~~2.34.1.3. Fixed Service. Service that continuously provides the nominal power that is possible with the equipment as it is installed.~~

~~2.34.1.4. Variable Service. Service that may be controlled resulting in periods of reduced, and/or interrupted transfer of electrical energy.~~

~~2.34.1.5. Nominal Power. Refers to the "intended" or "named" or "stated" as opposed to "actual" rate of transfer of electrical energy (i.e., power).~~

~~2.34.2. Method of Sale. All electrical energy kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be in units in terms of the megajoule (MJ) or kilowatt-hour (kWh). In addition to the fee assessed for the quantity of electrical energy sold, fees may be assessed for other services; such fees may be based on time measurement and/or a fixed fee.~~

**2.34.3. Retail Electric Vehicle Supply Equipment (EVSE) Labeling.**

- ~~(a) A computing EVSE shall display the unit price in whole cents (e.g., \$0.12) or tenths of one cent (e.g., \$0.119) on the basis of price per megajoule (MJ) or kilowatt-hour (kWh). In cases where the electrical energy is unlimited or free of charge, this fact shall be clearly indicated in place of the unit price.~~
- ~~(b) For fixed service applications, the following information shall be conspicuously displayed or posted on the face of the device:
  - ~~(1) the level of EV service expressed as the nominal power transfer (i.e., nominal rate of electrical energy transfer), and~~
  - ~~(2) the type of electrical energy transfer (e.g., AC, DC, wireless).~~~~
- ~~(c) For variable service applications, the following information shall be conspicuously displayed or posted on the face of the device:
  - ~~(1) the type of delivery (i.e., variable);~~
  - ~~(2) the minimum and maximum power transfer that can occur during a transaction, including whether service can be reduced to zero;~~
  - ~~(3) the condition under which variations in electrical energy transfer will occur; and~~
  - ~~(4) the type of electrical energy transfer (e.g., AC, DC, wireless).~~~~
- ~~(d) Where fees will be assessed for other services in direct connection with the fueling of the vehicle, such as fees based on time measurement and/or a fixed fee, the additional fees shall be displayed.~~
- ~~(e) The EVSE shall be labeled in accordance with 16 CFR, Part 309—FTC Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles.~~
- ~~(f) The EVSE shall be listed and labeled in accordance with the National Electric Code® (NEC) NFPA 70, Article 625 Electric Vehicle Charging Systems (www.nfpa.org).~~

**2.34.4. Street Sign Prices and Other Advertisements.**—Where electrical energy unit price information is presented on street signs or in advertising other than on EVSE:

- ~~(a) The electrical energy unit price shall be in terms of price per megajoule (MJ) or kilowatt-hour (kWh) in whole cents (e.g., \$0.12) or tenths of one cent (e.g., \$0.119). In cases where the electrical energy is unlimited or free of charge, this fact shall be clearly indicated in place of the unit price.~~
- ~~(b) In cases where more than one electrical energy unit price may apply over the duration of a single transaction to sales to the general public, the terms and conditions that will determine each unit price and when each unit price will apply shall be clearly displayed.~~
- ~~(c) For fixed service applications, the following information shall be conspicuously displayed or posted:
  - ~~(1) the level of EV service expressed as the nominal power transfer (i.e., nominal rate of electrical energy transfer), and~~
  - ~~(2) the type of electrical energy transfer (e.g., AC, DC, wireless).~~~~



~~(d) For variable service applications, the following information shall be conspicuously displayed or posted:~~

- ~~(1) the type of delivery (i.e., variable);~~
- ~~(2) the minimum and maximum power transfer that can occur during a transaction, including whether service can be reduced to zero;~~
- ~~(3) the conditions under which variations in electrical energy transfer will occur; and~~
- ~~(4) the type of electrical energy transfer (e.g., AC, DC, wireless).~~

~~Where fees will be assessed for other services in direct connection with the fueling of the vehicle, such as fees based on time measurement and/or a fixed fee, the additional fees shall be included on all street signs or other advertising.~~

~~(Added 2013)~~

## ~~2.35. Diesel Exhaust Fluid (DEF).~~

### ~~2.35.1. Definition.~~

~~2.35.1.1. Diesel Exhaust Fluid (DEF).— A preparation of aqueous urea [(NH<sub>2</sub>)<sub>2</sub>CO], containing 32.5 % by mass of technically pure urea in high-purity water with quality characteristics defined by the latest version of ISO 22241, “Diesel engines – NO<sub>x</sub> reduction agent AUS 32.”~~

### ~~2.35.2. Labeling of Diesel Exhaust Fluid (DEF).— DEF shall be labeled.~~

~~2.35.2.1. Retail Dispenser Labeling.— A label shall be clearly and conspicuously placed on the front panel of the Diesel Exhaust Fluid dispenser stating “for operation of selective catalytic reduction (SCR) converters in motor vehicles with diesel engines.”~~

~~2.35.2.2. Documentation for Retailers of Bulk Product. A DEF supplier shall provide, at the time of delivery of the bulk shipment of DEF, identification of the fluid’s origin including the name of the fluid manufacturer, the brand name, trade name, or trademark, and a statement identifying the fluid as DEF conforming to specifications given in the latest version of ISO 22241, “Diesel engines – NO<sub>x</sub> reduction agent AUS 32.” This information shall be provided by the supplier on an invoice, bill of lading, shipping paper, or other document.~~

~~2.35.2.3. Labeling of Packaged Product. Any diesel exhaust fluid retail package shall bear a label that includes the name of the fluid manufacturer, the brand name, trade name, or trademark, a statement identifying the fluid as DEF conforming to specifications given in the latest version of ISO 22241 “Diesel engines – NO<sub>x</sub> reduction agent AUS 32,” and the statement, “It is recommended to store DEF between – 5°C to 30 °C (23 °F to 86 °F).”~~

~~2.35.2.4. Documentation for Bulk Deliveries.— A carrier that transports or accepts for transportation any bulk shipment by tank truck, freight container, cargo tank, railcar, or any other vehicle used to transport or deliver bulk quantities of DEF shall, at the time of delivery of the DEF, provide identification of the fluid’s origin including the name of the fluid manufacturer, the brand name, trade name, or trademark, and a statement identifying the fluid as DEF conforming to specifications given in the latest version of ISO 22241, “Diesel engines – NO<sub>x</sub> reduction agent AUS 32.” This information shall be provided to the recipient on an invoice, bill of lading, shipping paper, or other document.~~

~~Effective date shall be January 1, 2016.~~

~~(Added 2014)~~

**2.XX. Transmission Fluid.**

~~2.XX.1. Products for Use in Lubricating Transmissions— Transmission fluids shall meet the original equipment manufacturer’s requirements for those transmissions or have demonstrated performance claims to be suitable for use in those transmissions. Where a fluid can be licensed against an original equipment manufacturer’s specification, evidence of current licensing by the marketer is acceptable documentation of performance against the specification. In the absence of a license from the original equipment manufacturer, adherence to the original equipment manufacturer’s recommended requirements shall be assessed after testing per relevant methods available to the lubricants industry and the state regulatory agency. Suitability for use claims shall be based upon appropriate field, bench and/or transmission rig testing. Any manufacturer of a transmission fluid making suitable-for-use claims shall provide, upon request by a duly authorized representative of the Director, credible documentation of such claims. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director’s office by the additive supplier(s).~~

~~2.XX.1.1. Conformance.— Conformance of a fluid per Section 2.XX.1. Products for Use in Lubricating Transmissions does not absolve the obligations of a fluid licensee with respect to the licensing original equipment manufacturer or the original equipment manufacturer’s licensing agent(s), where relevant.~~

~~2.XX.1.2. Transmission Fluid Additives.— Any material offered for sale or sold as an additive to transmission fluids shall be compatible with the transmission fluid to which it is added, and shall meet all performance claims as stated on the label or published on any website referenced by the label. Any manufacturer of any such product sold in this state shall provide, upon request by a duly authorized representative of the Director, documentation of any claims made on their product label or published on any website referenced by the label.~~

~~2.XX.2 Labeling and Identification of Transmission Fluid.— Transmission fluid shall be labeled or identified as described below.~~

~~2.XX.2.1. Container Labeling.— The label on a container of transmission fluid shall not contain any information that is false or misleading. Containers include bottles, cans, multi-quart or liter containers, pails, kegs, drums, and intermediate bulk containers (IBCs). In addition, each container of transmission fluid shall be labeled with the following:~~

- ~~(a) the brand name;~~
- ~~(b) the name and place of business of the manufacturer, packer, seller, or distributor;~~
- ~~(c) the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;~~
- ~~(d) the primary performance claim or claims met by the fluid and reference to where any supplemental claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and~~
- ~~(e) an accurate statement of the quantity of the contents in terms of liquid measure.~~

~~2.XX.2.2. Identification on Documentation— Transmission fluid sold in bulk shall be identified on the manufacturer, packer, seller, or distributor invoice, bill of lading, shipping paper, or other documentation with the information listed below:~~

- ~~(a) the brand name;~~

~~(b) the name and place of business of the manufacturer, packer, seller, or distributor;~~

~~(c) the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;~~

~~(d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and~~

~~(e) an accurate statement of the quantity of the contents in terms of liquid measure.~~

~~2.XX.2.3. Identification on Service Provider Documentation—Transmission fluid installed from a bulk tank at time of transmission service shall be identified on the customer invoice with the information listed below:~~

~~(a) the brand name;~~

~~(b) the name and place of business of the service provider;~~

~~(c) the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;~~

~~(d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and~~

~~(e) an accurate statement of the quantity of the contents in terms of liquid measure.~~

~~2.XX.2.4. Bulk Delivery—When the transmission fluid is sold in bulk, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery. This document must identify the fluid as defined in Section 2.XX.2.2.~~

~~2.XX.2.5. Storage Tank Labeling.—Each storage tank of transmission fluid shall be labeled with the following:~~

~~(a) the brand name;~~

~~(b) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference.~~

~~2.XX.3. Documentation of Claims Made Upon Product Label.—Any manufacturer, packer, or distributor of any product subject to this article and sold in this state shall provide, upon request of duly authorized representatives of the Director, credible documentation of any claim made upon their product label, including claims made on any website referenced by said label. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director’s office by the additive supplier(s).~~

**[TEXT WILL BE RENUMBERED AND ALPHABETIZED EDITORIALY AS NEEDED]**

**Section 3. Classification and Method of Sale of Fuels, Lubricants and Automotive Products**

**3.1. General Considerations.**

**3.1.1 Definitions – The definitions set forth in the current edition of NIST Handbook 130, “Uniform Engine Fuels and Automotive Lubricants Regulation” Section 1. Definitions is incorporated into this section by reference.**

**3.1.2. Specifications – The specifications set forth in the current edition of NIST Handbook 130, “Uniform Engine Fuels and Automotive Lubricants Regulation” Section 2. Standard Fuel Specifications is incorporated into this section by reference.**

**3.1.3. Documentation. – When products regulated by this rule are sold, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery other than a retail sale. This document must identify the quantity, the name of the product, the particular grade of the product, the applicable automotive fuel rating, and oxygenate type and content (if applicable), the name and address of the seller and buyer, and the date and time of the sale. Documentation must be retained at the retail establishment for a period not less than one year.**

**(Amended 2008)**

**3.1.4. Retail Dispenser Labeling. – All retail dispensing devices must identify conspicuously the type of product, the particular grade of the product, and the applicable automotive fuel rating.**

**3.1.5. Grade Name. – The sale of any product under any grade name that indicates to the purchaser that it is of a certain automotive fuel rating or ASTM grade shall not be permitted unless the automotive fuel rating or grade indicated in the grade name is consistent with the value and meets the requirements specification is 3.1.2. Specifications.**

**2.15. Solid Fuel Products. – Anthracite, semi anthracite, bituminous, semi-bituminous or lignite coal, and any other natural, manufactured, or patented fuel, not in liquid or gaseous form, except fireplace and stove wood, shall be offered, exposed for sale, or sold by net weight when in package form.**

**(Added 1979)**

**2.16. Compressed or Liquefied Gases in Refillable Cylinders.**

**2.16.1. Application. – This section does not apply to disposable cylinders of compressed or liquefied gases.**

**2.16.2. Net Contents. – The net contents shall be expressed in terms of cubic meters or cubic feet, kilograms, or pounds and ounces. See Section 2.21. Liquefied Petroleum Gas for permitted expressions of net contents for liquefied petroleum gas. A standard cubic foot of gas is defined as a cubic foot at a temperature of 21 °C (70 °F) and a pressure of 101.35 kilopascals (14.696 psia), except for liquefied petroleum gas as stated in Section 2.21.**

**2.16.3. Cylinder Labeling. – Whenever cylinders are used for the sale of compressed or liquefied gases by weight, or are filled by weight and converted to volume, the following shall apply:**

**2.16.3.1. Tare weights.**

- (a) Stamped or Stenciled Tare Weight. – For safety purposes, the tare weight shall be legibly and permanently stamped or stenciled on the cylinder. All tare weight values shall be preceded by the letters “TW” or the words “tare weight.” The tare weight shall include the**

weight of the cylinder (including paint), valve, and other permanent attachments. The weight of a protective cap shall not be included in tare or gross weights. The Code of Federal Regulations Title 49, Section 178.50-22 requires the maker of cylinders to retain test reports verifying the cylinder tare weight accuracy to a tolerance of 1 %.

- (b) Tare Weight for Purposes of Determining the Net Contents. – The tare weight used in the determination of the final net contents may be either:
- (1) the stamped or stenciled tare weight; or
  - (2) the actual tare determined at the time of filling the cylinder. If the actual tare is determined at the time of filling the cylinder, it must be legibly marked on the cylinder or on a tag attached to the cylinder at the time of filling.
- (c) Allowable difference. – If the stamped or stenciled tare is used to determine the net contents of the cylinder, the allowable difference between the actual tare weight and the stamped (or stenciled) tare weight, or the tare weight on a tag attached to the cylinder for a new or used cylinder, shall be:
- (1) ½ % for tare weights of 9 kg (20 lb) or less; or
  - (2) ¼ % for tare weights of more than 9 kg (20 lb).
- (d) Average requirement. – When used to determine the net contents of cylinders, the stamped or stenciled tare weights of cylinders at a single place of business found to be in error predominantly in a direction favorable to the seller and near the allowable difference shall be considered to be not in conformance with these requirements.

2.16.3.2. Acetylene Gas Cylinder Tare Weights.– Acetone in the cylinder shall be included as part of the tare weight.

2.16.3.3. Acetylene Gas Cylinder Volumes. – The volumes of acetylene shall be determined from the product weight using approved tables such as those published in NIST Handbook 133 or those developed using 70 °F (21 °C) and 14.7 ft<sup>3</sup> (101.35 kPa) per pound at 1 atmosphere as conversion factors.

2.16.3.4. Compressed Gases such as Oxygen, Argon, Nitrogen, Helium, and Hydrogen. – The volumes of compressed gases such as oxygen, argon, nitrogen, helium, or hydrogen shall be determined using the tables and procedures given in NIST Technical Note 1079, Tables of Industrial Gas Container Contents and Density for Oxygen, Argon, Nitrogen, Helium, and Hydrogen and supplemented by additional procedures and tables in NIST Handbook 133.

(Added 1981) (Amended 1990)

2.19. Kerosene (Kerosine – All kerosene kept, offered, exposed for sale, or sold shall be identified as such and will include, with the word kerosene, an indication of its compliance with the latest version of the standard specification ASTM Standard D3699, “Standard Specification for Kerosine.”

Example:

1K Kerosene; Kerosene - 2K.

(Added 1983)

2.19.1. Retail Sale from Bulk. – All kerosene kept, offered, or exposed for sale and sold from bulk at retail shall be in terms of the gallon or liter.

(Added 2012)

2.21. Liquefied Petroleum Gas. – All liquefied petroleum gas, including, but not limited to propane, butane, and mixtures thereof, shall be kept, offered, exposed for sale, or sold by the pound, metered cubic foot <sup>NOTE 7</sup>.

page 125] of vapor (defined as 1 ft<sup>3</sup> at 60 °F [15.6 °C]), or the gallon (defined as 231 in<sup>3</sup> at 60 °F [15.6 °C]). All metered sales by the gallon, except those using meters with a maximum rated capacity of 20 gal/min or less, shall be accomplished by use of a meter and device that automatically compensates for temperature.

(Added 1986)

NOTE 7: Sources: American National Standards Institute, Inc., “American National Standard for Gas Displacement Meters (500 Cubic Feet per Hour Capacity and Under),” First edition, 1974, and NIST Handbook 44, “Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices.”

## 2.27. Retail Sales of Natural Gas Sold as a Vehicle Fuel.

### 2.27.1. Definitions.

2.27.1.1. Compressed Natural Gas (CNG). – A gaseous fuel composed primarily of methane that is suitable for compression and dispensing into a fuel storage container(s) for use as an engine fuel.

(Amended 2016)

2.27.1.2. Gasoline Gallon Equivalent (GGE). – Gasoline gallon equivalent (GGE) means 2.567 kg (5.660 lb) of compressed natural gas.

(Amended 2016)

2.27.1.3. Diesel Gallon Equivalent (DGE). – Diesel gallon equivalent means 6.384 lb of compressed natural gas or 6.059 lb of liquefied natural gas.

(Added 2016)

2.27.1.4. Liquefied Natural Gas (LNG). – Natural gas, which is predominantly methane, that has been liquefied at –162 °C (–260 °F) at 14.696 psia and stored in insulated cryogenic fuel storage tanks for use as an engine fuel.

(Added 2016)

### 2.27.2. Method of Retail Sale and Dispenser Labeling.

2.27.2.1. Method of Retail Sale for Compressed Natural Gas. – All compressed natural gas kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be measured in terms of mass, and indicated in the gasoline gallon equivalent (GGE), diesel gallon equivalent (DGE) units, or mass.

(Amended 2016)

2.27.2.2. Dispenser Labeling Compressed Natural Gas. – All retail compressed natural gas dispensers shall be labeled with the equivalent conversion factor in terms of pounds (lb). The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have the statement “1 Gasoline Gallon Equivalent (GGE) means 5.660 lb of Compressed Natural Gas” or “1 Diesel Gallon Equivalent (DGE) means 6.384 lb of Compressed Natural Gas” consistent with the method of sale used.

(Amended 2016)

2.27.2.3. Method of Retail Sale for Liquefied Natural Gas. – All liquefied natural gas kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be measured in mass and indicated in diesel gallon equivalent (DGE) units or mass.

(Added 2016)

2.27.2.4. Dispenser Labeling of Retail Liquefied Natural Gas. – All retail liquefied natural gas dispensers shall be labeled with the equivalent conversion factor in terms of pounds (lb). The label

shall be permanently and conspicuously displayed on the face of the dispenser and shall have the statement “1 Diesel Gallon Equivalent (DGE) means 6.059 lb of Liquefied Natural Gas.”  
(Added 2016)

## 2.32. Retail Sales of Hydrogen

2.32.1. Definitions for Hydrogen Fuel. – A fuel composed of molecular hydrogen intended for consumption in a surface vehicle or electricity production device with an internal combustion engine or fuel cell.

(Amended 2012)

2.32.2. Method of Retail Sale and Dispenser Labeling. – All hydrogen fuel kept, offered, or exposed for sale and sold at retail shall be in mass units in terms of the kilogram. The symbol for hydrogen vehicle fuel shall be the capital letter “H” (the word Hydrogen may also be used).

### 2.32.3. Retail Dispenser Labeling.

- (a) A computing dispenser must display the unit price in whole cents on the basis of price per kilogram.
- (b) The service pressure(s) of the dispenser must be conspicuously shown on the user interface in bar or the SI unit of pascal (Pa) (e.g., MPa).
- (c) The product identity must be shown in a conspicuous location on the dispenser.
- (d) National Fire Protection Association (NFPA) labeling requirements also apply.
- (e) Hydrogen shall be labeled in accordance with 16 CFR 309 – FTC Labeling Alternative Fuels.

### 2.32.4. Street Sign Prices and Advertisements.

- (a) The unit price must be in terms of price per kilogram in whole cents (e.g., \$3.49 per kg, not \$3.499 per kg).
- (b) The sign or advertisement must include the service pressure (expressed in megapascals) at which the dispenser(s) delivers hydrogen fuel (e.g., H35 or H70).

(Added 2010)

## 2.33. Oil.

### 2.33.1. Labeling of Vehicle Engine (Motor) Oil. – Vehicle engine (motor) oil shall be labeled.

2.33.1.1. Viscosity. The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank, and any invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank, shall contain the viscosity grade classification preceded by the letters “SAE” in accordance with SAE International’s latest version of SAE J300, “Engine Oil Viscosity Classification.”

*NOTE: If an invoice or receipt from service on an engine has limited room for identifying the viscosity, brand, and service category, then abbreviated versions of each may be used on the invoice or receipt and the letters “SAE” may be omitted from the viscosity classification.*

(Note added 2014)

(Amended 2014)

**2.33.1.2. Brand.** –**The label on any vehicle engine (motor) oil container and the invoice or receipt from service on an engine that includes the installation of bulk vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the name, brand, trademark, or trade name of the vehicle engine (motor) oil.**

**(Amended 2014)**

**2.33.1.3. Engine Service Category.** –**The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of bulk vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the engine service category, or categories, displayed in letters not less than 3.18 mm (1/8 in) in height, as defined by the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (Other than “Energy Conserving”),” API Publication 1509, “Engine Oil Licensing and Certification System,” European Automobile Manufacturers Association (ACEA), “European Oil Sequences,” or other Vehicle or Engine Manufacturer standards as approved in Section 2.33.1.3.1. Vehicle or Engine Manufacturer Standard.**

**(Amended 2014)**

**2.33.1.3.1. Vehicle or Engine Manufacturer Standard.** –**The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall identify the specific vehicle or engine manufacturer standard, or standards, met in letters not less than 3.18 mm (1/8 in) in height. If the vehicle (motor) oil only meets a vehicle or engine manufacturer standard, the label must clearly identify that the oil is only intended for use where specifically recommended by the vehicle or engine manufacturer.**

**(Added 2014)**

**2.33.1.3.2. Inactive or Obsolete Service Categories.** –**The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of bulk vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall bear a plainly visible cautionary statement in compliance with the latest version of SAE J183, Appendix A, whenever the vehicle engine (motor) oil in the container or in bulk does not meet an active API service category as defined by the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (Other than “Energy Conserving”).” If a vehicle engine (motor) oil is identified as only meeting a vehicle or engine manufacturer standard, the labeling requirements in Section 2.33.1.3.1. Vehicle or Engine Manufacturer Standard applies.**

**(Amended 2014)**

**2.33.1.4. Tank Trucks or Rail Cars.** –**Tank trucks, rail cars, and other types of delivery trucks that are used to deliver bulk vehicle engine (motor) oil are not required to display the SAE viscosity grade and service category or categories on such tank trucks, rail cars, and other types of delivery trucks.**

**(Amended 2013 and 2014)**

**2.33.1.5. Documentation.** –**When the engine (motor) oil is sold in bulk, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery. This document must identify the quantity of bulk engine (motor) oil delivered as defined in Sections 2.33.1.1. Viscosity; 2.33.1.2. Brand; 2.33.1.3. Engine Service Category; the name and address of the seller and buyer; and the date and time of the sale. For inactive or obsolete service categories, the documentation shall also bear a plainly visible cautionary statement as required in Section 2.33.1.3.2. Inactive or Obsolete Service Categories. Documentation must be retained at the retail establishment for a period of not less than one year.**

**(Added 2013) (Amended 2014)**

**(Added 2012) (Amended 2013 and 2014)**



**2.34. Retail Sales of Electricity Sold as a Vehicle Fuel.**

**2.34.1. Definitions.**

**2.34.1.1. Electricity Sold as Vehicle Fuel. –Electrical energy transferred to and/or stored onboard an electric vehicle primarily for the purpose of propulsion.**

**2.34.1.2. Electric Vehicle Supply Equipment (EVSE). The conductors, including the ungrounded, grounded, and equipment grounding conductors; the electric vehicle connectors; attachment plugs; and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of measuring, delivering, and computing the price of electrical energy delivered to the electric vehicle.**

**2.34.1.3. Fixed Service. –Service that continuously provides the nominal power that is possible with the equipment as it is installed.**

**2.34.1.4. Variable Service. –Service that may be controlled resulting in periods of reduced, and/or interrupted transfer of electrical energy.**

**2.34.1.5. Nominal Power. –Refers to the “intended” or “named” or “stated” as opposed to “actual” rate of transfer of electrical energy (i.e., power).**

**2.34.2. Method of Sale. – All electrical energy kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be in units in terms of the megajoule (MJ) or kilowatt-hour (kWh). In addition to the fee assessed for the quantity of electrical energy sold, fees may be assessed for other services; such fees may be based on time measurement and/or a fixed fee.**

**2.34.3. Retail Electric Vehicle Supply Equipment (EVSE) Labeling.**

**(a) A computing EVSE shall display the unit price in whole cents (e.g., \$0.12) or tenths of one cent (e.g., \$0.119) on the basis of price per megajoule (MJ) or kilowatt-hour (kWh). In cases where the electrical energy is unlimited or free of charge, this fact shall be clearly indicated in place of the unit price.**

**(b) For fixed service applications, the following information shall be conspicuously displayed or posted on the face of the device:**

**(1) the level of EV service expressed as the nominal power transfer (i.e., nominal rate of electrical energy transfer), and**

**(2) the type of electrical energy transfer (e.g., AC, DC, wireless).**

**(c) For variable service applications, the following information shall be conspicuously displayed or posted on the face of the device:**

**(1) the type of delivery (i.e., variable);**

**(2) the minimum and maximum power transfer that can occur during a transaction, including whether service can be reduced to zero;**

**(3) the condition under which variations in electrical energy transfer will occur; and**

**(4) the type of electrical energy transfer (e.g., AC, DC, wireless).**

**(d) Where fees will be assessed for other services in direct connection with the fueling of the vehicle, such as fees based on time measurement and/or a fixed fee, the additional fees shall be displayed.**

(e) The EVSE shall be labeled in accordance with 16 CFR, Part 309 – FTC Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles.

(f) The EVSE shall be listed and labeled in accordance with the National Electric Code®-(NEC) NFPA 70, Article 625 Electric Vehicle Charging Systems (www.nfpa.org).

2.34.4. Street Sign Prices and Other Advertisements. – Where electrical energy unit price information is presented on street signs or in advertising other than on EVSE:

(a) The electrical energy unit price shall be in terms of price per megajoule (MJ) or kilowatt-hour (kWh) in whole cents (e.g., \$0.12) or tenths of one cent (e.g., \$0.119). In cases where the electrical energy is unlimited or free of charge, this fact shall be clearly indicated in place of the unit price.

(b) In cases where more than one electrical energy unit price may apply over the duration of a single transaction to sales to the general public, the terms and conditions that will determine each unit price and when each unit price will apply shall be clearly displayed.

(c) For fixed service applications, the following information shall be conspicuously displayed or posted:

(1) the level of EV service expressed as the nominal power transfer (i.e., nominal rate of electrical energy transfer), and

(2) the type of electrical energy transfer (e.g., AC, DC, wireless).

(d) For variable service applications, the following information shall be conspicuously displayed or posted:

(1) the type of delivery (i.e., variable);

(2) the minimum and maximum power transfer that can occur during a transaction, including whether service can be reduced to zero;

(3) the conditions under which variations in electrical energy transfer will occur; and

(4) the type of electrical energy transfer (e.g., AC, DC, wireless).

Where fees will be assessed for other services in direct connection with the fueling of the vehicle, such as fees based on time measurement and/or a fixed fee, the additional fees shall be included on all street signs or other advertising.

(Added 2013)

### 3.2. Automotive Gasoline and Automotive Gasoline-Oxygenate Blends.

3.2.1. Posting of Antiknock Index Required – All automotive gasoline and automotive gasoline-oxygenate blends shall post the antiknock index in accordance with applicable regulations, 16 CFR Part 306 issued pursuant to the Petroleum Marketing Practices Act, as amended.

3.2.2. When the Term “Leaded” May be Used. –The term “leaded” shall be used only when the fuel meets specification requirements of paragraph 2.1.5. Minimum Lead Content to be Termed “Leaded.”

3.2.3. Use of Lead Substitute Must be Disclosed. –Each dispensing device from which gasoline or gasoline-oxygenate blends containing a lead substitute is dispensed shall display the following legend: “Contains Lead Substitute.” The lettering of this legend shall not be less than 12.7 mm (½ in) in height and the color of the lettering shall be in definite contrast to the background color to which it is applied.

**3.2.4. Nozzle Requirements for Leaded Fuel.** –Each dispensing device from which gasoline or gasoline-oxygenate blends that contain lead in amounts sufficient to be considered “leaded” gasoline, or lead substitute engine fuel, is sold shall be equipped with a nozzle spout having a terminal end with an outside diameter of not less than 23.63 mm (0.930 in).

**3.2.5. Prohibition of Terms** – It is prohibited to use specific terms to describe a grade of gasoline or gasoline-oxygenate blend unless it meets the minimum antiknock index requirement shown in Table 1. **Minimum Antiknock Index Requirements.**

<b><u>Table 1.</u></b> <b><u>Minimum Antiknock Index Requirements</u></b>		
<b><u>Term</u></b>	<b><u>Minimum Antiknock Index</u></b>	
	<b><u>ASTM D4814 Altitude Reduction Areas IV and V</u></b>	<b><u>All Other ASTM D4814 Areas</u></b>
<b><u>Premium, Super, Supreme, High Test</u></b>	<b><u>90</u></b>	<b><u>91</u></b>
<b><u>Midgrade, Plus</u></b>	<b><u>87</u></b>	<b><u>89</u></b>
<b><u>Regular Leaded</u></b>	<b><u>86</u></b>	<b><u>88</u></b>
<b><u>Regular, Unleaded (alone)</u></b>	<b><u>85</u></b>	<b><u>87</u></b>
<b><u>Economy</u></b>	<b><u>=</u></b>	<b><u>86</u></b>

**(Table 1. Amended 1997)**

**3.2.6. Method of Retail Sale.** – Type of Oxygenate must be disclosed. All automotive gasoline or automotive gasoline-oxygenate blends kept, offered, or exposed for sale, or sold at retail containing at least 1.5 mass percent oxygen shall be identified as “with” or “containing” (or similar wording) the predominant oxygenate in the engine fuel. For example, the label may read “contains ethanol” or “with methyl tertiary-butyl ether (MTBE).” The oxygenate contributing the largest mass percent oxygen to the blend shall be considered the predominant oxygenate. Where mixtures of only ethers are present, the retailer may post the predominant oxygenate followed by the phrase “or other ethers” or alternatively post the phrase “contains MTBE or other ethers.” In addition, gasoline-methanol blend fuels containing more than 0.15 mass percent oxygen from methanol shall be identified as “with” or “containing” methanol. This information shall be posted on the upper 50 % of the dispenser front panel in a position clear and conspicuous from the driver’s position in a type at least 12.7 mm (½ in) in height, 1.5 mm (1/16 in) stroke (width of type).

**(Amended 1996)**

**3.2.7. Documentation for Dispenser Labeling Purposes** – The retailer shall be provided, at the time of delivery of the fuel, on product transfer documents such as an invoice, bill of lading, shipping paper, or other documentation:

- (a) **Information that compiles with 40 CFR § 80.1503 when the fuel contains ethanol.**  
**(Added 2014)**

**For fuels that do not contain ethanol, information that complies with 40 CFR § 80.1503 and a declaration of the predominant oxygenate or combination of oxygenates present in concentrations sufficient to yield an oxygen content of at least 1.5 mass percent in the fuel.**

Where mixtures of only ethers are present, the fuel supplier may identify either the predominant oxygenate in the fuel (i.e., the oxygenate contributing the largest mass percent oxygen) or alternatively, use the phrase “contains MTBE or other ethers.”

(Added 2014)

Gasoline containing more than 0.15 mass percent oxygen from methanol shall be identified as “with” or “containing” methanol.

(Added 2014)

(Amended 1996 and 2014)

3.2.8. EPA Labeling Requirements also Apply. –Retailers and wholesale purchaser-consumers of gasoline shall comply with the EPA pump labeling requirements for gasoline containing greater than 10 volume percent (v%) up to 15 volume percent (v%) ethanol (E15) under 40 CFR § 80.1501.

(Added 2012)

### 3.3. Diesel Fuel.

3.3.1. Labeling of Grade Required – Diesel Fuel shall be identified by grades No. 1-D, No. 2-D, or No. 4-D.

3.3.2. EPA Labeling Requirements Also Apply. –Retailers and wholesale purchaser-consumers of diesel fuel shall comply with EPA pump labeling requirements for sulfur under 40 CFR § 80.570.

3.3.3. Delivery Documentation for Premium Diesel. –Before or at the time of delivery of premium diesel fuel, the retailer or the wholesale purchaser-consumer shall be provided on an invoice, bill of lading, shipping paper, or other documentation a declaration of all performance properties that qualifies the fuel as premium diesel fuel as required in Section 2.2.1. Premium Diesel Fuel.

(Added 1998) (Amended 1999)

3.3.4. Nozzle Requirements for Diesel Fuel. – Each dispensing device from which diesel fuel is sold at retail shall be equipped with a nozzle spout with a diameter that conforms to the latest version of SAE J285, “Dispenser Nozzle Spouts for Liquid Fuels Intended for Use with Spark Ignition and Compression Ignition Engines.” (Enforceable effective July 1, 2013)

(Added 2012)

(Amended 1998, 1999, 2008, and 2012)

### 3.4. Aviation Turbine Fuels

3.4.1. Labeling of Grade Required. – Aviation turbine fuels shall be identified by Jet A, Jet A 1, or Jet B.

3.4.2. NFPA Labeling Requirements also Apply. – Each dispenser or airport fuel truck dispensing aviation turbine fuels shall be labeled in accordance with the most recent edition of National Fire Protection Association (NFPA 407, Standard for Aircraft Fuel Servicing.

NOTE: For example, NFPA 407, 2007 edition: Section 4.3.18 Product Identification Signs. Each aircraft fuel servicing vehicle shall have a sign on each side and the rear to indicate the product. The sign shall have letters at least 75 mm (3 in) high of color sharply contrasting with its background for visibility. It shall show the word “FLAMMABLE” and the name of the product carried, such as “JET A,” “JET B,” “GASOLINE,” or “AVGAS.” (NOTE: Refer to the most recent edition NFPA 407.)

### 3.5. Aviation Gasoline

3.5.1. Labeling of Grade Required. – Aviation gasoline shall be identified by Grade 80, Grade 91, Grade 100, or Grade 100LL, or Grade 82UL

(Amended 2008)

**3.5.2. NFPA Labeling Requirements also Apply.** –Each dispenser or airport fuel truck dispensing aviation gasoline shall be labeled in accordance with the most recent edition of National Fire Protection Association (NFPA) 407, Standard for Aircraft Fuel Servicing.

*NOTE: For example, NFPA 407, 2007 edition: Section 4.3.18 Product Identification Signs. Each aircraft fuel servicing vehicle shall have a sign on each side and the rear to indicate the product. The sign shall have letters at least 3 in (75 mm) high of color sharply contrasting with its background for visibility. It shall show the word “FLAMMABLE” and the name of the product carried, such as “JET A,” “JET B,” “GASOLINE,” or “AVGAS.” (NOTE: Refer to the most recent edition NFPA 407.)*

### **3.6. Fuel Oils.**

**3.6.1. Labeling of Grade Required.** –Fuel Oil shall be identified by the grades of No. 1 S500, No. 1 S5000, No. 2 S500, No. 2 S5000, No. 4 (Light), No. 4, No. 5 (Light), No. 5 (Heavy), or No. 6.

(Amended 2008)

### **3.7. Kerosene (Kerosine)**

**3.7.1. Labeling of Grade Required.** – Kerosene shall be identified by the grades No. 1-K or No. 2-K.

**3.7.2. Additional Labeling Requirements** – Each retail dispenser of kerosene shall be labeled as 1-K Kerosene or 2-K. In addition, No. 2-K dispensers shall display the following legend:

**“Warning - Not Suitable For Use In Unvented Heaters Requiring No. 1-K.”**

**The lettering of this legend shall not be less than 12.7 mm (½ in) in height by 1.5 mm (1/16 in) stroke; block style letters and the color of lettering shall be in definite contrast to the background color to which it is applied.**

### **3.8. Ethanol Flex Fuel**

**3.8.1. How to Identify Ethanol Flex Fuel.** – Ethanol flex fuel shall be identified as Ethanol Flex Fuel or EXX Flex Fuel.

**3.8.2. Labeling Requirements.**

**(a) Ethanol flex fuel with an ethanol concentration no less than 51 and no greater than 83 volume percent shall be labeled “Ethanol Flex Fuel, minimum 51 % ethanol**

**(b) Ethanol flex fuel with an ethanol concentration less than or equal to 50 volume percent shall be labeled “EXX Flex Fuel, minimum YY % ethanol,” where the XX is the ethanol concentration in volume percent and YY is XX minus five (– 5). The actual ethanol concentration of the fuel shall be XX volume percent plus or minus five (± 5) volume percent.**

(Added 2014)

**(c) A label shall be posted which states “For Use in Flexible Fuel Vehicles (FFV) Only.” This information shall be clearly and conspicuously posted on the upper 50 % of the dispenser front panel in a type at least 12.7 mm (½ in) in height, 1.5 mm (1/16 in) stroke (width of type). A label shall be posted which states, “CHECK OWNER’S MANUAL,” and shall not be less than 6 mm (¼ in) in height by 0.8 mm (1/32 in) stroke; block style letters and the color shall be in definite contrast to the background color to which it is applied.**

(Amended 2007, 2008, and 2014)

### **3.9. M85 Fuel Methanol.**

**3.9.1. How to Identify M85 Fuel Methanol.** – Fuel methanol shall be identified as M85.

Example:  
M85

**3.9.2. Retail Dispenser Labeling.**

**(a) Fuel methanol shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306.**

Example:  
M85 Methanol

**(b) A label shall be posted which states “For Use in Vehicles Capable of Using M85 Only.” This information shall be clearly and conspicuously posted on the upper 50 % of the dispenser front panel in a type of at least 12.7 mm (½ in) in height, 1.5 mm (1/16 in) stroke (width of type).**

(Amended 2008)

**3.10. Liquefied Petroleum Gas (LPG).**

**3.10.1. How LPG is to be Identified. –Liquefied petroleum gases shall be identified by grades Commercial Propane, Commercial Butane, Commercial PB Mixtures or Special-Duty Propane (HD5).**

**3.10.2. Retail Dispenser Labeling. – Each retail dispenser of LPGs shall be labeled as “Commercial Propane,” “Commercial Butane,” “Commercial PB Mixtures,” or “Special-Duty Propane (HD5).”**

**3.10.3. Additional Labeling Requirements. – LPG shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306.**

**3.10.4. NFPA Labeling Requirements Also Apply. (Refer to the most recent edition of NFPA 58.)**

**3.11. Compressed Natural Gas (CNG).**

**3.11.1. How Compressed Natural Gas is to be Identified. – For the purposes of this regulation, compressed natural gas shall be identified by the term “Compressed Natural Gas” or “CNG.”**

**3.11.2. Retail Sales of Compressed Natural Gas Sold as a Vehicle Fuel.**

**3.11.2.1. Retail Dispenser Labeling.**

**3.11.2.1.1. Identification of Product. –Each retail dispenser of CNG shall be labeled as “Compressed Natural Gas.”**

**3.11.2.1.2. Pressure. – CNG is dispensed into vehicle fuel containers with working pressures of 20 684 kPa (3000 psi), or 24 821 kPa (3600 psi). The dispenser shall be labeled 20 684 kPa (3000 psi), or 24 821 kPa (3600 psi) corresponding to the pressure of the CNG dispensed by each fueling hose.**

**(Amended 2016)**

**3.11.2.1.3. NFPA Labeling. – NFPA Labeling requirements also apply. (Refer to NFPA 52.)**

**3.11.3. Nozzle Requirements for CNG. – CNG fueling nozzles shall comply with ANSI/AGA/CGA NGV 1.**

**3.12. Liquefied Natural Gas (LNG).**

**3.12.1. How Liquefied Natural Gas is to be Identified. For the purposes of this regulation, liquefied natural gas shall be identified by the term “Liquefied Natural Gas” or “LNG.”**

**3.12.2. Labeling of Retail Dispensers of Liquefied Natural Gas Sold as a Vehicle Fuel.**

3.12.2.1. Identification of Product. –Each retail dispenser of LNG shall be labeled as “Liquefied Natural Gas.”

3.12.2.2. Automotive Fuel Rating. – LNG automotive fuel shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306.

3.12.2.3. NFPA Labeling. – NFPA Labeling requirements also apply. (Refer to NFPA 57.)

### 3.14. Automatic Transmission Fluid

3.14.1. Labeling. –The label on a container of automatic transmission fluid shall not contain any information that is false or misleading. In addition, each container of automatic transmission fluid shall be labeled with the following:

- (a) the brand name;
- (b) the name and place of business of the manufacturer, packer, seller, or distributor;
- (c) the words “Automatic Transmission Fluid”;
- (d) the duty type of classification; and
- (e) an accurate statement of the quantity of the contents in terms of liquid measure.

3.14.2. Documentation of Claims Made Upon Product Label. –Any manufacturer or packer of any product subject to this article and sold in this state shall provide, upon request of duly authorized representatives of the Director, documentation of any claim made upon their product label.

(Added 2004)

### 3.15. Biodiesel and Biodiesel Blends

3.15.1. Identification of Product. – Biodiesel shall be identified by the term “biodiesel” with the designation “B100.” Biodiesel blends shall be identified by the term “Biodiesel Blend.”

#### 3.15.2. Labeling of Retail Dispensers.

3.15.2.1. Labeling of Grade Required. – Biodiesel shall be identified by the grades S15 or S500. Biodiesel blends shall be identified by the grades No. 1-D, No. 2-D, or No. 4-D.

3.15.2.2. EPA Labeling Requirements also Apply. – Retailers and wholesale purchaser-consumers of biodiesel blends shall comply with EPA pump labeling requirements for sulfur under 40 CFR § 80.570.

3.15.2.3. Automotive Fuel Rating. –Biodiesel and biodiesel blends shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306.

3.15.2.4. Biodiesel Blends. – When biodiesel blends greater than 20 % by volume are offered by sale, each side of the dispenser where fuel can be delivered shall have a label conspicuously placed that states “Consult Vehicle Manufacturer Fuel Recommendations.”

The lettering of this legend shall not be less than 6 mm (¼ in) in height by 0.8 mm (1/32 in) stroke; block style letters and the color shall be in definite contrast to the background color to which it is applied.

3.15.3. Documentation for Dispenser Labeling Purposes. – The retailer shall be provided, at the time of delivery of the fuel, a declaration of the volume percent biodiesel on an invoice, bill of lading, shipping paper, or other document. This documentation is for dispenser labeling purposes only; it is the

responsibility of any potential blender to determine the amount of biodiesel in the diesel fuel prior to blending.

3.15.4. Exemption. – Biodiesel blends that contain less than or equal to 5 % biodiesel by volume are exempted from the requirements of Sections 3.15.1. Identification of Product, 3.15.2. Labeling of Retail Dispensers, and 3.15.3. Documentation for Dispenser Labeling Purposes when it is sold as “diesel fuel” as required in Section 3.3. Diesel Fuel.

(Added 2005) (Amended 2008)

### 3.16. Diesel Exhaust Fluid (DEF).

#### 3.16.1. Labeling of Diesel Exhaust Fluid (DEF). – DEF shall be labeled

3.16.1.1. Retail Dispenser Labeling. –A label shall be clearly and conspicuously placed on the front panel of the DEF dispenser stating “for operation of selective catalytic reduction (SCR) converters in motor vehicles with diesel engines.”

3.16.1.2. Documentation for Retailers of Bulk Product. –A DEF supplier shall provide, at the time of delivery of the bulk shipment of DEF, identification of the fluid’s origin including the name of the fluid manufacturer, the brand name, trade name, or trademark, and a statement identifying the fluid as DEF conforming to specifications given in the latest version of ISO 22241, “Diesel engines – NOx reduction agent AUS 32.” This information shall be provided by the supplier on an invoice, bill of lading, shipping paper, or other document.

3.16.1.3. Labeling Packaged Product. –Any DEF retail package shall bear a label that includes the name of the fluid manufacturer, the brand name, trade name, or trademark, a statement identifying the fluid as DEF conforming to specifications given in the latest version of ISO 22241, “Diesel engines – NOx reduction agent AUX 32.” And the statement, “It is recommended to store DEF between – 5 °C to 30 °C (23 °F to 86 °F).”

3.16.1.4. Documentation for Bulk Deliveries. –A carrier that transports or accepts for transportation any bulk shipment by tank truck, freight container, cargo tank, railcar, or any other vehicle used to transport or deliver bulk quantities of DEF shall, at the time of delivery of the DEF, provide identification of the fluid’s origin including the name of the fluid manufacturer, the brand name, trade name, or trademark, and a statement identifying the fluid as DEF conforming to specifications given in the latest version of ISO 22241, “Diesel engines – NOx reduction agent AUS 32.” This information shall be provided to the recipient on an invoice, bill of lading, shipping paper, or other document.

Effective date shall be January 1, 2016.

(Added 2014)

### 2.XX. Transmission Fluid.

2.XX.1. Products for Use in Lubricating Transmissions – Transmission fluids shall meet the original equipment manufacturer’s requirements for those transmissions or have demonstrated performance claims to be suitable for use in those transmissions. Where a fluid can be licensed against an original equipment manufacturer’s specification, evidence of current licensing by the marketer is acceptable documentation of performance against the specification. In the absence of a license from the original equipment manufacturer, adherence to the original equipment manufacturer’s recommended requirements shall be assessed after testing per relevant methods available to the lubricants industry and the state regulatory agency. Suitability for use claims shall be based upon appropriate field, bench and/or transmission rig testing. Any manufacturer of a transmission fluid making suitable-for-use claims shall provide, upon request by a duly authorized representative of the Director, credible documentation of such claims. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may



**be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director's office by the additive supplier(s).**

**2.XX.1.1. Conformance. – Conformance of a fluid per Section 2.XX.1. Products for Use in Lubricating Transmissions does not absolve the obligations of a fluid licensee with respect to the licensing original equipment manufacturer or the original equipment manufacturer's licensing agent(s), where relevant.**

**2.XX.1.2. Transmission Fluid Additives. – Any material offered for sale or sold as an additive to transmission fluids shall be compatible with the transmission fluid to which it is added, and shall meet all performance claims as stated on the label or published on any website referenced by the label. Any manufacturer of any such product sold in this state shall provide, upon request by a duly authorized representative of the Director, documentation of any claims made on their product label or published on any website referenced by the label.**

**2.XX.2 Labeling and Identification of Transmission Fluid. – Transmission fluid shall be labeled or identified as described below.**

**2.XX.2.1. Container Labeling. – The label on a container of transmission fluid shall not contain any information that is false or misleading. Containers include bottles, cans, multi-quart or liter containers, pails, kegs, drums, and intermediate bulk containers (IBCs). In addition, each container of transmission fluid shall be labeled with the following:**

**(a) the brand name;**

**(b) the name and place of business of the manufacturer, packer, seller, or distributor;**

**(c) the words "Transmission Fluid," which may be incorporated into a more specific description of transmission type such as "Automatic Transmission Fluid" or "Continuously Variable Transmission Fluid";**

**(d) the primary performance claim or claims met by the fluid and reference to where any supplemental claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and**

**(e) an accurate statement of the quantity of the contents in terms of liquid measure.**

**2.XX.2.2. Identification on Documentation – Transmission fluid sold in bulk shall be identified on the manufacturer, packer, seller, or distributor invoice, bill of lading, shipping paper, or other documentation with the information listed below:**

**(a) the brand name;**

**(b) the name and place of business of the manufacturer, packer, seller, or distributor;**

**(c) the words "Transmission Fluid," which may be incorporated into a more specific description of transmission type such as "Automatic Transmission Fluid" or "Continuously Variable Transmission Fluid";**

**(d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and**

**(e) an accurate statement of the quantity of the contents in terms of liquid measure.**

**2.XX.2.3. Identification on Service Provider Documentation – Transmission fluid installed from a bulk tank at time of transmission service shall be identified on the customer invoice with the information listed below:**

**(a) the brand name;**

**(b) the name and place of business of the service provider;**

**(c) the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;**

**(d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards- setting organizations such as SAE and JASO and are acknowledged by reference; and**

**(e) an accurate statement of the quantity of the contents in terms of liquid measure.**

**2.XX.2.4. Bulk Delivery – When the transmission fluid is sold in bulk, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery. This document must identify the fluid as defined in Section 2.XX.2.2.**

**2.XX.2.5. Storage Tank Labeling. – Each storage tank of transmission fluid shall be labeled with the following:**

**(a) the brand name;**

**(b) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards- setting organizations such as SAE and JASO and are acknowledged by reference.**

**2.XX.3. Documentation of Claims Made Upon Product Label. – Any manufacturer, packer, or distributor of any product subject to this article and sold in this state shall provide, upon request of duly authorized representatives of the Director, credible documentation of any claim made upon their product label, including claims made on any website referenced by said label. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director’s office by the additive supplier(s).**

**Section 3. Section 4. General**