STATE OF NEW YORK

4849

2023-2024 Regular Sessions

IN ASSEMBLY

February 23, 2023

Introduced by M. of A. PALMESANO, ANGELINO, BLANKENBUSH, K. BROWN, BYRNES, GALLAHAN, J. M. GIGLIO, McDONOUGH, TAGUE -- read once and referred to the Committee on Transportation

AN ACT to amend the navigation law, in relation to establishing the marine electric propulsion health and environmental impact program

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

Section 1. The navigation law is amended by adding a new section 76-a to read as follows:

§ 76-a. Marine electric propulsion health and environmental impact program. 1. For the purposes of this section "marine electric propulsion" shall mean all mechanical, electrical and physical aspects of a powertrain consisting of an electric motor powered by a lithium-ion battery or bank of batteries, which functions as the primary propulsion system of a boat or personal watercraft.

2. The commissioner, in consultation with the national transportation safety board, the commissioner of environmental conservation and the commissioner of health, shall establish and implement a marine electric propulsion environmental and health impact program within the office.

3. Such program shall provide education, advocacy and increased awareness of the environmental and health impacts of marine electric propulsion systems. Such environmental and health impacts shall include, but shall not be limited to:

(a) the release of environmental contaminants from marine-rated lithium-ion battery cells in the event of a loss of battery integrity, and their environmental and health effects;

(b) impacts associated with the decomposition of lithium-ion battery components, particularly in cases of battery immersion in both salt and fresh water;

(c) various risks of electrocution, especially electric shock drowning;

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

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(d) safety requirements for the mooring, launch and recovery of electric boats at New York state parks, shorelines, inland waterways and any other locations where boats and personal watercraft are commonly handled or moored;

(e) specific fire risks associated with lithium-ion battery combustion in the event of water-borne collisions, vehicular collisions while trailering, or short-circuits; and

(f) any other event which might result in a negative impact to the battery within three hundred feet of a shoreline, dock, ramp, pier or any other mooring point where swimmers might be present.

4. The office shall create a fact sheet containing information regarding the environmental and health impacts of marine electric propulsion systems pursuant to subdivision three of this section. Such fact sheet shall be distributed upon the successful completion of an approved boating safety course pursuant to section seventy-five of this part. Additionally, the office shall distribute or otherwise make such information available at any other locations and in any such manner the commissioner deems necessary or advisable.

5. The office shall promulgate such rules and regulations as are necessary to implement the provisions of this section.

§ 2. This act shall take effect immediately.