

**Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0139.01 Clare Haffner x6137

**SENATE BILL 26-003**

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**SENATE SPONSORSHIP**

**Wallace and Cutter,**

**HOUSE SPONSORSHIP**

**Brown and Stewart R.,**

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**Senate Committees**

Transportation & Energy  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING EXPANDING THE SCOPE OF THE "BATTERY STEWARDSHIP**  
102                    **ACT" TO COVER THE END-OF-LIFE MANAGEMENT OF ELECTRIC**  
103                    **VEHICLE BATTERIES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Senate Bill 25-163 created the "Battery Stewardship Act", which requires the establishment of battery stewardship organizations (organizations) and the submittal of battery stewardship plans (plans) to the executive director of the department of public health and environment (executive director) for the collection, transportation, processing, and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*

recycling of certain batteries.

The bill expands the scope of the "Battery Stewardship Act" to cover the end-of-life management of propulsion batteries, which are batteries that are primarily used to supply power to an electric or hybrid vehicle, and establishes requirements concerning propulsion batteries that differ from the requirements for the batteries currently contemplated by the "Battery Stewardship Act".

No later than April 1, 2028, and every 5 years thereafter, an organization must submit a plan for the collection, transportation, processing, reuse, repurposing, and recycling of propulsion batteries as part of a battery stewardship program. The bill specifies what a plan must contain to be approved by the executive director. On and after August 1, 2028, a provider of propulsion batteries selling, making available for sale, or distributing propulsion batteries or vehicles containing a propulsion battery in or into the state is required to participate in and finance an organization that has submitted a plan.

An organization implementing a plan on behalf of providers of propulsion batteries is required to develop a website that includes educational and promotional materials and safety information related to battery storage and collection activities and submit annual reports to the executive director that concern certain information about the preceding year of plan implementation.

The bill includes requirements for the marking and labeling of propulsion batteries and requires the solid and hazardous waste commission to, no later than July 1, 2027, adopt rules establishing a process for the department of public health and environment to certify an entity as a qualified propulsion battery recycler.

On and after August 1, 2028, all propulsion batteries in the state must be managed in accordance with the requirements established by the bill.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Short title.** The short title of this act is the  
3 **"Promoting Responsible End-of-Life Management of Electric Vehicle**  
4 **Batteries Act"**.

5 **SECTION 2.** In Colorado Revised Statutes, 25-17-1002, **amend**  
6 **(2); and add (1.5) as follows:**

7 **25-17-1002. Legislative declaration.**

8 **(1.5) THE GENERAL ASSEMBLY FURTHER FINDS THAT:**

1           (a) ELECTRIC VEHICLES ARE CRUCIAL TOOLS FOR REDUCING  
2           GREENHOUSE GAS EMISSIONS, WHICH THE STATE IS STRIVING TO ELIMINATE  
3           BY 2050. ELECTRIC VEHICLES ARE ALSO VITAL TO REDUCING LOCAL AIR  
4           POLLUTION IN AREAS OF THE STATE, SUCH AS THE DENVER METRO AND  
5           NORTH FRONT RANGE AREAS, THAT THE FEDERAL ENVIRONMENTAL  
6           PROTECTION AGENCY HAS DESIGNATED AS BEING IN NONATTAINMENT  
7           WITH A NATIONAL AMBIENT AIR QUALITY STANDARD. TO ACHIEVE  
8           EMISSION REDUCTIONS NEEDED TO MEET STATE-MANDATED CLIMATE  
9           GOALS AND FEDERALLY REQUIRED OZONE LEVELS, MANY MORE ELECTRIC  
10          VEHICLES WILL NEED TO BE DEPLOYED IN COLORADO.

11          (b) AS ELECTRIC VEHICLE SALES IN THE STATE CONTINUE TO GROW,  
12          SUBSTANTIALLY MORE ELECTRIC VEHICLES WILL BE RETIRED IN THE  
13          COMING YEARS, AND THEIR BATTERIES, KNOWN AS PROPULSION  
14          BATTERIES, WILL NEED RESPONSIBLE END-OF-LIFE MANAGEMENT;

15          (c) PROPULSION BATTERIES OFTEN RETAIN VALUE EVEN AFTER  
16          THEY CEASE TO POWER THE ORIGINAL VEHICLES INTO WHICH THEY WERE  
17          PLACED AND CAN BE REUSED, REMANUFACTURED, REPURPOSED, OR  
18          RECYCLED. EXTENDING THE USEFUL LIFESPAN OF PROPULSION BATTERIES  
19          IMPROVES THE SUSTAINABILITY PROFILE OF THE ELECTRIC VEHICLE  
20          INDUSTRY AND CREATES LOCAL ECONOMIC OPPORTUNITIES.

21          (d) MULTIPLE ANALYSES HAVE ESTABLISHED THAT EXPENSIVE AND  
22          HAZARDOUS RISKS RESULT FROM THE IMPROPER HANDLING AND DISPOSAL  
23          OF PROPULSION BATTERIES; AND

24          (e) UNWANTED PROPULSION BATTERIES THAT ARE STORED  
25          IMPROPERLY INSTEAD OF BEING SORTED FOR REUSE, REMANUFACTURING,  
26          REPURPOSING, OR ULTIMATE RECYCLING AND RECOVERY OF VALUABLE  
27          MATERIALS COULD POTENTIALLY REDUCE THE ENVIRONMENTAL BENEFITS

1 OF A ROBUST CIRCULAR ECONOMY FOR PROPULSION BATTERIES WHILE  
2 ALSO INCREASING THE RISK OF BATTERY FIRES. A ROBUST EXTENDED  
3 PROVIDER RESPONSIBILITY POLICY IS NEEDED TO ENABLE A PROPULSION  
4 BATTERY CIRCULAR ECONOMY.

5 (2) The general assembly therefore declares that it is in the public  
6 interest of Colorado to:

7 (a) Require producers of batteries AND PROVIDERS OF PROPULSION  
8 BATTERIES to finance and implement a coordinated, state-approved  
9 system that increases access to the safe disposal AND RESPONSIBLE  
10 END-OF-LIFE MANAGEMENT of batteries in Colorado;

11 (b) REDUCE THE INHERENT RISK OF FIRE THAT CAN OCCUR WHEN  
12 PROPULSION BATTERIES ARE IMPROPERLY DISPOSED OF; AND

13 (c) ENCOURAGE THE REUSE, REMANUFACTURING, AND  
14 REPURPOSING OF PROPULSION BATTERIES AND THE ULTIMATE RECYCLING  
15 AND RECOVERY OF THE VALUABLE MATERIALS IN A PROPULSION BATTERY  
16 THAT CAN BE PUT BACK INTO THE SUPPLY CHAIN.

17 **SECTION 3.** In Colorado Revised Statutes, 25-17-1003, amend  
18 (8)(b)(VI), (28), (29), (30), and (31); and add (1.5), (2.5), (8.5), (10.5),  
19 (13.5), (19.5), (23.3), (23.5), (23.7), (23.9), (26.3), (26.5), (26.7), (26.8),  
20 (26.9), (32), (33), (34), (35), (36), (37), (38), (39), and (40) as follows:

21 **25-17-1003. Definitions - rules.**

22 As used in this part 10, unless the context otherwise requires:

23 (1.5) "BATTERY" MEANS A DEVICE CONSISTING OF ONE OR MORE  
24 ELECTRICALLY CONNECTED ELECTROCHEMICAL CELLS, WHICH DEVICE IS  
25 DESIGNED TO RECEIVE, STORE, AND DELIVER ELECTRIC ENERGY.

26 (2.5) "BATTERY MANAGEMENT HIERARCHY" MEANS THE PROCESS  
27 OF SECONDARY HANDLERS, REPURPOSERS, AND PROPULSION BATTERY

1 PROVIDERS FIRST STRIVING TO REUSE, REPURPOSE, OR REMANUFACTURE  
2 PROPULSION BATTERIES, WHEN DOING SO IS POSSIBLE AND  
3 COST-EFFECTIVE, BEFORE PROPULSION BATTERY RECYCLING.

4 (8) (b) "Covered battery" does not include:

5 (VI) A battery, INCLUDING A PROPULSION BATTERY, assembled by  
6 or for a vehicle manufacturer, or franchised dealer, that is designed to  
7 power a motor vehicle, a part of a motor vehicle, or a component part of  
8 a motor vehicle, including a replacement part for use in a motor vehicle.

9 (8.5) "CRITICAL MINERALS" MEANS MINERALS DESIGNATED AS  
10 CRITICAL MINERALS BY THE UNITED STATES SECRETARY OF THE INTERIOR,  
11 ACTING THROUGH THE DIRECTOR OF THE UNITED STATES GEOLOGICAL  
12 SURVEY, PURSUANT TO 30 U.S.C. SEC. 1606 (c).

13 (10.5) (a) "DISPOSITIONING" MEANS EVALUATING A PROPULSION  
14 BATTERY TO DETERMINE THE MOST SUITABLE BATTERY MANAGEMENT  
15 OPTION BASED ON METRICS SUCH AS THE CHEMISTRY, CONDITION, FORMAT,  
16 AND LOCATION OF THE PROPULSION BATTERY.

17 (b) "DISPOSITIONING" MAY INCLUDE EVALUATING A PROPULSION  
18 BATTERY FOR SECONDARY USE BY A REPURPOSER OR A PROPULSION  
19 BATTERY RECYCLER.

20 (13.5) "END OF LIFE" MEANS:

21 (a) THE STAGE WHEN A COVERED BATTERY IS NO LONGER  
22 SUITABLE FOR USE AS A BATTERY AND MUST BE RECYCLED; OR

23 (b) THE STAGE WHEN A PROPULSION BATTERY IS NO LONGER  
24 SUITABLE FOR USE AS A PROPULSION BATTERY OR FOR REPURPOSING AND  
25 IS DIRECTED FOR PROPULSION BATTERY RECYCLING.

26 (19.5) "ORPHANED BATTERY" MEANS:

27 (a) A PROPULSION BATTERY OR REPURPOSED BATTERY THAT HAS

1 AN UNIDENTIFIABLE PROPULSION BATTERY PROVIDER, REMANUFACTURER,  
2 OR REPURPOSER OR A PROPULSION BATTERY PROVIDER,  
3 REMANUFACTURER, OR REPURPOSER THAT NO LONGER EXISTS; OR

4 (b) AN UNWANTED PROPULSION BATTERY THAT HAS NOT BEEN  
5 COLLECTED OR MANAGED IN ACCORDANCE WITH THE BATTERY  
6 MANAGEMENT HIERARCHY.

7 (23.3) "PROPULSION BATTERY" MEANS A BATTERY THAT IS  
8 PRIMARILY USED TO SUPPLY POWER TO PROPEL A BATTERY ELECTRIC  
9 MOTOR VEHICLE, AS DEFINED IN SECTION 43-4-1202 (1.5), A PLUG-IN  
10 HYBRID ELECTRIC MOTOR VEHICLE, AS DEFINED IN SECTION 43-4-1202  
11 (14), OR A HYBRID VEHICLE, AS DEFINED IN SECTION 42-4-1012  
12 (2.5)(a)(III).

13 (23.5) (a) "PROPULSION BATTERY PROVIDER" MEANS:

14 (I) A PERSON THAT FIRST SELLS, OFFERS FOR SALE, OR DISTRIBUTES  
15 A PROPULSION BATTERY OR A VEHICLE CONTAINING A PROPULSION  
16 BATTERY IN OR INTO THE STATE, INCLUDING VEHICLE MANUFACTURERS  
17 LICENSED PURSUANT TO APPLICABLE STATE LAWS OR PROPULSION  
18 BATTERY MANUFACTURERS THAT DISTRIBUTE PROPULSION BATTERIES  
19 UNDER THEIR OWN NAME OR BRAND;

20 (II) IF THERE IS NOT A PERSON THAT SUBSECTION (23.5)(a)(I) OF  
21 THIS SECTION APPLIES TO, THE OWNER OR LICENSEE OF THE BRAND OR  
22 TRADEMARK UNDER WHICH THE PROPULSION BATTERY IS SOLD, OFFERED  
23 FOR SALE, OR DISTRIBUTED IN OR INTO THE STATE. THIS INCLUDES AN  
24 EXCLUSIVE LICENSEE WITH THE EXCLUSIVE RIGHT TO USE THE BRAND OR  
25 TRADEMARK IN CONNECTION WITH THE DISTRIBUTION OR SALE OF  
26 PROPULSION BATTERIES.

27 (III) IF THERE IS NOT A PERSON THAT SUBSECTION (23.5)(a)(I) OR

1 (23.5)(a)(II) OF THIS SECTION APPLIES TO, THE PERSON THAT IMPORTS THE  
2 PROPULSION BATTERY INTO THE STATE FOR SALE, DISTRIBUTION, OR  
3 INSTALLATION.

4 (b) "PROPULSION BATTERY PROVIDER" DOES NOT INCLUDE:

5 (I) A DEALER OF A VEHICLE CONTAINING A PROPULSION BATTERY;

6 OR

7 (II) A SECONDARY HANDLER THAT SELLS, OFFERS FOR SALE,  
8 REGISTERS, OR DISTRIBUTES A VEHICLE CONTAINING A PROPULSION  
9 BATTERY IN OR INTO THE STATE.

10 (c) FOR THE PURPOSES OF THIS SUBSECTION (23.5), THE SALE OF A  
11 PROPULSION BATTERY OCCURS IN THE STATE IF THE PROPULSION BATTERY,  
12 OR THE VEHICLE CONTAINING THE PROPULSION BATTERY, IS DELIVERED TO  
13 A LICENSED DEALER OR DIRECTLY TO A CONSUMER IN THE STATE.

14 (23.7) (a) "PROPULSION BATTERY RECYCLER" MEANS AN ENTITY  
15 OR FACILITY THAT ABIDES BY ALL APPLICABLE FEDERAL, STATE, AND  
16 LOCAL LAWS AND:

17 (I) EXTRACTS AND SEPARATES MATERIALS FROM END-OF-LIFE  
18 PROPULSION BATTERIES, INCLUDING METALS, COMPOUNDS, OR  
19 INTERMEDIATE FRACTIONS, AND DIRECTS THESE MATERIALS TO ANOTHER  
20 PROPULSION BATTERY RECYCLER FOR FURTHER PROCESSING OR REFINING;

21 OR

22 (II) REFINES END-OF-LIFE PROPULSION BATTERIES OR PROPULSION  
23 BATTERY MATERIALS, SUCH AS ALUMINUM, COBALT, COPPER, GRAPHITE,  
24 IRON, LITHIUM COMPOUNDS, MANGANESE, AND NICKEL, BACK TO USEABLE  
25 BATTERY MATERIALS SUITABLE FOR REINTRODUCTION INTO THE  
26 MANUFACTURING OR BATTERY SUPPLY CHAIN.

27 (b) "PROPULSION BATTERY RECYCLER" DOES NOT INCLUDE AN

1 ENTITY OR FACILITY THAT ONLY ENGAGES IN THE COLLECTION OR  
2 TRANSPORTATION OF, OR THE LOGISTICS OF MOVING, PROPULSION  
3 BATTERIES OR PROPULSION BATTERY MATERIALS DURING THE RECYCLING  
4 PROCESS.

5 (23.9) (a) "PROPULSION BATTERY RECYCLING" MEANS:

6 (I) THE REFINEMENT OF CRITICAL MINERALS, SUCH AS ALUMINUM,  
7 COBALT, COPPER, IRON, LITHIUM COMPOUNDS, MANGANESE, AND NICKEL,  
8 THAT ARE SUITABLE FOR REINTRODUCTION INTO THE BATTERY AND  
9 MANUFACTURING SUPPLY CHAIN; AND

10 (II) THE RECOVERY OF AT LEAST FIFTY-FIVE PERCENT OF CRITICAL  
11 MINERALS.

12 (b) "PROPULSION BATTERY RECYCLING" DOES NOT INCLUDE  
13 SMELTING.

14 (26.3) "REMANUFACTURE" MEANS A STANDARDIZED INDUSTRIAL  
15 PROCESS THROUGH WHICH BATTERY CORES ARE RETURNED TO  
16 SAME-AS-NEW OR BETTER CONDITION AND PERFORMANCE, WHICH PROCESS  
17 IS IN LINE WITH SPECIFIC TECHNICAL SPECIFICATIONS INCLUDING  
18 ENGINEERING, QUALITY, AND TESTING STANDARDS.

19 (26.5) "REMANUFACTURER" MEANS A PERSON THAT  
20 REMANUFACTURES A PROPULSION BATTERY.

21 (26.7) "REPURPOSE" MEANS THE PROCESS OF MODIFYING A  
22 PROPULSION BATTERY OR PROPULSION BATTERY PACK, MODULE, OR CELL  
23 TO STORE AND SUPPLY ELECTRICITY IN A MANNER OTHER THAN THE  
24 ORIGINAL INTENDED PURPOSE OF THE PROPULSION BATTERY.

25 (26.8) "REPURPOSER" MEANS A PERSON THAT USES A PROPULSION  
26 BATTERY TO FULFILL A DIFFERENT USE THAN THE USE FOR WHICH THE  
27 PROPULSION BATTERY WAS ORIGINALLY DESIGNED.

1           (26.9) "RESPONSIBLE PROPULSION BATTERY MANAGEMENT"  
2           MEANS ENSURING A PROPULSION BATTERY IS MANAGED PURSUANT TO THE  
3           BATTERY MANAGEMENT HIERARCHY.

4           (28) "Universal waste" has the meaning set forth in rules adopted  
5           by the commission "REUSE" MEANS THE USE OF A PROPULSION BATTERY  
6           IN A VEHICLE OTHER THAN THE ORIGINAL VEHICLE INTO WHICH THE  
7           PROPULSION BATTERY WAS PLACED.

8           (29) "Universal waste battery" means a waste battery generated by  
9           a nonresidential entity, such as a business, school, or government agency,  
10           that is managed as universal waste regulated in accordance with the  
11           commission's rules governing standards for universal waste management

12           "SAFETY PLAN" MEANS A PLAN SUBMITTED BY A PROPULSION BATTERY  
13           PROVIDER TO THE EXECUTIVE DIRECTOR PURSUANT TO SECTION  
14           25-17-1019 (1).

15           (30) "Universal waste handler" means the owner or operator of a  
16           facility that receives, accumulates, and sends universal waste to another  
17           universal waste handler, a destination facility, or a foreign destination in  
18           accordance with the commission's rules governing standards for universal

19           waste management (a) "SECONDARY HANDLER" MEANS A COMMERCIAL  
20           ENTITY OTHER THAN THE PROPULSION BATTERY PROVIDER THAT TAKES  
21           POSSESSION OF A PROPULSION BATTERY OR REMOVES A PROPULSION  
22           BATTERY FROM A VEHICLE FOR THE PURPOSE OF SELLING, DISPOSITIONING,  
23           REPAIRING, REUSING, OR RECYCLING THE PROPULSION BATTERY.

24           (b) "SECONDARY HANDLER" INCLUDES A SOLID WASTE DISPOSAL  
25           SITE AND FACILITY.

26           (31) "Written certification" means written certification by a  
27           producer that:

1           ~~(a) The producer is a member of a battery stewardship~~  
2           ~~organization; and~~

3           ~~(b) A covered battery or battery-containing product is marked in~~  
4           ~~accordance with section 25-17-1013 or the rules adopted in accordance~~  
5           ~~with section 25-17-1013 "SMELTING" MEANS TO MELT OR FUSE A~~  
6           ~~METALLIFEROUS MINERAL, OFTEN WITH AN ACCOMPANYING CHEMICAL~~  
7           ~~CHANGE, USUALLY TO SEPARATE THE METAL.~~

8           (32) "SOLID WASTE COLLECTOR" MEANS A PERSON THAT OPERATES  
9           COLLECTION ROUTES FOR THE REMOVAL OF SOLID WASTE FROM  
10           RESIDENTIAL, MULTIRESIDENTIAL, COMMERCIAL, OR INDUSTRIAL  
11           PREMISES.

12           (33) "SOLID WASTE DISPOSAL SITE AND FACILITY" HAS THE SAME  
13           MEANING AS "SOLID WASTES DISPOSAL SITE AND FACILITY" AS DEFINED IN  
14           SECTION 30-20-101 (8).

15           (34) "STATE OF CHARGE" MEANS THE MEASURE OF A PROPULSION  
16           BATTERY'S REMAINING CAPACITY, EXPRESSED AS A PERCENTAGE OF ITS  
17           TOTAL CAPACITY.

18           (35) "STATE OF HEALTH" MEANS A CALCULATED PARAMETER THAT  
19           CORRELATES TO USABLE PROPULSION BATTERY ENERGY FOR THE  
20           CERTIFIED RANGE VALUE AND IS NORMALIZED FROM ZERO TO ONE  
21           HUNDRED PERCENT.

22           (36) "UNIVERSAL WASTE" HAS THE MEANING SET FORTH IN RULES  
23           ADOPTED BY THE COMMISSION.

24           (37) "UNIVERSAL WASTE BATTERY" MEANS A WASTE BATTERY  
25           GENERATED BY A NONRESIDENTIAL ENTITY, SUCH AS A BUSINESS, SCHOOL,  
26           OR GOVERNMENT AGENCY, THAT IS MANAGED AS UNIVERSAL WASTE  
27           REGULATED IN ACCORDANCE WITH THE COMMISSION'S RULES GOVERNING

1 STANDARDS FOR UNIVERSAL WASTE MANAGEMENT.

2 (38) "UNIVERSAL WASTE HANDLER" MEANS THE OWNER OR  
3 OPERATOR OF A FACILITY THAT RECEIVES, ACCUMULATES, AND SENDS  
4 UNIVERSAL WASTE TO ANOTHER UNIVERSAL WASTE HANDLER, A  
5 DESTINATION FACILITY, OR A FOREIGN DESTINATION IN ACCORDANCE WITH  
6 THE COMMISSION'S RULES GOVERNING STANDARDS FOR UNIVERSAL WASTE  
7 MANAGEMENT.

8 (39)(a) "UNWANTED PROPULSION BATTERY" MEANS A PROPULSION  
9 BATTERY THAT IS NO LONGER WANTED BY THE OWNER AND IS THUS  
10 REQUIRED TO BE COLLECTED BY A PROPULSION BATTERY PROVIDER OR  
11 REMANUFACTURER FOR RESPONSIBLE PROPULSION BATTERY  
12 MANAGEMENT.

13 (b) "UNWANTED PROPULSION BATTERY" INCLUDES A PROPULSION  
14 BATTERY THAT HAS BEEN DAMAGED, INCLUDING IN A THERMAL RUNAWAY  
15 INCIDENT.

16 (40) "WRITTEN CERTIFICATION" MEANS WRITTEN CERTIFICATION  
17 BY A PRODUCER THAT:

18 (a) THE PRODUCER IS A MEMBER OF A BATTERY STEWARDSHIP  
19 ORGANIZATION; AND

20 (b) A COVERED BATTERY OR BATTERY-CONTAINING PRODUCT IS  
21 MARKED IN ACCORDANCE WITH SECTION 25-17-1013 OR THE RULES  
22 ADOPTED IN ACCORDANCE WITH SECTION 25-17-1013.

23 **SECTION 4.** In Colorado Revised Statutes, 25-17-1012, amend  
24 (1)(b), (2)(b), and (2)(d) introductory portion; and add (2)(e) and (3) as  
25 follows:

26 **25-17-1012. Annual fee - battery stewardship fund -**  
27 **responsibilities of the executive director - rules.**

1           (1) (b) Within twelve months after a plan is approved, and on or  
2 before each July 1 thereafter, a battery stewardship organization shall pay  
3 to the department an annual fee to cover the department's cost of  
4 implementing, administering, and enforcing THE REQUIREMENTS RELATED  
5 TO COVERED BATTERIES IN this part 10. The state treasurer shall credit the  
6 annual fees to the fund, and the department shall use the fees for costs  
7 associated with the administration of this part 10. The commission shall  
8 establish the fee amount by rule.

9           (2) (b) The fund consists of fees paid to the department pursuant  
10 to subsection (1) SUBSECTIONS (1) AND (3) of this section and any other  
11 money that the general assembly may appropriate or transfer to the fund.

12           (d) The department shall use funds collected pursuant to this  
13 section SUBSECTION (1) OF THIS SECTION to provide direct services to  
14 battery stewardship organizations with an approved plan to ensure  
15 effective program oversight, compliance support, and public engagement.  
16 Such services include:

17           (e) THE DEPARTMENT SHALL USE FUNDS COLLECTED PURSUANT TO  
18 SUBSECTION (3)(a) OF THIS SECTION TO COVER THE COSTS OF REVIEWING  
19 SAFETY PLANS SUBMITTED BY PROPULSION BATTERY PROVIDERS  
20 PURSUANT TO SECTION 25-17-1019 (1)(a) AND TO CONDUCT A STUDY ON  
21 ORPHANED BATTERIES PURSUANT TO SECTION 25-17-1015 (5)(a).

22           (3) (a) IN ADDITION TO THE ANNUAL FEE DESCRIBED IN  
23 SUBSECTION (3)(b) OF THIS SECTION, A PROPULSION BATTERY PROVIDER  
24 SHALL PAY A ONE-TIME SAFETY PLAN REVIEW FEE, IN THE AMOUNT OF FIVE  
25 THOUSAND DOLLARS, AT THE TIME THE PROPULSION BATTERY PROVIDER  
26 SUBMITS A SAFETY PLAN TO THE EXECUTIVE DIRECTOR FOR APPROVAL.  
27 THERE IS NO FEE WHEN A PROPULSION BATTERY PROVIDER SEEKS TO

1 RENEW A SAFETY PLAN THAT WAS PREVIOUSLY APPROVED BY THE  
2 EXECUTIVE DIRECTOR.

3 (b) WITHIN TWELVE MONTHS AFTER A SAFETY PLAN IS APPROVED,  
4 AND ON OR BEFORE EACH JULY 1 THEREAFTER, A PROPULSION BATTERY  
5 PROVIDER SHALL PAY TO THE DEPARTMENT AN ANNUAL FEE TO COVER THE  
6 DEPARTMENT'S COST OF IMPLEMENTING, ADMINISTERING, AND ENFORCING  
7 SECTION 25-17-1019. THE STATE TREASURER SHALL CREDIT THE ANNUAL  
8 FEES TO THE FUND, AND THE DEPARTMENT SHALL USE THE FEES FOR COSTS  
9 ASSOCIATED WITH THE ADMINISTRATION OF SECTION 25-17-1019. THE  
10 COMMISSION SHALL ESTABLISH THE FEE AMOUNT BY RULE.

11 **SECTION 5. In Colorado Revised Statutes, amend 25-17-1015**  
12 as follows:

13 **25-17-1015. Enforcement - responsibilities of the department**  
14 **- study - repeal.**

15 (1) For violations related to covered batteries, PROPULSION  
16 BATTERIES, and the management of universal waste pursuant to this part  
17 10, the enforcement process is conducted pursuant to section 25-15-308  
18 and rules adopted by the commission in accordance with section  
19 25-15-302.

20 (2) TO IMPLEMENT SECTION 25-17-1019, THE DEPARTMENT SHALL:

21 (a) NOTIFY SECONDARY HANDLERS AND SOLID WASTE COLLECTORS  
22 THAT THE DISPOSAL OF PROPULSION BATTERIES IN LANDFILLS IS  
23 PROHIBITED AND THAT SECONDARY HANDLERS CAN CONTACT A  
24 PROPULSION BATTERY PROVIDER OR REMANUFACTURER TO TAKE  
25 RESPONSIBILITY FOR AN UNWANTED PROPULSION BATTERY; AND

26 (b) DETERMINE HOW TO PROCEED IF THE FEDERAL GOVERNMENT  
27 ENACTS A LAW OR ADOPTS REGULATIONS PERTAINING TO PROPULSION

1 BATTERIES THAT MAY IMPACT THE REQUIREMENTS OF SECTION  
2 25-17-1019.

3 (3) THE DEPARTMENT SHALL INCLUDE THE NONPROPRIETARY DATA  
4 COLLECTED ON PROPULSION BATTERIES PURSUANT TO SECTION 25-17-1019  
5 (5) WITH THE DATA ON RECYCLING, SOLID WASTE, AND SOLID WASTE  
6 DIVERSION THAT IS COLLECTED AND REPORTED ANNUALLY BY THE  
7 DEPARTMENT TO THE STANDING COMMITTEE OF REFERENCE IN EACH  
8 HOUSE OF THE GENERAL ASSEMBLY EXERCISING JURISDICTION OVER  
9 MATTERS CONCERNING PUBLIC HEALTH AND THE ENVIRONMENT PURSUANT  
10 TO SECTION 30-20-122 (1) AND SHALL ANNUALLY POST THE DATA ON THE  
11 DEPARTMENT'S PUBLIC WEBSITE.

12 (4) NOTHING IN THIS PART 10 EXEMPTS A PERSON FROM  
13 COMPLYING WITH ANY OTHER APPLICABLE LOCAL, STATE, OR FEDERAL  
14 LAWS OR REGULATORY REQUIREMENTS.

15 (5) (a) THE DEPARTMENT SHALL:

16 (I) CONDUCT A STUDY TO DETERMINE WHETHER THERE IS  
17 EVIDENCE OF ABANDONMENT OF ORPHANED BATTERIES AND ANALYZE  
18 TRENDS IN THE PREVALENCE OF ORPHANED BATTERIES; AND

19 (II) ON OR BEFORE JANUARY 1, 2031, POST A REPORT OF THE  
20 STUDY'S FINDINGS ON THE DEPARTMENT'S PUBLIC WEBSITE.

21 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JANUARY 1,  
22 2033.

23 SECTION 6. In Colorado Revised Statutes, add 25-17-1019 and  
24 25-17-1020 as follows:

25 25-17-1019. Propulsion batteries - propulsion battery  
26 providers - safety plans - public outreach and education - collection  
27 of unwanted propulsion batteries - reporting requirement - marking

1 **and labeling requirements - landfill disposal prohibited.**

2 (1) (a) ON OR BEFORE APRIL 1, 2028, AND EVERY FIVE YEARS  
3 THEREAFTER, A PROPULSION BATTERY PROVIDER SHALL SUBMIT TO THE  
4 EXECUTIVE DIRECTOR A SAFETY PLAN. THE EXECUTIVE DIRECTOR SHALL  
5 REVIEW AND APPROVE, DISAPPROVE, OR CONDITIONALLY APPROVE A  
6 SAFETY PLAN BASED ON WHETHER THE SAFETY PLAN:

7 (I) INCLUDES A PUBLIC EDUCATION AND OUTREACH STRATEGY,  
8 WHICH INCLUDES THE FOLLOWING INFORMATION, IN ENGLISH AND  
9 SPANISH:

10 (A) INFORMATION ON SAFE STORAGE AND HANDLING OF  
11 PROPULSION BATTERIES;

12 (B) GUIDANCE ON PROPULSION BATTERY WARNING SIGNS OF  
13 THERMAL RUNAWAY AND OTHER PROPULSION BATTERY MALFUNCTIONS;

14 (C) DETAILS OF EMERGENCY PROCEDURES IN THE EVENT OF A  
15 PROPULSION BATTERY FIRE OR OTHER THERMAL EVENT; AND

16 (D) A PROCESS FOR HOW A SECONDARY HANDLER CAN NOTIFY THE  
17 PROPULSION BATTERY PROVIDER THAT AN UNWANTED PROPULSION  
18 BATTERY NEEDS COLLECTION; AND

19 (II) DESCRIBES HOW THE PROPULSION BATTERY PROVIDER WILL  
20 MAKE THE EDUCATIONAL MATERIALS DESCRIBED IN SUBSECTION (1)(a)(I)  
21 OF THIS SECTION AVAILABLE TO SECONDARY HANDLERS AND FIRST  
22 RESPONDERS.

23 (b) THE PROCESS SPECIFIED IN A SAFETY PLAN PURSUANT TO  
24 SUBSECTION (1)(a)(I)(D) OF THIS SECTION MUST INCLUDE:

25 (I) AN EDUCATION AND OUTREACH PROGRAM FOR SECONDARY  
26 HANDLERS;

27 (II) THE PROPULSION BATTERY PROVIDER'S CONTACT

1 INFORMATION FOR SECONDARY HANDLERS; AND  
2 (III) INFORMATION THAT THE PROPULSION BATTERY PROVIDER  
3 REQUIRES TO DETERMINE THE ELIGIBILITY OF A PROPULSION BATTERY  
4 THAT NEEDS COLLECTION, INCLUDING:  
5 (A) CONFIRMATION THAT THE BATTERY IS A PROPULSION BATTERY  
6 THAT HAS BEEN REMOVED FROM A VEHICLE;  
7 (B) CONFIRMATION THAT THE PROPULSION BATTERY HAS NOT  
8 BEEN MODIFIED OR TAKEN APART BY ANYONE OTHER THAN A PROPULSION  
9 BATTERY PROVIDER OR REMANUFACTURER;  
10 (C) CONFIRMATION THAT THE PROPULSION BATTERY IS FULLY  
11 OWNED BY THE SECONDARY HANDLER WITH NO KNOWN PENDING CLAIMS  
12 FOR LOSS OR DAMAGES BY AN INSURANCE PROVIDER;  
13 (D) THE MAKE, MODEL, AND YEAR OF THE VEHICLE FROM WHICH  
14 THE PROPULSION BATTERY CAME, IF AVAILABLE;  
15 (E) THE DIMENSIONS AND WEIGHT OF THE PROPULSION BATTERY,  
16 IF AVAILABLE;  
17 (F) A PHOTOGRAPH OF THE LABEL ON THE PROPULSION BATTERY;  
18 AND  
19 (G) AN ASSESSMENT AS TO WHETHER THE PROPULSION BATTERY  
20 IS DAMAGED OR DEFECTIVE.  
21 (c) THE EXECUTIVE DIRECTOR SHALL REVIEW A SAFETY PLAN FOR  
22 COMPLIANCE WITH THIS SECTION AND SHALL APPROVE, DISAPPROVE, OR  
23 CONDITIONALLY APPROVE A SAFETY PLAN WITHIN ONE HUNDRED EIGHTY  
24 DAYS AFTER RECEIPT OF THE SAFETY PLAN.  
25 (d) IF THE EXECUTIVE DIRECTOR DISAPPROVES A SAFETY PLAN, THE  
26 EXECUTIVE DIRECTOR SHALL PROVIDE A WRITTEN NOTICE OF DISAPPROVAL  
27 EXPLAINING HOW THE SAFETY PLAN DOES NOT COMPLY WITH THIS

1 SECTION. THE PROPULSION BATTERY PROVIDER SHALL SUBMIT TO THE  
2 EXECUTIVE DIRECTOR A REVISED SAFETY PLAN WITHIN SIXTY DAYS AFTER  
3 THE DATE THAT THE WRITTEN NOTICE OF DISAPPROVAL IS ISSUED. THE  
4 EXECUTIVE DIRECTOR SHALL REVIEW A REVISED SAFETY PLAN WITHIN  
5 NINETY DAYS AFTER THE PROPULSION BATTERY PROVIDER SUBMITS THE  
6 REVISED SAFETY PLAN.

7 (e) IF A REVISED SAFETY PLAN IS DISAPPROVED BY THE EXECUTIVE  
8 DIRECTOR, A PROPULSION BATTERY PROVIDER IS NOT IN COMPLIANCE WITH  
9 THIS SECTION UNTIL THE EXECUTIVE DIRECTOR APPROVES A SAFETY PLAN  
10 SUBMITTED BY THE PROPULSION BATTERY PROVIDER.

11 (2) ON AND AFTER OCTOBER 1, 2028, A PROPULSION BATTERY  
12 PROVIDER SHALL NOT SELL, MAKE AVAILABLE FOR SALE, OR DISTRIBUTE  
13 A PROPULSION BATTERY IN OR INTO THE STATE UNLESS THE PROPULSION  
14 BATTERY PROVIDER HAS SUBMITTED A SAFETY PLAN TO THE EXECUTIVE  
15 DIRECTOR IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION.

16 (3) A PROPULSION BATTERY PROVIDER SHALL:

17 (a) DEVELOP AND MAINTAIN ONE OR MORE WEBSITES; AND

18 (b) PROVIDE ON AT LEAST ONE WEBSITE THE EDUCATIONAL  
19 INFORMATION INCLUDED IN THE PROPULSION BATTERY PROVIDER'S SAFETY  
20 PLAN PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION.

21 (4) A PROPULSION BATTERY PROVIDER SHALL:

22 (a) EXCEPT AS PROVIDED IN SUBSECTION (4)(c) OF THIS SECTION,  
23 UPON RECEIVING NOTIFICATION IN ACCORDANCE WITH THE NOTIFICATION  
24 PROCESS OUTLINED IN SUBSECTION (1)(b) OF THIS SECTION THAT AN  
25 UNWANTED PROPULSION BATTERY NEEDS COLLECTION, RETRIEVE THE  
26 BATTERY WITHIN SIXTY DAYS AFTER RECEIVING THE NOTIFICATION AND  
27 ENSURE RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

1           (b) ENSURE THE RESPONSIBLE PROPULSION BATTERY  
2           MANAGEMENT OF ALL PROPULSION BATTERIES WITHIN THE POSSESSION OF  
3           THE PROPULSION BATTERY PROVIDER IN ACCORDANCE WITH THE BATTERY  
4           MANAGEMENT HIERARCHY;

5           (c) FULLY FUND THE COSTS OF THE COLLECTION OF AN UNWANTED  
6           PROPULSION BATTERY OFFERED BY A SECONDARY HANDLER; EXCEPT THAT  
7           A PROPULSION BATTERY PROVIDER IS NOT RESPONSIBLE FOR THE  
8           COLLECTION OF A PROPULSION BATTERY THAT:

9           (I) HAS BEEN REMANUFACTURED BY A REMANUFACTURER, UNLESS  
10          THE REMANUFACTURER IS IN A CONTRACTUAL RELATIONSHIP WITH THE  
11          PROPULSION BATTERY PROVIDER AND THE CONTRACT PROVIDES THAT THE  
12          PROPULSION BATTERY PROVIDER RETAINS RESPONSIBILITY FOR  
13          DISPOSITIONING AND RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

14          (II) HAS BEEN REPURPOSED BY A REPURPOSER, UNLESS THE  
15          REPURPOSER IS IN A CONTRACTUAL RELATIONSHIP WITH THE PROPULSION  
16          BATTERY PROVIDER AND THE CONTRACT PROVIDES THAT THE PROPULSION  
17          BATTERY PROVIDER RETAINS RESPONSIBILITY FOR DISPOSITIONING AND  
18          RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

19          (III) HAS BEEN DISASSEMBLED INTO MODULES OR CELLS; OR

20          (IV) IS CONTAINED WITHIN A VEHICLE OR PRODUCT THAT IS  
21          DIRECTLY OWNED OR CONTROLLED BY AN INSURANCE COMPANY; AND

22          (d) PROVIDE THE STATE OF HEALTH OF A PROPULSION BATTERY ON  
23          THE VEHICLE'S IN-VEHICLE DISPLAY OR THROUGH A NONPROPRIETARY  
24          ON-BOARD DIAGNOSTIC SCAN TOOL, FOR A VEHICLE THAT IS MODEL YEAR  
25          2028 OR LATER. A PROPULSION BATTERY PROVIDER MAY, BUT IS NOT  
26          REQUIRED TO, SUPPLY STATE OF HEALTH INFORMATION FOR A PROPULSION  
27          BATTERY THAT HAS BEEN REMOVED FROM OR IS OUTSIDE OF A VEHICLE.

1           (5) (a) ON OR BEFORE JUNE 1, 2030, AND ON OR BEFORE EACH  
2           JUNE 1 THEREAFTER, A PROPULSION BATTERY PROVIDER WITH A SAFETY  
3           PLAN AND A REMANUFACTURER SHALL SUBMIT AN ANNUAL REPORT TO THE  
4           EXECUTIVE DIRECTOR COVERING THE PRECEDING CALENDAR YEAR OF THE  
5           RESPONSIBLE PROPULSION BATTERY MANAGEMENT OF THE PROPULSION  
6           BATTERIES COLLECTED BY THE PROPULSION BATTERY PROVIDER OR  
7           REMANUFACTURER PURSUANT TO THIS SECTION. THE REPORT MUST  
8           INCLUDE THE FOLLOWING:

9           (I) DETAILS OF THE PROCESS FOR A SECONDARY HANDLER TO  
10          NOTIFY THE PROPULSION BATTERY PROVIDER OR REMANUFACTURER THAT  
11          AN UNWANTED PROPULSION BATTERY NEEDS COLLECTION AND HOW THE  
12          PROPULSION BATTERY PROVIDER OR REMANUFACTURER COMMUNICATED  
13          THAT PROCESS TO SECONDARY HANDLERS;

14          (II) THE NUMBER OF UNWANTED PROPULSION BATTERIES THAT THE  
15          PROPULSION BATTERY PROVIDER OR REMANUFACTURER WAS OFFERED  
16          FROM A SECONDARY HANDLER AND THE NUMBER OF UNWANTED  
17          PROPULSION BATTERIES COLLECTED;

18          (III) FOR EACH REQUEST A PROPULSION BATTERY PROVIDER OR  
19          REMANUFACTURER RECEIVED TO COLLECT AN UNWANTED PROPULSION  
20          BATTERY:

21                (A) THE DATE THAT THE SECONDARY HANDLER OFFERED THE  
22                UNWANTED PROPULSION BATTERY ALONG WITH THE ELIGIBILITY  
23                INFORMATION DESCRIBED IN SUBSECTIONS (1)(b)(III) AND (9)(e)(III) OF  
24                THIS SECTION TO THE PROPULSION BATTERY PROVIDER OR  
25                REMANUFACTURER;

26                (B) THE DATE THE PROPULSION BATTERY PROVIDER OR  
27                REMANUFACTURER COMMUNICATED TO THE SECONDARY HANDLER A PLAN

1 FOR COLLECTING THE UNWANTED PROPULSION BATTERY; AND

2 (C) THE DATE THE UNWANTED PROPULSION BATTERY WAS  
3 COLLECTED, OR, IF APPLICABLE, THE REASONS THAT THE UNWANTED  
4 PROPULSION BATTERY WAS NOT COLLECTED, INCLUDING SUPPORTING  
5 INFORMATION SUCH AS PHOTOGRAPHS;

6 (IV) THE NUMBER OF PROPULSION BATTERIES IN THE STATE, BY  
7 CHEMISTRY, THAT WERE COLLECTED BY THE PROPULSION BATTERY  
8 PROVIDER OR REMANUFACTURER IN THE PRECEDING YEAR;

9 (V) THE NUMBER OF PROPULSION BATTERIES, SEPARATED BY  
10 CHEMISTRY, SENT FOR REUSE, REMANUFACTURING, REPURPOSING, OR  
11 PROPULSION BATTERY RECYCLING, RESPECTIVELY;

12 (VI) PROPULSION BATTERY RECYCLERS USED IN THE PROPULSION  
13 BATTERY RECYCLING PROCESS, INCLUDING IDENTIFICATION OF A  
14 RECYCLER'S LOCATION; AND

15 (VII) FOR EACH PROPULSION BATTERY RECYCLER USED BY THE  
16 PROPULSION BATTERY PROVIDER OR REMANUFACTURER:

17 (A) A DESCRIPTION OF HOW THE PROPULSION BATTERY RECYCLER  
18 MANAGED OR RECYCLED PROPULSION BATTERIES AND PROPULSION  
19 BATTERY COMPONENTS; AND

20 (B) THE PROPULSION BATTERY RECYCLER'S RATIO, BY WEIGHT, OF  
21 CRITICAL MINERALS RECOVERED FROM PROPULSION BATTERIES TO  
22 CRITICAL MINERALS RECEIVED. THE INDIVIDUAL CRITICAL MINERALS AND  
23 SPECIFIC RATIOS MUST BE LISTED SEPARATELY. THE RATIO MAY  
24 REPRESENT THE FACILITY LEVEL YEARLY AVERAGE.

25 (b) (I) THE EXECUTIVE DIRECTOR SHALL KEEP PROPRIETARY  
26 INFORMATION, AS MARKED BY A PROPULSION BATTERY PROVIDER,  
27 REMANUFACTURER, OR PROPULSION BATTERY RECYCLER, CONFIDENTIAL

1 AND MAKE NONPROPRIETARY INFORMATION AVAILABLE UPON REQUEST.

2 (II) THE INFORMATION DESCRIBED IN SUBSECTIONS (5)(a)(I),  
3 (5)(a)(II), (5)(a)(IV), (5)(a)(VI), AND (5)(a)(VII) OF THIS SECTION AND  
4 AGGREGATED INFORMATION FROM SUBSECTIONS (5)(a)(III) AND (5)(a)(V)  
5 OF THIS SECTION IS NOT PROPRIETARY.

6 (III) ANY INFORMATION MADE PUBLICLY AVAILABLE MUST BE  
7 AGGREGATED SO THAT NO INDIVIDUAL PROPULSION BATTERY PROVIDER OR  
8 REMANUFACTURER IS IDENTIFIABLE.

9 (IV) AN ANNUAL REPORT SUBMITTED PURSUANT TO THIS  
10 SUBSECTION (5) MAY BE UNIQUE TO COLORADO OR INCLUDE INFORMATION  
11 FOR MULTIPLE STATES.

12 (V) A PROPULSION BATTERY PROVIDER THAT IS ALSO A  
13 REMANUFACTURER NEED ONLY SUBMIT ONE ANNUAL REPORT.

14 (6) ON AND AFTER OCTOBER 1, 2028, A PROPULSION BATTERY  
15 PROVIDER SHALL NOT SELL, OFFER FOR SALE, OR DISTRIBUTE IN OR INTO  
16 THE STATE A PROPULSION BATTERY UNLESS THE PROPULSION BATTERY  
17 PROVIDER:

18 (a) (I) APPLIES A LABEL TO THE PROPULSION BATTERY THAT  
19 INCLUDES THE FOLLOWING:

20 (A) AN IDENTIFICATION OF THE CHEMISTRY OF THE PROPULSION  
21 BATTERY, INCLUDING THE CATHODE TYPE AND ANODE TYPE, IN  
22 ACCORDANCE WITH SAE INTERNATIONAL J2984 STANDARD, "CHEMICAL  
23 IDENTIFICATION OF TRANSPORTATION BATTERIES FOR RECYCLING";

24 (B) THE NAME OF THE PROPULSION BATTERY PROVIDER  
25 RESPONSIBLE FOR THE PROPULSION BATTERY AND ITS DATE OF  
26 MANUFACTURE;

27 (C) THE RATED CAPACITY OR ENERGY AS MEASURED BY SAE

1 INTERNATIONAL J2288 STANDARD, "LIFE CYCLE TESTING OF ELECTRIC  
2 VEHICLE BATTERY MODULES";

3 (D) THE HAZARDOUS SUBSTANCES CONTAINED IN THE PROPULSION  
4 BATTERY;

5 (E) PRODUCT SAFETY AND RECALL INFORMATION; AND

6 (F) SAFE DISPOSAL INFORMATION.

7 (II) A PROPULSION BATTERY PROVIDER THAT APPLIES A LABEL  
8 SHALL ATTACH THE LABEL TO THE EXTERIOR OF THE PROPULSION BATTERY  
9 SO THAT THE LABEL IS VISIBLE AND ACCESSIBLE WHEN THE PROPULSION  
10 BATTERY IS REMOVED FROM THE VEHICLE IN ACCORDANCE WITH THE  
11 MANUFACTURER'S RECOMMENDED PROCEDURES FOR BATTERY REMOVAL.

12 THE LABEL MUST REMAIN LEGIBLE, ADHERED, AND FUNCTIONALLY INTACT  
13 UNDER EXPECTED ENVIRONMENTAL AND LIFE-CYCLE CONDITIONS WITHIN  
14 THE VEHICLE.

15 (b) (I) IN LIEU OF A LABEL, APPLIES A QUICK RESPONSE (QR) CODE  
16 TO THE PROPULSION BATTERY THAT LINKS TO A WEBSITE THAT CONTAINS  
17 THE INFORMATION DESCRIBED IN SUBSECTION (6)(a)(I) OF THIS SECTION.  
18 IF THE QUICK RESPONSE (QR) CODE IS NOT READILY ACCESSIBLE WHILE  
19 THE PROPULSION BATTERY IS IN THE VEHICLE, THE PROPULSION BATTERY  
20 PROVIDER SHALL ALSO PLACE THE QUICK RESPONSE (QR) CODE IN A  
21 VISIBLE LOCATION ON THE VEHICLE OR IN THE VEHICLE'S INFOTAINMENT  
22 SYSTEM.

23 (II) THE QUICK RESPONSE (QR) CODE MUST BE LINKED TO A DATA  
24 REPOSITORY WEBSITE. THE WEBSITE MAY INCLUDE INFORMATION THAT  
25 COVERS A PERIOD OF TIME REPRESENTING MULTIPLE DATES OF  
26 MANUFACTURE IF THE REST OF THE LABEL INFORMATION REQUIRED BY  
27 THIS SUBSECTION (6) IS CONSISTENT ACROSS THE MULTIPLE DATES OF

1 MANUFACTURE AND THE DATA REPOSITORY WEBSITE ENTRY INCLUDES THE  
2 APPLICABLE RANGE OF DATES OF MANUFACTURE.

3 (III) A PROPULSION BATTERY PROVIDER THAT ELECTS TO USE A  
4 QUICK RESPONSE (QR) CODE INSTEAD OF A LABEL SHALL VISIBLY INCLUDE  
5 THE NAME OF THE PROPULSION BATTERY PROVIDER ON THE PROPULSION  
6 BATTERY.

7 (7) (a) A PROPULSION BATTERY PROVIDER SHALL NOT RECOVER  
8 THE COSTS OF COMPLIANCE WITH THIS PART 10 BY IMPOSING A FEE OR  
9 OTHER CHARGE ON A FRANCHISED MOTOR VEHICLE DEALER.

10 (b) A PROPULSION BATTERY PROVIDER MAY CONTRACT WITH A  
11 THIRD PARTY TO MANAGE PROPULSION BATTERIES TO SATISFY THE  
12 REQUIREMENTS OF THIS SECTION.

13 (8) ON AND AFTER OCTOBER 1, 2028:

14 (a) A SECONDARY HANDLER SHALL MANAGE A PROPULSION  
15 BATTERY BY ENSURING RESPONSIBLE PROPULSION BATTERY  
16 MANAGEMENT;

17 (b) IF A SECONDARY HANDLER DETERMINES THAT A PROPULSION  
18 BATTERY IS AN UNWANTED PROPULSION BATTERY, THE SECONDARY  
19 HANDLER SHALL NOTIFY THE APPROPRIATE PROPULSION BATTERY  
20 PROVIDER OR REMANUFACTURER OR ANY ENTITY THAT THE PROPULSION  
21 BATTERY PROVIDER OR REMANUFACTURER HAS DESIGNATED TO  
22 FACILITATE THE COLLECTION OF UNWANTED PROPULSION BATTERIES;

23 (c) A SECONDARY HANDLER MANAGING PROPULSION BATTERIES  
24 SHALL MAINTAIN RECORDS FOR FIVE YEARS DETAILING THE PROPULSION  
25 BATTERIES SOLD OR TRANSFERRED BY THE SECONDARY HANDLER AND  
26 EACH PERSON THAT PURCHASED OR RECEIVED THE PROPULSION  
27 BATTERIES;

1           (d) WHEN SHIPPING A PROPULSION BATTERY, A SECONDARY  
2 HANDLER IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH PROPER  
3 PERSONNEL TRAINING REQUIREMENTS FOR SHIPPING UNDER 49 CFR  
4 172.700 TO 172.704; AND

5           (e) WHEN REMOVING A PROPULSION BATTERY FROM A VEHICLE, A  
6 SECONDARY HANDLER SHALL RECORD THE LAST KNOWN STATE OF HEALTH  
7 AND STATE OF CHARGE, IF AVAILABLE, AND DISCLOSE THESE VALUES AT  
8 THE TIME OF SALE OR TRANSFER OF THE PROPULSION BATTERY TO  
9 ANOTHER PERSON.

10           (9) ON AND AFTER OCTOBER 1, 2028, A REMANUFACTURER  
11 SELLING PROPULSION BATTERIES IN THE STATE:

12           (a) SHALL LABEL A PROPULSION BATTERY WITH THE  
13 REMANUFACTURER'S REBRANDING LABEL, ENSURING THAT THE  
14 REMANUFACTURER'S BRAND IS CLEARLY MARKED ON THE LABEL;

15           (b) SHALL ENSURE RESPONSIBLE PROPULSION BATTERY  
16 MANAGEMENT WHEN:

17           (I) A PROPULSION BATTERY THAT THE REMANUFACTURER  
18 DISASSEMBLES OR REMANUFACTURES IS ULTIMATELY NOT SOLD FOR USE  
19 IN A VEHICLE; AND

20           (II) AN UNWANTED PROPULSION BATTERY THAT HAS BEEN  
21 REMOVED FROM A VEHICLE BY A SECONDARY HANDLER IN THE STATE IS  
22 GIVEN TO THE REMANUFACTURER;

23           (c) SHALL FULLY FUND THE COSTS OF THE COLLECTION OF AN  
24 UNWANTED PROPULSION BATTERY OFFERED BY A SECONDARY HANDLER;  
25 EXCEPT THAT A REMANUFACTURER IS NOT RESPONSIBLE FOR COLLECTING  
26 A PROPULSION BATTERY:

27           (I) THAT HAS BEEN REPURPOSED BY A REPURPOSER, UNLESS THE

1 REPURPOSER IS IN A CONTRACTUAL RELATIONSHIP WITH THE  
2 REMANUFACTURER AND THE CONTRACT PROVIDES THAT THE  
3 REMANUFACTURER RETAINS RESPONSIBILITY FOR THE DISPOSITIONING AND  
4 RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

5 (II) THAT IS CONTAINED WITHIN A VEHICLE OR PRODUCT THAT IS  
6 DIRECTLY OWNED OR CONTROLLED BY AN INSURANCE COMPANY;

7 (III) IF THE REMANUFACTURER IS IN A CONTRACTUAL  
8 RELATIONSHIP WITH THE PROPULSION BATTERY PROVIDER AND THE  
9 CONTRACT PROVIDES THAT THE PROPULSION BATTERY PROVIDER RETAINS  
10 RESPONSIBILITY FOR THE DISPOSITIONING AND MANAGEMENT OF THE  
11 PROPULSION BATTERY; OR

12 (IV) THAT HAS BEEN DISASSEMBLED INTO MODULES OR CELLS;

13 (d) EXCEPT AS PROVIDED IN SUBSECTION (9)(c) OF THIS SECTION,  
14 UPON RECEIVING NOTIFICATION THAT AN UNWANTED PROPULSION  
15 BATTERY NEEDS COLLECTION IN ACCORDANCE WITH THE NOTIFICATION  
16 PROCESS OUTLINED IN SUBSECTION (9)(e) OF THIS SECTION, SHALL  
17 RETRIEVE THE BATTERY WITHIN SIXTY DAYS AFTER RECEIVING  
18 NOTIFICATION; AND

19 (e) SHALL ESTABLISH A PROCESS FOR A SECONDARY HANDLER TO  
20 NOTIFY THE REMANUFACTURER THAT AN UNWANTED PROPULSION  
21 BATTERY NEEDS COLLECTION. THE PROCESS MUST INCLUDE THE  
22 FOLLOWING:

23 (I) AN EDUCATION AND OUTREACH PROGRAM FOR SECONDARY  
24 HANDLERS;

25 (II) THE REMANUFACTURER'S CONTACT INFORMATION FOR  
26 SECONDARY HANDLERS; AND

27 (III) INFORMATION THAT THE REMANUFACTURER REQUIRES TO

1 DETERMINE ELIGIBILITY OF A PROPULSION BATTERY THAT NEEDS  
2 COLLECTION, INCLUDING:

3 (A) CONFIRMATION THAT THE BATTERY IS A PROPULSION BATTERY  
4 THAT HAS BEEN REMOVED FROM A VEHICLE;

5 (B) CONFIRMATION THAT THE PROPULSION BATTERY HAS NOT  
6 BEEN MODIFIED OR TAKEN APART BY ANYONE OTHER THAN THE  
7 PROPULSION BATTERY PROVIDER OR REMANUFACTURER;

8 (C) CONFIRMATION THAT THE PROPULSION BATTERY IS FULLY  
9 OWNED BY THE SECONDARY HANDLER WITH NO KNOWN PENDING CLAIMS  
10 FOR LOSS OR DAMAGES BY AN INSURANCE PROVIDER;

11 (D) THE MAKE, MODEL, AND YEAR OF THE VEHICLE FROM WHICH  
12 THE PROPULSION BATTERY CAME, IF AVAILABLE;

13 (E) THE PROPULSION BATTERY DIMENSIONS AND WEIGHT, IF  
14 AVAILABLE;

15 (F) A PHOTOGRAPH OF THE LABEL ON THE PROPULSION BATTERY;  
16 AND

17 (G) AN ASSESSMENT AS TO WHETHER THE PROPULSION BATTERY  
18 IS DAMAGED OR DEFECTIVE.

19 (10) (a) ON AND AFTER OCTOBER 1, 2028, A REPURPOSER SHALL:

20 (I) LABEL A PROPULSION BATTERY THAT IS REPURPOSED IN THE  
21 STATE, ENSURING THAT THE REPURPOSER'S BRAND IS CLEARLY MARKED ON  
22 THE LABEL; AND

23 (II) ENSURE THE PROPULSION BATTERY RECYCLING OF PROPULSION  
24 BATTERIES THAT ARE WITHIN THE REPURPOSER'S POSSESSION AND THAT  
25 CANNOT BE REPURPOSED.

26 (b) (I) ON OR BEFORE JUNE 1, 2030, AND ON OR BEFORE EACH JUNE  
27 1 THEREAFTER, A REPURPOSER SHALL SUBMIT AN ANNUAL REPORT TO THE

1 EXECUTIVE DIRECTOR COVERING THE PRECEDING CALENDAR YEAR OF THE  
2 REPURPOSER'S RESPONSIBLE PROPULSION BATTERY MANAGEMENT. THE  
3 REPORT MUST INCLUDE THE FOLLOWING:

4 (A) THE NUMBER OF PROPULSION BATTERIES THAT THE  
5 REPURPOSER REPURPOSED FROM COLORADO; AND

6 (B) THE NAME AND ADDRESS OF WHERE THE REPURPOSED  
7 BATTERIES WERE SOLD OR TRANSFERRED, INCLUDING FOR BATTERIES SENT  
8 FOR USE IN A SECONDARY APPLICATION AND THOSE SENT FOR PROPULSION  
9 BATTERY RECYCLING.

10 (II) THE ANNUAL REPORT MAY BE UNIQUE TO COLORADO OR MAY  
11 INCLUDE INFORMATION FOR MULTIPLE STATES.

12 (III) A REPURPOSER THAT IS ALSO A REMANUFACTURER NEED  
13 ONLY SUBMIT ONE ANNUAL REPORT THAT INCLUDES THE REQUIRED  
14 INFORMATION SET FORTH IN THIS SECTION.

15 (11) ON AND AFTER OCTOBER 1, 2028:

16 (a) ALL PROPULSION BATTERIES IN THE STATE MUST BE MANAGED  
17 AT END OF LIFE IN ACCORDANCE WITH RESPONSIBLE PROPULSION BATTERY  
18 MANAGEMENT;

19 (b) PROPULSION BATTERIES THAT ARE HAZARDOUS WASTE AS  
20 DEFINED UNDER FEDERAL OR STATE HAZARDOUS OR SOLID WASTE LAWS  
21 MUST BE MANAGED IN A MANNER CONSISTENT WITH THOSE LAWS;

22 (c) A PERSON SHALL NOT DISPOSE OF A PROPULSION BATTERY BY  
23 TAKING THE PROPULSION BATTERY TO A LANDFILL; AND

24 (d) A PERSON NOT IDENTIFIED IN THIS SECTION IS RESPONSIBLE FOR  
25 ENSURING THE RESPONSIBLE PROPULSION BATTERY MANAGEMENT OF  
26 PROPULSION BATTERIES BY WORKING WITH A SECONDARY HANDLER,  
27 PROPULSION BATTERY PROVIDER, REMANUFACTURER, REPURPOSER, OR

1 PROPULSION BATTERY RECYCLER.

2 **25-17-1020. Applicability.**

3 A VEHICLE CONTAINING A PROPULSION BATTERY ORIGINALLY SOLD  
4 IN THE STATE IS NOT SUBJECT TO THIS PART 10 WHEN IT IS RETIRED OUT OF  
5 STATE.

6 **SECTION 7. Act subject to petition - effective date.** This act  
7 takes effect at 12:01 a.m. on the day following the expiration of the  
8 ninety-day period after final adjournment of the general assembly (August  
9 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
10 referendum petition is filed pursuant to section 1 (3) of article V of the  
11 state constitution against this act or an item, section, or part of this act  
12 within such period, then the act, item, section, or part will not take effect  
13 unless approved by the people at the general election to be held in  
14 November 2026 and, in such case, will take effect on the date of the  
15 official declaration of the vote thereon by the governor.