

Notes: This model policy language covers EV battery labeling, battery tracking database, and guidelines for the safe disassembly of EV batteries.

[Your State] Electric and Hybrid Vehicle Battery Labeling, Tracing, and Disassembly Act

Section 1. Title

This Act shall be known and may be cited as the "[Your State] Electric and Hybrid Vehicle Battery Labeling, Tracing, and Disassembly Act."

Section 2. Findings and Purpose

(A) The Legislature finds that the rapid advancement of electric and hybrid vehicle technology necessitates a comprehensive approach to the labeling, tracking, and safe disassembly of vehicle batteries.

(B) The purpose of this Act is to require manufacturers of electric vehicles to label electric vehicle batteries; establish an electric vehicle battery tracking database; and establish guidelines for the safe disassembly of electric vehicle batteries. The purposes of the labeling include:

1. enabling and improving effective and responsible battery collection and end-of-life management, including the reuse and recycling of energy transition materials;
2. reducing safety concerns relating to the improper disposal of batteries;
3. improving and harmonizing global supply chain data collection and verification processes; and
4. enabling the growth of the global clean energy economy.

Section 3. Definitions

(A) For the purposes of this Act, the following definitions apply:

"Cathode" means the energy source of the electric vehicle battery.

“Cathode chemistry” means the active material, or combination of active materials, that are used in the cathode of an electric vehicle battery.

Digital battery identifier

“Electric vehicle” means a vehicle that derives all or part of its power from electricity supplied by the electric grid, and that has a battery or equivalent energy storage device that can be charged from an electricity supply external to the vehicle with an electric plug. “Electric vehicle” includes a plug-in hybrid vehicle.

“Electric vehicle battery” or “battery” means a rechargeable battery that is used to power the electric motor of an electric vehicle. “Electric vehicle battery” includes, but is not limited to, lithium-ion batteries, nickel-metal hydride batteries, and lead-acid batteries.

“Electric vehicle battery label” or “label” means the label required to be affixed to the electric vehicle battery of an electric vehicle.

“Manufacturer” means a person, firm, association, partnership, corporation, governmental entity, organization, combination, or joint venture that produces electric vehicles for sale to retailers or consumers.

Section 4. Battery Labeling

(A) No later than one year after the effective date of this act, [Your State Department or Agency] shall develop standards for the form and content of a label to be affixed to the battery of an electric vehicle by an electric vehicle manufacturer. The purpose of these standards is to ensure that the labels, developed by electric vehicle manufacturers, contain all of the information required pursuant to this section, are legible, and are affixed properly to the battery of an electric vehicle.

(B) To the maximum extent practicable, [Your State Department or Agency] shall consider the electric vehicle battery labeling requirements of other states when creating the electric vehicle battery labeling standards required pursuant to this section. [Your State Department or Agency] shall develop standards that are as consistent with those of other states as possible.

Section 5. Battery Labeling Standards

(A) The standards shall include, at a minimum:

1. Specific information required to be included on the electric vehicle battery label, such as:

- a. the company name of the electric vehicle;
 - b. text or symbols indicating disposal instructions;
 - c. the battery manufacturer;
 - d. the date of the battery's manufacture;
 - e. the identification of the battery's cathode chemistry;
 - f. the battery voltage performance and battery capacity;
 - g. hazardous substances contained in the battery other than mercury, cadmium, or lead
 - h. the battery composition and processing information;
 - i. a quick response (QR) code that can be scanned to provide access to the electric vehicle battery tracking database; and
 - j. a quick response (QR) code that can be scanned to provide access to the electric vehicle's digital battery identifier
2. label placement information concerning where to affix the label on an electric vehicle battery, specifically requiring the label to be affixed to the exterior of the electric vehicle battery in such a manner that the label is visible and accessible when the battery is removed from the vehicle;
3. label placement information that is specific to electric vehicle batteries that are designed to separate into different parts, including a requirement that the label be affixed to the exterior of each part of the electric vehicle battery;
4. label formatting information; and
5. any other information [Your State Department or Agency] deems necessary.

Section 6. Battery Labeling Reporting and Compliance

(A) No later than 18 months after the effective date of this Act, an electric vehicle manufacturer shall develop a label, in compliance with the standards established by [Your State Department or Agency] pursuant to this Act, to affix to the batteries of the electric vehicles that the manufacturer produces, in a manner consistent with the standards established by [Your State Department or Agency].

(B) A manufacturer shall submit a sample of the electric vehicle battery label and the location on the battery to which it is to be affixed to [Your State Department or Agency] for approval. [Your State Department or Agency] shall approve the label upon determining that the label meets the standards developed pursuant to this act. If [Your State Department or Agency] determines that the contents, format, or location of the label does not comply with the standards, [Your State Department or Agency] may require that the label or its location be modified accordingly. Upon request, [Your State Department or Agency] may approve an alternate label location adjacent to the battery if the application of the label to the battery will render the label illegible.

(C) Beginning two years after the effective date of this act, no electric vehicle manufacturer shall sell an electric vehicle unless the electric vehicle contains an electric vehicle battery that is affixed with the label required pursuant to this Act that is consistent with the standards established by [Your State Department or Agency] pursuant to this Act.

(D) Manufacturer non-compliance with the provisions of this Act may result in penalties, fines, or other enforcement measures as deemed appropriate.

Section 7. Electric Vehicle Battery Tracking Database

(A) No later than 18 months after the effective date of this act, [Your State Department or Agency] shall establish and maintain a database to track electric vehicle batteries throughout the State. The purpose of the electric vehicle battery tracking database shall be to provide information on the quantity of electric vehicle batteries within the State, battery-specific information to the owners of electric vehicles, and educational materials on the safe disassembly, recycling, repurposing, and disposal of electric vehicle batteries.

(B) The database shall be accessible by the quick response (QR) code on the label required to be affixed to an electric vehicle battery.

Section 8. Electric Vehicle Battery Tracking Database Standards

(A) The database shall include, at a minimum:

1. all of the information required to be included on the electric vehicle battery label pursuant to the standards established by [Your State Department or Agency] pursuant to this Act;
2. any disclosure of hazardous materials or heavy metals present in the electric vehicle battery;
3. any product safety information or recall information, as applicable;
4. instructions for the safe disassembly of an electric vehicle battery from an electric vehicle;
5. contact information of the original equipment manufacturer to request the safe disposal of the battery; and
6. battery components and battery materials, including cathode and anode chemistry (referred to in this paragraph as “components and materials”);
7. information concerning electric vehicle battery recycling, reuse, repurposing, and disposal options.

Section 9. Electric Vehicle Battery Tracking Database Reporting and Compliance

(A) [Your State Department or Agency] shall review the information in the database and submit a report annually to the Governor and the Legislature, on the effectiveness of the database in tracking electric vehicle batteries throughout the State, providing battery-specific information to the owners of electric vehicles, and educating owners of electric vehicles, employees of motor vehicle repair shops, and electric vehicle manufacturers on how to safely disassemble, recycle, repurpose, and properly dispose of electric vehicle batteries.

(B) Manufacturer non-compliance with the provisions of this Act may result in penalties, fines, or other enforcement measures as deemed appropriate.

Section 10. Safe Disassembly Guidelines

No later than one year after the effective date of this act, [Your State Department or Agency] shall establish guidelines for the safe disassembly of electric vehicle batteries from electric vehicles and for the recycling, reuse, repurposing, and proper disposal of electric vehicle batteries within the State.

Section 11. Safe Disassembly Guidelines Standards

(A) The guidelines shall include, at a minimum:

1. informational resources, training, and safety measures for the safe disassembly of an electric vehicle battery from an electric vehicle; and
2. information about recycling, reuse, repurposing, and disposal options for electric vehicle batteries within the State.
3. The guidelines shall serve as an educational guide for any person who may be in the position to disassemble an electric vehicle, but shall also be accessible to any person in the State.
4. The guidelines established pursuant to this section shall be published on [Your State Department or Agency]'s Internet website and updated annually.

Section 12. Severability

If any provision of this Act or its application to any person or circumstances is held invalid, the remainder of the Act or the application of the provisions to other persons or circumstances shall not be affected.

Section 13. Effective Date

This Act shall take effect on [insert effective date].