

SB 26-003: End-of-Life Management of Electric Vehicle Batteries

SPONSORS: Assistant Majority Leader Lisa Cutter, Senator Katie Wallace & Representatives Kyle Brown and Rebekah Stewart

The Problem: Handling Unwanted EV Batteries When Vehicles Reach Their End of Life

Colorado is a national leader in electric vehicle (EV) adoption and keeping that momentum is critical to addressing air pollution — transportation is the leading cause of greenhouse gas emissions in the state. As more residents drive EVs, more of those vehicles will eventually reach their end of life, raising the question of what to do with their still-useful batteries. Colorado currently lacks a policy framework to ensure a party is responsible for unwanted batteries, and without such a system, these batteries can be stored unsafely. Now is the time for Colorado to promote a circular economy for EV batteries and continue its leadership role in forward-looking clean transportation policy.

The Solution: Responsible EV Battery Management

Assigning responsibility for EV batteries at the vehicle's end of life is crucial to ensuring a circular economy for these resources. This framework promotes the reuse and/or repurposing of economically viable batteries via the free market, while ensuring that unwanted batteries are responsibly recycled and not improperly stored or disposed.

Benefits of responsible battery management include:

- Bolstering new industries and jobs in second-life battery applications
- Reducing reliance on newly mined minerals
- Reducing battery fire risk
- Improving the sustainability of the EV sector



More than half of the demand for lithium, cobalt, and nickel for new EV battery manufacturing can be met with recycled materials by 2050, if we use the most efficient recycling techniques. Robust recycling will create a domestic supply of these critical minerals and greatly reduce the environmental impact associated with EV batteries using newly mined materials.



What This Legislation Would Do

Building off the momentum from Senate Bill 25-163: The Battery Stewardship Act, this bill would put the Colorado Department of Public Health and Environment Hazardous Waste Division in charge of regulating end-of-life management for EV batteries.

This bill would establish guidelines for the Division that:

- Require EV manufacturers — not automobile dealers — and other companies selling EV batteries to collect and responsibly handle unwanted batteries by Oct. 1, 2028
- Direct EV manufacturers to include information on how to assess batteries when they are removed from their original vehicle
- Require EV manufacturers to submit plans for approval to the Division beginning April 1, 2028, and every five years thereafter
- Promote the reuse, remanufacturing, and repurposing of EV batteries before they are ultimately recycled to maximize economic and environmental benefits
- Direct EV manufacturers to do annual reporting beginning June 1, 2030
- Implement education and outreach requirements to ensure safe handling and awareness for vehicle dismantlers, firefighters, first responders, and other parties handling EV batteries
- Establish a fee for EV manufacturers that will be paid to the Division to cover the cost of oversight and implementation
- Put requirements in place for those handling EV batteries after they have been removed from the vehicle, including prohibiting disposal at landfills
- Put in place environmental safeguards and minimum mineral recovery rates for battery recycling
- Clarify the responsibilities of the Division, including enforcement and data collection

What This Legislation Would Not Do

- Interrupt the free market trade/demand for wanted batteries
- Require automobile dealers to take responsibility for unwanted batteries
- Replace existing state and federal requirements under the Resource Conservation and Recovery Act



For More Information

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