STATE OF NEW YORK

9597

IN SENATE

November 16, 2022

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to the sale of batteries for powered mobility devices

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

Section 1. The general business law is amended by adding a new article 39-h to read as follows:

ARTICLE 39-H
BATTERIES FOR POWERED MOBILITY DEVICES

Section 899-ggg. Definitions.
899-hhh. Sale of batteries for powered mobility devices.

§ 899-ggg. Definitions. For purposes of this article, the following terms shall have the following meanings:

1. "Powered mobility device" means a light electric-powered vehicle or personal electric mobility device such as an electric bicycle or scooter.

2. "Stock keeping unit" means each group of items offered for sale of the same brand name, quantity of contents, retail price and variety.

§ 899-hhh. Sale of batteries for powered mobility devices. 1. No person shall distribute, sell or offer for sale a storage battery for a powered mobility device unless it has been listed and labeled by a nationally recognized testing laboratory or other approved organization and such labeling is disclosed on the packaging for such battery.

2. A person who violates subdivision one of this section or any rule promulgated thereunder shall be liable for a civil penalty as follows:

(a) for the first violation, a civil penalty of zero dollars;

(b) for each subsequent violation issued for the same offense within two years of the date of a first violation, a civil penalty of not more than one thousand dollars; and

(c) each failure to comply with subdivision one of this section with respect to any one stock keeping unit shall constitute a separate violation.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD16538-01-2