

SENATE, No. 3665

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 26, 2021

Sponsored by:

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District 17 (Middlesex and Somerset)

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SYNOPSIS

Requires manufacturers of electric vehicles to establish and implement electric vehicle battery management plans.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/6/2021)

1 **AN ACT** concerning the recycling and disposal of electric vehicle
2 batteries and supplementing Title 13 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. This act shall be known and may be cited as the “Electric
8 Vehicle Battery Management Act.”

9
10 2. The Legislature finds and declares that millions of electric
11 vehicles have been sold in the United States during recent years;
12 that this recent increase in electric vehicle use, while positive for
13 the fight against climate change, has presented new environmental
14 challenges such as where and how to dispose of used electric
15 vehicle batteries; that consumers of electric vehicles and residents
16 of this State do not have ready access to an efficient,
17 environmentally sound, and cost-effective collection method for the
18 recycling or disposal of used electric vehicle batteries; that lithium-
19 ion electric vehicle batteries, which are the most commonly used
20 electric vehicle batteries today, contain toxic chemicals that should
21 not be placed into landfills, since they could be hazardous, cause
22 pollution, contaminate nearby soil and water, and potentially
23 explode if mishandled; that many used electric vehicle batteries still
24 retain up to seventy percent of their battery capacity when they are
25 no longer able to charge a vehicle effectively; that it is cost-
26 effective for these used electric vehicle batteries to be reused for
27 alternate purposes until they are fully expired of their battery life
28 prior to recycling or disposal; and that manufacturers of electric
29 vehicles are best able to assume responsibility for the development
30 and implementation of a cost-effective electric vehicle battery
31 management plan that will provide for the environmentally sound
32 collection, transportation, reuse, and recycling or disposal of used
33 electric vehicle batteries.

34 The Legislature therefore determines that it is in the best interest
35 of the residents of New Jersey for the manufacturers of electric
36 vehicles sold within the State to assume the costs of, and accept the
37 responsibility for, the environmentally sound collection,
38 transportation, reuse, and recycling or proper disposal of used
39 electric vehicle batteries.

40
41 3. As used in this act:

42 “Department” means the Department of Environmental
43 Protection.

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

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

5 “Electric vehicle battery management plan” means a plan for the
6 collection, transportation, reuse, and recycling or disposing of used
7 electric vehicle batteries prepared pursuant to section 4 of this act.

8 “Environmentally sound management practices” means the
9 policies and procedures for the collection, transportation, reuse, and
10 recycling or disposal of used electric vehicle batteries, implemented
11 by a manufacturer to ensure compliance with all applicable federal,
12 State, and local laws, rules, regulations, and ordinances, and for the
13 protection of human health, safety, and the environment, and which
14 address matters such as adequate recordkeeping, accurate tracking,
15 and documentation of the collection, transportation, reuse, and
16 recycling or disposal of used electric vehicle batteries within the
17 State, as may be established by the department.

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

22 “Plug-in hybrid vehicle” means a vehicle that can be charged
23 from a source of electricity external to the vehicle through an
24 electric plug, but is not exclusively powered by electricity.

25 “Retailer” means a person engaged in the sale of electric vehicles
26 to a consumer at retail.

27

28 4. a. No later than 180 days after the effective date of this act,
29 each manufacturer of electric vehicles sold within the State, either
30 individually or as a part of a group of manufacturers, shall, in
31 consultation with the department, develop and submit an electric
32 vehicle battery management plan to the department for review and
33 approval pursuant to section 5 of this act. The plan shall provide
34 for manufacturers to be responsible for the collection,
35 transportation, reuse, and recycling or disposal of all used electric
36 vehicle batteries using environmentally sound management
37 practices. The plan shall prioritize the reuse and recycling of used
38 electric vehicle batteries prior to disposal.

39 b. An electric vehicle battery management plan prepared and
40 submitted pursuant to this section shall include, at a minimum, the
41 following:

42 (1) information identifying the make, model, and year of electric
43 vehicles that may contain an electric vehicle battery, and the
44 estimated number of electric vehicle batteries for which the
45 manufacturer is responsible;

46 (2) methods that will be used to remove, collect, and store the
47 used electric vehicle batteries including proposed collection
48 services;

1 (3) methods that will be utilized to transport the used electric
2 vehicle batteries to authorized recycling facilities, including the
3 name and location of all authorized recyclers to be directly utilized
4 pursuant to the plan;

5 (4) the processes and methods that will be utilized to reuse used
6 electric vehicle batteries for alternate second-life purposes, recycle
7 used electric vehicle batteries that cannot be reused for alternate
8 uses including a description of the recycling processes that will be
9 used, and, if necessary, a plan for final disposal of used electric
10 vehicle batteries;

11 (5) a strategy for informing consumers and residents of this
12 State about the requirement to properly manage electric vehicle
13 batteries, the environmental impact of the improper handling or
14 disposal of used electric vehicle batteries, and the mechanisms for
15 the collection, transportation, reuse, and recycling or proper
16 disposal of used electric vehicle batteries that are available to
17 consumers pursuant to the plan;

18 (6) a plan for the implementation and financing of the electric
19 vehicle battery management plan; and

20 (7) any other information, policies, or procedures as the
21 department deems appropriate.

22 c. An electric vehicle battery management plan shall, to the
23 extent practicable, utilize the existing recycling infrastructure.
24 Where the existing recycling infrastructure is not utilized, the
25 electric vehicle battery management plan shall include the reasons
26 for establishing a separate infrastructure.

27 d. An electric vehicle battery management plan shall provide
28 for the financing of the collection, transportation, reuse, and
29 recycling or disposal of used electric vehicle batteries. The costs of
30 such financing shall be borne by the manufacturers of electric
31 vehicles sold in the State. The department and the manufacturers
32 shall jointly develop a method that ensures the prompt payment to
33 recycling facilities for costs associated with electric vehicle battery
34 collection, transportation, reuse, and recycling or disposal.

35 e. An electric vehicle battery management plan shall be
36 reviewed and updated, as necessary, at least once every two years.

37

38 5. a. No later than 120 days after receipt by the department of
39 a complete electric vehicle battery management plan, the
40 department shall approve, disapprove, or conditionally approve the
41 electric vehicle battery management plan and may impose
42 additional requirements as a condition for approval. In making a
43 determination pursuant to this section, the department may solicit
44 information from representatives of recycling facilities and other
45 stakeholders as the department deems appropriate. The department
46 may assess a manufacturer a reasonable fee to cover the
47 department's costs for reviewing the manufacturer's plan and for
48 implementation and enforcement costs it incurs pursuant to this act.

1 (1) If the department approves the electric vehicle battery
2 management plan, the manufacturer shall implement the plan within
3 90 days after receipt of approval from the department or as
4 otherwise agreed to by the department. If the electric vehicle
5 battery management plan is disapproved, the department shall
6 inform the manufacturer of the reasons for the disapproval. The
7 manufacturer shall have 30 days thereafter to submit a revised
8 electric vehicle battery management plan to the department.

9 (2) The department may approve, in part, an electric vehicle
10 battery management plan, and may disapprove a part of the plan
11 that does not comply with the requirements of this act and the rules
12 and regulations adopted pursuant thereto. The manufacturer shall
13 implement the components of the plan, as approved, within 90 days
14 after receipt of approval by the department or as otherwise agreed to
15 by the department, and submit a revised electric vehicle battery
16 management plan within 30 days after receipt of notification of the
17 disapproval by the department in order to bring the entire plan into
18 compliance with the requirements of this act and any rules and
19 regulations adopted pursuant thereto. The department shall review
20 and approve, conditionally approve, or disapprove a revised electric
21 vehicle battery management plan within 30 days after receipt of the
22 revised plan.

23 (3) If, at the conclusion of the time period ending 120 days after
24 receipt by the department of a complete electric vehicle battery
25 management plan, the department has neither approved nor
26 disapproved the electric vehicle battery management plan pursuant
27 to paragraphs (1) or (2) of this subsection, the electric vehicle
28 battery management plan shall be deemed to be conditionally
29 approved. A manufacturer, subject to any modifications required
30 by the department, shall implement a conditionally approved
31 electric vehicle battery management plan within 90 days after the
32 plan has been deemed conditionally approved by the department.

33 b. The department may impose additional plan requirements, at
34 the conclusion of the time period ending 240 days after the effective
35 date of this act, on behalf of a manufacturer, for any portion of an
36 electric vehicle battery management plan that does not comply with
37 the requirements of this act, and any rules and regulations adopted
38 pursuant thereto, for a plan component that has not been approved
39 pursuant to this section.

40 c. The department may review an electric vehicle battery
41 management plan approved pursuant to this section and recommend
42 modifications thereto at any time upon a finding that the approved
43 electric vehicle battery management plan, as implemented, is
44 deficient.

45 d. Within 90 days after the department's approval of an electric
46 vehicle battery management plan submitted in accordance with
47 section 4 of this act, or any revisions thereto, the department shall
48 post, at a publicly accessible location on its Internet website, each

1 electric vehicle battery management plan and a list identifying each
2 of the manufacturers participating in an electric vehicle battery
3 management plan.

4
5 6. In implementing a plan approved pursuant to section 5 of
6 this act, a manufacturer shall provide consumers with educational
7 materials related to the electric vehicle battery management plan
8 and the electric vehicle battery collection services that are available,
9 in a form and manner as may be determined by the department. The
10 educational materials shall include, but need not be limited to,
11 information identifying the end-of-life management options that are
12 available for used electric vehicle batteries through the electric
13 vehicle battery management plan, and a notice that the costs of the
14 services will be covered by the manufacturers of electric vehicles
15 throughout the State. Manufacturers may provide retailers with
16 educational and informational material describing collection
17 opportunities and promoting waste prevention, reuse, and recycling
18 of used electric vehicle batteries. The educational and promotional
19 materials may include, but need not be limited to, signage, written
20 materials, templates of materials for reproduction by retailers to be
21 provided to consumers at the time of purchase, and advertising
22 materials describing the electric vehicle battery management plan.

23
24 7. a. Beginning 18 months after the effective date of this act, a
25 manufacturer or retailer shall not sell, or offer to sell, electric
26 vehicles to any person in the State unless the manufacturer of the
27 electric vehicle is engaged in the implementation of, or has fully
28 implemented, an electric vehicle battery management plan approved
29 by the department pursuant to section 5 of this act.

30 b. A retailer shall be deemed to be in compliance with
31 subsection a. of this section if, on the date the electric vehicle is
32 ordered thereby, the manufacturer of the electric vehicle is
33 identified on the list maintained on the department's Internet
34 website pursuant to subsection d. of section 5 of this act.

35 c. If a manufacturer fails to comply with the conditions and
36 terms of an approved electric vehicle battery management plan, the
37 manufacturer shall be prohibited from selling or offering for sale
38 electric vehicles in this State.

39
40 8. a. Whenever the Commissioner of Environmental Protection
41 finds that a person has violated any provision of this act, or any rule
42 or regulation adopted pursuant thereto, or knowingly makes a false
43 statement, representation, or certification in any application, record,
44 plan, or other document filed or required to be maintained pursuant
45 to this act, the commissioner may:

46 (1) issue an order requiring the person found to be in violation
47 to comply in accordance with subsection b. of this section;

1 (2) bring a civil action in accordance with subsection c. of this
2 section;

3 (3) levy a civil administrative penalty in accordance with
4 subsection d. of this section; or

5 (4) bring an action for a civil penalty in accordance with
6 subsection e. of this section.

7 Pursuit of any of the remedies specified under this section shall
8 not preclude the seeking of any other remedy specified.

9 b. Whenever the commissioner finds that a person has violated
10 this act, or any rule or regulation adopted pursuant thereto, the
11 commissioner may issue an administrative enforcement order
12 specifying the provision or provisions of this act, or the rule or
13 regulation adopted pursuant thereto, of which the person is in
14 violation, citing the action that constituted the violation, requiring
15 compliance with the provision violated, and giving notice to the
16 person of the person's right to a hearing on the matters contained in
17 the administrative enforcement order. The ordered person shall
18 have 20 calendar days from receipt of the order within which to
19 deliver to the commissioner a written request for a hearing. After
20 the hearing and upon finding that a violation has occurred, the
21 commissioner may issue a final order. If no hearing is requested,
22 the order shall become final after the expiration of the 20-day
23 period. A request for hearing shall not automatically stay the effect
24 of the order.

25 c. The commissioner is authorized to institute a civil action in
26 Superior Court for appropriate relief from any violation of the
27 provisions of this act, or any rule or regulation adopted thereof.
28 Such relief may include, singly or in combination:

29 (1) a temporary or permanent injunction;

30 (2) recovery of reasonable costs of any investigation or
31 inspection which led to the discovery of the violation, and for the
32 reasonable costs of preparing and bringing a civil action
33 commenced under this subsection;

34 (3) recovery of reasonable costs incurred by the State in
35 removing, correcting, or terminating the adverse effects resulting
36 from any violation of the provisions of this act, or any rule or
37 regulation adopted pursuant thereto, for which a civil action has
38 been commenced and brought under this subsection;

39 (4) recovery of compensatory damages caused by a violation of
40 the provisions of this act, or any rule or regulation adopted thereof,
41 for which a civil action has been commenced and brought under this
42 subsection. Assessments under this subsection shall be paid to the
43 State Treasurer, except that compensatory damages may be paid by
44 specific order of the court to any persons who have been aggrieved
45 by the violation.

46 d. The commissioner is authorized to assess a civil
47 administrative penalty of not less than \$5,000 nor more than
48 \$10,000 for each violation, provided that each day during which the

1 violation continues shall constitute an additional, separate and
2 distinct offense.

3 In assessing a civil administrative penalty, the commissioner shall
4 consider the severity of the violation, the measures taken to prevent
5 further violations, and whether the penalty will maintain an
6 appropriate deterrent.

7 Prior to assessment of a civil administrative penalty, the person
8 committing the violation shall be notified by certified mail or
9 personal service that the penalty is being assessed. The notice shall
10 identify the section of the statute, rule, regulation, or order violated;
11 recite the facts alleged to constitute a violation; state the basis for
12 the amount of the civil administrative penalties to be assessed; and
13 affirm the rights of the alleged violator to a hearing. The ordered
14 party shall have 35 days from receipt of the notice within which to
15 deliver to the commissioner a written request for a hearing. After
16 the hearing and upon finding that a violation has occurred, the
17 commissioner may issue a final order after assessing the amount of
18 the fine specified in the notice. If no hearing is requested, the
19 notice shall become a final order after the expiration of the 35-day
20 period. Payment of the assessment is due when a final order is
21 issued or the notice becomes a final order. The authority to levy an
22 administrative order is in addition to all other enforcement
23 provisions in this act, and the payment of any assessment shall not
24 be deemed to affect the availability of any other enforcement
25 provisions in connection with the violation for which the
26 assessment is levied. The department may compromise any civil
27 administrative penalty assessed under this section in an amount and
28 with conditions the department determines appropriate.

29 e. A person who violates any provision of this act, or any rule
30 or regulation adopted pursuant thereto, or an administrative order
31 issued pursuant to subsection b. of this section, or a court order
32 issued pursuant to subsection c. of this section, or who fails to pay a
33 civil administrative penalty in full pursuant to subsection d. of this
34 section, or who knowingly makes any false or misleading statement
35 on any application, record, report, or other document required to be
36 submitted to the department, shall be subject, upon order of a court,
37 to a civil penalty not to exceed \$10,000 per day of the violation, and
38 each day during which the violation continues shall constitute an
39 additional, separate, and distinct offense. Any civil penalty
40 imposed pursuant to this subsection may be collected with costs in a
41 summary proceeding pursuant to the "Penalty Enforcement Law of
42 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), or may be collected in
43 a civil action commenced by the commissioner. In addition to any
44 penalties, costs or interest charges, the Superior Court, or the
45 municipal court as the case may be, may assess against the violator
46 the amount of economic benefit accruing to the violator from the
47 violation.

1 f. All penalties collected by the department pursuant to this act
2 shall be appropriated and allocated annually for administration and
3 enforcement of the "Electric Vehicle Battery Management Act."
4

5 9. a. No later than one year after the implementation of an
6 electric vehicle battery management plan approved pursuant to
7 section 5 of this act, and annually thereafter, each manufacturer
8 subject to section 4 of this act shall, either individually or as part of
9 a group of manufacturers, report to the department concerning the
10 implementation of the electric vehicle battery management plan.
11 The report shall include, but need not be limited to, the following:

12 (1) a description of the methods used to remove, collect, store,
13 transport, reuse, and recycle or dispose of the used electric vehicle
14 batteries under the electric vehicle battery management plan;

15 (2) the number of used electric vehicle batteries collected during
16 the preceding year;

17 (3) the number of used electric vehicle batteries that were reused
18 for second-life, alternate purposes during the preceding year and a
19 description of what the electric vehicle batteries were used for;

20 (4) the number of used electric vehicle batteries that were
21 recycled in the preceding year;

22 (5) the number of used electric vehicle batteries that were
23 disposed of in the preceding year;

24 (6) a list of all manufacturers implementing the electric vehicle
25 battery management plan;

26 (7) the total cost of implementing the electric vehicle battery
27 management plan, which shall include separate figures for the cost
28 of collection, transportation, reuse, recycling, disposal,
29 communication, and any other categories that involved cost;

30 (8) samples of the educational materials provided to consumers
31 of electric vehicles, together with an evaluation of the methods used
32 to disseminate those materials, and an assessment of the educational
33 and outreach effectiveness of those materials;

34 (9) an evaluation of the effectiveness of the electric vehicle
35 battery management plan and any steps necessary to improve the
36 effectiveness of the electric vehicle battery management plan; and

37 (10) any other information the department may require.

38 b. Within 90 days after receipt by the department of the annual
39 reports, the department shall review the annual reports and issue a
40 report on the progress of the electric vehicle battery management
41 plans.

42 c. Each report submitted pursuant to subsection a. of this
43 section shall be posted on the department's Internet website. The
44 department shall not disclose financial data reported by a
45 manufacturer pursuant to this section, except that the department
46 may disclose such data in aggregate or summary format, provided
47 that manufacturers are not specifically identified, and the summary
48 omits any reference to unique characteristics from which the

1 identities of manufacturers might be inferred or otherwise
2 ascertained.

3

4 10. The department may, pursuant to the “Administrative
5 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
6 or regulations necessary to implement the provisions of this act.

7

8 11. This act shall take effect immediately.

9

10

11

STATEMENT

12

13 The bill requires every manufacturer of electric vehicles sold
14 within the State, either individually or as a part of a group of
15 manufacturers, to develop, in consultation with the Department of
16 Environmental Protection (department), and submit an electric
17 vehicle battery management plan to the department for review and
18 approval. The plan is to provide for manufacturers to be
19 responsible the collection, transportation, reuse, and recycling or
20 disposal of all used electric vehicle batteries using environmentally
21 sound management practices. The plan is required to prioritize the
22 reuse and recycling of used electric vehicle batteries prior to
23 disposal.

24 The bill requires the electric vehicle battery management plan to
25 include:

26 (1) information identifying the make, model, and year of electric
27 vehicles that may contain an electric vehicle battery, and the
28 estimated number of electric vehicle batteries for which the
29 manufacturer is responsible;

30 (2) methods that will be used to remove, collect, and store the
31 used electric vehicle batteries, including proposed collection
32 services;

33 (3) methods that will be utilized to transport the used electric
34 vehicle batteries to authorized recycling facilities, including the
35 name and location of all authorized recyclers to be directly utilized
36 pursuant to the plan;

37 (4) the processes and methods that will be utilized to reuse used
38 electric vehicle batteries for alternate second-life purposes, recycle
39 used electric vehicle batteries that cannot be reused for alternate
40 uses including a description of the recycling processes that will be
41 used, and, if necessary, a plan for final disposal of used electric
42 vehicle batteries;

43 (5) a strategy for informing consumers and residents of this State
44 about the requirements to properly manage electric vehicle
45 batteries, the environmental impact of the improper handling or
46 disposal of used electric vehicle batteries, and the mechanisms for
47 the collection, transportation, reuse, and recycling or proper

1 disposal of used electric vehicle batteries that are available to
2 consumers;

3 (6) a plan for the implementation and financing of the electric
4 vehicle battery management plan; and

5 (7) any other information, policies, or procedures as the
6 department deems appropriate.

7 Under the bill, the electric vehicle battery management plan
8 would, to the extent practicable, utilize the existing recycling
9 infrastructure. Where the existing recycling infrastructure is not
10 utilized, the electric vehicle battery management plan is required to
11 include the reasons for establishing a separate infrastructure. An
12 electric vehicle battery management plan is required to provide for
13 the financing of the collection, transportation, reuse, and recycling
14 or disposal of used electric vehicle batteries. The costs of such
15 financing is required to be borne by the manufacturers of electric
16 vehicles sold in the State. The department and the manufacturers
17 would be responsible for jointly developing a method that ensures
18 the prompt payment to recycling facilities for costs associated with
19 electric vehicle battery collection, transportation, reuse, and
20 recycling or disposal. An electric vehicle battery management plan
21 would be reviewed and updated, as necessary, at least once every
22 two years.

23 The bill requires a complete electric vehicle battery management
24 plan to be submitted to the department for approval prior to its
25 implementation by manufacturers. The department may approve,
26 disapprove, or conditionally approve the electric vehicle battery
27 management plan. If the department approves the electric vehicle
28 battery management plan, the manufacturer is required to
29 implement the plan within 90 days after receipt of approval from
30 the department or as otherwise agreed to by the department. If the
31 electric vehicle battery management plan is disapproved, the
32 manufacturer would have 30 days to submit a revised electric
33 vehicle battery management plan to the department.

34 The department may approve part, in part, an electric vehicle
35 battery management plan, and may disapprove a part of the plan
36 that does not comply with the requirements of the bill and the rules
37 and regulations adopted pursuant thereto. In this case, the
38 manufacturer is required to implement the approved components,
39 within 90 days after receipt of approval by the department or as
40 otherwise agreed to by the department, and submit a revised electric
41 vehicle battery management plan within 30 days after receipt of
42 notification of the disapproval of the department in order to bring
43 the entire plan into compliance. The department will review and
44 approve, conditionally approve, or disapprove a revised electric
45 vehicle battery management plan within 30 days after receipt of the
46 revised plan. If, at the conclusion of the time period ending 120
47 days after receipt by the department of a complete electric vehicle
48 battery management plan, the department has neither approved nor

1 disapproved the electric vehicle battery management plan, the
2 electric vehicle battery management plan is to be considered
3 conditionally approved. A manufacturer, subject to any
4 modifications required by the department, is required to implement
5 a conditionally approved electric vehicle battery management plan
6 within 90 days after the plan has been deemed conditionally
7 approved by the department.

8 Within 90 days after the department's approval of an electric
9 vehicle battery management plan, or any revisions thereto, the
10 department is required to post, at a publicly accessible location on
11 its Internet website, each electric vehicle battery management plan
12 and a list identifying each of the manufacturers participating in an
13 electric vehicle battery management plan.

14 Manufacturers implementing electric vehicle battery
15 management plans are required to provide consumers with
16 educational materials related to the electric vehicle battery
17 management plan and the electric vehicle battery collection services
18 that are available.

19 The bill prohibits a manufacturer or retailer of electric vehicles
20 from selling, or offering to sell, electric vehicles to any person in
21 the State unless the manufacturer of the electric vehicle is engaged
22 in the implementation of, or has fully implemented, an electric
23 vehicle battery management plan. A retailer would be deemed to be
24 in compliance with this sales prohibition if, on the date the electric
25 vehicle is ordered thereby, the manufacturer of the electric vehicle
26 is identified on the list maintained on the department's Internet
27 website. If a manufacturer fails to comply with the conditions and
28 terms of an approved electric vehicle battery management plan, the
29 manufacturer would be prohibited from selling or offering for sale
30 electric vehicles in this State. The bill also establishes penalties for
31 violations of the bill's provisions or any rules or regulations
32 adopted pursuant thereto.

33 The bill also requires manufacturers to submit an annual report
34 to the department, which describes or includes, among other things:
35 (1) a description of the methods used to remove, collect, store,
36 transport, reuse, and recycle or dispose of the used electric vehicle
37 batteries under the electric vehicle battery management plan; (2) the
38 number of used electric vehicle batteries collected during the
39 preceding year; (3) the number of used electric vehicle batteries that
40 were reused for second-life, alternate purposes during the preceding
41 year and a description of what the electric vehicle batteries were
42 used for; (4) the number of used electric vehicle batteries that were
43 recycled in the preceding year; (5) the number of used electric
44 vehicle batteries that were disposed of in the preceding year; (6) a
45 list of all manufacturers implementing the electric vehicle battery

1 management plan; (7) the total cost of implementing the electric
2 vehicle battery management plan, including separate figures for the
3 cost of collection, transportation, reuse, recycling, disposal,
4 communication, and any other categories that involved cost; (8)
5 samples of the educational materials provided to consumers of
6 electric vehicles, together with an evaluation of the methods used to
7 disseminate those materials, and an assessment of the educational
8 and outreach effectiveness of those materials; (9) an evaluation of
9 the effectiveness of the electric vehicle battery management plan
10 and any steps necessary to improve the effectiveness of the electric
11 vehicle battery management plan; and (10) any other information
12 the department may require. The bill requires the department to
13 review these reports and issue an annual report on the progress of
14 the electric vehicle battery management plans.

15 Finally, the bill authorizes the department to adopt rules or
16 regulations necessary to implement the provisions of the bill.