The Method of Sale (MOS) regulation for electrical energy as vehicle fuel shown below was excerpted from the 2016 edition of NIST Handbook 130 Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality Part IV. Uniform Regulations, Subpart B. Uniform Regulation for the Method of Sale of Commodities, Section 2. Non-food Products.

This MOS regulation was adopted by the July 2013 NCWM and first published in the 2014 NIST Handbook 130. For states that adopt the handbook by reference this regulation became effective January 1, 2014. NIST HB 130 is available in entirety on the NIST OWM web site at: <http://www.nist.gov/pml/wmd/index.cfm>

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

**Section 2. Non-food Products [NOTE 1, page 105]**

**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**](http://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)