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Proposed Regulation Order

Section 1962.6

[Note: The entire text of section 1962.6 set forth below is new language in "normal type" proposed to be added to title 13, California Code of Regulations]

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Chapter 1. Motor Vehicle Pollution Control Devices

Article 2. Approval of Motor Vehicle Pollution Control Devices (New Vehicles)

Section 1962.6. Battery Labeling Requirements

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Proposed Regulation Order

Title 13, California Code of Regulations

Adopt Section 1962.6, title 13, California Code of Regulations, to read as follows:

§ 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 on the battery.
 - (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 the current version of 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 is distinguished from other chemistries;
 - (B) Nominal system voltage and cell voltage, based on life cycle testing standard SAE J2288 "Life Cycle Testing of Electric Vehicle Battery Modules", November 2020 (SAE J2288), incorporated by reference;
 - (C) Count of individual cells in the labeled unit;
 - (D) Rated capacity of the unit as measured under life cycle testing standard SAE J2288, incorporated by reference; and

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- (E) 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 data repository website, provided that the label in subsection (b)(1) is consistent across multiple dates of manufacture.
- (2) Label Location. The 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 be attached to each portion (e.g., on each module for a pack with separately replaceable modules). The manufacturer, as part of their certification application under subsection (d)(1) of this section and subsection (i) of section 1962.4, may request an alternate label location. The Executive Officer shall approve as part of certification an alternate label location adjacent to the battery upon determining application of the label to the battery will render the label illegible.
- (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.
 - (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:

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- (A) All information required to be printed on the physical label under subsection (b)(1). For manufacturers utilizing a common digital identifier, as allowed by subsection (b)(1)(E), manufacturers are required to list each unique date of manufacture.
 - (B) the hazardous substances, as listed in CCR, title 8, section 339, present in the battery,
 - (C) product safety information or recall information, as applicable, and
 - (D) 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) possess sufficient server capacity to allow ready access by all users and have sufficient downloading capacity to assure that all users may obtain needed information;
 - (H) be maintained to ensure all information is up to date and accurate;
 - (I) provide a glossary or a hyperlink to a glossary webpage defining any manufacturer-specific acronyms or abbreviations; and

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- (J) 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 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). If the Executive Officer finds that the format or location does not comply with these specifications, the Executive Officer shall require that the label or its location be modified accordingly.
 - (2) If the Executive Officer finds any manufacturer using labels that are different from those approved under subsection (d)(1), the Executive Officer shall require 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.