# STATE OF NEW YORK

8584

# IN SENATE

February 16, 2024

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public authorities law, in relation to authorizing the New York state energy research and development authority inspect and certify solar energy systems as fire safe

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

Section 1. The public authorities law is amended by adding a new section 1885 to read as follows:

**§ 1885. Solar energy system fire safety. 1. For the purpose of this section, the following terms shall have the following meanings:**

**(a) "Solar energy system" shall mean ten or more solar energy panels in an array and the accompanying underground transmission lines.**

**(b) "Safety data sheet" means the document containing information and instructions for safe use and potential hazards associated with particular chemicals and materials that are approved by the federal occupational safety and health administration.**

**2. The New York state energy research and development authority, in consultation with the office of fire prevention and control is authorized and directed to promulgate rules and regulations concerning the certification of solar energy systems as fire safe, in accordance with the provisions of this section.**

**3. The authority, or a third party contracted by the authority, shall inspect solar energy systems to determine if such solar energy systems are safe and if maintenance records of the solar energy system are adequate. The authority, in consultation with the office of fire prevention and control, is authorized and directed to promulgate rules and regulations concerning the sufficiency of maintenance records for solar energy systems.**

**4. The authority, or a third party contracted by the authority, after inspecting a solar energy system shall determine if such solar energy system is fire safe, and if so, shall certify such solar energy system as such.**

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

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5. If the authority or a third party determines that a solar energy system is not fire safe pursuant to an inspection under subdivision four of this section, the authority or such third party shall provide the reason such solar energy system failed such inspection. Further, the authority shall provide a timeframe within which such solar energy system shall be required to pass inspection.

6. Every solar energy system in the state shall have a safety data sheet conspicuously posted in any area that would likely be accessed by emergency responders in the case of a fire or other emergency.

7. The authority shall submit an annual report to the governor, the senate environmental conservation committee and the senate energy and telecommunication committee, and the assembly environmental conservation committee and the assembly energy committee. Such report shall include the information gathered by the authority, or the third party contracted by the authority, pursuant to the inspection under subdivisions three, four and five of this section, and any conclusions and/or recommendations of the authority. Such report shall be posted publicly on the authority's website and the solar energy system company's website.

§ 2. This act shall take effect immediately.