

SUMMARY OF U.S. STATE LEAD-ACID BATTERY LAWS

| STATE | EFFECTIVE DATE | BCI MODEL | DEPOSIT ^a (REFUNDABLE) | SPLIT OF DEPOSIT | DEPOSIT REFUND PERIOD | POINT OF SALE SIGN ^b | FEE (NON REFUNDABLE) |
|------------------------------------|----------------|------------------|-----------------------------------|------------------|-----------------------|---------------------------------|----------------------|
| Arizona ^c | 09/27/90 | Yes | \$5 | 100% Retailer | 30 days | Retailer | |
| Arkansas | 07/01/92 | Yes | \$10 | 100% Retailer | 30 days | State | |
| California | 01/01/89 | Yes | | | | No | |
| Connecticut ^d | 10/01/90 | Yes | \$5 | 100% Retailer | 30 days | Retailer | |
| Florida | 01/01/89 | Yes | | | | No | \$1.50 ^o |
| Georgia | 01/01/91 | Yes | | | | Retailer | |
| Hawaii | 01/01/90 | Yes | | | | State | |
| Idaho ¹ | 07/01/91 | Yes | \$5 | 100% Retailer | 30 days | Retailer | |
| Illinois | 09/01/90 | Yes | | | | Retailer | |
| Indiana | 01/01/91 | Yes | | | | Retailer | |
| Iowa | 07/01/90 | Yes | | | | Retailer | |
| Kansas City, ^e Missouri | 03/14/90 | Yes | | | | Retailer | |
| Kentucky | 07/13/90 | Yes | | | | Retailer | |
| Louisiana | 09/01/89 | Yes | | | | Retailer | |
| Maine | 10/30/89 | Yes | \$10 | 100% Retailer | 7 days | State | \$1.00 ^p |
| Massachusetts | 12/31/90 | No ^g | | | | No | |
| Michigan | 04/01/90 | Yes | | | | State | |
| Minnesota | 10/04/89 | Yes ^f | \$5 | 100% Retailer | | State | |
| Mississippi | 07/01/91 | Yes | | | | State | |
| Missouri | 01/01/91 | Yes | | | | State | |
| Nebraska | 09/01/94 | No ⁱ | | | | | |
| Nevada | 01/01/92 | No ^g | | | | No | |
| New Hampshire | 01/01/91 | No ^g | | | | No | |
| New Jersey | 10/09/91 | Yes | | | | Retailer | |
| New Mexico | 12/31/91 | No ^g | | | | | |
| New York | 01/01/91 | Yes | \$5 | 100% Retailer | 30 Days | Retailer | |
| North Carolina | 01/01/91 | Yes | | | | Retailer | |
| North Dakota | 01/01/92 | Yes | | | | No | |
| Oklahoma | 09/01/93 | Yes ^t | | | | Retailer | |
| Oregon ^h | 01/01/90 | Yes | | | | Retailer | |
| Pennsylvania | 07/26/89 | Yes | | | | State | |
| Rhode Island | 01/01/89 | Yes | See ^u | | | State | |
| South Carolina | 05/27/91 | Yes | \$5 | 100% Retailer | 30 days | State | \$2 ^m |
| South Dakota ^r | 07/01/92 | Yes | | | | No | |
| Tennessee | 07/01/90 | Yes ^q | | | | No | |
| Texas | 09/01/91 | Yes | | | | State | \$2/\$3 ⁿ |
| Utah ^k | 01/01/92 | Yes | | | | Retailer/ Wholesaler | |
| Vermont | 06/17/94 | Yes | | | | Retailer | |
| Virginia | 07/01/90 | Yes | | | | State | |
| Washington | 07/23/89 | Yes | \$5 | 100% Retailer | 30 days | State | |
| West Virginia | 04/6/94 | Yes ^s | | | | Retailer/ Wholesaler | |
| Wisconsin | 01/01/91 | Yes | See ^j | | | State | See ^j |
| Wyoming | 06/08/89 | Yes | | | | State | |

Footnotes:

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| a | This refers to a deposit in lieu of trade-in. The deposit is paid by any person who purchases a new battery without returning a used battery at the same time. (T). |
| b | This refers to whose responsibility it is to make the educational signs, the state or the retailer. A "No" indicates that there is no sign requirement." |
| c | AZ requires all lead batteries sold to be labeled with a universally accepted recycling symbol. AZ also requires that State agencies and political subdivisions comply with the battery recycling law. |
| d | Retailers in CT must take back batteries one-for-one at the point of sale. |
| e | Kansas City's ordinance requires that retailers take back up to 3 batteries not at the point of sale, and it requires that junk batteries be stored in "an adequately ventilated enclosure in good repair that protects its contents from any precipitation, etc." Any spilled acid must be immediately collected and neutralized. |
| f | MN now requires that retailers take back up to 5 batteries not at the point of sale. |
| g | NH, NM, NV and MA placed a ban on the landfilling and incineration of lead batteries only. NV will allow lead battery disposal at stat "permitted" facilities, however. |
| h | OR requires that until 12/31/93 retailers must accept at least 1 battery from consumers, after which they must only accept batteries one-for-one at the point of sale. |
| i | NE placed a prohibition on only the landfilling of lead batteries. |
| j | WI law allows retailers to charge a \$5 deposit in lieu of a trade-in, and to charge \$3 for taking a battery. |
| k | UT requires retailers to take back a maximum of two used lead batteries from customers. In addition to the BCI model law, a 1998 regulation prohibits solid waste disposal of lead acid batteries. |
| l | ID requires all lead batteries sold to be labeled with a universally accepted recycling symbol. In addition, batteries used in motorcycles, off-road recreation vehicles or lawn and garden equipment are exempt from the deposit in lieu of a trade-in requirement. |
| m | SC requires retailers to collect a \$2.00 fee for lead batteries sold to the ultimate consumer. The retailer may retain three percent of the collected fees to cover administrative costs. Fees collected by the state treasurer are to be deposited into a Solid Waste Management Trust Fund. Small sealed lead-acid batteries are now exempt from the fee and BCI model provisions; however, a study on the recycling of these batteries is required. See S.C. Code Ann. x 44-96-40(23). |
| n | TX requires the collection of a \$2.00 and \$3.00 fee for batteries less than 12volts, and, equal to or greater than 12 volts respectively. Exempted from the fee is any battery that is: 1) rated at less than 10 ampere hours; 2) sealed so that no access to the interior of the battery is possible without destroying the battery; and 3) with dimensions (sum of height, width and length) less than 15 inches. The fees are to be collected by any wholesaler or retailer who sells a battery not for resale. To cover administrative costs, the dealer may retain 2-1/2 cents per unit. All remaining money, less four percent to cover state administrative costs, goes to the state comptroller to be placed in a waste remediation fund. |
| o | FL requires the collection of a \$1.50 fee per battery at the retail level. |
| p | ME requires the collection of a \$1.00 fee per battery at the retail level. |
| q | TN prohibits landfills or incinerators in the state from accepting lead-acid batteries for incineration or disposal. Further, lead-acid battery retailers must accept used lead-acid batteries as trade-in batteries. |
| r | SD requires wholesalers and retailers to "accept, on a one for one exchange basis, used lead-acid batteries and . . . ensure the proper handling and disposal of the batteries." Further, after July 1, 1995, all lead-acid batteries shall be eliminated from landfilled wastes." |
| s | WV requires retailers and wholesalers to collect used lead-acid batteries from customers and post point-of-sale signs. |
| t | OK requires that retailers of lead-acid batteries post and maintain a sign at or near the point of display or sale to inform the public that lead-acid batteries are accepted for recycling. |
| u | RI law specifies that retailers may voluntarily add a core charge (amount unspecified) to the price of a new vehicle battery. The core charge must be refunded if a used battery is returned within 7 days of the date of purchase. |

Final Note: Several states have adopted separate household or dry cell battery recycling laws that include provisions strictly applicable to small sealed lead-acid batteries. These states are California, Florida, Illinois, Iowa, Maine, Maryland, Minnesota, New Hampshire, New Jersey, New York, Oregon, and Vermont.

Lead-Acid Battery Definitions by State

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| Arizona | "[A] battery with a core of elemental lead and a capacity of six or more volts which is suitable for use in a vehicle or boat." |
| Arkansas | "[A] battery with a core of elemental lead and a capacity of six or more volts." |
| California | "[A]ny battery which is primarily composed of both lead and sulfuric acid, with a capacity of six volts or more, and which is used for any of the following purposes: 1) as a starting battery which is designed to deliver a high burst of energy necessary to crank an engine until it starts; 2) as a motive power battery which is designed to provide the sources of power for propulsion or operation; or 3) as a stationary standby battery which is designed to be used in systems where the battery acts as a source of emergency power, serving as a backup in case of failure or interruption in the flow of power from the primary source." |
| Connecticut | "[A] lead-acid battery or a motor vehicle battery." |

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| Florida | Under the recycling provisions, the term lead-acid battery is undefined. Under the battery fee provisions, the term is defined as follows: "[T]hose lead-acid batteries designed for use in motor vehicles, vessels, and aircraft, and includes such batteries when sold as a component part of a motor vehicle, vessel, or aircraft, but not when sold to recycle components." |
| Georgia | The term lead-acid battery is undefined, however, the law applies only to "lead-acid vehicle batteries. . ." |
| Hawaii | The term lead-acid battery is undefined, however, the law appears to apply to "motor vehicle or other lead-acid batteries. . ." |
| Idaho | "[A] battery with a core of elemental lead and a capacity of six or more volts which is suitable for use in farm equipment, construction equipment, a motor vehicle or a boat. Batteries only suitable for motor cycles, off-road recreation vehicles or lawn and garden equipment are exempt from the fees in this chapter." |
| Illinois | "[A] battery containing lead and sulfuric acid that has a nominal voltage of at least six volts and is intended for use in motor vehicles." |
| Indiana | "[A] battery that: 1) contains lead and sulfuric acid; and 2) has a nominal voltage of at least six volts." |
| Iowa | The term lead-acid battery is undefined. |
| Kansas | "Any battery that consists of lead and sulfuric acid, is used as a power source, and has a capacity of six (6) volts or more." |
| Kentucky | The term lead-acid battery is undefined. |
| Louisiana | The term lead-acid battery is undefined, however, the law applies to "motor vehicle batteries or other lead-acid batteries. . ." |
| Maine | "[A] device designed and used to store electrical energy through chemical reactions involving lead and acid." |
| Massachusetts | The term lead battery is undefined and unqualified in the regulation. |
| Michigan | "[A] storage battery, that is used to start an internal combustion engine or as the principal electrical power source for a vehicle, in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid." |
| Minnesota | The term lead-acid battery is undefined and unqualified in the law. |
| Mississippi | The term lead-acid battery is undefined, however, the law applies to "motor vehicle batteries or other lead-acid batteries. . ." |
| Missouri | "[A] battery designed to contain lead and sulfuric acid with a nominal voltage of at least six volts and of the type intended for use in motor vehicles and watercraft." |
| Nebraska | |
| Nevada | The term lead-acid battery is undefined, however, the law applies to "motor vehicle batteries." |
| New Hampshire | The term lead-acid battery is undefined, however, the law applies to "motor vehicle or wet cell batteries." |
| New Jersey | "[A] lead-acid electric storage battery designed for use in motor vehicles, aviation equipment or marine vessels." |
| New Mexico | The term lead-acid battery is undefined and unqualified in the regulation. |
| New York | "[A]ny battery with a capacity of six or more volts which contains lead and sulfuric acid and which is used as a power source in a vehicle." |
| North Carolina | The term lead-acid battery is undefined, however, the law applies to "motor vehicle batteries or other lead-acid batteries. . ." |
| North Dakota | The term lead-acid battery is undefined. |
| Oklahoma | "[A] lead-acid electrical device used in boats, planes and motor vehicles." |
| Oregon | The term lead-acid battery is undefined. |
| Pennsylvania | The term lead-acid battery is undefined, however, the law applies to ""motor vehicle batteries or other lead-acid batteries. . ." |
| Rhode Island | "[B]atteries used in any vehicle, or of a capacity of six (6) volts or more, and of one hundred fifty (150) pounds or less in weight, and like batteries in stationary uses." |
| South Carolina | "[A]ny battery that consists of lead and sulfuric acid, is used as a power source, and has a capacity of six volts or more, except that this term shall not include a small sealed lead-acid battery. A small sealed lead-acid battery weighs twenty-five pounds or less, and is used in non-vehicular, non-SLI (starting lighting ignition) applications." |
| South Dakota | The term lead-acid battery is undefined. |
| Tennessee | The term lead-acid battery is undefined, however, the law applies to "automobile batteries." |
| Texas | Under the recycling provisions, the term lead-acid battery is undefined, however, the law applies to "motor vehicle batteries or other lead-acid batteries. . ." Under the battery fee provisions, the term is defined as follows: "any battery with a capacity of six or more volts which contains lead and sulfuric acid." The term lead-acid battery is undefined, however, the law applies to any "motor vehicle battery or other lead-acid battery. . ." |
| Utah | "Lead-acid battery means a battery that consists of lead and sulfuric acid and is used as a power source." Nevertheless, the law exempts small sealed lead-acid batteries (weighs less than twenty-five pounds, is used in non-vehicular applications and is not used as the principal source for transportation, including automobiles, motorcycles, and boats)." |
| Vermont | |

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| Virginia | The term lead-acid battery is defined as "any wet cell battery." |
| Washington | "[B]atteries capable for use in any vehicle, having a core consisting of elemental lead, and a capacity of six or more volts." |
| West Virginia | "Lead-acid battery means an encasement which contains or contained lead and sulfuric acid to produce an electrical charge." |
| Wisconsin | The term lead-acid battery is undefined, however, the law applies to any "motor vehicle battery or other lead-acid battery. . ." |
| Wyoming | The term lead-acid battery is undefined, however, the law applies to any "motor vehicle battery or other lead-acid battery. . ." |

Summary (Total = 42 States and 1 City)

- 37 States and 1 City with the BCI Model (with and without deposit);
- 7 States with a \$5 deposit in lieu of trade-in requirement; and
- 2 States with a \$10 deposit in lieu of trade-in requirement.
- 5 States with a ban on municipal solid waste disposal (landfills and/or incinerators)