STATE OF NEW YORK

7902--A

2023-2024 Regular Sessions

IN ASSEMBLY

July 19, 2023

Introduced by M. of A. EACHUS, GUNTHER, COLTON, JACOBSON, McDONOUGH, GRAY, DeSTEFANO, ZINERMAN, GALLAGHER, SAYEGH, SHIMSKY, SIMONE, TAYLOR, ARDILA, BENEDETTO, EPSTEIN, BEEPHAN, CHANG, K. BROWN, HYNDMAN, BICHOTTE HERMELYN, LEVENBERG, FAHY, DAVILA, ZEBROWSKI -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation 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 vehicle and traffic law, in relation to the use of a fire-resistant blanket, bag or container when charging a bicycle with electric assist or an electric scooter

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

Section 1. The vehicle and traffic law is amended by adding a new section 1244 to read as follows:

§ 1244. Battery pack; fire-resistant blanket. 1. Every bicycle with electric assist shall be sold with a fiberglass fire-resistant blanket which shall be used when charging the bicycle with electric assist. Every person charging a bicycle with electric assist shall place the lithium-ion battery pack under such fiberglass fire-resistant blanket, or in a fire-resistant bag or container, while the charging is taking place. If the battery cannot be removed from the bicycle with electric assist and charged separately, then a fiberglass fire-resistant blanket shall be placed over the entire bicycle with electric assist.

2. Sellers of bicycles with electric assist shall include a fiberglass fire-resistant blanket or fire-resistant bag or container which meets the requirements of this section for the particular bicycle with electric assist being purchased with each purchase of a bicycle with electric assist.

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

LBD11854-02-4

3. A violation of this section shall be punished by a fine of five hundred dollars for the first violation and an additional five hundred dollars for each subsequent violation.

4. For the purposes of this section, the term "fire-resistant" shall mean a fiberglass blanket or a bag or container which meets the definition of fire resistance as defined in the state fire code as that property of materials or their assemblies that prevents or retards the passage of excessive heat, hot gases, or flames under conditions of use.

§ 2. The vehicle and traffic law is amended by adding a new section 1290 to read as follows:

§ 1290. Battery pack; fire-resistant blanket. 1. Every electric scooter shall be sold with a fiberglass fire-resistant blanket which shall be used when charging the electric scooter. Every person charging an electric scooter shall place the lithium-ion battery pack under such fiberglass fire-resistant blanket, or in a fire-resistant bag or container, while the charging is taking place. If the battery cannot be removed from the electric scooter and charged separately, then a fiberglass fire-resistant blanket shall be placed over the entire electric scooter.

2. Sellers of electric scooters shall include a fiberglass fire-resistant blanket or fire-resistant bag or container which meets the requirements of this section for the particular electric scooter being purchased with each purchase of an electric scooter.

3. A violation of this section shall be punished by a fine of five hundred dollars for the first violation and an additional five hundred dollars for each subsequent violation.

4. For the purposes of this section, the term "fire-resistant" shall mean a fiberglass blanket or a bag or container which meets the definition of fire resistance as defined in the state fire code as that property of materials or their assemblies that prevents or retards the passage of excessive heat, hot gases, or flames under conditions of use.

§ 3. This act shall take effect immediately.