

1 A bill to be entitled
 2 An act relating to electric vehicle battery
 3 management; providing a short title; creating s.
 4 403.7722, F.S.; providing definitions; providing
 5 requirements for the end-of-life of propulsion
 6 batteries; prohibiting disposal of specified batteries
 7 by landfilling; providing requirements for solid waste
 8 collectors and facilities; providing responsibilities
 9 for certain persons and entities; requiring specified
 10 annual reports; providing rulemaking authority to the
 11 Department of Environmental Protection; providing an
 12 effective date.

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 14 Be It Enacted by the Legislature of the State of Florida:

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 16 **Section 1.** This act may be cited as the "Promoting
 17 Responsible End-of-Life Management for Electric Vehicle
 18 Batteries Act."

19 **Section 2.** **Section 403.7722, Florida Statutes, is created**
 20 **to read:**

21 403.7722 End-of-life management for electric vehicle
 22 batteries.-

23 (1) DEFINITIONS.-As used in this section, the term:

24 (a) "Battery" means a device consisting of one or more
 25 electrically connected electrochemical cells that is designed to

26 receive, store, and deliver electric energy.

27 (b) "Battery management hierarchy" means the preference
28 for salvage motor vehicle dealers, secondary handlers, secondary
29 users, or battery providers to first strive to reuse, repair,
30 repurpose, or remanufacture batteries when possible and cost-
31 effective before management via a specialized battery recycler.

32 (c) "Battery provider":

33 1. Means:

34 a. A person or entity that initially sells, offers for
35 sale, or distributes a propulsion battery or a vehicle
36 containing such a battery in or into this state, including
37 licensed vehicle manufacturers or propulsion battery
38 manufacturers that distribute propulsion batteries under the
39 person's or entity's own name or brand.

40 b. If there is no vehicle manufacturer or primary seller
41 as defined in subparagraph 1., the owner or licensee of a brand
42 or trademark under which the propulsion battery is sold or
43 distributed in or into the state. This includes an exclusive
44 licensee with the exclusive right to use the trademark or brand
45 in connection with the distribution or sale of propulsion
46 batteries.

47 c. If no person or entity meets the criteria in
48 subparagraphs 1. or 2., the battery provider is the person or
49 entity who imports for sale, distribution, or installation a
50 propulsion battery into this state.

51 d. If no other person or entity is designated as the
52 battery provider under subparagraphs 1., 2., or 3., the
53 distributor, retailer, dealer, or wholesaler that sells or
54 distributes the propulsion battery in or into this state shall
55 be deemed the battery provider.

56 2. Does not include a secondary handler who sells, offers
57 for sale, or distributes a battery in or into the state, if the
58 battery has not been modified, remanufactured, or repurposed.

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60 For the purposes of this paragraph, the sale of a propulsion
61 battery is considered to occur in this state if the battery, or
62 the vehicle containing the battery, is delivered to a licensed
63 dealer or directly to the consumer in this state.

64 (d) "Battery state of health" means a figure of merit,
65 measured in kilowatt-hours and a percentage of remaining
66 kilowatt-hours as compared to its initial capacity, provided to
67 facilitate understanding of the battery's remaining energy
68 retention capacity as compared to its original specifications
69 when it was new.

70 (e) "End-of-life" means the stage when a propulsion
71 battery is removed from its initial intended application and is
72 evaluated by a secondary handler, secondary user, or specialized
73 battery recycler for reuse, remanufacture, repair, repurpose, or
74 recycling.

75 (f) "Propulsion battery" means a battery that supplies

76 power to propel an electric or hybrid vehicle.

77 (g) "Remanufacture" means the process of refurbishing end-
78 of-life battery modules or cells to fulfill a battery module's
79 or cell's primary intended purpose.

80 (h) "Repurpose" means the use of a propulsion battery, or
81 any battery modules or battery cells thereof, to store and
82 supply electricity in a manner other than its primary intended
83 purpose.

84 (i) "Reuse" means the use of a propulsion battery in
85 another vehicle that does not require modification to the
86 battery.

87 (j) "Secondary handler" means any entity that takes
88 possession of a propulsion battery to sort, reuse, repair,
89 remanufacture, or prepare the battery for repurposing by a
90 secondary user or end-of-life management by a specialized
91 battery recycler. The term includes a salvage motor vehicle
92 dealer, as defined in s. 320.27(1)(c)5., or a secondary metals
93 recycler, as defined in s. 538.18, when they are managing
94 propulsion batteries.

95 (k) "Secondary user" means an entity that repurposes a
96 propulsion battery before ensuring that the battery is directed
97 to a specialized battery recycler.

98 (l) "Solid waste collector" means a person who operates
99 collection routes for the removal of solid waste from
100 residential, multi-residential, commercial, or industrial

101 premises.

102 (m)1. "Specialized battery recycler" means an entity or
 103 facility that is authorized by the department or an equivalent
 104 agency in another state, or an applicable federal regulatory
 105 body, and performs one or both of the following:

106 a. Refines end-of-life vehicle propulsion batteries or
 107 battery materials back to useable materials.

108 b. Extracts and separates materials from end-of-life
 109 vehicle traction batteries, including, but not limited to,
 110 lithium compounds, cobalt, nickel, copper, aluminum, iron,
 111 manganese, graphite, or intermediate fractions, and sends the
 112 material for further processing or refining to another
 113 specialized battery recycler.

114 2. The term "specialized battery recycler" does not
 115 include entities or facilities that are only engaged in the
 116 collection or logistics of moving materials for recycling.

117 (n) "Spent battery" means a propulsion battery for which
 118 the costs associated with recycling the battery presents an
 119 economical, physical, informational, or a digital communication
 120 burden for the owner of the vehicle or an entity that has
 121 removed the battery from the vehicle.

122 (2) DISPOSAL OF PROPULSION BATTERIES.—

123 (a) All propulsion batteries shall be managed responsibly
 124 at end-of-life in accordance with this section. Disposal of
 125 propulsion batteries through landfilling is prohibited.

126 (b) A solid waste collector may not knowingly collect a
127 propulsion battery, or any module or cell thereof, placed for
128 collection and disposal as solid waste. A solid waste collector
129 shall refuse to collect a solid waste container containing a
130 propulsion battery, or any battery components thereof.

131 (c) A solid waste facility may not knowingly accept for
132 disposal a propulsion battery, or any module or cell components
133 thereof, or a truckload or roll-off container of solid waste
134 containing a propulsion battery, or any module or cell
135 components thereof. The owner or operator of a solid waste
136 facility shall refuse to accept for disposal a propulsion
137 battery, or any module or cell thereof, or any truckload or
138 roll-off container of solid waste containing a propulsion
139 battery, or any module or cell components thereof.

140 (3) RESPONSIBILITIES OF SECONDARY HANDLERS, AND SECONDARY
141 USERS.—

142 (a) Upon taking possession of a propulsion battery,
143 secondary handlers, including automobile wreckers managing
144 propulsion batteries, and secondary users shall manage
145 propulsion batteries in accordance with the battery management
146 hierarchy in this section. If a secondary handler identifies a
147 propulsion battery as a spent battery the handler shall notify
148 the battery provider who will assume responsibility for the end-
149 of-life management for that battery.

150 (b) For batteries that are unable to be further reused,

151 repurposed, or remanufactured, secondary handlers and secondary
152 users shall coordinate with a specialized battery recycler for
153 end-of-life management to ensure compliance with this section.
154 When a battery provider acts as a secondary handler or secondary
155 user, the battery provider is subject to the responsibilities of
156 secondary handlers and secondary users in this section. A
157 battery provider who is also acting as a secondary handler or
158 secondary user may file a single annual report that shows proof
159 of meeting all of the requirements in this section.

160 (c) If a secondary handler or secondary user modifies a
161 propulsion battery, the secondary handler or secondary user must
162 provide updated labeling which identifies the secondary handler
163 or secondary user as the entity responsible for end-of-life
164 management of the modified battery before it may be provided for
165 sale back on the market.

166 (d) Secondary handlers and secondary users shall submit
167 annual reports to the department containing all of the
168 following, as applicable:

- 169 1. The total volume of batteries that have been procured.
- 170 2. The secondary handlers involved in battery collections.
- 171 3. A brief overview of the methods used to transport used
172 propulsion batteries.
- 173 4. The volume of batteries that will be reused,
174 repurposed, remanufactured, or sent to a specialized battery
175 recycler to be recycled.

176 5. A brief overview of the processes used to reuse,
177 repurpose, remanufacture, or recycle used propulsion batteries.

178 (e) A specialized battery recycler may submit the report
179 on behalf of a secondary handler or secondary user from which
180 the specialized battery recycler has received propulsion
181 batteries for end-of-life management if the report includes all
182 the information required under paragraph (d).

183 (4) RESPONSIBILITIES OF BATTERY PROVIDERS.—

184 (a) A battery provider shall:

185 1. Ensure the responsible end-of-life management of a
186 propulsion battery that is returned to a battery provider in
187 accordance with the battery management hierarchy.

188 2. Upon receiving notification from a secondary handler or
189 secondary user regarding a spent battery, be responsible for
190 retrieving the battery in a timely and safe manner.

191 3. Coordinate with specialized battery recyclers for the
192 end-of-life management of propulsion batteries.

193 (b) A propulsion battery in a vehicle sold in this state
194 shall enable easily interpretable and accessible battery state-
195 of-health data either while the battery is in the vehicle or
196 once it has been removed for the purpose of potential reuse,
197 repurposing, or remanufacture of the battery pursuant to the
198 battery management hierarchy. A propulsion battery sold in the
199 state while embedded in a vehicle shall also include a physical
200 indication and information on the battery type and chemistry,

201 known pollutants and composition, and safe handling information.
 202 A battery provider is not responsible for the end-of-life
 203 management of remanufactured or repurposed batteries unless they
 204 performed the remanufacturing or repurposing or agreed to accept
 205 responsibility by contract.

206 (c) Battery providers shall submit an annual report to the
 207 department containing the following information:

208 1. The total volume of propulsion batteries managed at
 209 end-of-life.

210 2. The total volume of propulsion batteries managed by
 211 specialized battery recyclers.

212 (d) A specialized battery recycler may submit the report
 213 on behalf of a battery provider from which the specialized
 214 battery recycler has received propulsion batteries for end-of-
 215 life management if the report includes all the information
 216 required under paragraph (c).

217 (5) RESPONSIBILITIES OF A PERSON OR ENTITY.—A person or
 218 entity who is not a battery provider, secondary handler, or
 219 secondary user seeking to discard a propulsion battery shall:

220 (a) Arrange for the return or pickup of the propulsion
 221 battery or the vehicle containing the propulsion battery to the
 222 battery provider, remanufacturer, or repurposer identified on
 223 the battery label; or

224 (b) Sell or transfer the propulsion battery or the vehicle
 225 containing the propulsion battery to a secondary handler,

226 secondary user, or specialized battery recycler.

227 (6) RESPONSIBILITIES OF SPECIALIZED BATTERY RECYCLERS.—

228 Specialized battery recyclers shall submit an annual report to
229 the department containing all of the following information:

230 (a) The total volume of propulsion batteries managed at
231 end-of-life, including those repurposed or recycled.

232 (b) The total volume of propulsion batteries recycled.

233 (c) The recovery rates of lithium, nickel, cobalt, copper,
234 aluminum, and graphite, as applicable.

235 (7) RESPONSIBILITIES OF THE DEPARTMENT.—To implement the
236 provisions of this section, the department shall:

237 (a) Communicate to the regulated community the prohibition
238 against landfilling propulsion batteries.

239 (b) Authorize specialized battery recyclers.

240 (c) Notify battery providers, secondary handlers,
241 secondary users, and specialized battery recyclers of their
242 responsibilities under this section.

243 (d) Determine how to proceed if the federal government
244 creates any laws or regulations pertaining to propulsion
245 batteries which may impact the requirements provided under this
246 section. The department shall review, evaluate, and compare the
247 federal requirements and shall, if necessary, revise state
248 regulations to ensure compliance with federal standards and to
249 achieve greater efficiency and feasibility.

250 (e) Determine and enforce violations and penalties for

251 battery providers, specialized battery recyclers, secondary
252 handlers, and secondary users who fail to meet the requirements
253 outlined in this act, in alignment with section 5 of the
254 Mercury-Containing and Rechargeable Battery Management Act, 42
255 U.S.C. 14301.

256 (f) Adopt any other necessary rules or regulations.

257 **Section 3.** This act shall take effect July 1, 2025.