EUROMOT

The European Association of Internal Combustion Engine and Alternative Powertrain Manufacturers

POSITION PAPER

Comments on Batteries Regulation – Battery Passport

06 May 2026

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COMMENTS ON BATTERIES REGULATION – BATTERY PASSPORT

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Introduction

EUROMOT welcomes the objectives of Regulation (EU) 2023/1542 to enhance transparency, traceability, and sustainability of batteries placed on the EU market. The Battery Passport, defined in **Annex XIII**, is intended to support circularity, improve safety, and enable more efficient recycling and repurposing of batteries.

Successful implementation of the Battery Passport depends on ensuring that requirements are **technically feasible and aligned with the operational realities** of industrial and non-road machinery applications. In particular, obligations related to sensitive technical information, dynamic data, and digital reporting must be carefully calibrated to avoid unnecessary burden, cybersecurity risks, and unintended barriers to reuse and second life applications.

This paper provides **targeted recommendations on Annex XIII** focusing on:

- restricting data disclosure to what is strictly necessary and useful;
- ensuring controlled, need-to-know access to sensitive information;
- preserving intellectual property and cybersecurity; and
- introducing a **phased and workable implementation of the Battery Passport**.

EUROMOT's proposals aim to support the Regulation's circularity objectives while ensuring a **robust, secure, and proportionate framework** that can be effectively implemented across the battery value chain.

Summary of Key Requests

EUROMOT calls for the following key adjustments to ensure a practicable and proportionate implementation of the Battery Passport:

- **Limit material composition disclosure** to high-level chemical families (e.g. LFP, NMC, NCA), sufficient for recycling purposes, while protecting intellectual property (Annex XIII, §2(a)).
- **Ensure dismantling and treatment information is available only to actors with a legitimate need**, through controlled and secure access mechanisms, and delay application until access governance is clearly defined (Annex XIII, §2(c)).
- **Limit usage and environmental history data** to a narrowly defined, relevant subset, avoiding excessive dynamic data that offers limited added value for reuse and repurposing while raising IP and cybersecurity concerns.
- **Exempt second-life batteries without a first-life Battery Passport** from passport obligations, as retroactive compliance is often technically impossible and risks preventing reuse and repurposing.
- **Adopt a phased implementation timeline for the Battery Passport**, starting with static data only, and aligning additional data requirements with the adoption of relevant delegated acts, standards, and technical specifications.

1. Material Composition Disclosure (Annex XIII, §2(a))

Recommendation

Restrict material composition reporting to high-level chemical families (e.g., LFP, NMC), consistent with established shorthand naming conventions.

Rationale

Modern industrial battery chemistries are heavily optimised and their detailed composition constitutes intellectual property that could be reverse engineered if overly granular disclosures were mandated. Recyclers do not require detailed electrode-level composition; category-level chemistry identification is fully sufficient for sorting and treatment technologies. Restricting the disclosure aligns with the principle of proportionality and prevents unnecessary competitive harm.

2. Dismantling Documentation – Controlled Access to Relevant Information (Annex XIII, §2(c) and §4(d))

Recommendation

Ensure that dismantling and treatment information is **made available only to actors who demonstrably need it** for legitimate end-of-life treatment purposes, such as authorised recyclers or treatment operators.

Until there is legal and technical clarity on:

- who qualifies as a "person with legitimate interest",
- how access rights are verified and enforced, and
- **how access can be technically restricted** to prevent wider dissemination or misuse of sensitive information,

the application of dismantling documentation requirements should be **delayed**.

Rationale

Without a clear and enforceable framework defining access conditions, there is a risk that dismantling information could be disclosed beyond what is necessary, creating safety, cybersecurity, and intellectual property risks. The objective should be to ensure **availability of relevant information strictly on a need-to-know basis**, in line with the Regulation's proportionality and circularity objectives.

3. Second-Life Batteries Without a First-Life Battery Passport (Annex XIII — general applicability)

Recommendation

Exempt batteries that did not have a battery passport in their first life from battery passport obligations in their second life.

Rationale

Battery passport requirements place a significant and disproportionate burden on operators handling second-life batteries. While EUROMOT fully supports the objective of enhancing transparency and circularity, the practical implementation becomes unworkable for batteries that were placed on the market before the introduction of the passport.

Under the current framework, the battery passport applies to batteries intended for **reuse, repurposing, or remanufacturing**. However, for batteries that never had a first-life passport, compliance is often technically impossible, particularly when the second-life operator is not the original manufacturer.

In such cases, the new operator would be required to establish a passport platform and retrieve detailed technical data that is not available to them, including:

- material composition of cathode, anode, and electrolyte;
- presence of hazardous substances and critical raw materials;
- share of renewable content;
- performance and durability parameters at the time of placing on the market as required in Annex XIII.4(a).

Many batteries, especially those placed on the market prior to CE marking, simply do not have this information recorded.

Imposing full passport obligations on such batteries risks **preventing reuse, repurposing, and remanufacturing** by:

- requiring disproportionate administrative and technical resources from second-life operators;
- introducing regulatory obligations that cannot be fulfilled retroactively;
- making data collection technically infeasible.

To preserve the circular-economy objectives of the Batteries Regulation, **batteries without a first-life battery passport should be exempted from battery passport requirements**. Without such an exemption, many viable batteries would be forced prematurely into the waste stream instead of being safely reused, repurposed, or remanufactured.

4. Need for a Phased Implementation Approach

Recommendation

EUROMOT recommends adopting a **phased implementation approach** for the Battery Passport:

- **From February 2027,** the Battery Passport should be operational with **static data only**, limited to data elements listed in **Annex XIII, §1** and linked to regulatory provisions that have already started to apply.
- **From February 2030 (or later, where necessary)**, additional Battery Passport requirements, Annex XIII §2,3,4 including **dynamic data,** should apply **only once** technical standards are available, and cybersecurity and access-governance mechanisms are clearly defined.

Rationale

Several **key enabling elements are not yet sufficiently developed**, including:

- the absence of standards or common specifications defining the IT architecture underpinning the Digital Product Passport system;
- missing implementing legislation defining detailed data requirements; and
- insufficient clarity on periodicity, governance, and security of dynamic data.

SoH and usage-related parameters are inherently dynamic, and there will always be a lag between the real-time condition of a battery and the information that can be published in the Battery Passport. The Regulation does not define what constitutes “up-to-date” information, how frequently updates are required, or the expected level of accuracy and granularity, creating legal and technical uncertainty.

Some batteries will not have telematics and will therefore not be able to report data directly. Where connectivity exists, it is typically provided by the **machine or system into which the battery is integrated**, rather than by the battery itself. In some applications, machines which have telematics capabilities may have limited or infrequent connectivity. These requirements therefore place a burden on battery and/or machine manufacturers to store large amounts of data locally until the battery or machine is able to upload this information to the battery passport.

Similar concerns apply to usage and environmental history data under Annex XIII, §4(d). While the provision refers to “periodically recorded” parameters such as charge and discharge cycles, energy throughput, exposure to extreme temperatures and negative events, the Regulation does not clearly define:

- how cycles are to be counted;
- what constitutes “negative” events;
- how State of Charge data is included; or
- the sampling or recording frequency of the data.

Much of this data is highly dynamic and offers limited added value for reuse and repurposing decisions, which can generally be supported through **a limited, well-defined subset of information** shared under controlled conditions with authorised actors. Requiring broader datasets through the Battery Passport is therefore disproportionate and insufficiently justified.

Premature implementation of the full Battery Passport would risk **legal uncertainty, duplicated investments, and stranded IT costs**. A phased approach enables economic operators to deploy compliant systems in a timely and proportionate manner; while ensuring a **robust, secure, and harmonised rollout** of additional requirements once the necessary legal and technical framework is in place.

Conclusion

EUROMOT supports the objectives of the Battery Passport and its role in promoting sustainability and circularity across the battery value chain. By adjusting Annex XIII as proposed, the Commission can ensure a Battery Passport that preserves industrial competitiveness, ensures safety and data protection, avoids unnecessary duplication, and enables reuse and repurposing rather than premature classification of batteries as waste.

EUROMOT stands ready to continue supporting the European Commission to ensure an effective and workable implementation of the Batteries Regulation.

THIS IS EUROMOT

EUROMOT, the European Association of Internal Combustion Engine and Alternative Powertrain Manufacturers, represents the key manufacturers of internal combustion engines and alternative powertrains installed in industrial non-road mobile machinery, marine and stationary applications that are operating in Europe and worldwide.

Founded in 1991, we provide an unparalleled heritage and hub of expertise for businesses, authorities, regulators, and public stakeholders worldwide. In partnership with major sector associations and institutions, it is our mission to drive smart regulation and sustainable innovation.

Delivering dependable power for society at high energy conversion efficiency with low emissions remains a key objective of EUROMOT member companies. EUROMOT asserts internal combustion engines and alternative powertrains are a key enabler to address the additional societal need for decarbonisation across multiple industry sectors. This can be achieved by continuing to advance the development of highly efficient energy conversion systems capable of operating on low and net-zero Greenhouse Gas (GHG) energy carriers.

Headquartered in Brussels, EUROMOT is a European interest group, and our profile is registered in the EU Transparency Register under the identification number 6284937371-73. We have been granted consultative status at the United Nations IMO (International Maritime Organization, London) and United Nations ECE (Economic Commission for Europe - Geneva) and other relevant stakeholders.

OUR MEMBERS

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