

STATE OF NEW YORK

8291

2023-2024 Regular Sessions

IN ASSEMBLY

November 27, 2023

Introduced by M. of A. EACHUS -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to retail or repair premises of bicycles and/or scooters with electric assist, electric-powered or lithium-ion electric batteries

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general business law is amended by adding a new section
2 391-cc to read as follows:

3 § 391-cc. Retail premises of bicycles and/or scooters with electric
4 assist and/or electric-powered. 1. As used in this section: "dealer"
5 shall mean any person owning or operating a premise or facility engaged
6 in the frequent sale and/or repair of bicycles and/or scooters with
7 electric assist and/or electric-powered or lithium-ion electric
8 batteries and its components.

9 2. Any dealer shall maintain on the premises where bicycles and/or
10 scooters with electric assist, electric-powered or lithium-ion electric
11 batteries are sold at retail or repaired, and/or lithium-ion electric
12 batteries are housed in a storage facility with functional fire
13 protection and suppression measures effective against lithium-ion
14 battery and electrical fires, including but not limited to Class B
15 extinguishers, battery cases, and automatic monitoring and detection. In
16 the event of an electrical fire, such fire protection and suppression
17 system shall have the capability of an immediate response to mitigate
18 and contain the fire. Nothing in this section shall be construed to
19 restrict a municipality from enforcing the provisions of this subdivi-
20 sion or further require additional fire protection and suppression meas-
21 ures. Moreover, lithium-ion batteries shall be required to be stored in
22 battery cases outside of the hours of operation of such retailer and/or
23 while in an unmanned facility during storage.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD13356-03-3

1 3. The secretary of state shall promulgate rules, regulations and
2 standards deemed necessary to implement the provisions of this section
3 on or before its effective date and, in conjunction with the appropriate
4 agency, whether the New York state Division of Building Standards and
5 Codes, New York city department of buildings or New York city fire
6 department, shall establish standards for the installation, operation
7 and inspection of fire protection systems installed pursuant to the
8 provisions of this section.

9 4. Willful failure to comply with the provisions of this section shall
10 subject a dealer to a penalty of up to twenty-five dollars for each day
11 such failure occurs.

12 § 2. This act shall take effect on the one hundred eightieth day after
13 it shall have become a law.