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AB-2832 Recycling: lithium-ion vehicle batteries: advisory group. (2017-2018)

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Assembly Bill No. 2832

CHAPTER 822

An act to add and repeal Article 3 (commencing with Section 42450.5) of Chapter 8 of Part 3 of Division 30 of the Public Resources Code, relating to recycling.

[Approved by Governor September 27, 2018. Filed with Secretary of State September 27, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2832, Dahle. Recycling: lithium-ion vehicle batteries: advisory group.

The Rechargeable Battery Recycling Act of 2006 requires every retailer, as defined, to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal. Existing law requires the system for the acceptance and collection of used rechargeable batteries to include, at a minimum, specified elements, including, among others, the take-back at no cost to the consumer of a used rechargeable battery of the type or brand that the retailer sold or previously sold. Existing law defines "rechargeable battery" for purposes of these provisions to mean a small, nonvehicular, rechargeable nickel-cadmium, nickel metal hydride, lithium-ion, or sealed lead-acid battery, or a battery pack containing these types of batteries.

This bill would require the Secretary for Environmental Protection, on or before April 1, 2019, to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion batteries sold with motor vehicles in the state, and would require the secretary to appoint members to the committee from specified departments, vocations, and organizations. The bill would require the advisory group to consult with specified entities and, on or before April 1, 2022, to submit policy recommendations to the Legislature aimed at ensuring that as close to 100% as possible of lithium-ion batteries in the state are reused or recycled at end-of-life in a safe and cost-effective manner. The bill would require the policy recommendations to reflect specified considerations. The bill would repeal these provisions on January 1, 2027.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 3 (commencing with Section 42450.5) is added to Chapter 8 of Part 3 of Division 30 of the Public Resources Code, to read:

Article 3. Lithium-Ion Batteries

42450.5. (a) For purposes of this section, the following definitions apply:

(1) "Automobile dismantler" has the same definition as in Section 220 of the Vehicle Code.

(2) "Motor vehicle" has the same definition as in Section 415 of the Vehicle Code.

(3) "Vehicle manufacturer" has the same definition as in Section 672 of the Vehicle Code.

(b) On or before April 1, 2019, the Secretary for Environmental Protection shall convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion vehicle batteries sold with motor vehicles in the state. Until April 1, 2022, the advisory group shall meet at least quarterly. The advisory group shall consult with universities and research institutions that have conducted research in the area of battery recycling, with manufacturers of electric and hybrid vehicles, and with the recycling industry. The Secretary for Environmental Protection shall appoint at least one member to the advisory group from each of the following:

(1) The Department of Resources Recycling and Recovery.

(2) The Department of Toxic Substances Control.

(3) A vehicle manufacturer.

(4) An organization that represents one or more vehicle manufacturers.

(5) An electronic waste recycler or an organization that represents one or more electronic waste recyclers.

(6) An automotive repair dealer or an organization that represents one or more automotive repair dealers.

(7) An automobile dismantler or an organization that represents one or more automobile dismantlers.

(8) An environmental organization that specializes in waste reduction and recycling.

(9) A representative of the energy storage industry.

(10) A lithium-ion vehicle battery manufacturer.

(11) A standards-developing organization that has a focus on automotive engineering.

(c) On or before April 1, 2022, the Lithium-Ion Car Battery Recycling Advisory Group shall submit policy recommendations to the Legislature, in compliance with Section 9795 of the Government Code, aimed at ensuring that as close to 100 percent as possible of lithium-ion vehicle batteries in the state are reused or recycled at end-of-life in a safe and cost-effective manner. The policy recommendations shall reflect entire life cycle considerations for lithium-ion vehicle batteries, including, but not limited to, opportunities and barriers to the reuse of those batteries as energy storage systems after they are removed from the vehicle, best management considerations for those batteries at end-of-life, and the overall effect of different management practices on the environment. In developing the policy recommendations, the advisory group shall consider both in-state and out-of-state options for the recycling of lithium-ion vehicle batteries.

(d) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.