

EUROMOT

The European Association of Internal
Combustion Engine and Alternative
Powertrain Manufacturers

POSITION PAPER

Response to the European
Commission Working Document
Specifying Access to Certain
Parts of the Battery Passport

May 2026

**BATTERY
PASSPORT**



**EUROMOT**

The European Association of Internal
Combustion Engine and Alternative
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RESPONSE TO THE EUROPEAN COMMISSION WORKING DOCUMENT SPECIFYING ACCESS TO CERTAIN PARTS OF THE BATTERY PASSPORT

MAY 2026, BRUSSELS

1. Introduction

EUROMOT welcomes the opportunity to provide comments on the European Commission's draft implementing act specifying access to certain parts of the battery passport, developed under Article 77(9) of Regulation (EU) 2023/1542 on batteries and waste batteries.

In this position paper, EUROMOT therefore calls on the Commission to:

- **Ensure robust protection of commercially sensitive information**, in particular by limiting access to detailed composition and dismantling information to professional actors with a clear and demonstrated need;
- **Retain Option 1 in Article 2(1)** and avoid extending access to sensitive model information to battery purchasers where such access is not necessary;
- **Clarify and harmonise the verification and authorisation framework** for actors requesting access to battery passport data, including third parties acting on behalf of entitled users;
- **Avoid unnecessary granting of download rights**, especially where viewing data is sufficient to fulfil the intended purpose, and ensure that purpose limitation requirements are realistic and enforceable;
- **Provide greater legal certainty** by clarifying the applicability of access rights in specific business models, such as rental, leasing and Battery-as-a-Service arrangements.



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A Non-Governmental Organisation in consultative status with the UN Economic
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2. General observations

EUROMOT supports the objectives of the battery passport as a tool to improve transparency, enable circularity, and support enforcement of the Batteries Regulation. At the same time, the implementing act on access rights must:

- Ensure a **high level of protection for commercially sensitive information**;
- Be **technically implementable** by economic operators through clear and verifiable access rules;
- Provide **legal certainty** about who is entitled to access which data, under what conditions, and with what safeguards.

In its current form, the draft implementing act raises concerns in these three areas, in particular regarding role definition, role verification, and downstream control of downloaded data.

3. Role definition and verification framework

3.1. Absence of a verification mechanism

The draft implementing act defines multiple categories of actors with differentiated access rights. However, it does **not clarify how an entity's status is to be verified** (e.g. repair operator, purchaser, third party acting on behalf of a purchaser).

Without a clear and harmonised verification framework, it is not possible in practice to implement secure, role-based access control in battery passport systems. This creates significant risks for:

- Unauthorised access to sensitive data;
- Divergent implementation across battery passport service providers;
- Legal uncertainty for battery manufacturers regarding data protection obligations.

EUROMOT therefore calls on the Commission to clarify **how authorisation for access is to be proven**, including how third parties can demonstrate that they are legitimately acting on behalf of a person with access rights.

4. Comments on Article 2 – Access rights to model information (Annex XIII, point 2)

4.1. Option 1 vs. Option 2 in Article 2(1)

EUROMOT **strongly supports Option 1** in Article 2(1).

The information listed in Annex XIII, points 2(a) (detailed composition) and 2(c) (dismantling information), contains information that is potentially and in many cases clearly commercially sensitive. Access should therefore be limited to actors who demonstrably need this information to perform professional activities such as repair, remanufacturing, repurposing or recycling.

Extending access to "the natural or legal person who has legally purchased the battery" (Option 2) would:

- Go beyond what is necessary for legitimate use;
- Increase exposure of sensitive industrial information;
- Create additional complexity in identifying purchasers and verifying their identity.

As a general rule, battery purchasers do not require access to such information.



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4.2. Article 2(2)(b) – Access to part numbers by battery purchasers

EUROMOT questions the rationale for granting battery purchasers access to Annex XIII, point 2(b) (part numbers and contacts for spare parts).

Most electric vehicle and industrial batteries are **not user-serviceable**. Allowing purchasers access to part numbers risks encouraging unauthorised repair, modification or unsafe handling. This information should be restricted to professional operators who genuinely require it, as already covered under Article 2(2)(a).

5. Clarification needed on special use cases (Article 2(4) and (5))

Article 2(4) and (5) refer to "the natural or legal person who has legally purchased the battery or any third party acting on their behalf".

EUROMOT asks the Commission to clarify whether this definition includes **renters or leaseholders**, notably in cases of Battery-as-a-Service (BaaS) models or rented equipment containing batteries. If such actors are intended to be covered, their access rights and responsibilities should be explicitly addressed to avoid divergent interpretation.

6. Comments on Article 3 – Download, use, sharing and publication of data

6.1. Download rights and purpose limitation

Article 3 allows persons with legitimate interest not only to view but also to **download** battery passport data for broadly defined purposes.

While EUROMOT acknowledges that certain use cases require data download, the draft does not explain how compliance with purpose limitation requirements (including under GDPR) can be ensured once data is downloaded. In practice, **it is not possible to control or verify subsequent use, re-use or onward transmission of downloaded data**.

In particular, for the purpose set out in Article 3(1)(a) (evaluation of status and residual value), downloading data is not necessary, as such evaluation can generally be performed by viewing current values on screen. Granting download rights in these cases increases the risk of misuse and information leakage.

6.2. Enforcement and safeguards

EUROMOT notes that the draft implementing act:

- Does not specify penalties for breach of download, sharing or publication restrictions;
- Does not clarify whether technical safeguards (e.g. digital rights management, access logging) are allowed or expected.

EUROMOT invites the Commission to consider whether additional safeguards or guidance are necessary to ensure that the limitations in Article 3 are enforceable in practice.



7. Concluding remarks

EUROMOT reiterates its support for a functional and proportionate battery passport framework. To achieve this, the implementing act on access rights should:

- Retain **Option 1** in Article 2(1);
- Provide **clear rules on verification and authorisation** of actors claiming access;
- Better protect **commercially sensitive information**;
- Ensure that rules on downloading and use of data are **realistic and enforceable**.

EUROMOT remains at the Commission's disposal for further technical discussion and would welcome continued dialogue as the implementing act is finalised.



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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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