

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

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.*

SENATE  
Amended 2nd Reading  
May 1, 2026

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, STORAGE, AND  
23          DISPOSAL 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); and add (1.5), (2.5), (8.5), (10.5), (12.5), (13.5), (19.5), (23.3),  
19 (23.5), (23.7), (23.9), (24.5), (26.3), (26.5), (26.7), (26.8), (26.9), (27.1),  
20 (27.2), (27.3), (27.4), (27.5), (27.6), and (30.5) 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, REMANUFACTURERS, REPURPOSERS, AND

1 PROPULSION BATTERY PROVIDERS FIRST STRIVING TO REUSE, REPURPOSE,  
2 OR REMANUFACTURE PROPULSION BATTERIES, WHEN DOING SO IS POSSIBLE  
3 AND 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" OR "DISPOSITIONED" MEANS  
14 EVALUATING A PROPULSION BATTERY TO DETERMINE THE MOST SUITABLE  
15 BATTERY MANAGEMENT OPTION BASED ON METRICS SUCH AS THE  
16 CHEMISTRY, CONDITION, FORMAT, AND LOCATION OF THE PROPULSION  
17 BATTERY.

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

21 (12.5) "EDUCATION AND OUTREACH PLAN" MEANS A PLAN  
22 SUBMITTED BY A PROPULSION BATTERY PROVIDER OR GROUP OF  
23 PROPULSION BATTERY PROVIDERS TO THE EXECUTIVE DIRECTOR PURSUANT  
24 TO SECTION 25-17-1019 (2).

25 (13.5) "END OF LIFE" MEANS:

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

1           (b) THE STAGE WHEN A PROPULSION BATTERY IS NO LONGER  
2 SUITABLE FOR USE AS A PROPULSION BATTERY OR FOR REPURPOSING AND  
3 IS DIRECTED FOR PROPULSION BATTERY RECYCLING.

4           (19.5) "ORPHANED BATTERY" MEANS:

5           (a) A PROPULSION BATTERY THAT HAS AN UNIDENTIFIABLE  
6 PROPULSION BATTERY PROVIDER OR REMANUFACTURER OR A PROPULSION  
7 BATTERY PROVIDER OR REMANUFACTURER THAT NO LONGER EXISTS; OR

8           (b) AN UNWANTED PROPULSION BATTERY THAT HAS NOT BEEN  
9 COLLECTED OR MANAGED IN ACCORDANCE WITH THE BATTERY  
10 MANAGEMENT HIERARCHY.

11           (23.3) "PROPULSION BATTERY" MEANS A BATTERY THAT IS  
12 PRIMARILY USED TO SUPPLY POWER TO PROPEL A BATTERY ELECTRIC  
13 MOTOR VEHICLE, AS DEFINED IN SECTION 43-4-1202 (1.5), A PLUG-IN  
14 HYBRID ELECTRIC MOTOR VEHICLE, AS DEFINED IN SECTION 43-4-1202  
15 (14), OR A HYBRID VEHICLE, AS DEFINED IN SECTION 42-4-1012  
16 (2.5)(a)(III).

17           (23.5) (a) "PROPULSION BATTERY PROVIDER" MEANS:

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

24           (II) IF THERE IS NOT A PERSON THAT SUBSECTION (23.5)(a)(I) OF  
25 THIS SECTION APPLIES TO, THE OWNER OR LICENSEE OF THE BRAND OR  
26 TRADEMARK UNDER WHICH THE PROPULSION BATTERY IS SOLD, OFFERED  
27 FOR SALE, OR DISTRIBUTED IN OR INTO THE STATE. THIS INCLUDES AN

1 EXCLUSIVE LICENSEE WITH THE EXCLUSIVE RIGHT TO USE THE BRAND OR  
2 TRADEMARK IN CONNECTION WITH THE DISTRIBUTION OR SALE OF  
3 PROPULSION BATTERIES.

4 (III) IF THERE IS NOT A PERSON THAT SUBSECTION (23.5)(a)(I) OR  
5 (23.5)(a)(II) OF THIS SECTION APPLIES TO, THE PERSON THAT IMPORTS THE  
6 PROPULSION BATTERY INTO THE STATE FOR SALE, DISTRIBUTION, OR  
7 INSTALLATION.

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

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

10 (II) A SECONDARY HANDLER THAT SELLS, OFFERS FOR SALE,  
11 REGISTERS, OR DISTRIBUTES A VEHICLE CONTAINING A PROPULSION  
12 BATTERY IN OR INTO THE STATE; OR

13 (III) A PERSON THAT SELLS A USED VEHICLE IN OR INTO THE STATE.

14 (c) FOR THE PURPOSES OF THIS SUBSECTION (23.5), THE SALE OF A  
15 PROPULSION BATTERY OCCURS IN THE STATE IF THE PROPULSION BATTERY,  
16 OR THE VEHICLE CONTAINING THE PROPULSION BATTERY, IS DELIVERED TO  
17 A LICENSED DEALER OR DIRECTLY TO A CONSUMER IN THE STATE.

18 (23.7) (a) "PROPULSION BATTERY RECYCLER" MEANS AN ENTITY  
19 OR FACILITY THAT:

20 (I) OPERATES IN ACCORDANCE WITH ALL REQUIRED PERMITS AND  
21 REGULATORY EXCLUSIONS IN ALL APPLICABLE FEDERAL, STATE, AND  
22 LOCAL LAWS;

23 (II) CONDUCTS PROPULSION BATTERY RECYCLING; AND

24 (III) PERFORMS AT LEAST ONE OF THE FOLLOWING ACTIVITIES:

25 (A) EXTRACTS AND SEPARATES MATERIALS FROM END-OF-LIFE  
26 PROPULSION BATTERIES, INCLUDING METALS, COMPOUNDS, OR  
27 INTERMEDIATE FRACTIONS, AND DIRECTS THESE MATERIALS TO ONE OR

1 MORE ADDITIONAL PROPULSION BATTERY RECYCLERS FOR FURTHER  
2 PROCESSING OR REFINING; OR

3 (B) REFINES END-OF-LIFE PROPULSION BATTERIES OR PROPULSION  
4 BATTERY MATERIALS, SUCH AS ALUMINUM, COBALT, COPPER, GRAPHITE,  
5 IRON, LITHIUM COMPOUNDS, MANGANESE, AND NICKEL, BACK TO USEABLE  
6 MATERIALS SUITABLE FOR REINTRODUCTION INTO BATTERY,  
7 MANUFACTURING, OR OTHER INDUSTRIAL SUPPLY CHAINS.

8 (b) "PROPULSION BATTERY RECYCLER" DOES NOT INCLUDE AN  
9 ENTITY OR FACILITY THAT ONLY ENGAGES IN THE COLLECTION OR  
10 TRANSPORTATION OF, OR THE LOGISTICS OF MOVING, PROPULSION  
11 BATTERIES OR PROPULSION BATTERY MATERIALS DURING THE RECYCLING  
12 PROCESS.

13 (23.9) (a) "PROPULSION BATTERY RECYCLING" MEANS THE  
14 RECOVERY OF CRITICAL MINERALS THAT ARE PRESENT IN THE PROPULSION  
15 BATTERY FEEDSTOCK, USING ONE OR MORE PROPULSION BATTERY  
16 RECYCLERS.

17 (b) (I) "PROPULSION BATTERY RECYCLING" DOES NOT INCLUDE  
18 DISPOSAL OR SHAM RECYCLING UNDER THE FEDERAL "RESOURCE  
19 CONSERVATION AND RECOVERY ACT OF 1976", 42 U.S.C. SEC. 6901 ET  
20 SEQ., OR OTHER APPLICABLE FEDERAL LAW.

21 (II) FOR THE PURPOSES OF THIS SUBSECTION (23.9)(b), SHAM  
22 RECYCLING AND LEGITIMATE RECYCLING ARE DETERMINED IN  
23 ACCORDANCE WITH THE LEGITIMACY CRITERIA SET FORTH IN 40 CFR  
24 260.43.

25 (24.5) (a) "RECOVERY" MEANS THE EXTRACTION, SEPARATION, OR  
26 REGENERATION OF CRITICAL MINERALS OR CATHODE MATERIALS IN THEIR  
27 ELEMENTAL, COMPOUND, OR INTERMEDIATE FORM, SUCH AS REFINED

1 METALS, SALTS, OXIDES, HYDROXIDES, OR REGENERATED CATHODE  
2 MATERIALS, OR OTHER COMMERCIALY USABLE FORMS.

3 (b) "RECOVERY" DOES NOT INCLUDE LITHIUM RECOVERED AS SLAG  
4 AND USED AS CONCRETE ADDITIVES.

5 (26.3) "REMANUFACTURE" MEANS A STANDARDIZED INDUSTRIAL  
6 PROCESS THROUGH WHICH BATTERY CORES ARE RETURNED TO  
7 SAME-AS-NEW OR BETTER CONDITION AND PERFORMANCE, WHICH PROCESS  
8 IS IN LINE WITH SPECIFIC TECHNICAL SPECIFICATIONS INCLUDING  
9 ENGINEERING, QUALITY, AND TESTING STANDARDS.

10 (26.5) "REMANUFACTURER" MEANS A PERSON THAT  
11 REMANUFACTURES A PROPULSION BATTERY.

12 (26.7) "REPURPOSE" MEANS THE PROCESS OF MODIFYING A  
13 PROPULSION BATTERY OR PROPULSION BATTERY PACK, MODULE, OR CELL  
14 TO STORE AND SUPPLY ELECTRICITY IN A MANNER OTHER THAN THE  
15 ORIGINAL INTENDED PURPOSE OF THE PROPULSION BATTERY.

16 (26.8) "REPURPOSER" MEANS A PERSON THAT USES A PROPULSION  
17 BATTERY TO FULFILL A DIFFERENT USE THAN THE USE FOR WHICH THE  
18 PROPULSION BATTERY WAS ORIGINALLY DESIGNED.

19 (26.9) "RESPONSIBLE PROPULSION BATTERY MANAGEMENT"  
20 MEANS ENSURING A PROPULSION BATTERY IS DISPOSITIONED AND  
21 MANAGED PURSUANT TO THE BATTERY MANAGEMENT HIERARCHY, WHILE  
22 ALSO ENSURING THAT ANY PROPULSION BATTERY NO LONGER SUITABLE  
23 FOR USE IN A VEHICLE IS ULTIMATELY DIRECTED TO EITHER A REPURPOSER  
24 OR A PROPULSION BATTERY RECYCLER.

25 (27.1) "REUSE" MEANS THE USE OF A PROPULSION BATTERY IN A  
26 VEHICLE OTHER THAN THE ORIGINAL VEHICLE INTO WHICH THE  
27 PROPULSION BATTERY WAS PLACED.

1           (27.2) (a) "SECONDARY HANDLER" MEANS A COMMERCIAL ENTITY  
2           OTHER THAN THE PROPULSION BATTERY PROVIDER THAT TAKES  
3           POSSESSION OF A PROPULSION BATTERY OR REMOVES A PROPULSION  
4           BATTERY FROM A VEHICLE FOR THE PURPOSE OF SELLING, DISPOSITIONING,  
5           REPAIRING, REUSING, OR RECYCLING THE PROPULSION BATTERY WITH A  
6           PROPULSION BATTERY RECYCLER.

7           (b) "SECONDARY HANDLER" INCLUDES A SOLID WASTE DISPOSAL  
8           SITE AND FACILITY.

9           (27.3) "SOLID WASTE COLLECTOR" MEANS A PERSON THAT  
10           OPERATES COLLECTION ROUTES FOR THE REMOVAL OF SOLID WASTE FROM  
11           RESIDENTIAL, MULTIRESIDENTIAL, COMMERCIAL, OR INDUSTRIAL  
12           PREMISES.

13           (27.4) "SOLID WASTE DISPOSAL SITE AND FACILITY" HAS THE SAME  
14           MEANING AS "SOLID WASTES DISPOSAL SITE AND FACILITY" AS DEFINED IN  
15           SECTION 30-20-101 (8).

16           (27.5) "STATE OF CHARGE" MEANS THE MEASURE OF A PROPULSION  
17           BATTERY'S REMAINING CAPACITY, EXPRESSED AS A PERCENTAGE OF ITS  
18           TOTAL CAPACITY.

19           (27.6) "STATE OF HEALTH" MEANS A CALCULATED PARAMETER  
20           THAT CORRELATES TO USABLE PROPULSION BATTERY ENERGY FOR THE  
21           CERTIFIED RANGE VALUE AND IS NORMALIZED FROM ZERO TO ONE  
22           HUNDRED PERCENT.

23           (30.5) (a) "UNWANTED PROPULSION BATTERY" MEANS A  
24           PROPULSION BATTERY THAT IS NO LONGER WANTED BY THE OWNER.

25           (b) "UNWANTED PROPULSION BATTERY" INCLUDES A PROPULSION  
26           BATTERY THAT HAS BEEN DAMAGED, INCLUDING IN A THERMAL RUNAWAY  
27           INCIDENT.

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

3            **25-17-1012. Annual fee - battery stewardship fund -**  
4            **responsibilities of the executive director - rules.**

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

8            (3) (a) (I) IN ADDITION TO THE ANNUAL FEE DESCRIBED IN  
9            SUBSECTION (3)(b) OF THIS SECTION, A PROPULSION BATTERY PROVIDER  
10           SHALL PAY A PROGRAM INITIATION FEE. THE PROGRAM INITIATION FEE  
11           MUST BE SPLIT INTO THREE PAYMENTS, AND A PROPULSION BATTERY  
12           PROVIDER SHALL MAKE ONE OF EACH OF THE PAYMENTS ON JULY 1, 2027,  
13           JULY 1, 2028, AND JULY 1, 2029, RESPECTIVELY. THE SUM OF THE  
14           PROGRAM INITIATION FEES PAID BY PROPULSION BATTERY PROVIDERS IN  
15           A GIVEN YEAR MUST OFFSET ANY GENERAL FUND ALLOCATIONS BY  
16           COVERING ANY COSTS INCURRED BY THE DEPARTMENT IN IMPLEMENTING  
17           SECTION 25-17-1019.

18           (II) THE PROGRAM INITIATION FEE AMOUNT REQUIRED TO BE PAID  
19           BY EACH PROPULSION BATTERY PROVIDER IS BASED ON EACH PROPULSION  
20           BATTERY PROVIDER'S PERCENTAGE OF ALL PROPULSION BATTERY  
21           VEHICLES REGISTERED IN THE STATE, ACCORDING TO REGISTRATION DATA  
22           COLLECTED BY THE DIVISION OF MOTOR VEHICLES IN THE DEPARTMENT OF  
23           REVENUE AS OF APRIL 26, 2026, AS FOLLOWS:

24           (A) A PROPULSION BATTERY PROVIDER THAT IS RESPONSIBLE FOR  
25           MORE THAN FIVE PERCENT OF ALL PROPULSION BATTERY VEHICLES  
26           REGISTERED IN THE STATE AS OF APRIL 26, 2026, SHALL PAY A PROGRAM  
27           INITIATION FEE OF TWENTY-FOUR THOUSAND FOUR HUNDRED DOLLARS,

1 CONSISTING OF A PAYMENT OF EIGHT THOUSAND THREE HUNDRED  
2 DOLLARS ON JULY 1, 2027, AND TWO PAYMENTS OF EIGHT THOUSAND  
3 FIFTY DOLLARS ON JULY 1, 2028, AND ON JULY 1, 2029, RESPECTIVELY;

4 (B) A PROPULSION BATTERY PROVIDER THAT IS RESPONSIBLE FOR  
5 MORE THAN TWO PERCENT BUT NO MORE THAN FIVE PERCENT OF ALL  
6 PROPULSION BATTERY VEHICLES REGISTERED IN THE STATE AS OF APRIL  
7 26, 2026, SHALL PAY A PROGRAM INITIATION FEE OF FOURTEEN THOUSAND  
8 FOUR HUNDRED DOLLARS, CONSISTING OF A PAYMENT OF FIVE THOUSAND  
9 DOLLARS ON JULY 1, 2027, AND TWO PAYMENTS OF FOUR THOUSAND  
10 SEVEN HUNDRED DOLLARS ON JULY 1, 2028, AND ON JULY 1, 2029,  
11 RESPECTIVELY;

12 (C) A PROPULSION BATTERY PROVIDER THAT IS RESPONSIBLE FOR  
13 MORE THAN ONE-FIFTH PERCENT BUT NO MORE THAN TWO PERCENT OF ALL  
14 PROPULSION BATTERY VEHICLES REGISTERED IN THE STATE AS OF APRIL  
15 26, 2026, SHALL PAY A PROGRAM INITIATION FEE OF FOUR THOUSAND  
16 EIGHT HUNDRED DOLLARS, CONSISTING OF A PAYMENT OF TWO THOUSAND  
17 DOLLARS ON JULY 1, 2027, AND TWO PAYMENTS OF ONE THOUSAND FOUR  
18 HUNDRED DOLLARS ON JULY 1, 2028, AND ON JULY 1, 2029,  
19 RESPECTIVELY; AND

20 (D) A PROPULSION BATTERY PROVIDER THAT IS RESPONSIBLE FOR  
21 ONE-FIFTH PERCENT OR LESS OF ALL PROPULSION BATTERY VEHICLES  
22 REGISTERED IN THE STATE AS OF APRIL 26, 2026, IS NOT REQUIRED TO PAY  
23 A PROGRAM INITIATION FEE.

24 (IV) ANY GENERAL FUND ALLOCATIONS REQUIRED FOR THE  
25 DEPARTMENT TO PROCESS THE PROGRAM INITIATION FEES SHALL BE  
26 REIMBURSED TO THE GENERAL FUND THE FOLLOWING YEAR USING THE  
27 MONEY GATHERED FROM THE PROGRAM INITIATION FEES.

1           (V) A PROPULSION BATTERY PROVIDER IS NOT REQUIRED TO PAY  
2 THE PROGRAM INITIATION FEE WHEN THE PROPULSION BATTERY PROVIDER  
3 SEEKS TO UPDATE THEIR REGISTRATION INFORMATION THAT THEY  
4 PREVIOUSLY PROVIDED TO THE EXECUTIVE DIRECTOR PURSUANT TO  
5 SECTION 25-17-1019 (1)(a).

6           (b) (I) ON OR BEFORE JULY 1, 2030, AND ON OR BEFORE EACH JULY  
7 1 THEREAFTER, A PROPULSION BATTERY PROVIDER SHALL PAY TO THE  
8 DEPARTMENT AN ANNUAL FEE TO COVER THE DEPARTMENT'S COST OF  
9 IMPLEMENTING, ADMINISTERING, AND ENFORCING SECTION 25-17-1019.  
10 THE STATE TREASURER SHALL CREDIT THE ANNUAL FEES TO THE FUND,  
11 AND THE DEPARTMENT SHALL USE THE FEES FOR COSTS ASSOCIATED WITH  
12 THE ADMINISTRATION OF SECTION 25-17-1019.

13           (II) ON OR BEFORE JULY 1, 2029, THE COMMISSION SHALL  
14 ESTABLISH THE ANNUAL FEE AMOUNT BY RULE. THE FEE AMOUNT MUST BE  
15 BASED ON FACTORS SUCH AS THE PROPULSION BATTERY PROVIDER'S  
16 RELATIVE MARKET SHARE OF PROPULSION BATTERIES IN THE STATE AND  
17 THE NUMBER OF UNWANTED PROPULSION BATTERIES COLLECTED BY THE  
18 PROPULSION BATTERY PROVIDER. THE SUM OF ANNUAL FEES PAID BY  
19 PROPULSION BATTERY PROVIDERS THAT ARE REGISTERED PURSUANT TO  
20 SECTION 25-17-1019 (1)(a) AND FEES PAID BY SECONDARY HANDLERS  
21 PURSUANT TO SECTION 25-17-1015 (2)(d) MUST COVER THE  
22 DEPARTMENT'S ANNUAL COSTS OF ADMINISTERING SECTION 25-17-1019  
23 STARTING IN 2030 AND MUST NOT EXCEED NINETY THOUSAND DOLLARS  
24 ACROSS ALL PARTICIPATING ENTITIES. A SINGLE PROPULSION BATTERY  
25 PROVIDER SHALL NOT BE REQUIRED TO PAY MORE THAN TEN PERCENT OF  
26 THE TOTAL AMOUNT OF ANNUAL FEES.

27           **SECTION 5. In Colorado Revised Statutes, amend 25-17-1015**

1 as follows:

2 **25-17-1015. Enforcement - responsibilities of the department**  
3 **- study.**

4 (1) For violations related to covered batteries, PROPULSION  
5 BATTERIES, and the management of universal waste pursuant to this part  
6 10, the enforcement process is conducted pursuant to section 25-15-308  
7 and rules adopted by the commission in accordance with section  
8 25-15-302.

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

10 (a) NOTIFY SOLID WASTE COLLECTORS THAT THE DISPOSAL OF  
11 PROPULSION BATTERIES IN LANDFILLS IS PROHIBITED AND THAT  
12 SECONDARY HANDLERS CAN CONTACT A PROPULSION BATTERY PROVIDER  
13 OR REMANUFACTURER TO TAKE RESPONSIBILITY FOR AN UNWANTED  
14 PROPULSION BATTERY;

15 (b) DETERMINE HOW TO PROCEED IF THE FEDERAL GOVERNMENT  
16 ENACTS A LAW OR ADOPTS REGULATIONS PERTAINING TO PROPULSION  
17 BATTERIES THAT MAY IMPACT THE REQUIREMENTS OF SECTION  
18 25-17-1019;

19 (c) PROVIDE A LINK ON THE DEPARTMENT'S PUBLIC WEBSITE TO  
20 EACH PROPULSION BATTERY PROVIDER'S WEBSITE IN ORDER TO EXPEDITE  
21 THE COLLECTION OF UNWANTED PROPULSION BATTERIES;

22 (d) ASSESS THE ANNUAL REPORTS SUBMITTED PURSUANT TO  
23 SECTION 25-17-1019 (9) TO DETERMINE WHETHER ANY SECONDARY  
24 HANDLERS REQUIRED THE COLLECTION OF TEN OR MORE UNWANTED  
25 PROPULSION BATTERIES IN A GIVEN YEAR AND, IF SO, ASSESS A  
26 COLLECTION CHARGE OF ONE THOUSAND DOLLARS TO BE PAID TO THE  
27 DEPARTMENT BY THE SECONDARY HANDLER AND CREDITED TOWARD THE

1 ANNUAL FEE AMOUNT TO REDUCE THE AMOUNT OF PROPULSION BATTERY  
2 PROVIDER ANNUAL FEES;

3 (e) ASSESS THE ANNUAL REPORTS SUBMITTED PURSUANT TO  
4 SECTION 25-17-1019 (9) TO DETERMINE IF SECONDARY HANDLERS THAT  
5 ARE NOT YET REGISTERED PURSUANT TO SECTION 25-17-1019 (1)  
6 REQUIRED THE COLLECTION OF AN UNWANTED PROPULSION BATTERY IN  
7 THE PRECEDING YEAR, AND, IF SO, THE DEPARTMENT SHALL COLLECT  
8 THEIR REGISTRATION INFORMATION;

9 (f) COMPILE A LIST OF ENTITIES REGISTERED PURSUANT TO  
10 SECTION 25-17-1019 (1) AND MAKE THE LIST AVAILABLE UPON REQUEST;

11 AND

12 (g) CONDUCT AN EMAIL SURVEY WITH ENTITIES REGISTERED  
13 PURSUANT TO SECTION 25-17-1019 (1) AND SOLID WASTE DISPOSAL SITES  
14 AND FACILITIES TO REQUEST FEEDBACK ON THE FUNCTIONING OF THE  
15 PROPULSION BATTERY RECYCLING PROGRAM SET FORTH IN SECTION  
16 25-17-1019 TO UNDERSTAND THEIR EXPERIENCE, ANY KNOWLEDGE OF  
17 ORPHANED BATTERIES, AND ANY RECOMMENDED PROGRAM  
18 IMPROVEMENTS. BASED ON THE FINDINGS OF THE SURVEY, THE  
19 DEPARTMENT SHALL ASSESS THE EFFECTIVENESS OF THE RESPONSIBILITY  
20 FRAMEWORK OUTLINED IN SECTION 25-17-1019 TO COLLECT UNWANTED  
21 PROPULSION BATTERIES. THE DEPARTMENT SHALL INCLUDE A SUMMARY  
22 OF THE SURVEY FINDINGS AND THE DEPARTMENT'S ASSESSMENT WITH THE  
23 AGGREGATED NONPROPRIETARY DATA POSTED ANNUALLY ON THE  
24 DEPARTMENT'S PUBLIC WEBSITE PURSUANT TO SUBSECTION (3) OF THIS  
25 SECTION.

26 (3) THE DEPARTMENT SHALL INCLUDE THE AGGREGATED  
27 NONPROPRIETARY DATA COLLECTED ON PROPULSION BATTERIES

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

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

11 **SECTION 6.** In Colorado Revised Statutes, add 25-17-1019 and  
12 25-17-1020 as follows:

13 **25-17-1019. Propulsion batteries - propulsion battery**  
14 **providers - remanufacturers - secondary handlers - public outreach**  
15 **and education - collection of unwanted propulsion batteries -**  
16 **reporting requirement - marking and labeling requirements - solid**  
17 **waste disposal site and facility disposal prohibited.**

18 (1) (a) ON OR BEFORE JULY 1, 2027, A PROPULSION BATTERY  
19 PROVIDER SHALL REGISTER WITH THE DEPARTMENT BY:

20 (I) PROVIDING TO THE DEPARTMENT, THROUGH INFORMAL DIGITAL  
21 CORRESPONDENCE OR BY SUBMITTING A DIGITAL FORM, THE PROPULSION  
22 BATTERY PROVIDER'S BUSINESS NAME, CONTACT INFORMATION, ADDRESS,  
23 AND BUSINESS DESCRIPTION; AND

24 (II) INFORMING THE DEPARTMENT WHETHER THE PROPULSION  
25 BATTERY PROVIDER PLANS TO FILE ITS EDUCATION AND OUTREACH PLAN  
26 INDIVIDUALLY OR AS PART OF A GROUP OF PROPULSION BATTERY  
27 PROVIDERS. A PROPULSION BATTERY PROVIDER INTENDING TO FILE AS

1 PART OF A GROUP SHALL PROVIDE TO THE DEPARTMENT THE NAMES OF THE  
2 OTHER PROPULSION BATTERY PROVIDERS IN THE GROUP, IF FEASIBLE. A  
3 PROPULSION BATTERY PROVIDER MAY PARTICIPATE IN A GROUP  
4 EDUCATION AND OUTREACH PLAN WITHOUT PARTICIPATING IN GROUP  
5 PROPULSION BATTERY COLLECTION ACTIVITIES.

6 (b) A SECONDARY HANDLER, REMANUFACTURER, OR REPURPOSER  
7 MAY ELECT TO REGISTER WITH THE DEPARTMENT AT ANY TIME BY  
8 PROVIDING, THROUGH INFORMAL DIGITAL CORRESPONDENCE OR BY  
9 SUBMITTING A DIGITAL FORM, THE ENTITY'S BUSINESS NAME, CONTACT  
10 INFORMATION, ADDRESS, AND BUSINESS DESCRIPTION. A SECONDARY  
11 HANDLER, REMANUFACTURER, OR REPURPOSER IS NOT REQUIRED TO PAY  
12 THE REGISTRATION FEE.

13 (2) ON OR BEFORE APRIL 1, 2028, A PROPULSION BATTERY  
14 PROVIDER OR GROUP OF PROPULSION BATTERY PROVIDERS SHALL SUBMIT  
15 TO THE EXECUTIVE DIRECTOR AN EDUCATION AND OUTREACH PLAN. THE  
16 EDUCATION AND OUTREACH PLAN MUST:

17 (a) INCLUDE A PUBLIC EDUCATION AND OUTREACH STRATEGY FOR  
18 SECONDARY HANDLERS THAT DESCRIBES:

19 (I) THE SOLID WASTE DISPOSAL SITE AND FACILITY BAN IN  
20 SUBSECTION (12) OF THIS SECTION;

21 (II) THE REQUIREMENTS FOR SECONDARY HANDLERS IN  
22 SUBSECTION (10) OF THIS SECTION;

23 (III) THE PROCESS FOR HOW A SECONDARY HANDLER CAN NOTIFY  
24 THE PROPULSION BATTERY PROVIDER THAT AN UNWANTED PROPULSION  
25 BATTERY NEEDS COLLECTION; AND

26 (IV) INFORMATION ABOUT SECONDARY HANDLER REGISTRATION;

27 (b) SPECIFY HOW THE PROPULSION BATTERY PROVIDER'S CONTACT

1 INFORMATION FOR SECONDARY HANDLERS CAN BE ACCESSED;  
2 (c) INCLUDE INFORMATION THAT THE PROPULSION BATTERY  
3 PROVIDER REQUIRES TO DETERMINE THE ELIGIBILITY OF A PROPULSION  
4 BATTERY THAT NEEDS COLLECTION, INCLUDING:  
5 (I) CONFIRMATION THAT THE BATTERY IS A PROPULSION BATTERY  
6 THAT HAS BEEN REMOVED FROM A VEHICLE;  
7 (II) CONFIRMATION THAT, TO THE BEST OF THE SECONDARY  
8 HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY HAS NOT BEEN  
9 MODIFIED OR TAKEN APART;  
10 (III) 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 (IV) THE MAKE, MODEL, AND YEAR OF THE VEHICLE FROM WHICH  
14 THE PROPULSION BATTERY CAME, IF AVAILABLE;  
15 (V) THE DIMENSIONS AND WEIGHT OF THE PROPULSION BATTERY,  
16 IF AVAILABLE;  
17 (VI) A PHOTOGRAPH OF THE PROPULSION BATTERY AND A  
18 PHOTOGRAPH OF THE LABEL ON THE PROPULSION BATTERY;  
19 (VII) AN ASSESSMENT AS TO WHETHER, TO THE BEST OF THE  
20 SECONDARY HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY IS  
21 DAMAGED OR DEFECTIVE;  
22 (VIII) A COPY OF THE SECONDARY HANDLER'S FEDERAL  
23 DEPARTMENT OF TRANSPORTATION HAZMAT TRANSPORTATION SHIPPING  
24 CERTIFICATION, IF AVAILABLE; AND  
25 (IX) SECONDARY HANDLER REGISTRATION INFORMATION, IF  
26 AVAILABLE; AND  
27 (d) DESCRIBE HOW SECONDARY HANDLERS AND FIRST RESPONDERS

1 CAN ACCESS EMERGENCY RESPONSE GUIDES FOR ELECTRIC VEHICLES.

2 (3) ON AND AFTER OCTOBER 1, 2028, A PROPULSION BATTERY  
3 PROVIDER SHALL NOT SELL, MAKE AVAILABLE FOR SALE, OR DISTRIBUTE  
4 A PROPULSION BATTERY IN OR INTO THE STATE UNLESS THE PROPULSION  
5 BATTERY PROVIDER HAS SUBMITTED AN EDUCATION AND OUTREACH PLAN  
6 TO THE EXECUTIVE DIRECTOR IN ACCORDANCE WITH SUBSECTION (2) OF  
7 THIS SECTION.

8 (4) A PROPULSION BATTERY PROVIDER SHALL DEVELOP AND  
9 MAINTAIN ONE OR MORE WEBSITES OR EQUIVALENT MEANS, AVAILABLE IN  
10 BOTH ENGLISH AND SPANISH, THAT INCLUDE THE INFORMATION IN THE  
11 PROPULSION BATTERY PROVIDER'S EDUCATION AND OUTREACH PLAN. AT  
12 LEAST ONE WEBSITE MUST INCLUDE THE FOLLOWING:

13 (a) A LINK TO THE PROPULSION BATTERY PROVIDER'S EMERGENCY  
14 RESPONSE GUIDES FOR ELECTRIC VEHICLES;

15 (b) THE PROPULSION BATTERY PROVIDER'S CONTACT INFORMATION  
16 FOR SECONDARY HANDLERS; AND

17 (c) INSTRUCTIONS FOR HOW SECONDARY HANDLERS CAN PROVIDE  
18 THE INFORMATION DESCRIBED IN SUBSECTION (2)(a)(III) OF THIS SECTION  
19 FOR A PROPULSION BATTERY PROVIDER TO DETERMINE THE ELIGIBILITY OF  
20 AN UNWANTED PROPULSION BATTERY.

21 (5) A PROPULSION BATTERY PROVIDER SHALL:

22 (a) EXCEPT AS PROVIDED IN SUBSECTION (5)(c) OF THIS SECTION,  
23 UPON RECEIVING NOTIFICATION IN ACCORDANCE WITH THE NOTIFICATION  
24 PROCESS OUTLINED IN SUBSECTION (2)(a)(III) OF THIS SECTION THAT AN  
25 UNWANTED PROPULSION BATTERY NEEDS COLLECTION, RETRIEVE THE  
26 BATTERY AND ENSURE RESPONSIBLE PROPULSION BATTERY MANAGEMENT.  
27 THE PROPULSION BATTERY PROVIDER SHALL RETRIEVE AN UNWANTED

1 PROPULSION BATTERY:

2 (I) WITHIN SIXTY DAYS AFTER RECEIVING NOTIFICATION FROM A

3 SECONDARY HANDLER, UNLESS MUTUALLY AGREEABLE TERMS FOR A

4 LONGER COLLECTION TIMELINE ARE MADE WITH A SECONDARY HANDLER

5 OR THERE IS AN UNEXPECTED DELAY DUE TO CIRCUMSTANCES FORCE

6 MAJEURE; AND

7 (II) WITHIN THIRTY DAYS AFTER RECEIVING NOTIFICATION FROM

8 A SOLID WASTE DISPOSAL SITE AND FACILITY;

9 (b) ENSURE THE RESPONSIBLE PROPULSION BATTERY

10 MANAGEMENT OF ALL PROPULSION BATTERIES WITHIN THE POSSESSION OF

11 THE PROPULSION BATTERY PROVIDER IN ACCORDANCE WITH THE BATTERY

12 MANAGEMENT HIERARCHY;

13 (c) FULLY FUND THE COSTS OF THE COLLECTION OF AN UNWANTED

14 PROPULSION BATTERY OFFERED BY A SECONDARY HANDLER; EXCEPT THAT

15 A PROPULSION BATTERY PROVIDER IS NOT RESPONSIBLE FOR THE

16 COLLECTION OF A PROPULSION BATTERY THAT:

17 (I) HAS BEEN REMANUFACTURED BY A REMANUFACTURER, UNLESS

18 THE REMANUFACTURER IS IN A CONTRACTUAL RELATIONSHIP WITH THE

19 PROPULSION BATTERY PROVIDER AND THE CONTRACT PROVIDES THAT THE

20 PROPULSION BATTERY PROVIDER RETAINS RESPONSIBILITY FOR

21 RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

22 (II) HAS BEEN REPURPOSED BY A REPURPOSER, UNLESS THE

23 REPURPOSER IS IN A CONTRACTUAL RELATIONSHIP WITH THE PROPULSION

24 BATTERY PROVIDER AND THE CONTRACT PROVIDES THAT THE PROPULSION

25 BATTERY PROVIDER RETAINS RESPONSIBILITY FOR RESPONSIBLE

26 PROPULSION BATTERY MANAGEMENT;

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

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

3           (d) PROVIDE THE STATE OF HEALTH OF A PROPULSION BATTERY  
4           EMBEDDED IN A VEHICLE THROUGH THE VEHICLE'S IN-VEHICLE DISPLAY OR  
5           THROUGH A NONPROPRIETARY ON-BOARD DIAGNOSTIC SCAN TOOL, FOR A  
6           VEHICLE THAT IS MODEL YEAR 2028 OR LATER. A PROPULSION BATTERY  
7           PROVIDER MAY, BUT IS NOT REQUIRED TO, SUPPLY STATE OF HEALTH  
8           INFORMATION FOR A PROPULSION BATTERY THAT HAS BEEN REMOVED  
9           FROM OR IS OUTSIDE OF A VEHICLE. FOR A PROPULSION BATTERY  
10           EMBEDDED IN A HYBRID VEHICLE, A PROPULSION BATTERY PROVIDER  
11           SATISFIES THIS REQUIREMENT BY MAKING THE STATE OF HEALTH  
12           AVAILABLE THROUGH A NONPROPRIETARY ON-BOARD DIAGNOSTIC SCAN  
13           TOOL.

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 NAME OF THE PROPULSION BATTERY PROVIDER  
20           RESPONSIBLE FOR THE PROPULSION BATTERY, ITS DATE OF MANUFACTURE,  
21           AND THE FOLLOWING:

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

26           (B) THE RATED CAPACITY OR ENERGY AS MEASURED BY SAE  
27           INTERNATIONAL J2288 STANDARD, "LIFE CYCLE TESTING OF ELECTRIC

1 VEHICLE BATTERY MODULES";

2 (C) THE HAZARDOUS SUBSTANCES CONTAINED IN THE PROPULSION  
3 BATTERY;

4 (D) PRODUCT SAFETY AND RECALL INFORMATION; AND

5 (E) SAFE DISPOSAL INFORMATION.

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

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

14 (b) (I) TO COMPLY WITH SUBSECTION (6)(a)(I) OF THIS SECTION, A  
15 PROPULSION BATTERY PROVIDER MAY APPLY A QUICK RESPONSE (QR)  
16 CODE TO THE PROPULSION BATTERY THAT LINKS TO A DATA REPOSITORY  
17 WEBSITE.

18 (II) THE DATA REPOSITORY WEBSITE MAY INCLUDE INFORMATION  
19 THAT COVERS A PERIOD OF TIME REPRESENTING MULTIPLE DATES OF  
20 MANUFACTURE IF THE REST OF THE LABEL INFORMATION REQUIRED BY  
21 THIS SUBSECTION (6) IS CONSISTENT ACROSS THE MULTIPLE DATES OF  
22 MANUFACTURE AND THE DATA REPOSITORY WEBSITE ENTRY INCLUDES THE  
23 APPLICABLE RANGE OF DATES OF MANUFACTURE.

24 (7) ON AND AFTER OCTOBER 1, 2028, A REMANUFACTURER  
25 SELLING PROPULSION BATTERIES IN THE STATE:

26 (a) SHALL RELABEL A PROPULSION BATTERY TO ENSURE THAT THE  
27 REMANUFACTURER'S BRAND IS CLEARLY MARKED ON THE LABEL. IF THE

1 ORIGINAL LABEL REMAINS, THE REMANUFACTURER SHALL PLACE THE NEW  
2 LABEL ADJACENT TO THE ORIGINAL LABEL AND CLEARLY IDENTIFY THE  
3 ORIGINAL LABEL AS OBSOLETE. IF THE REMANUFACTURER ALTERS THE  
4 PROPULSION BATTERY'S COMPOSITION OR CHEMISTRY, THE  
5 REMANUFACTURER SHALL UPDATE THE LABEL OR PROVIDE A NEW DATA  
6 REPOSITORY WEBSITE LINK OR QUICK RESPONSE (QR) CODE TO REFLECT  
7 THE NEW COMPOSITION.

8 (b) SHALL ENSURE RESPONSIBLE PROPULSION BATTERY  
9 MANAGEMENT WHEN:

10 (I) A PROPULSION BATTERY THAT THE REMANUFACTURER  
11 DISASSEMBLES OR REMANUFACTURES IS ULTIMATELY NOT SOLD FOR USE  
12 IN A VEHICLE; AND

13 (II) AN UNWANTED PROPULSION BATTERY THAT HAS BEEN  
14 REMOVED FROM A VEHICLE BY A SECONDARY HANDLER IN THE STATE IS  
15 COLLECTED BY THE REMANUFACTURER;

16 (c) SHALL FULLY FUND THE COSTS OF THE COLLECTION OF AN  
17 UNWANTED PROPULSION BATTERY THAT THE REMANUFACTURER HAS  
18 REMANUFACTURED IF OFFERED BY A SECONDARY HANDLER;

19 (d) IS NOT RESPONSIBLE FOR COLLECTING A REMANUFACTURED  
20 PROPULSION BATTERY IF:

21 (I) THE REMANUFACTURED PROPULSION BATTERY HAS BEEN  
22 REPURPOSED BY A REPURPOSER, UNLESS THE REPURPOSER IS IN A  
23 CONTRACTUAL RELATIONSHIP WITH THE REMANUFACTURER AND THE  
24 CONTRACT PROVIDES THAT THE REMANUFACTURER RETAINS  
25 RESPONSIBILITY FOR RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

26 (II) THE REMANUFACTURED PROPULSION BATTERY IS CONTAINED  
27 WITHIN A VEHICLE OR PRODUCT THAT IS DIRECTLY OWNED OR

1 CONTROLLED BY AN INSURANCE COMPANY;

2 (III) THE REMANUFACTURER IS IN A CONTRACTUAL RELATIONSHIP  
3 WITH THE PROPULSION BATTERY PROVIDER AND THE CONTRACT PROVIDES  
4 THAT THE PROPULSION BATTERY PROVIDER RETAINS RESPONSIBILITY FOR  
5 THE DISPOSITIONING AND MANAGEMENT OF THE PROPULSION BATTERY; OR

6 (IV) THE REMANUFACTURED PROPULSION BATTERY HAS BEEN  
7 DISASSEMBLED INTO MODULES OR CELLS;

8 (e) EXCEPT AS PROVIDED IN SUBSECTION (7)(d) OF THIS SECTION,  
9 UPON RECEIVING NOTIFICATION THAT AN UNWANTED PROPULSION  
10 BATTERY NEEDS COLLECTION IN ACCORDANCE WITH THE NOTIFICATION  
11 PROCESS OUTLINED IN SUBSECTION (7)(f) OF THIS SECTION, SHALL  
12 RETRIEVE THE BATTERY:

13 (I) WITHIN SIXTY DAYS AFTER RECEIVING NOTIFICATION FROM A  
14 SECONDARY HANDLER, UNLESS MUTUALLY AGREEABLE TERMS FOR A  
15 LONGER COLLECTION TIMELINE ARE MADE WITH A SECONDARY HANDLER  
16 OR THERE IS AN UNEXPECTED DELAY DUE TO CIRCUMSTANCES FORCE  
17 MAJEURE; AND

18 (II) WITHIN THIRTY DAYS AFTER RECEIVING NOTIFICATION FROM  
19 A SOLID WASTE DISPOSAL SITE AND FACILITY; AND

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

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

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

1           (III) INFORMATION THAT THE REMANUFACTURER REQUIRES TO  
2 DETERMINE THE ELIGIBILITY OF A PROPULSION BATTERY THAT NEEDS  
3 COLLECTION, INCLUDING:

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

6           (B) CONFIRMATION THAT, TO THE BEST OF THE SECONDARY  
7 HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY HAS NOT BEEN  
8 MODIFIED OR TAKEN APART BY ANYONE OTHER THAN THE PROPULSION  
9 BATTERY PROVIDER OR REMANUFACTURER;

10          (C) CONFIRMATION THAT, TO THE BEST OF THE SECONDARY  
11 HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY IS FULLY OWNED BY  
12 THE SECONDARY HANDLER WITH NO KNOWN PENDING CLAIMS FOR LOSS OR  
13 DAMAGES BY AN INSURANCE PROVIDER;

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

16          (E) THE DIMENSIONS AND WEIGHT OF THE PROPULSION BATTERY,  
17 IF AVAILABLE;

18          (F) A PHOTOGRAPH OF THE PROPULSION BATTERY AND A  
19 PHOTOGRAPH OF THE LABEL ON THE PROPULSION BATTERY;

20          (G) AN ASSESSMENT AS TO WHETHER, TO THE BEST OF THE  
21 SECONDARY HANDLER'S KNOWLEDGE, THE PROPULSION BATTERY IS  
22 DAMAGED OR DEFECTIVE;

23          (H) A COPY OF THE SECONDARY HANDLER'S FEDERAL DEPARTMENT  
24 OF TRANSPORTATION HAZMAT TRANSPORTATION SHIPPING CERTIFICATION,  
25 IF AVAILABLE; AND

26          (I) SECONDARY HANDLER REGISTRATION INFORMATION, IF  
27 AVAILABLE.

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

5           (b) A PROPULSION BATTERY PROVIDER OR REMANUFACTURER MAY  
6           CONTRACT WITH A THIRD PARTY TO MANAGE PROPULSION BATTERIES TO  
7           SATISFY THE REQUIREMENTS OF THIS SECTION.

8           (9) (a) ON OR BEFORE JULY 1, 2030, AND ON OR BEFORE EACH JULY  
9           1 THEREAFTER, A PROPULSION BATTERY PROVIDER AND A  
10           REMANUFACTURER SHALL SUBMIT AN ANNUAL REPORT TO THE EXECUTIVE  
11           DIRECTOR COVERING THE PRECEDING CALENDAR YEAR OF THE  
12           RESPONSIBLE PROPULSION BATTERY MANAGEMENT OF THE PROPULSION  
13           BATTERIES COLLECTED BY THE PROPULSION BATTERY PROVIDER OR  
14           REMANUFACTURER PURSUANT TO THIS SECTION. THE REPORT MUST  
15           INCLUDE THE FOLLOWING:

16           (I) ANY UPDATES TO EDUCATION AND OUTREACH MATERIALS FOR  
17           SECONDARY HANDLERS AND HOW THE UPDATES WERE COMMUNICATED;

18           (II) THE NUMBER OF UNWANTED PROPULSION BATTERIES THAT  
19           WERE OFFERED FROM A SECONDARY HANDLER AND THE NUMBER OF  
20           UNWANTED PROPULSION BATTERIES COLLECTED, BY CHEMISTRY;

21           (III) FOR EACH REQUEST RECEIVED TO COLLECT AN UNWANTED  
22           PROPULSION BATTERY:

23           (A) THE DATE THAT THE SECONDARY HANDLER OFFERED THE  
24           UNWANTED PROPULSION BATTERY, ALONG WITH THE ELIGIBILITY  
25           INFORMATION DESCRIBED IN SUBSECTIONS (2)(c) AND (7)(f)(III) OF THIS  
26           SECTION, TO THE PROPULSION BATTERY PROVIDER OR REMANUFACTURER;

27           (B) THE DATE A PLAN WAS COMMUNICATED TO THE SECONDARY

1 HANDLER 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, SEPARATED BY  
7 CHEMISTRY, SENT FOR REUSE, REMANUFACTURING, REPURPOSING, AND  
8 PROPULSION BATTERY RECYCLING, RESPECTIVELY;

9 (V) THE PROPULSION BATTERY RECYCLERS USED IN THE  
10 PROPULSION BATTERY RECYCLING PROCESS, INCLUDING IDENTIFICATION  
11 OF A RECYCLER'S LOCATION;

12 (VI) A DESCRIPTION OF THE GENERAL PROCESSES USED BY  
13 PROPULSION BATTERY RECYCLERS TO ACHIEVE REQUIRED RECOVERY  
14 RATES; AND

15 (VII) FOR EACH PROPULSION BATTERY RECYCLER USED:

16 (A) THE RECOVERY RATE OF LITHIUM, COBALT, AND NICKEL  
17 PRESENT IN THE PROPULSION BATTERY FEEDSTOCK, USING THE  
18 CALCULATIONS DESCRIBED IN THIS SUBSECTION (9). THE TARGETED  
19 CRITICAL MINERALS AND SPECIFIC RATIOS MUST BE LISTED SEPARATELY.  
20 A MINERAL THAT IS NOT TARGETED IN THE RECOVERY PROCESS MAY BE  
21 LISTED AS A PERCENT OR IT CAN BE STATED THAT THE MINERAL IS NOT  
22 TARGETED AND RECOVERED BY THE PROPULSION BATTERY RECYCLER.

23 (B) THE FORM OF THE MAJORITY OF RECOVERED BATTERY  
24 MATERIAL MUST BE IDENTIFIED AS ELEMENTAL, COMPOUND, OR  
25 INTERMEDIATE, CONSISTENT WITH THE RECOVERY DEFINITION IN SECTION  
26 25-17-1003 (24.5).

27 (b) A PROPULSION BATTERY RECYCLER SHALL RECOVER THE

1 FOLLOWING CRITICAL MINERALS IN THE ELEMENTAL, COMPOUND, OR  
2 INTERMEDIATE FORM AT THE FOLLOWING MINIMUM RATES, WHICH RATES  
3 ARE CALCULATED BASED ON EACH PROPULSION BATTERY RECYCLER'S  
4 FACILITY-LEVEL YEARLY AVERAGE:

5 (I) BY 2031:

6 (A) NINETY PERCENT OF COBALT;

7 (B) NINETY PERCENT OF NICKEL; AND

8 (C) FIFTY PERCENT OF LITHIUM; AND

9 (II) BY 2035:

10 (A) NINETY PERCENT OF COBALT;

11 (B) NINETY PERCENT OF NICKEL; AND

12 (C) EIGHTY PERCENT OF LITHIUM.

13 (c) THE RECOVERY RATE FOR EACH TARGET CRITICAL MINERAL  
14 MUST BE CALCULATED ON AN ANNUAL BASIS FOR EACH PROPULSION  
15 BATTERY RECYCLER USING A MASS BALANCE APPROACH. THE  
16 CALCULATION MUST ACCOUNT FOR THE MASS OF THE TARGET CRITICAL  
17 MINERAL CONTAINED IN MATERIALS ENTERING THE RECYCLING PROCESS,  
18 INCLUDING WASTE PROPULSION BATTERIES OR INTERMEDIATE MATERIALS,  
19 AND THE MASS OF THE TARGET CRITICAL MINERAL RECOVERED IN  
20 MATERIALS LEAVING THE RECYCLING PROCESS THAT MEET THE DEFINITION  
21 OF "RECOVERY" AS DEFINED IN SECTION 25-17-1003 (24.5).

22 (d) THE RECOVERY RATE OF A TARGET CRITICAL MINERAL EQUALS  
23 THE MASS OF TARGET CRITICAL MINERAL RECOVERED IN MATERIALS  
24 LEAVING THE RECYCLING PROCESS DIVIDED BY THE MASS OF TARGET  
25 CRITICAL MINERAL PRESENT IN MATERIALS ENTERING THE RECYCLING  
26 PROCESS. THE MASS OF TARGET CRITICAL MINERALS ENTERING AND  
27 LEAVING THE RECYCLING PROCESS SHALL BE DETERMINED BASED ON THEIR

1 CHEMICAL COMPOSITION, USING ANALYTICAL METHODS AND SAMPLING  
2 PROCEDURES THAT ARE REPRESENTATIVE OF THE MATERIAL FLOWS.

3 (e) A PROPULSION BATTERY RECYCLER SHALL DETERMINE THE  
4 PROPORTION OF DIFFERENT BATTERY CHEMISTRIES PRESENT IN MATERIALS  
5 ENTERING THE RECYCLING PROCESS BY MEANS OF A SORTING ANALYSIS  
6 BASED ON CONTINUOUS SAMPLING OR REPRESENTATIVE SAMPLING  
7 METHODS CONSISTENT WITH GENERALLY ACCEPTED INDUSTRY  
8 STANDARDS.

9 (f) (I) THE EXECUTIVE DIRECTOR SHALL KEEP PROPRIETARY  
10 INFORMATION, AS MARKED BY A PROPULSION BATTERY PROVIDER,  
11 REMANUFACTURER, OR PROPULSION BATTERY RECYCLER, CONFIDENTIAL  
12 AND MAKE NONPROPRIETARY INFORMATION AVAILABLE UPON REQUEST.

13 (II) THE INFORMATION DESCRIBED IN SUBSECTIONS (9)(a)(I),  
14 (9)(a)(II), (9)(a)(IV), (9)(a)(VI), AND (9)(a)(VII) OF THIS SECTION AND  
15 AGGREGATED INFORMATION FROM SUBSECTIONS (9)(a)(III) AND (9)(a)(V)  
16 OF THIS SECTION IS NOT PROPRIETARY.

17 (III) ANY INFORMATION MADE PUBLICLY AVAILABLE MUST BE  
18 AGGREGATED SO THAT NO INDIVIDUAL PROPULSION BATTERY PROVIDER,  
19 REMANUFACTURER, OR PROPULSION BATTERY RECYCLER IS IDENTIFIABLE.

20 (IV) AN ANNUAL REPORT SUBMITTED PURSUANT TO THIS  
21 SUBSECTION (9) MAY BE UNIQUE TO COLORADO OR INCLUDE INFORMATION  
22 FOR MULTIPLE STATES.

23 (V) A PROPULSION BATTERY PROVIDER THAT IS ALSO A  
24 REMANUFACTURER MAY SUBMIT ONE ANNUAL REPORT.

25 (10) (a) ON AND AFTER OCTOBER 1, 2028:

26 (I) A SECONDARY HANDLER SHALL MANAGE A PROPULSION  
27 BATTERY BY ENSURING RESPONSIBLE PROPULSION BATTERY

1 MANAGEMENT;

2 (II) IF A SECONDARY HANDLER DETERMINES THAT A PROPULSION  
3 BATTERY IS AN UNWANTED PROPULSION BATTERY, THE SECONDARY  
4 HANDLER SHALL NOTIFY THE APPROPRIATE PROPULSION BATTERY  
5 PROVIDER OR REMANUFACTURER OR ANY ENTITY THAT THE PROPULSION  
6 BATTERY PROVIDER OR REMANUFACTURER HAS DESIGNATED TO  
7 FACILITATE THE COLLECTION OF UNWANTED PROPULSION BATTERIES;

8 (III) A SECONDARY HANDLER MANAGING PROPULSION BATTERIES  
9 SHALL MAINTAIN RECORDS FOR THREE YEARS DETAILING THE PROPULSION  
10 BATTERIES SOLD OR TRANSFERRED BY THE SECONDARY HANDLER AND THE  
11 PERSON THE BATTERIES WERE SOLD OR TRANSFERRED TO;

12 (IV) WHEN SHIPPING A PROPULSION BATTERY, A SECONDARY  
13 HANDLER IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH PROPER  
14 PERSONNEL TRAINING REQUIREMENTS FOR SHIPPING UNDER 49 CFR  
15 172.700 TO 172.704;

16 (V) WHEN REMOVING A PROPULSION BATTERY FROM A VEHICLE,  
17 A SECONDARY HANDLER SHALL RECORD THE LAST KNOWN STATE OF  
18 HEALTH AND STATE OF CHARGE, IF AVAILABLE, AND DISCLOSE THESE  
19 VALUES AT THE TIME OF SALE OR TRANSFER OF THE PROPULSION BATTERY  
20 TO ANOTHER PERSON;

21 (VI) IN ORDER TO PROMOTE THE BATTERY MANAGEMENT  
22 HIERARCHY, A SECONDARY HANDLER SHALL STORE PROPULSION  
23 BATTERIES NOT SUSPECTED OF DAMAGE OR INSTABILITY IN A COVERED  
24 AREA, MINIMIZING EXPOSURE TO PRECIPITATION AND EXTREME HEAT OR  
25 COLD. A SECONDARY HANDLER SHALL STORE PROPULSION BATTERIES  
26 THAT ARE VISIBLY DAMAGED OR OTHERWISE SUSPECTED TO HAVE THE  
27 POTENTIAL FOR THERMAL RUNAWAY IN AN ISOLATED AREA AWAY FROM

1 FLAMMABLE MATERIALS.

2 (VII) A SECONDARY HANDLER WORKING WITH PROPULSION  
3 BATTERIES SHALL OBTAIN RELEVANT SAFETY TRAINING TO ASSIST WITH  
4 THE SAFE HANDLING AND STORAGE OF PROPULSION BATTERIES.

5 (b) SUBSECTIONS (10)(a)(III), (10)(a)(V), (10)(a)(VI), AND  
6 (10)(a)(VII) OF THIS SECTION DO NOT APPLY TO A SOLID WASTE DISPOSAL  
7 SITE AND FACILITY.

8 (c) NOTWITHSTANDING SECTION 25-17-1018, THE COMMISSION  
9 SHALL NOT ADOPT RULES FOR THE PURPOSES OF IMPLEMENTING  
10 SUBSECTIONS (10)(a)(VI) AND (10)(a)(VII) OF THIS SECTION.

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

12 (I) RELABEL A PROPULSION BATTERY THAT IS REPURPOSED IN THE  
13 STATE TO ENSURE THAT THE REPURPOSER'S BRAND IS CLEARLY MARKED  
14 ON THE LABEL. IF THE ORIGINAL LABEL REMAINS, THE REPURPOSER SHALL  
15 PLACE THE NEW LABEL ADJACENT TO THE ORIGINAL LABEL AND CLEARLY  
16 IDENTIFY THE ORIGINAL LABEL AS OBSOLETE.

17 (II) ENSURE THE PROPULSION BATTERY RECYCLING OF PROPULSION  
18 BATTERIES THAT ARE WITHIN THE REPURPOSER'S POSSESSION AND THAT  
19 CAN NO LONGER BE REPURPOSED UNLESS THE PROPULSION BATTERY  
20 PROVIDER OR REMANUFACTURER AGREES TO ACCEPT CONTINUED  
21 RESPONSIBILITY FOR THE PROPULSION BATTERY BY CONTRACT.

22 (b) (I) ON OR BEFORE JULY 1, 2030, AND ON OR BEFORE EACH JULY  
23 1 THEREAFTER, A REGISTERED REPURPOSER SHALL SUBMIT AN ANNUAL  
24 REPORT TO THE EXECUTIVE DIRECTOR COVERING THE PRECEDING  
25 CALENDAR YEAR OF THE REPURPOSER'S RESPONSIBLE PROPULSION  
26 BATTERY MANAGEMENT. THE REPORT MUST INCLUDE THE FOLLOWING:

27 (A) THE NUMBER OF PROPULSION BATTERIES THAT THE

1 REPURPOSER REPURPOSED FROM COLORADO; AND

2 (B) THE NAME AND ADDRESS OF WHERE THE REPURPOSED  
3 BATTERIES WERE SOLD OR TRANSFERRED, INCLUDING FOR BATTERIES SENT  
4 FOR USE IN A SECONDARY APPLICATION AND THOSE SENT FOR PROPULSION  
5 BATTERY RECYCLING.

6 (II) THE ANNUAL REPORT SUBMITTED PURSUANT TO THIS  
7 SUBSECTION (11) MAY BE UNIQUE TO COLORADO OR MAY INCLUDE  
8 INFORMATION FOR MULTIPLE STATES.

9 (III) A REPURPOSER THAT IS ALSO A REMANUFACTURER MAY  
10 SUBMIT ONE ANNUAL REPORT.

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

12 (a) PROPULSION BATTERIES THAT ARE HAZARDOUS WASTE AS  
13 DEFINED UNDER FEDERAL OR STATE HAZARDOUS OR SOLID WASTE LAWS  
14 MUST BE MANAGED IN A MANNER CONSISTENT WITH THOSE LAWS;

15 (b) A PERSON SHALL NOT DISPOSE OF A PROPULSION BATTERY BY  
16 TAKING THE PROPULSION BATTERY TO A SOLID WASTE DISPOSAL SITE AND  
17 FACILITY; AND

18 (c) A PERSON NOT IDENTIFIED IN THIS SECTION IS RESPONSIBLE FOR  
19 ENSURING THE RESPONSIBLE PROPULSION BATTERY MANAGEMENT OF  
20 PROPULSION BATTERIES BY WORKING WITH A SECONDARY HANDLER,  
21 PROPULSION BATTERY PROVIDER, REMANUFACTURER, REPURPOSER, OR  
22 PROPULSION BATTERY RECYCLER.

23 **25-17-1020. Applicability.**

24 A VEHICLE CONTAINING A PROPULSION BATTERY ORIGINALLY SOLD  
25 IN THE STATE IS NOT SUBJECT TO THIS PART 10 WHEN THE VEHICLE IS  
26 RETIRED OUT OF STATE.

27 **SECTION 7. Act subject to petition - effective date. This act**

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