

Additional Information

DEPARTMENT OF ENERGY (DOE)

For more information about AFVs, contact DOE's National Alternative Fuels Hotline, **1-800-423-1DOE**, and ask for its free brochure.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA)

For more information about vehicle safety, contact NHTSA's Auto Safety Hotline, **1-800-424-9393**.

The information on this label is required by the Federal Trade Commission, 16 CFR Part 309.

Figure 8

BILLING CODE 6750-01-C

By direction of the Commission, Chairman Pitofsky not participating, and Commissioner Azcuenaga concurring in part and dissenting in part.

Donald S. Clark,
Secretary.

Statement of Commissioner Mary L. Azcuenaga Concurring in Part and Dissenting in Part

Label Requirements for Alternative Fuels, Matter No. R311002

Today, the Commission issues a final rule pursuant to the Energy Policy Act of 1992

("EPA 92") that imposes certification, substantiation, and recordkeeping requirements in connection with the labeling of non-liquid alternative fuels and alternative fueled vehicles. EPA 92, however, only directs the Commission to prescribe "labeling requirements," 42 U.S.C. § 13232(a); it does not indicate that Congress also intended to give the Commission the authority to impose certification, substantiation, and recordkeeping requirements. The legislative history of EPA 92 also fails to show that Congress intended to give the Commission such authority. Although certification, substantiation, and recordkeeping

requirements may all be beneficial, in the absence of any statutory language or legislative history indicating that Congress intended to give the Commission latitude to impose such requirements, I believe that the Commission has no authority to do so. I therefore dissent from the final rule to the extent that it imposes certification, substantiation, and recordkeeping requirements in connection with the labeling of non-liquid alternative fuels and alternative fueled vehicles.

[FR Doc. 95-12160 Filed 5-18-95; 8:45 am]

BILLING CODE 6750-01-P