

## Draft Proposed Regulation Order

### Battery Labeling Requirements

#### **Section 1962.6**

[Note: This version is a staff draft, not an authoritative version for this proposed rulemaking, not being proposed for adoption, and not being released for public comment. This is subject to change. Official proposed (15-day) changes and an explanatory notice will be released for public comment at a later date.]

## § 1962.6 Battery Labeling Requirements

- (a) Applicability. This section shall apply to 2026 and subsequent model year zero-emission vehicles, plug-in hybrid electric vehicles, hybrid electric vehicles, and 48-volt hybrid electric vehicles certified for sale in California. For the purposes of this section, "traction battery" means any electrical energy storage device consisting of any number of individual battery modules or cells that is used to supply power to propel the vehicle.
- (b) Battery label requirement. All applicable vehicles shall be equipped with permanent labels in accordance with the requirements of this section. The manufacturer may include this information on either a separate label or an existing label in the required location.
  - (1) Required Label Information. The label shall contain the following information:
    - (A) Chemistry identifier designating the battery chemistry, cathode type, anode type, manufacturer, and date of manufacture in accordance with SAE J2984 "Chemical Identification of Transportation Batteries for Recycling" SEP 2021, (SAE J2984), incorporated by reference. For chemistries not included in SAE J2984, the manufacturer shall request, as part of their certification application under subsection (d)(1) of this section and subsection (i) of section 1962.4, Executive Officer approval of an alternative identifier. The Executive Officer shall approve the alternate identifier as part of certification upon determining the proposed identifier is consistent with the current adopted version of SAE J2984 or with terminology generally used for the component in the battery manufacturing industry and distinguishes the new chemistry from other chemistries already defined with identifiers;
    - (B) The minimum voltage of the battery pack,  $V_{min_0}$ , as defined in the Idaho National Laboratory "INL/EXT-15-34184 Battery Test Manual for Electric Vehicles," Revision 3, June 2015, incorporated by reference, and the corresponding minimum battery cell voltage,  $V_{min_{0,cell}}$  when the battery pack is at  $V_{min_0}$ ;
    - (C) Rated capacity of the unit as measured under life cycle testing standard SAE J2288, incorporated by reference; and

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- (D) A digital identifier, linked to a data repository website as specified in subsection (c). In lieu of a unique digital identifier or entry in the data repository website for each separate date of manufacture included on the label, a manufacturer may utilize a common digital identifier, linked to a common data repository website, covering a period of time representing multiple dates of manufacture, provided that the rest of the label information required by subsection (b)(1) is consistent across the multiple dates of manufacture and that the data repository website entry includes the applicable range of manufacture dates.
- (2) Label Locations.
    - (A) A label shall be attached to the exterior of the battery such that it is visible and accessible when the battery is removed from the vehicle in accordance with the manufacturer's recommended procedures for removal. For batteries that are designed such that portions of the battery pack may be separately removed for service or repair, a label shall also be attached to each portion (e.g., on each module for a pack with separately replaceable modules).
    - (B) A label shall also be attached in a readily visible position in the engine compartment or front powertrain or cargo compartment. Alternatively, if the vehicle is not equipped with an engine compartment, the manufacturer may choose to attach the label in the driver's side doorjamb.
  - (3) Label Format
    - (A) The required information on the label shall be in the English language using block letters and numerals of a color that contrasts with the background of the label.
    - (B) The digital identifier on the label shall meet the MicroQR code requirements of ISO 18004:2015, "Information technology — Automatic identification and data capture techniques — QR Code bar code symbology specification", adopted February 2015, incorporated by reference.
  - (c) Data Repository Website Requirements. Vehicle manufacturers or their designees shall make available information related to the vehicle's traction battery in accordance with this subsection.

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- (1) Information requirements. Manufacturers or their designees shall establish and maintain one or more websites that provide the following information related to the vehicle's traction battery:
  - (A) All information required to be printed on the physical label under subsection (b)(1). For manufacturers utilizing a common digital identifier across multiple dates of manufacture, as allowed by subsection (b)(1)(D), manufacturers are allowed to use a single data entry with the applicable range of manufacture dates listed in the YY/MM format.
  - (B) Count of individual cells in the battery,
  - (C) the hazardous substances, as listed in CCR, title 8, section 339, present in the battery,
  - (D) product safety information or recall information, as applicable, and
  - (E) safe disposal information.
- (2) Website access and maintenance. The data repository website required by this subsection shall:
  - (A) be available via the internet and the digital identifier required under subsection (b)(1)(E) and be designed with functionality for mobile platforms;
  - (B) be available to the public without a fee or any requirement to create an account;
  - (C) be in English, with all text using readable font sizes, and provide additional language options suited to local demographics consistent with section 7295 of the Government Code;
  - (D) use common, readily available software and provide hyperlinks to any plug-ins, viewers, or browsers needed to access or use the website;
  - (E) be available at all times, except during times required for routine or emergency maintenance, and routine maintenance must be scheduled after normal business hours;
  - (F) be accessible to disabled individuals;
  - (G) be maintained to ensure all information is up to date and accurate;

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- (H) provide a glossary or a hyperlink to a glossary webpage defining any manufacturer-specific acronyms or abbreviations; and
  - (I) provide e-mail and phone access for communication with a designated contact person(s).
- (3) Information Availability Requirements. All information required by this section must be maintained on the website required by this subsection for a minimum of twenty (20) years after the vehicle is delivered for sale. After twenty years, the information must be retained and made available within 30 days upon request, if not maintained on a website.
- (d) Enforcement of Label and Data Repository Website.
- (1) Certification. Samples of actual production labels used shall be submitted to the Executive Officer at time of certification in accordance with California Code of Regulations, title 13, section 1962.4. The Executive Officer shall, as part of certification under California Code of Regulations, title 13, section 1962.4, approve the label upon determining it meets the requirements of subsection (b).
  - (2) If the Executive Officer finds any manufacturer using labels that are different from those approved under subsection (d)(1), the manufacturer is subject to corrective action or recall of vehicles under California Code of Regulations, title 13, section 2109.
  - (3) Data Repository Website Audit. The Executive Officer may audit a vehicle manufacturer's data repository website to verify it meets the requirements of subsection (c). Such audit does not impose any requirement on any manufacturer.
- (e) Severability. Each provision of this section is severable, and in the event that any provision of this section is held to be invalid, the remainder of this section and this article remains in full force and effect

Note: Authority cited: Sections 38510, 38560, 39003, 39039, 39600, 39601, 39602.5, 43013, 43018, 43018.5, 43100, 43101, 43104, and 43105.5, Health and Safety Code.  
Reference: Sections 43013, 43018, 43018.5, 43101, 43102, 43104, and 43105, Health and Safety Code.