

**ASSEMBLY, No. 1273**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**Assemblyman ROBERT J. KARABINCHAK**

**District 18 (Middlesex)**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



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 for  
28 the financing of the collection, transportation, reuse, and recycling  
29 or disposal of used electric vehicle batteries. The costs of such  
30 financing shall be borne by the manufacturers of electric vehicles  
31 sold in the State. The department and the manufacturers shall  
32 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 a  
39 complete electric vehicle battery management plan, the department  
40 shall approve, disapprove, or conditionally approve the electric  
41 vehicle battery management plan and may impose additional  
42 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 this  
6 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 or  
30 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 section  
43 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  
44 State 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.