

**EUROMOT**

The European Association of Internal  
Combustion Engine and Alternative  
Powertrain Manufacturers



# POSITION PAPER

On the Draft Delegated  
Regulation on Derogations for the  
Removability and Replaceability  
of Portable Batteries

May 2026

The logo for EUROMOT, consisting of the word "EUROMOT" in white, bold, uppercase letters on a dark green rectangular background.

The European Association of Internal  
Combustion Engine and Alternative  
Powertrain Manufacturers

## EUROMOT POSITION

# ON THE DRAFT DELEGATED REGULATION ON DEROGATIONS FOR THE REMOVABILITY AND REPLACEABILITY OF PORTABLE BATTERIES

**MAY 2026, BRUSSELS**

### 1. Executive Summary

EUROMOT welcomes the European Commission's decision to grant a derogation under Article 11(4) of Regulation (EU) 2023/1542 for portable batteries integrated into telematics devices used in agricultural and construction machinery. This approach appropriately recognises safety, durability and operational constraints specific to non-road mobile **machinery** (NRMM).

However, EUROMOT is concerned that the draft Delegated Regulation unnecessarily **limits this derogation to devices intended for roof-mounted installation** and **restricts its scope to telematics devices only**. These limitations do not reflect the engineering realities, safety requirements and maintenance practices of non-road mobile machinery, and risk creating legal uncertainty and unnecessary administrative burden without delivering environmental benefits.

EUROMOT therefore calls for a targeted revision of Article 11(2)(h) to ensure the derogation is **function-based, technology-neutral, and aligned with real-world machinery design and safety constraints**.



EUROMOT aisbl, Rue Joseph Stevens 7, 1000 Brussels, Belgium  
A European Interest Representative · TVA BE 0599.830.578 · RPM Brussels  
EU Transparency Register Id. No. 6284937371-73

A Non-Governmental Organisation in consultative status with the UN Economic  
Commission for Europe (UNECE) and the UN International Maritime Organisation (IMO)

**PRESIDENT**  
Dr Holger Lochmann

**GENERAL MANAGER**  
Dr Peter Scherm

## 2. General Remarks

Our members design power systems and integrated electronic systems which are integrated in machines and operate in **extreme environments**, including high vibration, dust, moisture, and wide temperature variations, often over long service lives.

In these applications, **battery safety, sealing integrity and functional reliability** are paramount. Requiring end-user removability of batteries in such conditions would significantly increase safety risks and undermine product durability, without improving battery collection or recycling outcomes.

## 3. Recognition of the Granted Derogation

EUROMOT positively acknowledges that the Commission has accepted the need for a derogation for batteries integrated into telematics devices incorporated in agricultural and construction machinery. This confirms that the Commission recognises that:

- Such devices are typically **maintained by certified professionals**, not by end-users;
- Opening sealed electronic housings may expose users to safety risks;
- Environmental sealing is essential to ensure product performance and lifetime.

EUROMOT appreciates this acknowledgment as an important step toward proportionate implementation of Regulation (EU) 2023/1542.

## 4. Concerns Regarding the Limitation to “Roof-Mounted Installation”

EUROMOT strongly disagrees with restricting the derogation to **“telematics devices intended for roof-mounted installation”**.

### 4.1. Mounting Location Is Design-Dependent, Not Risk-Dependent

The mounting location of telematics and other electronic devices varies significantly depending on:

- Machine type and size;
- Functional integration;
- Protection against vibration, dust, water and mechanical damage.

Devices may be located inside cabins, body panels or other protected areas rather than on the roof, precisely to **enhance safety and durability**. Limiting the derogation to roof-mounted devices therefore excludes functionally identical products exposed to the **same environmental stresses and safety constraints**.

### 4.2. Safety Risks Are Independent of Mounting Location

The key safety concern identified by the Commission, namely that end-user battery access could result in safety risks, applies **regardless of whether the device is roof-mounted or installed elsewhere**.

From a risk-based regulatory perspective, the decisive criteria should be:

- Exposure to harsh vibration, dust and wet conditions;
- The need for sealed enclosures;
- The requirement for professional maintenance.



EUROMOT aisbl, Rue Joseph Stevens 7, 1000 Brussels, Belgium  
A European Interest Representative · TVA BE 0599.830.578 · RPM Brussels  
EU Transparency Register Id. No. 6284937371-73

A Non-Governmental Organisation in consultative status with the UN Economic Commission for Europe (UNECE) and the UN International Maritime Organisation (IMO)

PRESIDENT  
Dr Holger Lochmann

GENERAL MANAGER  
Dr Peter Scherm

These factors, not physical location, justify a derogation under Article 11(4).

EUROMOT therefore advocates **removing the reference to mounting location** from the legal text.

## 5. Scope Should Not Be Limited to Telematics Devices

The use of sealed portable batteries in NRMM is **not limited to telematics devices**.

Other electronic components installed on agricultural, construction, earthmoving and mining machinery are similarly:

- Exposed to extreme vibration, dust and moisture;
- Designed with sealed housings to preserve functional integrity;
- Intended to operate for the full lifetime of the equipment.

Accessing the battery in these devices would:

- Compromise environmental sealing;
- Reduce product lifetime;
- Increase failure rates;
- Create avoidable safety risks.

Furthermore, batteries used in these applications are typically **designed to last for the entire service life of the electronic component**. Replacement is neither required nor recommended.

In these circumstances, the intended purpose of Article 11 is not engaged. The provision aims to address premature product obsolescence and to support effective battery collection.

Where batteries are designed to last for the full-service life of the component, mandatory end-user removability does not contribute to improved environmental outcomes. Instead, it risks triggering unnecessary interventions, increasing waste, and adversely affecting product durability, safety and reliability.

## 6. Inclusion of Earthmoving and Mining Machinery

EUROMOT notes that earthmoving and mining machinery share the same, or even more severe:

- Environmental exposure;
- Operational safety requirements;
- Maintenance practices

as agricultural and construction machinery.

It is therefore technically and legally justified to **explicitly include earthmoving and mining machinery** within the scope of the derogation, to ensure consistent treatment across NRMM categories.

## 7. Availability of Alternative Designs

Machinery manufacturers frequently integrate **off-the-shelf electronic components** supplied by specialised vendors. In many cases:

- No equivalent designs with user-replaceable batteries exist;



EUROMOT aisbl, Rue Joseph Stevens 7, 1000 Brussels, Belgium  
 A European Interest Representative · TVA BE 0599.830.578 · RPM Brussels  
 EU Transparency Register Id. No. 6284937371-73

A Non-Governmental Organisation in consultative status with the UN Economic Commission for Europe (UNECE) and the UN International Maritime Organisation (IMO)

PRESIDENT  
 Dr Holger Lochmann

GENERAL MANAGER  
 Dr Peter Scherm

- Developing bespoke alternatives would be disproportionate;
- Redesign would undermine established safety certifications.

Imposing an end-user battery removability requirement in these cases would **effectively restrict technology availability** without environmental benefit.

## 8. Administrative Burden and Lack of Environmental Benefit

Allowing or requiring end-user access to such batteries would:

- Create unnecessary administrative and compliance burden;
- Increase costs for manufacturers and users;
- Provide no measurable improvement in collection or recycling, as machines and embedded components are already professionally dismantled at end of life.

The existing professional maintenance and end-of-life treatment frameworks already ensure **proper recovery and recycling of batteries**.

## 9. EUROMOT Proposed Revision

EUROMOT proposes revising Article 11(2)(h) as follows:

**“(h) telematics and other electronic devices intended for use in agricultural, construction, earthmoving and mining machinery, and designed to be exposed to harsh vibrations, dust and wet conditions during their intended use.”**

This wording:

- Removes the unnecessary reference to roof-mounted installation;
- Extends the scope beyond telematics where justified;
- Reflects real-world machinery design and safety considerations;
- Preserves the objective of Regulation (EU) 2023/1542 while ensuring proportionate application.

## 10. Conclusion

EUROMOT reiterates its support for the objectives of the Batteries Regulation and its commitment to sustainability and circularity. At the same time, regulatory requirements must remain **risk-based, proportionate and technologically neutral**.

Adjusting the delegated act as proposed would enhance legal certainty, improve safety outcomes, and better align the Regulation with the operational realities of non-road mobile machinery, without undermining environmental goals.

EUROMOT therefore urges the Commission to revise Article 11(2)(h) accordingly prior to adoption of the Delegated Regulation.



EUROMOT aisbl, Rue Joseph Stevens 7, 1000 Brussels, Belgium  
A European Interest Representative · TVA BE 0599.830.578 · RPM Brussels  
EU Transparency Register Id. No. 6284937371-73

A Non-Governmental Organisation in consultative status with the UN Economic Commission for Europe (UNECE) and the UN International Maritime Organisation (IMO)

**PRESIDENT**  
Dr Holger Lochmann

**GENERAL MANAGER**  
Dr Peter Scherm

## **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**



EUROMOT aisbl, Rue Joseph Stevens 7, 1000 Brussels, Belgium  
 A European Interest Representative · TVA BE 0599.830.578 · RPM Brussels  
 EU Transparency Register Id. No. 6284937371-73

A Non-Governmental Organisation in consultative status with the UN Economic Commission for Europe (UNECE) and the UN International Maritime Organisation (IMO)

PRESIDENT  
 Dr Holger Lochmann

GENERAL MANAGER  
 Dr Peter Scherm

# Contact Us

## EUROMOT aisbl

The European Association of Internal Combustion Engine and Alternative Powertrain Manufacturers

Aliénor Poher  
Senior Manager Regulatory Affairs  
and Sustainability



+32 (0) 28 93 21 42



Rue Joseph Stevens 7  
1000 Brussels - Belgium



[alienor.poher@euromot.eu](mailto:alienor.poher@euromot.eu)



[www.euromot.eu](http://www.euromot.eu)

TVA BE 0599.830.578

RPM Brussels

EU Transparency Register  
ID number: 6284937371-73