

HOUSE No. 964

The Commonwealth of Massachusetts

PRESENTED BY:

Richard M. Haggerty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act promoting responsible end-of-life management for electric and hybrid vehicle batteries.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Richard M. Haggerty</i>	<i>30th Middlesex</i>	<i>1/17/2025</i>
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>5/7/2025</i>

HOUSE No. 964

By Representative Haggerty of Woburn, a petition (accompanied by bill, House, No. 964) of Richard M. Haggerty relative to end-of-life management for electric and hybrid vehicle batteries. Environment and Natural Resources.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act promoting responsible end-of-life management for electric and hybrid vehicle batteries.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 21A of the general laws is hereby amended by adding at the end
2 thereof the following new section:

3 Section 29. (a) As used in this section, the following words shall have the following
4 meanings:

5 "Battery" means a device consisting of one or more electrically connected
6 electrochemical cells which is designed to receive, store, and deliver electric energy.

7 "Vehicle traction battery" means a battery with the primary intended purpose to supply
8 power to propel an electric or hybrid vehicle.

9 "Battery provider" means any of the following:

10 (1) A person or entity that initially sells, offers for sale, or distributes a vehicle
11 traction battery or a vehicle containing such a battery in or into the state, including vehicle

12 manufacturers licensed pursuant to applicable state codes or vehicle traction battery
13 manufacturers that distribute vehicle traction batteries under their own name or brand.

14 (2) If there is no vehicle manufacturer or primary seller as defined above, the battery
15 provider is the owner or licensee of a brand or trademark under which the vehicle traction battery
16 is sold or distributed in or into the state. This includes an exclusive licensee with the exclusive
17 right to use the trademark or brand in connection with the distribution or sale of vehicle traction
18 batteries.

19 (3) If no person or entity meets the criteria in (1) or (2), the battery provider is the
20 person or entity who imports the vehicle traction battery into the state for sale, distribution, or
21 installation.

22 (4) If no other person or entity is designated as the battery provider under (1), (2), or
23 (3), the distributor, retailer, dealer, or wholesaler that sells or distributes the vehicle traction
24 battery in or into the state shall be deemed the battery provider.

25 (5) For the purposes of this definition, the sale of a vehicle traction battery is
26 considered to occur in the state if the battery, or the vehicle containing the battery, is delivered to
27 a licensed dealer or directly to the consumer in the state.

28 A secondary handler who sells, offers for sale, or distributes a vehicle traction battery
29 within the state shall not be considered a "battery provider."

30 "Secondary handler" means any entity, other than the battery provider, that takes
31 possession of a vehicle traction battery to sort, reuse, repair, remanufacture, or prepare the

32 battery for repurposing by a secondary user or end-of-life management by a specialized battery
33 recycler.

34 “Secondary user” means an entity that repurposes a vehicle traction battery before
35 ensuring the battery is directed to a specialized battery recycler.

36 “Specialized battery recycler” means an entity or facility that is authorized by the
37 department or an equivalent agency in another state and performs one or both of the following:

38 A) Refines end-of-life vehicle traction batteries or battery materials back to useable
39 battery materials.

40 B) Extracts and separates end-of-life vehicle traction battery materials (e.g., lithium
41 compounds, cobalt, nickel, copper, aluminum, iron, manganese, and graphite) and sends the
42 material for further processing or refining to another specialized battery recycler.

43 “Specialized battery recycler” does not include entities or facilities that are only engaged
44 in the collection or logistics of moving materials for recycling or whose primary method of
45 processing battery materials is done by smelting.

46 “End-of-life” means the stage at which a vehicle traction battery is no longer suitable for
47 its primary intended purpose, such as powering a vehicle, and may be evaluated for potential
48 repurposing or recycling. For purposes of this Act, “end-of-life” does not mean that a vehicle
49 traction battery is waste.

50 “Battery management hierarchy” means the preference to reuse, repair, remanufacture, or
51 repurpose batteries before recycling, and to prioritize recycling over disposal.

52 "Remanufacture" means any repair or modification to a vehicle traction battery that
53 results in the complete battery, or any battery modules or battery cells thereof, being used for the
54 same purpose or application as the one for which the battery was originally designed.

55 "Repurpose" means use of a vehicle traction battery, or any battery modules or battery
56 cells thereof, to store and supply electricity in a manner other than its primary intended purpose.

57 "Reuse" means the use of a vehicle traction battery in another vehicle from the same
58 manufacturer, which does not require modification to the battery.

59 "Department" means the Department of Environmental Protection.

60 All vehicle traction batteries in the state shall be managed responsibly at end-of-life, in
61 accordance with this act. Disposal of vehicle traction batteries through landfilling is prohibited.

62 (b). RESPONSIBILITIES OF BATTERY PROVIDERS

63 (A) A battery provider shall:

64 (1) Ensure the end-of-life management of vehicle traction batteries under the
65 following circumstances:

66 a. If a vehicle traction battery is removed from a vehicle still in service while under
67 warranty, in accordance with state and federal laws.

68 b. If a vehicle traction battery is offered or returned to the battery provider. For the
69 purposes of this act, "returned to the battery provider" may include directing the battery to a
70 specialized battery recycler designated by the battery provider.

71 (2) Consider the battery management hierarchy when managing any vehicle traction
72 batteries in their possession.

73 (3) Coordinate with specialized battery recyclers for the end-of-life management of
74 vehicle traction batteries, including recycling, to ensure compliance with this act.

75 (B) A battery provider shall not be held liable for remanufactured or repurposed batteries
76 unless they performed the remanufacturing or repurposing or agreed to accept responsibility by
77 contract.

78 (c). RESPONSIBILITIES OF SECONDARY HANDLERS AND SECONDARY
79 USERS

80 (A) Upon taking possession of a vehicle traction battery, secondary handlers and
81 secondary users are responsible for end-of-life battery management, including consideration of
82 the battery management hierarchy.

83 (B) Secondary handlers and secondary users shall coordinate with a specialized
84 battery recycler for end-of-life management, including recycling, to ensure compliance with this
85 act.

86 (d). DOCUMENTING AND REPORTING

87 Battery providers, secondary handlers, and secondary users shall submit an annual report
88 to the Department detailing the quantity and type of end-of-life vehicle traction batteries
89 managed in accordance with this act. A specialized battery recycler may submit this report on
90 behalf of any entity for which they have received vehicle traction batteries for end-of-life

91 management in accordance with this act, provided the report includes all required data from
92 those entities.

93 Reports should include data on:

94 (A) The total volume of propulsion batteries managed at end-of-life, including those
95 repurposed or recycled.

96 (B) The volume of batteries that will be sent to a specialized battery recycler

97 (C) The recovery rates of lithium, nickel, cobalt, copper, aluminum, and graphite, as
98 applicable.

99 (e). RESPONSIBILITIES FOR THE DEPARTMENT

100 A. To implement the provisions of this act, the department shall

101 (1) review, evaluate, and compare the federal requirements to those established
102 under this act. It shall, if necessary, revise the regulations to ensure compliance with federal
103 standards and to achieve greater efficiency and feasibility.

104 B. The department is authorized to determine compliance with and enforce the provisions
105 of this act and any rules adopted hereunder as provided by State law.