

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 25, 2026
Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

SB26-003 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

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

8 **25-17-1002. Legislative declaration.**

9 (1.5) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

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

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

24 (c) PROPULSION BATTERIES OFTEN RETAIN VALUE EVEN AFTER
25 THEY CEASE TO POWER THE ORIGINAL VEHICLES INTO WHICH THEY WERE
26 PLACED AND CAN BE REUSED, REMANUFACTURED, REPURPOSED, OR
27 RECYCLED. EXTENDING THE USEFUL LIFESPAN OF PROPULSION BATTERIES

1 IMPROVES THE SUSTAINABILITY PROFILE OF THE ELECTRIC VEHICLE
2 INDUSTRY AND CREATES LOCAL ECONOMIC OPPORTUNITIES.

3 (d) MULTIPLE ANALYSES HAVE ESTABLISHED THAT EXPENSIVE AND
4 HAZARDOUS RISKS RESULT FROM THE IMPROPER HANDLING AND DISPOSAL
5 OF PROPULSION BATTERIES; AND

6 (e) UNWANTED PROPULSION BATTERIES THAT ARE STORED
7 IMPROPERLY INSTEAD OF BEING SORTED FOR REUSE, REMANUFACTURING,
8 REPURPOSING, OR ULTIMATE RECYCLING AND RECOVERY OF VALUABLE
9 MATERIALS COULD POTENTIALLY REDUCE THE ENVIRONMENTAL BENEFITS
10 OF A ROBUST CIRCULAR ECONOMY FOR PROPULSION BATTERIES WHILE
11 ALSO INCREASING THE RISK OF BATTERY FIRES. A ROBUST EXTENDED
12 PROVIDER RESPONSIBILITY POLICY IS NEEDED TO ENABLE A PROPULSION
13 BATTERY CIRCULAR ECONOMY.

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

16 (a) Require producers of batteries AND PROVIDERS OF PROPULSION
17 BATTERIES to finance and implement a coordinated, state-approved
18 system that increases access to the safe ~~disposal~~ AND RESPONSIBLE
19 END-OF-LIFE MANAGEMENT of batteries in Colorado;

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

22 (c) ENCOURAGE THE REUSE, REMANUFACTURING, AND
23 REPURPOSING OF PROPULSION BATTERIES AND THE ULTIMATE RECYCLING
24 AND RECOVERY OF THE VALUABLE MATERIALS IN A PROPULSION BATTERY
25 THAT CAN BE PUT BACK INTO THE SUPPLY CHAIN.

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

30 **25-17-1003. Definitions - rules.**

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

32 (1.5) "BATTERY" MEANS A DEVICE CONSISTING OF ONE OR MORE
33 ELECTRICALLY CONNECTED ELECTROCHEMICAL CELLS, WHICH DEVICE IS
34 DESIGNED TO RECEIVE, STORE, AND DELIVER ELECTRIC ENERGY.

35 (2.5) "BATTERY MANAGEMENT HIERARCHY" MEANS THE PROCESS
36 OF SECONDARY HANDLERS, REPURPOSERS, AND PROPULSION BATTERY
37 PROVIDERS FIRST STRIVING TO REUSE, REPURPOSE, OR REMANUFACTURE
38 PROPULSION BATTERIES, WHEN DOING SO IS POSSIBLE AND
39 COST-EFFECTIVE, BEFORE PROPULSION BATTERY RECYCLING.

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

41 (VI) A battery, INCLUDING A PROPULSION BATTERY, assembled by
42 or for a vehicle manufacturer, ~~or franchised dealer~~, that is designed to
43 power a motor vehicle, a part of a motor vehicle, or a component part of

1 a motor vehicle, including a replacement part for use in a motor vehicle.
2 (8.5) "CRITICAL MINERALS" MEANS MINERALS DESIGNATED AS
3 CRITICAL MINERALS BY THE UNITED STATES SECRETARY OF THE INTERIOR,
4 ACTING THROUGH THE DIRECTOR OF THE UNITED STATES GEOLOGICAL
5 SURVEY, PURSUANT TO 30 U.S.C. SEC. 1606 (c).
6 (10.5) (a) "DISPOSITIONING" MEANS EVALUATING A PROPULSION
7 BATTERY TO DETERMINE THE MOST SUITABLE BATTERY MANAGEMENT
8 OPTION BASED ON METRICS SUCH AS THE CHEMISTRY, CONDITION, FORMAT,
9 AND LOCATION OF THE PROPULSION BATTERY.
10 (b) "DISPOSITIONING" MAY INCLUDE EVALUATING A PROPULSION
11 BATTERY FOR SECONDARY USE BY A REPURPOSER OR A PROPULSION
12 BATTERY RECYCLER.
13 (13.5) "END OF LIFE" MEANS:
14 (a) THE STAGE WHEN A COVERED BATTERY IS NO LONGER
15 SUITABLE FOR USE AS A BATTERY AND MUST BE RECYCLED; OR
16 (b) THE STAGE WHEN A PROPULSION BATTERY IS NO LONGER
17 SUITABLE FOR USE AS A PROPULSION BATTERY OR FOR REPURPOSING AND
18 IS DIRECTED FOR PROPULSION BATTERY RECYCLING.
19 (19.5) "ORPHANED BATTERY" MEANS:
20 (a) A PROPULSION BATTERY OR REPURPOSED BATTERY THAT HAS
21 AN UNIDENTIFIABLE PROPULSION BATTERY PROVIDER, REMANUFACTURER,
22 OR REPURPOSER OR A PROPULSION BATTERY PROVIDER,
23 REMANUFACTURER, OR REPURPOSER THAT NO LONGER EXISTS; OR
24 (b) AN UNWANTED PROPULSION BATTERY THAT HAS NOT BEEN
25 COLLECTED OR MANAGED IN ACCORDANCE WITH THE BATTERY
26 MANAGEMENT HIERARCHY.
27 (23.3) "PROPULSION BATTERY" MEANS A BATTERY THAT IS
28 PRIMARILY USED TO SUPPLY POWER TO PROPEL A BATTERY ELECTRIC
29 MOTOR VEHICLE, AS DEFINED IN SECTION 43-4-1202 (1.5), A PLUG-IN
30 HYBRID ELECTRIC MOTOR VEHICLE, AS DEFINED IN SECTION 43-4-1202
31 (14), OR A HYBRID VEHICLE, AS DEFINED IN SECTION 42-4-1012
32 (2.5)(a)(III).
33 (23.5) (a) "PROPULSION BATTERY PROVIDER" MEANS:
34 (I) A PERSON THAT FIRST SELLS, OFFERS FOR SALE, OR DISTRIBUTES
35 A PROPULSION BATTERY OR A VEHICLE CONTAINING A PROPULSION
36 BATTERY IN OR INTO THE STATE, INCLUDING VEHICLE MANUFACTURERS
37 LICENSED PURSUANT TO APPLICABLE STATE LAWS OR PROPULSION
38 BATTERY MANUFACTURERS THAT DISTRIBUTE PROPULSION BATTERIES
39 UNDER THEIR OWN NAME OR BRAND;
40 (II) IF THERE IS NOT A PERSON THAT SUBSECTION (23.5)(a)(I) OF
41 THIS SECTION APPLIES TO, THE OWNER OR LICENSEE OF THE BRAND OR
42 TRADEMARK UNDER WHICH THE PROPULSION BATTERY IS SOLD, OFFERED
43 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 OR

11 (II) A SECONDARY HANDLER THAT SELLS, OFFERS FOR SALE,
12 REGISTERS, OR DISTRIBUTES A VEHICLE CONTAINING A PROPULSION
13 BATTERY 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 ABIDES BY ALL APPLICABLE FEDERAL, STATE, AND
20 LOCAL LAWS AND:

21 (I) EXTRACTS AND SEPARATES MATERIALS FROM END-OF-LIFE
22 PROPULSION BATTERIES, INCLUDING METALS, COMPOUNDS, OR
23 INTERMEDIATE FRACTIONS, AND DIRECTS THESE MATERIALS TO ANOTHER
24 PROPULSION BATTERY RECYCLER FOR FURTHER PROCESSING OR REFINING;
25 OR

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

31 (b) "PROPULSION BATTERY RECYCLER" DOES NOT INCLUDE AN
32 ENTITY OR FACILITY THAT ONLY ENGAGES IN THE COLLECTION OR
33 TRANSPORTATION OF, OR THE LOGISTICS OF MOVING, PROPULSION
34 BATTERIES OR PROPULSION BATTERY MATERIALS DURING THE RECYCLING
35 PROCESS.

36 (23.9) (a) "PROPULSION BATTERY RECYCLING" MEANS:

37 (I) THE REFINEMENT OF CRITICAL MINERALS, SUCH AS ALUMINUM,
38 COBALT, COPPER, IRON, LITHIUM COMPOUNDS, MANGANESE, AND NICKEL,
39 THAT ARE SUITABLE FOR REINTRODUCTION INTO THE BATTERY AND
40 MANUFACTURING SUPPLY CHAIN; AND

41 (II) THE RECOVERY OF AT LEAST FIFTY-FIVE PERCENT OF CRITICAL
42 MINERALS.

43 (b) "PROPULSION BATTERY RECYCLING" DOES NOT INCLUDE

1 SMELTING.

2 (26.3) "REMANUFACTURE" MEANS A STANDARDIZED INDUSTRIAL
3 PROCESS THROUGH WHICH BATTERY CORES ARE RETURNED TO
4 SAME-AS-NEW OR BETTER CONDITION AND PERFORMANCE, WHICH PROCESS
5 IS IN LINE WITH SPECIFIC TECHNICAL SPECIFICATIONS INCLUDING
6 ENGINEERING, QUALITY, AND TESTING STANDARDS.

7 (26.5) "REMANUFACTURER" MEANS A PERSON THAT
8 REMANUFACTURES A PROPULSION BATTERY.

9 (26.7) "REPURPOSE" MEANS THE PROCESS OF MODIFYING A
10 PROPULSION BATTERY OR PROPULSION BATTERY PACK, MODULE, OR CELL
11 TO STORE AND SUPPLY ELECTRICITY IN A MANNER OTHER THAN THE
12 ORIGINAL INTENDED PURPOSE OF THE PROPULSION BATTERY.

13 (26.8) "REPURPOSER" MEANS A PERSON THAT USES A PROPULSION
14 BATTERY TO FULFILL A DIFFERENT USE THAN THE USE FOR WHICH THE
15 PROPULSION BATTERY WAS ORIGINALLY DESIGNED.

16 (26.9) "RESPONSIBLE PROPULSION BATTERY MANAGEMENT"
17 MEANS ENSURING A PROPULSION BATTERY IS MANAGED PURSUANT TO THE
18 BATTERY MANAGEMENT HIERARCHY.

19 ~~(28) "Universal waste" has the meaning set forth in rules adopted~~
20 ~~by the commission~~ "REUSE" MEANS THE USE OF A PROPULSION BATTERY
21 IN A VEHICLE OTHER THAN THE ORIGINAL VEHICLE INTO WHICH THE
22 PROPULSION BATTERY WAS PLACED.

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

27 "SAFETY PLAN" MEANS A PLAN SUBMITTED BY A PROPULSION BATTERY
28 PROVIDER TO THE EXECUTIVE DIRECTOR PURSUANT TO SECTION
29 25-17-1019 (1).

30 ~~(30) "Universal waste handler" means the owner or operator of a~~
31 ~~facility that receives, accumulates, and sends universal waste to another~~
32 ~~universal waste handler, a destination facility, or a foreign destination in~~
33 ~~accordance with the commission's rules governing standards for universal~~
34 ~~waste management~~

35 (a) "SECONDARY HANDLER" MEANS A COMMERCIAL
36 ENTITY OTHER THAN THE PROPULSION BATTERY PROVIDER THAT TAKES
37 POSSESSION OF A PROPULSION BATTERY OR REMOVES A PROPULSION
38 BATTERY FROM A VEHICLE FOR THE PURPOSE OF SELLING, DISPOSITIONING,
39 REPAIRING, REUSING, OR RECYCLING THE PROPULSION BATTERY.

40 (b) "SECONDARY HANDLER" INCLUDES A SOLID WASTE DISPOSAL
41 SITE AND FACILITY.

42 (31) ~~"Written certification" means written certification by a~~
43 ~~producer that:~~

44 (a) ~~The producer is a member of a battery stewardship~~

1 organization, and
2 (b) ~~A covered battery or battery-containing product is marked in~~
3 ~~accordance with section 25-17-1013 or the rules adopted in accordance~~
4 ~~with section 25-17-1013~~ "SMELTING" MEANS TO MELT OR FUSE A
5 METALLIFEROUS MINERAL, OFTEN WITH AN ACCOMPANYING CHEMICAL
6 CHANGE, USUALLY TO SEPARATE THE METAL.
7 (32) "SOLID WASTE COLLECTOR" MEANS A PERSON THAT OPERATES
8 COLLECTION ROUTES FOR THE REMOVAL OF SOLID WASTE FROM
9 RESIDENTIAL, MULTIRESIDENTIAL, COMMERCIAL, OR INDUSTRIAL
10 PREMISES.
11 (33) "SOLID WASTE DISPOSAL SITE AND FACILITY" HAS THE SAME
12 MEANING AS "SOLID WASTES DISPOSAL SITE AND FACILITY" AS DEFINED IN
13 SECTION 30-20-101 (8).
14 (34) "STATE OF CHARGE" MEANS THE MEASURE OF A PROPULSION
15 BATTERY'S REMAINING CAPACITY, EXPRESSED AS A PERCENTAGE OF ITS
16 TOTAL CAPACITY.
17 (35) "STATE OF HEALTH" MEANS A CALCULATED PARAMETER THAT
18 CORRELATES TO USABLE PROPULSION BATTERY ENERGY FOR THE
19 CERTIFIED RANGE VALUE AND IS NORMALIZED FROM ZERO TO ONE
20 HUNDRED PERCENT.
21 (36) "UNIVERSAL WASTE" HAS THE MEANING SET FORTH IN RULES
22 ADOPTED BY THE COMMISSION.
23 (37) "UNIVERSAL WASTE BATTERY" MEANS A WASTE BATTERY
24 GENERATED BY A NONRESIDENTIAL ENTITY, SUCH AS A BUSINESS, SCHOOL,
25 OR GOVERNMENT AGENCY, THAT IS MANAGED AS UNIVERSAL WASTE
26 REGULATED IN ACCORDANCE WITH THE COMMISSION'S RULES GOVERNING
27 STANDARDS FOR UNIVERSAL WASTE MANAGEMENT.
28 (38) "UNIVERSAL WASTE HANDLER" MEANS THE OWNER OR
29 OPERATOR OF A FACILITY THAT RECEIVES, ACCUMULATES, AND SENDS
30 UNIVERSAL WASTE TO ANOTHER UNIVERSAL WASTE HANDLER, A
31 DESTINATION FACILITY, OR A FOREIGN DESTINATION IN ACCORDANCE WITH
32 THE COMMISSION'S RULES GOVERNING STANDARDS FOR UNIVERSAL WASTE
33 MANAGEMENT.
34 (39)(a) "UNWANTED PROPULSION BATTERY" MEANS A PROPULSION
35 BATTERY THAT IS NO LONGER WANTED BY THE OWNER AND IS THUS
36 REQUIRED TO BE COLLECTED BY A PROPULSION BATTERY PROVIDER OR
37 REMANUFACTURER FOR RESPONSIBLE PROPULSION BATTERY
38 MANAGEMENT.
39 (b) "UNWANTED PROPULSION BATTERY" INCLUDES A PROPULSION
40 BATTERY THAT HAS BEEN DAMAGED, INCLUDING IN A THERMAL RUNAWAY
41 INCIDENT.
42 (40) "WRITTEN CERTIFICATION" MEANS WRITTEN CERTIFICATION
43 BY A 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
4 MARKED IN ACCORDANCE WITH SECTION 25-17-1013 OR THE RULES
5 ADOPTED IN ACCORDANCE WITH SECTION 25-17-1013.

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

9 **25-17-1012. Annual fee - battery stewardship fund -**
10 **responsibilities of the executive director - rules.**

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

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

22 (d) The department shall use funds collected pursuant to ~~this~~
23 ~~section~~ SUBSECTION (1) OF THIS SECTION to provide direct services to
24 battery stewardship organizations with an approved plan to ensure
25 effective program oversight, compliance support, and public engagement.
26 Such services include:

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

32 (3) (a) IN ADDITION TO THE ANNUAL FEE DESCRIBED IN
33 SUBSECTION (3)(b) OF THIS SECTION, A PROPULSION BATTERY PROVIDER
34 SHALL PAY A ONE-TIME SAFETY PLAN REVIEW FEE, IN THE AMOUNT OF FIVE
35 THOUSAND DOLLARS, AT THE TIME THE PROPULSION BATTERY PROVIDER
36 SUBMITS A SAFETY PLAN TO THE EXECUTIVE DIRECTOR FOR APPROVAL.
37 THERE IS NO FEE WHEN A PROPULSION BATTERY PROVIDER SEEKS TO
38 RENEW A SAFETY PLAN THAT WAS PREVIOUSLY APPROVED BY THE
39 EXECUTIVE DIRECTOR.

40 (b) WITHIN TWELVE MONTHS AFTER A SAFETY PLAN IS APPROVED,
41 AND ON OR BEFORE EACH JULY 1 THEREAFTER, A PROPULSION BATTERY
42 PROVIDER SHALL PAY TO THE DEPARTMENT AN ANNUAL FEE TO COVER THE
43 DEPARTMENT'S COST OF IMPLEMENTING, ADMINISTERING, AND ENFORCING

1 SECTION 25-17-1019. THE STATE TREASURER SHALL CREDIT THE ANNUAL
2 FEES TO THE FUND, AND THE DEPARTMENT SHALL USE THE FEES FOR COSTS
3 ASSOCIATED WITH THE ADMINISTRATION OF SECTION 25-17-1019. THE
4 COMMISSION SHALL ESTABLISH THE FEE AMOUNT BY RULE.

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

7 **25-17-1015. Enforcement - responsibilities of the department**
8 **- study - repeal.**

9 (1) For violations related to covered batteries, PROPULSION
10 BATTERIES, and the management of universal waste pursuant to this part
11 10, the enforcement process is conducted pursuant to section 25-15-308
12 and rules adopted by the commission in accordance with section
13 25-15-302.

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

15 (a) NOTIFY SECONDARY HANDLERS AND SOLID WASTE COLLECTORS
16 THAT THE DISPOSAL OF PROPULSION BATTERIES IN LANDFILLS IS
17 PROHIBITED AND THAT SECONDARY HANDLERS CAN CONTACT A
18 PROPULSION BATTERY PROVIDER OR REMANUFACTURER TO TAKE
19 RESPONSIBILITY FOR AN UNWANTED PROPULSION BATTERY; AND

20 (b) DETERMINE HOW TO PROCEED IF THE FEDERAL GOVERNMENT
21 ENACTS A LAW OR ADOPTS REGULATIONS PERTAINING TO PROPULSION
22 BATTERIES THAT MAY IMPACT THE REQUIREMENTS OF SECTION
23 25-17-1019.

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

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

36 (5) (a) THE DEPARTMENT SHALL:

37 (I) CONDUCT A STUDY TO DETERMINE WHETHER THERE IS
38 EVIDENCE OF ABANDONMENT OF ORPHANED BATTERIES AND ANALYZE
39 TRENDS IN THE PREVALENCE OF ORPHANED BATTERIES; AND

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

42 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JANUARY 1,
43 2033.

1 **SECTION 6.** In Colorado Revised Statutes, add 25-17-1019 and
2 25-17-1020 as follows:

3 **25-17-1019. Propulsion batteries - propulsion battery**
4 **providers - safety plans - public outreach and education - collection**
5 **of unwanted propulsion batteries - reporting requirement - marking**
6 **and labeling requirements - landfill disposal prohibited.**

7 (1) (a) ON OR BEFORE APRIL 1, 2028, AND EVERY FIVE YEARS
8 THEREAFTER, A PROPULSION BATTERY PROVIDER SHALL SUBMIT TO THE
9 EXECUTIVE DIRECTOR A SAFETY PLAN. THE EXECUTIVE DIRECTOR SHALL
10 REVIEW AND APPROVE, DISAPPROVE, OR CONDITIONALLY APPROVE A
11 SAFETY PLAN BASED ON WHETHER THE SAFETY PLAN:

12 (I) INCLUDES A PUBLIC EDUCATION AND OUTREACH STRATEGY,
13 WHICH INCLUDES THE FOLLOWING INFORMATION, IN ENGLISH AND
14 SPANISH:

15 (A) INFORMATION ON SAFE STORAGE AND HANDLING OF
16 PROPULSION BATTERIES;

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

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

21 (D) A PROCESS FOR HOW A SECONDARY HANDLER CAN NOTIFY THE
22 PROPULSION BATTERY PROVIDER THAT AN UNWANTED PROPULSION
23 BATTERY NEEDS COLLECTION; AND

24 (II) DESCRIBES HOW THE PROPULSION BATTERY PROVIDER WILL
25 MAKE THE EDUCATIONAL MATERIALS DESCRIBED IN SUBSECTION (1)(a)(I)
26 OF THIS SECTION AVAILABLE TO SECONDARY HANDLERS AND FIRST
27 RESPONDERS.

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

30 (I) AN EDUCATION AND OUTREACH PROGRAM FOR SECONDARY
31 HANDLERS;

32 (II) THE PROPULSION BATTERY PROVIDER'S CONTACT
33 INFORMATION FOR SECONDARY HANDLERS; AND

34 (III) INFORMATION THAT THE PROPULSION BATTERY PROVIDER
35 REQUIRES TO DETERMINE THE ELIGIBILITY OF A PROPULSION BATTERY
36 THAT NEEDS COLLECTION, INCLUDING:

37 (A) CONFIRMATION THAT THE BATTERY IS A PROPULSION BATTERY
38 THAT HAS BEEN REMOVED FROM A VEHICLE;

39 (B) CONFIRMATION THAT THE PROPULSION BATTERY HAS NOT
40 BEEN MODIFIED OR TAKEN APART BY ANYONE OTHER THAN A PROPULSION
41 BATTERY PROVIDER OR REMANUFACTURER;

42 (C) CONFIRMATION THAT THE PROPULSION BATTERY IS FULLY
43 OWNED BY THE SECONDARY HANDLER WITH NO KNOWN PENDING CLAIMS

1 FOR LOSS OR DAMAGES BY AN INSURANCE PROVIDER;

2 (D) THE MAKE, MODEL, AND YEAR OF THE VEHICLE FROM WHICH

3 THE PROPULSION BATTERY CAME, IF AVAILABLE;

4 (E) THE DIMENSIONS AND WEIGHT OF THE PROPULSION BATTERY,

5 IF AVAILABLE;

6 (F) A PHOTOGRAPH OF THE LABEL ON THE PROPULSION BATTERY;

7 AND

8 (G) AN ASSESSMENT AS TO WHETHER THE PROPULSION BATTERY

9 IS DAMAGED OR DEFECTIVE.

10 (c) THE EXECUTIVE DIRECTOR SHALL REVIEW A SAFETY PLAN FOR

11 COMPLIANCE WITH THIS SECTION AND SHALL APPROVE, DISAPPROVE, OR

12 CONDITIONALLY APPROVE A SAFETY PLAN WITHIN ONE HUNDRED EIGHTY

13 DAYS AFTER RECEIPT OF THE SAFETY PLAN.

14 (d) IF THE EXECUTIVE DIRECTOR DISAPPROVES A SAFETY PLAN, THE

15 EXECUTIVE DIRECTOR SHALL PROVIDE A WRITTEN NOTICE OF DISAPPROVAL

16 EXPLAINING HOW THE SAFETY PLAN DOES NOT COMPLY WITH THIS

17 SECTION. THE PROPULSION BATTERY PROVIDER SHALL SUBMIT TO THE

18 EXECUTIVE DIRECTOR A REVISED SAFETY PLAN WITHIN SIXTY DAYS AFTER

19 THE DATE THAT THE WRITTEN NOTICE OF DISAPPROVAL IS ISSUED. THE

20 EXECUTIVE DIRECTOR SHALL REVIEW A REVISED SAFETY PLAN WITHIN

21 NINETY DAYS AFTER THE PROPULSION BATTERY PROVIDER SUBMITS THE

22 REVISED SAFETY PLAN.

23 (e) IF A REVISED SAFETY PLAN IS DISAPPROVED BY THE EXECUTIVE

24 DIRECTOR, A PROPULSION BATTERY PROVIDER IS NOT IN COMPLIANCE WITH

25 THIS SECTION UNTIL THE EXECUTIVE DIRECTOR APPROVES A SAFETY PLAN

26 SUBMITTED BY THE PROPULSION BATTERY PROVIDER.

27 (2) ON AND AFTER OCTOBER 1, 2028, A PROPULSION BATTERY

28 PROVIDER SHALL NOT SELL, MAKE AVAILABLE FOR SALE, OR DISTRIBUTE

29 A PROPULSION BATTERY IN OR INTO THE STATE UNLESS THE PROPULSION

30 BATTERY PROVIDER HAS SUBMITTED A SAFETY PLAN TO THE EXECUTIVE

31 DIRECTOR IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION.

32 (3) A PROPULSION BATTERY PROVIDER SHALL:

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

34 (b) PROVIDE ON AT LEAST ONE WEBSITE THE EDUCATIONAL

35 INFORMATION INCLUDED IN THE PROPULSION BATTERY PROVIDER'S SAFETY

36 PLAN PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION.

37 (4) A PROPULSION BATTERY PROVIDER SHALL:

38 (a) EXCEPT AS PROVIDED IN SUBSECTION (4)(c) OF THIS SECTION,

39 UPON RECEIVING NOTIFICATION IN ACCORDANCE WITH THE NOTIFICATION

40 PROCESS OUTLINED IN SUBSECTION (1)(b) OF THIS SECTION THAT AN

41 UNWANTED PROPULSION BATTERY NEEDS COLLECTION, RETRIEVE THE

42 BATTERY WITHIN SIXTY DAYS AFTER RECEIVING THE NOTIFICATION AND

43 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.

28 (5) (a) ON OR BEFORE JUNE 1, 2030, AND ON OR BEFORE EACH
29 JUNE 1 THEREAFTER, A PROPULSION BATTERY PROVIDER WITH A SAFETY
30 PLAN AND A REMANUFACTURER SHALL SUBMIT AN ANNUAL REPORT TO THE
31 EXECUTIVE DIRECTOR COVERING THE PRECEDING CALENDAR YEAR OF THE
32 RESPONSIBLE PROPULSION BATTERY MANAGEMENT OF THE PROPULSION
33 BATTERIES COLLECTED BY THE PROPULSION BATTERY PROVIDER OR
34 REMANUFACTURER PURSUANT TO THIS SECTION. THE REPORT MUST
35 INCLUDE THE FOLLOWING:

36 (I) DETAILS OF THE PROCESS FOR A SECONDARY HANDLER TO
37 NOTIFY THE PROPULSION BATTERY PROVIDER OR REMANUFACTURER THAT
38 AN UNWANTED PROPULSION BATTERY NEEDS COLLECTION AND HOW THE
39 PROPULSION BATTERY PROVIDER OR REMANUFACTURER COMMUNICATED
40 THAT PROCESS TO SECONDARY HANDLERS;

41 (II) THE NUMBER OF UNWANTED PROPULSION BATTERIES THAT THE
42 PROPULSION BATTERY PROVIDER OR REMANUFACTURER WAS OFFERED
43 FROM A SECONDARY HANDLER AND THE NUMBER OF UNWANTED

1 PROPULSION BATTERIES COLLECTED;

2 (III) FOR EACH REQUEST A PROPULSION BATTERY PROVIDER OR
3 REMANUFACTURER RECEIVED TO COLLECT AN UNWANTED PROPULSION
4 BATTERY:

5 (A) THE DATE THAT THE SECONDARY HANDLER OFFERED THE
6 UNWANTED PROPULSION BATTERY ALONG WITH THE ELIGIBILITY
7 INFORMATION DESCRIBED IN SUBSECTIONS (1)(b)(III) AND (9)(e)(III) OF
8 THIS SECTION TO THE PROPULSION BATTERY PROVIDER OR
9 REMANUFACTURER;

10 (B) THE DATE THE PROPULSION BATTERY PROVIDER OR
11 REMANUFACTURER COMMUNICATED TO THE SECONDARY HANDLER A PLAN
12 FOR COLLECTING THE UNWANTED PROPULSION BATTERY; AND

13 (C) THE DATE THE UNWANTED PROPULSION BATTERY WAS
14 COLLECTED, OR, IF APPLICABLE, THE REASONS THAT THE UNWANTED
15 PROPULSION BATTERY WAS NOT COLLECTED, INCLUDING SUPPORTING
16 INFORMATION SUCH AS PHOTOGRAPHS;

17 (IV) THE NUMBER OF PROPULSION BATTERIES IN THE STATE, BY
18 CHEMISTRY, THAT WERE COLLECTED BY THE PROPULSION BATTERY
19 PROVIDER OR REMANUFACTURER IN THE PRECEDING YEAR;

20 (V) THE NUMBER OF PROPULSION BATTERIES, SEPARATED BY
21 CHEMISTRY, SENT FOR REUSE, REMANUFACTURING, REPURPOSING, OR
22 PROPULSION BATTERY RECYCLING, RESPECTIVELY;

23 (VI) PROPULSION BATTERY RECYCLERS USED IN THE PROPULSION
24 BATTERY RECYCLING PROCESS, INCLUDING IDENTIFICATION OF A
25 RECYCLER'S LOCATION; AND

26 (VII) FOR EACH PROPULSION BATTERY RECYCLER USED BY THE
27 PROPULSION BATTERY PROVIDER OR REMANUFACTURER:

28 (A) A DESCRIPTION OF HOW THE PROPULSION BATTERY RECYCLER
29 MANAGED OR RECYCLED PROPULSION BATTERIES AND PROPULSION
30 BATTERY COMPONENTS; AND

31 (B) THE PROPULSION BATTERY RECYCLER'S RATIO, BY WEIGHT, OF
32 CRITICAL MINERALS RECOVERED FROM PROPULSION BATTERIES TO
33 CRITICAL MINERALS RECEIVED. THE INDIVIDUAL CRITICAL MINERALS AND
34 SPECIFIC RATIOS MUST BE LISTED SEPARATELY. THE RATIO MAY
35 REPRESENT THE FACILITY LEVEL YEARLY AVERAGE.

36 (b) (I) THE EXECUTIVE DIRECTOR SHALL KEEP PROPRIETARY
37 INFORMATION, AS MARKED BY A PROPULSION BATTERY PROVIDER,
38 REMANUFACTURER, OR PROPULSION BATTERY RECYCLER, CONFIDENTIAL
39 AND MAKE NONPROPRIETARY INFORMATION AVAILABLE UPON REQUEST.

40 (II) THE INFORMATION DESCRIBED IN SUBSECTIONS (5)(a)(I),
41 (5)(a)(II), (5)(a)(IV), (5)(a)(VI), AND (5)(a)(VII) OF THIS SECTION AND
42 AGGREGATED INFORMATION FROM SUBSECTIONS (5)(a)(III) AND (5)(a)(V)
43 OF THIS SECTION IS NOT PROPRIETARY.

1 (III) ANY INFORMATION MADE PUBLICLY AVAILABLE MUST BE
2 AGGREGATED SO THAT NO INDIVIDUAL PROPULSION BATTERY PROVIDER OR
3 REMANUFACTURER IS IDENTIFIABLE.

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

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

9 (6) ON AND AFTER OCTOBER 1, 2028, A PROPULSION BATTERY
10 PROVIDER SHALL NOT SELL, OFFER FOR SALE, OR DISTRIBUTE IN OR INTO
11 THE STATE A PROPULSION BATTERY UNLESS THE PROPULSION BATTERY
12 PROVIDER:

13 (a) (I) APPLIES A LABEL TO THE PROPULSION BATTERY THAT
14 INCLUDES THE FOLLOWING:

15 (A) AN IDENTIFICATION OF THE CHEMISTRY OF THE PROPULSION
16 BATTERY, INCLUDING THE CATHODE TYPE AND ANODE TYPE, IN
17 ACCORDANCE WITH SAE INTERNATIONAL J2984 STANDARD, "CHEMICAL
18 IDENTIFICATION OF TRANSPORTATION BATTERIES FOR RECYCLING";

19 (B) THE NAME OF THE PROPULSION BATTERY PROVIDER
20 RESPONSIBLE FOR THE PROPULSION BATTERY AND ITS DATE OF
21 MANUFACTURE;

22 (C) THE RATED CAPACITY OR ENERGY AS MEASURED BY SAE
23 INTERNATIONAL J2288 STANDARD, "LIFE CYCLE TESTING OF ELECTRIC
24 VEHICLE BATTERY MODULES";

25 (D) THE HAZARDOUS SUBSTANCES CONTAINED IN THE PROPULSION
26 BATTERY;

27 (E) PRODUCT SAFETY AND RECALL INFORMATION; AND

28 (F) SAFE DISPOSAL INFORMATION.

29 (II) A PROPULSION BATTERY PROVIDER THAT APPLIES A LABEL
30 SHALL ATTACH THE LABEL TO THE EXTERIOR OF THE PROPULSION BATTERY
31 SO THAT THE LABEL IS VISIBLE AND ACCESSIBLE WHEN THE PROPULSION
32 BATTERY IS REMOVED FROM THE VEHICLE IN ACCORDANCE WITH THE
33 MANUFACTURER'S RECOMMENDED PROCEDURES FOR BATTERY REMOVAL.
34 THE LABEL MUST REMAIN LEGIBLE, ADHERED, AND FUNCTIONALLY INTACT
35 UNDER EXPECTED ENVIRONMENTAL AND LIFE-CYCLE CONDITIONS WITHIN
36 THE VEHICLE.

37 (b) (I) IN LIEU OF A LABEL, APPLIES A QUICK RESPONSE (QR) CODE
38 TO THE PROPULSION BATTERY THAT LINKS TO A WEBSITE THAT CONTAINS
39 THE INFORMATION DESCRIBED IN SUBSECTION (6)(a)(I) OF THIS SECTION.
40 IF THE QUICK RESPONSE (QR) CODE IS NOT READILY ACCESSIBLE WHILE
41 THE PROPULSION BATTERY IS IN THE VEHICLE, THE PROPULSION BATTERY
42 PROVIDER SHALL ALSO PLACE THE QUICK RESPONSE (QR) CODE IN A
43 VISIBLE LOCATION ON THE VEHICLE OR IN THE VEHICLE'S INFOTAINMENT

1 SYSTEM.

2 (II) THE QUICK RESPONSE (QR) CODE MUST BE LINKED TO A DATA
3 REPOSITORY WEBSITE. THE WEBSITE MAY INCLUDE INFORMATION THAT
4 COVERS A PERIOD OF TIME REPRESENTING MULTIPLE DATES OF
5 MANUFACTURE IF THE REST OF THE LABEL INFORMATION REQUIRED BY
6 THIS SUBSECTION (6) IS CONSISTENT ACROSS THE MULTIPLE DATES OF
7 MANUFACTURE AND THE DATA REPOSITORY WEBSITE ENTRY INCLUDES THE
8 APPLICABLE RANGE OF DATES OF MANUFACTURE.

9 (III) A PROPULSION BATTERY PROVIDER THAT ELECTS TO USE A
10 QUICK RESPONSE (QR) CODE INSTEAD OF A LABEL SHALL VISIBLY INCLUDE
11 THE NAME OF THE PROPULSION BATTERY PROVIDER ON THE PROPULSION
12 BATTERY.

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

16 (b) A PROPULSION BATTERY PROVIDER MAY CONTRACT WITH A
17 THIRD PARTY TO MANAGE PROPULSION BATTERIES TO SATISFY THE
18 REQUIREMENTS OF THIS SECTION.

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

20 (a) A SECONDARY HANDLER SHALL MANAGE A PROPULSION
21 BATTERY BY ENSURING RESPONSIBLE PROPULSION BATTERY
22 MANAGEMENT;

23 (b) IF A SECONDARY HANDLER DETERMINES THAT A PROPULSION
24 BATTERY IS AN UNWANTED PROPULSION BATTERY, THE SECONDARY
25 HANDLER SHALL NOTIFY THE APPROPRIATE PROPULSION BATTERY
26 PROVIDER OR REMANUFACTURER OR ANY ENTITY THAT THE PROPULSION
27 BATTERY PROVIDER OR REMANUFACTURER HAS DESIGNATED TO
28 FACILITATE THE COLLECTION OF UNWANTED PROPULSION BATTERIES;

29 (c) A SECONDARY HANDLER MANAGING PROPULSION BATTERIES
30 SHALL MAINTAIN RECORDS FOR FIVE YEARS DETAILING THE PROPULSION
31 BATTERIES SOLD OR TRANSFERRED BY THE SECONDARY HANDLER AND
32 EACH PERSON THAT PURCHASED OR RECEIVED THE PROPULSION
33 BATTERIES;

34 (d) WHEN SHIPPING A PROPULSION BATTERY, A SECONDARY
35 HANDLER IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH PROPER
36 PERSONNEL TRAINING REQUIREMENTS FOR SHIPPING UNDER 49 CFR
37 172.700 TO 172.704; AND

38 (e) WHEN REMOVING A PROPULSION BATTERY FROM A VEHICLE, A
39 SECONDARY HANDLER SHALL RECORD THE LAST KNOWN STATE OF HEALTH
40 AND STATE OF CHARGE, IF AVAILABLE, AND DISCLOSE THESE VALUES AT
41 THE TIME OF SALE OR TRANSFER OF THE PROPULSION BATTERY TO
42 ANOTHER PERSON.

43 (9) ON AND AFTER OCTOBER 1, 2028, A REMANUFACTURER

1 SELLING PROPULSION BATTERIES IN THE STATE:

2 (a) SHALL LABEL A PROPULSION BATTERY WITH THE
3 REMANUFACTURER'S REBRANDING LABEL, ENSURING THAT THE
4 REMANUFACTURER'S BRAND IS CLEARLY MARKED ON THE LABEL;

5 (b) SHALL ENSURE RESPONSIBLE PROPULSION BATTERY
6 MANAGEMENT WHEN:

7 (I) A PROPULSION BATTERY THAT THE REMANUFACTURER
8 DISASSEMBLES OR REMANUFACTURES IS ULTIMATELY NOT SOLD FOR USE
9 IN A VEHICLE; AND

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

13 (c) SHALL FULLY FUND THE COSTS OF THE COLLECTION OF AN
14 UNWANTED PROPULSION BATTERY OFFERED BY A SECONDARY HANDLER;
15 EXCEPT THAT A REMANUFACTURER IS NOT RESPONSIBLE FOR COLLECTING
16 A PROPULSION BATTERY:

17 (I) THAT HAS BEEN REPURPOSED BY A REPURPOSER, UNLESS THE
18 REPURPOSER IS IN A CONTRACTUAL RELATIONSHIP WITH THE
19 REMANUFACTURER AND THE CONTRACT PROVIDES THAT THE
20 REMANUFACTURER RETAINS RESPONSIBILITY FOR THE DISPOSITIONING AND
21 RESPONSIBLE PROPULSION BATTERY MANAGEMENT;

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

24 (III) IF THE REMANUFACTURER IS IN A CONTRACTUAL
25 RELATIONSHIP WITH THE PROPULSION BATTERY PROVIDER AND THE
26 CONTRACT PROVIDES THAT THE PROPULSION BATTERY PROVIDER RETAINS
27 RESPONSIBILITY FOR THE DISPOSITIONING AND MANAGEMENT OF THE
28 PROPULSION BATTERY; OR

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

30 (d) EXCEPT AS PROVIDED IN SUBSECTION (9)(c) OF THIS SECTION,
31 UPON RECEIVING NOTIFICATION THAT AN UNWANTED PROPULSION
32 BATTERY NEEDS COLLECTION IN ACCORDANCE WITH THE NOTIFICATION
33 PROCESS OUTLINED IN SUBSECTION (9)(e) OF THIS SECTION, SHALL
34 RETRIEVE THE BATTERY WITHIN SIXTY DAYS AFTER RECEIVING
35 NOTIFICATION; AND

36 (e) SHALL ESTABLISH A PROCESS FOR A SECONDARY HANDLER TO
37 NOTIFY THE REMANUFACTURER THAT AN UNWANTED PROPULSION
38 BATTERY NEEDS COLLECTION. THE PROCESS MUST INCLUDE THE
39 FOLLOWING:

40 (I) AN EDUCATION AND OUTREACH PROGRAM FOR SECONDARY
41 HANDLERS;

42 (II) THE REMANUFACTURER'S CONTACT INFORMATION FOR
43 SECONDARY HANDLERS; AND

1 (III) INFORMATION THAT THE REMANUFACTURER REQUIRES TO
2 DETERMINE 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 THE PROPULSION BATTERY HAS NOT
7 BEEN MODIFIED OR TAKEN APART BY ANYONE OTHER THAN THE
8 PROPULSION BATTERY PROVIDER OR REMANUFACTURER;
9 (C) CONFIRMATION THAT THE PROPULSION BATTERY IS FULLY
10 OWNED BY THE SECONDARY HANDLER WITH NO KNOWN PENDING CLAIMS
11 FOR LOSS OR DAMAGES BY AN INSURANCE PROVIDER;
12 (D) THE MAKE, MODEL, AND YEAR OF THE VEHICLE FROM WHICH
13 THE PROPULSION BATTERY CAME, IF AVAILABLE;
14 (E) THE PROPULSION BATTERY DIMENSIONS AND WEIGHT, IF
15 AVAILABLE;
16 (F) A PHOTOGRAPH OF THE LABEL ON THE PROPULSION BATTERY;
17 AND
18 (G) AN ASSESSMENT AS TO WHETHER THE PROPULSION BATTERY
19 IS DAMAGED OR DEFECTIVE.
20 (10) (a) ON AND AFTER OCTOBER 1, 2028, A REPURPOSER SHALL:
21 (I) LABEL A PROPULSION BATTERY THAT IS REPURPOSED IN THE
22 STATE, ENSURING THAT THE REPURPOSER'S BRAND IS CLEARLY MARKED ON
23 THE LABEL; AND
24 (II) ENSURE THE PROPULSION BATTERY RECYCLING OF PROPULSION
25 BATTERIES THAT ARE WITHIN THE REPURPOSER'S POSSESSION AND THAT
26 CANNOT BE REPURPOSED.
27 (b) (I) ON OR BEFORE JUNE 1, 2030, AND ON OR BEFORE EACH JUNE
28 1 THEREAFTER, A REPURPOSER SHALL SUBMIT AN ANNUAL REPORT TO THE
29 EXECUTIVE DIRECTOR COVERING THE PRECEDING CALENDAR YEAR OF THE
30 REPURPOSER'S RESPONSIBLE PROPULSION BATTERY MANAGEMENT. THE
31 REPORT MUST INCLUDE THE FOLLOWING:
32 (A) THE NUMBER OF PROPULSION BATTERIES THAT THE
33 REPURPOSER REPURPOSED FROM COLORADO; AND
34 (B) THE NAME AND ADDRESS OF WHERE THE REPURPOSED
35 BATTERIES WERE SOLD OR TRANSFERRED, INCLUDING FOR BATTERIES SENT
36 FOR USE IN A SECONDARY APPLICATION AND THOSE SENT FOR PROPULSION
37 BATTERY RECYCLING.
38 (II) THE ANNUAL REPORT MAY BE UNIQUE TO COLORADO OR MAY
39 INCLUDE INFORMATION FOR MULTIPLE STATES.
40 (III) A REPURPOSER THAT IS ALSO A REMANUFACTURER NEED
41 ONLY SUBMIT ONE ANNUAL REPORT THAT INCLUDES THE REQUIRED
42 INFORMATION SET FORTH IN THIS SECTION.
43 (11) ON AND AFTER OCTOBER 1, 2028:

1 (a) ALL PROPULSION BATTERIES IN THE STATE MUST BE MANAGED
2 AT END OF LIFE IN ACCORDANCE WITH RESPONSIBLE PROPULSION BATTERY
3 MANAGEMENT;

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

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

9 (d) A PERSON NOT IDENTIFIED IN THIS SECTION IS RESPONSIBLE FOR
10 ENSURING THE RESPONSIBLE PROPULSION BATTERY MANAGEMENT OF
11 PROPULSION BATTERIES BY WORKING WITH A SECONDARY HANDLER,
12 PROPULSION BATTERY PROVIDER, REMANUFACTURER, REPURPOSER, OR
13 PROPULSION BATTERY RECYCLER.

14 **25-17-1020. Applicability.**

15 A VEHICLE CONTAINING A PROPULSION BATTERY ORIGINALLY SOLD
16 IN THE STATE IS NOT SUBJECT TO THIS PART 10 WHEN IT IS RETIRED OUT OF
17 STATE.

18 **SECTION 7. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act
24 within such period, then the act, item, section, or part will not take effect
25 unless approved by the people at the general election to be held in
26 November 2026 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor."

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