STATE OF NEW YORK

8102--A

2023-2024 Regular Sessions

IN ASSEMBLY

October 13, 2023

Introduced by M. of A. EACHUS, GUNTHER, COLTON, JACOBSON, McDONOUGH, GRAY, DeSTEFANO, GONZALEZ-ROJAS, ZINERMAN, GALLAGHER, SAYEGH, SHIMSKY, REYES, SIMONE, TAYLOR, BENEDETTO, ARDILA, CHANG, K. BROWN, BEEPHAN, HYNDMAN, BICHOTTE HERMELYN, LEVENBERG, FAHY, DAVILA, ROZIC -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to requiring charging cords for micromobility devices, mopeds, and bicycles with electric assist to have a red tag attached

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 section 399-nnn to read as follows:

§ 399-nnn. Tags on charging cords of micromobility devices, mopeds, and bicycles with electric assist. 1. No person, firm, partnership, association, or corporation shall manufacture, distribute, assemble, recondition, sell or offer for sale at retail any micromobility device, moped, or bicycle with electric assist as defined in section one hundred two-c of the vehicle and traffic law unless there is a red tag affixed to the charging cord of such micromobility device, moped, or bicycle with electric assist which clearly and conspicuously states "UNPLUG WHEN NOT IN USE". Such tag shall include additional consumer safety information regarding safe usage of the product and its charging equipment and shall be affixed to the cord near the end which is plugged into the electricity source.

2. The department of state shall promulgate rules and regulations providing guidance on the consumer safety information required to be on the tag pursuant to subdivision one of this section.

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

LBD13238-04-4

3. The department of state shall post a model tag containing the information outlined in subdivision one of this section that persons, firms, partnerships, associations, and corporations can affix to such charging cords as outlined in subdivision one of this section.

4. For the purposes of this section, the following terms shall have the following meanings:

(a) "Lithium-ion battery" means a storage battery in which an electrical current is generated by lithium ions embedded in a carbon carbonate mixture or gelled polymer electrolyte.

(b) "Micromobility device" means an electric scooter as defined in section one hundred fourteen-e of the vehicle and traffic law, an electrical personal assistive mobility device as defined in section one hundred fourteen-d of the vehicle and traffic law, or other personal mobility device equipped with a lithium-ion or other storage battery, including, but not limited to, a skateboard, unicycle, or other similar wheeled device. The term "micromobility device" shall not include bicycles with electric assist as defined in section one hundred two-c of the vehicle and traffic law, wheelchairs or other electrically driven mobility assistance devices as defined in section one hundred thirty-a of the vehicle and traffic law, or any vehicle that is capable of being registered with the department of motor vehicles.

(c) "Moped" means a limited use motorcycle as defined in section one hundred twenty-one-b of the vehicle and traffic law.

§ 2. This act shall take effect immediately.